

House Bill 2064

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Presession filed (at the request of Governor John A. Kitzhaber for Department of Administrative Services)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Authorizes Oregon Department of Administrative Services to enter into agreement with Department of Transportation that allows Oregon Department of Administrative Services to provide access to driving records using electronic government portal. Requires that Oregon Department of Administrative Services pay Department of Transportation amount established by agreement. Provides for reimbursement to Oregon Department of Administrative Services from Electronic Government Portal Account.

Establishes Electronic Government Portal Account, consisting of convenience fees collected by Oregon Department of Administrative Services for access to government services through electronic government portal. Continuously appropriates amounts in account to department for purpose of paying costs of implementing, hosting, operating, maintaining and improving electronic government portals.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to electronic government portal; creating new provisions; amending ORS 182.126, 182.128
3 and 182.132; appropriating money; and declaring an emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 182.126 is amended to read:

6 182.126. As used in this section and ORS 182.128 and 182.132:

7 (1) "Convenience fee" means a fee **chargeable under ORS 182.128 and 182.132** for [*using an*
8 *electronic government portal or governmental services available*] **access to government services** by
9 means of an electronic government portal [*that the Oregon Department of Administrative Services*
10 *charges or authorizes an electronic government portal provider to charge under ORS 182.132 (3)*].

11 [(2) "*Electronic government portal*" means an electronic information delivery system accessible by
12 means of the Internet that a state agency designates officially as a means by which the state agency
13 delivers information, products or services.]

14 (2) "**Electronic government portal**" means an electronic delivery system that is provided
15 by the Oregon Department of Administrative Services under ORS 182.132 and that is acces-
16 sible through the Internet, an intranet or a dedicated connection.

17 (3) "Electronic government portal provider" means a person that on behalf of a state agency
18 provides facilities, goods or services necessary to develop, host, operate, maintain or otherwise im-
19 plement an electronic government portal or provides facilities, goods or services that assist a state
20 agency in designing, developing, hosting, operating, maintaining or otherwise implementing an elec-
21 tronic government portal.

22 (4) "**Government service**" means information, products or services provided by a state
23 agency.

24 [(4)] (5) "State agency" means the executive department, as defined in ORS 174.112.

25 **SECTION 2.** ORS 182.128 is amended to read:

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 182.128. (1) There is created the Electronic Government Portal Advisory Board consisting of 13
 2 members appointed as follows:

3 (a) The President of the Senate shall appoint two nonvoting members from among members of
 4 the Senate.

5 (b) The Speaker of the House of Representatives shall appoint two nonvoting members from
 6 among members of the House of Representatives.

7 (c) The Governor shall appoint:

8 (A) Three members who represent state agencies;

9 (B) Two members who represent the public; and

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

11 (d) The Director of the Oregon Department of Administrative Services shall appoint two mem-
 12 bers as follows:

13 (A) The State Chief Information Officer; and

14 (B) A representative of the Oregon Department of Administrative Services.

15 (e) The State Treasurer shall appoint one member who represents the State Treasurer.

16 (2) Members of the Legislative Assembly who are members of the advisory board are nonvoting
 17 members and may act only in an advisory capacity.

18 (3) The advisory board shall:

19 (a) Advise the Oregon Department of Administrative Services concerning:

20 (A) The development of electronic government portals for the **Oregon Department of Admin-**
 21 **istrative Services** and other state agencies;

22 (B) The amount, collection methods or other aspects of a convenience fee that the **Oregon De-**
 23 **partment of Administrative Services** or an electronic government portal provider collects **under**
 24 **ORS 182.132**;

25 (C) The priority of new [*governmental service*] applications **funded by amounts received as**
 26 **convenience fees** that may be [*provided by means of*] **used to provide government services**
 27 **through** an electronic government portal;

28 (D) Terms and conditions of contracts between state agencies and electronic government portal
 29 providers; and

30 (E) Rules necessary to implement electronic government portals.

31 (b) Monitor the layout, content and usability of electronic government portals and advise the
 32 **Oregon Department of Administrative Services** on ways to improve the delivery of government
 33 services by means of electronic government portals, the accountability of state agencies' use of
 34 electronic government portals to provide government services and user satisfaction with electronic
 35 government portals.

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

37 (A) Consider the needs of residents of this state;

38 (B) Evaluate the performance and transparency of state agency delivery of government services;
 39 and

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

41 (i) Electronic government portals; and

42 (ii) State agencies' performance and accountability in the use of electronic government portals
 43 to provide government services.

44 (4) A majority of the members of the advisory board constitutes a quorum for the transaction
 45 of business.

1 (5) Official action by the advisory board requires the approval of a majority of the members of
 2 the advisory board.

3 (6) The advisory board shall elect one of the members of the advisory board to serve as chair-
 4 person.

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

7 (8) The advisory board shall meet at times and places specified by the call of the chairperson
 8 or of a majority of the members of the advisory board.

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

10 (10) The Oregon Department of Administrative Services shall provide staff support to the advi-
 11 sory board.

12 (11) Members of the advisory board who are not members of the Legislative Assembly are not
 13 entitled to compensation, but may be reimbursed for actual and necessary travel and other expenses
 14 the members incur in the performance of the members' official duties in the manner and amounts
 15 provided for in ORS 292.495. Claims for expenses incurred in performing functions of the advisory
 16 board shall be paid out of funds appropriated to the Oregon Department of Administrative Services
 17 for purposes of the advisory board.

18 (12) All state agencies shall assist the advisory board in the advisory board's performance of the
 19 advisory board's duties and, to the extent permitted by laws relating to confidentiality, to furnish
 20 information and advice as the members of the advisory board consider necessary to perform the
 21 duties of the advisory board.

22 **SECTION 3.** ORS 182.132 is amended to read:

23 182.132. (1) The Oregon Department of Administrative Services, with the advice of the Elec-
 24 tronic Government Portal Advisory Board, shall provide the ability for state agencies to offer **ac-**
 25 **cess to** government services by means of *[an]* electronic government *[portal]* **portals.** *[The]* **An**
 26 electronic government portal must be secure and must meet usability standards developed in coop-
 27 eration with the advisory board.

28 (2) For the purposes of subsection (1) of this section, the **Oregon Department of Administrative**
 29 **Services** under the provisions of the Public Contracting Code may contract with an electronic
 30 government portal provider.

31 (3)(a) The **Oregon Department of Administrative Services** may charge members of the public
 32 a convenience fee, or may authorize an electronic government portal provider to charge a conven-
 33 ience fee, for **access to government services through** an electronic government *[service]* **portal**
 34 if the advisory board recommends that the department charge or authorize *[a convenience]* **the** fee
 35 *[for the electronic government service].* **A convenience fee charged under this section is in addi-**
 36 **tion to any other fees charged by the state agency for the government service accessed**
 37 **through the portal.** *[The convenience fee must reflect the costs incurred in hosting, operating, main-*
 38 *taining or implementing the electronic government portal.]*

39 (b) The department shall cooperate with the advisory board to identify the electronic govern-
 40 ment portals or *[governmental]* **government** services *[to]* **for** which *[the]* **a** convenience fee
 41 *[applies]* **may be charged under this section.**

42 (c) **All convenience fees received by the department under this section shall be deposited**
 43 **in the Electronic Government Portal Account established under section 4 of this 2011 Act.**

44 (4) **The Oregon Department of Administrative Services may enter into an agreement with**
 45 **the Department of Transportation that allows the Oregon Department of Administrative**

1 **Services to provide exclusive electronic access to driving records using an electronic gov-**
2 **ernment portal. The Oregon Department of Administrative Services shall pay the Depart-**
3 **ment of Transportation, or authorize the electronic government portal to pay the**
4 **Department of Transportation, such amount as established by the agreement. The Oregon**
5 **Department of Administrative Services may be reimbursed for the amount paid from the**
6 **Electronic Government Portal Account established under section 4 of this 2011 Act.**

7 [(4)] (5) The **Oregon Department of Administrative Services** may adopt rules to implement the
8 provisions of this section.

9 [(5)] (6) Not later than the beginning of each regular legislative session, the **Oregon Department**
10 **of Administrative Services** shall prepare and submit to the Legislative Assembly a report in the
11 manner provided in ORS 192.245 that summarizes the department's activities under the provisions
12 of this section.

13 **SECTION 4. The Electronic Government Portal Account is established in the General**
14 **Fund. All moneys in the account are continuously appropriated to the Oregon Department**
15 **of Administrative Services. Interest earned by the account shall be credited to the General**
16 **Fund. The account shall consist of convenience fees deposited in the account under ORS**
17 **182.132, and may be used only for the purpose of paying the costs of implementing, hosting,**
18 **operating, maintaining and improving electronic government portals incurred by the depart-**
19 **ment under ORS 182.132.**

20 **SECTION 5. This 2011 Act being necessary for the immediate preservation of the public**
21 **peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect**
22 **on its passage.**