

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL  
No. 2015 Session of  
2001

INTRODUCED BY DAILEY, THOMAS, T. ARMSTRONG, M. BAKER, BARD,  
BARRAR, BELFANTI, CALTAGIRONE, CAPPELLI, CLARK, L. I. COHEN,  
COLAFELLA, COLEMAN, CREIGHTON, FICHTER, GEIST, GEORGE,  
HARHAI, HERMAN, LEH, MANN, McILHATTAN, S. MILLER, PETRARCA,  
PHILLIPS, PIPPY, RAYMOND, RUBLEY, SATHER, B. SMITH, SOLOBAY,  
STERN, T. STEVENSON, SURRA, TIGUE, WILT, WOJNAROSKI,  
YOUNGBLOOD AND YUDICHAK, OCTOBER 15, 2001

SENATOR CORMAN, COMMUNICATIONS AND HIGH TECHNOLOGY, IN SENATE,  
AS AMENDED, NOVEMBER 19, 2002

AN ACT

1 ~~Establishing the Information Technology and Electronic Commerce~~ <—  
2 ~~Advisory Council and Joint Committee on Information~~  
3 ~~Technology and Electronic Commerce and providing for their~~  
4 ~~powers and duties.~~

5 ESTABLISHING THE JOINT STATE GOVERNMENT COMMISSION TASK FORCE <—  
6 AND ADVISORY COMMITTEE ON INFORMATION TECHNOLOGY,  
7 TELECOMMUNICATIONS AND ELECTRONIC COMMERCE; AND PROVIDING FOR  
8 ITS POWERS AND DUTIES.

9 The General Assembly of the Commonwealth of Pennsylvania  
10 hereby enacts as follows:

11 ~~Section 1. Definitions.~~ <—

12 ~~The following words and phrases when used in this act shall~~  
13 ~~have the meanings given to them in this section unless the~~  
14 ~~context clearly indicates otherwise:~~

15 ~~"Council." The Information Technology and Electronic~~  
16 ~~Commerce Advisory Council established in section 2.~~

17 ~~"Information technology." Any electronic technology used to~~

~~process, store, transmit or publish information including, but not limited to, a computer, computer system, computer network, computer software, computer program, database, cellular telephone, pager or personal digital assistant or any part of that technology.~~

~~"Joint committee." The Joint Committee on Information Technology and Electronic Commerce established in section 7. Section 2. Establishment of council.~~

~~The Information Technology and Electronic Commerce Advisory Council is established to advise the General Assembly on information technology and electronic commerce policy questions, to provide a general forum for discussion of legislative issues related to information technology and electronic commerce and to focus and report on technology developments and initiatives. The council shall be comprised of major leaders of business and labor, representatives from the executive and judicial branches of government and appointees from legislative staffs and agencies, State row offices, major regulatory agencies and academe.~~

~~Section 3. Composition of council.~~

~~The council shall consist of the following members:~~

~~(1) To represent the executive branch:~~

~~(i) A representative of the Office for Information Technology within the Office of Administration appointed by the Governor.~~

~~(ii) A representative of the Auditor General appointed by the Auditor General.~~

~~(iii) A representative of the State Treasurer appointed by the State Treasurer.~~

~~(iv) A representative of the Attorney General~~

1 ~~appointed by the Attorney General.~~

2 ~~(v) A Pennsylvania Public Utility Commission~~  
3 ~~representative appointed by the chair of the Pennsylvania~~  
4 ~~Public Utility Commission.~~

5 ~~(2) To represent the judicial branch, a representative~~  
6 ~~of the Pennsylvania Supreme Court appointed by the court.~~

7 ~~(3) To represent the legislative branch:~~

8 ~~(i) The Chief Clerk of the Senate.~~

9 ~~(ii) The Chief Clerk of the House of~~  
10 ~~Representatives.~~

11 ~~(iii) The chair of the Legislative Data Processing~~  
12 ~~Committee.~~

13 ~~(iv) The director of the Legislative Reference~~  
14 ~~Bureau.~~

15 ~~(v) The Computer Services/Information Technology~~  
16 ~~directors from each of the four caucuses.~~

17 ~~(4) To represent the public and industry:~~

18 ~~(i) One member appointed by the President pro~~  
19 ~~tempore of the Senate.~~

20 ~~(ii) One member appointed by the Speaker of the~~  
21 ~~House of Representatives.~~

22 ~~(iii) One member appointed by each of the four~~  
23 ~~caucus floor leaders.~~

24 ~~(5) To represent the academe:~~

25 ~~(i) A member chosen by the Legislative Office for~~  
26 ~~Research Liaison (LORL) University Network Information~~  
27 ~~Technology Advisory Committee.~~

28 ~~(ii) A member chosen by the Pennsylvania Association~~  
29 ~~of Colleges and Universities (PACU).~~

30 ~~(iii) A member chosen by the Association of~~

~~Community Colleges.~~

~~Section 4.— Objectives of council.~~

~~The objectives of the Information Technology and Electronic  
Commerce Advisory Council are:~~

~~(1) To bring a diversity of public and private sector  
perspectives to bear on information technology and electronic  
commerce issues before the Commonwealth.~~

~~(2) To promote proactive discussion of emergent issues  
in information technology and electronic commerce as they may  
affect both the Commonwealth and the operations of the  
General Assembly.~~

~~(3) To identify, examine and assess alternative  
approaches to dealing with the issues identified, together  
with analysis of the pros and cons of each.~~

~~(4) To provide testimony, written analysis, counsel and  
advice to the members and staff of the Communications and  
High Technology Committee of the Senate and the Information  
Technology Subcommittee of the Intergovernmental Relations  
Committee of the House of Representatives and to organize  
briefings, workshops and conferences upon request by the  
Joint Committee on Information Technology and Electronic  
Commerce.~~

~~Section 5.— Terms of council members.~~

~~Each council member shall serve for the duration of a two-  
year legislative session or until replaced.~~

~~Section 6.— Leadership of council.~~

~~The following rules shall apply:~~

~~(1) The chair and vice chair of the council shall  
alternate between the appointees of the President pro tempore  
of the Senate and the Speaker of the House of~~

Representatives.

~~(2) The appointee of the President pro tempore of the Senate shall be chair immediately upon the effective date of this act, and the appointee of the Speaker of the House of Representatives shall be vice chair.~~

~~(3) Unless the effective date of this act is the beginning date of a two year session of the General Assembly, the appointee of the President pro tempore of the Senate shall continue to serve as chair and the appointee of the Speaker of the House of Representatives as vice chair through the next complete two year session of the General Assembly.~~

~~(4) The chair and vice chair shall alternate in subsequent sessions of the General Assembly between the appointee of the President pro tempore of the Senate and the appointee of the Speaker of the House of Representatives.~~

~~Section 7. Joint Committee on Information Technology and  
Electronic Commerce.~~

~~(a) Purpose and composition of committee.~~

~~(1) The council shall be administered by a Joint Committee on Information Technology and Electronic Commerce comprised of the majority and minority chairs of the Communications and High Technology Committee of the Senate and the majority and minority chairs of the Information Technology Subcommittee of the Intergovernmental Relations Committee of the House of Representatives.~~

~~(2) The joint committee shall schedule and convene the meetings of the council and shall adopt such rules governing the organization and proceedings of the joint committee as they deem appropriate.~~

~~(3) Any member of the joint committee may request the~~

~~council to consider and assess topics of interest related to  
information technology to that member.~~

~~(4) The joint committee shall also adopt such rules  
governing the organization and proceedings of the council as  
it deems appropriate.~~

~~(b) Chairmanship of committee.~~

~~(1) The chairmanship of the joint committee shall change  
at the beginning of each session of the General Assembly and  
shall rotate by party and by chamber.~~

~~(2) The House Republican member shall serve as chair of  
the joint committee immediately upon the effective date of  
this act.~~

~~(3) Unless the effective date of this act is the  
beginning date of a two year session of the General Assembly,  
the House Republican member shall continue to serve through  
the next complete two year session of the General Assembly.~~

~~(4) The House Democratic member shall serve as chair in  
the following two year legislative session, then the Senate  
Republican member, then the Senate Democratic member, and so  
on.~~

~~Section 8. Effective date.~~

~~This act shall take effect in 60 days.~~

SECTION 1. SHORT TITLE.

THIS ACT SHALL BE KNOWN AND MAY BE CITED AS THE JOINT STATE  
GOVERNMENT COMMISSION ADVISORY COMMITTEE ON INFORMATION  
TECHNOLOGY, TELECOMMUNICATIONS AND ELECTRONIC COMMERCE.

SECTION 2. DEFINITIONS.

THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ACT SHALL  
HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE  
CONTEXT CLEARLY INDICATES OTHERWISE:

1 "ADVISORY COMMITTEE." THE JOINT STATE GOVERNMENT COMMISSION  
2 ADVISORY COMMITTEE ON INFORMATION TECHNOLOGY, TELECOMMUNICATIONS  
3 AND ELECTRONIC COMMERCE AS SET FORTH IN SECTION 5.

4 "INFORMATION TECHNOLOGY." ANY ELECTRONIC TECHNOLOGY USED TO  
5 PROCESS, STORE, TRANSMIT OR PUBLISH INFORMATION, INCLUDING, BUT  
6 NOT LIMITED TO, A COMPUTER, COMPUTER SYSTEM, COMPUTER NETWORK,  
7 COMPUTER SOFTWARE, COMPUTER PROGRAM, DATABASE, CELLULAR  
8 TELEPHONE, PAGER OR PERSONAL DIGITAL ASSISTANT OR ANY PART OF  
9 THAT TECHNOLOGY.

10 "TASK FORCE." THE JOINT STATE GOVERNMENT COMMISSION TASK  
11 FORCE ON INFORMATION TECHNOLOGY, TELECOMMUNICATIONS AND  
12 ELECTRONIC COMMERCE AS SET FORTH IN SECTION 4.

13 SECTION 3. ESTABLISHMENT OF TASK FORCE AND ADVISORY COMMITTEE.

14 THE JOINT STATE GOVERNMENT COMMISSION SHALL ESTABLISH A TASK  
15 FORCE AND ADVISORY COMMITTEE ON INFORMATION TECHNOLOGY,  
16 TELECOMMUNICATIONS AND ELECTRONIC COMMERCE.

17 SECTION 4. TASK FORCE.

18 (A) COMPOSITION.--THE TASK FORCE SHALL BE COMPRISED OF THE  
19 FOLLOWING MEMBERS OF THE GENERAL ASSEMBLY:

20 (1) THE CHAIRMAN AND MINORITY CHAIRMAN OF THE COMMITTEE  
21 ON COMMUNICATIONS AND HIGH TECHNOLOGY OF THE SENATE.

22 (2) THE CHAIRMAN AND MINORITY CHAIRMAN OF THE  
23 SUBCOMMITTEE ON INFORMATION TECHNOLOGY OF THE COMMITTEE ON  
24 INTERGOVERNMENTAL RELATIONS OF THE HOUSE OF REPRESENTATIVES.

25 (B) CHAIRMAN.--

26 (1) THE CHAIRMAN OF THE TASK FORCE SHALL CHANGE AT THE  
27 BEGINNING OF EACH CALENDAR YEAR AND SHALL ROTATE BY CAUCUS  
28 AND CHAMBER AS PROVIDED IN THIS SUBSECTION.

29 (2) THE HOUSE REPUBLICAN MEMBER OF THE TASK FORCE SHALL  
30 SERVE AS CHAIRMAN FROM JANUARY 1, 2003, UNTIL DECEMBER 31,

1 2003.

2 (3) THE SENATE REPUBLICAN MEMBER OF THE TASK FORCE SHALL  
3 SERVE AS CHAIRMAN FROM JANUARY 1, 2004, UNTIL DECEMBER 31,  
4 2004.

5 (4) IN THE EVENT THIS ACT IS EXTENDED PURSUANT TO  
6 SECTION 7, THE HOUSE DEMOCRATIC MEMBER OF THE TASK FORCE  
7 SHALL SERVE AS CHAIRMAN FROM JANUARY 1, 2005, UNTIL DECEMBER  
8 31, 2005 AND THE SENATE DEMOCRATIC MEMBER OF THE TASK FORCE  
9 SHALL SERVE AS CHAIRMAN FROM JANUARY 1, 2006, UNTIL DECEMBER  
10 31, 2006.

11 (5) UPON COMPLETION OF THE TERM OF THE CHAIRMAN SET  
12 FORTH IN PARAGRAPH (4), THE ROTATION OF CHAIRMEN OF THE TASK  
13 FORCE SHALL CONTINUE IN THE ORDER AND TERM DURATION SET FORTH  
14 IN PARAGRAPHS (2) AND (3) FOR SUCCEEDING CALENDAR YEARS.

15 SECTION 5. ADVISORY COMMITTEE.

16 (A) PURPOSE.--THE ADVISORY COMMITTEE ON INFORMATION  
17 TECHNOLOGY, TELECOMMUNICATIONS AND ELECTRONIC COMMERCE SHALL  
18 ADVISE THE TASK FORCE ON POLICY QUESTIONS REGARDING INFORMATION  
19 TECHNOLOGY, TELECOMMUNICATIONS AND ELECTRONIC COMMERCE, PROVIDE  
20 A GENERAL FORUM FOR DISCUSSION OF LEGISLATIVE ISSUES REGARDING  
21 SUCH MATTERS AND REPORT ON RELEVANT DEVELOPMENTS AND  
22 INITIATIVES.

23 (B) COMPOSITION.--

24 (1) THE TASK FORCE SHALL APPOINT AN ADVISORY COMMITTEE  
25 WHICH FULLY REPRESENTS ALL THE STAKEHOLDERS OF THE  
26 INFORMATION TECHNOLOGY, TELECOMMUNICATIONS AND ELECTRONIC  
27 COMMERCE INDUSTRIES, INCLUDING, BUT NOT LIMITED TO, MEMBERS  
28 REPRESENTING:

29 (I) PUBLIC, PRIVATE, FOR-PROFIT AND NOT-FOR-PRIVATE  
30 ORGANIZATIONS.



1 (II) THE LEGISLATIVE, EXECUTIVE AND JUDICIAL  
2 BRANCHES OF STATE GOVERNMENT.

3 (III) INDUSTRY, ACADEMIC INSTITUTIONS AND THE  
4 GENERAL PUBLIC.

5 (2) THE ADVISORY COMMITTEE SHALL HAVE THREE STANDING  
6 SUBCOMMITTEES:

7 (I) INFORMATION TECHNOLOGY.

8 (II) TELECOMMUNICATIONS.

9 (III) ELECTRONIC COMMERCE.

10 (C) OBJECTIVES.--THE OBJECTIVES OF THE ADVISORY COMMITTEE  
11 ARE AS FOLLOWS:

12 (1) TO BRING A DIVERSITY OF PUBLIC AND PRIVATE SECTOR  
13 PERSPECTIVES TO BEAR ON ISSUES FACING THE COMMONWEALTH  
14 RELATING TO INFORMATION TECHNOLOGY, TELECOMMUNICATIONS AND  
15 ELECTRONIC COMMERCE.

16 (2) TO PROMOTE PROACTIVE DISCUSSION OF EMERGENT ISSUES  
17 RELATING TO INFORMATION TECHNOLOGY, TELECOMMUNICATIONS AND  
18 ELECTRONIC COMMERCE AS THOSE ISSUES MAY AFFECT BOTH THE  
19 COMMONWEALTH AND THE OPERATIONS OF THE GENERAL ASSEMBLY.

20 (3) TO IDENTIFY, EXAMINE AND ASSESS ALTERNATIVE  
21 APPROACHES TO DEALING WITH THE ISSUES IDENTIFIED, TOGETHER  
22 WITH AN ANALYSIS OF THE PROS AND CONS OF EACH.

23 (4) TO PROVIDE WRITTEN ANALYSIS, COUNSEL AND ADVICE TO  
24 THE TASK FORCE.

25 (5) TO ORGANIZE BRIEFINGS, WORKSHOPS AND CONFERENCES  
26 UPON THE REQUEST OF THE TASK FORCE.

27 (6) TO PROVIDE TESTIMONY UPON THE REQUEST OF THE  
28 COMMITTEE ON COMMUNICATIONS AND HIGH TECHNOLOGY OF THE SENATE  
29 AND THE SUBCOMMITTEE ON INFORMATION TECHNOLOGY OF THE  
30 COMMITTEE ON INTERGOVERNMENTAL AFFAIRS OF THE HOUSE OF

1 REPRESENTATIVES.

2 (7) TO BRING TOGETHER EXPERTS IN THE FIELDS OF  
3 INFORMATION TECHNOLOGY, TELECOMMUNICATIONS AND ELECTRONIC  
4 COMMERCE ON AN AD HOC BASIS TO REVIEW AND RECOMMEND  
5 LEGISLATIVE AND OPERATIONAL APPROACHES TO ISSUES REGARDING  
6 SUCH FIELDS.

7 (D) EXECUTIVE BOARD.--

8 (1) THE ADVISORY COMMITTEE SHALL BE GOVERNED BY A FIVE-  
9 MEMBER EXECUTIVE BOARD, CONSISTING OF THE MEMBERS OF THE  
10 ADVISORY COMMITTEE. THE TASK FORCE SHALL APPOINT THE MEMBERS  
11 OF THE EXECUTIVE BOARD AND DESIGNATE A CHAIRMAN AND VICE-  
12 CHAIRMAN OF THE EXECUTIVE BOARD.

13 (2) THE EXECUTIVE BOARD SHALL SCHEDULE AND CONVENE  
14 MEETINGS OF THE ADVISORY COMMITTEE AND SHALL ADOPT SUCH RULES  
15 GOVERNING ITS PROCEEDINGS AND THE PROCEEDINGS OF THE ADVISORY  
16 COMMITTEE AS IT DEEMS APPROPRIATE.

17 SECTION 6. REPORT.

18 BY DECEMBER 31, 2003, THE ADVISORY COMMITTEE SHALL REPORT TO  
19 THE TASK FORCE REGARDING THE ADVISORY COMMITTEE'S  
20 RECOMMENDATIONS AS TO THE NEED FOR ANY PERMANENT COMMITTEES ON  
21 INFORMATION TECHNOLOGY, TELECOMMUNICATIONS AND ELECTRONIC  
22 COMMERCE WITHIN STATE GOVERNMENT, AS WELL AS THE LOCATION AND  
23 STRUCTURE OF SUCH COMMITTEES.

24 SECTION 7. EXPIRATION.

25 THIS ACT SHALL EXPIRE DECEMBER 31, 2004, UNLESS OTHERWISE  
26 PROVIDED FOR BY AN ACT OF THE GENERAL ASSEMBLY.

27 SECTION 8. EFFECTIVE DATE.

28 THIS ACT SHALL TAKE EFFECT JANUARY 1, 2003.