

HOUSE BILL NO. 99

INTRODUCED BY BARDANOUVE
BY REQUEST OF THE COMPUTER PLANNING COMMITTEE

IN THE HOUSE

JANUARY 4, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON STATE ADMINISTRATION.
JANUARY 5, 1993	FIRST READING.
JANUARY 20, 1993	COMMITTEE RECOMMEND BILL DO PASS AS AMENDED. REPORT ADOPTED.
JANUARY 21, 1993	PRINTING REPORT.
JANUARY 22, 1993	SECOND READING, DO PASS.
JANUARY 23, 1993	ENGROSSING REPORT.
JANUARY 25, 1993	THIRD READING, PASSED. AYES, 94; NOES, 4.
	TRANSMITTED TO SENATE.

IN THE SENATE

JANUARY 27, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON FINANCE & CLAIMS.
	FIRST READING.
FEBRUARY 11, 1993	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
FEBRUARY 13, 1993	SECOND READING, CONCURRED IN.
FEBRUARY 15, 1993	THIRD READING, CONCURRED IN. AYES, 48; NOES, 1.
	RETURNED TO HOUSE.

IN THE HOUSE

FEBRUARY 16, 1993	RECEIVED FROM SENATE.
	SENT TO ENROLLING.
	REPORTED CORRECTLY ENROLLED.

1 HOUSE BILL NO. 99

2 INTRODUCED BY BARDANOUVE

3 BY REQUEST OF THE COMPUTER PLANNING COMMITTEE

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5 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE LAWS
6 RELATING TO THE DATA PROCESSING RESPONSIBILITIES FOR THE
7 STATE; AND AMENDING SECTIONS 2-17-501 AND 2-17-502, MCA."

8
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 Section 1. Section 2-17-501, MCA, is amended to read:

11 "2-17-501. Responsibilities of director of department
12 of administration for data processing. (1) Except as
13 provided in subsection (2), the director of the department
14 of administration, in cooperation with state agencies,
15 shall:

16 (a) establish policies and a statewide plan, ~~in~~
17 ~~cooperation with state agencies,~~ for the operation and
18 development of data processing for state government;

19 (b) review and approve agency specifications and
20 procurement methods for the acquisition of data processing
21 equipment ~~to insure network compatibility and conformity~~
22 ~~with the statewide data processing plan;~~

23 (c) review and approve agency specifications and
24 procurement methods for the acquisition of software to
25 ensure network compatibility and conformity with the

1 statewide data processing plan;

2 ~~(c)(d)~~ review and approve all contracts for private
3 sector data processing services to ~~insure~~ ensure conformance
4 with the statewide data processing plan and statewide data
5 network; and

6 ~~(d)(e)~~ operate and maintain a central computer center
7 and a ~~data-processing-equipment-pool~~ statewide data network
8 for the use of all state agencies and political
9 subdivisions.

10 (2) (a) ~~The responsibilities of the director under~~
11 ~~subsection (1) do not apply to the office of the~~
12 ~~superintendent of public instruction, and that office is~~
13 ~~exempt from the requirements of subsection (1) unless a~~
14 ~~proposed activity of that office related to data processing~~
15 ~~affects the operation of the central computer center and~~
16 ~~data processing equipment pool; if the office of the~~
17 ~~superintendent of public instruction determines that such an~~
18 ~~impact may occur, it shall notify the director, and the~~
19 ~~proposed activity shall be subject to the requirements of~~
20 ~~subsection (1)(b).~~

21 (b) The responsibilities of the director under
22 subsection subsections (1)(b) through (1)(d) do not apply to
23 the Montana university system, ~~and the~~ or to the office of
24 the superintendent of public instruction. The university
25 system is and the office of the superintendent of public

instruction are exempt from the requirements of subsection subsections (1)(b) through (1)(d) unless a data processing activity proposed by the university system activity-related to--data--processing--impacts or the office of the superintendent of public instruction affects the operation of the central computer center and-data-processing-equipment pool or the statewide data network. If the university system or the office of the superintendent of public instruction determines that such--an--impact-may-occur,--the-system the central computer center or the statewide data network will be affected by the proposed activity, the agency shall notify the director, and the proposed activity is subject to the requirements of subsection subsections (1)(b) through (1)(d).

(b) For purposes of subsection (2)(a), a data processing activity affects the operation of the central computer center or the statewide data network if it adds to the processing workload, capacity, or support service requirements of the central computer center or the statewide data network.

(3) When reviewing data processing activities submitted by the university system or the office of the superintendent of public instruction under subsections (1)(b) through (1)(d), the department shall consider and make reasonable allowances for the unique educational needs and

characteristics of the university system and the office of the superintendent of public instruction to communicate and share data with units of the university system and with school districts.

(4) As used in subsections (1) and (2), the following definitions apply:

(a) "Central computer center" means any:

(i) shared or sharable computer system and facilities provided by the department for use by government agencies; or

(ii) computer operations and software development support services provided by the department.

(b) "Statewide data network" means any telecommunications facility, circuits, equipment, or software provided by the department for the transmission of data from one computer to another by government agencies."

Section 2. Section 2-17-502, MCA, is amended to read:

"2-17-502. State data-processing information technology advisory council. (1) The department of administration shall create a state data--processing information technology advisory council under 2-15-122.

(2) The members of the advisory council shall must be selected from a diverse group in order to adequately represent the interests of state agencies, including the university system.

1 (3) In addition to the advisory functions assigned by
2 the department, the information technology advisory council
3 shall review statewide information and data processing
4 policies, make recommendations regarding the application of
5 new information processing technology in state government,
6 and advise the department on long-term strategic planning
7 for the use of information processing technology in state
8 government."

-End-

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB0099, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

A bill to provide for general revision to data processing statutes 2-17-501, and 502 which clarifies and generally increases the authority the department of administration has over computer hardware and software purchases by state agencies.

ASSUMPTIONS:

1. The Department of Administration, Information Services Division, begins performing the new responsibilities described in the bill beginning July 1, 1993.
2. 3 FTE are needed in ISD to implement the bill. These are estimated to be grade 15 computer and telecommunications professionals at a cost of \$28,000 per year plus benefits @20% (\$33,600 per FTE).
3. Operating Expenses per FTE per year are estimated at \$5,000.
4. Equipment costs in the first year of operation include a PC and office equipment at \$5,000 per FTE.

FISCAL IMPACT:

	FY '94			FY '95		
	<u>Current Law</u>	<u>Proposed Law</u>	<u>Difference</u>	<u>Current Law</u>	<u>Proposed Law</u>	<u>Difference</u>
Information Services Division:						
FTE	119.64	122.64	3.00	119.64	122.64	3.00
Personal Services	4,613,336	4,714,136	100,800	4,624,593	4,725,393	100,800
Operating Expenses	10,027,326	10,042,326	15,000	10,381,083	10,396,083	15,000
Equipment	2,554,300	2,569,300	15,000	2,257,185	2,257,185	0
Debt Service	<u>3,310,809</u>	<u>3,310,809</u>	<u>0</u>	<u>2,431,314</u>	<u>2,431,314</u>	<u>0</u>
Total	20,505,771	20,636,571	130,800	19,694,175	19,794,975	115,800
ISD Proprietary Account (06)	20,505,771	20,636,571	130,800	19,694,175	19,794,975	115,800

LONG-RANGE EFFECTS OF PROPOSED LEGISLATION:

Statewide savings are inestimable but potentially significant. Greater compatibility of agencies' computer hardware and software with statewide planning objectives and directions can improve the efficiency of the state's information processing infrastructure. Coordination of agency purchases would tend to strengthen the state's purchasing power. Standardization, where appropriate in satisfying user needs, would achieve economies of scale with respect to acquisition and operating costs. Enhancement of strategic planning would better position the state to anticipate rapidly changing technologies.

David Lewis 1-12-93
 DAVID LEWIS, BUDGET DIRECTOR DATE
 Office of Budget and Program Planning

Francis Bardanouve 11/14/92
 FRANCIS BARDANOUE, PRIMARY SPONSOR DATE
 Fiscal Note for HB0099, as introduced

HB99

APPROVED BY COMMITTEE
ON STATE ADMINISTRATION

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STATE; AND AMENDING SECTIONS 2-17-501 AND 2-17-502, MCA."

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"2-17-501. Responsibilities of director of department
of administration for data processing. (1) Except as
provided in subsection (2), the director of the department
of administration, in cooperation with state agencies,
shall:

(a) establish policies and a statewide plan, in
cooperation with state agencies, for the operation and
development of data processing for state government;

(b) review and approve agency specifications and
procurement methods for the acquisition of data processing
equipment to insure network compatibility and conformity
with the statewide data processing plan;

(c) review and approve agency specifications and
procurement methods for the acquisition of software to
ensure network compatibility and conformity with the

statewide data processing plan;

~~(c)~~(d) review and approve all contracts for private
sector data processing services to ~~insure~~ ensure conformance
with the statewide data processing plan and statewide data
network; and

~~(d)~~(e) operate and maintain a central computer center
and a data-processing-equipment-pool statewide data network
for the use of all state agencies and political
subdivisions.

(2) (a) ~~The responsibilities of the director under~~
~~subsection (1) do not apply to the office of the~~
~~superintendent of public instruction, and that office is~~
~~exempt from the requirements of subsection (1) unless a~~
~~proposed activity of that office related to data processing~~
~~affects the operation of the central computer center and~~
~~data-processing-equipment-pool; if the office of the~~
~~superintendent of public instruction determines that such an~~
~~impact may occur, it shall notify the director, and the~~
~~proposed activity shall be subject to the requirements of~~
~~subsection (1)(b).~~

(b) The responsibilities of the director under
subsection subsections (1)(b) through (1)(d) do not apply to
the Montana university system, and the or to the office of
the superintendent of public instruction. The university
system is and the office of the superintendent of public

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(b) For purposes of subsection (2)(a), a data processing activity affects the operation of the central computer center or the statewide data network if it adds to the processing workload, capacity, or support service requirements of the central computer center or the statewide data network.

(3) When reviewing data processing activities submitted by the university system or the office of the superintendent of public instruction under subsections (1)(b) through (1)(d), the department shall consider and make reasonable allowances for the unique educational needs and

characteristics of the university system and the office of the superintendent of public instruction to communicate and share data with units of the university system and with school districts.

(4) As used in subsections (1) and (2), the following definitions apply:

(a) "Central computer center" means any:

(i) shared or sharable computer system and facilities provided by the department for use by government agencies; or

(ii) computer operations and software development support services provided by the department.

(b) "Statewide data network" means any telecommunications facility, circuits, equipment, or software provided ADMINISTERED by the department for the transmission of data from one computer to another by government agencies."

Section 2. Section 2-17-502, MCA, is amended to read:

"2-17-502. State data-processing information technology advisory council. (1) The department of administration shall create a state data--processing information technology advisory council under 2-15-122.

(2) The members of the advisory council shall must be selected from a diverse group in order to adequately represent the interests of state agencies, including the

1 university system.

2 (3) In addition to the advisory functions assigned by
3 the department, the information technology advisory council
4 shall review statewide information and data processing
5 policies, make recommendations regarding the application of
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(b) review and approve agency specifications and procurement methods for the acquisition of data processing equipment ~~to insure network compatibility and conformity with the statewide data processing plan;~~

(c) review and approve agency specifications and procurement methods for the acquisition of software to ensure network compatibility and conformity with the

statewide data processing plan;

~~(c)(d)~~ review and approve all contracts for private sector data processing services to ~~insure~~ ensure conformance with the statewide data processing plan and statewide data network; and

~~(d)(e)~~ operate and maintain a central computer center and a data-processing-equipment-pool statewide data network for the use of all state agencies and political subdivisions.

(2) (a) ~~The responsibilities of the director under subsection (1) do not apply to the office of the superintendent of public instruction, and that office is exempt from the requirements of subsection (1) unless a proposed activity of that office related to data processing affects the operation of the central computer center and data processing equipment pool, if the office of the superintendent of public instruction determines that such an impact may occur, it shall notify the director, and the proposed activity shall be subject to the requirements of subsection (1)(b);~~

(b) The responsibilities of the director under subsections subsections (1)(b) through (1)(d) do not apply to the Montana university system, and the or to the office of the superintendent of public instruction. The university system is and the office of the superintendent of public

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