

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2037

That the House recede from its amendments as printed on pages 971 and 972 of the Senate Journal and pages 1238-1240 of the House Journal and that Engrossed Senate Bill No. 2037 be amended as follows:

Page 1, line 1, after "15-10" insert "and a new section to chapter 54-59"

Page 1, line 2, after "technology" insert "and information technology planning"

Page 4, line 28, remove "or"

Page 4, line 29, remove the overstrike over "~~or~~"

Page 4, remove the overstrike over lines 30 and 31

Page 5, remove the overstrike over lines 1 and 2

Page 5, line 20, after "~~systems~~" insert an underscored comma

Page 5, line 27, after "the" insert "state information technology", remove the overstrike over "~~advisory~~", and after "committee" insert "and the information technology committee"

Page 8, after line 22, insert:

"16. Shall establish specific standards, policies, and guidelines to support the migration to a small number of operating system platforms."

Page 10, line 6, after the second boldfaced period insert:

"1."

Page 10, line 14, after the period insert "The asset management plan must include data regarding each business application asset of the entity, the age of the asset, and the planned replacement cycle for the asset."

"2."

Page 10, line 20, after the period insert:

"3."

Page 10, line 25, after the period insert:

"4."

Page 11, line 1, replace "1." with "a."

Page 11, line 5, replace "2." with "b."

Page 11, line 6, replace "3." with "c."

Page 11, line 9, replace "4." with "d."

Page 11, after line 10, insert:

"5. The department shall develop a long-term plan for the cost-effective, needs-based replacement or upgrade of all business applications over a period of ten years or more. The process must include participation of affected agencies and institutions and must incorporate the standards, policies, and guidelines developed by the enterprise architecture process. The state information technology advisory committee shall prioritize each application replacement project as provided in section 54-59-02.1."

Page 12, line 23, overstrike "the public employees retirement system, the retirement"

Page 12, line 24, overstrike "and investment office," and remove "the oil and gas division and the geological survey"

Page 12, line 25, remove "of the industrial commission, the public service commission, the water commission,"

Page 13, line 3, after the period insert "This chapter does not require or permit the public employees retirement system or the retirement and investment office to engage in activities or make expenditures that may affect their compliance with the qualification statutes and regulations promulgated by the internal revenue service. Notwithstanding section 12 of this Act, an exemption granted to the oil and gas division and the geological survey of the industrial commission, the public service commission, or the water commission by the office of management and budget under this section before the effective date of this Act must continue in effect until August 1, 2009."

**SECTION 12.** A new section to chapter 54-59 of the North Dakota Century Code is created and enacted as follows:

**Information technology planning - Exemptions - Appeals.** Except as otherwise provided in section 54-59-22, the department shall review any exemption granted under section 54-59-22 when the exempted agency or institution determines to replace an application or data base. Based upon the information provided by the agency or institution, the chief information officer shall determine whether to allow the continuation of the exemption. In making the determination whether to continue an exemption, the chief information officer shall consider the information provided in the technology plan of the agency or institution, the business case of the agency or institution for the exemption, and the need to create overall government efficiencies, cost-savings, and improvement of services. If the agency or institution disagrees with the decision of the chief information officer, the agency or institution may appeal the decision to the state information technology advisory committee. An agency or institution may appeal a decision of the state information technology advisory committee to the director of the office of management and budget, who may make a final decision regarding the continuation of an exemption."

Renumber accordingly