

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2043

In lieu of the amendments adopted by the House as printed on pages 1028 and 1029 of the House Journal, Engrossed Senate Bill No. 2043 is amended as follows

Page 1, line 1, after "to" insert "create and enact a new section to chapter 54-59 of the North Dakota Century Code, relating to the preparation of an information technology department annual report; to"

Page 1, line 4, after "department" insert "; to provide a statement of legislative intent; and to provide for a performance audit of the information technology department"

Page 2, line 19, after the period insert "An agreement to finance the purchase of software or equipment may not exceed a period of three years. The department shall submit any proposed agreement to finance the purchase of software or equipment under this subsection to the budget section of the legislative council before executing the agreement. If the budget section does not approve execution of the agreement, the department may not proceed with the proposed financing arrangement. The department may finance the purchase of software or equipment only to the extent the purchase amount does not exceed the amount appropriated to the department during that biennium for equipment."

Page 4, line 1, replace "Section" with "If Senate Bill No. 2251 does not become effective, section"

Page 4, overstrike line 12

Page 4, line 13, overstrike "representing a", remove "workforce training advisory board", and overstrike the comma

Page 4, line 14, remove "one member", overstrike "representing", and remove "city or county"

Page 4, line 15, remove "government; one member representing the greater North Dakota association" and overstrike ", one member"

Page 4, overstrike line 16

Page 4, line 17, overstrike "commission to operate in this state,"

Page 4, line 18, remove "one member representing"

Page 4, line 19, remove "Indian tribes, and one member representing the hospital telemedicine industry" and overstrike the period

Page 5, after line 3, insert:

**"SECTION 5. AMENDMENT.** If Senate Bill No. 2251 becomes effective, section 54-59-07 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

**54-59-07. ~~Statewide wide-area network~~ State information technology advisory committee.** ~~The statewide wide-area network~~ state information technology advisory committee consists of the chief information officer or the officer's designee, who is a nonvoting member; the ~~state court administrator~~ director of the department of economic development and finance or the administrator's director's designee, ~~with the approval of the chief justice of the supreme court~~; the commissioner of higher education or the commissioner's designee; the chairman of the information technology council of North Dakota or a designee; the director of the North Dakota workforce development council or a designee; the chairman of the educational technology council or a designee; and nine ~~eight~~ members appointed by the governor. ~~The governor shall appoint two members representing state agencies, one member representing a county, one member representing a city, two members representing elementary and secondary education, one member representing noncommercial public television stations licensed by the federal communications commission to operate in this state, and two members from private industry who are knowledgeable in the deployment of major technology projects. The governor's appointees from private industry serve two year terms, and other appointees of the governor serve at the pleasure of the governor. The governor shall designate the chairman of the committee. The department shall provide staff services to the committee. Except for the commissioner of higher education and the representatives of state agencies who receive compensation for their duties as state officers or employees, members of the committee are entitled to be compensated for time spent in attendance at meetings of the committee and for other travel as approved by the chairman of the committee at the rate of sixty-two dollars and fifty cents per day and are entitled to reimbursement for their actual and necessary expenses incurred in the same manner as other state officials. The compensation and expenses are to be paid from appropriations for the department. The committee shall advise the department with respect to planning and implementation of wide-area network services provided by the department regarding statewide information technology planning, including providing electronic government services for citizens and businesses, developing technology infrastructure to support economic development and workforce training, and developing other statewide information technology initiatives and policy."~~

Page 6, after line 15, insert:

**"SECTION 8.** A new section to chapter 54-59 of the North Dakota Century Code is created and enacted as follows

**Information technology department annual report.** The department shall prepare an annual report to be presented to the information technology committee and the legislative audit and fiscal review committee. The annual report must contain:

1. A list of projects started, ongoing, and completed during the year including related budgeted and actual costs and estimated implementation date for each project.
2. Information regarding evaluations of cost-benefit analyses for completed projects.
3. The percentage of projects completed within budget.
4. The percentage of projects completed by the estimated implementation date.

5. Information regarding the department's management tools used to monitor projects.
6. Information regarding administrative costs including administrative costs as a percentage of total department expenditures.
7. A comparison of the department's rates charged for services compared to rates charged for comparable services in other states and in the private sector.
8. Information regarding the department's project management system including whether a project manager is assigned to each project.
9. Information regarding the information technology plans including the department's plan review process, the number of plans reviewed, and the number of plans approved.
10. The number of information technology training hours completed by each department employee.
11. Information regarding customer satisfaction with the services provided by the department.
12. A detailed description of the department's statewide information technology plan.

**SECTION 9. LEGISLATIVE INTENT - PERFORMANCE MEASURES.** It is the intent of the legislative assembly that the information technology department develop performance measures to assist the legislative assembly in determining the effectiveness and efficiency of the department's operations during the biennium beginning July 1, 2001, and ending June 30, 2003. Each performance measure must include a benchmark for targeted department performance based on national, other states, or private sector performance. The department shall report to the information technology committee and the legislative audit and fiscal review committee during the 2001-02 interim on the performance measures developed.

**SECTION 10. PERFORMANCE AUDIT.** The state auditor's office shall consider conducting a performance audit of the information technology department during the 2003-05 biennium. The review, if conducted, must include a review and evaluation of the performance measures developed by the information technology department during the 2001-03 biennium."

Renumber accordingly

#### **STATEMENT OF PURPOSE OF AMENDMENT:**

#### **Dept. 112 - Information Technology Department - House Action**

This amendment makes the following changes:

- Change the membership of the State Information Technology Advisory Committee.
- Requires the department to prepare an annual report and present it to the Legislative Council's Information Technology Committee and the Legislative Audit and Fiscal Review Committee.
- Provides legislative intent that the Information Technology Department develop performance measures.
- Provides that the State Auditor's office consider conducting a performance audit of the Information Technology Department during the 2003-05 biennium.