

**HOUSE BILL NO. 1357**

Introduced by

Representatives Gulleason, Onstad, Solberg

Senators Every, Kroeplin

1 A BILL for an Act to amend and reenact section 54-59-05 of the North Dakota Century Code,  
2 relating to the provision of network services by the information technology department.

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

4 **SECTION 1. AMENDMENT.** Section 54-59-05 of the 1999 Supplement to the North  
5 Dakota Century Code is amended and reenacted as follows:

6 **54-59-05. Powers and duties of department.** The department:

- 7 1. Shall provide, supervise, and regulate information technology of all executive  
8 branch state entities, excluding the institutions under the control of the board of  
9 higher education.
- 10 2. Shall provide network services in a way that ensures the network requirements of a  
11 single entity do not adversely affect the functionality of the whole network,  
12 facilitates open communications with the citizens of the state, minimizes the state's  
13 investment in human resources, accommodates an ever-increasing amount of  
14 traffic, supports rapid detection and resolution of problems, protects the network  
15 infrastructure from damage and security breaches, provides for the aggregation of  
16 data, voice, video, and multimedia into a statewide transport mechanism or  
17 backbone, and provides for the network support for the entity to carry out its  
18 mission.
- 19 3. May review and approve additional network services that are not provided by the  
20 department.
- 21 4. May purchase or lease equipment or replace, including by trade or resale,  
22 equipment as may be necessary to carry out this chapter. Each executive branch  
23 agency or institution, except the institutions under the control of the board of higher  
24 education, shall submit to the department, in accordance with guidelines

- 1 established by the department, a written request for the lease, purchase, or other  
2 contractual acquisition of information technology. The department shall review  
3 requests for conformance with the requesting entity's information technology plan  
4 and compliance with statewide policies and standards. If the request is not in  
5 conformance or compliance, the department may disapprove the request or require  
6 justification for the departure from the plan or statewide policy or standard.
- 7 5. Shall provide information technology, including assistance and advisory service, to  
8 the executive, legislative, and judicial branches. If the department is unable to  
9 fulfill a request for service from the legislative or judicial branch, the information  
10 technology may be procured by the legislative or judicial branch within the limits of  
11 legislative appropriations.
- 12 6. May request information on or review information technology, applications, system  
13 development projects, and application development projects of executive branch  
14 agencies.
- 15 7. Shall study emerging technology and evaluate its impact on the state's system of  
16 information technology.
- 17 8. Shall develop guidelines for reports to be provided by each executive branch  
18 agency, institution, or department, the institutions under the control of the board of  
19 higher education, and agencies of the judicial and legislative branches on  
20 information technology in those entities.
- 21 9. Shall review the information technology management of executive branch agencies  
22 or institutions, including institutions under the control of the board of higher  
23 education as provided in section 54-59-13.
- 24 10. Shall provide access to the statewide wide area network to each city in the state by  
25 July 1, 2004.
- 26 11. Shall perform all other duties necessary to carry out this chapter.