

Sixty-third
Legislative Assembly
of North Dakota

REENGROSSED SENATE BILL NO. 2021

Introduced by

Appropriations Committee

(At the request of the Governor)

1 A BILL for an Act to provide an appropriation for defraying the expenses of the information
2 technology department; to create and enact a new section to chapter 54-59; to amend and
3 reenact sections 54-59-15 and 54-59-22 of the North Dakota Century Code, relating to
4 acceptance of funds and to agencies exempted from certain services of the information
5 technology department; to provide for studies; to provide for a report to the budget section; to
6 provide an appropriation for the office of management and budget; and to provide for various
7 transfers.

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

9 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds
10 as may be necessary, are appropriated out of any moneys in the general fund in the state
11 treasury, not otherwise appropriated, and from special funds derived from federal funds and
12 other income, to the information technology department for the purpose of defraying the
13 expenses of that agency, for the biennium beginning July 1, 2013, and ending June 30, 2015,
14 as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
17 Salaries and wages	\$47,383,177	\$7,078,139	\$54,461,316
18 Operating expenses	69,218,477	(4,383,834)	64,834,643
19 Capital assets	15,035,666	(2,535,066)	12,500,600
20 Center for distance education	6,649,238	(577,051)	6,072,187
21 Statewide longitudinal data system	1,869,243	1,511	1,870,754
22 Educational technology council	1,075,403	739,206	1,814,609
23 EduTech	7,926,447	353,083	8,279,530
24 K-12 wide area network	5,206,992	(278,815)	4,928,177

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1	Geographic information system	1,112,065	348,229	1,460,294
2	Health information technology office	13,959,238	(9,173,247)	4,785,991
3	Criminal justice information sharing	2,781,394	1,087,967	3,869,361
4	Federal stimulus funds	0	6,800,000	6,800,000
5	Total all funds	\$172,217,340	(\$539,878)	\$171,677,462
6	Less estimated income	153,165,136	(2,853,438)	150,311,698
7	Total general fund	\$19,052,204	\$2,313,560	\$21,365,764
8	Full-time equivalent positions	336.30	4.00	340.30
9	Salaries and wages	\$47,383,177	\$4,170,074	\$51,553,251
10	Accrued leave payments	0	2,626,084	2,626,084
11	Operating expenses	69,218,477	(4,383,834)	64,834,643
12	Capital assets	15,035,666	(2,535,066)	12,500,600
13	Center for distance education	6,649,238	(780,847)	5,868,391
14	Statewide longitudinal data system	1,869,243	1,511	1,870,754
15	Educational technology council	1,075,403	739,206	1,814,609
16	EduTech	7,926,447	125,647	8,052,094
17	K-12 wide area network	5,206,992	(278,815)	4,928,177
18	Geographic information system	1,112,065	348,229	1,460,294
19	Health information technology office	13,959,238	(9,208,515)	4,750,723
20	Criminal justice information sharing	2,781,394	1,087,967	3,869,361
21	Federal stimulus funds	0	6,800,000	6,800,000
22	Total all funds	\$172,217,340	(\$1,288,359)	\$170,928,981
23	Less estimated income	153,165,136	(3,490,583)	149,674,553
24	Total general fund	\$19,052,204	\$2,202,224	\$21,254,428
25	Full-time equivalent positions	336.30	4.00	340.30

SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO

SIXTY-FOURTH LEGISLATIVE ASSEMBLY. The following amounts reflect the one-time funding items approved by the sixty-second legislative assembly for the 2011-13 biennium and the 2013-15 one-time funding items included in the appropriation in section 1 of this Act:

One-Time Funding Description	2011-13	2013-15
Criminal justice information sharing projects	\$200,000	\$800,000

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1	Statewide longitudinal data system	1,757,624	0
2	Eligibility system	1,500,000	0
3	Federal fiscal stimulus	8,000,000	0
4	Educational technology council grants	0	200,000
5	Archiving study	0	100,000
6	Geographic information system projects	<u>0</u>	<u>215,000</u>
7	Total all funds	\$11,457,624	\$715,000
8	Less estimated income	<u>11,257,624</u>	<u>0</u>
9	Total general fund	\$200,000	\$1,315,000

10 The 2013-15 one-time funding amounts are not a part of the entity's base budget for the
11 2015-17 biennium. The information technology department shall report to the appropriations
12 committees of the sixty-fourth legislative assembly on the use of this one-time funding for the
13 biennium beginning July 1, 2013, and ending June 30, 2015.

14 **SECTION 3. TRANSFERS.** Notwithstanding section 54-16-04, the director of the office of
15 management and budget shall make transfers of funds between line items in section 1 of this
16 Act for the information technology department as may be requested by the chief information
17 officer as determined necessary for the development and implementation of information
18 technology projects.

19 **SECTION 4. DEPARTMENT OF PUBLIC INSTRUCTION - STATEWIDE LONGITUDINAL**
20 **DATA SYSTEM EXPENDITURES - APPROVAL.** The department of public instruction may
21 spend only the federal funds for costs associated with the statewide longitudinal data system
22 upon approval of the expenditures by the information technology department, for the biennium
23 beginning July 1, 2013, and ending June 30, 2015.

24 **SECTION 5.** A new section to chapter 54-59 of the North Dakota Century Code is created
25 and enacted as follows:

26 **Information technology project planning.**

27 Each executive branch state agency, excluding entities under the control of the state board
28 of higher education, considering the development of an information technology project with an
29 estimated cost of one hundred thousand dollars or more shall involve the information
30 technology department in the planning and study of the project. A state agency must receive a

1 recommendation from the information technology department prior to proceeding with any study
2 relating to the project.

3 **SECTION 6. AMENDMENT.** Section 54-59-15 of the North Dakota Century Code is
4 amended and reenacted as follows:

5 **54-59-15. Acceptance of funds.**

6 The department may accept federal or other funds, which must be deposited in the
7 information technology operating account or other accounts specified by the office of
8 management and budget and which may be spent subject to legislative appropriation. The
9 department may apply for any public or private grants available for the improvement of
10 information technology.

11 **SECTION 7. AMENDMENT.** Section 54-59-22 of the North Dakota Century Code is
12 amended and reenacted as follows:

13 **54-59-22. Required use of electronic mail, file and print server administration,**
14 **database administration, application server, and hosting services.**

15 Each state agency and institution, excluding the legislative and judicial branches, the
16 institutions under the control of the state board of higher education, ~~the public employees-~~
17 ~~retirement system, the retirement and investment office,~~ the attorney general, and any entity
18 exempted by the office of management and budget after advisement by the information
19 technology department, shall obtain electronic mail, file and print server administration,
20 database administration, storage, application server, and hosting services through a delivery
21 system established by the information technology department in conjunction with the office of
22 management and budget. The office of management and budget, after receiving advice from
23 the information technology department, shall establish policies and guidelines for the delivery of
24 services, including the transition from existing systems to functional consolidation, with
25 consideration given to the creation of efficiencies, cost-savings, and improved quality of service.

26 **SECTION 8. APPROPRIATION - OFFICE OF MANAGEMENT AND BUDGET -**
27 **INFORMATION TECHNOLOGY HARDWARE RELOCATION AND CONSOLIDATION STUDY.**

28 There is appropriated out of any moneys in the general fund in the state treasury, not otherwise
29 appropriated, the sum of \$200,000, or so much of the sum as may be necessary, to the office of
30 management and budget for the purpose of contracting with a private consultant to conduct an
31 information technology relocation and consolidation study of information technology equipment

1 operated by the attorney general and by agencies that have been exempted by the office of
2 management and budget under section 54-59-22, for the biennium beginning July 1, 2013, and
3 ending in June 30, 2015.

4 1. The study:

- 5 a. Must include input from the attorney general and representatives from the
6 exempted agencies and a review of the feasibility and the desirability of
7 relocating and consolidating information technology hardware of the attorney
8 general and the agencies exempted by the office of management and budget to
9 the information technology department's secure data center.
- 10 b. Must address the issues of cost, physical security, cybersecurity, redundancy,
11 staffing, impact on service to stakeholders, and impact on contractual
12 relationships for software and hardware with federal partnerships.
- 13 c. Must be completed before December 31, 2013.

- 14 2. The office of management and budget shall report its findings and recommendations
15 to the budget section and the legislative management's information technology
16 committee by March 31, 2014, and submit any proposed legislation necessary to
17 implement the consolidation or relocation to the legislative management's information
18 technology committee by July 1, 2014. If the findings of the study indicate that a partial
19 or full consolidation of information technology services or relocation of information
20 technology hardware, are feasible and desirable, the office of management and
21 budget and the information technology department shall assist any affected agency in
22 developing an implementation plan as a part of the agency's 2015-17 budget request.

23 **SECTION 9. INFORMATION TECHNOLOGY DESKTOP SUPPORT STUDY - REPORT**

24 **TO BUDGET SECTION.** Prior to January 1, 2014, the information technology department shall
25 conduct a study of all state agencies' information technology desktop support to determine the
26 feasibility and desirability of centralization of desktop support services through the information
27 technology department for all state agencies. The study must include a review of the support
28 staff, associated costs to the respective agency, use of third-party information technology
29 contractors, and a cost-benefit comparison of current state agencies' desktop support self
30 services and desktop support services provided by the information technology department. The
31 information technology department shall report its findings and recommendations to the office of

1 management and budget, the budget section, and the interim information technology committee
2 prior to January 1, 2014. The office of management and budget shall provide a report to the
3 budget section regarding the findings, recommendations, and any legislation required to
4 implement the recommendations of the study.