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Valosta Rickford  
Operator's Signature

10/2/03  
Date

2003 HOUSE GOVERNMENT AND VETERANS AFFAIRS

HB 1043

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10/2/03  
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1043

House Government and Veterans Affairs Committee

☐ Conference Committee

Hearing Date 2-06-03

Tape Number	Side A	Side B	Meter #
1	x		0-26.4
Committee Clerk Signature <i>Jerry Renda</i>			

Minutes: Chairman Klein opened the hearing on HB 1043. All committee members were present.

Roxanne Woeste, Fiscal Analyst, LC: appeared in favor of HB 1043. (SEE ATTACHED TESTIMONY).

Kurt Wolfe, Chief Information Officer for the state: appeared in favor of HB 1043. I won't repeat every thing that Roxanne covered, but I do want to elaborate on a few things. On the change on line 17 as you know OMB submitted a bill to do the very same change, we didn't realize they were going to do that.

Chairman Klein: what we did in this committee, is we did pass out HB 1075 which addressed that specifically, so what we would do is delete that portion of it.

Kurt Wolfe: we have no anticipation of borrowing any money, but the limits in here as to in excess of 1,000,000 dollars and having to budget section approval up to that cap of equipment line.

Page 2

House Government and Veterans Affairs Committee

Bill/Resolution Number HB 1043

Hearing Date 2-06-03

We ask for two changes, one is line 22 include implementation services, along with equipment and software, and second just a % of overall budget as attached. At this point we have no anticipation of major purchases in the next bi-enium. Appropriation request is at approximately at \$108,000,000, so we are looking at slightly over \$10,000,000 with authority to borrow if the details in here are followed through.

On line 18, we still do some support for microfilm for agencies, there may be a point where we eliminate it or out source it. In that case we might want a language change in it.

Representative Kasper: Who owns ITV?

Kurt Wolfe: State agencies.

Representative Grande: Federal dollars, are they off of grants?

Kurt Wolfe: where we are looking for Federal Grant dollars, is in the Criminal Justice program, that we have in our budget.

Representative Sitte: Who are the 8 members appointed by the Governor? Are they private citizens, or agency heads?

Kurt Wolfe: I don't have the list that the Governor appointed, I did council with him as to who the people should be with privat sector people on there.

We have only had one meeting with this particular advisory group.

Meeting adjourned.

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1043

House Government and Veterans Affairs Committee

☐ Conference Committee

Hearing Date 2-13-03

Tape Number	Side A	Side B	Meter #
1		x	27-31.6
Committee Clerk Signature <i>Jeff Binko</i>			

Minutes: Chairman Klein: called the hearing to order on HB 1043. All committee members were present.

Representative Klein: stated that HB 1043 has some proposed amendments. I felt that this committee wanted to keep some kind of a committee in place and what this does is keep the committee in place but changes the make-up considerably, were reducing the numbers but it basically there are two changes we want to make on page two , line eight, and the last part where he repealed his committee.

Representative Winrich: this language that we have here on your proposed amendment will change section five?

Representative Klein: that is correct.

Representative Grande: moved to **AMEND** HB 1043.

Representative Haas: **SECOND** the motion to amend HB 1043.

All in favor.

Page 2  
House Government and Veterans Affairs Committee  
Bill/Resolution Number HB 1043  
Hearing Date 2-13-03

Representative Grande: Moved to **DO PASS AS AMENDED** HB 1043.

Representative Amerman: **SECOND** the do pass as amended motion on HB 1043.

**VOTE: 13 YES 0 NO 1 ABSENT (KASPER)**

Representative Winrich: will carry the bill to the floor.

Meeting adjourned.

Yolanda Rickford  
Operator's Signature

10/2/03  
Date

**FISCAL NOTE**  
Requested by Legislative Council  
04/10/2003

Amendment to: HB 1043

**1A. State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2001-2003 Biennium		2003-2005 Biennium		2005-2007 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0	\$0	\$0	\$0
Appropriations	\$0	\$0	\$0	\$0	\$0	\$0

**1B. County, city, and school district fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

2001-2003 Biennium			2003-2005 Biennium			2005-2007 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

**2. Narrative:** *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

This proposed legislation change will not have a fiscal impact.

**3. State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

**A. Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

This proposed legislation change will not affect revenues.

**B. Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

This proposed legislation change will not affect expenses.

**C. Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.*

This proposed legislation change will not affect appropriations.

Name:	Mike J. Ressler	Agency:	Information Technology
Phone Number:	328-1001	Date Prepared:	04/10/2003

**FISCAL NOTE**  
Requested by Legislative Council  
02/17/2003

Amendment to: HB 1043

**1A. State fiscal effect:** Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.

	2001-2003 Biennium		2003-2005 Biennium		2005-2007 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0	\$0	\$0	\$0
Appropriations	\$0	\$0	\$0	\$0	\$0	\$0

**1B. County, city, and school district fiscal effect:** Identify the fiscal effect on the appropriate political subdivision.

2001-2003 Biennium			2003-2005 Biennium			2005-2007 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

**2. Narrative:** Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.

This proposed legislation change will not have a fiscal impact.

**3. State fiscal effect detail:** For information shown under state fiscal effect in 1A, please:

**A. Revenues:** Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.

This proposed legislation change will not affect revenues.

**B. Expenditures:** Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.

This proposed legislation change will not affect expenses.

**C. Appropriations:** Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.

This proposed legislation change will not affect appropriations.

Name:	Mike J. Ressler	Agency:	Information Technology Department
Phone Number:	328-1001	Date Prepared:	02/17/2003

*Valosta Rickford*  
Operator's Signature

*10/2/03*  
Date



**FISCAL NOTE**  
Requested by Legislative Council  
12/16/2002

Bill/Resolution No.: HB 1043

**1A. State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2001-2003 Biennium		2003-2005 Biennium		2005-2007 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0	\$0	\$0	\$0
Appropriations	\$0	\$0	\$0	\$0	\$0	\$0

**1B. County, city, and school district fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

2001-2003 Biennium			2003-2005 Biennium			2005-2007 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

**2. Narrative:** *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

☒ This proposed legislation change will not have a fiscal impact.

**3. State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

**A. Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

This proposed legislation change will not affect revenues.

**B. Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

This proposed legislation change will not affect expenses.

**C. Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.*

This proposed legislation change will not affect appropriations.

Name:	Mike J. Ressler	Agency:	Information Technology Department
Phone Number:	328-1001	Date Prepared:	12/16/2002

30122.0201  
Title.0300

Adopted by the Government and Veterans  
Affairs Committee  
February 13, 2003

VR  
2/13/03  
1 of 2

HOUSE AMENDMENTS TO HOUSE BILL NO. 1043 GVA 2-14-03

Page 1, line 1, remove "section 54-44.6-01," and remove the second comma

Page 1, line 2, after "sections" insert "54-59-07," and after "54-59-11" insert a comma

Page 1, line 3, after the first comma insert "the state information technology advisory committee,"

Page 1, line 4, replace "; and to repeal section" with a period

Page 1, remove lines 5 and 6

Page 1, remove lines 8 through 18

HOUSE AMENDMENTS TO HB 1043

GVA

2-14-03

Page 2, line 8, replace "ten" with "seven and one-half"

Page 2, after line 18, insert:

**"SECTION 2. 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 or the officer's designee, who is a nonvoting member; the director of the department of commerce division of economic development and finance or the director's designee; the commissioner of higher education or the commissioner's designee; the chairman of the information technology council of North Dakota or a designee; the director of the North Dakota workforce development council or a designee; the chairman of the educational technology council or a designee; and eight: two members of the legislative assembly appointed by the legislative council; a minimum of eight members representing state agencies, appointed by the governor; and one member with technology management expertise representing private industry, appointed by the governor. Two of the eight members representing state agencies must be chosen from agencies headed by elected officials. The appointees of the governor serve at the pleasure of the governor. The governor shall designate the chairman of the committee. Additional members may be asked to participate at the request of the chairman. The department shall provide staff services to the committee. Except for the commissioner of higher education and the representatives of state agencies who receive compensation for their duties as state officers or employees, members The member of the committee are representing private industry is entitled to be compensated for time spent in attendance at meetings of the committee and for other travel as approved by the chairman of the committee at the rate of sixty-two dollars and fifty cents per day and are is entitled to reimbursement for their 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, including providing electronic government services for citizens and businesses, developing technology infrastructure to support economic development and workforce training, and developing other budgeting, services of the information technology department, and statewide information technology initiatives and policy."

Page No. 1

30122.0201

HOUSE AMENDMENTS TO HB 1043

GVA

2-14-03 2 of 4

Page 3, remove lines 25 and 26

Renumber accordingly

Page No. 2

30122.0201

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*Valista Rickford*  
Operator's Signature

*10/2/03*  
Date

Date: 2-13-03  
Roll Call Vote #: #B 1043

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO.

House GOVERNMENT AND VETERANS AFFAIRS Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Move to amend HB 1043

Motion Made By Rep Grande Seconded By Rep. Haas

Representatives	Yes	No	Representatives	Yes	No
Chairman M.M. Klein	X		B. Amerman	X	
Vice Chairman B.B. Grande	X		L. Potter	X	
W.R. Devlin	X		C. Williams	X	
C.B. Haas	X		L. Winrich	X	
J. Kasper	A				
L.R. Klemin	X				
L. Meier	X				
M. Sitte	X				
W.W. Tieman	X				
R.H. Wikenheiser	X				

Total (Yes) 13 No 0

Absent (1) Rep. Kasper

Floor Assignment \_\_\_\_\_

If the vote is on an amendment, briefly indicate intent:

Yolanda Rickford  
Operator's Signature

10/2/03  
Date

Date: 2-13-03  
Roll Call Vote #: HB 1043

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO.

House GOVERNMENT AND VETERANS AFFAIRS Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 30122.0201

Action Taken Do Pass AS amended

Motion Made By Rep. Grande Seconded By Rep. Amerman

Representatives	Yes	No	Representatives	Yes	No
Chairman M.M. Klein	X		B. Amerman	X	
Vice Chairman B.B. Grande	X		L. Potter	X	
W.R. Devlin	X		C. Williams	X	
C.B. Haas	X		L. Winrich	X	
J. Kasper	A				
L.R. Klein	X				
L. Meier	X				
M. Sitte	X				
W.W. Tieman	X				
R.H. Wikenheiser	X				

Total (Yes) 13 No 0

Absent (1) Rep. Kasper

Floor Assignment Rep. Winrich

If the vote is on an amendment, briefly indicate intent:

Yalosta Rickford  
Operator's Signature

10/2/03  
Date

REPORT OF STANDING COMMITTEE (410)  
February 14, 2003 8:42 a.m.

Module No: HR-29-2702  
Carrier: Winrich  
Insert LC: 30122.0201 Title: .0300

**REPORT OF STANDING COMMITTEE**

**HB 1043: Government and Veterans Affairs Committee (Rep. M. Klein, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1043 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "section 54-44.6-01," and remove the second comma

Page 1, line 2, after "sections" insert "54-59-07," and after "54-59-11" insert a comma

Page 1, line 3, after the first comma insert "the state information technology advisory committee,"

Page 1, line 4, replace "; and to repeal section" with a period

Page 1, remove lines 5 and 6

Page 1, remove lines 8 through 18

Page 2, line 8, replace "ten" with "seven and one-half"

Page 2, after line 18, insert:

**"SECTION 2. 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 or the officer's designee, who is a nonvoting member; the director of the department of commerce division of economic development and finance or the director's designee; the commissioner of higher education or the commissioner's designee; the chairman of the information technology council of North Dakota or a designee; the director of the North Dakota workforce development council or a designee; the chairman of the educational technology council or a designee; and eight, two members of the legislative assembly appointed by the legislative council; a minimum of eight members representing state agencies, appointed by the governor; and one member with technology management expertise representing private industry, appointed by the governor. Two of the eight members representing state agencies must be chosen from agencies headed by elected officials. The appointees of the governor serve at the pleasure of the governor. The governor shall designate the chairman of the committee. Additional members may be asked to participate at the request of the chairman. The department shall provide staff services to the committee. Except for the commissioner of higher education and the representatives of state agencies who receive compensation for their duties as state officers or employees, members of the committee are representing private industry is entitled to be compensated for time spent in attendance at meetings of the committee and for other travel as approved by the chairman of the committee at the rate of sixty-two dollars and fifty cents per day and are is entitled to reimbursement for their 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, including providing electronic government services for citizens and businesses, developing technology infrastructure to support economic development and workforce training, and developing other budgeting, services of the information technology department, and statewide information technology initiatives and policy."

Page 3, remove lines 25 and 26

(2) DESK, (3) COMM

Page No. 1

HR-29-2702

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Operator's Signature

Date

**REPORT OF STANDING COMMITTEE (410)**  
February 14, 2003 8:42 a.m.

Module No: HR-29-2702  
Carrier: Winrich  
Insert LC: 30122.0201 Title: .0300

Renumber accordingly

(2) DESK, (3) COMM

Page No. 2

HR-29-2702

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*Salvatore Rickford*  
Operator's Signature

*10/2/03*  
Date

2003 SENATE GOVERNMENT AND VETERANS AFFAIRS

HB 1043

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Operator's Signature

10/2/03  
Date



2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1043

Senate Government and Veterans Affairs Committee

☐ Conference Committee

Hearing Date 03/06/03

Tape Number	Side A	Side B	Meter #
Tape 1	x		0-2375
Committee Clerk Signature <i>[Signature]</i>			

Minutes:

Senator Karen Krebsbach, Chairman opens HB 1043. All senators present.

Roxanne Weste, Legislative Council introduces bill. Goes through bill to explain with any questions.

Senator Krebsbach : How was the figure of 7 1/2% derive?

Weste: that was originally 10% and the house amended to 7.5%

Senator Wardner : Reason for change of board was?

Weste: That was also on house side. they also removed a section on forms management.

Curt Wolf, Chief of State ITD. In support, purposes attached amendment. Goes through amendment and the reason for it. He states that it should be fine with the House GVA committee because they are the ones who pretty much purposed it.

Senator Krebsbach: the central microfilm is being sourced out?

Wolf: We just want the flexibility to do what we want and need with it.

Page 2

Senate Government and Veterans Affairs Committee

Bill/Resolution Number HB 1043

Hearing Date 03/06/03

Laura Glatt, ND University Systems In support of bill and amendment.

Closed HB 1043

Senator Brown moves to pass amendment

Senator Wardner 2nd

6 Yes 0 No

Senator Brown moves a Do Pass as amended

Senator Dever 2nd

6 Yes 0 No

Carrier: Senator Brown

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*Yolanda Rickford*  
Operator's Signature

*10/2/03*  
Date

off. repeal. Sec. 5

amendment

HB 1043

**54-59-07. State information technology advisory committee.** The state information technology advisory committee consists of the chief information officer or the officer's designee, who is a nonvoting member; the director of the department of commerce division of economic development and finance or the director's designee; the commissioner of higher education or the commissioner's designee; the chairman of the information technology council of North Dakota or a designee; the director of the North Dakota workforce development council or a designee; the chairman of the educational technology council or a designee; and eight 2 legislators appointed by Legislative Council and a minimum of 8 members representing state agencies appointed by the governor and 1 member with technology management expertise representing private industry appointed by the governor. Two of the 8 members representing state agencies shall be chosen from agencies headed by elected officials. The appointees of the governor serve at the pleasure of the governor. The governor shall designate the chairman of the committee. Additional members may be asked to participate at the request of the chair. The department shall provide staff services to the committee. ~~Except for the commissioner of higher education and the representatives of state agencies who receive compensation for their duties as state officers or employees,~~ 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 of the committee at the rate of sixty-two dollars and fifty cents per day and are entitled to reimbursement for their 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 ~~including providing electronic government services for citizens and businesses, developing technology infrastructure to support economic development and workforce training, and developing other statewide information technology initiatives and policy,~~

Yalosta Rickford  
Operator's Signature

10/2/03  
Date

**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 ~~or the officer's designee, who is a nonvoting member; the director of the department of commerce division of economic development and finance or the director's designee; 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;~~ the chairman of the information technology council of North Dakota or a designee; the director of the North Dakota workforce development council or a designee; the chairman of the educational technology council or a designee; and eight; a minimum of eight members representing state agencies, appointed by the governor; and two member 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 of the committee. Additional members may be asked to participate at the request of the chair. The department shall provide staff services to the committee. ~~Except for the commissioner of higher education and the representatives of state agencies who receive compensation for their duties as state officers or employees, members~~ 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 of the committee at the rate of sixty-two dollars and fifty cents per day and are is entitled to reimbursement for their 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, ~~including providing electronic government services for citizens and businesses, developing technology infrastructure to support economic development and workforce training, and developing other~~ budgeting, services of the information technology department, and statewide information technology initiatives and policy.

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Yalisto Rickford  
Operator's Signature

10/2/03  
Date

Date: 3/6/03  
Roll Call Vote #: 1

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 1043

Senate Government and Veteran Affairs Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 30122.0301 Title .0400

Action Taken Amendment

Motion Made By Brown Seconded By Wardner

Senators	Yes	No	Senators	Yes	No
Senator Karen Krebsbach, Chr.	✓		Senator April Fairfield	✓	
Senator Dick Dever, Vice Chr.	✓		Senator Carolyn Nelson	✓	
Senator Richard Brown	✓				
Senator Rich Wardner	✓				

Total (Yes) 6 No 0

Absent 0

Floor Assignment  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If the vote is on an amendment, briefly indicate intent:

Date: 3/6/03  
Roll Call Vote #: 2

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 1043

Senate Government and Veteran Affairs Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 30122 . 0301 Title . 0400

Action Taken Do Pass as amended

Motion Made By Brown Seconded By Dever

Senators	Yes	No	Senators	Yes	No
Senator Karen Krebsbach, Chr.	✓		Senator April Fairfield	✓	
Senator Dick Dever, Vice Chr.	✓		Senator Carolyn Nelson	✓	
Senator Richard Brown	✓				
Senator Rich Wardner	✓				

Total (Yes) 6 No 0

Absent 0

Floor Assignment Brown

If the vote is on an amendment, briefly indicate intent:

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Yolanda Rickford  
Operator's Signature

10/2/03  
Date

REPORT OF STANDING COMMITTEE (410)  
March 10, 2003 3:45 p.m.

Module No: SR-42-4393  
Carrier: Brown  
Insert LC: 30122.0301 Title: .0400

**REPORT OF STANDING COMMITTEE**

HB 1043, as engrossed: Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1043 was placed on the Sixth order on the calendar.

Page 2, line 12, remove the overstrike over "~~the commissioner of higher education or~~"

Page 2, line 13, remove the overstrike over "~~the commissioner's designee;~~"

Page 2, line 15, after "~~eight~~" insert "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"

Page 2, line 17, replace "one member" with "two members"

Page 2, remove line 19

Page 2, line 20, remove "by elected officials."

Page 2, line 25, replace "member" with "members" and replace "is" with "are"

Page 2, line 27, remove the overstrike over "are" and remove "is"

Renumber accordingly

**2003 HOUSE GOVERNMENT AND VETERANS AFFAIRS**

**CONFERENCE COMMITTEE**

**HB 1043**

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Operator's Signature

*Salista Rickford*

Date

*10/2/03*



2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1043

House Government and Veterans Affairs Committee

☒ Conference Committee

Hearing Date 4-4-03

Tape Number	Side A	Side B	Meter #
1	x		0-13.4
Committee Clerk Signature <i>Joseph Runko</i>			

Minutes:

Chairman Grande: called the conference committee to order on bill 1043. Members present were Representative Grande, Representative Winrich, Representative Klemin, Senator Dever, Senator Nelson, and Senator Krebsbach.

Representative Grande: presented amendments to the committee.

Representative Klemin: I would move that the House accede to the Senate amendments on page 892 and 893 of the House Journal and 702 and 703 of the Senate Journal, these would be the ones that are set out in yellow on the first engrossment of Engrossed HB 1043.

Representative Winrich: I will SECOND that motion for the purposes of discussion.

Representative Winrich: shouldn't we say the Chancellor of the university system rather than the Commissioner of Higher Education, we don't have a Commissioner of Higher Education anymore do we?

Senator Nelson: I think he is called the Chancellor, for clarification.

Page 2

House Government and Veterans Affairs Committee

Bill/Resolution Number HB 1043

Hearing Date 4-4-03

Representative Grande: so why don't we put in clarification that we are referring to the Chancellor here? I think what we can do is add that and further amend. Can we take a point of order here, the first thing we are going to need is for the acceptance of these and what we will need to do is move to further amend, so that we can have if necessary to further amend the proper language. Will the clerk call the roll?

**VOTE: 6-YES 0-NO 0-ABSENT .**

Motion carried.

Representative Grande: we have the Senate amendments in front of us and now what we will be working for is off of the Engrossed bill. In the discussion we will need to make a decision whether or not we are going to continue on the Commissioner of Higher Education language or if we need to change to Chancellor, as soon as our intern has the information we will proceed with that, at this time I would entertain a motion on some further amendments.

Representative Klemin: At this time I would move that proposed amendments to Engrossed HB 1043, which has been handed out to everyone dated April 4th 2003, it ends in .0303, I **MOVE** those amendments.

Representative Winrich: I **SECOND** the motion.

Representative Grande: as we look at this in Section 1, and we have 54-35-15.1, that is the interim committee make up, it doesn't have to do with the advisory committee, it has to do with interim committee these are two different committees that we are talking about and what they are doing is changing that, so that we would have more legislative involvement on that particular interim committee, they have found over this past interim, that they felt more legislative involvement would be helpful. The second set of amendments, which we are dealing with in

Page 3

House Government and Veterans Affairs Committee

Bill/Resolution Number HB 1043

Hearing Date 4-4-03

Section 2, has to do with a division where as to what would be handled by the state and what would be handled by the private sector, Section 4 also does the same and just spells it out in clear language and also what ever the department has in effect as of January 1, will stay within that area, with State Auditors. The last sentence, "shall ensure proper measure for security, fire walls, and Internet protocol addressing at the state's interface with other facilities", that has to do with when for example: the health department are setting up for a bio terrorism attack, the hospitals need a connection into the health department, the private sector will take care of the hospitals, the lines into, and then when it hits the state then the state has to take care of its security, when its on the other side, the private sector takes care of its security, so the private sector when its entering in, they are only entering in the areas that they need to be in, not being able to pass onto a IP line, into other departments, so we are only connecting into the departments that are necessary for that particular link. That is just a safe guard for both sides.

Senator Krebsbach: do we know what the lead into 54-59-05 is?

Representative Klemini: the lead is "The Department".

Senator Krebsbach: Madame Chairman, I'm not here to delay action on a conference committee, but there is a little bit of information that I would like to seek out this weekend, if it would be possible to delay on this until next week?

Representative Winrich: I will move to table the motion until next week.

Representative Grande: in the constitution it states, that the correct name is the Sate Commissioner of Higher Education, so we will leave it as is.

Representative Klemini: I SECOND the motion to table.

All were in favor on a voice vote.

Page 4  
House Government and Veterans Affairs Committee  
Bill/Resolution Number HB 1043  
Hearing Date 4-4-03

Representative Grande: we will reconvene at a later date.

Meeting adjourned.

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Yolanda Rickford  
Operator's Signature

10/2/03  
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1043

House Government and Veterans Affairs Committee

☒ Conference Committee

Hearing Date 4-08-03

Tape Number	Side A	Side B	Meter #
1	x		0-5.1
Committee Clerk Signature <i>Jody Rennie</i>			

Minutes:

Representative Grande: called the conference committee to order on HB 1043.

Representative Grande, Representative Klemin, Representative Winrich, Senator Dever,  
Senator Nelson, Senator Krebsbach were present.

Representative Winrich: I would MOVE to take the MOTION for AMENDMENT off of the  
table.

Representative Klemin: SECOND the motion.

All were in favor.

Representative Klemin: I MOVE a DO PASS on amendments as presented by Klemin.

Representative Krebsbach: I asked that we hold on this until I get some further study and in my  
check of people back home, I find that what we have here is perfectly acceptable and agreeable  
on the amendments.

Representative Winrich: SECOND the motion on a DO PASS.

Page 2

House Government and Veterans Affairs Committee

Bill/Resolution Number HB 1043

Hearing Date 4-08-03

Representative Grande: at this point what we have is that the house has acceded and we are looking at further amending. The Clerk can call the roll on a DO PASS to adopt the amendment.

VOTE: 6-YES 0-NO 0-ABSENT. Motion carries.

Representative Grande: at this point we now have the amended bill in front of us.

Representative Krebsbach: this becomes the conference committee report.

Representative Dever: will carry the bill to the floor.

Representative Grande: Meeting adjourned.

30122.0303  
Title.0500

Adopted by Government & Veterans Affairs  
Conference Committee  
April 4, 2003

**Conference Committee Amendments to Engrossed HB 1043 - 04/09/2003**

That the House accede to the Senate amendments as printed on pages 892 and 893 of the House Journal and pages 702 and 703 of the Senate Journal and that Engrossed House Bill No. 1043 be further amended as follows:

Page 1, line 1, after "to" insert "create and enact two new subsections to section 54-59-05 of the North Dakota Century Code, relating to powers and duties of the information technology department; and to", after "reenact" insert "sections 54-35-15.1 and 54-59-02", and after "54-59-05" insert a comma

Page 1, line 2, after "to" insert "the information technology committee, information technology department responsibilities,"

Page 1, after line 6, insert:

**"SECTION 1. AMENDMENT.** Section 54-35-15.1 of the North Dakota Century Code is amended and reenacted as follows:

**54-35-15.1. Information technology committee - Appointment.** The legislative council, during each biennium, shall appoint an information technology committee in the same manner as the council appoints other interim committees. The council shall appoint ~~four~~ six members of the house of representatives and ~~three~~ five members of the senate to the committee. The chief information officer of the state is an ex officio, nonvoting member of the committee. The council shall designate the chairman of the committee. The committee shall operate according to the statutes and procedure governing the operation of other legislative council interim committees.

**SECTION 2. AMENDMENT.** Section 54-59-02 of the North Dakota Century Code is amended and reenacted as follows:

**54-59-02. Information technology department - Responsibility.** The information technology department is established with the responsibility for all wide area network services planning, selection, and implementation for all state agencies, including institutions under the control of the board of higher education, counties, cities, and school districts in this state. With respect to a county, city, or school district, wide area network services are those services necessary to transmit voice, data, or video outside the county, city, or school district. In exercising its powers and duties, the department is responsible for computer support services, host software development, statewide communications services, standards for providing information to other state agencies and the public through the internet, technology planning, process redesign, and quality assurance. The department may not exercise its powers and duties in a manner that competes or otherwise interferes with the provision of telecommunications service to a private, charitable, or nonprofit entity by a privately or cooperatively owned telecommunications company.

Conference Committee Amendments to Engrossed HB 1043 - 04/09/2003

Page 2, after line 6, insert:

**"SECTION 4.** Two new subsections to section 54-59-05 of the North Dakota Century Code are created and enacted as follows:

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. The department shall file with the state auditor before September 1, 2003, a description of the wide area network service the department provided to each private, charitable, and nonprofit entity receiving services from the department on January 1, 2003.

Shall assure proper measures for security, firewalls, and Internet protocol addressing at the state's interface with other facilities."

Renumber accordingly



REPORT OF CONFERENCE COMMITTEE  
(ACCEDE/RECEDE) - 420

07398

(Bill Number) \_\_\_\_\_ (, as (re)engrossed): 2

Your Conference Committee

For the Senate:

Which more  
Second - Klein

For the House:

Is fable meeting  
All in favor

☐ recommends that the (SENATE/HOUSE) (ACCEDE to) (RECEDE from)  
the (Senate/House) amendments on (SJ/HJ) page(s) \_\_\_\_\_

☐ and place \_\_\_\_\_ on the Seventh order.

☐ adopt (further) amendments as follows, and place  
\_\_\_\_\_ on the Seventh order:

☐ having been unable to agree, recommends that the committee be discharged  
and a new committee be appointed.

((Re)Engrossed) \_\_\_\_\_ was placed on the Seventh order of business on the  
calendar.

DATE: \_\_\_\_/\_\_\_\_/\_\_\_\_

CARRIER: \_\_\_\_\_

LC NO. \_\_\_\_\_ of amendment

LC NO. \_\_\_\_\_ of engrossment

Emergency clause added or deleted \_\_\_\_\_

Statement of purpose of amendment \_\_\_\_\_

(1) LC (2) LC (3) DESK (4) COMM.

Yalosta Rickford  
Operator's Signature

10/2/03  
Date

\*\*\*\*\*  
REPORT OF CONFERENCE COMMITTEE  
(ACCEDE/RECEDE) - 420  
\*\*\*\*\*

4403

07398

(Bill Number) H3043 (, as (re)engrossed):

Your Conference Committee

For the Senate:

Sen. Dwyer P Y  
Sen. Nelson P Y  
Sen. Krebsbach P Y

For the House:

Rep. Grande P Y  
Rep. Winick P Y  
Rep. Klemm P Y

☐ recommends that the (SENATE/HOUSE) (ACCEDE to) (RECEDE from)

the (Senate/House) amendments on (S/H) page(s) 89283

☐ and place \_\_\_\_\_ on the Seventh order.

☐ , adopt (further) amendments as follows, and place \_\_\_\_\_ on the Seventh order:

☐ having been unable to agree, recommends that the committee be discharged and a new committee be appointed.

((Re)Engrossed) \_\_\_\_\_ was placed on the Seventh order of business on the calendar.

DATE: 4/4/03

CARRIER: \_\_\_\_\_

LC NO. \_\_\_\_\_ of amendment

LC NO. \_\_\_\_\_ of engrossment

Emergency clause added or deleted \_\_\_\_\_

Statement of purpose of amendment \_\_\_\_\_

(1) LC (2) LC (3) DESK (4) COMM.

Yolanda Rickford  
Operator's Signature

10/2/03  
Date

REPORT OF CONFERENCE COMMITTEE  
(ACCEDE/RECEDE) - 420

07398

(Bill Number) HB 1043 (, as (re)engrossed): 2nd

Your Conference Committee

For the Senate:

Sen. Dever  
Sen. Nelson  
Sen. Korbach

For the House:

Rep. Gronda  
Winnick Seaman  
Klein Motia

☐ recommends that the (SENATE/HOUSE) (ACCEDE to) (RECEDE from)  
the (Senate/House) amendments on (SJ/HJ) page(s) \_\_\_\_\_ - \_\_\_\_\_

☐ and place \_\_\_\_\_ on the Seventh order.

☐ , adopt (further) amendments as follows, and place  
\_\_\_\_\_ on the Seventh order:

☐ having been unable to agree, recommends that the committee be discharged  
and a new committee be appointed.

((Re)Engrossed) \_\_\_\_\_ was placed on the Seventh order of business on the  
calendar.

DATE: 4/14/03

CARRIER: \_\_\_\_\_

LC NO. \_\_\_\_\_ of amendment

LC NO. \_\_\_\_\_ of engrossment

Emergency clause added or deleted \_\_\_\_\_

Statement of purpose of amendment \_\_\_\_\_

(1) LC (2) LC (3) DESK (4) COMM.

Yolanda Rickford  
Operator's Signature

10/2/03  
Date

\*\*\*\*\*  
REPORT OF CONFERENCE COMMITTEE  
(ACCEDE/RECEDE) - 420  
\*\*\*\*\*

07398

10/3

(Bill Number) \_\_\_\_\_ (, as (re)engrossed):

Your Conference Committee

For the Senate:

Senator Nelson P Y  
Senator Davis P Y  
Senator Karcher P Y

For the House:

Rep. Graves P Y  
Rep. Blaine P Y  
Rep. Wirth P Y

*Klemm  
DO PASS for adopt  
amendments*

☐ recommends that the (SENATE/HOUSE) (ACCEDE to) (RECEDE from)  
723/724 723/726 8724/8726 8723/8725  
the (Senate/House) amendments on (SJ/HJ) page(s) \_\_\_\_\_

☐ and place \_\_\_\_\_ on the Seventh order.  
727

☐ , adopt (further) amendments as follows, and place \_\_\_\_\_  
\_\_\_\_\_ on the Seventh order:

☐ having been unable to agree, recommends that the committee be discharged  
and a new committee be appointed. 690/513

((Re)Engrossed) \_\_\_\_\_ was placed on the Seventh order of business on the  
calendar.

*Wittich  
Senate:  
Davis  
will  
carry  
to floor*

DATE: 4, 8, 03

CARRIER: Denver

LC NO. \_\_\_\_\_ of amendment

LC NO. \_\_\_\_\_ of engrossment

Emergency clause added or deleted \_\_\_\_\_

Statement of purpose of amendment \_\_\_\_\_

\*\*\*\*\*  
(1) LC (2) LC (3) DESK (4) COMM.

Yolanda Rickford  
Operator's Signature

10/2/03  
Date

\*\*\*\*\*  
REPORT OF CONFERENCE COMMITTEE  
(ACCEDE/RECEDE) - 420  
\*\*\*\*\*

07398

(Bill Number) HB 1043 (, as (re)engrossed):

Your Conference Committee

For the Senate:

✓ Sen. Dever yes  
✓ Sen. Krebsbach yes  
Sen. Nelson yes

For the House:

✓ Rep. Grande yes  
✓ Rep. Klemm yes  
Rep. Winch yes

☒ recommends that the (SENATE/HOUSE) (ACCEDE to) (RECEDE from)  
the (Senate/House) amendments on (SJ/HJ) page(s) 892 - 893

☐ and place \_\_\_\_\_ on the Seventh order.

☒ adopt (further) amendments as follows, and place  
1043 on the Seventh order:

☐ having been unable to agree, recommends that the committee be discharged  
and a new committee be appointed.

((Re)Engrossed) \_\_\_\_\_ was placed on the Seventh order of business on the  
calendar.

DATE: 4/8/03

CARRIER: Rep Grande

LC NO. 30122 . 0303 of amendment

LC NO. \_\_\_\_\_ of engrossment

Emergency clause added or deleted \_\_\_\_\_

Statement of purpose of amendment \_\_\_\_\_

(1) LC (2) LC (3) DESK (4) COMM.

Yolanda Rickford  
Operator's Signature

10/2/03  
Date

**REPORT OF CONFERENCE COMMITTEE (420)**  
April 9, 2003 8:24 a.m.

**Module No: SR-64-7139**

**Insert LC: 30122.0303**

**REPORT OF CONFERENCE COMMITTEE**

**HB 1043, as engrossed:** Your conference committee (Sens. Dever, Krebsbach, Nelson and Reps. Grande, Klemin, Winrich) recommends that the **HOUSE ACCEDE** to the Senate amendments on HJ pages 892-893, adopt further amendments as follows, and place HB 1043 on the Seventh order:

That the House accede to the Senate amendments as printed on pages 892 and 893 of the House Journal and pages 702 and 703 of the Senate Journal and that Engrossed House Bill No. 1043 be further amended as follows:

Page 1, line 1, after "to" insert "create and enact two new subsections to section 54-59-05 of the North Dakota Century Code, relating to powers and duties of the information technology department; and to", after "reenact" insert "sections 54-35-15.1 and 54-59-02," and after "54-59-05" insert a comma

Page 1, line 2, after "to" insert "the information technology committee, information technology department responsibilities,"

Page 1, after line 6, insert:

**"SECTION 1. AMENDMENT.** Section 54-35-15.1 of the North Dakota Century Code is amended and reenacted as follows:

**54-35-15.1. Information technology committee - Appointment.** The legislative council, during each biennium, shall appoint an information technology committee in the same manner as the council appoints other interim committees. The council shall appoint ~~four~~ six members of the house of representatives and ~~three~~ five members of the senate to the committee. The chief information officer of the state is an ex officio, nonvoting member of the committee. The council shall designate the chairman of the committee. The committee shall operate according to the statutes and procedure governing the operation of other legislative council interim committees.

**SECTION 2. AMENDMENT.** Section 54-59-02 of the North Dakota Century Code is amended and reenacted as follows:

**54-59-02. Information technology department - Responsibility.** The information technology department is established with the responsibility for all wide area network services planning, selection, and implementation for all state agencies, including institutions under the control of the board of higher education, counties, cities, and school districts in this state. With respect to a county, city, or school district, wide area network services are those services necessary to transmit voice, data, or video outside the county, city, or school district. In exercising its powers and duties, the department is responsible for computer support services, host software development, statewide communications services, standards for providing information to other state agencies and the public through the internet, technology planning, process redesign, and quality assurance. The department may not exercise its powers and duties in a manner that competes or otherwise interferes with the provision of telecommunications service to a private, charitable, or nonprofit entity by a privately or cooperatively owned telecommunications company.

Page 2, after line 6, insert:

**"SECTION 4.** Two new subsections to section 54-59-05 of the North Dakota Century Code are created and enacted as follows:

May provide wide area network services to a state agency, city, county, school district, or other political subdivision of this state. The information

(2) DESK, (2) COMM

Page No. 1

SR-64-7139

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Operator's Signature

Date

**REPORT OF CONFERENCE COMMITTEE (420)**  
**April 9, 2003 8:24 a.m.**

**Module No: SR-64-7139**

**Insert LC: 30122.0303**

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. The department shall file with the state auditor before September 1, 2003, a description of the wide area network service the department provided to each private, charitable, and nonprofit entity receiving services from the department on January 1, 2003.

Shall assure proper measures for security, firewalls, and Internet protocol addressing at the state's interface with other facilities."

Renumber accordingly

Engrossed HB 1043 was placed on the Seventh order of business on the calendar.

(2) DESK, (2) COMM

Page No. 2

SR-64-7139

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Yalosta Rickford  
Operator's Signature

10/2/03  
Date

2003 TESTIMONY

HB 1043

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Operator's Signature

*Valista Rickford*

Date

*10/2/03*



Mr. Chairman and members of the committee, my name is Roxanne Woeste. I am a fiscal analyst for the Legislative Council and was the committee staff for the 2001-02 Interim Information Technology Committee, which recommended the introduction of House Bill No. 1043 relating to the powers and duties of the Information Technology Department, information technology plans, and the State Information Technology Advisory Committee. I am here today to provide you with a brief summary of the bill.

Section 1 of the bill amends North Dakota Century Code (NDCC) Section 54-44.6-01 by changing the reference for the responsibility of establishing a statewide forms management program from the Office of Management and Budget to the Information Technology Department (page 1 line 18).

Section 2 of the bill amends subsection 4 of NDCC Section 54-59-05 by:

- Inserting the language "implementation services" on line 22 to provide that the Information Technology Department may purchase, finance the purchase, or lease – equipment, software, or implementation services.
- Changing the language regarding the amount that may be financed to provide that the purchase amount may not exceed 10 percent of the amount appropriated to the department during that biennium. (The statute currently provides that the department may finance the purchase of software, equipment, or implementation services only to the extent the purchase amount does not exceed the amount appropriated to the department during that biennium for equipment.)

Section 3 of the bill amends NDCC Section 54-59-11 relating to information technology plans to change the due date for plans from March 15 to July 15. (page 2 line 24 and page 3 line 3)

Section 4 of the bill amends NDCC Section 54-59-14 to remove language referring to "central microfilm unit equipment and supplies" because according to the department the department is no longer investing in this kind of equipment and supplies.

Section 5 of the bill draft repeals NDCC Section 54-59-07 relating to the State Information Technology Advisory Committee.

Mr. Chairman, that ends my brief presentation, and I would attempt to answer any questions at this time.

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Salvatore Rickford  
Operator's Signature

10/2/03  
Date

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

The state information technology advisory committee consists of the chief information officer or the officer's designee, who is a nonvoting member; the director of the department of commerce division of economic development and finance or the director's designee; the commissioner of higher education or the commissioner's designee; the chairman of the information technology council of North Dakota or a designee; the director of the North Dakota workforce development council or a designee; the chairman of the educational technology council or a designee; and eight members appointed by the governor. The appointees of the governor serve at the pleasure of the governor. The governor shall designate the chairman of the committee. The department shall provide staff services to the committee. Except for the commissioner of higher education and the representatives of state agencies who receive compensation for their duties as state officers or employees, members of the committee are entitled to be compensated for time spent in attendance at meetings of the committee and for other travel as approved by the chairman of the committee at the rate of sixty-two dollars and fifty cents per day and are entitled to reimbursement for their 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, including providing electronic government services for citizens and businesses, developing technology infrastructure to support economic development and workforce training, and developing other statewide information technology initiatives and policy.

**Source:** S.L. 1999, ch. 483, § 7; 2001, ch. 500, § 5.

**Effective Date:** The 2001 amendment of this section by section 5 of chapter 500, S.L. 2001 became effective August 1, 2001.