

HOUSE AMENDMENTS TO HOUSE BILL 2146

By COMMITTEE ON RULES

May 19

1 On page 1 of the printed bill, delete lines 5 through 10 and insert:

2 **“SECTION 1. As used in this section and sections 2 and 3 of this 2009 Act:**

3 **“(1) ‘Convenience fee’ means a fee for using an electronic government portal or govern-**
4 **mental services available by means of an electronic government portal that the Oregon De-**
5 **partment of Administrative Services charges or authorizes an electronic government portal**
6 **provider to charge under section 3 (3) of this 2009 Act.**

7 **“(2) ‘Electronic government portal’ means an electronic information delivery system ac-**
8 **cessible by means of the Internet that a state agency designates officially as a means by**
9 **which the state agency delivers information, products or services.**

10 **“(3) ‘Electronic government portal provider’ means a person that on behalf of a state**
11 **agency provides facilities, goods or services necessary to develop, host, operate, maintain or**
12 **otherwise implement an electronic government portal or provides facilities, goods or services**
13 **that assist a state agency in designing, developing, hosting, operating, maintaining or oth-**
14 **erwise implementing an electronic government portal.**

15 **“(4) ‘State agency’ means the executive department, as defined in ORS 174.112.**

16 **“SECTION 2. (1) There is created the Electronic Government Portal Advisory Board**
17 **consisting of 13 members appointed as follows:**

18 **“(a) The President of the Senate shall appoint two nonvoting members from among**
19 **members of the Senate.**

20 **“(b) The Speaker of the House of Representatives shall appoint two nonvoting members**
21 **from among members of the House of Representatives.**

22 **“(c) The Governor shall appoint:**

23 **“(A) Three members who represent state agencies;**

24 **“(B) Two members who represent the public; and**

25 **“(C) One member who attends a school, community college or university in this state.**

26 **“(d) The Director of the Oregon Department of Administrative Services shall appoint two**
27 **members as follows:**

28 **“(A) The State Chief Information Officer; and**

29 **“(B) A representative of the Oregon Department of Administrative Services.**

30 **“(e) The State Treasurer shall appoint one member who represents the State Treasurer.**

31 **“(2) Members of the Legislative Assembly who are members of the advisory board are**
32 **nonvoting members and may act only in an advisory capacity.**

33 **“(3) The advisory board shall:**

34 **“(a) Advise the Oregon Department of Administrative Services concerning:**

35 **“(A) The development of electronic government portals for the department and other**

1 state agencies;

2 “(B) The amount, collection methods or other aspects of a convenience fee that the de-
3 partment or an electronic government portal provider collects;

4 “(C) The priority of new governmental service applications that may be provided by
5 means of an electronic government portal;

6 “(D) Terms and conditions of contracts between state agencies and electronic govern-
7 ment portal providers; and

8 “(E) Rules necessary to implement electronic government portals.

9 “(b) Monitor the layout, content and usability of electronic government portals and ad-
10 vise the department on ways to improve the delivery of government services by means of
11 electronic government portals, the accountability of state agencies’ use of electronic gov-
12 ernment portals to provide government services and user satisfaction with electronic gov-
13 ernment portals.

14 “(c) Study, propose, develop or coordinate activities that:

15 “(A) Consider the needs of residents of this state;

16 “(B) Evaluate the performance and transparency of state agency delivery of government
17 services; and

18 “(C) Further the effectiveness of and user satisfaction with:

19 “(i) Electronic government portals; and

20 “(ii) State agencies’ performance and accountability in the use of electronic government
21 portals to provide government services.

22 “(4) A majority of the members of the advisory board constitutes a quorum for the
23 transaction of business.

24 “(5) Official action by the advisory board requires the approval of a majority of the
25 members of the advisory board.

26 “(6) The advisory board shall elect one of the members of the advisory board to serve as
27 chairperson.

28 “(7) If a vacancy on the advisory board occurs for any cause, the appointing authority
29 shall make an appointment to become immediately effective.

30 “(8) The advisory board shall meet at times and places specified by the call of the chair-
31 person or of a majority of the members of the advisory board.

32 “(9) The advisory board may adopt rules necessary for the operation of the advisory
33 board.

34 “(10) The Oregon Department of Administrative Services shall provide staff support to
35 the advisory board.

36 “(11) Members of the advisory board who are not members of the Legislative Assembly
37 are not entitled to compensation, but may be reimbursed for actual and necessary travel and
38 other expenses the members incur in the performance of the members’ official duties in the
39 manner and amounts provided for in ORS 292.495. Claims for expenses incurred in per-
40 forming functions of the advisory board shall be paid out of funds appropriated to the Oregon
41 Department of Administrative Services for purposes of the advisory board.

42 “(12) All state agencies shall assist the advisory board in the advisory board’s perform-
43 ance of the advisory board’s duties and, to the extent permitted by laws relating to
44 confidentiality, to furnish information and advice as the members of the advisory board
45 consider necessary to perform the duties of the advisory board.

1 **“SECTION 3. (1) The Oregon Department of Administrative Services, with the advice of**
2 **the Electronic Government Portal Advisory Board, shall provide the ability for state agencies**
3 **to offer government services by means of an electronic government portal. The electronic**
4 **government portal must be secure and must meet usability standards developed in cooper-**
5 **ation with the advisory board.**

6 **“(2) For the purposes of subsection (1) of this section, the department under the pro-**
7 **visions of the Public Contracting Code may contract with an electronic government portal**
8 **provider.**

9 **“(3)(a) The department may charge members of the public a convenience fee or may au-**
10 **thorize an electronic government portal provider to charge a convenience fee for an elec-**
11 **tronic government service if the advisory board recommends that the department charge or**
12 **authorize a convenience fee for the electronic government service. The convenience fee must**
13 **reflect the costs incurred in hosting, operating, maintaining or implementing the electronic**
14 **government portal.**

15 **“(b) The department shall cooperate with the advisory board to identify the electronic**
16 **government portals or governmental services to which the convenience fee applies.**

17 **“(4) The department may adopt rules to implement the provisions of this section.**

18 **“(5) Not later than the beginning of each regular legislative session, the department shall**
19 **prepare and submit to the Legislative Assembly a report in the manner provided in ORS**
20 **192.245 that summarizes the department’s activities under the provisions of this section.”.**

21 In line 11, delete “2” and insert “4”.

22 On page 2, delete lines 32 through 34 and insert:

23 **“(o) Convenience fees as defined in section 1 of this 2009 Act and established by the Oregon**
24 **Department of Administrative Services under section 3 (3) of this 2009 Act and recommended by the**
25 **Electronic Government Portal Advisory Board.”.**

26 After line 42, insert:

27 **“SECTION 5. (1) Sections 1, 2 and 3 of this 2009 Act and the amendments to ORS 291.055**
28 **by section 4 of this 2009 Act become operative on January 1, 2010.**

29 **“(2) The Director of the Oregon Department of Administrative Services may take any**
30 **action before January 1, 2010, that is necessary to enable the director to exercise, on and**
31 **after January 1, 2010, all the duties, functions and powers conferred on the director by**
32 **sections 1, 2 and 3 of this 2009 Act and the amendments to ORS 291.055 by section 4 of this**
33 **2009 Act.”.**

34 In line 43, delete “3” and insert “6”.