

Fifty-fifth
Legislative Assembly
of North Dakota

REENGROSSED HOUSE BILL NO. 1034

Introduced by

Legislative Council

(Budget Committee on Agriculture and Information Services)

(Representative Byerly)
(Senators Robinson, C. Nelson)

1 A BILL for an Act to create and enact eight new sections to chapter 54-35 and a new section to
2 chapter 54-44.2 of the North Dakota Century Code, relating to establishing an information
3 technology management division of the legislative council and providing for information
4 technology planning, standards setting, and reviews; to amend and reenact sections 15-65-01,
5 15-65-02, 15-65-03, 15-65-06, 54-44.2-00.1, 54-44.2-01, 54-44.2-02, 54-44.2-04, 54-44.2-06,
6 54-44.2-07, and 54-44.2-08 of the North Dakota Century Code, relating to the educational
7 telecommunications council and duties and responsibilities of the information services division;
8 to repeal sections 15-65-04, 54-44.2-02.1, 54-44.2-02.2, 54-44.2-02.3, 54-44.2-02.4, and
9 54-44.2-02.5 of the North Dakota Century Code, relating to the educational telecommunications
10 council and duties and responsibilities of the information services division; to provide a
11 statement of legislative intent; and to provide an appropriation.

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

13 **SECTION 1. AMENDMENT.** Section 15-65-01 of the North Dakota Century Code is
14 amended and reenacted as follows:

15 **15-65-01. North Dakota educational telecommunications council - Creation -**
16 **Purpose.** The North Dakota educational telecommunications council shall encourage and
17 ~~direct~~ promote the ~~creation of educational telecommunication programs and~~ use of technology
18 for educational purposes and the development of technology systems to improve educational
19 opportunity within the state. The educational telecommunications council shall perform its
20 duties as provided in this chapter in cooperation with the information technology management
21 division established in chapter 54-35.

22 **SECTION 2. AMENDMENT.** Section 15-65-02 of the North Dakota Century Code is
23 amended and reenacted as follows:

15-65-02. Membership - Appointment - Term - No compensation - Expenses -

Organization. The North Dakota educational telecommunications council consists of:

1. The commissioner of higher education or the commissioner's designee.
2. The superintendent of public instruction or the superintendent's designee.
3. ~~One citizen member appointed by the governor giving preference to users of a telecommunications system.~~
4. The director of the information ~~services~~ technology management division of the ~~office of management and budget~~ legislative council.
5. ~~A representative of prairie public broadcasting, appointed by the governor.~~
4. A representative of the telephone industry, appointed by the governor.
7. ~~A representative of the North Dakota association of telephone cooperatives, appointed by the governor.~~
8. ~~A representative of the North Dakota cable television association, appointed by the governor.~~
5. A school board member, appointed by the governor.
6. A school administrator, appointed by the governor.
7. A schoolteacher, appointed by the governor.

The term of office of the appointed members is three years, ~~except that of the original appointees, three shall serve one year, three shall serve two years, and two shall serve three years, which appointees to be determined by lot.~~ At all times either the school board member or the school administrator must be from a school with an enrollment of less than five hundred students.

The ~~two citizen members, the school board member, the school administrator, and the schoolteacher~~ appointed by the governor must be reimbursed for actual necessary expenses incurred in the performance of their duties as members of the council at the same rates as provided by law for other state officers and employees. The costs incurred in reimbursing the ~~two citizen~~ members of the council for their actual necessary expenses must be paid by the ~~superintendent of public instruction~~ legislative council. The other members of the council are not entitled to any compensation or reimbursement for expenses incurred in performing their duties. ~~The superintendent of public instruction shall call the initial meeting of the council at~~

~~which time the council shall elect its chairman and other officers and take such other action as it deems appropriate.~~

SECTION 3. AMENDMENT. Section 15-65-03 of the North Dakota Century Code is amended and reenacted as follows:

15-65-03. Powers and duties. The council shall:

- ~~1. Direct the implementation of telecommunication systems that are compatible and that can be connected with each other~~ Promote the use of technology and the development of technology systems to enhance educational opportunities within the state.
- ~~2. Develop a comprehensive written plan for the development of telecommunications in this state~~ Cooperate with state agencies and other organizations to develop statewide educational technology systems.
- ~~3. Be concerned with the development and use of statewide educational telecommunication programs and systems.~~
- ~~4. Hold coordinating authority for the development of such statewide educational telecommunication programs and systems as may be required to serve the entire state.~~
- ~~5. Assist any organization, state agencies, or both in the preparation, filing, and prosecution before federal agencies such applications, reports, or other documents or requests of any kind that may be necessary or appropriate to achieve the purposes of this chapter.~~
- ~~6. Receive gifts and contributions from public and private sources to be expended to provide educational telecommunication programs and systems.~~
- ~~7. Be concerned with the activation of educational broadcasting channels presently assigned to North Dakota, or the reallocation or addition of the channels, or both, as are determined to be in the best interests of the people of the state.~~
- ~~8. Actively cooperate with the state department of public instruction and the state board of higher education and other agencies and private organizations for the purpose of developing statewide educational telecommunication projects.~~
- ~~9. Adopt bylaws for the conduct of its affairs.~~
- ~~10. 4. Publish the informational material it deems necessary.~~

~~14. 5. Carry on Conduct~~ a continuing study relating to assess the needs, resources, and facilities which are available or may be required to establish educational telecommunication programs and technology systems throughout the entire state.

~~42. 6. Contract with eligible applicants to build and operate public television stations in this state. Eligible applicants are those licensed by the federal communications commission to operate noncommercial public television stations. Operational contracts may not exceed the amount raised within the preceding fiscal year by the applicant from nontax sources in this state~~ Receive gifts and grants from private and public sources to be expended for educational technology projects.

SECTION 4. AMENDMENT. Section 15-65-06 of the North Dakota Century Code is amended and reenacted as follows:

15-65-06. Plan for statewide system of interactive telecommunications

educational technology - Solicitation of grants. In developing and implementing a plan for a statewide system of ~~interactive telecommunications~~ educational technology, the educational telecommunications council shall solicit grants to be used in conjunction with moneys appropriated by the legislative assembly for ~~telecommunications~~ educational technology. Any moneys appropriated by the legislative assembly for ~~telecommunications~~ educational technology, unless specifically provided otherwise, and any grants received in accordance with this section must be used to implement the plan developed by the educational telecommunications council pursuant to this chapter.

SECTION 5. Eight new sections to chapter 54-35 of the North Dakota Century Code are created and enacted as follows:

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.

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

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

16 **Information technology standards.** The information technology management
17 division, based on input from state agencies, institutions, and departments, shall develop
18 statewide information technology policies, standards, and guidelines. Unless an exception is
19 granted by the information technology management division, each executive branch state
20 agency, institution, or department; the institutions under the control of the board of higher
21 education; and agencies of the judicial and legislative branches shall prepare that entity's
22 information technology strategic plan based on the policies and standards developed by the
23 information technology management division. Each agency's information technology
24 coordinator, appointed pursuant to section 54-44.2-04, and the director of the information
25 services division shall assist the division in developing formats and guidelines for strategic
26 plans, developing statewide policies, standards, and guidelines for information technology, and
27 other related areas as requested by the division.

28 **Information technology planning.** Each executive branch state agency, institution, or
29 department; each institution under the control of the board of higher education; and each
30 agency of the judicial and legislative branches, shall prepare an information technology
31 strategic plan. The plan must be submitted to the information technology management division

1 as requested by the division. The plan must be prepared based on guidelines developed by
2 the information technology management division; must provide the information technology
3 goals, objectives, and activities of the organization for the next five years; and must include a
4 detailed list of information technology assets owned, leased, or employed by the agency,
5 institution, or department. Each agency, institution, or department shall provide interim updates
6 to its plan if major information technology changes occur which affect its plan. The information
7 technology management division shall review each agency, institution, or department's
8 strategic plan for compliance with statewide information technology policies and standards.
9 Each agency, institution, or department shall prepare its budget request for the next biennium
10 based on its information technology strategic plan. Based on the plans prepared by agencies,
11 institutions, and departments, the information technology management division shall prepare a
12 statewide information technology strategic plan and distribute copies of that plan to members of
13 the legislative assembly. The statewide plan must include a list of approved agency projects in
14 priority order as determined by the director of the information technology management division.

15 **Information technology management reviews - Report to legislative council.** The
16 information technology management division shall review the information technology
17 management of executive branch state agencies, institutions, or departments; institutions under
18 the control of the board of higher education; and agencies of the judicial and legislative
19 branches as determined by the director of the information technology management division.
20 The review must include an evaluation of the organization's planning effectiveness,
21 conformance to its strategic plan, compliance with statewide policies and standards, asset
22 quality, and training methods, and for an organization that contracts for information technology
23 services, an analysis of the organization's contract management system and the contractor's
24 compliance with contract provisions. If an agency, institution, or department is found not to be
25 in compliance with statewide policies and standards and does not agree to come into
26 compliance, the information technology management division may report the issue to the
27 legislative council or its designated committee. The information technology management
28 division shall report recurring issues of noncompliance to the legislative council or its
29 designated committee.

30 **Information technology systems and projects - Auditing and monitoring.** The
31 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 6. 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.

SECTION 7. AMENDMENT. Section 54-44.2-00.1 of the North Dakota Century Code is amended and reenacted as follows:

54-44.2-00.1. Definitions. As used in this chapter:

1. ~~"Data processing" or "electronic data processing" means the systematic sequencing of operations performed by data processing equipment or programs,~~

~~or both, upon data stored or entered in alphabetic, numeric, or alphanumeric format.~~ "Information technology" means computing and data communications systems and their supporting infrastructure used in the acquisition, processing, management, analysis, storage, and delivery of information.

2. ~~"Data processing equipment" means an electronic device or associated devices, except calculators and stand-alone noncommunicating word processors, which perform logical, arithmetic, and memory functions by the manipulation of electronic or magnetic impulses and includes all compiling and related input, output, and storage, equipment, programs and procedures, and data processing communications facilities.~~ "Information technology services" means the equipment, software, and services necessary for the acquisition, processing, management, analysis, storage, and delivery of information.

3. ~~"Telecommunications" means the electronic exchange of voice, data, image, and video information.~~ "Telephone services" means the equipment, software, and services necessary to transmit voice, data, or video through the public telephone network.

4. ~~"Transmission facilities" means terrestrial lines, and microwave, lightwave, and satellite facilities.~~

5. ~~"Word processing" means the textual formatting, correcting, editing, and rearranging of language elements, designed to convey full messages in English syntax, through manipulation of electronic or magnetic impulses. "Word processors" are devices on which word processing can be carried out.~~

SECTION 8. AMENDMENT. Section 54-44.2-01 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

54-44.2-01. Information services division - Creation. The information services division is established in the office of management and budget. The director of the office of management and budget shall appoint a director of the information services division. The director of the information services division shall supervise and regulate ~~electronic data processing activities~~ the information technology of all executive branch state agencies, institutions, departments, and boards, except the ~~job service North Dakota and the office of the adjutant general~~ institutions under the control of the board of higher education. ~~The division~~

1 ~~shall establish an electronic data processing center which must, unless excepted by the~~
2 ~~director, be used by all executive branch state agencies, departments, and institutions except~~
3 ~~the institutions under the control of the board of higher education, the job service North Dakota,~~
4 ~~and the office of the adjutant general. The division shall provide data processing services to~~
5 ~~the legislative and judicial branches of government. If the division is unable to fulfill a request~~
6 ~~for service from the legislative or judicial branch of government, the service may be procured by~~
7 ~~the legislative or judicial branch within the limits of legislative appropriations.~~

8 The director of the information services division must be appointed upon the basis of
9 education, experience, and other qualifications in data processing information technology and
10 administration. ~~The position of director is not a classified position and the director, without~~
11 reference to partisan politics, and must serve at the pleasure of the director of the office of
12 management and budget. The director of the information services division shall employ such
13 other professional, technical, and clerical personnel as the director determines to be necessary
14 to carry out the duties prescribed in this chapter and ~~shall~~, within the limits of the legislative
15 appropriation, shall fix the salaries of all employees within the division. All personnel within the
16 division must be allowed their actual and necessary travel expenses at the same rate as for
17 other employees of the state.

18 **SECTION 9. AMENDMENT.** Section 54-44.2-02 of the 1995 Supplement to the North
19 Dakota Century Code is amended and reenacted as follows:

20 **54-44.2-02. Information services division - Powers and duties.** The information
21 services division shall:

- 22 1. Provide ~~systems design, programming, and other data processing information~~
23 technology services.
- 24 2. ~~Design, plan, justify, and implement all data processing systems within and~~
25 ~~between state agencies that utilize the services of the division. Provide telephone~~
26 services.
- 27 3. Have the authority to purchase or lease ~~such additional~~ equipment or replace,
28 including by trade or resale, present equipment as may be necessary to carry out
29 this chapter. Each executive branch department, agency, or institution, except the
30 institutions under the control of the board of higher education, ~~the job service North~~
31 ~~Dakota, and the office of adjutant general,~~ shall submit to the director of the

information services division for approval or disapproval, in accordance with
guidelines established by the division, and consistent with the information
technology policies, standards, and guidelines of the information technology
management division of the legislative council a written request for data
processing services that require new data processing applications. A request must
also be submitted for modifications to existing data processing applications which
are expected to increase the cost of operating such data processing applications
by more than fifteen percent. The director may approve or disapprove the lease,
purchase, or other contractual acquisition of additional or new electronic data
processing information technology services or equipment by executive branch
agencies, except the institutions under the control of the board of higher education,
the job service North Dakota, and the office of adjutant general. The director may
authorize a user agency to house and operate electronic data processing
equipment. The information services division shall review requests for
conformance with the requesting organization's strategic plan and compliance with
statewide policies and standards. If the request is not in conformance or
compliance, the information services division may disapprove the request or
require justification for the departure from the strategic plan or statewide policy or
standard.

4. Provide ~~data processing~~ information technology services, including assistance and
advisory service to the legislative, ~~executive~~, and judicial branches. If the division
is unable to fulfill a request for service from the legislative or judicial branch, the
service may be procured by the legislative or judicial branch within the limits of
legislative appropriations.
5. ~~Establish and justify data processing activities and costs in order that effectiveness~~
~~can be measured.~~
6. ~~Establish a data bank to eliminate the duplicate storage of common data and~~
~~thereby develop more economical and efficient use of the data processing system.~~
~~The data bank must consist of data, except where data is restricted from such use~~
~~by law and such confidentiality cannot be reasonably maintained in the data bank,~~
~~contained within the files of all agencies, departments, and institutions being~~

~~provided services by the division. If the data bank contains data of use to other departments, agencies, and institutions, the data may be made available to such departments, agencies, and institutions after notice has been given to the agency, department, or institution from which the data was originally received.~~

~~7. Analyze proposals for executive branch agency word processing equipment and facility acquisitions and make such comments and recommendations as it may believe necessary so that such equipment and facilities will be compatible with electronic data processing equipment and programs under the supervision of the division. The office of management and budget may not approve vouchers for acquisition of word processing equipment and facilities by executive branch agencies unless the vouchers have attached to them the division's comments and recommendations.~~

~~8. Conduct conferences and meetings with various state agencies, departments, institutions, and political subdivisions to review proposals and provide information on improving telecommunications and transmission facilities in government and coordinate information technology services. The information services division shall report annually to the legislative council or its designated committee regarding the coordination of services with political subdivisions.~~

~~9. Implement improvements in the state telecommunications and transmission facilities as are feasible and within the limitations of appropriated funds.~~

~~10. Adopt any rules determined to be necessary to establish standard procedures and practices in the development and use of telecommunications and transmission facilities provided by the division.~~

~~11. Provide advice, general guidelines, and information to political subdivisions on the compatibility and interactive capacity of computers and other electronic information systems with the goal of developing a statewide compatible electronic communications network by 1996.~~

~~42- 6. Have authority to request information on or review information technology systems, applications, system development projects, and application development projects of executive branch departments, agencies, and institutions.~~

~~7. Perform all other duties necessary to carry out this chapter.~~

1 **SECTION 10. AMENDMENT.** Section 54-44.2-04 of the North Dakota Century Code is
2 amended and reenacted as follows:

3 **54-44.2-04. Appointment of data-processing information technology**
4 **coordinators.** Each agency, department, or institution ~~of this state utilizing the services and~~
5 ~~equipment provided by the information services division~~ shall appoint an ~~electronic data~~
6 ~~processing information technology~~ coordinator. The coordinator shall maintain liaison with the
7 division and assist the division in ~~such activities as the establishment of priorities, rescheduling,~~
8 ~~reports, and other areas related to making the most economical use of the data processing~~
9 ~~services and equipment~~ information technology.

10 **SECTION 11. AMENDMENT.** Section 54-44.2-06 of the North Dakota Century Code is
11 amended and reenacted as follows:

12 **54-44.2-06. Secrecy provision Confidentiality.** The ~~personnel of the~~ information
13 services division may receive from ~~the various departments; and the employees of the various~~
14 departments may provide to the division, any information from the files and records of the
15 ~~various departments necessary to effect the purposes of this chapter without regard to the~~
16 ~~confidential or secret nature of the information; provided, however, the personnel of the division~~
17 ~~are is~~ subject to the same restrictions and penalties regarding the dissemination of this
18 information as ~~are the personnel of the~~ department involved.

19 **SECTION 12. AMENDMENT.** Section 54-44.2-07 of the North Dakota Century Code is
20 amended and reenacted as follows:

21 **54-44.2-07. Acceptance of federal and other funds.** ~~Funds received by a state~~
22 ~~agency or institution from the government of the United States for the purpose of matching~~
23 ~~state funds for the purpose of improving normal or emergency telecommunication systems may~~
24 ~~be deposited in the information services operating fund, unless the funds have been specifically~~
25 ~~appropriated by the legislative assembly for some other purpose or unless transfer would be~~
26 ~~contrary to the federal regulations governing the grant. The information services division may~~
27 accept federal or other funds which must be deposited in the information services operating
28 fund and which may be spent subject to legislative appropriations. The ~~director of the~~
29 information services division may apply for any public or private grants available for the
30 improvement of ~~telecommunication systems~~ information technology.

1 **SECTION 13. AMENDMENT.** Section 54-44.2-08 of the 1995 Supplement of the North
2 Dakota Century Code is amended and reenacted as follows:

3 **54-44.2-08. Access to electronically stored information - Coordination by**
4 **information services division.** An entity of the state may establish procedures for providing
5 access to any computer data base or electronically filed or stored information maintained by
6 that entity. The procedures must address the measures that are necessary to maintain the
7 confidentiality of information protected by federal or state law. The entity may charge a
8 reasonable fee for providing that access. ~~If the original information is keyed, entered, provided,~~
9 ~~compiled, or submitted by any political subdivision, the fees must be shared by the state and~~
10 ~~the political subdivision based on their proportional costs to make the data available.~~ The
11 information services division shall cooperate with each state entity providing access to any
12 computer data base or electronically filed or stored information to assist in providing
13 economical, efficient, and compatible access.

14 **SECTION 14. REPEAL.** Sections 15-65-04, 54-44.2-02.1, 54-44.2-02.2, 54-44.2-02.3,
15 and 54-44.2-02.4 of the North Dakota Century Code and section 54-44.2-02.5 of the 1995
16 Supplement to the North Dakota Century Code are repealed.

17 **SECTION 15. LEGISLATIVE INTENT - GRANTS FOR THE CENTER FOR**
18 **INNOVATION IN INSTRUCTION AND SENDIT.** It is the intent of the fifty-fifth legislative
19 assembly that the funds appropriated in section 19 of this Act for grants to the Center for
20 Innovation in Instruction and the SENDIT network be distributed by the educational
21 telecommunications council to support teacher and school staff training in educational
22 technology through the Center for Innovation in Instruction and to support the electronic
23 connectivity and networking of schools through the SENDIT network.

24 **SECTION 16. LEGISLATIVE INTENT - MYRDAL FUND FOR TECHNOLOGY IN**
25 **CURRICULUM AND STAFF DEVELOPMENT.** It is the intent of the fifty-fifth legislative
26 assembly that the funds appropriated in section 19 of this Act for the Myrdal fund for technology
27 in curriculum and staff development be used for grants to school districts to encourage the
28 integration of technology into school curriculum and to support staff development programs
29 relating to the use of technology. The Myrdal fund for technology in curriculum and staff
30 development board of directors, as provided in House Bill No. 1476 as approved by the fifty-fifth
31 legislative assembly, shall distribute any moneys in the Myrdal fund for technology in curriculum

1 and staff development in cooperation with the educational telecommunications council, to avoid
2 duplication in the distribution of grant funds for educational technology projects.

3 **SECTION 17. LEGISLATIVE INTENT - PRAIRIE PUBLIC BROADCASTING -**

4 **MATCHING GRANTS.** It is the intent of the fifty-fifth legislative assembly that prairie public
5 broadcasting receive grants from the educational telecommunications council. The grants are
6 to be distributed four times each year, in July, October, January, and April. The grants must be
7 fifty cents for each dollar raised by prairie public broadcasting during the three-month period
8 ending in the month immediately preceding the month in which the grants must be distributed.
9 In determining the amount of the grant, revenue from the following sources must be
10 considered: membership contributions for prairie public television and prairie public radio from
11 North Dakota residents, program underwriting contributions raised from organizations doing
12 business in North Dakota, and fees received for the prairie on-line program. Grants may not
13 exceed \$475,000 during any state fiscal year. If, as of June thirtieth of any year, the amount of
14 grants distributed during the preceding twelve months is less than \$475,000, the undistributed
15 amount available for that fiscal year must be deposited in the state general fund.

16 **SECTION 18. LEGISLATIVE INTENT - TECHNOLOGY REIMBURSEMENT**

17 **PAYMENTS.** It is the intent of the fifty-fifth legislative assembly that the funds appropriated in
18 section 19 of this Act for technology reimbursement payments be used for reimbursing school
19 districts for technology-related expenditures. The educational telecommunications council shall
20 determine the maximum amount to which each school district is entitled by dividing the number
21 of elementary and secondary students in average daily membership in this state into the funds
22 appropriated in section 19 of this Act for technology reimbursement payments and then
23 multiplying the result by the number of students in average daily membership in each district.
24 Upon receiving substantiating documentation from a school district indicating the expenditure of
25 funds on or after July 1, 1996, for the acquisition of computer technology for student uses or
26 instructional purposes, interactive television, or teacher inservice programs related to the use of
27 computer technology in classroom instruction, the educational telecommunications council shall
28 provide reimbursement to the school district in an amount equal to that expended but not
29 exceeding that to which the school district is entitled.

30 **SECTION 19. APPROPRIATION.** The funds provided in this section, or so much of
31 the funds as may be necessary, are hereby appropriated out of any moneys in the general fund

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1 in the state treasury, not otherwise appropriated, and from special funds derived from other
2 income, to the educational telecommunications council for grants for the biennium beginning
3 July 1, 1997, and ending June 30, 1999, as follows:

4 Grants - educational telecommunications council	\$1,000,000
5 discretionary grants	
6 Grants - center for innovation in instruction	297,250
7 Grants - prairie public broadcasting	950,000
8 Grants - Myrdal fund for technology in curriculum	1,300,000
9 and staff development	
10 Grants - SENDIT	876,000
11 Grants - technology reimbursement payments	<u>3,800,000</u>
12 Total all funds	\$8,223,250
13 Less estimated income	<u>196,000</u>
14 Total general fund appropriation	\$8,027,250

15 **SECTION 20. APPROPRIATION.** The fund provided in this section, or so much of the
16 funds as may be necessary, are hereby appropriated out of any moneys in the general fund in
17 the state treasury, not otherwise appropriated, to the legislative council for the purpose of
18 defraying the expenses of the information technology management division for the biennium
19 beginning July 1, 1997, and ending June 30, 1999, as follows:

20 Salaries and wages	\$750,528
21 Operating expenses	66,248
22 Equipment	<u>31,500</u>
23 Total general fund appropriation	\$848,276