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## STATE TECHNOLOGY COMMISSION

### House Bill 6132 as introduced First Analysis (11-10-98)

**Sponsor: Rep. Lingg Brewer**  
**Committee: Advanced Technology and Computers**

#### ***THE APPARENT PROBLEM:***

Advances in technology have streamlined many functions of life, enabling information to be processed faster, services to be performed more quickly, and increased efficiency in many endeavors, whether in industry, government, or the private lives of citizens. Technology, though, and especially information technology, is advancing so rapidly that systems can become outdated quickly, staffs may need additional training to update skills, and so on. As the business sector becomes more dependent on information technology as part of its infrastructure, government will also be challenged to keep pace with the latest in technology in order to deliver services in a timely and cost-efficient manner. Historically, however, public agencies have been characterized as often lagging far behind in equipment upgrades, and this affects the delivery of services. Because staying on top of the latest in technological advances is so important, some people feel strongly that an independent entity should be created that could monitor the state's use of technology and help shape Michigan into a technological leader.

#### ***THE CONTENT OF THE BILL:***

The bill would create the State Technology Commission Act. Under the bill, the State Technology Commission would be created within the Legislative Council, but would exercise its powers and duties, including budgeting, procurement, and other management-related functions, independently of the council. The commission would have to investigate and evaluate the current status of technology in all aspects of state government, review and make recommendations to executive departments on all contracts for technology improvements in the state, develop a statewide technology plan to improve Michigan's technology capability for state government, and investigate technological problems in state government. The commission would have to develop and submit a report on its activities and

recommendations by November 1, 1999 and each subsequent November 1.

The Speaker of the House of Representatives, the Senate Majority Leader, and the governor would each appoint two members to the commission. The first members would serve staggered terms; after that, terms would be for three years or until a successor was appointed. Members would serve without compensation, but could be reimbursed for actual and necessary expenses incurred in performing their duties. The bill would establish procedures for filling vacancies, electing a chairperson, and conducting business. The commission would have to meet at least quarterly. Meetings would have to be held in compliance with the Open Meetings Act (MCL 15.261 to 15.275), and documents prepared and used by the commission in the performance of an official function would be subject to the Freedom of Information Act (MCL 15.231 to 15.246).

#### ***FISCAL IMPLICATIONS:***

Fiscal information is not available.

#### ***ARGUMENTS:***

##### ***For:***

Currently, there is little or no public oversight or opportunity for input on how the state utilizes technology to better deliver services, even though the public supports the delivery of those services through their taxes. The bill would correct this situation by creating an independent, nonpartisan commission that would have the opportunity to see the big picture on the technological capabilities and functioning of the state. Since meetings would be held in compliance with the Open Meetings Act, the public would have a chance to become better informed about the operation of state government. This would also give Michigan residents with considerable computer and other

technology-related expertise the opportunity to offer input. Many valuable insights could be gleaned this way that may have been missed under the current closed system. Recommendations by the commission would not be binding on executive departments, but would provide a fresh look at issues and a broader perspective for problem-solving. The commission would also have the unique chance to look at the state as a whole. This would contrast with the current situation, in which technology decisions are made solely on a department by department or agency by agency basis. Further, the commission report to the legislature each year would be extremely helpful in identifying those areas in which legislation may be helpful in enabling the state to grow as a leader in technology.

### ***Against:***

The bill is too broad, is not needed, and would be virtually impossible to implement. For instance, the requirement for the commission to review and make recommendations on all state "technology" contracts is very problematic. Would this mean only what would fall within the parameters of "information technology" or include all technology, such as automotive? After all, the state does maintain a garage and many state-owned vehicles. If a state agency needs a new copier, would that constitute a state technology contract? If so, it is doubtful that a six-person commission which meets four times a year could be able to review every requisition form in a timely enough manner. Commission members would not even be required to demonstrate competency in the area of technology.

Most importantly, the bill is not needed. The W.K. Kellogg Foundation, the Kresge Foundation, the Herbert H. and Grace A. Dow Foundation, and the Council of Michigan Foundations have already joined forces and sponsored the formation of the Michigan Information Technology Commission (MITC), which has already done some, and will do even more, of the tasks proposed by the bill. The MITC comprises members from state universities, the legislature, unions, the educational sector, business sector, automobile industry, medical fields, and so on. It is a collaboration of the best and the brightest from both the public and private sector. The MITC report, containing commission findings and recommendations, can be found at <http://www.michinfotech.org>. The website also affords members of the public an

opportunity for input and interaction. Therefore, the commission created by the bill would merely recreate a wheel that is already rolling, and perhaps one that is not as effective as MITC.

### ***POSITIONS:***

There are no positions on the bill.

Analyst: S. Stutzky

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.