

LEGISLATURE OF NEBRASKA

ONE HUNDREDTH LEGISLATURE

SECOND SESSION

LEGISLATIVE BILL 823

Introduced by Legislative Performance Audit Committee: Schimek, 27,
Chairperson; Flood, 19; Heidemann, 1; McDonald, 41;
Preister, 5; Stuthman, 22.

Read first time January 10, 2008

Committee: Transportation and Telecommunications

A BILL

1 FOR AN ACT relating to the Information Technology Infrastructure
2 Act; to amend sections 86-506, 86-516, 86-520, 86-521,
3 86-526, 86-527, 86-528, 86-529, and 86-530, Revised
4 Statutes Cumulative Supplement, 2006; to change
5 provisions relating to enterprise projects, the Nebraska
6 Information Technology Commission, the Chief Information
7 Officer, the technical panel, and the Information
8 Technology Infrastructure Fund; to provide powers and
9 duties to the Nebraska Information Technology Commission
10 and the Chief Information Officer; to harmonize
11 provisions; and to repeal the original sections.

12 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 86-506, Revised Statutes Cumulative
2 Supplement, 2006, is amended to read:

3 86-506 Enterprise project means an endeavor undertaken
4 over a fixed period of time using information technology, which
5 would have a significant effect on a core business function ~~and~~ or
6 affects multiple government programs, agencies, or institutions.
7 Enterprise project includes all aspects of planning, design,
8 implementation, project management, and training relating to the
9 endeavor.

10 Sec. 2. Section 86-516, Revised Statutes Cumulative
11 Supplement, 2006, is amended to read:

12 86-516 The commission shall:

13 (1) Annually by July 1, adopt policies and procedures
14 used to develop, review, and annually update a statewide technology
15 plan;

16 (2) Create an information technology clearinghouse to
17 identify and share best practices and new developments, as well as
18 identify existing problems and deficiencies;

19 (3) Review and adopt policies to provide incentives for
20 investments in information technology infrastructure services;

21 (4) Determine a broad strategy and objectives for
22 developing and sustaining information technology development in
23 Nebraska, including long-range funding strategies, research and
24 development investment, support and maintenance requirements, and
25 system usage and assessment guidelines;

1 (5) Adopt guidelines regarding project planning and
2 management, ~~information sharing,~~ and administrative and technical
3 review procedures involving state-owned or state-supported
4 technology and infrastructure. Governmental entities, state
5 agencies, and political subdivisions shall submit all projects
6 which directly utilize state-appropriated use any combination
7 of general funds, federal funds, or cash funds for information
8 technology purposes to the process established by sections 86-512
9 to 86-524. Governmental entities and political subdivisions
10 may submit other projects involving information technology to
11 the commission for comment, review, and recommendations, The
12 commission may adopt policies that establish the format and minimum
13 requirements for project submissions. The commission may monitor
14 the progress of any such project, including requiring progress
15 reports;

16 (6) Adopt minimum technical standards, guidelines, and
17 architectures upon recommendation by the technical panel;

18 (7) Establish ad hoc technical advisory groups to study
19 and make recommendations on specific topics, including workgroups
20 to establish, coordinate, and prioritize needs for education, local
21 communities, and state agencies;

22 (8) By November 15 of each even-numbered year, make
23 recommendations on technology investments to the Governor and the
24 Legislature, including a prioritized list of projects, reviewed
25 by the technical panel, ~~for which new or additional funding is~~

1 ~~requested,~~ pursuant to section 86-521;

2 (9) Approve grants from the Community Technology Fund and
3 Government Technology Collaboration Fund;

4 (10) Adopt schedules and procedures for reporting needs,
5 priorities, and recommended projects; ~~and~~

6 (11) Assist the Chief Information Officer in developing
7 and maintaining Network Nebraska pursuant to section 86-5,100; and

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9 (12) Determine the format that state agencies, boards,
10 and commissions shall use to report information about their
11 technology assets under section 5 of this act. The commission
12 shall include an analysis of this information in the statewide
13 technology plan.

14 Sec. 3. Section 86-520, Revised Statutes Cumulative
15 Supplement, 2006, is amended to read:

16 86-520 The Chief Information Officer shall:

17 (1) Maintain, in cooperation with the Department of
18 Administrative Services, an inventory of noneducation state
19 government technology assets, including hardware, applications, and
20 data bases;

21 (2) Recommend policies and guidelines for acceptable and
22 cost-effective use of information technology in noneducation state
23 government;

24 (3) Advise the Governor and Legislature on policy issues
25 affecting noneducation state government related to information

1 technology;

2 (4) Coordinate efforts among other noneducation state
3 government technology agencies and coordinating bodies;

4 (5) Implement a strategic, tactical, and project planning
5 process for noneducation state government information technology
6 that is linked to the budget process;

7 (6) Assist the budget division of the Department
8 of Administrative Services and Legislative Fiscal Analyst in
9 evaluating technology-related budget requests;

10 (7) Work with each governmental department and
11 noneducation state agency to evaluate and act upon opportunities
12 to more efficiently and effectively deliver government services
13 through the use of information technology;

14 (8) Recommend to the Governor and Legislature methods for
15 improving the organization and management of data by noneducation
16 agencies to achieve the goals of making information sharable and
17 reusable, eliminating redundancy of data and programs, improving
18 the quality and usefulness of data, and improving access to data,
19 and implement such recommendations as the Governor or Legislature
20 may direct;

21 (9) Monitor the status of major noneducation state
22 government technology projects;

23 (10) Establish and maintain Network Nebraska pursuant to
24 section 86-5,100;

25 (11) Bid for telecomputing and distance education

1 equipment pursuant to section 79-1233;

2 (12) Apply in aggregate for reimbursements from the
3 federal Universal Service Fund pursuant to section 254 of the
4 Telecommunications Act of 1996, 47 U.S.C. 254, as such section
5 existed on January 1, 2006, on behalf of school districts
6 requesting to be included in such aggregated application;

7 (13) Administer such funds as may be appropriated to the
8 Chief Information Officer by the Legislature; and

9 (14) Monitor the status of information technology
10 projects that are enterprise projects;

11 (15) Collect information from state agencies, boards, and
12 commissions as provided in section 5 of this act; and

13 ~~(14)~~ (16) Complete other tasks as assigned by the
14 Governor.

15 Sec. 4. Section 86-521, Revised Statutes Cumulative
16 Supplement, 2006, is amended to read:

17 86-521 (1) A technical panel is created. The technical
18 panel shall be comprised of one representative from the Nebraska
19 Educational Telecommunications Commission, one representative
20 from the office of Chief Information Officer, one representative
21 from the University of Nebraska Computing Services Network, ~~one~~
22 ~~representative from the project sector,~~ and such other members as
23 specified by the Nebraska Information Technology Commission.

24 (2) The technical panel shall review any technology
25 project ~~or request for additional funding recommended~~ presented

1 to the Nebraska Information Technology Commission including any
2 recommendations by working groups established under sections 86-512
3 to 86-524. Upon the conclusion of the review of a technology
4 project or request for additional funding, the technical panel
5 shall provide its analysis to the commission. The technical panel
6 may recommend technical standards and guidelines to be considered
7 for adoption by the commission.

8 Sec. 5. On or before September 15 of each even-numbered
9 year, all state agencies, boards, and commissions shall report
10 to the Chief Information Officer, in a format determined by
11 the commission, an information technology plan that includes an
12 accounting of all technology assets, including planned acquisitions
13 and upgrades.

14 Sec. 6. Section 86-526, Revised Statutes Cumulative
15 Supplement, 2006, is amended to read:

16 86-526 ~~To authorize enterprise projects and provide~~
17 ~~funding, it is the intent of the Legislature that:~~

18 ~~(1) A program be created with the goals of:~~

19 ~~(a) Improving the efficiency of and reducing the cost of~~
20 ~~state government and its various agencies;~~

21 ~~(b) Improving the technical capabilities and productivity~~
22 ~~of state employees and students, faculty, and administrators in~~
23 ~~state educational institutions;~~

24 ~~(c) Addressing enterprise-wide information technology~~
25 ~~issues; and~~

1 ~~(d) Clearly identifying and providing accountability~~
2 ~~for the costs and benefits of information technology in state~~
3 ~~government, and~~

4 ~~(2) A fund be created to provide resources for periodic~~
5 ~~investments in the information technology infrastructure.~~

6 The commission shall determine which proposed information
7 technology projects are enterprise projects. The commission shall
8 create a program, including the establishment of policies and
9 procedures, for the designation of such projects. The commission
10 shall evaluate designated enterprise project plans as authorized in
11 section 86-528.

12 Sec. 7. Section 86-527, Revised Statutes Cumulative
13 Supplement, 2006, is amended to read:

14 86-527 The Information Technology Infrastructure Fund is
15 hereby created. The fund shall contain revenue from the special
16 privilege tax as provided in section 77-2602, gifts, grants,
17 and such other money as is appropriated or transferred by the
18 Legislature. The fund shall be used to attain the ~~goals listed~~
19 ~~in section 86-526 and the goals and priorities identified in~~
20 the statewide technology plan. The fund shall be administered by
21 the office of Chief Information Officer. Expenditures shall be
22 made from the fund to finance the operations of the Information
23 Technology Infrastructure Act in accordance with the appropriations
24 made by the Legislature. Transfers from the fund to the General
25 Fund may be made at the direction of the Legislature. Any money

1 in the Information Technology Infrastructure Fund available for
2 investment shall be invested by the state investment officer
3 pursuant to the Nebraska Capital Expansion Act and the Nebraska
4 State Funds Investment Act.

5 Sec. 8. Section 86-528, Revised Statutes Cumulative
6 Supplement, 2006, is amended to read:

7 86-528 (1) The Legislature may allocate money from the
8 Information Technology Infrastructure Fund for enterprise projects.
9 The Legislature may recognize multiple-year commitments for large
10 projects, subject to available appropriations, including remaining
11 obligations for the century date change project managed by the
12 department.

13 (2) No contract or expenditure for the implementation
14 of an enterprise project may be initiated unless the commission
15 has approved a project plan. The project plan shall include,
16 but not be limited to, the objectives, scope, and justification
17 of the project; detailed specifications and analyses that guide
18 the project from beginning to conclusion; technical requirements;
19 and project management. The commission may request clarification,
20 require changes, or provide conditional approval of a project
21 plan. In its review, the commission shall determine whether
22 the objectives, scope, timeframe, and budget of the project are
23 consistent with the proposal authorized by the Legislature in its
24 allocation from the fund.

25 (3) The commission may also evaluate whether the project

1 plan is consistent with the statewide technology plan and the
2 commission's technical standards and guidelines.

3 ~~(4) Pursuant to section 86-520, the Chief Information~~
4 ~~Officer shall report the status of enterprise projects to the~~
5 ~~commission, Governor, and Legislature. In addition, the Chief~~
6 ~~Information Officer shall provide the Legislature a semiannual~~
7 ~~progress report for enterprise projects funded through the fund.~~

8 Sec. 9. Section 86-529, Revised Statutes Cumulative
9 Supplement, 2006, is amended to read:

10 86-529 To implement enterprise projects pursuant to
11 sections 86-525 to 86-530, the commission shall:

12 (1) Develop procedures and issue guidelines regarding
13 the review, approval, and monitoring of enterprise projects; ~~that~~
14 ~~benefit from the Information Technology Infrastructure Fund, and~~

15 (2) ~~Monitor~~ Coordinate with the Chief Information Officer
16 to monitor the status of enterprise projects, implemented under
17 the Information Technology Infrastructure Act, including a complete
18 accounting of all project costs by fund source.

19 Sec. 10. Section 86-530, Revised Statutes Cumulative
20 Supplement, 2006, is amended to read:

21 86-530 The ~~commission~~ Chief Information Officer shall
22 report annually to the Governor and the Appropriations Committee
23 of the Legislature ~~concerning its activities pursuant to the~~
24 Information Technology Infrastructure Act, on the status of
25 enterprise projects.

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1 Sec. 11. Original sections 86-506, 86-516, 86-520,
2 86-521, 86-526, 86-527, 86-528, 86-529, and 86-530, Revised
3 Statutes Cumulative Supplement, 2006, are repealed.