

**HOUSE BILL NO. 9999**

Introduced by

Representatives Amerman, Anderson, Bellew

1 A BILL for an Act to create and enact a new subsection to section 54-35-15.2 of the North  
2 Dakota Century Code, relating to powers and duties of the information technology committee;  
3 and to amend and reenact sections 54-59-02.1, 54-59-07, 54-59-09, and 54-59-22 of the North  
4 Dakota Century Code, relating to major information technology projects, the state information  
5 technology advisory committee, information technology standards, and use of information  
6 technology services.

7 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

8 **SECTION 1.** A new subsection to section 54-35-15.2 of the North Dakota Century Code  
9 is created and enacted as follows:

10 Receive a report from the chief information officer regarding the recommendations  
11 of the state information technology advisory committee relating to the prioritization  
12 of proposed major information technology projects and other information  
13 technology issues.

14 **SECTION 2. AMENDMENT.** Section 54-59-02.1 of the North Dakota Century Code is  
15 amended and reenacted as follows:

16 ~~54-59-02.1. Department shall establish certain standards for agencies—Advisory~~  
17 ~~committee—Exceptions~~ **Prioritization of proposed major information technology**  
18 **projects.** The department shall ~~appoint an advisory committee consisting of representatives of~~  
19 ~~state agencies for the purposes of prioritizing major computer software projects and~~  
20 ~~establishing policies, standards, and guidelines~~ submit information regarding proposed major  
21 information technology projects for executive branch state agencies, departments, and  
22 institutions, excluding institutions under control of the state board of higher education and  
23 agencies of the judicial and legislative branches ~~with respect to the purchase of computer~~  
24 ~~software and computer systems~~ to the state information technology advisory committee. The

1 committee shall review the projects and rank those projects that receive the committee's  
2 affirmative recommendation. The chief information officer shall submit recommendations of the  
3 ~~advisory~~ committee regarding the prioritization of major software information technology  
4 projects to the information technology committee for consideration by the committee and the  
5 drafting of appropriate legislation to implement the recommendations, the office of management  
6 and budget, and the appropriations committees of the legislative assembly. The judicial and  
7 legislative branches shall ~~annually~~ notify biennially the ~~advisory~~ committee on their major  
8 ~~computer software~~ information technology projects and priorities. ~~The chief information officer~~  
9 ~~may exempt an agency from the policies, standards, and guidelines established by the~~  
10 ~~committee to address situations unique to that agency.~~

11 **SECTION 3. AMENDMENT.** Section 54-59-07 of the North Dakota Century Code is  
12 amended and reenacted as follows:

13 **54-59-07. State information technology advisory committee.** The state information  
14 technology advisory committee consists of the chief information officer; the commissioner of  
15 higher education or the commissioner's designee; the attorney general or the attorney general's  
16 designee; the secretary of state or the secretary of state's designee; the tax commissioner or  
17 the commissioner's designee; the chief justice of the supreme court or the chief justice's  
18 designee; two members of the legislative assembly appointed by the legislative council; a  
19 minimum of eight members representing state agencies, appointed by the governor; and two  
20 members with technology management expertise representing private industry, appointed by  
21 the governor. The appointees of the governor serve at the pleasure of the governor. The  
22 governor shall designate the chairman of the committee. Additional members may be asked to  
23 participate at the request of the chairman. The department shall provide staff services to the  
24 committee. The members of the committee representing private industry are entitled to be  
25 compensated for time spent in attendance at meetings of the committee and for other travel as  
26 approved by the chairman of the committee at the rate of sixty-two dollars and fifty cents per  
27 day and are entitled to reimbursement for actual and necessary expenses incurred in the same  
28 manner as other state officials. The compensation and expenses are to be paid from  
29 appropriations for the department. The committee shall advise the department regarding  
30 statewide information technology planning and budgeting, services of the information  
31 technology department, and statewide information technology initiatives and policy and shall

1 review policies, standards, and guidelines developed by the department. The chief information  
2 officer shall submit recommendations of the committee regarding information technology issues  
3 to the information technology committee for its consideration.

4 **SECTION 4. AMENDMENT.** Section 54-59-09 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **54-59-09. Information technology standards.** ~~Based on information from state~~  
7 ~~agencies and institutions, the~~ The department and the office of management and budget shall  
8 develop statewide information technology policies, standards, and guidelines using a process  
9 involving advice from state agencies and institutions. The policies, standards, and guidelines  
10 must recognize the uniqueness of certain agencies and state which agencies are included or  
11 exempted from the policies, standards, and guidelines. The policies, standards, and guidelines  
12 must be reviewed by the state information technology advisory committee. Unless an  
13 exemption is granted by the chief information officer, each executive branch state agency and  
14 institution, excluding the institutions under the control of the board of higher education with  
15 respect to academic and research uses of information technology, shall comply with the policies  
16 and standards developed by the department ~~and the office of management and budget.~~ Unless  
17 an exemption is granted by the chief information officer, each entity receiving wide area network  
18 services provided by the department shall comply with the policies and standards developed by  
19 the department with respect to access to or use of wide area network services.

20 **SECTION 5. AMENDMENT.** Section 54-59-22 of the North Dakota Century Code is  
21 amended and reenacted as follows:

22 **54-59-22. Required use of electronic mail, file and print server administration,**  
23 **data base administration, application server, and hosting services.** Each state agency  
24 and institution, excluding the legislative and judicial branches, the institutions under the control  
25 of the state board of higher education, the public employees retirement system, the retirement  
26 and investment office, the attorney general, and any entity exempted by the ~~office of~~  
27 ~~management and budget after advisement by the~~ information technology department, shall  
28 obtain electronic mail, file and print server administration, data base administration, storage,  
29 application server, and hosting services through a delivery system established by the  
30 information technology department ~~in conjunction with the office of management and budget.~~  
31 The ~~office of management and budget, after receiving advice from the~~ information technology

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- 1 department; shall establish policies and guidelines for the delivery of services, including the
- 2 transition from existing systems to functional consolidation, with consideration given to the
- 3 creation of efficiencies, cost-savings, and improved quality of service.