

Committee Report

REGULAR CALENDAR

February 4, 2021

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Committee on Executive Departments and Administration to which was referred HB 425-FN,

AN ACT establishing the position of chief information security officer and deputy chief information security officer in the department of information technology.

Having considered the same, report the same with the following amendment, and the recommendation that the bill OUGHT TO PASS WITH AMENDMENT.

Rep. Jaci Grote

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	Executive Departments and Administration
Bill Number:	HB 425-FN
Title:	establishing the position of chief information security officer and deputy chief information security officer in the department of information technology.
Date:	February 4, 2021
Consent Calendar:	REGULAR
Recommendation:	OUGHT TO PASS WITH AMENDMENT HB 425-2021-0027h

STATEMENT OF INTENT

This bill was submitted at the request of the Department of Information Technology and brings into statute an executive order issued by Governor Hassan. The Chief Information Security Officer and Deputy Chief Information Security Officer work with all executive branch agencies to establish cyber security policy; in addition, they interact with the cyber risk assessment task force and implement steps to mitigate risk impact. These positions exist now and are in the budget as proposed. There was no opposition to this bill at the hearing and, recognizing the need for cyber security in NH, the bill passed through the committee unanimously. The committee amendment deletes language that inadvertently created duplicate positions.

Vote 17-0.

Rep. Jaci Grote
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

Executive Departments and Administration

HB 425-FN, establishing the position of chief information security officer and deputy chief information security officer in the department of information technology. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jaci Grote for Executive Departments and Administration. This bill was submitted at the request of the Department of Information Technology and brings into statute an executive order issued by Governor Hassan. The Chief Information Security Officer and Deputy Chief Information Security Officer work with all executive branch agencies to establish cyber security policy; in addition, they interact with the cyber risk assessment task force and implement steps to mitigate risk impact. These positions exist now and are in the budget as proposed. There was no opposition to this bill at the hearing and, recognizing the need for cyber security in NH, the bill passed through the committee unanimously. The committee amendment deletes language that inadvertently created duplicate positions. **Vote 17-0.**

Original: House Clerk
Cc: Committee Bill File

Rep. McGuire, Merr. 29
Rep. L. Ober, Hills. 37
January 19, 2021
2021-0027h
05/08

Amendment to HB 425-FN

1 Amend the title of the bill by replacing it with the following:

2

3 AN ACT establishing technical committees and a cybersecurity advisory committee in the
4 department of information technology.

5

6 Amend the bill by deleting sections 1-2 and renumbering the original sections 3-5 to read as 1-3,
7 respectively.

Amendment to HB 425-FN
- Page 2 -

2021-0027h

AMENDED ANALYSIS

This bill establishes certain technical committees and a cybersecurity advisory committee in the department of information technology.

HOUSE COMMITTEE REPORT

HB 425-FN – establishing the position of chief information security officer and deputy chief information security officer in the department of information technology.


2/4/2021 Consent – no

OTPA – 17-0

Committee Vote

HB425 was submitted at the request of the Department of Information Technology and brings into statute an executive order issued by Governor Hassan. These existing positions work with all executive branch agencies to establish cyber security policy; in addition, these positions interact with the cyber risk assessment task force and implement steps to mitigate risk impact. These filled positions are in the budget as proposed. There was no opposition to this bill at the hearing and, recognizing the need for cyber security in NH, the bill passed through ED&A unanimously. The committee amendment deletes language that inadvertently created duplicate positions

REPRESENTATIVE GROTE

Archived: Tuesday, April 20, 2021 9:30:56 AM
From: Carol McGuire
Sent: Friday, February 5, 2021 2:05:47 PM
To: Miriam Simmons; Pam Smarling
Subject: Fwd: here is the attachment
Response requested: No
Importance: Normal
Attachments:
[HOUSE COMMITTEE REPORT HB425.odt](#) 

----- Forwarded message -----
From: **Carol McGuire** <mcguire4house@gmail.com>
Date: Fri, Feb 5, 2021 at 12:00 PM
Subject: Re: here is the attachment
To: Jaci Grote <Jaci.Grote@leg.state.nh.us>

I added a sentence about the amendment - OK?

On Fri, Feb 5, 2021 at 10:59 AM Jaci Grote <Jaci.Grote@leg.state.nh.us> wrote:

Jaci Grote
Representative Jaci Grote
Rockingham District 24 - Rye and New Castle
Executive Departments and Administration
603-235-6287

Voting Sheets

OFFICE OF THE HOUSE CLERK



1/22/2021 9:57:48 AM
 Roll Call Committee Register
 Report

2021 SESSION

Executive Departments and Administration

Bill #: HB 425 Motion: _____ AM #: _____ Exec Session Date: _____

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
McGuire, Carol M. Chairman	✓		
Roy, Terry Vice Chairman	✓		
Sytek, John Clerk	✓		
Pearson, Stephen C.	✓		
Yakubovich, Michael	✓		
Lekas, Tony	✓		
Alliegro, Mark C.	✓		
Bailey, Glenn			✓
Lanzara, Tom E.	✓		
Santonastaso, Matthew			✓
Goley, Jeffrey P.	✓		
Schuett, Dianne E.	✓		
Judy, Jean L.	✓		
Schmidt, Peter B.	✓		
Schultz, Kristina M.	✓		
Fellows, Sallie D.	✓		
Fontaineau, Timothy J. <i>LA BRANCHE</i>	✓		
Grote, Jaci L.	✓		
O'Brien, Michael B.	✓		

TOTAL VOTE:

17-0

OFFICE OF THE HOUSE CLERK



1/22/2021 9:57:48 AM
Roll Call Committee Register
Report

2021 SESSION

Executive Departments and Administration

Bill #: HB 425 Motion: ADOPT AMEND AM #: 2021-0027H Exec Session Date: 2-4-21

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
McGuire, Carol M. Chairman	X		
Roy, Terry Vice Chairman	X		
Sytek, John Clerk	X		
Pearson, Stephen C.	X		
Yakubovich, Michael	X		
Lekas, Tony	X		
Alliegro, Mark C.	X		
Bailey, Glenn			X
Lanzara, Tom E.	X		
Santonastaso, Matthew			X
Goley, Jeffrey P.	X		
Schuett, Dianne E.	X		
Jeudy, Jean L.	X		
Schmidt, Peter B.	X		
Schultz, Kristina M.	X		
Fellows, Sallie D.	X		
Fontneau, Timothy J. <u>LABRANCHE</u>	X		
Grote, Jaci L.	X		
O'Brien, Michael B.	X		

TOTAL VOTE:

17-0

Rep. McGuire, Merr. 29
Rep. L. Ober, Hills. 37
January 19, 2021
2021-0027h
05/08

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7 respectively.

UNAPPROVED

2021-0027h

AMENDED ANALYSIS

This bill establishes certain technical committees and a cybersecurity advisory committee in the department of information technology.

UNAPPROVED

Hearing Minutes

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

PUBLIC HEARING ON HB 425-FN

BILL TITLE: (New Title) establishing technical committees and a cybersecurity advisory committee in the department of information technology

DATE: February 1, 2021

LOB ROOM: LOB Hybrid **Time Public Hearing Called to Order:** 9:40 a.m.

Time Adjourned: 9:55 a.m.

(please circle if present)

Committee Members: Reps. McGuire, Roy, Sytek, S. Pearson, Yakubovich, T. Lekas, Alliegro, Bailey, Lanzara, Santonastaso, Goley, Schuett, Jeudy, P. Schmidt, Schultz, Fellows, Fontneau, Grote and O'Brien

Bill Sponsors:

Rep. L. Ober

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

1 - Rep Lynne Ober – Hillsborough 37 - representing self- prime sponsor, introduced the bill. Brought forth at the request of the Department of the Information Technology.

2 – Mr Dennis Goulet – Commissioner of Information Technology – in support.

This bill brings into statute an executive order that was issued by Governor Hassan. This work is important and deals with the cyber security of each executive branch.

Question: Rep Schuett – are these positions filled and currently in the budget?

Ans: Mr Goulet – yes, they are filled and budgeted as proposed in this bill.

Question: Rep Schmidt – do you know of upcoming witnesses that opposed this bill?

And are there any downsides?

Ans: Mr Goulet – I am not aware of any distractors. Current concerns result from the cyber risk assessment board and implementing steps to mitigate them.

Public hearing adjourned at 9:55 a.m.

Respectfully submitted by,

Rep. Jaci Grote

Acting Committee Clerk

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

PUBLIC HEARING ON HB 425-FN

BILL TITLE: establishing the position of chief information security officer and deputy chief information security officer in the department of information technology.

DATE: February 1, 2021

ROOM: LOB and remote

Time Public Hearing Called to Order: 9:40am

Time Adjourned: 9:55am

1 - Rep Lynne Ober – Hillsborough 37 - representing self- prime sponsor, introduced the bill.
Brought forth at the request of the Department of the Information Technology.

2 – Mr Dennis Goulet – Commissioner of Information Technology – in support.
This bill brings into statute an executive order that was issued by Governor Hassan. This work is important and deals with the cyber security of each executive branch.

Question: Rep Schuett – are these positions filled and currently in the budget?

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Ans: Mr Goulet – I am not aware of any distractors. Current concerns result from the cyber risk assessment board and implementing steps to mitigate them.

House Remote Testify

Executive Departments and Administration Committee Testify List for Bill HB425 on 2

<u>Name</u>	<u>Email Address</u>	<u>Phone</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>	<u>§</u>
Goulet, Denis	denis.c.goulet@doit.nh.gov	603.545.5988	State Agency Staff	DoIT	Support	Yes (5m)	1
kelley, scott	scott.kelley@leg.state.nh.us	603.271.6275	A Lobbyist	Myself	Oppose	Yes (0m)	2
Ober, Lynne	lynne.ober@comcast.net	603.883.9654	An Elected Official	Prime Sponsor	Support	Yes (0m)	1
Rathbun, Eric	ericrathbun@gmail.com	860.912.3751	A Member of the Public	Myself	Support	No	1

Testimony

Archived: Monday, February 1, 2021 9:51:08 AM
From: [Lynne Ober](#)
Sent: Monday, January 25, 2021 3:07:40 PM
To: ~[House Executive Departments and Administration](#)
Subject: Written Testimony on HB425 for 2/1/2021
Importance: Normal
Attachments:
[HB 425 - 2021-0027h.pdf](#) 

Honorable Committee Members, <<...>>

HB425 was submitted at the end of the bill filing period on behalf of the DOIT Commissioner and I am introducing it this morning.

The purpose of the bill is to further expand the roles of chief information security officer and deputy chief information security officer in the department of information technology to meet the changing needs of the agency.

Unfortunately, as does happen, with bills filed late in the period, there is little time to edit and refine. As a result, in addition to introducing this bill this morning, I am also introducing amendment 2021-0027h, which corrects the drafting error.


With me is DOIT Commissioner Goulet and he will be able to answer your questions on the need for this change.

Thank you for allowing me to introduce this bill,

Lynne Ober

State Representative

Hills 37

Archived: Wednesday, April 7, 2021 12:01:16 PM
From: Lynne Ober
Sent: Monday, January 25, 2021 3:07:40 PM
To: ~House Executive Departments and Administration
Subject: Written Testimony on HB425 for 2/1/2021
Response requested: No
Importance: Normal
Attachments:
[HB 425 - 2021-0027h.pdf](#) 

Honorable Committee Members, <<...>>

HB425 was submitted at the end of the bill filing period on behalf of the DOIT Commissioner and I am introducing it this morning.

The purpose of the bill is to further expand the roles of chief information security officer and deputy chief information security officer in the department of information technology to meet the changing needs of the agency.

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With me is DOIT Commissioner Goulet and he will be able to answer your questions on the need for this change.

Thank you for allowing me to introduce this bill,

Lynne Ober

State Representative

Hills 37

Bill as
Introduced

HB 425-FN - AS INTRODUCED

2021 SESSION

21-0546

05/08

HOUSE BILL **425-FN**

AN ACT establishing the position of chief information security officer and deputy chief information security officer in the department of information technology.

SPONSORS: Rep. L. Ober, Hills. 37

COMMITTEE: Executive Departments and Administration

ANALYSIS

This bill establishes the positions of chief information security officer and deputy chief information security officer in the department of information technology.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears ~~[in brackets and struck through.]~~
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT establishing the position of chief information security officer and deputy chief information security officer in the department of information technology.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 New Section; Department of Information Technology; Positions Established. Amend RSA 21-R
2 by inserting after section 3 the following new section:

3 21-R:3-a Chief Information Security Officer and Deputy Chief Information Security Officer;
4 Positions Established. The commissioner of the department of information technology shall appoint
5 a chief information security officer (CISO) and a deputy CISO with the advice and consent of the
6 information technology council, established in RSA 21-R:6, and the director of homeland security and
7 emergency management. The CISO and deputy CISO shall be qualified to hold the position by
8 reason of education and experience, and shall perform such duties as assigned by the commissioner,
9 which may include, but not be limited to, the authority and power with approval of the commissioner
10 to direct and oversee the cybersecurity functions and security posture of the department of
11 information technology and executive branch agencies. The CISO and deputy CISO shall serve
12 continuously until resignation or replacement.

13 2 Chief Information Security Officer; Deputy Chief Information Security Officer; Salary. The
14 salaries for the unclassified positions established in section 1 of this act shall be determined after
15 assessment and review of the appropriate temporary letter grade allocation in RSA 94:1-a, I(b),
16 which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c.

17 3 New Paragraphs; Department of Information Technology; Technical Committees. Amend RSA
18 21-R:7 by inserting after paragraph VI the following new paragraphs:

19 VII. Cyber security.

20 VIII. Cloud technologies or strategies.

21 4 New Section; Cyber security Advisory Committee. Amend RSA 21-R by inserting after section
22 15 the following new section:

23 21-R:16 Cybersecurity Advisory Committee

24 I. There is hereby established the cybersecurity advisory committee (CAC) which shall be
25 chaired by the chief information security officer.

26 II. The committee shall advise the commissioner or the commissioner's designee on
27 cybersecurity concerns, promote awareness, develop effective policies and solutions, and obtain
28 consensus on enterprise-wide initiatives that advance the cybersecurity of information assets and
29 technology resources.

HB 425-FN - AS INTRODUCED

- Page 2 -

1 III. All executive departments and agencies shall identify and appoint an employee with
2 cybersecurity responsibilities to spearhead agency cybersecurity matters including information
3 security, confidentiality, privacy, and regulatory compliance, and to represent the agency on the
4 CAC. Contributors to the CAC may include representatives with cybersecurity responsibilities from
5 the New Hampshire National Guard, New Hampshire political subdivisions, academic institutions,
6 and select private industry representatives as identified by the CAC.

7 5 Effective Date. This act shall take effect July 1, 2021.

Fiscal Note

**HB 425-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT establishing the position of chief information security officer and deputy chief information security officer in the department of information technology.

FISCAL IMPACT: State County Local None

STATE:	Estimated Increase / (Decrease)			
	FY 2021	FY 2022	FY 2023	FY 2024
Appropriation	\$0	Indeterminable	Indeterminable	Indeterminable
Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	Indeterminable	Indeterminable	Indeterminable
Funding Source:	<input checked="" type="checkbox"/> General	<input type="checkbox"/> Education	<input type="checkbox"/> Highway	<input checked="" type="checkbox"/> Other

METHODOLOGY:

This bill establishes the position of chief information security officer and deputy chief information security officer in the department of information technology. The commissioner of the department of information technology shall appoint a chief information security officer (CISO) and a deputy CISO with the advice and consent of the information technology council, established in RSA 21-R:6, and the director of homeland security and emergency management. The salaries for these unclassified positions shall be determined after assessment and review of the appropriate temporary letter grade allocation in RSA 94:1-a, I(b), which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c.

The unclassified positions of chief information security officer and deputy chief information security officer currently exist and are fully funded, but are subject to a different appointment process. Because the bill does not transfer existing appropriations and abolish the existing positions, the legislation creates duplicative positions.

AGENCIES CONTACTED:

Department of Information Technology