

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2021

That the House recede from its amendments as printed on pages 1492-1496 of the Senate Journal and pages 1701-1706 of the House Journal and that Engrossed Senate Bill No. 2021 be amended as follows:

Page 1, line 2, after the first semicolon insert "to amend and reenact section 54-59-05 as amended by section 5 of Senate Bill No. 2007, as approved by the sixty-seventh legislative assembly, and section 54-59-07 of the North Dakota Century Code, relating to the veterans' home information technology services and state information technology advisory committee; to repeal section 6 of Senate Bill No. 2016, as approved by the sixty-seventh legislative assembly, relating to the information technology unification initiative;"

Page 1, line 3, remove "and"

Page 1, line 3, after "intent" insert "; to provide for a legislative management study; and to declare an emergency"

Page 1, remove lines 13 through 23

Page 2, replace lines 1 and 2 with:

"Salaries and wages	\$81,374,501	\$20,360,128	\$101,734,629
Operating expenses	89,957,364	31,130,748	121,088,112
Capital assets	4,253,117	(809,208)	3,443,909
Statewide longitudinal data system	4,387,145	99,133	4,486,278
Edutech	9,645,773	46,166	9,691,939
K-12 wide area network	5,167,970	(488,252)	4,679,718
Geographic information system	1,052,629	49,177	1,101,806
Health information technology office	4,879,146	9,846,725	14,725,871
Statewide interoperable radio network	<u>12,330,000</u>	<u>1,863,796</u>	<u>14,193,796</u>
Total all funds	\$213,047,645	\$62,098,413	\$275,146,058
Less estimated income	<u>195,882,334</u>	<u>50,287,771</u>	<u>246,170,105</u>
Total general fund	\$17,165,311	\$11,810,642	\$28,975,953
Full-time equivalent positions	402.00	77.00	479.00"

Page 2, replace line 8 with:

"Cybersecurity	\$15,400,000	\$6,500,000"
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Page 2, replace lines 12 through 14 with:

"Total all funds	\$136,550,000	\$12,500,000
Less estimated income	<u>125,150,000</u>	<u>12,500,000</u>
Total general fund	\$11,400,000	\$0"

Page 2, line 20, remove "**INFORMATION TECHNOLOGY DEPARTMENT**"

Page 2, line 21, replace "**OPERATING SERVICE**" with "**ELECTRONIC HEALTH INFORMATION EXCHANGE**"

Page 2, line 25, replace "information technology department operating service" with "electronic health information exchange"

Page 3, after line 6, insert:

"SECTION 5. ESTIMATED INCOME - FEDERAL CORONAVIRUS RELIEF FUND. The estimated income line item in section 1 of this Act includes the sum of \$6,500,000, or so much of the sum as may be necessary, from the federal coronavirus relief fund for cybersecurity operating expenses.

SECTION 6. AMENDMENT. Section 54-59-05 of the North Dakota Century Code, as amended by section 5 of Senate Bill No. 2007, as approved by the sixty-seventh legislative assembly, is amended and reenacted as follows:

54-59-05. Powers and duties of department. (Effective through July 31, 2023)

The department:

1. Shall provide, supervise, and regulate information technology of all executive branch state entities, excluding the institutions under the control of the board of higher education and the veterans' home.
2. Shall provide network services in a way that ensures the network requirements of a single entity do not adversely affect the functionality of the whole network, facilitates open communications with the citizens of the state, minimizes the state's investment in human resources, accommodates an ever-increasing amount of traffic, supports rapid detection and resolution of problems, protects the network infrastructure from damage and security breaches, provides for the aggregation of data, voice, video, and multimedia into a statewide transport mechanism or backbone, and provides for the network support for the entity to carry out its mission.
3. May review and approve additional network services that are not provided by the department.
4. May purchase, finance the purchase, or lease equipment, software, or implementation services or replace, including by trade or resale, equipment or software as may be necessary to carry out this chapter. With the exception of agreements entered related to the statewide interoperable radio network, an agreement to finance the purchase of software, equipment, or implementation services may not exceed a period of five years. The department shall submit any intended financing proposal for the purchase of software, equipment, or implementation services under this subsection, which is in excess of one million dollars, to the legislative assembly or the budget section if the legislative assembly is not in session before executing a financing agreement. Any request considered by the budget section must comply with section 54-35-02.9. If the legislative assembly or the budget section does not approve the execution of a financing agreement, the department may not proceed with the proposed financing arrangement. With the exception of financing for the statewide interoperable radio network, the department may finance the purchase of software, equipment, or implementation services only to the extent the

purchase amount does not exceed seven and one-half percent of the amount appropriated to the department during that biennium.

5. Shall review requests for lease, purchase, or other contractual acquisition of information technology as required by this subsection. Each executive branch agency or institution, excluding the institutions under the control of the board of higher education, shall submit to the department, in accordance with guidelines established by the department, a written request for the lease, purchase, or other contractual acquisition of information technology. The department shall review requests for conformance with the requesting entity's information technology plan and compliance with statewide policies and standards. If the request is not in conformance or compliance, the department may disapprove the request or require justification for the departure from the plan or statewide policy or standard.
6. Shall provide information technology, including assistance and advisory service, to the executive, legislative, and judicial branches. If the department is unable to fulfill a request for service from the legislative or judicial branch, the information technology may be procured by the legislative or judicial branch within the limits of legislative appropriations.
7. Shall request and review information, including project startup information summarizing the project description, project objectives, business need or problem, cost-benefit analysis, and project risks and a project closeout information summarizing the project objectives achieved, project budget and schedule variances, and lessons learned, regarding any major information technology project of an executive branch agency. The department shall present the information to the information technology committee on request of the committee.
8. May request and review information regarding any information technology project of an executive branch agency with a total cost of between one hundred thousand and five hundred thousand dollars as determined necessary by the department. The department shall present the information to the information technology committee on request of the committee.
9. Shall study emerging technology and evaluate its impact on the state's system of information technology.
10. Shall develop guidelines for reports to be provided by each agency of the executive, legislative, and judicial branches, excluding the institutions under the control of the board of higher education, on information technology in those entities.
11. Shall collaborate with the state board of higher education on guidelines for reports to be provided by institutions under control of the state board of higher education on information technology in those entities.
12. Shall perform all other duties necessary to carry out this chapter.
13. May provide wide area network services to a state agency, city, county, school district, or other political subdivision of this state. The information

technology department may not provide wide area network service to any private, charitable, or nonprofit entity except the information technology department may continue to provide the wide area network service the department provided to the private, charitable, and nonprofit entities receiving services from the department on January 1, 2003.

14. Shall assure proper measures for security, firewalls, and internet protocol addressing at the state's interface with other facilities.
15. Notwithstanding subsection 13, may provide wide area network services for a period not to exceed four years to an occupant of a technology park associated with an institution of higher education or to a business located in a business incubator associated with an institution of higher education.
16. Shall advise and oversee cybersecurity strategy for all executive branch state agencies, including institutions under the control of the state board of higher education, counties, cities, school districts, or other political subdivisions. For purposes of this subsection, the department shall consult with the attorney general and the veterans' home on cybersecurity strategy.
17. Shall advise and consult with the legislative and judicial branches regarding cybersecurity strategy.

Powers and duties of department. (Effective after July 31, 2023)

The department:

1. Shall provide, supervise, and regulate information technology of all executive branch state entities, excluding the institutions under the control of the board of higher education and the veterans' home.
2. Shall provide network services in a way that ensures the network requirements of a single entity do not adversely affect the functionality of the whole network, facilitates open communications with the citizens of the state, minimizes the state's investment in human resources, accommodates an ever-increasing amount of traffic, supports rapid detection and resolution of problems, protects the network infrastructure from damage and security breaches, provides for the aggregation of data, voice, video, and multimedia into a statewide transport mechanism or backbone, and provides for the network support for the entity to carry out its mission.
3. May review and approve additional network services that are not provided by the department.
4. May purchase, finance the purchase, or lease equipment, software, or implementation services or replace, including by trade or resale, equipment or software as may be necessary to carry out this chapter. An agreement to finance the purchase of software, equipment, or implementation services may not exceed a period of five years. The department shall submit any intended financing proposal for the purchase of software, equipment, or implementation services under this subsection, which is in excess of one million dollars, to the legislative assembly or the budget section if the legislative assembly is not in session before executing

a financing agreement. Any request considered by the budget section must comply with section 54-35-02.9. If the legislative assembly or the budget section does not approve the execution of a financing agreement, the department may not proceed with the proposed financing arrangement. The department may finance the purchase of software, equipment, or implementation services only to the extent the purchase amount does not exceed seven and one-half percent of the amount appropriated to the department during that biennium.

5. Shall review requests for lease, purchase, or other contractual acquisition of information technology as required by this subsection. Each executive branch agency or institution, excluding the institutions under the control of the board of higher education, shall submit to the department, in accordance with guidelines established by the department, a written request for the lease, purchase, or other contractual acquisition of information technology. The department shall review requests for conformance with the requesting entity's information technology plan and compliance with statewide policies and standards. If the request is not in conformance or compliance, the department may disapprove the request or require justification for the departure from the plan or statewide policy or standard.
6. Shall provide information technology, including assistance and advisory service, to the executive, legislative, and judicial branches. If the department is unable to fulfill a request for service from the legislative or judicial branch, the information technology may be procured by the legislative or judicial branch within the limits of legislative appropriations.
7. Shall request and review information, including project startup information summarizing the project description, project objectives, business need or problem, cost-benefit analysis, and project risks and a project closeout information summarizing the project objectives achieved, project budget and schedule variances, and lessons learned, regarding any major information technology project of an executive branch agency. The department shall present the information to the information technology committee on request of the committee.
8. May request and review information regarding any information technology project of an executive branch agency with a total cost of between one hundred thousand and five hundred thousand dollars as determined necessary by the department. The department shall present the information to the information technology committee on request of the committee.
9. Shall study emerging technology and evaluate its impact on the state's system of information technology.
10. Shall develop guidelines for reports to be provided by each agency of the executive, legislative, and judicial branches, excluding the institutions under the control of the board of higher education, on information technology in those entities.

11. Shall collaborate with the state board of higher education on guidelines for reports to be provided by institutions under control of the state board of higher education on information technology in those entities.
12. Shall perform all other duties necessary to carry out this chapter.
13. May provide wide area network services to a state agency, city, county, school district, or other political subdivision of this state. The information technology department may not provide wide area network service to any private, charitable, or nonprofit entity except the information technology department may continue to provide the wide area network service the department provided to the private, charitable, and nonprofit entities receiving services from the department on January 1, 2003.
14. Shall assure proper measures for security, firewalls, and internet protocol addressing at the state's interface with other facilities.
15. Notwithstanding subsection 13, may provide wide area network services for a period not to exceed four years to an occupant of a technology park associated with an institution of higher education or to a business located in a business incubator associated with an institution of higher education.
16. Shall advise and oversee cybersecurity strategy for all executive branch state agencies, including institutions under the control of the state board of higher education, counties, cities, school districts, or other political subdivisions. For purposes of this subsection, the department shall consult with the attorney general ~~and the veterans' home~~ on cybersecurity strategy.
17. Shall advise and consult with the legislative and judicial branches regarding cybersecurity strategy.

SECTION 7. AMENDMENT. Section 54-59-07 of the North Dakota Century Code is amended and reenacted as follows:

54-59-07. State information technology advisory committee.

The state information technology advisory committee consists of the chief information officer; the commissioner of higher education or the commissioner's designee; the attorney general or the attorney general's designee; the secretary of state or the secretary of state's designee; the tax commissioner or the commissioner's designee; the chief justice of the supreme court or the chief justice's designee; two members of the legislative assembly appointed by the legislative management, of which one member must be the chairman of the information technology committee; a minimum of eight members representing state agencies, appointed by the governor; and two members with technology management expertise representing private industry, appointed by the governor. The appointees of the governor serve at the pleasure of the governor. The governor shall designate the chairman ~~chief information officer and chairman of the information technology committee shall serve as~~ co-chairmen of the state information technology advisory committee. Additional members may be asked to participate at the request of the ~~chairman~~ chairmen. The department shall provide staff services to the committee. The members of the committee representing private industry are entitled to be compensated for time spent in attendance at meetings of the committee and for other travel as approved by the

~~chairman~~chairmen of the committee at the rate of sixty-two dollars and fifty cents per day and are entitled to reimbursement for actual and necessary expenses incurred in the same manner as other state officials. The compensation and expenses are to be paid from appropriations for the department. The committee shall advise the department regarding statewide information technology planning and budgeting, services of the information technology department, and statewide information technology initiatives and policy and shall review reports on major information technology projects as required by this chapter and policies, standards, and guidelines developed by the department. The chief information officer shall submit recommendations of the committee regarding information technology issues to the information technology committee for its consideration.

SECTION 8. REPEAL. Section 6 of Senate Bill No. 2016, as approved by the sixty-seventh legislative assembly, is repealed."

Page 3, replace lines 12 through 17 with:

"SECTION 10. INFORMATION TECHNOLOGY UNIFICATION - LEGISLATIVE INTENT - LEGISLATIVE MANAGEMENT REPORT. The information technology department shall charge a state agency selected to participate in the 2021-23 biennium information technology unification initiative a rate for the labor of any full-time equivalent position transferred to the information technology department during the 2021-23 biennium, that may not exceed the salaries and wages and related operating expenses of the full-time equivalent position for services the respective state agency was performing prior to the 2021-23 biennium. It is the intent of the sixty-seventh legislative assembly that any full-time equivalent positions transferred to the information technology department for the 2021-23 biennium information technology unification initiative be transferred to the agency employing the positions during the 2019-21 biennium, unless the sixty-eighth legislative assembly is presented with sufficient evidence of efficiencies gained and cost-savings realized by the state as a result of the 2021-23 biennium information technology unification initiative. During the 2021-22 interim, the information technology department shall report annually to the legislative management regarding any efficiencies gained and cost-savings realized as a result of the 2021-23 biennium information technology unification initiative.

SECTION 11. LEGISLATIVE INTENT - PHONE EQUIPMENT. It is the intent of the sixty-seventh legislative assembly that the information technology department:

1. Supply at least one physical phone in each state agency;
2. Give state agencies the option of having a physical phone for each employee in the agency; and
3. Allow the head of each agency to determine the number of phones provided to the agency.

SECTION 12. LEGISLATIVE INTENT - LEGISLATIVE MANAGEMENT STUDY - INFORMATION TECHNOLOGY DIRECTION. It is the intent of the sixty-seventh legislative assembly that the information technology department provide direction to executive branch agencies regarding information technology strategic planning and operations during the biennium beginning July 1, 2021, and ending June 30, 2023. During the 2021-22 interim, the legislative management shall consider studying the feasibility and desirability of the legislative branch and judicial branch receiving strategic planning and operational information technology direction from the information technology department beginning in the 2023-25 biennium. The legislative

management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-eighth legislative assembly.

SECTION 13. LEGISLATIVE MANAGEMENT STUDY - STATE GOVERNMENT INFORMATION TECHNOLOGY BUDGETING AND APPROPRIATION PROCESS. During the 2021-22 interim, the legislative management shall consider studying the state government information technology budgeting and appropriations process. The study must include a review of the current process and the feasibility and desirability of providing a general fund appropriation to the information technology department rather than providing general fund appropriations to state agencies to pay the information technology department for information technology services. The study must include consideration of any cost or cost-savings that may result and any transparency benefits of the potential budgeting and appropriation changes. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-eighth legislative assembly.

SECTION 14. LEGISLATIVE MANAGEMENT STUDY - INFORMATION TECHNOLOGY UNIFICATION. During the 2021-22 interim, the legislative management shall consider studying the effectiveness, efficiency, cost, and any cost-savings of the 2019-21 biennium and 2021-23 biennium information technology unification initiatives and the feasibility and desirability of continuing these initiatives. The study must include a review of changes in fees, services, operations, processes, and systems. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-eighth legislative assembly.

SECTION 15. LEGISLATIVE MANAGEMENT STUDY - CYBERSECURITY. During the 2021-22 interim, the legislative management shall consider studying costs incurred by the information technology department to deliver core technology services and cybersecurity services to state agencies and political subdivisions. The study must consider the feasibility and desirability of political subdivisions paying their share of the cost of these services. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-eighth legislative assembly.

SECTION 16. LEGISLATIVE MANAGEMENT STUDY - IMPACT OF LARGE TECHNOLOGY COMPANIES. During the 2021-22 interim, the legislative management shall consider studying competitive fairness, economic development implications, and other economic and societal impacts of large technology companies conducting business in North Dakota. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-eighth legislative assembly.

SECTION 17. LEGISLATIVE MANAGEMENT STUDY - VIRTUAL CURRENCY BUSINESS ACTIVITY. During the 2021-22 interim, the legislative management shall consider studying the feasibility and desirability of regulating special purpose depository institutions and regulating other entities engaged in virtual currency business activities. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-eighth legislative assembly.

SECTION 18. EMERGENCY. House Bill No. 1417, as approved by the sixty-seventh legislative assembly, is declared to be an emergency measure."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2021 - Information Technology Department - Conference Committee Action

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Salaries and wages	\$81,374,501	\$103,677,594	(\$1,942,965)	\$101,734,629	\$100,781,118	\$953,511
Operating expenses	89,957,364	121,248,112	(160,000)	121,088,112	120,808,112	280,000
Capital assets	4,253,117	3,443,909		3,443,909	3,422,875	21,034
Statewide longitudinal data system	4,387,145	4,493,432	(7,154)	4,486,278	4,486,278	
EduTech	9,645,773	9,701,266	(9,327)	9,691,939	9,691,939	
K-12 wide area network	5,167,970	4,682,489	(2,771)	4,679,718	4,679,718	
Geographic information system	1,052,629	1,103,054	(1,248)	1,101,806	1,101,806	
Health information technology office	4,879,146	14,729,523	(3,652)	14,725,871	14,725,871	
Statewide interoperable radio network	12,330,000	14,194,902	(1,106)	14,193,796	14,193,796	
Total all funds	\$213,047,645	\$277,274,281	(\$2,128,223)	\$275,146,058	\$273,891,513	\$1,254,545
Less estimated income	195,882,334	242,862,695	3,307,410	246,170,105	246,726,024	(555,919)
General fund	\$17,165,311	\$34,411,586	(\$5,435,633)	\$28,975,953	\$27,165,489	\$1,810,464
FTE	402.00	488.00	(9.00)	479.00	477.00	2.00

Department 112 - Information Technology Department - Detail of Conference Committee Changes

	Adjusts Funding for Salary and Benefit Increases¹	Reduces Funding for IT Unification²	Removes 5 FTE Positions³	Adds Funding for Cybersecurity FTE⁴	Reduces Cybersecurity Initiative Funding⁵	Adds One-Time Funding for Cybersecurity Initiatives⁶
Salaries and wages	(\$408,351)	(\$3,018,069)	(\$1,055,737)	\$2,539,192		
Operating expenses		(560,000)		400,000	(\$6,500,000)	\$6,500,000
Capital assets						
Statewide longitudinal data system	(7,154)					
EduTech	(9,327)					
K-12 wide area network	(2,771)					
Geographic information system	(1,248)					
Health information technology office	(3,652)					
Statewide interoperable radio network	(1,106)					
Total all funds	(\$433,609)	(\$3,578,069)	(\$1,055,737)	\$2,939,192	(\$6,500,000)	\$6,500,000
Less estimated income	(322,299)	(3,578,069)	(1,055,737)	1,763,515	0	6,500,000
General fund	(\$111,310)	\$0	\$0	\$1,175,677	(\$6,500,000)	\$0
FTE	0.00	(14.00)	(5.00)	10.00	0.00	0.00

	Total Conference Committee Changes
Salaries and wages	(\$1,942,965)
Operating expenses	(160,000)
Capital assets	
Statewide longitudinal data system	(7,154)
EduTech	(9,327)
K-12 wide area network	(2,771)
Geographic information system	(1,248)
Health information technology office	(3,652)
Statewide interoperable radio network	(1,106)
Total all funds	(\$2,128,223)
Less estimated income	3,307,410
General fund	(\$5,435,633)
FTE	(9.00)

¹ Salaries and wages funding is adjusted for 2021-23 biennium salary increases of 1.5 percent on July 1, 2021, with a minimum monthly increase of \$100 and 2 percent on July 1, 2022, the same as provided by the House. The Senate provided salary adjustments of 2 percent with a minimum monthly increase of \$80 and a maximum monthly increase of \$300 on July 1, 2021, and 2 percent on July 1, 2022. Of the amounts adjusted in the salaries and wages line item, \$490 is added from the general fund and \$931 is removed from other funds for health insurance increases to reflect FTE adjustments made by the Conference Committee.

² Funding of \$3,578,069 from other funds and 14 FTE information technology positions are removed for the information technology unification initiative, including 12 FTE positions from Workforce Safety and Insurance and 2 FTE positions from the Game and Fish Department, to provide a total transfer of 53 FTE positions from 10 agencies to ITD, as follows:

Agency	FTE Transferred
110 - Office of Management and Budget	4
190 - Retirement and Investment Office	2
301 - State Department of Health	4
303 - Department of Environmental Quality	1
380 - Job Service North Dakota	16
471 - Bank of North Dakota	16
504 - Highway Patrol	2
530 - Department of Corrections and Rehabilitation	6
601 - Department of Commerce	1
720 - Game and Fish Department	<u>1</u>
Total	53

The Senate and House previously approved the transfer of 67 FTE positions from 11 agencies prior to the Conference Committee.

³ Salaries and wages funding of \$1,055,737 and 5 FTE positions are removed. The House removed salaries and wages and related operating expenses of \$2,260,326 and 9 FTE positions. The Senate did not remove funding for these FTE positions.

⁴ Funding of \$2,939,192, of which \$1,175,677 is from the general fund and \$1,763,515 is from other funds is added for 10 FTE cybersecurity positions, including \$2,539,192 for salaries and wages and \$400,000 for related operating expenses. The Conference Committee approved a total of 29 FTE cybersecurity positions, of which 17 FTE cybersecurity positions relate to state cybersecurity and 12 FTE cybersecurity positions relate to local cybersecurity. Of the total, 23 FTE cybersecurity positions are funded from the general fund and 6 of the local FTE cybersecurity positions are funded from other funds. The House approved 17 FTE cybersecurity positions. The Senate approved 19 FTE cybersecurity positions.

⁵ Ongoing funding of \$6.5 million from the general fund for cybersecurity operating expenses is removed.

⁶ One-time funding of \$6,500,000 is added from the federal Coronavirus Relief Fund for cybersecurity initiative operating expenses, to provide total cybersecurity initiative funding of \$19,486,225, of which \$12,986,225 is ongoing funding from the general fund. Total cybersecurity funding is as follows:

	General Fund	Special Funds	Federal Funds	Total
Salaries and wages	\$5,840,142	\$1,523,515	\$0	\$7,363,657
Operating expenses	5,251,534	240,000	6,500,000	11,991,534
Capital assets	<u>131,034</u>	<u>0</u>	<u>0</u>	<u>131,034</u>
Total	\$11,222,710	\$1,763,515	\$6,500,000	\$19,486,225

A separate section of the bill is added to identify funding from the federal Coronavirus Relief Fund.

The House approved \$15,938,161, of which \$9,438,161 was considered ongoing funding from the general fund and \$6,500,000 was one-time funding from the federal Coronavirus Relief Fund. Of the ongoing funding, \$4,316,627 was for salaries and wages, \$5,011,534 was for operating expenses, and \$110,000 was for capital assets.

The Senate approved \$16,547,033 of ongoing funding from the general fund, derived from legacy fund earnings, of which \$4,824,465 was for salaries and wages, \$11,591,534 was for operating expenses, and \$131,034 was for capital assets.

This amendment also:

- Amends a section to provide a \$6 million transfer from the health information technology planning loan fund to the electronic health information exchange fund, the same as provided by the House. The Senate approved the transfer to be to the ITD operating service fund.
- Amends North Dakota Century Code Section 54-59-07 regarding the membership of the State Information Technology Advisory Committee, commonly known as SITAC. The House included this section.
- Amends Section 5 of Senate Bill No. 2007 (2021) related to the powers and duties of ITD and information technology services provided by ITD to the Veterans' Home.
- Repeals Section 6 of Senate Bill No. 2016 (2021) related to the information technology unification initiative. Section 10 of Senate Bill No. 2021 (2021) replaces this section.
- Removes a section identifying funding approved for cybersecurity salaries and wages, operating expenses, and capital assets is from the general fund and derived from legacy fund earnings, as approved by the Senate. The Conference Committee approved funding from the general fund for these cybersecurity costs but is not identifying the funding as from legacy fund earnings. The House also removed this section.
- Adds a section to provide ITD shall charge state agencies selected to participate in the 2021-23 biennium information technology unification initiative a rate for the labor of any FTE position transferred to ITD during the 2021-23 biennium, not to exceed the salaries and wages and related operating expenses of the FTE position, for services state agencies were performing prior to the 2021-23 biennium. Legislative intent is provided that any FTE position transferred to ITD for the 2021-23 biennium information technology unification initiative be transferred to the agency employing the positions during the 2019-21 biennium, unless the 68th Legislative Assembly is presented with sufficient evidence of efficiencies gained and cost-savings realized by the state as a result of the 2021-23 biennium information technology unification initiative. This section was not included in the House version.
- Adds a section of legislative intent that ITD supply at least one physical phone in each state agency and must provide the option to have physical phones for each employee in state agencies, at the discretion of the head of each agency. The House included this section.
- Adds a section of legislative intent that ITD provide direction to executive branch agencies regarding information technology strategic planning and operations during the 2021-23 biennium and provides for a Legislative Management study regarding the feasibility and desirability of the legislative branch and judicial branch receiving strategic planning and operational information technology direction from ITD beginning in the 2023-25 biennium. The House included this section.
- Adds a section to provide for a Legislative Management study of the state government information technology budgeting and appropriation process. The study must include a review of the current process and the feasibility and desirability of providing a general fund appropriation to ITD rather than providing general fund appropriations to state agencies to pay ITD for information technology services, including any cost or cost-savings that may be obtained and any transparency benefits of the potential budgeting and appropriation changes. The House included this section.
- Adds a section to provide for a Legislative Management study of the effectiveness, efficiency, cost, and any cost-savings of the 2019-21 biennium and 2021-23 biennium information technology unification initiatives and the feasibility and desirability of continuing these initiatives. The House included this section.
- Adds a section to provide for a Legislative Management study of the cost to deliver core technology services and cybersecurity to state agencies and political subdivisions, including the feasibility and desirability of political subdivisions paying their share of the cost of these services. The House included this section.

- Adds a section to provide for a Legislative Management study of competitive fairness, economic development implications, and other economic and societal impacts of large technology companies conducting business in North Dakota. The House included this section.
- Adds a section to provide for a Legislative Management study of the feasibility and desirability of regulating special purpose depository institutions and regulating other entities engaged in virtual currency business activities. The House included this section.
- Adds a section to declare House Bill No. 1417 (2021), related to the powers and duties of ITD and the ability to enter a memorandum of understanding with other state, local, tribal, or territorial governments for cybersecurity purposes, to be an emergency measure.