

ASSEMBLY BILL NO. 367—ASSEMBLYMEN TIFFANY,
BEERS AND CEGAVSKE

MARCH 14, 2001

Referred to Committee on Government Affairs

SUMMARY—Creates information technology commission. (BDR 19-48)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to information services; creating the information technology commission; prescribing the qualifications, powers and duties of the commission; eliminating the information technology advisory board; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** Chapter 242 of NRS is hereby amended by adding thereto
2 the provisions set forth as sections 2 to 5, inclusive, of this act.
3 **Sec. 2.** *“Commission” means the information technology*
4 *commission created pursuant to section 3 of this act.*
5 **Sec. 3.** *1. The information technology commission is hereby*
6 *created.*
7 *2. The commission is composed of up to 13 members as follows:*
8 *(a) The governor.*
9 *(b) Two members of the assembly, appointed by the chairman of the*
10 *interim finance committee, one of whom must be a member of the*
11 *interim finance committee.*
12 *(c) Two members of the senate, appointed by the chairman of the*
13 *interim finance committee, one of whom must be a member of the*
14 *interim finance committee.*
15 *(d) Four members from the executive branch of state government,*
16 *appointed by the governor.*
17 *(e) Not more than four members from private industry who are*
18 *experts in the field of information technology and are appointed by the*
19 *governor.*
20 *3. After the initial appointments, the term of each member appointed*
21 *to the commission is 2 years. A vacancy on the commission in an*



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1 *appointed position must be filled for the remainder of the unexpired term*
2 *in the same manner as the original appointment. A member may be*
3 *reappointed to the commission.*

4 *4. The governor is the chairman of the commission.*

5 *5. The members of the commission shall select one vice chairman*
6 *from among the members appointed pursuant to paragraph (b) of*
7 *subsection 2 and one vice chairman from among the members appointed*
8 *pursuant to paragraph (c) of subsection 2. The term of a vice chairman is*
9 *1 year. If a vacancy occurs in the vice chairmanship, the vacancy must*
10 *be filled in the same manner as the original selection for the remainder*
11 *of the unexpired term.*

12 **Sec. 4. 1.** *The commission shall meet at least once every calendar*
13 *quarter and at such other times as the chairman deems necessary. The*
14 *commission shall rotate its meetings between a convenient location in*
15 *Reno or Carson City or Las Vegas.*

16 *2. A majority of the members of the commission constitutes a*
17 *quorum, and a quorum may exercise all the power and authority*
18 *conferred on the commission.*

19 *3. The chairman may appoint such subcommittees of the members of*
20 *the commission as he deems necessary to carry out the duties of the*
21 *commission.*

22 *4. Members of the commission who are officers or employees of this*
23 *state serve without additional compensation, but are entitled to receive*
24 *the per diem allowance and travel expenses provided for state officers*
25 *and employees generally.*

26 *5. Members of the commission who are not officers or employees of*
27 *this state or legislators serve without compensation, except that for each*
28 *day or portion of a day during which such a member attends a meeting of*
29 *the commission or is otherwise engaged in the business of the*
30 *commission, he is entitled to receive the per diem allowance and travel*
31 *expenses provided for state officers and employees generally.*

32 *6. Except during a regular or special session of the legislature, a*
33 *member of the commission who is a legislator is entitled to receive the*
34 *compensation provided for a majority of the members of the legislature*
35 *during the first 60 days of the preceding regular session for each day or*
36 *portion of a day during which he attends a meeting of the commission or*
37 *is otherwise engaged in the business of the commission, plus the per diem*
38 *allowance provided for state officers and employees generally and the*
39 *travel expenses provided pursuant to NRS 218.2207. The compensation,*
40 *per diem allowances and travel expenses of the legislative members of the*
41 *commission must be paid from the legislative fund.*

42 **Sec. 5. 1.** *The commission shall:*

43 *(a) Study the present and future needs of the using agencies relating*
44 *to information technology.*

45 *(b) Keep informed about the information technology, information*
46 *systems and operations of using agencies and the resources and*
47 *information services which are shared by using agencies. A using agency*
48 *shall respond to a request from the commission for information*



1 regarding the information technology, information systems and
2 operations of the using agency.

3 (c) Review and comment on proposed projects and changes to existing
4 projects relating to the information technology, information systems and
5 operations of using agencies.

6 (d) Monitor using agencies for compliance with statewide strategies,
7 policies and standards, including, without limitation, the business goals
8 of the state.

9 (e) Advise using agencies regarding the effective and efficient use of
10 information technology and standards to ensure that the information
11 systems and operations of all using agencies are integrated to the extent
12 possible.

13 (f) Review any internal audits of the use of information technology by
14 a using agency.

15 (g) Study any issue regarding information technology that the
16 commission finds relevant to its purposes.

17 (h) Develop recommendations for proposed legislation regarding:

18 (1) Long-term planning relating to the use of information
19 technology by using agencies, including, without limitation, the
20 preparation of a model long-term strategic plan;

21 (2) Standards, practices, policies and conventions for the use of
22 information technology by using agencies;

23 (3) Information systems which could be used by multiple using
24 agencies and which do not require independent development for each
25 using agency; and

26 (4) The use of a single, integrated information system for all using
27 agencies.

28 (i) Prepare and publish one or more reports of the studies conducted
29 by the commission.

30 2. The commission may comment on or recommend the termination
31 of any project relating to information technology proposed by the
32 department or a using agency after holding a hearing at which the
33 department and using agency may be heard.

34 **Sec. 6.** NRS 242.011 is hereby amended to read as follows:

35 242.011 As used in this chapter, unless the context otherwise requires,
36 the words and terms defined in NRS ~~242.015~~ 242.031 to 242.068,
37 inclusive, and section 2 of this act have the meanings ascribed to them in
38 those sections.

39 **Sec. 7.** NRS 242.068 is hereby amended to read as follows:

40 242.068 "Using agency" means an agency of the *executive branch of*
41 state *government* which has a function requiring the use of information
42 technology, information services or an information system. *The term does*
43 *not include the University and Community College System of Nevada or*
44 *the central repository for Nevada records of criminal history.*

45 **Sec. 8.** NRS 242.221 is hereby amended to read as follows:

46 242.221 1. All claims made pursuant to NRS ~~242.122~~ 242.125 to
47 242.241, inclusive, and sections 3, 4 and 5 of this act must, when



1 approved by the department, be audited and paid as other claims against
2 the state are paid.

3 2. If the state controller finds that current claims against the fund for
4 information services exceed the amount available in the fund to pay the
5 claims, he may advance temporarily from the state general fund to the
6 appropriate fund the amount required to pay the claims, but no more than
7 25 percent of the revenue expected to be received in the current fiscal year
8 from any source authorized for the fund. No amount may be transferred
9 unless requested by the chief of the budget division of the department of
10 administration.

11 **Sec. 9.** Chapter 233F of NRS is hereby amended by adding thereto a
12 new section to read as follows:

13 ***"Commission" means the information technology commission created***
14 ***pursuant to section 3 of this act.***

15 **Sec. 10.** NRS 233F.010 is hereby amended to read as follows:

16 233F.010 As used in this chapter, unless the context otherwise
17 requires, the words and terms defined in NRS 233F.020 to 233F.065,
18 inclusive, ***and section 9 of this act*** have the meanings ascribed to them in
19 those sections.

20 **Sec. 11.** NRS 233F.260 is hereby amended to read as follows:

21 233F.260 The ~~board~~ ***commission or its designee*** shall provide advice
22 to the telecommunications unit on the use of telecommunications by the
23 state government, including:

- 24 1. The development of policies, standards, plans and designs;
- 25 2. The procurement of systems, facilities and services;
- 26 3. The integration of telecommunications systems with other state and
27 local governmental systems; and
- 28 4. New technology that may become or is available.

29 **Sec. 12.** NRS 233F.270 is hereby amended to read as follows:

30 233F.270 1. The telecommunications unit, with the advice of the
31 ~~board~~ ***commission or its designee***, shall:

32 (a) Plan, carry out and administer a state telecommunications system.
33 When available at a competitive cost, the telecommunications unit shall
34 use the facilities of telephone companies providing local exchange service.

35 (b) Make arrangements for the installation of a central telephone
36 switchboard or switchboards to serve the state offices in one or more
37 buildings as may be practical or feasible.

38 2. The system must be integrated and may include services between
39 the state and any cities, counties and schools.

40 3. The department may consider for the system all the
41 telecommunications requirements of the state and its political subdivisions.

42 **Sec. 13.** NRS 233F.030, 242.015, 242.122, 242.123 and 242.124 are
43 hereby repealed.

44 **Sec. 14.** The terms of the appointed members of the information
45 technology advisory board expire on June 30, 2001.

46 **Sec. 15.** As soon as practicable after July 1, 2001:

47 1. The chairman of the interim finance committee shall appoint to the
48 information technology commission pursuant to:

49 (a) Paragraph (b) of subsection 2 of section 3 of this act:



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- 1 (1) One member whose initial term expires on June 30, 2002.
2 (2) One member whose initial term expires on June 30, 2003.
3 (b) Paragraph (c) of subsection 2 of section 3 of this act:
4 (1) One member whose initial term expires on June 30, 2002.
5 (2) One member whose initial term expires on June 30, 2003.
6 2. The governor shall appoint to the information technology
7 commission pursuant to:
8 (a) Paragraph (d) of subsection 2 of section 3 of this act:
9 (1) Two members whose initial terms expire on June 30, 2002.
10 (2) Two members whose initial terms expire on June 30, 2003.
11 (b) Paragraph (e) of subsection 2 of section 3 of this act, a number of
12 members not to exceed four, approximately one-half of whom must be
13 appointed to initial terms which expire on June 30, 2002, and the remainder
14 of whom must be appointed to initial terms which expire on June 30, 2003.
15 **Sec. 16.** This act becomes effective on July 1, 2001.

LEADLINES OF REPEALED SECTIONS

- 233F.030 “Board” defined.**
242.015 “Board” defined.
242.122 Information technology advisory board: Creation; members; chairman.
242.123 Information technology advisory board: Meetings; compensation.
242.124 Information technology advisory board: Duties; powers.

