

Introduced by

Legislative Council

(Information Technology Committee)

1 A BILL for an Act to create and enact three new sections to chapter 54-35 of the North Dakota  
2 Century Code, relating to the legislative council information technology committee; and to  
3 provide an expiration date.

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

5 **SECTION 1.** A new section to chapter 54-35 of the North Dakota Century Code is  
6 created and enacted as follows:

7 **Information technology committee - Appointment.** The legislative council, during  
8 each biennium, shall appoint an information technology committee in the same manner as the  
9 council appoints other interim committees. The council shall appoint three members of the  
10 house of representatives and three members of the senate to the committee. The governor  
11 shall appoint one member who is a certified public accountant whose experience includes  
12 responsibility for financial audits, one member who is a certified public accountant whose  
13 experience includes responsibility related to information systems, and one member who has  
14 education, experience, and other qualifications in information technology communications. The  
15 members appointed by the governor serve three-year terms, with one term expiring each year.  
16 Each initial appointee of the governor shall serve either a one-year, two-year, or three-year  
17 term as determined by the governor to provide for the staggered terms. The chief information  
18 officer of the state is an ex officio, nonvoting member of the committee. The appointees of the  
19 governor are entitled to be compensated for time spent in attendance at meetings of the  
20 committee and for other travel as approved by the chairman of the committee at the rate of two  
21 hundred dollars per day and are entitled to reimbursement for their actual and necessary  
22 expenses incurred in the same manner as other state officials as appropriate. The council shall  
23 designate the chairman of the committee. The committee shall operate according to the  
24 statutes and procedure governing the operation of other legislative council interim committees.

1           **SECTION 2.** A new section to chapter 54-35 of the North Dakota Century Code is  
2 created and enacted as follows:

3           **Information technology committee - Powers and duties.** The information  
4 technology committee has continuing existence and may meet and conduct its business during  
5 the legislative session and in the interim between sessions. The committee shall:

- 6           1. Meet at least once each calendar quarter.
- 7           2. Receive a report from the chief information officer of the state at each meeting.
- 8           3. Approve the business plan of the information technology department.
- 9           4. Address macro-level operational questions relating to the information technology  
10           department.
- 11          5. Review the activities of the information technology department.
- 12          6. Establish goals and policy regarding information systems and technology,  
13           including telecommunications, used by state agencies, including institutions under  
14           the control of the board of higher education.
- 15          7. Review and approve statewide information technology standards.
- 16          8. Review and approve the statewide information technology plan.
- 17          9. Conduct studies of information technology efficiency and security.
- 18          10. Make recommendations regarding established or proposed information technology  
19           programs and information technology acquisition by the executive and judicial  
20           branches.
- 21          11. Review and approve the cost-benefit analysis of any major information technology  
22           project of an executive or judicial branch agency. A major project is a project with  
23           a cost of two hundred fifty thousand dollars or more in one biennium or a total cost  
24           of five hundred thousand dollars or more. An agency must obtain approval of the  
25           cost-benefit analysis before the information technology project can be initiated or  
26           proceed beyond the development of the cost-benefit analysis.
- 27          12. Perform periodic reviews to ensure that a major information technology project is  
28           on its projected schedule and within its cost projections.

29           **SECTION 3.** A new section to chapter 54-35 of the North Dakota Century Code is  
30 created and enacted as follows:

1           **Information technology project quality assurance - Information technology**  
2 **committee review - Budget section approval - Suspension of funds.** The information  
3 technology committee may review any information technology project or information technology  
4 plan and redirect an agency's project or plan if the committee determines that the project or  
5 plan is at risk of failing to achieve its intended results, the moneys appropriated for the project  
6 or plan are not adequate to complete the project or plan, or the project or plan does not comply  
7 with standards approved by the committee. If the committee recommends suspension of the  
8 expenditure of moneys appropriated for a project or plan, the committee shall submit its  
9 recommendation to the budget section of the legislative council for review and approval of the  
10 recommended suspension. The budget section shall review and approve or reject the  
11 recommendation of the committee. If the budget section approves the recommendation, the  
12 budget section shall notify the office of management and budget with respect to its  
13 recommended suspension of expenditure authority. The office of management and budget  
14 shall suspend the expenditure authority until otherwise requested by the information technology  
15 committee.

16           **SECTION 4. EXPIRATION DATE.** This Act is effective through June 30, 2003, and  
17 after that date is ineffective.