

**MINUTES OF THE
INFORMATION TECHNOLOGY COMMISSION**

Thursday October 19, 2000 – 1:00 p.m. – Room 403 State Capitol

Members Present:

Rep. Richard M. Siddoway, Chair
Rep. Brent H. Goodfellow
Rep. David L. Zolman
Mr. Daniel J. Becker
Mr. Ronald L. Fox
Mr. Cameron V. Francis
Mr. Peter R. Genereaux
Ms. Nancy CW Gibbs
Mr. Robert W. Hood
Commissioner Stephen F. Mecham
Mr. Leon Miller
Mr. Jerold G. Oldroyd
Mr. David A. Packer
Dr. Mike Petersen
Mr. Jerry P. Peterson
Mr. Alan Sherwood

Members Absent:

Sen. Scott N. Howell
Sen. Robert Montgomery
Mr. Garth Howard

Members Excused:

Sen. David H. Steele, Chair

Staff Present:

Mr. Richard C. North,
Research Analyst
Mr. Keith M. Woodwell,
Associate General Counsel
Ms. Junie G. Anderson,
Legislative Secretary

Note: A list of others present and a copy of materials distributed in the meeting are on file in the Office of Legislative Research and General Counsel.

1. Call to Order - Chair Siddoway called the meeting to order at 1:00 p.m.

He introduced Mr. Keith Woodwell as the Associate General Counsel who replaced Ms. Downing, Mr. Daniel Becker who replaced Justice Durrant, and Mr. Alan Sherwood who replaced Mr. Moon.

MOTION: Ms. Gibbs moved to approve the minutes of the August 17, 2000 meeting. The motion passed unanimously, with Mr. Becker, Mr. Fox, Mr. Mecham, and Mr. Peterson absent for the vote.

2. Draft Legislation “Electronic Government Services Amendments - Environment Quality”- This draft was not discussed at this meeting but will be heard in the November 13 meeting.

Draft Legislation “Electronic Government Services Amendments - Administrative Rules and Procedures” - Mr. North explained the draft bill which was mailed to commission members prior to the meeting and discussed recommended amendments to the draft.

Mr. Ken Hansen, Administrative Services, also provided comments and recommendations to the draft.

MOTION: Mr. Hood moved to amend page 3, line 70: After “retrievable” insert a period (.) and delete the rest of the line. The motion passed unanimously, with Mr. Fox and Mr. Peterson absent for the vote.

MOTION: Rep. Zolman moved to amend page 4, line 114: Reinstate the word “written”. The motion passed unanimously, with Mr. Fox and Mr. Peterson absent for the vote.

MOTION: Mr. Hood moved to amend page 11, line 321: After “covering” delete “all” and insert “publication”. The motion passed unanimously, with Mr. Fox and Mr. Peterson absent for the vote.

MOTION: Rep. Zolman moved to amend page 17, line 514: After “regarding” delete “the creation, use, and retention of”. The motion passed unanimously, with Mr. Fox and Mr. Peterson absent for the vote.

MOTION: Rep. Zolman moved to amend page 25, line 773: After “regarding” delete “the creation, use, and retention of”. The motion passed unanimously, with Mr. Fox absent for the vote.

MOTION: Rep. Zolman moved to approve draft legislation “Electronic Government Services Amendments - Administrative Rules and Procedures” as a committee bill. The motion passed unanimously, with Mr. Fox absent for the vote.

3. Draft Legislation “Information Technology Commission Amendments” - Mr. Woodwell explained the draft bill which was mailed to commission members prior to the meeting.

MOTION: Mr. Peterson moved to approve draft legislation “Information Technology Commission Amendments” as a committee bill. The motion passed unanimously, with Mr. Fox absent for the vote.

Mr. North noted that any bills recommended for adoption by the commission will go to the Public Utilities and Technology Interim Committee on November 15 for final adoption.

4. Privacy: What Public Information Is Sold By The Utah Department Of Health, To Whom, And How Is That Information Protected? - Dr. Robert Rolfs, Director, Office of Public Health Data, distributed a handout titled “Sale of Health Data by Utah Department of Health” and discussed its contents.

Mr. North reminded commission members that agencies are asked to provide information and make recommendations regarding the future use, collections, and resources needed to add more information into their databases.

Mr. Hood suggested that Dr. Rolfs submit to staff information regarding technology and its impact on the Department of Health.

Rep. Zolman recommended a representative from the Department of Motor Vehicles explain at a future meeting how personal information lists are sold by their department.

5. How Are State Information Technology Workers Compensated And Is Their Compensation Comparable With Market Pay Plans? - Ms. Karen Suzuki-Okabe, Executive Director, Department of Human Resources (DHRM), distributed a handout titled "State/Counties Merit/Cola Percent Increases (Local Comparative Data)." She also distributed "DHRM – New Comp Proposal" and discussed problems with the current compensation system and presented a proposal for a new system. Other handouts titled "DHRM – Compensation Considerations" and "Impact of DHRM Proposal on MCAs Combined With IT Discretionary Proposal" were also distributed.

She discussed market competitive adjustments (MCAs) and said Utah suffers from a deteriorating compensation structure. She explained that a "COLA" is probably the worst kind of pay compensation there is because someone coming in on their first day receives the same pay raise as someone who has been there three years. Typically, "COLAs" can cause a lack of motivation and a bigger gap in pay levels. She also discussed the issue of market compression where a new employee has to be brought in, due to market forces, at the same pay, or higher, as existing employees.

Mr. Kim Christensen, State Compensation Director, said all survey material he has received indicated information technology jobs are in the highest demand at this time. He noted that market data shows seven to eight percent, or higher, in the compensation rate being given on an annual basis while the state is only giving two to three percent. He expressed concern that compensation given across the board by the state actually puts the state further behind. He also said almost all other employers are offering incentives and bonuses which entice IT employees to leave the state system. It is also very costly to train new replacement employees. He proposed to move salaries for state IT employees to within 90-95 percent of market salaries.

Mr. Leon Miller, Director, Division of Information Technology Services, discussed the problem in hiring and retaining IT employees. He expressed concern that if the trend continues, it will not be long before the state loses its "core" competency within its agencies. He said the state has, in essence, become a training ground for other government agencies and the private sector.

Mr. Alan Sherwood, Acting Chief Information Officer, also discussed the problem with IT employment and the state's dependency on information technology. He distributed a report titled "The Information Technology (IT) Labor Shortage - The Eroding IT Talent Pool and Its Impact on Utah State Government." He said his office has committed to develop an implementation plan to continuously recruit and effectively manage IT employees.

Mr. Harry Sutton, IT Director, Office of Technology, Department of Human Services, said his department has lost numerous programming and LAN staff members. He said for the past five years he has been forced to hire contracted personnel, paid at a much higher salary, because he cannot hire and retain state employees.

6. What Is The Digital Divide? Who Is Affected By It? How Is State Government Addressing The Issue? Mr. Jerry Oldroyd, Ballard Spahr Andrews & Ingersoll, distributed and discussed three reports titled "Deployment of Advanced Telecommunications Capability: Second Report," "Advanced Telecommunications in Rural America – The Challenge of Bringing Broadband Service to All Americans," and "Falling Through the Net: Toward Digital Inclusion."

7. State Information Technology Budget Report - The budget report was not discussed at this meeting but will be heard at the November 13 meeting.

8. Adjournment -

MOTION: Rep. Zolman moved to adjourn the meeting at 4:04 p.m. The motion passed unanimously, with Rep. Goodfellow, Mr. Genereaux, and Mr. Peterson absent for the vote.