

Introduced by

Senator Mathern

1 A BILL for an Act to create and enact new sections to chapters 43-32, 43-41, 43-45, 43-47,
2 43-53, and 54-59 of the North Dakota Century Code, relating to occupational board information
3 technology services; to amend and reenact section 43-32-05, subsection 2 of section 43-45-05,
4 subsection 4 of section 43-47-02, subsection 5 of section 43-53-04, and section 54-59-01 of the
5 North Dakota Century Code, relating to compensation of occupational board members; and to
6 provide an appropriation.

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

8 **SECTION 1.** A new section to chapter 43-32 of the North Dakota Century Code is created
9 and enacted as follows:

10 **Board information technology services.**

11 The board shall collaborate with the information technology department for information
12 technology services under section 11 of this Act.

13 **SECTION 2. AMENDMENT.** Section 43-32-05 of the North Dakota Century Code is
14 amended and reenacted as follows:

15 **43-32-05. Compensation of members - Expenses of board and members.**

16 Each member of the board ~~serves without~~ is entitled to receive, subject to legislative
17 appropriations, compensation, but is in an amount not to exceed the daily compensation of
18 members of the legislative assembly provided in subsection 1 of section 54-03-20 for each day
19 during which the member is engaged in performance of the official duties of the board and is
20 entitled to receive reimbursement for board expenses, mileage, and travel expenses while
21 engaged in the performance of board duties as provided in section 54-06-09. The secretary of
22 the board is entitled to receive salary or other compensation and allowance for clerical and
23 other expenses of the board, as the board determines.

1 **SECTION 3.** A new section to chapter 43-41 of the North Dakota Century Code is created
2 and enacted as follows:

3 **Board information technology services.**

4 The board shall collaborate with the information technology department for information
5 technology services under section 11 of this Act.

6 **SECTION 4.** A new section to chapter 43-45 of the North Dakota Century Code is created
7 and enacted as follows:

8 **Board information technology services.**

9 The board shall collaborate with the information technology department for information
10 technology services under section 11 of this Act.

11 **SECTION 5. AMENDMENT.** Subsection 2 of section 43-45-05 of the North Dakota Century
12 Code is amended and reenacted as follows:

13 2. Each board member ~~shall serve without~~ is entitled to receive, subject to legislative
14 appropriations, compensation but in an amount not to exceed the daily compensation
15 of members of the legislative assembly provided in subsection 1 of section 54-03-20
16 for each day during which the member is engaged in performance of the official duties
17 of the board and is entitled to receive expenses as provided in section 54-06-09.

18 **SECTION 6.** A new section to chapter 43-47 of the North Dakota Century Code is created
19 and enacted as follows:

20 **Board information technology services.**

21 The board shall collaborate with the information technology department for information
22 technology services under section 11 of this Act.

23 **SECTION 7. AMENDMENT.** Subsection 4 of section 43-47-02 of the North Dakota Century
24 Code is amended and reenacted as follows:

25 4. Each member ~~shall serve without~~ is entitled to receive, subject to legislative
26 appropriations, compensation but in an amount not to exceed the daily compensation
27 of members of the legislative assembly provided in subsection 1 of section 54-03-20
28 for each day during which the member is engaged in performance of the official duties
29 of the board and is entitled to receive expenses as provided in section 54-06-09 and
30 per diem as must be fixed by the board.

1 **SECTION 8.** A new section to chapter 43-53 of the North Dakota Century Code is created
2 and enacted as follows:

3 **Board information technology services.**

4 The board shall collaborate with the information technology department for information
5 technology services under section 11 of this Act.

6 **SECTION 9. AMENDMENT.** Subsection 5 of section 43-53-04 of the North Dakota Century
7 Code is amended and reenacted as follows:

- 8 5. A board member may not participate in any matter before the board in which that
9 member has a pecuniary interest, personal bias, or other similar conflict of interest. A
10 board member ~~shall serve without~~ is entitled to receive, subject to legislative
11 appropriations, compensation but in an amount not to exceed the daily compensation
12 of members of the legislative assembly provided in subsection 1 of section 54-03-20
13 for each day during which the member is engaged in performance of the official duties
14 of the board and is entitled to be reimbursed for the member's actual and necessary
15 expenses incurred in the performance of official board business.

16 **SECTION 10. AMENDMENT.** Section 54-59-01 of the North Dakota Century Code is
17 amended and reenacted as follows:

18 **54-59-01. Definitions.**

19 As used in this chapter:

- 20 1. "Agency" or "entity" does not include any agricultural commodity promotion group or
21 any occupational or professional board, except occupational or professional boards
22 included in section 11 of this Act.
- 23 2. "Cybersecurity" means processes or capabilities, wherein, systems, communications,
24 and information are protected and defended against damage, unauthorized use or
25 modification, and exploitation.
- 26 3. "Cybersecurity strategy" means a vision, plan of action, or guiding principles. Unless
27 otherwise defined in this chapter, the term does not mean an associated operational
28 plan.
- 29 4. "Department" means the information technology department.

1 5. "Information technology" means the use of hardware, software, services, and
2 supporting infrastructure to manage and deliver information using voice, data, and
3 video.

4 6. "Network services" means the equipment, software, and services necessary to
5 transmit voice, data, or video.

6 **SECTION 11.** A new section to chapter 54-59 of the North Dakota Century Code is created
7 and enacted as follows:

8 **Occupational board services.**

9 The state board of psychologist examiners, North Dakota board of social work examiners,
10 board of addiction counseling examiners, board of counselor examiners, and North Dakota
11 marriage and family therapy licensure board may procure from the information technology
12 department wide area network services pursuant to section 54-59-08 and electronic mail, file,
13 and print service administration, database administration, storage, application server, and
14 hosting services pursuant to section 54-59-22.

15 **SECTION 12. APPROPRIATION - DEPARTMENT OF HEALTH AND HUMAN SERVICES -**
16 **OCCUPATIONAL BOARD MEMBER COMPENSATION - ONE-TIME FUNDING.** There is
17 appropriated out of any moneys in the general fund in the state treasury, not otherwise
18 appropriated, the sum of \$150,000, or so much of the sum as may be necessary, to the
19 department of health and human services for the purpose of providing grants to the state board
20 of psychologist examiners, North Dakota board of social work examiners, board of addiction
21 counseling examiners, board of counselor examiners, and North Dakota marriage and family
22 therapy licensure board for compensation of board members for each day during which the
23 member is engaged in performance of the official duties of the board, for the biennium
24 beginning July 1, 2023, and ending June 30, 2025. The funding provided in this section is
25 considered a one-time funding item.

26 **SECTION 13. APPROPRIATION - INFORMATION TECHNOLOGY DEPARTMENT -**
27 **OCCUPATIONAL BOARD SERVICES.** There is appropriated out of any moneys in the general
28 fund in the state treasury, not otherwise appropriated, the sum of \$50,000, or so much of the
29 sum as may be necessary, to the information technology department for the purpose of
30 providing information technology services to occupational boards pursuant to section 11 of this
31 Act, for the biennium beginning July 1, 2023, and ending June 30, 2025. The state board of

1 psychologist examiners, North Dakota board of social work examiners, board of addiction
2 counseling examiners, board of counselor examiners, and North Dakota marriage and family
3 therapy licensure board are each eligible for up to \$10,000 of information technology services
4 during the 2023-25 biennium. The information technology department shall charge the
5 respective board for any additional services provided by the information technology department
6 as requested by a board pursuant to section 11 of this Act. The board shall pay for the billed
7 services from other funding sources available to each board.