

**SECOND ENGROSSMENT
with House Amendments
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 of the North Dakota
3 Century Code, relating to information technology project planning; to amend and reenact
4 sections 54-59-15 and 54-59-22 of the North Dakota Century Code, relating to acceptance of
5 funds and to agencies exempted from certain services of the information technology
6 department; to authorize a relocation of information technology hardware; and to provide for
7 various 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>	
15				
16				
17	Salaries and wages	\$47,383,177	\$2,546,361	\$49,929,538
18	Accrued leave payments	0	2,626,084	2,626,084
19	Operating expenses	69,218,477	(4,383,834)	64,834,643
20	Capital assets	15,035,666	(2,535,066)	12,500,600
21	Center for distance education	6,649,238	(577,051)	6,072,187
22	Statewide longitudinal data system	1,869,243	1,511	1,870,754
23	Educational technology council	1,075,403	739,206	1,814,609
24	EduTech	7,926,447	353,083	8,279,530

Sixty-third
Legislative Assembly

1	K-12 wide area network	5,206,992	(278,815)	4,928,177
2	Geographic information system	1,112,065	348,229	1,460,294
3	Health information technology office	13,959,238	(9,173,247)	4,785,991
4	Criminal justice information sharing	2,781,394	1,087,967	3,869,361
5	Federal stimulus funds	<u>0</u>	<u>6,800,000</u>	<u>6,800,000</u>
6	Total all funds	\$172,217,340	(\$2,445,572)	\$169,771,768
7	Less estimated income	<u>153,165,136</u>	<u>(4,480,000)</u>	<u>148,685,136</u>
8	Total general fund	\$19,052,204	\$2,034,428	\$21,086,632
9	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:

14	<u>One-Time Funding Description</u>	<u>2011-13</u>	<u>2013-15</u>
15	Criminal justice information sharing projects	\$200,000	\$800,000
16	Statewide longitudinal data system	1,757,624	0
17	Eligibility system	1,500,000	0
18	Federal fiscal stimulus	8,000,000	0
19	Educational technology council grants	0	200,000
20	Archiving study	0	100,000
21	Geographic information system projects	<u>0</u>	<u>215,000</u>
22	Total all funds	\$11,457,624	\$715,000
23	Less estimated income	<u>11,257,624</u>	<u>0</u>
24	Total general fund	\$200,000	\$1,315,000

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

SECTION 3. TRANSFERS. Notwithstanding section 54-16-04, the director of the office of management and budget shall make transfers of funds between line items in section 1 of this Act for the information technology department as may be requested by the chief information

1 officer as determined necessary for the development and implementation of information
2 technology projects.

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

8 **SECTION 5. INFORMATION TECHNOLOGY HARDWARE RELOCATION TO SECURE**
9 **DATA CENTER.** The attorney general, public service commission, and state water commission
10 shall relocate all appropriate information technology hardware to the information technology
11 department secure data center during the biennium beginning July 1, 2013, and ending
12 June 30, 2015.

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

15 **Information technology project planning.**

16 Each executive branch state agency, excluding entities under the control of the state board
17 of higher education, considering the development of an information technology project with an
18 estimated cost of one hundred thousand dollars or more shall involve the information
19 technology department in the planning and study of the project. A state agency must receive a
20 recommendation from the information technology department prior to proceeding with any study
21 relating to the project.

22 **SECTION 7. AMENDMENT.** Section 54-59-15 of the North Dakota Century Code is
23 amended and reenacted as follows:

24 **54-59-15. Acceptance of funds.**

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

30 **SECTION 8. AMENDMENT.** Section 54-59-22 of the North Dakota Century Code is
31 amended and reenacted as follows:

1 **54-59-22. Required use of electronic mail, file and print server administration,**
2 **database administration, application server, and hosting services.**

3 Each state agency and institution, excluding the legislative and judicial branches; and the
4 institutions under the control of the state board of higher education, ~~the public employees-~~
5 ~~retirement system, the retirement and investment office, the attorney general, and any entity-~~
6 ~~exempted by the office of management and budget after advisement by the information-~~
7 ~~technology department,~~ shall obtain electronic mail, file and print server administration,
8 database administration, storage, application server, and hosting services through a delivery
9 system established by the information technology department in conjunction with the office of
10 management and budget. The office of management and budget, after receiving advice from
11 the information technology department, shall establish policies and guidelines for the delivery of
12 services, including the transition from existing systems to functional consolidation, with
13 consideration given to the creation of efficiencies, cost-savings, and improved quality of service.