

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1034

Page 1, line 1, replace the first "a" with "eight", replace "section" with "sections", and replace "54-10, a new subsection to" with "54-35"

Page 1, line 2, remove "section 54-10-01,", replace "four" with "a", and replace "sections" with "section"

Page 1, line 3, after "to" insert "establishing an" and replace "systems reviews by the state auditor and" with "management division of the legislative council and providing for"

Page 1, line 4, remove "by the information services division"

Page 1, remove lines 11 through 23

Page 2, line 1, replace "Four" with "Eight" and replace "54-44.2" with "54-35"

Page 2, after line 2, insert:

Information technology defined. As used in this chapter, "information technology" means computing and data communications systems and their supporting infrastructure used in the acquisition, processing, management, analysis, storage, and delivery of information.

Director of information technology management division. The legislative council shall appoint a director of the information technology management division of the legislative council. The appointment of the director must be based upon qualifications of eligible persons without reference to partisan politics. The director's salary must be determined by the council and it may employ such additional persons as may be necessary to carry out the provisions of section 1 of this Act.

Personnel - Compensation - Expenses. The salaries, travel, and other expenses of the director of the information technology management division and other personnel within the division must be submitted, approved, and paid in the same manner as other employees of the legislative council.

Powers and duties of the director of the information technology management division. The director of the information technology management division shall receive reports and information technology strategic plans of all executive branch state agencies, institutions, and departments; institutions under the control of the board of higher education; and agencies of the judicial and legislative branches. The director shall study emerging technology and evaluate its impact on the state's system, advise state agencies regarding information technology, and report and make recommendations to the legislative council and the legislative assembly regarding information technology of state government. Each state agency, institution, or department shall furnish any records and information to the director of the information technology management division that the director may request in the performance of the director's duties."

Page 2, line 3, replace "services" with "technology management"

Page 2, line 6, replace "services" with "technology management" and replace the fourth underscored comma with an underscored semicolon

Page 2, line 7, remove "except", replace the underscored comma with "; and agencies of the judicial and legislative branches", and replace "comply with" with "prepare that entity's information technology strategic plan based on"

Page 2, line 8, replace "services" with "technology management" and after the underscored period insert "Each agency's information technology coordinator, appointed pursuant to section 54-44.2-04, and the director of the information services division shall assist the division in developing formats and guidelines for strategic plans, developing statewide policies, standards, and guidelines for information technology, and other related areas as requested by the division."

Page 2, line 10, replace ", except the institutions" with "; each institution" and replace the second underscored comma with "; and each agency of the judicial and legislative branches"

Page 2, line 11, remove ", subject to approval by the information"

Page 2, line 12, remove the first "services division", replace the second "services" with "technology management", and replace "by January" with "as requested by the division"

Page 2, line 13, remove "fifteenth of each even-numbered year"

Page 2, line 14, replace "services" with "technology management" and replace "and" with an underscored semicolon

Page 2, line 15, after "years" insert "; and must include a detailed list of information technology assets owned, leased, or employed by the agency, institution, or department"

Page 2, line 17, replace "services" with "technology management"

Page 2, line 19, remove "and may require an agency, institution, or"

Page 2, remove line 20

Page 2, line 21, remove "resolve conflicting directions among plans" and after the underscored period insert "Each agency, institution, or department shall prepare its budget request for the next biennium based on its information technology strategic plan."

Page 2, line 22, replace "services" with "technology management"

Page 2, line 24, after the underscored period insert "The statewide plan must include a list of approved agency projects in priority order as determined by the director of the information technology management division."

Page 2, remove lines 25 through 30

Page 3, remove lines 1 and 2

Page 3, line 3, replace "**audit and**" with "**council**"

Page 3, line 4, remove "**fiscal review committee**" and replace "services" with "technology management"

Page 3, line 5, replace the third underscored comma with an underscored semicolon

Page 3, line 6, remove "except the" and replace the underscored comma with "; and agencies of the judicial and legislative branches"

Page 3, line 7, replace "services" with "technology management"

Page 3, line 13, replace "services" with "technology management"

Page 3, line 14, replace "audit and fiscal review" with "council or its designated" and replace "services" with "technology management"

Page 3, line 15, replace "audit and fiscal review" with "council or its designated"

Page 3, after line 16, insert:

"Information technology systems and projects - Auditing and monitoring.

The information technology management division shall perform information systems reviews and audits of information technology systems or applications of executive branch state agencies, institutions, and departments; institutions under the control of the board of higher education; and agencies of the judicial and legislative branches as determined necessary by the director of the information technology management division. An information systems audit should include an evaluation of compliance with system or application requirements, data integrity, security, controls, audit trails, backup and recovery methods, and the effectiveness and appropriateness of the system in achieving its intended purpose, as applicable. The information technology management division may examine all books, papers, records, and documents in an agency, institution, or department, and may require any officer of the agency to furnish information or statements necessary to carry out provisions included in section 1 of this Act. The information technology management division shall monitor the implementation of information technology systems development projects and application development projects for conformance with the agency's strategic plan and compliance with statewide policies and standards as determined necessary by the director of the information technology management division. The information technology management division may report any nonconformance or noncompliance discovered during the auditing, reviewing, or monitoring process to the legislative council or its designated committee.

SECTION 2. A new section to chapter 54-44.2 of the North Dakota Century Code is created and enacted as follows:

Information technology coordination - Report to legislative council.

The director of the information services division and the commissioner of the board of higher education shall meet at least twice each year to plan and coordinate their information technology systems and services. The director and commissioner shall consider areas in which joint or coordinated information technology systems and services may result in more efficient and effective state government operations. The director and commissioner shall report their findings and recommendations annually to the legislative council or its designated committee."

Page 5, line 23, after the underscored comma insert "and consistent with the information technology policies, standards, and guidelines of the information technology management division of the legislative council"

Page 7, line 4, after "services" insert ". The information services division shall report annually to the legislative council or its designated committee regarding the coordination of services with political subdivisions"

Page 7, line 25, remove "developing formats and guidelines for strategic plans, developing statewide policies,"

Page 7, line 26, remove "standards, and guidelines for information technology" and overstrike ", and other"

Renumber accordingly