

Introduced by

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 the state information technology advisory committee,  
5 information technology standards, and required use of information technology services.

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

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

9 Receive a report from the chief information officer regarding the recommendations  
10 of the state information technology advisory committee relating to the prioritizing of  
11 major computer software projects and other information technology issues.

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

14 **54-59-02.1. ~~Department shall establish certain standards for agencies—Advisory~~**  
15 **~~committee—Exceptions~~Prioritizing of major computer software projects.** The department  
16 shall ~~appoint an advisory committee consisting of representatives of state agencies~~ use the  
17 state information technology committee established in 54-59-07 for the purposes of prioritizing  
18 major computer software projects ~~and establishing policies, standards, and guidelines for~~  
19 ~~executive branch state agencies, departments, and institutions, excluding institutions under~~  
20 ~~control of the state board of higher education and agencies of the judicial and legislative~~  
21 ~~branches with respect to the purchase of computer software and computer systems.~~ The chief  
22 information officer shall submit recommendations of the ~~advisory~~ committee regarding the  
23 prioritization of major software projects to the information technology committee ~~for~~  
24 ~~consideration by the committee and the drafting of appropriate legislation to implement the~~

1 ~~recommendations. The judicial and legislative branches shall annually biennially~~ notify the  
2 advisory committee on their major computer software projects and priorities. ~~The chief~~  
3 ~~information officer may exempt an agency from the policies, standards, and guidelines~~  
4 ~~established by the committee to address situations unique to that agency.~~

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

7       **54-59-07. State information technology advisory committee.** The state information  
8 technology advisory committee consists of the chief information officer; the commissioner of  
9 higher education or the commissioner's designee; the attorney general or the attorney general's  
10 designee; the secretary of state or the secretary of state's designee; the tax commissioner or  
11 the commissioner's designee; the chief justice of the supreme court or the chief justice's  
12 designee; two members of the legislative assembly appointed by the legislative council; a  
13 minimum of eight members representing state agencies, appointed by the governor; and two  
14 members with technology management expertise representing private industry, appointed by  
15 the governor. The appointees of the governor serve at the pleasure of the governor. The  
16 governor shall designate the chairman of the committee. Additional members may be asked to  
17 participate at the request of the chairman. The department shall provide staff services to the  
18 committee. The members of the committee representing private industry are entitled to be  
19 compensated for time spent in attendance at meetings of the committee and for other travel as  
20 approved by the chairman of the committee at the rate of sixty-two dollars and fifty cents per  
21 day and are entitled to reimbursement for actual and necessary expenses incurred in the same  
22 manner as other state officials. The compensation and expenses are to be paid from  
23 appropriations for the department. The committee shall advise the department regarding  
24 statewide information technology planning and budgeting, services of the information  
25 technology department, and statewide information technology initiatives and policy and shall  
26 review policies, standards, and guidelines developed by the department. The chief information  
27 officer shall submit recommendations of the committee regarding information technology issues  
28 to the information technology committee for consideration by the committee and the drafting of  
29 appropriate legislation to implement the recommendations.

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

1           **54-59-09. Information technology standards.** ~~Based on information from state~~  
2 ~~agencies and institutions, the~~ The department and the office of management and budget shall  
3 develop statewide information technology policies, standards, and guidelines. The policies,  
4 standards, and guidelines must recognize the uniqueness of certain agencies and state which  
5 agencies are included or exempted from the policies, standards, and guidelines. The policies,  
6 standards, and guidelines must be reviewed by the state information technology advisory  
7 committee after the department has received input from state agencies and institutions through  
8 the enterprise architecture process. Unless an exemption is granted by the chief information  
9 officer, each executive branch state agency and institution, excluding the institutions under the  
10 control of the board of higher education with respect to academic and research uses of  
11 information technology, shall comply with the policies and standards developed by the  
12 department and the office of management and budget. Unless an exemption is granted by the  
13 chief information officer, each entity receiving wide area network services provided by the  
14 department shall comply with the policies and standards developed by the department with  
15 respect to access to or use of wide area network services.

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

18           **54-59-22. Required use of electronic mail, file and print server administration,**  
19 **data base administration, application server, and hosting services.** Each state agency  
20 and institution, excluding the legislative and judicial branches, the institutions under the control  
21 of the state board of higher education, the public employees retirement system, the retirement  
22 and investment office, the attorney general, and any entity exempted by the ~~office of~~  
23 ~~management and budget after advisement by the~~ information technology department, shall  
24 obtain electronic mail, file and print server administration, data base administration, storage,  
25 application server, and hosting services through a delivery system established by the  
26 information technology department ~~in conjunction with the office of management and budget.~~  
27 ~~The office of management and budget, after receiving advice from the~~ information technology  
28 department; shall establish policies and guidelines for the delivery of services, including the  
29 transition from existing systems to functional consolidation, with consideration given to the  
30 creation of efficiencies, cost-savings, and improved quality of service.