

E AND R AMENDMENTS TO LB 823

Introduced by Enrollment and Review Committee: McGill, 26,  
Chairperson

1           1. Strike the original sections and all amendments  
2 thereto and insert the following new sections:

3           Section 1. Section 86-501, Revised Statutes Cumulative  
4 Supplement, 2006, is amended to read:

5           86-501 Sections 86-501 to 86-530 and section 6 of this  
6 act shall be known and may be cited as the Information Technology  
7 Infrastructure Act.

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

10           86-506 Enterprise project means an endeavor undertaken  
11 over a fixed period of time using information technology, which  
12 would have a significant effect on a core business function and or  
13 affects multiple government programs, agencies, or institutions.  
14 Enterprise project includes all aspects of planning, design,  
15 implementation, project management, and training relating to the  
16 endeavor.

17           Sec. 3. Section 86-516, Revised Statutes Cumulative  
18 Supplement, 2006, is amended to read:

19           86-516 The commission shall:

20           (1) Annually by July 1, adopt policies and procedures  
21 used to develop, review, and annually update a statewide technology  
22 plan;

23           (2) Create an information technology clearinghouse to

1 identify and share best practices and new developments, as well as  
2 identify existing problems and deficiencies;

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

5 (4) Determine a broad strategy and objectives for  
6 developing and sustaining information technology development in  
7 Nebraska, including long-range funding strategies, research and  
8 development investment, support and maintenance requirements, and  
9 system usage and assessment guidelines;

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

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

26 (7) Establish ad hoc technical advisory groups to study  
27 and make recommendations on specific topics, including workgroups

1 to establish, coordinate, and prioritize needs for education, local  
2 communities, and state agencies;

3 (8) By November 15 of each even-numbered year, make  
4 recommendations on technology investments to the Governor and the  
5 Legislature, including a prioritized list of projects, reviewed  
6 by the technical panel, ~~for which new or additional funding is~~  
7 ~~requested~~, pursuant to section 86-521;

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

10 (10) Adopt schedules and procedures for reporting needs,  
11 priorities, and recommended projects; and

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

14 -

15 (12) Determine the format that state agencies, boards,  
16 and commissions shall use to report their information technology  
17 plans under section 6 of this act. The commission shall include an  
18 analysis of such plans in the statewide technology plan.

19 Sec. 4. Section 86-520, Revised Statutes Cumulative  
20 Supplement, 2006, is amended to read:

21 86-520 The Chief Information Officer shall:

22 (1) Maintain, in cooperation with the Department of  
23 Administrative Services, an inventory of noneducation state  
24 government technology assets, including hardware, applications, and  
25 data bases;

26 (2) Recommend policies and guidelines for acceptable and  
27 cost-effective use of information technology in noneducation state

1 government;

2 (3) Advise the Governor and Legislature on policy issues  
3 affecting noneducation state government related to information  
4 technology;

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

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

10 (6) Assist the budget division of the Department  
11 of Administrative Services and Legislative Fiscal Analyst in  
12 evaluating technology-related budget requests;

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

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

24 (9) Monitor the status of major noneducation state  
25 government technology projects;

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

1           (11) Bid for telecomputing and distance education  
2 equipment pursuant to section 79-1233;

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

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

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

12           (15) Collect information from state agencies, boards, and  
13 commissions as provided in section 6 of this act; and

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

16           Sec. 5. Section 86-521, Revised Statutes Cumulative  
17 Supplement, 2006, is amended to read:

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

25           (2) The technical panel shall review any technology  
26 project ~~or request for additional funding recommended presented~~  
27 to the Nebraska Information Technology Commission including any

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

7           Sec. 6. On or before September 15 of each even-numbered  
8 year, all state agencies, boards, and commissions shall report  
9 to the Chief Information Officer, in a format determined by  
10 the commission, an information technology plan that includes an  
11 accounting of all technology assets, including planned acquisitions  
12 and upgrades.

13           Sec. 7. Section 86-526, Revised Statutes Cumulative  
14 Supplement, 2006, is amended to read:

15           86-526 ~~To authorize enterprise projects and provide~~  
16 ~~funding, it is the intent of the Legislature that:~~

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

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

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

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

25           ~~(d) Clearly identifying and providing accountability~~  
26 ~~for the costs and benefits of information technology in state~~  
27 ~~government; and~~

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

3           The commission shall determine which proposed information  
4 technology projects are enterprise projects. The commission shall  
5 create policies and procedures for the designation of such  
6 projects. The commission shall evaluate designated enterprise  
7 project plans as authorized in section 86-528.

8           Sec. 8. Section 86-527, Revised Statutes Cumulative  
9 Supplement, 2006, is amended to read:

10           86-527 The Information Technology Infrastructure Fund is  
11 hereby created. The fund shall contain revenue from the special  
12 privilege tax as provided in section 77-2602, gifts, grants,  
13 and such other money as is appropriated or transferred by the  
14 Legislature. The fund shall be used to attain the goals listed  
15 in section 86-526 and the goals and priorities identified in  
16 the statewide technology plan. The fund shall be administered by  
17 the office of Chief Information Officer. Expenditures shall be  
18 made from the fund to finance the operations of the Information  
19 Technology Infrastructure Act in accordance with the appropriations  
20 made by the Legislature. Transfers from the fund to the General  
21 Fund may be made at the direction of the Legislature. Any money  
22 in the Information Technology Infrastructure Fund available for  
23 investment shall be invested by the state investment officer  
24 pursuant to the Nebraska Capital Expansion Act and the Nebraska  
25 State Funds Investment Act.

26           Sec. 9. Section 86-528, Revised Statutes Cumulative  
27 Supplement, 2006, is amended to read:

1           86-528 (1) The Legislature may allocate money from the  
2 Information Technology Infrastructure Fund for enterprise projects.  
3 The Legislature may recognize multiple-year commitments for large  
4 projects, subject to available appropriations, including remaining  
5 obligations for the century date change project managed by the  
6 department.

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

19           (3) The commission may also evaluate whether the project  
20 plan is consistent with the statewide technology plan and the  
21 commission's technical standards and guidelines.

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

27           Sec. 10. Section 86-529, Revised Statutes Cumulative



1 Supplement, 2006, is amended to read:

2 86-529 To implement enterprise projects pursuant to  
3 sections 86-525 to 86-530, the commission shall:

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

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

11 Sec. 11. Section 86-530, Revised Statutes Cumulative  
12 Supplement, 2006, is amended to read:

13 86-530 The ~~commission~~ Chief Information Officer shall  
14 report annually to the Governor and the Appropriations Committee  
15 of the Legislature ~~concerning its activities pursuant to the~~  
16 ~~Information Technology Infrastructure Act.~~ on the status of  
17 enterprise projects.

18 Sec. 12. Original sections 86-501, 86-506, 86-516,  
19 86-520, 86-521, 86-526, 86-527, 86-528, 86-529, and 86-530, Revised  
20 Statutes Cumulative Supplement, 2006, are repealed.

21 2. On page 1, line 2, after "sections" insert "86-501,";  
22 and in line 10 after the semicolon insert "to require reporting  
23 of information technology plans by state agencies, boards, and  
24 commissions;".