

# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

2043

2001 SENATE GOVERNMENT AND VETERANS AFFAIRS

SB 2043

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2043

Senate Government and Veterans Affairs Committee

Conference Committee

Hearing Date January 12, 2001

Tapo Number	Side A	Side B	Meter #
1	X		19.4 to End
1		X	0.0-11.1
1		X	37.8-39.9
February 8, 2001 2		X	15.3-24.2
Committee Clerk Signature <i>Jana A. Raib</i>			

Minutes: Chairman Krebsbach opened the hearing on SB 2043 which relates to the powers, duties, and responsibilities of the information technology committee and the information technology department. Appearing before the committee to introduce the bill was Senator Larry Robinson, representing District 24. He indicated that he was speaking in favor of SB 2043. He indicated he has had the privilege for the past six years to serve as the chairperson of the interim legislative technology committee. He indicated not only was he appearing to support the bill, but he was appearing to make some introductory remarks as well. Senator Robinson gave copies of the information technology committees interim report to the members of the committee. He indicated that this report contains a background, a summary report on the work of the information technology committee over the last number of years. The work began a number of years ago where we had an agriculture and information technology committee and some thought that the combination was rather unusual. We then moved into 1034, he believed 4 years ago and

Page 2

Senate Government and Veterans Affairs Committee

Bill/Resolution Number SB 2043

Hearing Date January 12, 2001

that was a rather dramatic departure from the role of technology and the working of the technology department here in the capital and throughout state government. Last session we really rolled up our sleeves and were very very wrapped up in discussions primarily in SB 2043 and SB 2044 from the 1999 legislative session. SB 2043 is before you today as a result of our experiences over the last 24 months. The intent of this bill is to improve a document that has been working. The changes we feel will make the situation much better. This concluded Senator Robinson's testimony. No questions were offered by the committee members. John Bjornson, representing the Legislative Council appeared before the committee to explain the technical aspects of the bill. Mr. Bjornson explained the bill by sections. The change in section one is on page 2 of the bill. This dealing with the duties of the information technology department. The department is supposed to review the cost benefit analysis of major information projects. Those are projects with a cost of \$250,000 or more in a biennium, or \$500,000 total. There was discussion regarding projects of the state board of higher education or institutions under the state board of higher education. Section 2 of the bill relates to the powers of the information technology department. This section would allow the department to finance the purchase of equipment, software, any type of equipment the department may need. Section 3 relates to the business plan of the information technology department. The department is required to formulate a business plan and that has been done. The plan is sort of a living document that the department will continue to update. Section 4 on page 4 deals with the statewide network advisory committee. This advisory committee is probably no longer necessary and the functions it was set up for are probably not needed at this time. There was a discussion that there is a need for an advisory committee with respect to basic information technology planning including providing electronic government services for citizens and businesses, developing technology

infrastructure to support economic development and work force training, and developing other state wide information initiative and policy. This section changes the makeup of the committee and makes it more of a planning committee. Section 5 deals with IT plans. The committee received information that the planning process worked well but the January 15th deadline of each even numbered year was somewhat of a problem for them. They felt that moving it back to March 15th would make it a little easier in the planning process in that it would coincide better with their budgeting process as well. Section 6 relates to confidentiality of information received by the information technology department. This concluded Mr. Bjornson's presentation. No questions were offered by the committee at this time. Curt Wolfe, Chief information officer for the state of ND indicated that he was appearing in support of SB 2043. A copy of his written testimony is attached. Senator T. Mathern inquired about the first change regarding higher education. He indicated that he wondered why only one entity was chosen for this focus rather than all entities. Mr. Wolfe indicated in his response that oversight should be a part of this however, oversight of higher education projects of a research nature should not be part of this process. Senator's T. Mathern and C. Nelson went on to ask further questions. Mr. Wolfe responded (Tape 1, Side A Meter #'s 47.9 to 52.8). There were no further questions. Laura Glatt Vice-chancellor for administrative affairs for the North Dakota University System. She indicated she was appearing in support SB 2043, particularly sections 1 and 4. Section 1 dealing with exemption on the large project recording for academic and research projects and in section 4 which would include the commissioner of higher Ed on the advisory council that Mr. Wolfe spoke of. Chairman Krebsbach, it would life easier for you folks with this bill, is that it? Ms. Glatt indicated that it would and essentially what it does is it puts into statute what has been the current operating practice between ITD and higher ed. We do have a very close working

relationship. Senator C. Nelson inquired about the confidentiality of the administrative records of the university system. Ms. Glatt indicated that Senator Nelson is correct in that the University of North Dakota serves as the administrative computing sight for all 11 campuses in the university system. They all share one system and UND manages that on behalf of the system. The student records certainly are confidential as they relate to FERPA, federal standards on confidentiality. The student records are. The remainder of the records, the payroll records or the accounting records are not confidential. They are subject to the open records law. Senator C. Nelson continued to make inquires of Ms. Glatt ( Tape 1, side A 57.1 to End and side B 0.0 to 2.2). There was nothing further at this time. Roger Bailey representing the North Dakota Newspaper Association indicated that his organization had concerns about the original bill. With the addition of the proposed amendment his organization supports the bill. Chairman Krebsbach indicated that this amendment has not been formally proposed at this time. She inquired of Mr. Wolfe if he was planning to take care of that? Mr. Wolfe indicated he would. There were no questions for Mr. Bailey from the committee. Further testimony was offered by Max Laird, President of the North Dakota Education Association. He indicated that today's testimony is being offered as a private individual. He indicated that he would like to speak to some extent in support of the proposed legislation and express his sincere support and cooperation with Curt, Nancy, and the staff of the ITD. He thinks they have done a lot for those in public schools and public education in terms of moving this broad band network. He identified one small concern that he is yet to see addressed in this bill. Page 4 line 10 and 11 and lines 14 and 15 includes the removal of two members representing elementary and secondary education. In the amendments to this legislation they have been struck and it has been brought to his attention that the addition of the chairman of the educational telecommunications council or designee is in fact a

representative of public schools and would in fact be a representative on this council. He indicated that he has no concerns about that but with the fact that there is additional legislation moving the educational telecommunications council from the Dept. of Public Instruction to the ITD division, he sees this as the possibility of a field representative from public schools or someone from the DPI actually not being represented on this council. He just wanted to express his concerns to the committee. Curt Wolfe made a few more brief comments to the committee at this time. There was nothing further from the committee. Chairman Krebsbach closed the hearing on SB 2043 at this time.

Tape 1, Side B, January 12, 2001--Committee Discussion. A brief discussion was held about the proposed amendments that are to be brought in as suggested by Curt Wolfe. John Bjornson from the Legislative Council suggested that this could be done. The intern was asked to contact Mr. Wolfe to see if he had a draft of what he is proposing. Senator C. Nelson requested of the chairman that a copy be made available to the committee members of what Max Laird had talked to the committee about the redefining of the technology committee. It was decided to hold any action on this bill until next Thursday. There was nothing further at this time. On February 8, 2001 the committee discussed SB 2043. **Chairman Krebsbach** indicated that she believed there were no amendments offered. It was suggested by Mr. Bailey that he was concerned about the language on the open records portion. In visiting with Mr. Wolf he had worked with Jack McDonald and Jack was comfortable with what they had put into the bill as far as changes were concerned. There was no further discussion. A motion for a Do Pass was made by **Senator T. Mathern** seconded by **Senator Wardner**. Discussion continued. The question was called. Roll Call Vote indicated 6 Yeas, 0 Nays, and 0 Absent or Not Voting. **Senator Wardner** will carry the bill.

