

AMENDMENTS TO LB 823

Introduced by Schimek, 27.

1 1. Insert the following new sections:

2 Sec. 11. Section 86-552, Revised Statutes Cumulative
3 Supplement, 2006, is amended to read:

4 86-552 For purposes of the Intergovernmental Data
5 Services Program Act, the definitions found in sections ~~86-553~~
6 86-554 to 86-561 apply.

7 Sec. 12. Section 86-562, Revised Statutes Cumulative
8 Supplement, 2006, is amended to read:

9 86-562 The purpose of the system is to allow for
10 the efficient operation of state government and its political
11 subdivisions. In managing and allocating resources on the system,
12 the ~~administrator~~ officer shall assign first priority to providing
13 capacity for statewide applications that are essential to carrying
14 out the duties of state agencies in an efficient and effective
15 manner. The system may also serve local data processing needs of
16 political subdivisions, provide citizens with a point of access to
17 governmental services and information, and serve other state and
18 local needs, subject to available resources.

19 Sec. 13. Section 86-563, Revised Statutes Cumulative
20 Supplement, 2006, is amended to read:

21 86-563 In establishing and maintaining the system:

22 (1) The division:

23 (a) Shall provide the computer network and services for

1 the system with assistance from the division of communications of
2 the office;

3 (b) Shall, within available resources, assist ~~the~~
4 ~~Intergovernmental Data Communications Advisory Council,~~ the
5 ~~Geographic Information System Steering Committee,~~ and other local,
6 state, and federal collaborative efforts to encourage coordination
7 of information systems and data sharing;

8 (c) Shall coordinate its activities and responsibilities
9 with the functions of the division of communications to minimize
10 overlap and duplication of technical services between the divisions
11 in supporting the system, its applications, and application
12 development; and

13 (d) May undertake and coordinate planning studies to
14 determine the feasibility, benefits, costs, requirements, and
15 options for the intergovernmental transfer of data;

16 (2) The ~~administrator~~ officer:

17 (a) Shall approve and coordinate the design, development,
18 installation, training, and maintenance of applications by state
19 agencies for use on the system. Any agency proposing to add
20 an application to the system shall submit an evaluation to
21 the ~~administrator~~ officer that examines the cost-effectiveness,
22 technical feasibility, and potential use of the proposed
23 application; that identifies the total costs of the application,
24 including design, development, testing, installation, operation,
25 and any changes to the computer network that are necessary for its
26 operation; and that provides a schedule that shows the estimated
27 completion dates for design, development, testing, installation,

1 training, and full operational status. The ~~administrator~~ officer
2 shall not approve an application by a state agency for use on the
3 system unless his or her review shows that the application is cost
4 effective and technically feasible, that funding is available, and
5 that the proposed schedule is reasonable and feasible;

6 (b) Shall approve changes in the design of applications
7 by state agencies for use on the system. The ~~administrator~~ officer
8 may require such information from the agency as necessary to
9 determine that the proposed change in design is cost effective
10 and technically feasible, that funding is available, and that the
11 proposed schedule for implementation is reasonable and feasible;

12 (c) May~~7~~ ~~with the approval of the officer~~, contract with
13 other governmental entities or private vendors in carrying out the
14 duties relating to the intergovernmental data services program;

15 (d) Shall~~7~~ ~~in cooperation with the division of~~
16 ~~communications~~, establish a rate schedule that reflects the rates
17 adopted by the division of communications and the information
18 management services division, plus any additional costs of the
19 system. Such fees may reflect a base cost for access to the system,
20 costs for actual usage of the system, costs for special equipment
21 or services, or a combination of these factors. The ~~administrator~~
22 officer may charge for the costs of changes to the system that are
23 requested by or are necessary to accommodate a request by a user.
24 All fees shall be set to recover all costs of operation;

25 (e) May~~7~~ ~~with the approval of the officer~~, enter into
26 agreements with other state and local governments, the federal
27 government, or private-sector entities for the purpose of sale,

1 lease, or licensing for third-party resale of applications and
2 system design. Proceeds from such agreements shall be deposited to
3 the Data Systems Cash Fund;

4 (f) Shall determine whether a local application shall be
5 a component of the system. No local application shall be resident
6 or operational in any component of the system without explicit
7 authorization of the ~~administrator~~, officer; and

8 (g) Shall approve or disapprove the attachment of any
9 peripheral device to the system and may prescribe standards and
10 specifications that such devices must meet; and

11 ~~(h) Shall provide assistance as requested by the Nebraska~~
12 ~~Information Technology Commission to support the technical panel~~
13 ~~created in section 86-521;~~

14 (3) The officer and ~~administrator~~ shall be responsible
15 for the proper operation of the system, applications, and
16 peripheral devices purchased or developed by the expenditure of
17 state funds. The ownership of such system, applications, and
18 peripheral devices shall be vested with the state; and

19 (4) All communications and telecommunications services
20 for the intergovernmental data services program and the system
21 shall be secured from the division of communications.

22 Sec. 14. Section 86-564, Revised Statutes Cumulative
23 Supplement, 2006, is amended to read:

24 86-564 (1) The ~~administrator~~ officer shall submit as
25 part of the biennial budget request of the office a listing of
26 all applications submitted for consideration, cost estimates for
27 development, testing, and full operation of each application, a

1 recommended priority listing of the applications for which an
2 evaluation is completed, and funding recommendations by application
3 contained within the budget request for the division. All
4 application estimates and requests shall be scheduled over ensuing
5 fiscal years such that annual projected costs and completion of
6 application phases to the point of fully operational status can be
7 clearly determined. Local applications shall not be subject to the
8 provisions of this subsection.

9 (2) All development costs for approved new applications
10 shall be budgeted and appropriated to the division or to
11 participating state agencies at the discretion of the Legislature.
12 Agencies may independently request appropriations for such
13 application development, however such requests shall be subject
14 to the review and prioritization set forth in subdivision (2)(a)
15 of section 86-563, and at such time as the application becomes
16 an authorized application and funded by the Legislature, the
17 cost of such development shall be appropriated to the division
18 or to participating state agencies. To the extent possible, if
19 office cash or revolving funds or federal funds may be used
20 for application development, such funds may be transferred to
21 the division and expended for application development in order
22 to properly account for all costs associated with application
23 development.

24 Sec. 15. Section 86-565, Revised Statutes Cumulative
25 Supplement, 2006, is amended to read:

26 86-565 The ~~administrator~~ officer may adopt and promulgate
27 rules, regulations, guidelines, and procedures to carry out

1 sections 86-563 and 86-564.

2 Sec. 16. Section 86-569, Revised Statutes Cumulative
3 Supplement, 2006, is amended to read:

4 86-569 (1) The Legislature finds that ~~the~~ Geographic
5 Information ~~System is~~ Systems are a computer-based technology that
6 captures, stores, analyzes, and displays information about the
7 earth's surface from a geographically referenced ~~system,~~ systems,
8 that an interest in the ~~system~~ systems is rapidly increasing at all
9 levels of government, and that an institutional mechanism is needed
10 to encourage initiatives, coordinate efforts, avoid duplication,
11 seek efficiencies, develop guidelines, policies, and standards for
12 operations and management, promote education and training, and make
13 recommendations so that such technology will benefit the entire
14 state and endure as an analysis tool for decisionmakers.

15 ~~(2) The Intergovernmental Data Communications Advisory~~
16 ~~Council has found that there are many levels of experience,~~
17 ~~expertise, and hardware and software sophistication among the~~
18 ~~various levels of government and that guidelines, policies,~~
19 ~~coordination, and standards are required to realize the maximum~~
20 ~~benefits of this technology, avoid data quality problems, and~~
21 ~~resolve conflicts at a reasonable cost for the state.~~

22 ~~(3) (2)~~ (2) It is the intent of the Legislature that a
23 Geographic Information ~~System Steering Committee~~ Systems Council
24 be created with statewide responsibilities to take an active
25 role in implementing ~~the Geographic Information System.~~ Systems.
26 Such ~~committee~~ council would help facilitate acquisition of such
27 technology at all levels of government and make recommendations

1 to the Legislature for program initiatives and funding and the
2 fostering of communication, training, and education.

3 (3) It is the intent of the Legislature that the
4 Geographic Information Systems Council serve as an advisory council
5 to the Nebraska Information Technology Commission and assist the
6 commission in its overall information technology planning and
7 oversight and provide technical advice and recommendations related
8 to the specialized needs of Geographic Information Systems.

9 Sec. 17. Section 86-570, Revised Statutes Supplement,
10 2007, is amended to read:

11 86-570 (1) The Geographic Information ~~System Steering~~
12 ~~Committee~~ Systems Council is hereby created and shall consist of:
13 ~~nineteen members as follows:~~

14 (a) The Chief Information Officer or his or her designee
15 and the director or designee of the Department of Environmental
16 Quality, the Department of Health and Human Services, the
17 Conservation and Survey Division of the University of Nebraska, the
18 Department of Natural Resources, and the Governor's Policy Research
19 Office;

20 (b) The Director-State Engineer or designee;

21 (c) The State Surveyor or designee;

22 (d) The Clerk of the Legislature or designee;

23 (e) The secretary of the Game and Parks Commission or
24 designee;

25 (f) The Property Tax Administrator or designee;

26 (g) One representative of federal agencies appointed by
27 the Governor;

1 (h) One representative of the natural resources districts
2 nominated by the Nebraska Association of Resources Districts and
3 appointed by the Governor;

4 (i) One representative of the public power districts
5 appointed by the Governor;

6 (j) Two representatives of the counties nominated by
7 the Nebraska Association of County Officials and appointed by the
8 Governor;

9 (k) One representative of the municipalities nominated
10 by the League of Nebraska Municipalities and appointed by the
11 Governor; and

12 (l) Two members at large appointed by the Governor; and-

13 (m) Such other members as nominated by the Nebraska
14 Information Technology Commission and appointed by the Governor.

15 (2) The appointed members shall serve ~~for~~ terms of
16 ~~four years,~~ except that of the initial members appointed by the
17 Governor, one of the representatives of the counties shall be
18 appointed for one year and the other shall be appointed for three
19 years, one of the members at large shall be appointed for one
20 year and the other for three years, and the representative of the
21 public power districts shall be appointed for two years. Their
22 successors shall be appointed for four-year terms. Any vacancy
23 on the committee shall be filled in the same manner as the
24 original appointment, and the person selected to fill such vacancy
25 shall have the same qualifications as the member whose vacancy is
26 being filled. as determined by the Nebraska Information Technology
27 Commission.

1 (3) The members shall be reimbursed for their actual and
2 necessary expenses as provided in sections 81-1174 to 81-1177.

3 Sec. 18. Section 86-571, Revised Statutes Cumulative
4 Supplement, 2006, is amended to read:

5 86-571 (1) The Geographic Information ~~System Steering~~
6 ~~Committee~~ Systems Council shall elect a chairperson from its
7 members and such other officers as the ~~committee~~ council deems
8 necessary.

9 (2) As the need arises, advisory committees may be
10 established by the ~~committee~~ council from various levels of
11 government, industry, or the general public to assist the
12 ~~committee-~~ council. The members of advisory committees shall be
13 reimbursed for their actual and necessary expenses as provided in
14 sections 81-1174 to 81-1177.

15 (3) The ~~committee~~ council shall meet quarterly or upon
16 the call of the chairperson.

17 Sec. 19. Section 86-572, Revised Statutes Cumulative
18 Supplement, 2006, is amended to read:

19 86-572 The Geographic Information ~~System Steering~~
20 ~~Committee~~ Systems Council shall:

21 (1) Make recommendations to the Legislature and the
22 Nebraska Information Technology Commission for program initiatives
23 and funding;

24 (2) Establish guidelines and policies for statewide
25 Geographic Information ~~System~~ Systems operations and management
26 to include:

27 (a) The acquisition, development, maintenance, quality

1 assurance such as ~~quality control~~ standards, access, ownership,
2 cost recovery, and priorities of data bases;

3 (b) The compatibility, acquisition, and communications of
4 hardware and software;

5 (c) The assessment of needs, identification of scope,
6 setting of standards, and determination of an appropriate
7 enforcement mechanism;

8 (d) The fostering of training programs and promoting
9 education and information about ~~the Geographic Information System;~~
10 Systems; and

11 (e) The promoting of ~~the Geographic Information System~~
12 Systems development in the State of Nebraska and providing or
13 coordinating additional support to address Geographic Information
14 ~~System~~ Systems issues as such issues arise;

15 (3) Report to, assist, and advise the Chief Information
16 Officer in setting information technology policy; and

17 (4) Provide assistance as requested by the ~~Nebraska~~
18 ~~Information Technology Commission~~ to commission and support the
19 technical panel created in section 86-521.

20 Sec. 20. Section 86-573, Revised Statutes Cumulative
21 Supplement, 2006, is amended to read:

22 86-573 ~~Annually, the chairperson of the Geographic~~
23 ~~Information System Steering Committee shall submit a written~~
24 ~~report, approved by the committee, to the Governor and the Clerk~~
25 ~~of the Legislature and shall send a copy of such report to the~~
26 ~~Intergovernmental Data Communications Advisory Council.~~

27 The Geographic Information Systems Council shall provide

1 a report of its activities to the Nebraska Information Technology
2 Commission for inclusion in the biannual progress report submitted
3 to the Governor and the Legislature by the commission pursuant to
4 section 86-518.

5 Sec. 22. The following sections are outright repealed:
6 Sections 86-531, 86-532, 86-533, 86-534, 86-535, 86-536, 86-537,
7 86-538, 86-539, 86-540, 86-541, 86-542, 86-543, 86-544, 86-545,
8 86-546, 86-547, 86-548, 86-549, and 86-553, Revised Statutes
9 Cumulative Supplement, 2006.

10 2. On page 3, line 21, after the comma insert
11 "intergovernmental data communications".

12 3. Renumber the remaining section and correct the
13 repealer accordingly.