

Sixty-fourth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1021

Introduced by

Appropriations Committee

(At the request of the Governor)

1 A BILL for an Act to provide an appropriation for defraying the expenses of the information
2 technology department; to provide appropriations to certain agencies for desktop support
3 services; to provide a legislative report; to provide a statement of legislative intent; ~~and~~ to
4 provide for transfers; to create and enact a new section to chapter 54-59 of the North Dakota
5 Century Code, relating to centralized desktop support services; and to amend and reenact the
6 new section to chapter 54-59 of the North Dakota Century Code as created by section 8 of
7 Senate Bill No. 2326, as approved by the sixty-fourth legislative assembly, relating to the
8 mandatory disclosure of information to the information technology department.

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

10 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds
11 as may be necessary, are appropriated out of any moneys in the general fund in the state
12 treasury, not otherwise appropriated, and from special funds derived from federal funds and
13 other income, to the information technology department for the purpose of defraying the
14 expenses of the information technology department, for the biennium beginning July 1, 2015,
15 and ending June 30, 2017, as follows:

	Base Level	Adjustments or Enhancements	Appropriation
18 Salaries and wages	\$51,553,251	\$6,737,019	\$58,290,270
19 Accrued leave payments	2,626,084	(2,626,084)	0
20 Operating expenses	64,734,643	5,003,479	69,738,122
21 Capital assets	12,500,600	(3,650,600)	8,850,000
22 Center for distance education	5,868,391	739,555	6,607,946
23 Statewide longitudinal data system	1,870,754	3,634,655	5,505,409
24 Educational technology council	1,614,609	1,092,695	2,707,304

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1	EduTech	8,052,094	1,035,401	9,087,495
2	K-12 wide area network	4,928,177	77,984	5,006,161
3	Geographic information system	1,245,294	26,722	1,272,016
4	Health information technology office	4,750,723	632,634	5,383,357
5	Criminal justice information sharing	3,069,361	(3,069,361)	0
6	Federal stimulus funds	6,800,000	(6,800,000)	0
7	Total all funds	\$169,613,981	\$2,834,099	\$172,448,080
8	Less estimated income	149,674,553	(511,094)	149,163,459
9	Total general fund	\$19,939,428	\$3,345,193	\$23,284,621
10	Full-time equivalent positions	340.30	5.00	345.30
11	Salaries and wages	\$51,553,251	\$6,559,964	\$58,113,215
12	Accrued leave payments	2,626,084	(2,626,084)	0
13	Operating expenses	64,734,643	6,262,534	70,997,177
14	Capital assets	12,500,600	(3,650,600)	8,850,000
15	Center for distance education	5,868,391	3,378,214	9,246,605
16	Statewide longitudinal data system	1,870,754	4,879,907	6,750,661
17	Educational technology council	1,614,609	1,091,338	2,705,947
18	EduTech	8,052,094	1,247,897	9,299,991
19	K-12 wide area network	4,928,177	75,271	5,003,448
20	Geographic information system	1,245,294	26,044	1,271,338
21	Health information technology office	4,750,723	1,129,921	5,880,644
22	Criminal justice information sharing	3,069,361	(3,069,361)	0
23	Federal stimulus funds	6,800,000	(6,800,000)	0
24	Total all funds	\$169,613,981	\$8,505,045	\$178,119,026
25	Less estimated income	149,674,553	2,038,486	151,713,039
26	Total general fund	\$19,939,428	\$6,466,559	\$26,405,987
27	Full-time equivalent positions	340.30	10.00	350.30

SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET- REPORT TO

SIXTY-FIFTH LEGISLATIVE ASSEMBLY. The following amounts reflect the one-time funding items approved by the sixty-third legislative assembly for the 2013-15 biennium and the 2015-17 one-time funding items included in the appropriation in section 1 of this Act:

	<u>One-Time Funding Description</u>	<u>2013-15</u>	<u>2015-17</u>
1			
2	Criminal justice information sharing projects	\$800,000	0
3	Educational technology council grants	200,000	1,050,000
4	Archiving study	100,000	0
5	<u>Health data study</u>	<u>0</u>	<u>500,000</u>
6	<u>Statewide longitudinal data system</u>	<u>0</u>	<u>1,250,000</u>
7	Geographic information system projects	<u>215,000</u>	<u>0</u>
8	Total all funds	\$1,315,000	\$1,050,000
9	Less estimated income	0	0
10	Total general fund	\$1,315,000	\$1,050,000
11	<u>Total all funds</u>	<u>\$1,315,000</u>	<u>\$2,800,000</u>
12	<u>Less estimated income</u>	<u>0</u>	<u>500,000</u>
13	<u>Total general fund</u>	<u>\$1,315,000</u>	<u>\$2,300,000</u>

14 The 2015-17 one-time funding amounts are not a part of the entity's base budget for the
 15 2017-19 biennium. The information technology department shall report to the appropriations
 16 committees of the sixty-fifth legislative assembly on the use of this one-time funding for the
 17 biennium beginning July 1, 2015, and ending June 30, 2017.

SECTION 3. HEALTH DATA STUDY - REPORT TO INFORMATION TECHNOLOGY

COMMITTEE. The health information technology office line item includes the sum of \$500,000,
 20 from special funds, federal funds, or other funds, for the purpose of hiring a consultant to
 21 provide a health data study, for the biennium beginning July 1, 2015, and ending June 30, 2017.
 22 Before July 1, 2016, the information technology department shall report the findings of the
 23 consultant to the information technology committee.

SECTION 4. TRANSFERS. Notwithstanding section 54-16-04, the director of the office of
 25 management and budget shall make transfers of funds between line items in section 1 of this
 26 Act for the information technology department as may be requested by the chief information
 27 officer as determined necessary for the development and implementation of information
 28 technology projects.

SECTION 5. LEGISLATIVE INTENT - RADIO COMMUNICATIONS. It is the intent of the
 30 sixty-fourth legislative assembly that the information technology department be responsible for
 31 the oversight of the installation of any statewide radio communications equipment by an

1 executive branch state agency in the most cost-effective manner. It is further the intent of the
2 sixty-fourth legislative assembly that the information technology department develop a process
3 to implement the recommendations of the North Dakota statewide radio system assessment
4 and evolution study as presented to the statewide interoperability executive committee.

5 **SECTION 6. AMENDMENT.** The new section to chapter 54-59 of the North Dakota Century
6 Code as created by section 8 of Senate Bill No. 2326, as approved by the sixty-fourth legislative
7 assembly, is amended and reenacted as follows:

8 **State agencies - Mandatory provision of information - Confidentiality.**

- 9 1. The information technology department may request from any state agency:
- 10 a. All information required by 20 U.S.C. 9871(e)(2)(D); ~~and~~
- 11 b. Any other educational information the statewide longitudinal data system
12 committee determines is required for a longitudinal data system to comply with
13 state or federal law; and
- 14 c. Unemployment insurance wage data from job service North Dakota for education
15 and workforce development program evaluations, except that job service North
16 Dakota may not disclose any data identifying an individual.
- 17 2. Subject to applicable restrictions on the use and disclosure of confidential information
18 required to comply with federal and state privacy laws, any state agency receiving a
19 request for information under subsection 1 shall provide the information at the time
20 and in the manner required by the information technology department.

21 **SECTION 7.** A new section to chapter 54-59 of the North Dakota Century Code is created
22 and enacted as follows:

23 **Required use of centralized desktop support services.**

- 24 1. The following state agencies shall obtain centralized desktop support services from
25 the information technology department:
- 26 a. Office of administrative hearings.
- 27 b. Office of the governor.
- 28 c. Commission on legal counsel for indigents.
- 29 d. Public employees retirement system.
- 30 e. North Dakota university system office.
- 31 f. Department of career and technical education.

- 1 g. Department of financial institutions.
- 2 h. Department of veterans' affairs.
- 3 i. Aeronautics commission.
- 4 j. Tobacco prevention and control executive committee.
- 5 k. Council on the arts.
- 6 l. Agriculture commissioner.
- 7 m. Department of labor and human rights.
- 8 n. Indian affairs commission.
- 9 o. Protection and advocacy project.
- 10 p. Secretary of state.
- 11 q. State treasurer.
- 12 r. State auditor.
- 13 s. Securities department.
- 14 2. The office of management and budget, after receiving advice from the information
- 15 technology department, shall establish policies and guidelines for the delivery of
- 16 desktop support services, including the transition from existing systems to functional
- 17 consolidation, with consideration given to the creation of efficiencies, cost-savings,
- 18 and improved quality of service. For purposes of this section "desktop support
- 19 services" means technical assistance and device management relating to the use of
- 20 personal computers and peripheral devices.

21 **SECTION 8. APPROPRIATION - DESKTOP SUPPORT.** The funds provided in this section,
 22 or so much of the funds as may be necessary, are appropriated out of any moneys in the
 23 general fund in the state treasury, not otherwise appropriated, and from special funds and other
 24 income to the agencies named for the purpose of defraying the expenses of desktop support
 25 services provided by the information technology department, for the biennium beginning July 1,
 26 2015, and ending June 30, 2017.

27 <u>Agency</u>	<u>General Fund</u>	<u>Other Funds</u>	<u>Total</u>
28 Office of administrative hearings	\$0	\$17,600	\$17,600
29 Office of the governor	97,760	0	97,760
30 Commission on legal counsel for indigents	214,855	0	214,855
31 Public employees retirement system	0	152,950	152,950

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1	North Dakota university system office	175,350	0	175,350
2	Department of career and technical	210,590	0	210,590
3	education			
4	Department of financial institutions	0	66,325	66,325
5	Department of veterans' affairs	34,635	0	34,635
6	Aeronautics commission	<u>0</u>	<u>17,090</u>	<u>17,090</u>
7	Total	\$733,190	\$253,965	\$987,155

8 **SECTION 9. ONE-TIME FUNDING.** The following amounts reflect the 2015-17 one-time
9 funding items included in the appropriations in section 8 of this Act:

10	<u>Agency - One-Time Funding Description</u>	<u>General Fund</u>	<u>Other Funds</u>
11	Office of administrative hearings	\$0	\$14,040
12	Office of the governor	45,200	0
13	Commission on legal counsel for indigents	122,275	0
14	Public employees retirement system	0	77,370
15	North Dakota university system office	81,750	0
16	Department of career and technical	106,750	0
17	education		
18	Department of financial institutions	0	66,325
19	Department of veterans' affairs	26,895	0
20	Aeronautics commission	<u>0</u>	<u>14,810</u>
21	Total	\$382,870	\$172,545