

## **S.F. No. 353 – Minnesota Department of Information Technology Provisions Technical Changes – The First Engrossment**

**Author:** Senator Mark W. Koran

**Prepared by:** Stephanie James, Senate Counsel (651/296-0103)

**Date:** February 4, 2021

---

**Section 1 [Departments of the State; 15.01]** adds the Department of Information Technology to the departments listed in statute.

**Section 2 [Minnesota Department of Information Technology Services; 16E.01]** changes the name of the Office of MN.IT Services to the Minnesota Department of Information Technology Services. Specifies that the department is responsible for executive branch systems. Eliminates certain listed duties. Authorizes the chief information officer to define what constitutes a project.

**Section 3 [Responsibility for Information Technology Services and Equipment; 16E.016]** is a conforming change.

**Section 4 [Minnesota Department of Information Technology Services; Structure and Personnel; 16E.02]** eliminates permission for the chief information officer to appoint a webmaster. Makes conforming and technical changes.

**Section 5 [Definitions; 16E.03, subd. 1]** eliminates a definition of “Information and telecommunications technology project.”

**Section 6 [Chief information officer’s responsibility; 16E.03, subd. 2]** eliminates a requirement that the chief information officer design a master plan for information and telecommunications technology systems for use by political subdivisions. Eliminates a requirement that the chief information officer maintain a library of systems and programs developed by political subdivisions.

**Section 7 [Evaluation and approval; 16E.03, subd. 3]** permits written approval of a proposed project by a delegate of the chief information officer. Eliminates a requirement that the commissioner of management and budget cancel the unencumbered balance of an appropriation for a project after the chief information officer notifies the commissioner of management and budget that a proposed project has not been approved by the chief information officer.

**Section 8 [System development methods; 16E.03, subd. 6]** eliminates a requirement that development methods enable and require a data processing system to be defined in terms of its computer programs, input requirements, output formats, administrative procedures, and processing frequencies.

**Section 9 [Advisory Council; 16E.036]** changes the Technology Advisory Committee to an advisory council. Provides for the governor and lieutenant governor to select six members to the council with IT experience. Adds four legislators as ex officio, nonvoting members. Requires the governor and lieutenant governor to designate a voting member to serve as chair.

**Section 10 [Risk assessment and mitigation; 16E.04, subd. 3]** eliminates a requirement that the chief information officer notify the commissioner of management and budget when work has begun on a project and identify the proposed budget for the project. Eliminates a constraint on the commissioner of management and budget to not allow more than ten percent of the proposed budget be spent on a project until the risk assessment and mitigation plan are reported to and approved by the chief information officer.

**Section 11 [Required review and approval; 16E.0465, subd. 2]** eliminates the role of the commissioner of management and budget for authorizing the encumbrance or expenditure for IT projects.

**Section 12 [Duties; 16E.05, subd. 1]** eliminates the duty of the department to coordinate statewide efforts by units of state and local government to plan for an develop a system for providing access to government services.

**Section 13 [Private entity services; fee authority; 16E.07, subd. 12]** is a conformation change to reflect the repeal of the defunct E-Government Advisory Council in this bill.

**Section 14 [Charges; 16E.21, subd. 2]** copies a provision from another existing statute section that is repealed in this bill. The provision authorizes unexpended operating balance that was appropriated to a state agency to be transferred to be transferred to a designated account to be used for the information technology cost of a project, subject to review by the Legislative Advisory Council.

**Section 15 [Compliance with federal law; 97A.057, subd. 1]** eliminates a superfluous statutory reference.

**Section 16 [Revisor Instruction]** directs the Revisor to change the Office of MN.IT Services to the Minnesota Department of Information Technology Services throughout the statutes.

**Section 17 [Repealer]** repeals:

**Section 16E.0466, subd. 1** – requires that agencies consult with MN.IT to determine the cost of an IT project and that, upon agreement between the agency and the chief information officer, the agency must transfer the cost of the project to MN.IT. Requires that service level agreements document project-related transfers. Paragraph (b) of this section is replicated in another section of statute in this bill.

**Section 16E.05, subd. 3** – precludes a state agency from proposing or implementing a capital investment plan for a state office building unless specified conditions are met.

**Section 16E.071** – enabling statute for the E-Government Advisory Council.

**Section 16E.145** – requires that an appropriation for an IT project be made to the chief information officer. Requires the chief information officer to manage and disperse the appropriation on behalf of the sponsoring state agency. Requires that appropriations made to a state agency for an IT project be transferred to the chief information officer.