

A-Engrossed
House Bill 3329

Ordered by the House April 17
Including House Amendments dated April 17

Sponsored by Representative HARKER; Representatives CLEM, VEGA PEDERSON

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.

Establishes State Data Center Board and prescribes board's duties.
Becomes operative January 1, 2014.
Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to the State Data Center; and declaring an emergency.

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

4 **SECTION 1. Sections 2 to 9 of this 2013 Act are added to and made a part of ORS chapter**
5 **283.**

6 **SECTION 2. (1) There is established the State Data Center Board, consisting of five**
7 **members appointed by the Governor plus the State Chief Information Officer, who is a non-**
8 **voting member of the State Data Center Board.**

9 **(2) The term of office of each member is four years, but a member serves at the pleasure**
10 **of the Governor. Before the term of a member expires, the Governor shall appoint a suc-**
11 **cessor whose term begins on January 1 next following. A member is eligible for reappoint-**
12 **ment. If a vacancy occurs for any cause, the Governor shall make an appointment to become**
13 **immediately effective for the unexpired term.**

14 **(3) A member of the State Data Center Board is entitled to compensation and expenses**
15 **as provided in ORS 292.495.**

16 **SECTION 3. Notwithstanding the term of office specified by section 1 of this 2013 Act,**
17 **of the members first appointed to the State Data Center Board:**

18 **(1) One shall serve for a term ending December 31, 2014.**

19 **(2) One shall serve for a term ending December 31, 2015.**

20 **(3) One shall serve for a term ending December 31, 2016.**

21 **(4) Two shall serve for terms ending December 31, 2017.**

22 **SECTION 4. The members of the State Data Center Board must be residents of this state**
23 **who are well informed and have extensive expertise concerning the provision of information**
24 **technology services for large organizations. Two members of the board must be state agency**
25 **employees that have responsibility for providing information technology services to the em-**
26 **ploying state agency or to more than one state agency. Three members of the board must**
27 **be employed in the private sector.**

28 **SECTION 5. (1) The State Data Center Board shall select one of the board's members as**

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 chairperson and another as vice chairperson, for such terms and with duties and powers
2 necessary for performing the functions of the offices as the State Data Center Board deter-
3 mines.

4 (2) A majority of the members of the State Data Center Board constitutes a quorum for
5 transacting business.

6 (3) The State Data Center Board shall meet at least once every three months at a place,
7 day and hour that the board determines. The board may also meet at other times and places
8 specified by the call of the chairperson or of a majority of the members of the board.

9 **SECTION 6.** (1) The State Data Center Board shall appoint and may remove at the
10 board's pleasure a director for the State Data Center, with qualifications that the board
11 specifies.

12 (2) The board shall designate the director by written order and file the order with the
13 Secretary of State.

14 (3) Subject to any applicable provisions of ORS chapter 240, the director shall appoint all
15 subordinate officers and employees of the State Data Center, prescribe the employees' duties
16 and fix the employees' compensation.

17 **SECTION 7.** The State Data Center Board shall:

18 (1) Determine policies for the State Data Center and approve waivers or exemptions from
19 the policies;

20 (2) Specify services that the State Data Center offers;

21 (3) Set fees that the State Data Center charges other state agencies or other persons for
22 State Data Center services;

23 (4) Initiate pilot programs and other programs that the board determines are necessary
24 or useful;

25 (5) Report annually to the Legislative Assembly on or before January 1 of each year
26 concerning the board's and the State Data Center's activities, levels of satisfaction with the
27 State Data Center's services, resources the State Data Center needs and other related con-
28 cerns; and

29 (6) Recommend legislation necessary to improve the State Data Center's provision of in-
30 formation technology services.

31 **SECTION 8.** In accordance with applicable provisions of ORS chapter 183, the State Data
32 Center Board may adopt rules to carry out the board's functions under sections 2 to 9 of this
33 2013 Act.

34 **SECTION 9.** (1) The State Data Center Board may establish advisory and technical com-
35 mittees that the board considers necessary to aid and advise the board in performing the
36 board's functions. These committees may be continuing or temporary committees. The State
37 Data Center Board shall determine the representation, membership, terms and organization
38 of the committees and shall appoint the members of the committees.

39 (2) Committee members are not entitled to compensation, but at the discretion of the
40 State Data Center Board may be reimbursed from funds available to the State Data Center
41 Board for actual and necessary travel and other expenses that the committee members incur
42 in performing the committee members' official duties, in the manner and amount provided
43 in ORS 292.495.

44 **SECTION 10.** The Governor may appoint the members of the State Data Center Board
45 before the operative date specified in section 11 of this 2013 Act and the board may take any

1 action before the operative date specified in section 11 of this 2013 Act that is necessary to
2 enable the board to exercise, on and after the operative date specified in section 11 of this
3 2013 Act, the duties, functions and powers conferred on the board by sections 2 to 9 of this
4 2013 Act.

5 SECTION 11. Sections 2 to 9 of this 2013 Act become operative on January 1, 2014.

6 SECTION 12. This 2013 Act being necessary for the immediate preservation of the public
7 peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect
8 on its passage.

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