

Introduced by

1 A BILL for an Act to create and enact a new subsection to section 54-35-15.2 of the North
2 Dakota Century Code, relating to powers and duties of the information technology committee;
3 and to amend and reenact sections 54-59-02.1, 54-59-07, 54-59-09, and 54-59-22 of the North
4 Dakota Century Code, relating to major computer software projects, the state information
5 technology advisory committee, information technology standards, and use of information
6 technology services.

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

8 **SECTION 1.** A new subsection to section 54-35-15.2 of the North Dakota Century Code
9 is created and enacted as follows:

10 Receive a report from the chief information officer regarding the recommendations
11 of the state information technology advisory committee relating to the prioritization
12 of major computer software projects and other information technology issues.

13 **SECTION 2. AMENDMENT.** Section 54-59-02.1 of the North Dakota Century Code is
14 amended and reenacted as follows:

15 **54-59-02.1. ~~Department shall establish certain standards for agencies—Advisory~~**
16 **~~committee—Exceptions~~ Prioritization of major computer software projects.** The
17 department ~~shall appoint an advisory committee consisting of representatives of state agencies~~
18 ~~for the purposes of~~ must receive an affirmative recommendation of the state information
19 technology advisory committee when prioritizing any major computer software projects and
20 ~~establishing policies, standards, and guidelines for executive branch state agencies,~~
21 ~~departments, and institutions, excluding institutions under control of the state board of higher~~
22 ~~education and agencies of the judicial and legislative branches with respect to the purchase of~~
23 ~~computer software and computer systems project.~~ The chief information officer shall submit
24 recommendations of the ~~advisory~~ committee regarding the prioritization of major software

1 projects to the information technology committee ~~for consideration by the committee and the~~
2 ~~drafting of appropriate legislation to implement the recommendations, the office of management~~
3 ~~and budget, and the appropriations committees of the legislative assembly.~~ The judicial and
4 legislative branches shall ~~annually~~ notify biennially the ~~advisory~~ committee on their major
5 computer software projects and priorities. ~~The chief information officer may exempt an agency~~
6 ~~from the policies, standards, and guidelines established by the committee to address situations~~
7 ~~unique to that agency.~~

8 **SECTION 3. AMENDMENT.** Section 54-59-07 of the North Dakota Century Code is
9 amended and reenacted as follows:

10 **54-59-07. State information technology advisory committee.** The state information
11 technology advisory committee consists of the chief information officer; the commissioner of
12 higher education or the commissioner's designee; the attorney general or the attorney general's
13 designee; the secretary of state or the secretary of state's designee; the tax commissioner or
14 the commissioner's designee; the chief justice of the supreme court or the chief justice's
15 designee; two members of the legislative assembly appointed by the legislative council; a
16 minimum of eight members representing state agencies, appointed by the governor; and two
17 members with technology management expertise representing private industry, appointed by
18 the governor. The appointees of the governor serve at the pleasure of the governor. The
19 governor shall designate the chairman of the committee. Additional members may be asked to
20 participate at the request of the chairman. The department shall provide staff services to the
21 committee. The members of the committee representing private industry are entitled to be
22 compensated for time spent in attendance at meetings of the committee and for other travel as
23 approved by the chairman of the committee at the rate of sixty-two dollars and fifty cents per
24 day and are entitled to reimbursement for actual and necessary expenses incurred in the same
25 manner as other state officials. The compensation and expenses are to be paid from
26 appropriations for the department. The committee shall advise the department regarding
27 statewide information technology planning and budgeting, services of the information
28 technology department, and statewide information technology initiatives and policy and shall
29 review policies, standards, and guidelines developed by the department. The chief information
30 officer shall submit recommendations of the committee regarding information technology issues

1 to the information technology committee for consideration by the information technology
2 committee.

3 **SECTION 4. AMENDMENT.** Section 54-59-09 of the North Dakota Century Code is
4 amended and reenacted as follows:

5 **54-59-09. Information technology standards.** ~~Based on information from state~~
6 ~~agencies and institutions, the~~ The department and the office of management and budget shall
7 develop statewide information technology policies, standards, and guidelines. The policies,
8 standards, and guidelines must recognize the uniqueness of certain agencies and state which
9 agencies are included or exempted from the policies, standards, and guidelines. The policies,
10 standards, and guidelines must be reviewed by the state information technology advisory
11 committee after the department has received comment from state agencies and institutions
12 through the enterprise architecture process. Unless an exemption is granted by the chief
13 information officer, each executive branch state agency and institution, excluding the institutions
14 under the control of the board of higher education with respect to academic and research uses
15 of information technology, shall comply with the policies and standards developed by the
16 department and the office of management and budget. Unless an exemption is granted by the
17 chief information officer, each entity receiving wide area network services provided by the
18 department shall comply with the policies and standards developed by the department with
19 respect to access to or use of wide area network services.

20 **SECTION 5. AMENDMENT.** Section 54-59-22 of the North Dakota Century Code is
21 amended and reenacted as follows:

22 **54-59-22. Required use of electronic mail, file and print server administration,**
23 **data base administration, application server, and hosting services.** Each state agency
24 and institution, excluding the legislative and judicial branches, the institutions under the control
25 of the state board of higher education, the public employees retirement system, the retirement
26 and investment office, the attorney general, and any entity exempted by the ~~office of~~
27 ~~management and budget after advisement by the~~ information technology department, shall
28 obtain electronic mail, file and print server administration, data base administration, storage,
29 application server, and hosting services through a delivery system established by the
30 information technology department ~~in conjunction with the office of management and budget.~~
31 The ~~office of management and budget, after receiving advice from the~~ information technology

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- 1 department; shall establish policies and guidelines for the delivery of services, including the
- 2 transition from existing systems to functional consolidation, with consideration given to the
- 3 creation of efficiencies, cost-savings, and improved quality of service.