

D R A F T

SUMMARY

Transfers duties, functions, powers and responsibilities related to information technology, information resources, information systems, geographic information systems, geographic data, telecommunications and related services from Oregon Department of Administrative Services to State Chief Information Officer.

Provides that State Chief Information Officer is primary information technology and telecommunications advisor to Governor and specifies duties, functions and powers of officer.

Becomes operative January 1, 2016.

Declares emergency, effective on passage.

A BILL FOR AN ACT

Relating to state information technology; creating new provisions; amending ORS 84.064, 181.715, 181.725, 182.122, 182.124, 182.126, 182.128, 182.132, 184.305, 184.473, 184.475, 184.477, 184.483, 184.484, 184.486, 279A.050, 279A.075, 279B.075, 283.100, 283.120, 283.140, 283.143, 283.505, 283.510, 283.515, 283.520, 283.524, 291.016, 291.018, 291.032, 291.034, 291.038, 291.039, 291.042, 291.047, 291.055, 291.990, 403.450, 403.455, 403.460 and 413.308 and sections 1, 3, 4 and 5, chapter 782, Oregon Laws 2009, section 1, chapter 77, Oregon Laws 2014, and sections 8, 9, 10, 11, 12, 13, 14, 15 and 17, chapter 87, Oregon Laws 2014; and declaring an emergency.

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

SECTION 1. The duties, functions and powers of the Oregon Department of Administrative Services that relate to information technology, information resources, information systems, geographic information systems, geographic data, telecommunications and related

1 services and technologies are imposed upon, transferred to and vested
2 in the State Chief Information Officer.

3 **SECTION 2.** (1) The Director of the Oregon Department of Admin-
4 istrative Services shall:

5 (a) Deliver to the State Chief Information Officer all records and
6 property within the jurisdiction of the director that relate to the du-
7 ties, functions and powers transferred by section 1 of this 2015 Act; and

8 (b) Transfer to the State Chief Information Officer those employees
9 engaged primarily in exercising the duties, functions and powers
10 transferred by section 1 of this 2015 Act.

11 (2) The State Chief Information Officer shall take possession of the
12 records and property, and shall take charge of the employees and em-
13 ploy them in exercising the duties, functions and powers transferred
14 by section 1 of this 2015 Act, without reduction of compensation but
15 subject to change or termination of employment or compensation as
16 provided by law.

17 (3) The Governor shall resolve any dispute between the Oregon De-
18 partment of Administrative Services and the State Chief Information
19 Officer that relates to transfers of records, property and employees
20 under this section, and the Governor's decision is final.

21 **SECTION 3.** (1) The unexpended balances of amounts the Oregon
22 Department of Administrative Services is authorized to expend during
23 the biennium beginning July 1, 2015, from revenues dedicated, contin-
24 uously appropriated, appropriated or otherwise made available for the
25 purpose of administering and enforcing the duties, functions and
26 powers transferred by section 1 of this 2015 Act are transferred to and
27 are available for the State Chief Information Officer to expend during
28 the biennium beginning July 1, 2015, for the purpose of administering
29 and enforcing the duties, functions and powers transferred by section
30 1 of this 2015 Act.

31 (2) The expenditure classifications, if any, established by Acts au-

1 **thorizing or limiting expenditures by the Oregon Department of Ad-**
2 **ministrative Services remain applicable to expenditures by the State**
3 **Chief Information Officer under this section.**

4 **SECTION 4. The transfer of duties, functions and powers to the**
5 **State Chief Information Officer by section 1 of this 2015 Act does not**
6 **affect any action, proceeding or prosecution involving or with respect**
7 **to duties, functions and powers that began before and were pending**
8 **at the time of the transfer, except that the State Chief Information**
9 **Officer is substituted for the Oregon Department of Administrative**
10 **Services in the action, proceeding or prosecution.**

11 **SECTION 5. (1) Sections 1 to 8 of this 2015 Act and the amendments**
12 **to ORS 84.064, 181.715, 181.725, 182.122, 182.124, 182.126, 182.128, 182.132,**
13 **184.305, 184.473, 184.475, 184.477, 184.483, 184.484, 184.486, 279A.050,**
14 **279A.075, 279B.075, 283.100, 283.120, 283.140, 283.143, 283.505, 283.510,**
15 **283.515, 283.520, 283.524, 291.016, 291.018, 291.032, 291.034, 291.038, 291.039,**
16 **291.042, 291.047, 291.055, 291.990, 403.450, 403.455, 403.460 and 413.308,**
17 **sections 1, 3, 4 and 5, chapter 782, Oregon Laws 2009, section 1, chapter**
18 **77, Oregon Laws 2014, and sections 8, 9, 10, 11, 12, 13, 14, 15 and 17,**
19 **chapter 87, Oregon Laws 2014, by sections 9 to 65 of this 2015 Act do**
20 **not relieve a person of a liability, duty or obligation accruing under**
21 **or with respect to the duties, functions and powers transferred by**
22 **section 1 of this 2015 Act. The State Chief Information Officer may**
23 **collect or enforce any such liability, duty or obligation.**

24 **(2) The rights and obligations that the Oregon Department of Ad-**
25 **ministrative Services legally incurred under contracts, leases and**
26 **business transactions the department executed, entered into or began**
27 **before the operative date of section 1 of this 2015 Act and that accrued**
28 **under or with respect to the duties, functions and powers transferred**
29 **by section 1 of this 2015 Act are transferred to the State Chief Infor-**
30 **mation Officer. For the purpose of succession to these rights and ob-**
31 **ligations, the State Chief Information Officer is a continuation of the**

1 **Oregon Department of Administrative Services and not a new author-**
2 **ity.**

3 **SECTION 6. Notwithstanding the transfer of duties, functions and**
4 **powers by section 1 of this 2015 Act, the rules of the Oregon Depart-**
5 **ment of Administrative Services with respect to duties, functions or**
6 **powers that are in effect on the operative date of section 1 of this 2015**
7 **Act continue in effect until the State Chief Information Officer su-**
8 **persedes or repeals the rules. For the purposes of sections 1 to 7 of this**
9 **2015 Act, references in the rules of the Oregon Department of Admin-**
10 **istrative Services, relating to information technology, information re-**
11 **sources, information systems, geographic information systems,**
12 **geographic data, telecommunications and related services and tech-**
13 **nologies, to the department or an officer or employee of the depart-**
14 **ment are references to the State Chief Information Officer or an**
15 **officer or employee of the office of the State Chief Information Officer.**

16 **SECTION 7. Whenever, any uncodified law or resolution of the**
17 **Legislative Assembly or in any rule, document, record or proceeding**
18 **that the Legislative Assembly authorizes, refers in the context of the**
19 **duties, functions and powers transferred by section 1 of this 2015 Act,**
20 **to the Oregon Department of Administrative Services, or an officer**
21 **or employee of the department, whose duties, functions or powers are**
22 **transferred by section 1 of this 2015 Act, the reference is a reference**
23 **to the State Chief Information Officer or an officer or employee of the**
24 **office of the State Chief Information Officer who by sections 1 to 7 of**
25 **this 2015 Act is charged with carrying out such duties, functions and**
26 **powers.**

27 **SECTION 8. (1) There is established the State Information Tech-**
28 **nology Operating Fund in the State Treasury, separate and distinct**
29 **from the General Fund. The moneys in the State Information Tech-**
30 **nology Operating Fund may be invested as provided in ORS 293.701 to**
31 **293.857. Interest earnings on the fund assets must be credited to the**

1 **fund.**

2 (2) Amounts in the fund are continuously appropriated to the State
3 Chief Information Officer for the purposes authorized by law. The
4 Legislative Assembly intends that, except as otherwise provided by
5 law, all activities that use the State Information Technology Operating
6 Fund are self-supporting and the State Chief Information Officer shall
7 keep the necessary records to show the status of each activity.

8 (3) Unless otherwise provided by law, the State Chief Information
9 Officer may advance from the State Information Technology Operat-
10 ing Fund the cost the State Chief Information Officer incurs in pro-
11 viding services, including labor, facilities and materials to the office
12 of the State Chief Information Officer or to any state agency. The
13 State Chief Information Officer shall charge the state agencies that
14 the State Chief Information Officer serves for the costs the State Chief
15 Information Officer incurs and shall reimburse advances from the
16 State Information Technology Operating Fund with payments from
17 the state agencies.

18 (4) The State Chief Information Officer may estimate in advance
19 the expenses that the State Chief Information Officer will incur during
20 the biennium for activities that operate out of the State Information
21 Technology Operating Fund. The expenses may include necessary
22 working capital and depreciation as the State Chief Information Offi-
23 cer determines. The State Chief Information Officer may render to
24 each state agency an invoice for the state agency's share of such ex-
25 penses for periods within the biennium. Each state agency shall pay
26 the invoice to the credit of the State Information Technology Operat-
27 ing Fund as an administrative expense from funds or appropriations
28 available to the state agency in the same manner as the state agency
29 pays other claims against the state agency. If the estimated expenses
30 for any agency are more or less than actual expenses, including
31 working capital and depreciation requirements, for the period covered

1 **by the invoice, the difference must be reflected in the next following**
2 **estimate of expenses.**

3 **SECTION 9.** ORS 84.064 is amended to read:

4 84.064. (1) For purposes of ORS 84.049, 84.052 and 84.055, the [*Oregon De-*
5 *partment of Administrative Services*] **State Chief Information Officer** shall
6 make determinations and adopt standards for state agencies.

7 (2) The [*department*] **State Chief Information Officer** shall adopt rules
8 [*for the*] **to govern state agency** use of electronic signatures [*by state*
9 *agencies*]. The rules [*shall*] **must** include control processes and procedures
10 to ensure adequate integrity, security and confidentiality [*of state agency*] **for**
11 business transactions [*conducted*] **that state agencies conduct** using elec-
12 tronic commerce and to ensure that [*those*] **the** transactions can be audited
13 as [*may be*] **is** necessary for the normal conduct of business.

14 (3) As used in this section, “state agency” means every state officer and
15 board, commission, department, institution, branch and agency of the state
16 government [*whose*], **the costs of which** are paid wholly or in part from
17 funds held in the State Treasury, except:

18 (a) The Legislative Assembly, the courts, the district attorney for each
19 county and [*their*] **the officers and committees of the Legislative Assem-**
20 **bly, the courts and the district attorney;** and

21 (b) The Public Defense Services Commission.

22 **SECTION 10.** ORS 181.715 is amended to read:

23 181.715. (1) The Department of State Police or another criminal justice
24 agency [*designated by the Director of the Oregon Department of Administra-*
25 *tive Services*] **that the State Chief Information Officer designates** shall
26 operate a Criminal Justice Information Standards program that coordinates
27 information among state criminal justice agencies. The program [*shall*]
28 **must:**

29 (a) Ensure that in developing new information systems, data can be re-
30 trieved to support [*evaluation of*] **evaluating** criminal justice planning and
31 programs, including, but not limited to, **evaluating** the ability of the pro-

1 grams to reduce future criminal conduct;

2 (b) Ensure that maximum effort is made for the safety of public safety
3 officers;

4 (c) Establish methods and standards for data interchange and information
5 access between criminal justice information systems, in compliance with
6 *[the]* **information technology rules, policies and standards** *[and policies of*
7 *the Oregon Department of Administrative Services]* **that the State Chief**
8 **Information Officer adopts;**

9 (d) Design and implement improved applications for exchange of agency
10 information; and

11 (e) Implement the capability to exchange images between criminal justice
12 agencies.

13 (2) The program shall develop a plan to accelerate data sharing and in-
14 formation integration among criminal justice agencies. The plan *[shall]* **must**
15 include, but is not limited to **including**, priorities, timelines, development
16 costs, resources needed, the projected ongoing cost of support, critical suc-
17 cess factors and any known barriers to accomplishing the plan. **The plan**
18 **must align with and support the Enterprise Information Resources**
19 **Management Strategy described in ORS 291.039.** Representatives of
20 criminal justice agencies and public safety agencies, including but not lim-
21 ited to local law enforcement agencies, courts of criminal jurisdiction, dis-
22 trict attorneys, city attorneys with criminal prosecutive functions, public
23 defender organizations established under ORS chapter 151, community cor-
24 rections directors, jail managers and county juvenile departments, shall be
25 invited to participate in the planning process. The program shall present the
26 plan to the *[Director of the Oregon Department of Administrative Services]*
27 **State Chief Information Officer** no later than May 30 of each even-
28 numbered year for development of the Governor's budget report. The program
29 shall submit the plan to the Joint Legislative Committee on Information
30 Management and Technology no later than December 31 of each even-
31 numbered year.

1 (3) Notwithstanding the meaning given “criminal justice agency” in ORS
2 181.010, as used in this section and ORS 181.720, “criminal justice agency”
3 includes, but is not limited to:

- 4 (a) The Judicial Department;
- 5 (b) The Attorney General;
- 6 (c) The Department of Corrections;
- 7 (d) The Department of State Police;
- 8 (e) Any other state agency with law enforcement authority designated by
9 order of the Governor;
- 10 (f) The Department of Transportation;
- 11 (g) The State Board of Parole and Post-Prison Supervision;
- 12 (h) The Department of Public Safety Standards and Training;
- 13 (i) The State Department of Fish and Wildlife;
- 14 (j) The Oregon Liquor Control Commission;
- 15 (k) The Oregon Youth Authority;
- 16 (L) The Youth Development Division; and
- 17 (m) A university that has established a police department under ORS
18 352.383 or 353.125.

19 **SECTION 11.** ORS 181.725 is amended to read:

20 181.725. (1) There is established a Criminal Justice Information Standards
21 Advisory Board to advise the Department of State Police or the criminal
22 justice agency [*designated by the Director of the Oregon Department of Ad-*
23 *ministrative Services*] **that the State Chief Information Officer desig-**
24 **nates** under ORS 181.715 (1) about the department’s or the agency’s duties
25 under ORS 181.715. The board consists of the following members:

- 26 (a) The State Court Administrator or the administrator’s designee;
- 27 (b) The Director of the Department of Corrections or the director’s
28 designee;
- 29 (c) The Superintendent of State Police or the superintendent’s designee;
- 30 (d) The executive director of the Oregon Criminal Justice Commission or
31 the executive director’s designee;

- 1 (e) The Director of Transportation or the director's designee;
- 2 (f) The chairperson of the State Board of Parole and Post-Prison Super-
3 vision or the chairperson's designee;
- 4 (g) The Director of the Department of Public Safety Standards and
5 Training or the director's designee;
- 6 (h) A chief of police designated by the Oregon Association Chiefs of Po-
7 lice;
- 8 (i) A sheriff designated by the Oregon State Sheriffs' Association;
- 9 (j) A jail manager designated by the Oregon Sheriff's Jail Command
10 Council;
- 11 (k) A county juvenile department director designated by the Oregon Ju-
12 venile Department Directors' Association;
- 13 (L) A community corrections agency director designated by the Oregon
14 Association of Community Corrections Directors;
- 15 (m) A district attorney designated by the Oregon District Attorneys As-
16 sociation;
- 17 (n) The [*administrator of the Enterprise Information Strategy and Policy*
18 *Division of the Oregon Department of Administrative Services or the*
19 *administrator's*] **State Chief Information Officer or the State Chief In-**
20 **formation Officer's** designee;
- 21 (o) The Director of the Oregon Youth Authority or the director's
22 designee;
- 23 (p) The State Fish and Wildlife Director or the director's designee;
- 24 (q) The administrator of the Oregon Liquor Control Commission or the
25 administrator's designee; and
- 26 (r) The Youth Development Director or the director's designee.
- 27 (2) The board shall meet at such times and places as the board deems
28 necessary.
- 29 (3) The members of the board are not entitled to compensation but are
30 entitled to expenses as provided in ORS 292.495.

31 **SECTION 12.** ORS 182.122 is amended to read:

1 182.122. (1) As used in this section:

2 (a) “Executive department” has the meaning given that term in ORS
3 174.112.

4 (b) “Information systems” means computers, hardware, software, storage
5 media, networks, operational procedures and processes used in [*the*
6 *collection*] **collecting**, processing, [*storage*] **storing**, sharing or [*distribution*
7 *of*] **distributing** information within, or with any access beyond ordinary
8 public access to, the state’s shared computing and network infrastructure.

9 (2) The [*Oregon Department of Administrative Services*] **State Chief In-**
10 **formation Officer** has responsibility for and authority over information
11 systems security in the executive department, including **responsibility for**
12 taking all measures **that are** reasonably necessary to protect the availabil-
13 ity, integrity or confidentiality of information systems or the information
14 stored in information systems. The [*Oregon Department of Administrative*
15 *Services*] **State Chief Information Officer** shall, after consultation and
16 collaborative development with agencies, establish a state information sys-
17 tems security plan and associated standards, policies and procedures. **The**
18 **plan must align with and support the Enterprise Information Re-**
19 **sources Management Strategy described in ORS 291.039.**

20 (3) The [*Oregon Department of Administrative Services, in its sole dis-*
21 *cretion, shall*] **State Chief Information Officer may coordinate with the**
22 **Oregon Department of Administrative Services to:**

23 (a) Review and verify the security of information systems operated by or
24 on behalf of **state** agencies;

25 (b) Monitor state network traffic to identify and react to security threats;
26 and

27 (c) Conduct vulnerability assessments of **state** agency information sys-
28 tems for the purpose of evaluating and responding to the susceptibility of
29 information systems to attack, disruption or any other event that threatens
30 the availability, integrity or confidentiality of information systems or the
31 information stored in information systems.

1 (4) The [*Oregon Department of Administrative Services*] **State Chief In-**
2 **formation Officer** shall contract with qualified, independent consultants for
3 the purpose of conducting vulnerability assessments under subsection (3) of
4 this section.

5 (5) In collaboration with **appropriate** agencies, the [*Oregon Department*
6 *of Administrative Services*] **State Chief Information Officer** shall develop
7 and implement policies for responding to events that damage or threaten the
8 availability, integrity or confidentiality of information systems or the infor-
9 mation stored in information systems, whether those systems are within,
10 interoperable with or outside the state's shared computing and network
11 infrastructure. In the policies, the [*department*] **State Chief Information**
12 **Officer** shall prescribe actions reasonably necessary to:

13 (a) Promptly assemble and deploy in a coordinated manner the expertise,
14 tools and methodologies required to prevent or mitigate the damage caused
15 or threatened by an event;

16 (b) Promptly alert other persons of the event and of the actions reason-
17 ably necessary to prevent or mitigate the damage caused or threatened by
18 the event;

19 (c) Implement forensic techniques and controls developed under sub-
20 section (6) of this section;

21 (d) Evaluate the event for the purpose of possible improvements to the
22 security of information systems; and

23 (e) Communicate and share information with **appropriate** agencies, using
24 preexisting incident response capabilities.

25 (6) After consultation and collaborative development with **appropriate**
26 agencies[,] **and** the Oregon Department of Administrative Services, **the**
27 **State Chief Information Officer** shall implement forensic techniques and
28 controls for the security of information systems, whether those systems are
29 within, interoperable with or outside the state's shared computing and net-
30 work infrastructure. The techniques and controls must include [*the use of*]
31 **using** specialized expertise, tools and methodologies[,] to investigate events

1 that damage or threaten the availability, integrity or confidentiality of in-
2 formation systems or the information stored in information systems. The
3 *[department]* **State Chief Information Officer** shall consult with the
4 Oregon State Police, the Office of Emergency Management, the Governor and
5 others as necessary in developing forensic techniques and controls under this
6 section.

7 (7) The *[Oregon Department of Administrative Services]* **State Chief In-**
8 **formation Officer** shall ensure that reasonably appropriate remedial actions
9 are undertaken when the *[department]* **State Chief Information Officer**
10 finds that such actions are reasonably necessary by reason of vulnerability
11 assessments of information systems under subsection (3) of this section,
12 evaluation of events under subsection (5) of this section and other evalu-
13 ations and audits.

14 (8)(a) **State** agencies are responsible for *[the security of]* **securing** com-
15 puters, hardware, software, storage media, networks, operational procedures
16 and processes used in *[the collection]* **collecting**, processing, *[storage]*
17 **storing**, sharing or *[distribution of]* **distributing** information outside the
18 state's shared computing and network infrastructure, following information
19 security standards, policies and procedures established by the *[Oregon De-*
20 *partment of Administrative Services]* **State Chief Information Officer** and
21 developed collaboratively with **the** agencies. Agencies may establish plans,
22 standards and measures that are more stringent than the standards estab-
23 lished by the *[department]* **State Chief Information Officer** to address
24 specific agency needs if *[those]* **the** plans, standards and measures do not
25 contradict or contravene the state information systems security plan. Inde-
26 pendent agency security plans *[shall]* **must** be developed within the frame-
27 work of the state information systems security plan.

28 (b) *[An]* **A state** agency shall report the results of any vulnerability as-
29 sessment, evaluation or audit conducted by the agency to the *[department]*
30 **State Chief Information Officer** for the purposes of consolidating state-
31 wide security reporting and, when appropriate, to prompt a state incident

1 response.

2 (9) This section does not apply to:

3 (a) Research and student computer systems used by or in conjunction with
4 the State Board of Higher Education or any public university listed in ORS
5 352.002; and

6 (b)(A) Gaming systems and networks operated by the Oregon State Lot-
7 tery or *[its]* contractors **of the State Lottery**; or

8 (B) The results of Oregon State Lottery reviews, evaluations and vulner-
9 ability assessments of computer systems outside the state's shared computing
10 and network infrastructure.

11 (10) The *[Oregon Department of Administrative Services]* **State Chief In-**
12 **formation Officer** shall adopt rules to *[carry out its responsibilities under]*
13 **implement the provisions of** this section.

14 **SECTION 13.** ORS 182.124 is amended to read:

15 182.124. (1) Notwithstanding ORS 182.122, the Secretary of State, the State
16 Treasurer and the Attorney General have sole discretion and authority over
17 information systems security in their respective agencies, including *[taking]*
18 **the discretion and authority to take** all measures **that are** reasonably
19 necessary to protect the availability, integrity or confidentiality of informa-
20 tion systems or the information stored in information systems.

21 (2) The Secretary of State, the State Treasurer and the Attorney General
22 shall each establish an information systems security plan and associated
23 standards, policies and procedures in collaboration with the *[Oregon De-*
24 *partment of Administrative Services]* **State Chief Information Officer** as
25 provided in ORS 182.122.

26 (3) The plan established under subsection (2) of this section, at a mini-
27 mum, must:

28 (a) Be compatible with the state information systems security plan and
29 associated standards, policies and procedures established by the
30 *[department]* **State Chief Information Officer** under ORS 182.122 (2);

31 (b) Assign responsibility for:

1 (A) Reviewing, monitoring and verifying the security of the [agency's]
2 **Secretary of State's, the State Treasurer's and the Attorney General's**
3 information systems; and

4 (B) Conducting vulnerability assessments of information systems for the
5 purpose of evaluating and responding to the susceptibility of information
6 systems to attack, disruption or any other event that threatens the avail-
7 ability, integrity or confidentiality of information systems or the information
8 stored in information systems;

9 (c) Contain policies for responding to events that damage or threaten the
10 availability, integrity or confidentiality of information systems or the infor-
11 mation stored in information systems, whether [those] **the** systems are
12 within, interoperable with or outside the state's shared computing and net-
13 work infrastructure;

14 (d) Prescribe actions reasonably necessary to:

15 (A) Promptly assemble and deploy in a coordinated manner the expertise,
16 tools and methodologies required to prevent or mitigate the damage caused
17 or threatened by an event;

18 (B) Promptly alert **the State Chief Information Officer and** other per-
19 sons of the event and of the actions reasonably necessary to prevent or
20 mitigate the damage caused or threatened by the event;

21 (C) Implement forensic techniques and controls developed under para-
22 graph (e) of this subsection;

23 (D) Evaluate the event for the purpose of possible improvements to the
24 security of information systems; and

25 (E) Communicate and share information with agencies, using preexisting
26 incident response capabilities; and

27 (e) Describe and implement forensic techniques and controls for the se-
28 curity of information systems, whether those systems are within, interoper-
29 able with or outside the state's shared computing and network
30 infrastructure, including the use of specialized expertise, tools and method-
31 ologies, to investigate events that damage or threaten the availability, in-

1 tegrity or confidentiality of information systems or the information stored
2 in information systems.

3 (4) The Secretary of State, the State Treasurer and the Attorney General
4 shall participate in the planning process [*conducted by the department*] **that**
5 **the State Chief Information Officer conducts** under ORS 182.122 (2).

6 (5) If **the State Chief Information Officer cannot agree with the**
7 **Secretary of State, the State Treasurer or the Attorney General on a**
8 joint information systems security plan and associated operational standards
9 and policies [*cannot be agreed upon by the Oregon Department of Adminis-*
10 *trative Services and a statewide elected official named in subsection (1) of this*
11 *section, the department*], **the State Chief Information Officer, in collab-**
12 **oration with the Oregon Department of Administrative Services,** may
13 take steps reasonably necessary to condition, limit or preclude electronic
14 traffic or other vulnerabilities between information systems for which the
15 [*official*] **Secretary of State, State Treasurer or Attorney General** has
16 authority under subsection (1) of this section and the information systems
17 for which the [*department*] **State Chief Information Officer** has authority
18 under ORS 182.122 (2).

19 **SECTION 14.** ORS 182.126 is amended to read:

20 182.126. As used in this section and ORS 182.128 and 182.132:

21 (1) “Convenience fee” means a fee for using an electronic government
22 portal or governmental services available by means of an electronic govern-
23 ment portal that the [*Oregon Department of Administrative Services*] **State**
24 **Chief Information Officer** charges or authorizes an electronic government
25 portal provider to charge under ORS 182.132 (3).

26 (2) “Electronic government portal” means an electronic information de-
27 livery system accessible by means of the Internet that a state agency desig-
28 nates officially as a means by which the state agency delivers information,
29 products or services.

30 (3) “Electronic government portal provider” means a person that on be-
31 half of a state agency provides facilities, goods or services necessary to de-

1 velop, host, operate, maintain or otherwise implement an electronic
2 government portal or provides facilities, goods or services that assist a state
3 agency in designing, developing, hosting, operating, maintaining or otherwise
4 implementing an electronic government portal.

5 (4) "State agency" means the executive department, as defined in ORS
6 174.112.

7 **SECTION 15.** ORS 182.128 is amended to read:

8 182.128. (1) There is created the Electronic Government Portal Advisory
9 Board consisting of 13 members appointed as follows:

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

12 (b) The Speaker of the House of Representatives shall appoint two non-
13 voting members from among members of the House of Representatives.

14 (c) The Governor shall appoint:

15 (A) Three members who represent state agencies;

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

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

19 (d) The [*Director of the Oregon Department of Administrative Services*]
20 **State Chief Information Officer** shall appoint two members as follows:

21 (A) [*The*] **A representative of the State Chief Information Officer**; and

22 (B) A representative of the Oregon Department of Administrative Ser-
23 vices.

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

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

28 (3) The advisory board shall:

29 (a) Advise the **State Chief Information Officer and the Oregon De-**
30 **partment of Administrative Services** concerning:

31 (A) The development of electronic government portals for the **State Chief**

1 **Information Officer, the** department and other state agencies;

2 (B) The amount, collection methods or other aspects of a convenience fee
3 that the **State Chief Information Officer, the** department or an electronic
4 government portal provider collects;

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

7 (D) Terms and conditions of contracts between state agencies and elec-
8 tronic government portal providers; and

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

10 (b) Monitor the layout, content and usability of electronic government
11 portals and advise **the State Chief Information Officer and** the depart-
12 ment on ways to improve the delivery of government services by means of
13 electronic government portals, the accountability of state agencies' use of
14 electronic government portals to provide government services and user sat-
15 isfaction with electronic government portals.

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

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

18 (B) Evaluate the performance and transparency of state agency delivery
19 of government services; and

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

21 (i) Electronic government portals; and

22 (ii) State agencies' performance and accountability in [*the use of*] **using**
23 electronic government portals to provide government services.

24 (4) A majority of the members of the advisory board constitutes a quorum
25 for [*the transaction of*] **transacting** business.

26 (5) [*Official action by the advisory board requires the approval of*] A ma-
27 jority of the members of the advisory board **must approve official action**
28 **by the advisory board.**

29 (6) The advisory board shall elect one of the members of the advisory
30 board to serve as chairperson.

31 (7) If a vacancy on the advisory board occurs for any cause, the appoint-

1 ing authority shall make an appointment [*to become*] **that becomes** imme-
2 diately effective.

3 (8) The advisory board shall meet at times and places [*specified by the call*
4 *of*] **that** the chairperson or of a majority of the members of the advisory
5 board **specifies**.

6 (9) The advisory board may adopt rules necessary [*for the operation of*]
7 **to operate** the advisory board.

8 (10) The Oregon Department of Administrative Services shall provide staff
9 support to the advisory board.

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

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

23 **SECTION 16.** ORS 182.132 is amended to read:

24 182.132. (1) The [*Oregon Department of Administrative Services*] **State**
25 **Chief Information Officer**, with the advice of the Electronic Government
26 Portal Advisory Board, shall provide the ability for state agencies to offer
27 government services by means of an electronic government portal. The elec-
28 tronic government portal must be secure and must [*meet*] **comply with the**
29 **information security rules, policies and standards that the State Chief**
30 **Information Officer adopts under ORS 182.122 and meet the** usability
31 standards developed in cooperation with the advisory board.

1 (2) For the purposes of subsection (1) of this section, the [*department*]
2 **State Chief Information Officer**, under the provisions of the Public Con-
3 tracting Code, may contract with an electronic government portal provider
4 **in a manner that is consistent with the State Chief Information**
5 **Officer's rules, polices and standards.**

6 (3)(a) The [*department*] **State Chief Information Officer** may charge
7 members of the public a convenience fee or may authorize an electronic
8 government portal provider to charge a convenience fee for an electronic
9 government service if the advisory board recommends that the [*department*]
10 **State Chief Information Officer** charge or authorize a convenience fee for
11 the electronic government service. The convenience fee must reflect the costs
12 incurred in hosting, operating, maintaining or implementing the electronic
13 government portal.

14 (b) The [*department*] **State Chief Information Officer** shall cooperate
15 with the advisory board to identify the electronic government portals or
16 governmental services to which the convenience fee applies.

17 (4) The [*department*] **State Chief Information Officer** may adopt rules
18 to implement the provisions of this section.

19 (5) Not later than the beginning of each odd-numbered year regular leg-
20 islative session, the [*department*] **State Chief Information Officer** shall
21 prepare and submit to the Legislative Assembly a report in the manner pro-
22 vided in ORS 192.245 that summarizes the [*department's*] **State Chief In-**
23 **formation Officer's** activities under the provisions of this section.

24 **SECTION 17.** ORS 184.305 is amended to read:

25 184.305. The Oregon Department of Administrative Services is created.
26 The purpose of the Oregon Department of Administrative Services is to im-
27 prove the efficient and effective use of state resources [*through the provision*
28 *of*] **by providing:**

29 (1) Government infrastructure services that can best be provided cen-
30 trally, including but not limited to purchasing, risk management, facilities
31 management, surplus property and motor fleet;

1 (2) Rules and associated performance reviews of agency compliance with
2 statewide policies;

3 (3) Leadership in *[the implementation of]* **implementing** a statewide per-
4 formance measurement program;

5 (4) State employee workforce development and training;

6 (5) Personnel systems that promote fair, responsive and cost-effective hu-
7 man resource management;

8 (6) Objective, credible management information for, and analysis of,
9 statewide issues for policymakers; **and**

10 (7) Statewide financial administrative systems[; *and*].

11 *[(8) Statewide information systems and networks to facilitate the reliable*
12 *exchange of information and applied technology.]*

13 **SECTION 18.** ORS 184.473 is amended to read:

14 184.473. As used in ORS 184.475 and 184.477:

15 (1) **“Executive department” has the meaning given that term in**
16 **ORS 174.112.**

17 *[(1)]* (2) “Information technology” includes, but is not limited to, all
18 present and future forms of hardware, software and services for data pro-
19 cessing, office automation and telecommunications.

20 *[(2) “State agency” includes every state officer, board, commission, depart-*
21 *ment, institution, branch or agency of the state government whose costs are*
22 *paid wholly or in part from funds held in the State Treasury, except:]*

23 *[(a) The Secretary of State, the State Treasurer, the Legislative Assembly,*
24 *the courts and their officers and committees; and]*

25 *[(b) The Public Defense Services Commission.]*

26 (3) **“State agency” means a board, commission, department, divi-**
27 **sion, office or other entity within the executive department of state**
28 **government, except:**

29 (a) **The Secretary of State;**

30 (b) **The State Treasurer;**

31 (c) **The Oregon State Lottery; and**

1 (d) **The State Board of Higher Education, a public university that**
2 **is listed in ORS 352.002 or a public university with a governing board**
3 **that is listed in ORS 352.054.**

4 **SECTION 19.** ORS 184.475 is amended to read:

5 184.475. (1) The purposes of information technology portfolio-based man-
6 agement are to:

7 (a) Ensure that state agencies link [*their*] **the state agencies'** informa-
8 tion technology investments with business plans;

9 (b) Facilitate risk assessment of information technology projects and in-
10 vestments;

11 (c) Ensure that state agencies justify information technology investments
12 on the basis of sound business cases;

13 (d) Ensure that state agencies facilitate development and review of in-
14 formation technology performance related to business operations;

15 (e) Identify projects that can cross agency and program lines to leverage
16 resources; and

17 (f) Assist in state government-wide planning for common, shared infor-
18 mation technology infrastructure.

19 (2) The [*Oregon Department of Administrative Services*] **State Chief In-**
20 **formation Officer** shall integrate state agency strategic and business plan-
21 ning, technology planning and budgeting and project expenditure processes
22 into the [*department's information technology*] **State Chief Information**
23 **Officer's** portfolio-based management **and oversight of state information**
24 **technology resources.**

25 (3) [*In cooperation with state agencies, the department*] **The State Chief**
26 **Information Officer** shall conduct and maintain a continuous inventory of
27 each state agency's current and planned investments in information tech-
28 nology, a compilation of information about [*those assets*] **the current and**
29 **planned investments** and the total life cycle cost of [*those assets.*] **the**
30 **current and planned investments. Each state agency shall cooperate**
31 **with the State Chief Information Officer in conducting and maintain-**

1 **ing the inventory.** The [*department*] **State Chief Information Officer**
 2 shall develop and implement state government-wide **rules, policies and**
 3 standards[, *processes and procedures*] for **conducting and maintaining** the
 4 required inventory and for [*the management of*] **managing** the state
 5 government-wide information technology portfolio. State agencies shall par-
 6 ticipate in the **State Chief Information Officer's** information technology
 7 portfolio-based management **program** and shall comply with the **rules, pol-**
 8 **icies and** standards[, *processes and procedures established by the*
 9 *department*] **that the State Chief Information Officer establishes** under
 10 this subsection. The provisions of this subsection do not relieve any state
 11 agency from accountability for equipment, materials, supplies and tangible
 12 and intangible personal property under [*its*] **the state agency's** control.

13 (4) The [*department*] **State Chief Information Officer** shall ensure that
 14 state agencies implement portfolio-based management of information tech-
 15 nology resources in accordance with this section and with rules, **policies**
 16 **and standards** [*adopted by the Director of the Oregon Department of Ad-*
 17 *ministrative Services*] **that the State Chief Information Officer adopts.**

18 (5) This section does not apply to competitive research grants and con-
 19 tracts at public universities **that are** listed in ORS 352.002 **or a public**
 20 **university with a governing board that is listed in ORS 352.054.**

21 (6) In implementing the provisions of this section, the [*department*] **State**
 22 **Chief Information Officer** shall submit state government-wide [*policies*]
 23 **rules** for review to the Joint Legislative Committee on Information Man-
 24 agement and Technology.

25 **SECTION 20.** ORS 184.477, as amended by section 2, chapter 102, Oregon
 26 Laws 2014, is amended to read:

27 184.477. (1) The purpose of enterprise **information resources** manage-
 28 ment is to create a plan and implement a state government-wide approach
 29 for managing distributed information technology assets to minimize total
 30 ownership costs from acquisition through retirement, while realizing maxi-
 31 mum benefits for transacting the state's business and delivering services to

1 the residents of this state.

2 (2) With input and recommendations from state agencies, [*the Oregon*
3 *Department of Administrative Services and*] the State Chief Information Of-
4 ficer each biennium shall [*develop, maintain or update, as appropriate,*] **adopt**
5 an Enterprise Information Resources Management Strategy [*that*] **in ac-**
6 **cordance with ORS 291.039. The Enterprise Information Resources**
7 **Management Strategy must**, among other functions, [*enables the depart-*
8 *ment*] **enable the State Chief Information Officer** to manage **and oversee**
9 distributed information technology assets throughout state government. The
10 Enterprise Information Resources Management Strategy shall prescribe the
11 state government-wide infrastructure and services for managing these assets.
12 The [*department and the*] State Chief Information Officer shall submit the
13 Enterprise Information Resources Management Strategy to the Joint Legis-
14 lative Committee on Information Management and Technology for review.

15 (3) Following review by the Joint Legislative Committee on Information
16 Management and Technology, the [*department and the*] State Chief Informa-
17 tion Officer shall ensure state agency implementation of the Enterprise In-
18 formation Resources Management Strategy, including the development of
19 appropriate [*standards, processes and procedures*] **rules, policies and stan-**
20 **dards along with budget, resource and management plans that are**
21 **necessary to implement the Enterprise Information Resources Man-**
22 **agement Strategy.**

23 (4) State agencies shall participate in managing information technology
24 assets in accordance with the Enterprise Information Resources Management
25 Strategy and shall comply with the **rules, policies and standards**[, *processes*
26 *and procedures*] of the [*department and the*] State Chief Information Officer.

27 (5) This section does not apply to competitive research grants and con-
28 tracts at public universities **that are** listed in ORS 352.002 **or a public**
29 **university with a governing board that is listed in ORS 352.054.**

30 **SECTION 21.** ORS 184.483 is amended to read:

31 184.483. (1) The [*Oregon Department of Administrative Services*] **State**

1 **Chief Information Officer** shall develop and make available an Oregon
2 transparency website. The website [*shall*] **must** allow any person to view
3 information that is a public record and **is** not exempt from disclosure under
4 ORS 192.410 to 192.505, including but not limited to information described in
5 subsection (3) of this section.

6 (2) State agencies and education service districts, to the extent practica-
7 ble and subject to laws relating to confidentiality, when at no additional
8 cost, using existing data and existing resources of the state agency or edu-
9 cation service district and without reallocation of resources, shall:

10 (a) Furnish information to the Oregon transparency website by posting
11 reports and providing links to existing information system applications in
12 accordance with standards [*established by the Oregon Department of Admin-*
13 *istrative Services*] **that the State Chief Information Officer establishes;**
14 and

15 (b) Provide the information in the format and manner [*required by the*
16 *Oregon Department of Administrative Services*] **that the State Chief Infor-**
17 **mation Officer requires.**

18 (3) To the extent practicable and subject to laws relating to
19 confidentiality, when at no additional cost, using existing data and existing
20 resources of the state agency or education service district and without real-
21 location of resources, the Oregon transparency website [*shall*] **must** contain
22 information about each state agency and education service district, including
23 but not limited to:

24 (a) Annual revenues of state agencies and education service districts;

25 (b) Annual expenditures of state agencies and education service districts;

26 (c) Annual human resources expenses, including compensation, of state
27 agencies and education service districts;

28 (d) Annual tax expenditures of state agencies, including, when possible,
29 the identity of the recipients of each tax expenditure;

30 (e) For each state agency, a description of the percentage of expenditures
31 made in this state and the percentage of expenditures made outside this state

1 under all contracts for goods or services [*entered into by*] the state agency
2 **enters into** during each biennium;

3 (f) A prominently placed graphic representation of the primary funding
4 categories and approximate number of individuals [*served by*] **that** the state
5 agency or the education service district **serves**;

6 (g) A description of the mission, function and program categories of the
7 state agency or education service district;

8 [*(h) Information about the state agency from the Oregon Progress Board;*]

9 [*(i)*] **(h)** A copy of any audit report [*issued by*] **that** the Secretary of State
10 **issues** for the state agency or [*of any audit reports issued for*] the education
11 service district;

12 [*(j)*] **(i)** The local service plans of the education service districts;

13 [*(k)*] **(j)** A copy of each report required by statute for education service
14 districts; and

15 [*(L)*] **(k)** A copy of all notices of public meetings of the education service
16 districts.

17 (4) In addition to the information described in subsection (3) of this sec-
18 tion:

19 (a) The [*department*] **State Chief Information Officer** shall post on the
20 Oregon transparency website notices of public meetings [*required to be pro-*
21 *vided by*] the state agency **must provide** under ORS 192.640. If the state
22 agency maintains a website where minutes or summaries of the public
23 meetings are available, the state agency shall provide the [*department*] **State**
24 **Chief Information Officer** with the link to [*that*] **the state agency** website
25 for posting on the Oregon transparency website.

26 (b) The [*department*] **State Chief Information Officer** shall post on the
27 Oregon transparency website a link for the website [*maintained by*] **that** the
28 Secretary of State **maintains** for rules [*adopted by*] **that** the state agency
29 **adopts**. If the state agency maintains a website where the **state agency**
30 **posts the** rules [*of the agency are posted*], or where any information relating
31 to the rules of the agency is posted, the state agency shall provide the [*de-*

1 *partment]* **State Chief Information Officer** with the link to *[that]* **the**
2 website for posting on the Oregon transparency website.

3 (c) The *[department]* **State Chief Information Officer** shall provide links
4 on the Oregon transparency website for information *[received by the depart-*
5 *ment regarding]* **that the State Chief Information Officer receives con-**
6 **cerning** contracts and subcontracts *[entered into by]* **that** a state agency or
7 education service district **enters into**, to the extent *[disclosure of]* that **dis-**
8 **closing the** information is allowed by law and the information is already
9 available on websites *[maintained by]* **that** the state agency or education
10 service district **maintains**. To the extent available, the information *[linked]*
11 to **which the State Chief Information Officer links** under this section
12 must include:

- 13 (A) Information on professional, personal and material contracts;
 - 14 (B) The date of each contract and the amount payable under the contract;
 - 15 (C) The period during which the contract is or was in effect; and
 - 16 (D) The names and addresses of vendors.
- 17 (5) In creating, operating, refining and recommending enhancements to
18 the Oregon transparency website, the *[Oregon Department of Administrative*
19 *Services]* **State Chief Information Officer** and the Transparency Oregon
20 Advisory Commission created in ORS 184.486 shall consider and, to the ex-
21 tent practicable, adhere to the following principles:
- 22 (a) The website must be accessible without cost and be easy to use;
 - 23 (b) Information included on the Oregon transparency website must be
24 presented using plain, easily understandable language; and
 - 25 (c) The website should teach users about how state government and edu-
26 cation service districts work and provide users with the opportunity to learn
27 something about how state government and education service districts raise
28 and spend revenue.
- 29 (6) If a state agency or an education service district is not able to include
30 information described in this section on the Oregon transparency website
31 because of the lack of availability of information or cost in acquiring *[it]*

1 **information**, the Transparency Oregon Advisory Commission created in
2 ORS 184.486 shall list the information that is not included for *[that]* **the**
3 state agency or education service district in the commission's report to the
4 Legislative Assembly required under ORS 184.486.

5 (7) The *[Oregon Department of Administrative Services]* **State Chief In-**
6 **formation Officer** shall include on the Oregon transparency website a page
7 that provides links to websites established by local governments, as defined
8 in ORS 174.116, and by special government bodies, as defined in ORS 174.117,
9 for the purpose of providing transparency in the revenues, expenditures and
10 budgets of the *[public bodies]* **local governments and special government**
11 **bodies**. The *[department]* **State Chief Information Officer** shall include a
12 link to the **local government's or special government body's** website *[of*
13 *the public body upon]* **after** receiving a request from the *[public body]* **local**
14 **government or special government body**, and shall consider recommen-
15 dations from the Transparency Oregon Advisory Commission for *[the inclu-*
16 *sion of]* **including** other links to local **government** and special government
17 body websites. The *[department]* **office of the State Chief Information**
18 **Officer** shall include a prominent link on the home page of the Oregon
19 transparency website for information posted to the page described in this
20 subsection.

21 **SECTION 22.** ORS 184.484 is amended to read:

22 184.484. (1) For each statute *[authorizing]* **that authorizes** a tax expend-
23 iture *[that has]* **with** a purpose connected to economic development and **that**
24 is listed in subsection (2) of this section, the state agency charged with cer-
25 tifying or otherwise administering the tax expenditure shall submit a report
26 to the *[Oregon Department of Administrative Services]* **State Chief Infor-**
27 **mation Officer**. If *[no agency is authorized by]* **a statute does not exist to**
28 **authorize a state agency to certify or otherwise administer the tax**
29 **expenditure**, or if *[the]* **a statute does not provide for certification or ad-**
30 **ministration of the tax expenditure**, the Department of Revenue shall submit
31 the report.

1 (2) This section applies to:

2 (a) ORS 285C.175, 285C.309, 285C.362, 307.123, 307.455, 307.462, 315.141,
3 315.331, 315.336, 315.341, 315.507, 315.514, 315.533, 316.698, 316.778, 317.124,
4 317.391 and 317.394.

5 (b) Grants awarded under ORS 469B.256 in any tax year in which certified
6 renewable energy contributions are received as provided in ORS 315.326.

7 (c) ORS 315.354 except as applicable in ORS 469B.145 (2)(a)(L) or (N).

8 (d) ORS 316.116, if the allowed credit exceeds \$2,000.

9 (3) The following information, if *[it]* **the information** is already available
10 in an existing database *[maintained by]* the **state** agency **maintains**, must
11 be included in the report required under this section:

12 (a) The name of each taxpayer or applicant approved for the allowance
13 of a tax expenditure or a grant award under ORS 469B.256.

14 (b) The address of each taxpayer or applicant.

15 (c) The total amount of credit against tax liability, reduction in taxable
16 income or exemption from property taxation granted to each taxpayer or
17 applicant.

18 (d) Specific outcomes or results required by the tax expenditure program
19 and information about whether the taxpayer or applicant meets those re-
20 quirements. This information *[shall]* **must** be based on data **the state**
21 **agency has** already collected and analyzed *[by the agency]* in the course of
22 administering the tax expenditure. Statistics must be accompanied by a de-
23 scription of the methodology employed in *[their generation]* **the statistics**.

24 (e) An explanation of the **state** agency's certification decision for each
25 taxpayer or applicant, if applicable.

26 (f) Any additional information *[submitted by]* **that** the taxpayer or appli-
27 cant **submits** and **that the state agency relies on in certifying the** *[relied*
28 *upon by the agency in its certification]* determination.

29 (g) Any other information that **state** agency personnel deem valuable as
30 providing context for the information described in this subsection.

31 (4) The information reported under subsection (3) of this section may not

1 include proprietary information or information that is exempt from disclo-
2 sure under ORS 192.410 to 192.505 or 314.835.

3 (5) No later than September 30 of each year, [*agencies*] **a state agency**
4 described in subsection (1) of this section shall submit to the [*Oregon De-*
5 *partment of Administrative Services*] **State Chief Information Officer** the
6 information required under subsection (3) of this section as applicable to
7 applications for allowance of tax expenditures [*approved by*] the **state agency**
8 **approved** during the agency fiscal year ending during the current calendar
9 year. The information [*shall*] **must** then be posted on the Oregon transpar-
10 ency website [*required under*] **described in** ORS 184.483 no later than De-
11 cember 31 of the same year.

12 (6) In addition to the information described in subsection (3) of this sec-
13 tion, the [*Oregon Department of Administrative Services*] **State Chief Infor-**
14 **mation Officer** shall post on the Oregon transparency website copies of all
15 reports that the [*department*] **State Chief Information Officer**, the De-
16 partment of Revenue or the Oregon Business Development Department re-
17 ceives from counties and other local governments relating to properties in
18 enterprise zones that have received tax exemptions under ORS 285C.170,
19 285C.175 or 285C.409, or that are eligible for tax exemptions under ORS
20 285C.309, 315.507 or 317.124 by reason of being in an enterprise zone. The
21 reports [*shall*] **must** be submitted to the [*Oregon Department of Administra-*
22 *tive Services*] **State Chief Information Officer** in a manner and format
23 [*prescribed by the department*] **that the State Chief Information Officer**
24 **prescribes.**

25 (7) The information described in this section that is available on the
26 Oregon transparency website must be accessible in the format and manner
27 required by the [*Oregon Department of Administrative Services*] **State Chief**
28 **Information Officer.**

29 (8) The information described in this section [*shall be furnished*] **must**
30 **be provided** to the Oregon transparency website by posting reports and
31 providing links to existing information systems applications in accordance

1 with standards established by the [*Oregon Department of Administrative*
2 *Services*] **the State Chief Information Officer.**

3 **SECTION 23.** ORS 184.486 is amended to read:

4 184.486. (1) There is created the Transparency Oregon Advisory Commis-
5 sion consisting of nine members appointed as follows:

6 (a) The President of the Senate shall appoint two members from among
7 members of the Senate, one from the majority party and one from the mi-
8 nority party.

9 (b) The Speaker of the House of Representatives shall appoint two mem-
10 bers from among members of the House of Representatives, one from the
11 majority party and one from the minority party.

12 (c) The Governor shall appoint one member from an executive branch
13 agency.

14 (d) The [*Director of the Oregon Department of Administrative Services*]
15 **State Chief Information Officer** shall appoint one member.

16 (e) The Legislative Fiscal Officer shall appoint one member.

17 (f) The President of the Senate and the Speaker of the House of Repre-
18 sentatives shall each appoint one member of the public with experience or
19 interest in public finance, public relations, measurement of performance
20 outcomes or technology.

21 (2) The commission shall advise and make recommendations to the
22 [*Oregon Department of Administrative Services*] **State Chief Information**
23 **Officer** regarding the creation, contents and operation of, and enhancements
24 to, the Oregon transparency website.

25 (3) A majority of the members of the commission constitutes a quorum for
26 [*the transaction of*] **transacting** business.

27 (4) [*Official action by the commission requires the approval of*] A majority
28 of the members of the commission **must approve official action by the**
29 **commission.**

30 (5) The commission shall elect one of [*its*] **the commission's** members to
31 serve as chairperson[. *The chairperson shall be selected*] not later than Oc-

1 tober 1 of each odd-numbered year.

2 (6) If there is a vacancy for any cause, the appointing authority shall
3 make an appointment [*to become*] **that becomes** immediately effective.

4 (7) The commission shall meet at times and places [*specified by the call*
5 *of*] **that** the chairperson or of a majority of the members of the commission
6 **specifies**.

7 (8) The commission may adopt rules necessary [*for the operation of*] **to**
8 **operate** the commission.

9 (9) The commission shall use the services of permanent staff of the Leg-
10 islative Fiscal Office to the greatest extent practicable to staff the commis-
11 sion. The [*Oregon Department of Administrative Services*] **State Chief**
12 **Information Officer** may provide additional assistance.

13 (10) Notwithstanding ORS 171.072, members of the commission who are
14 members of the Legislative Assembly are not entitled to mileage expenses
15 or a per diem and serve as volunteers on the commission.

16 (11) Members of the commission who are not members of the Legislative
17 Assembly are not entitled to compensation or reimbursement for expenses
18 and serve as volunteers on the commission.

19 (12) All agencies of state government, as defined in ORS 174.111, [*are di-*
20 *rected to*] **shall** assist the commission in [*the performance of its*] **performing**
21 **the commission's** duties and, to the extent permitted by laws relating to
22 confidentiality, to furnish such information and advice as the members of the
23 commission consider necessary to perform [*their*] **the members'** duties.

24 (13) The commission shall report to the Legislative Assembly not later
25 than February 15 of each odd-numbered year. The report [*shall*] **must** de-
26 scribe:

27 (a) Enhancements made to the Oregon transparency website during the
28 previous two calendar years;

29 (b) Possible future enhancements to the website, including but not limited
30 to [*the inclusion of*] **including** information [*relating*] **that relates** to:

31 (A) Performance outcomes that measure the success of state agency pro-

1 grams in achieving goals;

2 (B) State agency bond debt;

3 (C) State agency expenses for capital improvements;

4 (D) Numbers and descriptions of jobs created through state agency con-
5 tracts and subcontracts;

6 (E) Lists of businesses and individuals [*receiving*] **that receive** tax cred-
7 its, deductions, refunds, rebates and other subsidies from a state agency;

8 (F) Lists of the names of contractors [*who*] **that** received a contract from
9 a state agency, including the number of contracts and compensation **the**
10 **contractors** received; and

11 (G) Lists [*by contracting state agency*] of the number of contracts **that**
12 **each state agency** entered into during a biennium and the amount of mon-
13 eys **each state agency** spent on the contracts; and

14 (c) The feasibility of including an interactive application where citizens
15 can simulate balancing a biennial budget for the state.

16 (14) The term of office of each member is four years, but a member serves
17 at the pleasure of the appointing authority. Before [*the expiration of the term*
18 *of a member*] **a member's term expires**, the appointing authority shall ap-
19 point a successor whose term begins on January 1 next following. A member
20 is eligible for reappointment. If there is a vacancy for any cause, the ap-
21 pointing authority shall make an appointment [*to become*] **that becomes**
22 immediately effective for the unexpired term.

23 **SECTION 24.** ORS 279A.050 is amended to read:

24 279A.050. (1)(a) Except as otherwise provided in the Public Contracting
25 Code, a contracting agency shall exercise all **of the contracting agency's**
26 procurement authority in accordance with the provisions of the Public Con-
27 tracting Code.

28 (b) [*When*] **If** a contracting agency has authority under this section to
29 carry out functions described in this section, or has authority to make pro-
30 curements under a provision of law other than the Public Contracting Code,
31 the contracting agency [*is*] **need** not [*required to*] exercise that authority in

1 accordance with the provisions of the code if, under ORS 279A.025, the code
2 does not apply to the contract or [*contracting*] authority.

3 (2)(a) Except as otherwise provided in **paragraph (b) of this subsection**
4 **and** the Public Contracting Code, for state agencies the Director of the
5 Oregon Department of Administrative Services has all the authority **avail-**
6 **able** to carry out the provisions of the Public Contracting Code.

7 (b) **Except as otherwise provided in the Public Contracting Code, for**
8 **state agencies the State Chief Information Officer has all the author-**
9 **ity available to procure or supervise the procurement of all goods,**
10 **services and personal services related to information technology and**
11 **telecommunications for state contracting agencies. This paragraph**
12 **does not apply to contracts under which the contractor delivers to the**
13 **state agency information technology products or services incidentally**
14 **in performing a personal services contract described in ORS chapter**
15 **279C or a construction contract described in ORS chapter 279C.**

16 (3) Except as otherwise provided in the Public Contracting Code, the Di-
17 rector of Transportation has all the authority **available** to:

18 (a) Procure or supervise the procurement of all services and personal
19 services to construct, acquire, plan, design, maintain and operate passenger
20 terminal facilities and motor vehicle parking facilities in connection with
21 any public transportation system, in accordance with ORS 184.689 (5);

22 (b) Procure or supervise the procurement of all goods, services, public
23 improvements and personal services [*relating to the operation, maintenance*
24 *or construction of*] **that are related to operating, maintaining or con-**
25 **structing** highways, bridges and other transportation facilities that are
26 subject to the authority of the Department of Transportation; and

27 (c) Establish standards for, prescribe forms for and conduct the prequali-
28 fication of prospective bidders on public improvement contracts **that are**
29 related to [*the operation, maintenance or construction of*] **operating, main-**
30 **taining or constructing** highways, bridges and other transportation facili-
31 ties that are subject to the authority of the Department of Transportation.

1 (4) Except as otherwise provided in the Public Contracting Code, the
 2 Secretary of State has all the authority **available** to procure or supervise the
 3 procurement of goods, services and personal services related to programs
 4 under the authority of the Secretary of State.

5 (5) Except as otherwise provided in the Public Contracting Code, the
 6 State Treasurer has all the authority **available** to procure or supervise the
 7 procurement of goods, services and personal services **that are** related to
 8 programs under the authority of the State Treasurer.

9 (6) The state agencies listed in this subsection have all the authority
 10 **available, in accordance with the Public Contracting Code**, to [*do the*
 11 *following in accordance with the Public Contracting Code*] **procure or su-**
 12 **pervise the procurement of the goods, services, personal services,**
 13 **construction materials, equipment or supplies specified in each of the**
 14 **following paragraphs:**

15 (a) The Department of Human Services [*to procure or supervise the pro-*
 16 *curement of goods, services and personal services*] under ORS 179.040 for the
 17 department's institutions and [*the procurement of goods, services and personal*
 18 *services for the construction, demolition, exchange, maintenance, operation*] **for**
 19 **constructing, demolishing, exchanging, maintaining, operating** and
 20 equipping [*of*] housing for the purpose of providing care to individuals with
 21 intellectual disabilities or other developmental disabilities, subject to appli-
 22 cable provisions of ORS 427.335;

23 (b) The Oregon Health Authority [*to procure or supervise the procurement*
 24 *of*] **for** goods, services and personal services under ORS 179.040, [*and*] **for**
 25 construction materials, equipment and supplies for the authority's insti-
 26 tutions and **for** [*the procurement of*] goods, services, personal services, con-
 27 struction materials, equipment and supplies for [*the construction, demolition,*
 28 *exchange, maintenance, operation*] **constructing, demolishing, exchanging,**
 29 **maintaining, operating** and equipping [*of*] housing for [*persons*] **individ-**
 30 **uals** with chronic mental illness, subject to applicable provisions of ORS
 31 426.504;

1 (c) The State Department of Fish and Wildlife [*to procure or supervise the*
2 *procurement of*] **for** construction materials, equipment, supplies, services and
3 personal services for public improvements, public works or ordinary con-
4 struction described in ORS 279C.320 that is subject to the authority of the
5 State Department of Fish and Wildlife;

6 (d) The State Parks and Recreation Department [*to procure or supervise*
7 *the procurement of*] **for** all goods, services, public improvements and personal
8 services [*relating*] **related** to state parks;

9 (e) The Oregon Department of Aviation [*to procure or supervise the pro-*
10 *curement of*] **for** construction materials, equipment, supplies, services and
11 personal services for public improvements, public works or ordinary con-
12 struction described in ORS 279C.320 that is subject to the authority of the
13 Oregon Department of Aviation;

14 (f) The Oregon Business Development Department [*to procure or supervise*
15 *the procurement of*] **for** all goods, services, personal services and public im-
16 provements related to [*its*] **the Oregon Business Development**
17 **Department's** foreign trade offices operating outside the state;

18 (g) The Housing and Community Services Department [*to procure or su-*
19 *perwise the procurement of*] **for** goods, services and personal services as pro-
20 vided in ORS 279A.025 (2)(n);

21 (h) The Department of Corrections [*to procure or supervise the procurement*
22 *of*] **for** construction materials, equipment, supplies, services and personal
23 services for public improvements, public works or ordinary construction de-
24 scribed in ORS 279C.320 that is subject to the authority of the Department
25 of Corrections;

26 (i) The Department of Corrections, subject to any applicable provisions
27 of ORS 279A.120, 279A.125, 279A.145 and 283.110 to 283.395, [*to procure or*
28 *supervise the procurement of*] **for** goods, services and personal services under
29 ORS 179.040 for [*its*] **Department of Corrections** institutions;

30 (j) The Department of Veterans' Affairs [*to procure or supervise the pro-*
31 *curement of*] **for** real estate broker and principal real estate broker services

1 related to programs under the department's authority;

2 (k) The Oregon Military Department [*to procure or supervise the procure-*
3 *ment of*] **for** construction materials, equipment, supplies, services and per-
4 sonal services for public improvements, public works or ordinary
5 construction described in ORS 279C.320 that is subject to the authority of
6 the Oregon Military Department;

7 (L) The Department of Education, subject to any applicable provisions of
8 ORS 329.075, 329.085 and 329.485 and the federal No Child Left Behind Act
9 of 2001 (P.L. 107-110, 115 Stat. 1425), [*to procure or supervise the procurement*
10 *of*] **for** goods, services, personal services and information technology
11 [*relating*] **related** to student assessment; and

12 (m) Any state agency [*to conduct a procurement when the agency is spe-*
13 *cifically authorized by*] **for goods, services, personal services, con-**
14 **struction materials, equipment or supplies if** any provision of law other
15 than the Public Contracting Code **specifically authorizes the state agency**
16 to enter into a contract.

17 (7) Notwithstanding this section and ORS 279A.140 (1), the Director of the
18 Oregon Department of Administrative Services has exclusive authority, un-
19 less the director delegates [*this*] **the** authority, to procure or supervise the
20 procurement of all price agreements on behalf of the state agencies identified
21 in subsection (6) [(6)(a) to (k)] of this section under which more than one
22 state agency may order goods, services or personal services [*and, except for*
23 *contracts procured by the Oregon Health Authority, all state agency informa-*
24 *tion technology contracts. This subsection does not apply to contracts under*
25 *which the contractor delivers to the state agency information technology pro-*
26 *ducts or services incidental to the performance of personal services contracts*
27 *described in ORS chapter 279C or construction contracts described in ORS*
28 *chapter 279C*]. **The State Chief Information Officer has exclusive au-**
29 **thority, unless the State Chief Information Officer delegates the au-**
30 **thority, to procure or supervise the procurement of all price**
31 **agreements related to information technology and telecommunications**

1 **on behalf of the state agencies identified in subsection (6) of this sec-**
2 **tion. Notwithstanding any authority that** a state agency [*identified in*]
3 **may have under** subsection (3) or (6) [(6)(a) to (k)] of this section, **the state**
4 **agency** may not establish a price agreement or enter into a contract for
5 goods, services, personal services, construction materials, equipment or sup-
6 plies without the approval of the director **or the State Chief Information**
7 **Officer** if the director **or the State Chief Information Officer** has estab-
8 lished a price agreement for the goods, services, [*or*] personal services,
9 **construction materials, equipment or supplies.**

10 **SECTION 25.** ORS 279A.075 is amended to read:

11 279A.075. (1) Unless otherwise provided in the Public Contracting Code,
12 **a person or agency that has an authority under the code may delegate**
13 **and subdelegate** the exercise of [*all authorities in the code may be delegated*
14 *and subdelegated*] **the authority** in whole or in part. Notwithstanding dele-
15 gations of authority under this section, **the code and rules adopted under**
16 **the code govern** a person's or agency's exercise of the delegated authority
17 [*is governed by the code and rules adopted under the code*].

18 (2) The Secretary of State, State Treasurer, Director of the Oregon De-
19 partment of Administrative Services, **State Chief Information Officer** and
20 Director of Transportation and other heads of state agencies with specific
21 limited authority identified in ORS 279A.050 (6) may delegate [*their*] author-
22 ity to contract for and manage public contracts for their offices or agencies.

23 **SECTION 26.** ORS 279B.075 is amended to read:

24 279B.075. (1) A contracting agency may award a contract for goods or
25 services without competition when the Director of the Oregon Department
26 of Administrative Services, the local contract review board or a state con-
27 tracting agency, if it has procurement authority under ORS 279A.050, **the**
28 **State Chief Information Officer, with respect to goods or services de-**
29 **scribed in subsection (2)(b) of this section,** or a person designated in
30 writing by the director, board or state contracting agency with procurement
31 authority under ORS 279A.050, determines in writing, in accordance with

1 rules adopted under ORS 279A.065, that the goods or services, or class of
2 goods or services, are available from only one source.

3 (2) The determination of a sole source must be based on written findings
4 that may include:

5 (a) That the efficient utilization of existing goods requires [*the acquisition*
6 *of*] **acquiring** compatible goods or services;

7 (b) That the goods or services required [*for the*] **to** exchange [*of*] software
8 or data with other public or private agencies are available from only one
9 source;

10 (c) That the goods or services are for use in a pilot or an experimental
11 project; or

12 (d) Other findings that support the conclusion that the goods or services
13 are available from only one source.

14 (3) To the extent reasonably practical, the contracting agency shall ne-
15 gotiate with the sole source to obtain contract terms **that are** advantageous
16 to the contracting agency.

17 **SECTION 27.** ORS 283.100 is amended to read:

18 283.100. The Oregon Department of Administrative Services shall provide
19 general government administrative functions [*to*] **for** state agencies. [*The cost*
20 *of these services, or portions thereof, as determined by the department shall*
21 *be allocated to state agencies as determined by the department and paid to the*
22 *department in the same manner as other claims against the agency are paid.*]

23 **The State Chief Information Officer shall provide information tech-**
24 **nology and telecommunications functions for state agencies. The de-**
25 **partment or the State Chief Information Officer shall allocate the**
26 **costs that the department or the State Chief Information Officer de-**
27 **termines for the services or a portion of the services, to state agencies,**
28 **which shall pay the costs to the department or the State Chief Infor-**
29 **mation Officer, as appropriate, in the same manner as the state**
30 **agency pays other claims.**

31 **SECTION 28.** ORS 283.120 is amended to read:

1 283.120. Subject to rules [*prescribed by*] **that** the Oregon Department of
 2 Administrative Services **prescribes, or that the State Chief Information**
 3 **Officer prescribes for information technology and**
 4 **telecommunications**, any state agency may establish a service unit within
 5 the agency to furnish to other units of [*such*] **the** agency the services, facil-
 6 ities and materials that the **agency establishes the** service unit [*is estab-*
 7 *lished*] to provide. The **state agency shall charge the service unit's**
 8 expenses [*of the service unit shall be charged*] to the units served and, except
 9 as provided in ORS 283.076 (3), the amounts [*so charged*] **the state agency**
 10 **charges must** [*shall*] be credited to the miscellaneous receipts account es-
 11 tablished pursuant to ORS 279A.290. [*and*] **The moneys in the account are**
 12 hereby [*are*] appropriated continuously for expenditure by the state agency
 13 subject to the allotment system provided by ORS 291.234 to 291.260.

14 **SECTION 29.** ORS 283.140 is amended to read:

15 283.140. (1) The [*Oregon Department of Administrative Services*] **State**
 16 **Chief Information Officer** shall exercise budgetary management, super-
 17 vision and control over all telephone and telecommunications service for all
 18 state agencies. The [*department*] **Oregon Department of Administrative**
 19 **Services** may operate central mail, shuttle bus or messenger services for
 20 **state** agencies located in Salem, Portland or other cities, [*where it would be*
 21 *economical so to do. The*] **if doing so is economical. The State Chief In-**
 22 **formation Officer shall charge the** cost of maintaining and operating any
 23 central telephone exchange, switching system, network service and facility,
 24 intercity or intracity network trunk or line or switchboard[, *or*] **to the state**
 25 **agencies that the State Chief Information Officer serves and the de-**
 26 **partment shall charge** the cost of **providing** mail, shuttle bus and mes-
 27 senger services[, *shall be charged to the various agencies served and paid to*
 28 *the department*] **to the state agencies that the department serves. The**
 29 **state agencies shall pay the costs to the State Chief Information Offi-**
 30 **cer or the department, as appropriate, in the same manner** [*as other*
 31 *claims against the agencies are paid*] **in which the state agencies pay other**

1 **claims.**

2 (2) If the department operates central mail service, *[it]* **the department**
3 shall:

4 (a) Approve or disapprove all state agency mail equipment or mail service
5 acquisitions.

6 (b) Report biennially to the Director of the Oregon Department of Ad-
7 ministrative Services on opportunities for savings through state agency mail
8 room centralization, consolidation and automation and through mail route
9 coordination.

10 *[(3)]* (c) *[The department shall]* Adopt rules *[pursuant to]* **under** which
11 persons associated with government either temporarily or otherwise, includ-
12 ing but not limited to unsalaried volunteers, part-time employees, contractors
13 with the state and employees of contractors, political subdivisions and the
14 federal government may use shuttle bus services.

15 *[(4)]* (3) *[For the purposes of]* **As used in** this section, “telecommuni-
16 cations” means media that communicate voice, data, text, images or video
17 over a distance using electrical, electronic or light wave transmission media.

18 **SECTION 30.** ORS 283.143 is amended to read:

19 283.143. (1) To encourage utilization of statewide integrated
20 videoconferencing and statewide online access services, the *[Oregon Depart-*
21 *ment of Administrative Services]* **State Chief Information Officer** shall, in
22 addition to any other charge or assessment for providing telecommunications
23 services to state agencies, impose upon each **state** agency and public corpo-
24 ration a surcharge, in an amount *[established by the department]* **the State**
25 **Chief Information Officer establishes. The State Chief Information**
26 **Officer shall deposit** all surcharge moneys *[collected shall be deposited in*
27 *the Oregon Department of Administrative Services Operating Fund, and may*
28 *be expended]* **into the State Information Technology Operating Fund**
29 **established in section 8 of this 2015 Act. The State Chief Information**
30 **Officer may expend moneys in the fund** only for state agency and public
31 corporation telecommunication and videoconferencing activities, under such

1 terms and conditions as the [*department*] **State Chief Information Officer**
2 may prescribe.

3 (2) Notwithstanding subsection (1) of this section, the [*Oregon Department*
4 *of Administrative Services shall*] **State Chief Information Officer** may not
5 impose the surcharge established by this section on the Oregon University
6 System or the Oregon Health and Science University. The [*Oregon Depart-*
7 *ment of Administrative Services*] **State Chief Information Officer** shall en-
8 ter into an agreement with the Oregon University System and the Oregon
9 Health and Science University on the amounts [*to be paid by*] **that** the
10 Oregon University System and the Oregon Health and Science University
11 **must pay to the State Chief Information Officer** [*to the Oregon Depart-*
12 *ment of Administrative Services*] in lieu of the surcharge provided for in this
13 section.

14 **SECTION 31.** ORS 283.505 is amended to read:

15 283.505. (1) The [*Oregon Department of Administrative Services*] **State**
16 **Chief Information Officer** shall coordinate the consolidation and operation
17 of all telecommunications systems, **including emergency telecommuni-**
18 **cations systems, that the state and state agencies use.** [*used by the state*
19 *and state agencies.*] Notwithstanding any other provision of law, [*no*] **an**
20 agent or agency of the state [*shall*] **may not** construct, purchase or other-
21 wise gain access to a telecommunications system without the prior approval
22 of the [*department*] **State Chief Information Officer.**

23 (2) [*The department shall coordinate the consolidation and operation of*
24 *emergency telecommunications systems used by the state and state agencies.*
25 *The provisions of this section shall not be construed to require consolidation*
26 *of*] **The provisions of this section do not require emergency service**
27 **providers, as defined by the State Chief Information Officer, to con-**
28 **solidate** telecommunications systems [*used by*] **that** emergency service pro-
29 viders **use**, [*as defined by the department,*] into nonemergency networks.

30 **SECTION 32.** ORS 283.510 is amended to read:

31 283.510. (1) As used in this section:

1 (a) “Advanced digital communications” means equipment, facilities and
 2 capability to distribute digital communications signals for *[the transmission*
 3 *of]* **transmitting** voice, data, image and video over distance.

4 (b) “Telecommunications provider” means any person **that is** capable of
 5 providing advanced digital communications including, but not limited to, a
 6 telecommunications utility as defined in ORS 759.005, a competitive tele-
 7 communications provider as defined in ORS 759.005, a cable television pro-
 8 vider or an interstate telecommunications provider.

9 (2) Notwithstanding ORS chapters 279A, 279B and 279C, the *[Oregon De-*
 10 *partment of Administrative Services]* **State Chief Information Officer** by
 11 contract shall acquire advanced digital communications services from tele-
 12 communications providers or a consortium of *[such]* **telecommunications**
 13 **providers in a manner that is consistent with the State Chief Infor-**
 14 **mation Officer’s rules, polices and standards.** Contracts under this sec-
 15 tion *[shall]* **must** provide that all responsibility for *[construction,*
 16 *installation, operation and maintenance of]* **constructing, installing, oper-**
 17 **ating and maintaining** the network *[shall remain]* **remains** with the con-
 18 tracting provider.

19 (3) *[Upon installation of]* **After a telecommunications provider has**
 20 **installed** an advanced digital communications network, the *[Oregon Depart-*
 21 *ment of Administrative Services]* **State Chief Information Officer** shall
 22 provide all telecommunications services and operations for the state and
 23 *[its]* **state** agencies. The *[department]* **State Chief Information Officer**
 24 *[shall]* **may** not approve the procurement of any telecommunications system
 25 or equipment that is incompatible with the network.

26 **SECTION 33.** ORS 283.515 is amended to read:

27 283.515. The *[Oregon Department of Administrative Services]* **State Chief**
 28 **Information Officer** annually shall review **each state agency’s budget**, in
 29 conjunction with *[each]* **the** state agency, *[the budget of that agency]* to
 30 identify *[agency funds to be used for]* **funds that the state agency uses for**
 31 travel and transportation that *[may be used]* **the state agency could in-**

1 **stead use** for telecommunications. If the [*department*] **State Chief Infor-**
 2 **mation Officer** determines that a **state agency could use a** portion of the
 3 **state agency's** [*agency*] travel and transportation funds [*can be used*] more
 4 effectively [*through use of*] **by instead using** telecommunications, without
 5 diminishing the affected agency's existing internal and external communi-
 6 cations, the [*department*] **State Chief Information Officer** shall [*make rec-*
 7 *ommendations*] **recommend** to the Emergency Board as described in ORS
 8 291.326 [*for such action as the department*] **action that the State Chief In-**
 9 **formation Officer** determines **is** necessary to dedicate the identified **state**
 10 **agency travel and transportation funds for use in telecommunications.** The
 11 [*department*] **State Chief Information Officer** shall make [*its*] **the** recom-
 12 mendations to the Emergency Board not later than January 1.

13 **SECTION 34.** ORS 283.520 is amended to read:

14 283.520. (1) For the purposes of ORS 283.500 to 283.520, the [*Oregon De-*
 15 *partment of Administrative Services may*] **State Chief Information Officer**
 16 **may, in a manner that is consistent with the State Chief Information**
 17 **Officer's rules, policies and standards,** enter into a contract or contracts
 18 with telecommunications service providers and equipment manufacturers for
 19 [*the purchase, use or operation of*] **purchasing, using or operating** tele-
 20 communications equipment and services for a period not to exceed 10 years.

21 (2) For purposes of ORS 291.038, the [*Oregon Department of Administrative*
 22 *Services*] **State Chief Information Officer** may extend the benefits of tele-
 23 communications contracts for networks, equipment and services to nonprofit
 24 organizations that [*have been designated*] **the State Chief Information Of-**
 25 **ficer designates** as communities of interest **under ORS 291.038.**

26 **SECTION 35.** ORS 283.524 is amended to read:

27 283.524. The [*Oregon Department of Administrative Services may*] **State**
 28 **Chief Information Officer may, in a manner that is consistent with the**
 29 **State Chief Information Officer's rules, policies and standards,** enter
 30 into an agreement or agreements to fund or otherwise acquire telecommuni-
 31 cations equipment and services by installment purchase or lease purchase

1 contracts as provided by ORS 276.218.

2 **SECTION 36.** Section 1, chapter 782, Oregon Laws 2009, is amended to
3 read:

4 **Sec. 1.** (1) The Oregon Broadband Advisory Council is established [*within*
5 *the Oregon Business Development Department*] **under the State Chief In-**
6 **formation Officer.** The council [*shall consist*] **consists** of 14 members, of
7 whom:

8 (a) The Governor shall appoint 12 members as follows:

9 (A) One member to represent the counties of this state.

10 (B) One member to represent the cities of this state.

11 (C) Three members to represent telecommunications service providers and
12 Internet service providers in this state. At least one member must represent
13 rural telecommunications consortia.

14 (D) One member to represent Oregon tribes.

15 (E) One member to represent education.

16 (F) One member to represent economic development.

17 (G) One member to represent public safety.

18 (H) One member to represent health.

19 (I) One member to represent [*government's electronic interface with the*
20 *public*] **the State Chief Information Officer.**

21 (J) One member from the Public Utility Commission.

22 (b) The Speaker of the House of Representatives shall appoint one non-
23 voting member who is a member of the House of Representatives.

24 (c) The President of the Senate shall appoint one nonvoting member who
25 is a member of the Senate.

26 (2) The term of office of each voting member is four years, but a voting
27 member serves at the pleasure of the Governor. Before [*the expiration of*] the
28 term of a voting member **expires**, the Governor shall appoint a successor
29 whose term begins on January 1 next following. A voting member is eligible
30 for reappointment. If there is a vacancy for any cause, the Governor shall
31 make an appointment [*to become*] **that becomes** immediately effective for the

1 unexpired term.

2 (3) The nonvoting legislative members shall serve two-year terms and are
3 eligible for reappointment.

4 (4) Members of the council who are not members of the Legislative As-
5 sembly are not entitled to compensation, but voting members may be paid
6 expenses if funding is available from contributions [*accepted*] **the State**
7 **Chief Information Officer accepts** under section 3 (2), chapter 782, Oregon
8 Laws 2009.

9 (5) Members of the council who are members of the Legislative Assembly
10 are entitled to compensation and expense reimbursement as provided in ORS
11 171.072.

12 (6) The council shall select one of [*its*] **the council's** voting members as
13 chairperson and another voting member as vice chairperson, for such terms
14 and with duties and powers necessary for [*the performance of*] **performing**
15 the functions of [*such*] **the** offices as the council determines.

16 (7) A majority of the voting members of the council constitutes a quorum
17 for [*the transaction of*] **transacting** business.

18 (8) The council shall meet at least once every three months at a place,
19 day and hour determined by the council. The council may also meet at other
20 times and places specified by the call of the chairperson or of a majority of
21 the members of the council.

22 (9) [*Official action by the council requires the approval of*] A majority of
23 the voting members **of the council must approve official action by the**
24 **council**. The council may recommend legislation, which must be prepared in
25 time for pre-session filing by December 15 of the year preceding an odd-
26 numbered year regular session of the Legislative Assembly.

27 (10) The [*Oregon Business Development Department*] **State Chief Infor-**
28 **mation Officer** shall provide staff or facilities to the council.

29 (11) The [*Oregon Department of Administrative Services, the*] Public Util-
30 ity Commission and the Department of Education may provide staff or fa-
31 cilities to the council.

1 (12) All agencies of state government, as defined in ORS 174.111, [*are di-*
2 *rected to*] **shall** assist the council in the performance of [*its*] **the council's**
3 duties and, to the extent permitted by laws relating to confidentiality, to
4 furnish such information and advice as the members of the council consider
5 necessary to perform [*their*] **the members'** duties.

6 **SECTION 37.** Section 3, chapter 782, Oregon Laws 2009, is amended to
7 read:

8 **Sec. 3.** (1) The Oregon Broadband Advisory Council Fund is established,
9 separate and distinct from the General Fund. Interest earned by the Oregon
10 Broadband Advisory Council Fund [*shall*] **must** be credited to the fund.
11 Moneys in the Oregon Broadband Advisory Council Fund are continuously
12 appropriated to the [*Oregon Business Development Department*] **State Chief**
13 **Information Officer** for the purposes of carrying out the duties of the
14 Oregon Broadband Advisory Council.

15 (2) The [*department*] **State Chief Information Officer**, on behalf of the
16 council, may accept contributions of funds and assistance from the United
17 States Government or agencies of the United States Government or from any
18 other source, public or private, and agree to conditions [*not inconsistent*]
19 **that are consistent** with the purposes of the council. **The State Chief In-**
20 **formation Officer shall accept the funds** [*All such funds are*] to aid in
21 financing the functions of the council and [*must be deposited*] **shall deposit**
22 **the funds** in the Oregon Broadband Advisory Council Fund to the credit of
23 separate accounts for the council to disburse for the purposes for which the
24 funds were contributed.

25 (3) The council shall encourage:

26 (a) Coordination between existing organizations and sectors that can
27 leverage broadband to [*their*] **the organizations' or sectors'** advantage;

28 (b) State agencies to utilize broadband telecommunications;

29 (c) The development and support of digital inclusion and education pro-
30 grams to encourage broadband adoption and provide citizens with insti-
31 tutions to teach digital skills necessary for success in the workplace;

1 (d) Efforts to provide cost-effective quality workforce development train-
2 ing using telecommunications infrastructure and facilities to access distance
3 learning opportunities;

4 (e) Schools, education service districts and local education agencies in
5 unserved areas to promote broadband access for the surrounding community;

6 (f) Public and private entities to seek opportunities for partnership with
7 educational institutions that will stimulate the use of broadband technolo-
8 gies through community projects and public education;

9 (g) The use of broadband communications technologies for telehealth and
10 telemedicine; and

11 (h) Public and private organizations to work together in partnership to
12 promote the use of telecommunications infrastructure and new technology.

13 **SECTION 38.** Section 4, chapter 782, Oregon Laws 2009, is amended to
14 read:

15 **Sec. 4.** The Oregon Broadband Advisory Council shall submit a report
16 by November 1 of each even-numbered year to [*an appropriate interim com-*
17 *mittee of the Legislative Assembly*] **the Joint Legislative Committee on**
18 **Information Management and Technology** on the following subjects:

19 (1) The affordability and accessibility of broadband technology in all
20 areas of this state; and

21 (2) The extent of broadband technology use in this state in the telehealth
22 industry, energy management, education and government.

23 **SECTION 39.** Section 5, chapter 782, Oregon Laws 2009, as amended by
24 section 5, chapter 87, Oregon Laws 2014, is amended to read:

25 **Sec. 5.** [(1) Sections 1 to 4, chapter 782, Oregon Laws 2009, are repealed
26 on January 2, 2016.]

27 [(2)] The amendments to ORS 403.450 by section 4, **chapter 87, Oregon**
28 **Laws 2014**, [*of this 2014 Act*] become operative on January 2, 2016.

29 **SECTION 40.** ORS 291.016 is amended to read:

30 291.016. The Oregon Department of Administrative Services, **or the State**
31 **Chief Information Officer for purposes related to information and**

1 **telecommunications technology**, may make or cause to be made adminis-
2 trative and organizational surveys of the state agencies for the purpose of
3 determining the feasibility of improving the administration of the state gov-
4 ernment by [*the elimination of*] **eliminating** unnecessary positions and ac-
5 tivities, [*the improvement of*] **improving** internal operating forms, [*the*
6 *avoidance of*] **avoiding** duplication, and increasing efficiency and economical
7 operation.

8 **SECTION 41.** ORS 291.018 is amended to read:

9 291.018. The Oregon Department of Administrative Services, **or the State**
10 **Chief Information Officer for purposes related to information and**
11 **telecommunications technology**, shall conduct research for use in admin-
12 istrative planning, policy review and organization and methods improvement.
13 Periodic administrative reports to the department, **the State Chief Infor-**
14 **mation Officer** and the Governor[,] **that are** designed to outline factually
15 the quantitative and qualitative aspects of work performance by operating
16 units[,] may be required of state agencies. The department **and the State**
17 **Chief Information Officer** may require [*submission of such*] **state agencies**
18 **to submit** information in reports [*as*] **that** will permit sound analysis and
19 will provide the basis for detecting administrative weaknesses, correcting
20 performance difficulties and permitting better planning and management of
21 state services.

22 **SECTION 42.** ORS 291.032 is amended to read:

23 291.032. The Oregon Department of Administrative Services, **or the State**
24 **Chief Information Officer for purposes related to information and**
25 **telecommunications technology**, may provide technical services to state
26 agencies for management improvement development and the development of
27 economies in the organization and administration of state agencies. The
28 technical services may include consulting studies in work simplification,
29 work measurement, equipment utilization and other management improve-
30 ment concepts. The **department or the State Chief Information Officer**
31 **shall determine and charge the** cost of the technical services, or portions

1 *[thereof, as determined by the department, shall be charged]* **of the technical**
2 **services,** to the **state** agency served *[and paid]*. **The state agency shall**
3 **pay the cost** to the department **or the State Chief Information Officer,**
4 **as appropriate,** in the same manner *[as]* **that the state agency pays** other
5 claims against the **state** agency *[are paid]*.

6 **SECTION 43.** ORS 291.034 is amended to read:

7 291.034. The *[Oregon Department of Administrative Services]* **State Chief**
8 **Information Officer** may provide technical services to state agencies for
9 data processing systems development and *[the development of]* **developing**
10 data processing methods and applications. The technical services may include
11 consulting and programming services and assistance in locating electronic
12 data processing installations. The **State Chief Information Officer shall**
13 **determine and charge the** cost of the technical services, or portions
14 *[thereof, as determined by the department, shall be charged]* **of the technical**
15 **services,** to the **state** agency served *[and paid to the department]*. **The state**
16 **agency shall pay the cost to the State Chief Information Officer** in the
17 same manner *[as]* **that the state agency pays** other claims against the
18 **state** agency *[are paid]*.

19 **SECTION 44.** ORS 291.038, as amended by section 4, chapter 102, Oregon
20 Laws 2014, is amended to read:

21 291.038. (1) The State Chief Information Officer shall oversee *[policy for]*
22 and coordinate **the** planning, **budgeting,** architecture and standardization,
23 **consolidation, acquisition and oversight** of all information and telecom-
24 munications technology by state government and agencies of state govern-
25 ment so that statewide and individual state agencies' plans and activities are
26 addressed in the most integrated, economic and efficient manner, in a manner
27 that minimizes duplication, fragmentation, redundancy and cost in state
28 *[agency]* **government** operations and in a manner that most effectively meets
29 state **government and state** agency program needs.

30 (2) To facilitate accomplishment of the purpose set forth in subsection (1)
31 of this section, the State Chief Information Officer shall:

1 (a) Adopt rules, policies and standards to plan for, develop architecture
2 for and standardize the state's information resources and technologies. In
3 developing rules, policies and standards, the State Chief Information Officer
4 shall consult with state agencies that have needs that information resources
5 may satisfy. State agencies shall cooperate with the State Chief Information
6 Officer in preparing and complying with rules, policies and standards **that**
7 **the State Chief Information Officer adopts.**

8 (b) Formulate rules, policies and standards to promote electronic commu-
9 nication and information sharing among state agencies and programs, be-
10 tween state and local governments and with the public where appropriate.

11 [(c) *Seek to minimize duplicative or redundant advisory boards by recom-*
12 *mending streamlined governance structures for information technology projects*
13 *that involve more than one state agency, board or commission.*]

14 (c) **Adopt and maintain an information technology governance**
15 **program for the executive branch.**

16 [(3)] (d) [*The State Chief Information Officer shall*] Formulate rules, poli-
17 cies, plans, standards and specifications to ensure that information resources
18 and technologies fit together in a statewide system capable of providing
19 ready access to information, [*computing*] **information technology** or tele-
20 communication resources. Plans and specifications that the State Chief In-
21 formation Officer adopts must be based on industry standards for open
22 systems to the greatest extent possible.

23 (3) Before adopting rules described in subsection (2) of this section, the
24 State Chief Information Officer shall present the proposed rules to the Joint
25 Legislative Committee on Information Management and Technology.

26 (4) The State Chief Information Officer has the responsibility to review,
27 oversee and ensure that state agencies' rules and planning, acquisition and
28 implementation activities **related to information technology and tele-**
29 **communications** align with and support the [*statewide information resources*
30 *management plan*] **Enterprise Information Resources Management**
31 **Strategy. State agencies shall cooperate with the State Chief Infor-**

1 **mation Officer to ensure that the state agencies' rules and planning,**
2 **acquisition and implementation activities align with and support the**
3 **Enterprise Information Resources Management Strategy. If the State**
4 **Chief Information Officer delegates authority under ORS 279A.075 to**
5 **procure information technology,** the Oregon Department of Administra-
6 tive Services [*is responsible for procuring*] **and a state contracting agency,**
7 **as defined in ORS 279A.010, shall procure** information technology fairly,
8 competitively and in a manner that is consistent with the State Chief Infor-
9 mation Officer's rules, **policies and standards.**

10 [(4)(a)] **(5)(a)** The policy of the State of Oregon is that state government
11 telecommunications networks should be designed to provide state-of-the-art
12 services where economically and technically feasible, using shared, rather
13 than dedicated, lines and facilities.

14 (b) The [*department*] **State Chief Information Officer** shall, when pro-
15 curing telecommunications network services, consider [*achieving the eco-*
16 *nomie development and quality of life outcomes set forth in the Oregon*
17 *benchmarks*] **the goals and objectives outlined within the Enterprise**
18 **Information Resources Management Strategy and the policy, acquisi-**
19 **tion, coordination and consolidation objectives for information tech-**
20 **nology that are specified in ORS 283.500 to 283.520 and 283.524.**

21 [(5)(a)] **(6)(a)** The [*department*] **State Chief Information Officer,** upon
22 request, may furnish and deliver statewide integrated videoconferencing and
23 statewide online access service to a public or private entity that primarily
24 conducts activities for the direct good or benefit of the public or community
25 at large in providing educational, economic development, health care, human
26 services, public safety, library or other public services. The [*department*]
27 **State Chief Information Officer** shall adopt rules with respect to furnish-
28 ing the service.

29 (b) The [*department*] **State Chief Information Officer** shall establish
30 statewide integrated videoconferencing and statewide online access user fees,
31 services, delivery, rates and long range plans. The rates must reflect the

1 [*department's*] **State Chief Information Officer's** cost in providing the
2 service.

3 (c) The [*department*] **State Chief Information Officer** by rule shall re-
4 strict the [*department's furnishing or delivery of*] Internet access service **that**
5 **the State Chief Information Officer furnishes or delivers** to private en-
6 tities if the service would directly compete with two or more local estab-
7 lished providers of Internet access services within the local exchange
8 telecommunications service area.

9 (d) The rates and services established and provided under this section are
10 not subject to the Public Utility Commission's regulation or authority.

11 [(6)] **(7)** An organization or organizations recognized as tax exempt under
12 section 501(c)(3) of the Internal Revenue Code that primarily conduct activ-
13 ities for the direct good or benefit of the public or community at large in
14 providing educational, economic development, health care, human services,
15 public safety, library or other public services and **that** have formed an af-
16 filiation with one or more federal, state or local governmental units within
17 this state may apply to the [*department*] **State Chief Information Officer**
18 for designation as a community of interest. The application must be in the
19 form that the [*department*] **State Chief Information Officer** prescribes and
20 contain information [*regarding*] **about** the governmental affiliation relation-
21 ship, the tax exempt status of each organization and the public benefit ser-
22 vices the organization provides or intends to provide. The [*department*] **State**
23 **Chief Information Officer** shall establish an application review and appeal
24 process to ensure that designating the organizations as a community of in-
25 terest for the purposes of including the organization in telecommunications
26 contracts under ORS 283.520 will result in providing educational, medical,
27 library or other services for public benefit.

28 [(7)] **(8)** This section does not apply to the State Board of Higher Educa-
29 tion, [*or*] any public university listed in ORS 352.002 **or a public university**
30 **with a governing board that is listed in ORS 352.054.**

31 [(8)] **(9)** As used in this section **and ORS 291.039:**

1 (a) “Information resources” means media, instruments, **plans** and methods
2 for [*planning,*] collecting, processing, transmitting and storing data and in-
3 formation, including telecommunications.

4 (b) “Information technology” [*includes, but is not limited to,*] **means**
5 present and future forms of hardware, software and services for data pro-
6 cessing, office automation and telecommunications.

7 (c) “Internet access service” means electronic connectivity to the Internet
8 and the services of the Internet.

9 (d) “Open systems” means systems that allow state agencies freedom of
10 choice by providing a vendor-neutral operating environment where different
11 computers, applications, system software and networks operate together eas-
12 ily and reliably.

13 (e) “State-of-the-art services” [*includes*] **means the highest level at**
14 **which** equipment, facilities and the capability to distribute digital commu-
15 nication signals that transmit voice, data, video and images over a distance
16 **have developed at the time during which the equipment, facility or**
17 **capability was installed or operating.**

18 (f) “Statewide integrated videoconferencing” means a statewide electronic
19 system capable of transmitting video, voice and data communications.

20 (g) “Statewide online access” means electronic connectivity to informa-
21 tion resources such as computer conferencing, electronic mail, databases and
22 Internet access.

23 (h) “Telecommunications” means hardware, software and services for
24 transmitting voice, data, video and images over a distance.

25 **SECTION 45.** ORS 291.039, as amended by section 5, chapter 102, Oregon
26 Laws 2014, is amended to read:

27 291.039. (1) The office of the State Chief Information Officer is established
28 [*in the Oregon Department of Administrative Services*] for the purpose of di-
29 recting, coordinating and overseeing [*policy related to*] **state** information
30 technology **and telecommunications** in accordance with ORS 291.038 and
31 other statutes, rules and policies that govern the state’s or state agencies’

1 *[use of]* **budgeting, planning, acquiring, managing, overseeing and us-**
2 **ing** telecommunications and information technology.

3 (2) The Governor shall appoint the State Chief Information Officer, who
4 *[shall serve]* **serves** at the pleasure of the Governor. The State Chief Infor-
5 mation Officer may adopt rules in accordance with ORS chapter 183 to ex-
6 ercise and carry out the duties, functions and powers committed to the State
7 Chief Information Officer under ORS 291.038 and other statutes, rules or
8 policies that commit functions to the State Chief Information Officer.

9 (3) The State Chief Information Officer must be a person who, by training
10 and experience, is well qualified to:

11 (a) Perform the duties *[of the office, as determined by the Governor, in*
12 *consultation with the Director of the Oregon Department of Administrative*
13 *Services]* **that the Governor specifies;** and

14 (b) Carry out the functions specified in ORS 291.038 and in other statutes,
15 rules or policies that commit functions to the State Chief Information Offi-
16 cer.

17 **(4)(a) The State Chief Information Officer shall:**

18 **(A) Serve as the Governor's chief advisor concerning information**
19 **resources, information technology, information systems, geographic**
20 **information systems, information systems security and telecommuni-**
21 **cations.**

22 **(B) Implement and maintain an information technology governance**
23 **program for the executive department.**

24 **(C) Adopt rules, policies and standards for budgeting, planning, ac-**
25 **quiring, installing, operating and overseeing telecommunications and**
26 **information technology for the executive department.**

27 **(D) Review and make recommendations to the Governor and the**
28 **Legislative Assembly concerning state agency information technology**
29 **budget requests.**

30 **(E) Adopt plans, rules, policies and standards for the executive de-**
31 **partment concerning geographic information systems and geographic**

1 **data.**

2 (F) **Adopt state information systems security plans, rules, policies**
3 **and standards for the executive department.**

4 (G) **Assess state agencies each biennium to evaluate compliance**
5 **with the State Chief Information Officer's rules, policies and standards**
6 **and provide results of the assessments to the Governor and to the**
7 **Joint Legislative Committee on Information Management and Tech-**
8 **nology.**

9 (H) **Develop and promote training programs in information tech-**
10 **nology, information systems security, geographic information systems,**
11 **enterprise architecture and project and portfolio management.**

12 (I) **Enhance sharing and coordination among federal, tribal, re-**
13 **gional, state government and local government entities in this state**
14 **with respect to geographic information systems and geographic data.**

15 (J) **Standardize, manage, coordinate and oversee information tech-**
16 **nology and telecommunications procurements for the executive de-**
17 **partment. If a telecommunications or an information technology**
18 **procurement has an estimated contract price of \$1 million or more, the**
19 **State Chief Information Officer must approve the procurement and**
20 **shall enter into the contract for the procurement as the contracting**
21 **party on behalf of the State of Oregon.**

22 (K) **Conduct a market analysis each biennium to determine whether**
23 **the state data center is the most effective and efficient method for**
24 **providing information technology and information resources to state**
25 **agencies and other users. In conducting the market analysis, the State**
26 **Chief Information Officer shall consider best practices and trends**
27 **among federal, state and local government entities and the extent to**
28 **which new or emerging technologies affect how the state provides in-**
29 **formation technology and information resources. The State Chief In-**
30 **formation Officer shall provide the results of the analysis to the**
31 **Governor and to the Joint Legislative Committee on Information**

1 **Management and Technology and may recommend changes in the in-**
2 **formation technology and information resources that the state data**
3 **center provides or in methods that the state data center uses to pro-**
4 **vide information technology and information resources.**

5 **(L) Identify information technology or information resources that**
6 **the State Chief Information Officer believes should be designed, de-**
7 **livered and managed as enterprise or shared information technology**
8 **or information resources and each biennium shall recommend to the**
9 **Governor and to the Joint Legislative Committee on Information**
10 **Management and Technology changes that are necessary and best**
11 **practices for implementing design, delivery and management of en-**
12 **terprise or shared information technology and information resources.**

13 [(4)(a)] **(M)** *[Each biennium the State Chief Information Officer, in collab-*
14 *oration with the department, shall develop, maintain or update, as*
15 *appropriate,]* **Adopt or update each biennium** an Enterprise Information
16 Resources Management Strategy for the state. In addition to the functions
17 described in ORS 184.477, the Enterprise Information Resources Management
18 Strategy must provide for integrating statewide technology initiatives, en-
19 suring compliance with information technology **rules**, policies and standards,
20 promoting **coordination, consolidation and** alignment of information re-
21 sources and technologies and effectively managing **the state's and** state
22 agencies' information technology portfolios. In developing the Enterprise
23 Information Resources Management Strategy, the *[department and the]* State
24 Chief Information Officer shall consult with and consider advice and sug-
25 gestions from **the department**, state agencies and local governments, from
26 private sector information technology experts, from the Legislative Fiscal
27 Officer, from the Joint Legislative Committee on Information Management
28 and Technology or from individual members of the Legislative Assembly that
29 the President of the Senate and the Speaker of the House of Representatives
30 appoint for the purpose of consulting with the State Chief Information Offi-
31 cer under this subsection.

1 [(b)] (N) [*The State Chief Information Officer shall*] Identify and recom-
2 mend to the [*director the*] **Governor, within the State Chief Information**
3 **Officer’s biennial budget request**, resources that are necessary to imple-
4 ment the Enterprise Information Resources Management Strategy. [*The di-*
5 *rector, in developing a biennial budget for the department, shall consider the*
6 *recommendations that the State Chief Information Officer makes under this*
7 *paragraph.*]

8 **(b) As used in this subsection:**

9 **(A) “Executive department” has the meaning given that term in**
10 **ORS 174.112.**

11 **(B) “Geographic data” means digital data that consist of geographic**
12 **or projected map coordinate values, identification codes and associated**
13 **descriptive data to locate and describe boundaries or features on,**
14 **above or below the surface of the earth, demographic data or related**
15 **data.**

16 **(C) “Geographic information system” means hardware, software,**
17 **and data for capturing, managing, analyzing and displaying geographic**
18 **data.**

19 **(D) “Information system” means computers, hardware, software,**
20 **storage media, networks, operational procedures and processes used**
21 **in collecting, processing, storing, sharing or distributing information**
22 **within, or with any access beyond ordinary public access to, the state’s**
23 **shared computing and network infrastructure.**

24 **(E) “State government” has the meaning given that term in ORS**
25 **174.111.**

26 **(5) The State Chief Information Officer may:**

27 **(a) Organize and reorganize the office of the State Chief Informa-**
28 **tion Officer in the manner the State Chief Information Officer con-**
29 **siders necessary to conduct the work of the office of the State Chief**
30 **Information Officer properly.**

31 **(b) Divide the office of the State Chief Information Officer into**

1 administrative programs, units or sections and appoint, subject to the
2 Governor's approval, an individual to administer each program, unit
3 or section that the State Chief Information Officer establishes under
4 this subsection. The individual the State Chief Information Officer
5 appoints serves at the pleasure of the State Chief Information Officer,
6 is not subject to the provisions of ORS chapter 240 and must be well
7 qualified by technical training and experience in the functions the in-
8 dividual will perform.

9 (c) Appoint a deputy State Chief Information Officer, who serves
10 at the pleasure of the State Chief Information Officer, is not subject
11 to ORS chapter 240 and has full authority to act for the State Chief
12 Information Officer in the State Chief Information Officer's absence,
13 subject to the State Chief Information Officer's control. The State
14 Chief Information Officer may appoint the deputy by filing an order
15 with the Secretary of State.

16 (d) Appoint subordinate officers and employees of the office of the
17 State Chief Information Officer, prescribe the officers' and employees'
18 duties and fix compensation for the officers and employees. The State
19 Chief Information Officer's actions under this paragraph are subject
20 to ORS chapter 240.

21 (e) Delegate to an employee of the office of the State Chief Infor-
22 mation Officer or to another individual any duty, function or power
23 that the State Chief Information Officer may exercise or perform un-
24 der ORS 291.038 or under other statutes, rules or policies that commit
25 functions to the State Chief Information Officer. For the purpose of
26 performing an official act in the State Chief Information Officer's
27 name, the State Chief Information Officer may delegate a duty, func-
28 tion or power by means of an interagency agreement, an intergovern-
29 mental agreement in accordance with ORS chapter 190 or a contract.
30 An official act that an individual performs in the name of the State
31 Chief Information Officer under a delegation from the State Chief In-

1 **formation Officer under this paragraph is an official act of the State**
2 **Chief Information Officer.**

3 **SECTION 46.** ORS 291.042 is amended to read:

4 291.042. (1) Except as provided in subsection (2) of this section, the
5 [*Oregon Department of Administrative Services*] **State Chief Information**
6 **Officer:**

7 (a) May hold copyrights and obtain patents on copyrightable or patent-
8 able data processing programs, information or materials [*developed, published*
9 *or produced by*] **that** a state agency **develops, publishes or produces.**

10 (b) May cause to have sold, leased or otherwise made available the data
11 processing programs, information or materials to any agency, judicial body
12 or legislative body of any unit of local government, any state or the federal
13 government under terms and conditions [*agreed to by*] **to which** the state
14 agency that developed, published or produced the **data processing** programs,
15 information or materials **agrees.**

16 (2) The Secretary of State, the State Treasurer, the judicial department
17 as defined in ORS 174.113 and the legislative department as defined in ORS
18 174.114:

19 (a) May hold copyrights and obtain patents on copyrightable or patent-
20 able data processing programs, information or materials [*developed, published*
21 *or produced by*] **that** the Secretary of State, State Treasurer, judicial de-
22 partment or legislative department **develops, publishes or produces.**

23 (b) May cause to have sold, leased or otherwise made available the data
24 processing programs, information or materials to any agency, judicial body
25 or legislative body of any unit of local government, any state or the federal
26 government under terms and conditions [*agreed to by*] **to which** the Secre-
27 tary of State, State Treasurer, judicial department or legislative department
28 **agrees.**

29 (3) Except as provided in this subsection, moneys **that a state agency**
30 collected under subsection (1) of this section, less [*state agency expenses ac-*
31 *crued*] **expenses that the state agency incurred** in developing, producing

1 and distributing software and in training software users, [*shall*] **must** be
2 deposited in the General Fund and are available for general governmental
3 purposes. If **the resources that a state agency** expended for the [*develop-*
4 *ment, production, distribution and training activities were*] **activities de-**
5 **scribed in subsection (1) of this section came** from fees or assessments
6 **that the state agency** charged and collected [*by the state agency*], the **state**
7 **agency shall deposit the** net proceeds of moneys collected under subsection
8 (1) of this section [*shall be deposited in*] **into** the same accounts [*in*] **into**
9 which the **state agency deposits the** fees or assessments [*are deposited and*
10 *shall be used*]. **The state agency shall use the moneys** to reduce the fees
11 or assessments [*charged by*] the state agency **charges** to the extent permitted
12 by law.

13 (4) Except as provided in this subsection, moneys **that the Secretary of**
14 **State, State Treasurer, judicial department or legislative department**
15 collected under subsection (2) of this section, less expenses [*of*] **that** the
16 Secretary of State, State Treasurer, judicial department or legislative de-
17 partment [*accrued*] **incurred** in developing, producing and distributing soft-
18 ware and in training software users, [*shall*] **must** be deposited in the General
19 Fund and are available for general governmental purposes. If **the resources**
20 **that the Secretary of State, State Treasurer, judicial department or**
21 **legislative department** expended for the [*development, production, distrib-*
22 *ution and training activities were*] **activities described in subsection (2)**
23 **of this section came** from fees or assessments [*charged and collected by*]
24 **that** the secretary, treasurer, judicial department or legislative department
25 **charged and collected,** the **secretary, treasurer, judicial department or**
26 **legislative department shall deposit the** net proceeds of moneys collected
27 under subsection (2) of this section [*shall be deposited in*] **into** the same ac-
28 counts [*in*] **into** which the **secretary, treasurer, judicial department or**
29 **legislative department deposits the** fees or assessments [*are deposited and*
30 *shall be used*]. **The Secretary of State, State Treasurer, judicial de-**
31 **partment or legislative department shall use the moneys** to reduce the

1 fees or assessments [*charged by*] the secretary, treasurer, judicial department
2 or legislative department **charges** to the extent permitted by law.

3 (5) As used in this section:

4 (a) “Data processing programs” [*includes*] **means** software programs **and**
5 **other automated means for processing data.**

6 (b) “State agency” has the meaning given that term in ORS 291.002.

7 **SECTION 47.** ORS 291.047 is amended to read:

8 291.047. (1) The Attorney General shall approve for legal sufficiency all
9 personal services contracts[,] **and** all architectural and engineering services
10 contracts **with an estimated contract price of \$75,000 or more** and all
11 information technology contracts [*calling for payment in excess of \$75,000*
12 *entered into by*] **with an estimated contract price of \$150,000 or more into**
13 **which** a state agency **enters** before [*any such*] **the** contract [*becomes binding*
14 *on*] **binds** the State of Oregon and before [*any service may be performed or*
15 *payment may be made*] **a party to the contract performs a service or**
16 **makes a payment** under the contract.

17 [*(2) The Attorney General shall approve for legal sufficiency all public*
18 *contracts not subject to subsection (1) of this section that are entered into by*
19 *a state agency and that provide for payment in excess of \$100,000 before any*
20 *such contract becomes binding on the State of Oregon and before any service*
21 *may be performed or payment may be made under the contract.*]

22 **(2) The Attorney General shall approve for legal sufficiency all**
23 **contracts into which a state agency enters before the contract binds**
24 **the State of Oregon and before a party to the contract performs a**
25 **service or makes a payment if the contract:**

26 **(a) Is not subject to subsection (1) of this section; and**

27 **(b) Has an estimated contract price of \$100,000 or more.**

28 (3) The Attorney General shall impose by rule requirements necessary to
29 carry out the provisions of this section. [*Such rules shall*] **The rules must**
30 include, but are not limited to, a requirement that state agencies submit to
31 the Attorney General procurement and other contract documents for review

1 of the anticipated contract before **the state agency publicly advertises** a
2 procurement of goods or services [*is publicly advertised*] if the anticipated
3 contract is reasonably expected to require review for legal sufficiency. A
4 state agency may request that the Attorney General assist the agency in
5 developing requests for proposals, invitations to bid and requests for quali-
6 fications or information that are suitable to the needs of the agency.

7 (4) The Attorney General may exempt by rule classes of contracts from
8 the requirements of this section if the Attorney General determines that **le-**
9 **gal review of individual contracts within the class will not materially**
10 **reduce** the degree of risk [*assumed by*] **that** state agencies **assume** under
11 [*such*] **the** contracts [*is not materially reduced by legal review of individual*
12 *contracts within the class*].

13 (5) The Attorney General may, by rule, set forth a process to exempt
14 contracts or classes of contracts from the requirements of this section
15 [*when*] **if**:

16 (a) The contract is substantially composed of forms, terms or conditions
17 that [*have been preapproved by*] the Attorney General **has preapproved**; or

18 (b) Circumstances exist that create a substantial risk of loss, damage,
19 interruption of services or threat to public health or safety and that require
20 prompt execution of a contract to deal with the risk.

21 (6) Notwithstanding subsections (1) and (2) of this section, the Attorney
22 General may authorize services to be performed under a contract described
23 in subsection (1) or (2) of this section before approval for legal sufficiency
24 if the Attorney General determines that the authorization will not result in
25 undue risk to this state. An authorization under this subsection [*shall*] **must**
26 be limited to specific classes of contracts or to contracts for specific agency
27 programs. The Attorney General may condition an authorization on a finding
28 by the Director of the Oregon Department of Administrative Services, or a
29 designee of the director, **the State Chief Information Officer, or a**
30 **designee of the State Chief Information Officer**, [*and*] **or** by any other
31 agency with a role in approving such contracts that the contract adminis-

1 tration practices of the requesting agency are adequate to manage the pro-
2 posed contract and that the mission of the agency will be significantly
3 impaired without such authorization.

4 **SECTION 48.** ORS 291.055 is amended to read:

5 291.055. (1) Notwithstanding any other law that grants to a state agency
6 the authority to establish fees, all new state agency fees or fee increases
7 adopted during the period beginning on the date of adjournment sine die of
8 a regular session of the Legislative Assembly and ending on the date of
9 adjournment sine die of the next regular session of the Legislative Assembly:

10 (a) Are not effective for agencies in the executive department of govern-
11 ment unless approved in writing by the Director of the Oregon Department
12 of Administrative Services;

13 (b) Are not effective for agencies in the judicial department of govern-
14 ment unless approved in writing by the Chief Justice of the Supreme Court;

15 (c) Are not effective for agencies in the legislative department of gov-
16 ernment unless approved in writing by the President of the Senate and the
17 Speaker of the House of Representatives;

18 (d) Shall be reported by the state agency to the Oregon Department of
19 Administrative Services within 10 days of their adoption; and

20 (e) Are rescinded on adjournment sine die of the next regular session of
21 the Legislative Assembly as described in this subsection, unless otherwise
22 authorized by enabling legislation setting forth the approved fees.

23 (2) This section does not apply to:

24 (a) Any tuition or fees charged by a public university listed in ORS
25 352.002.

26 (b) Taxes or other payments made or collected from employers for unem-
27 ployment insurance required by ORS chapter 657 or premium assessments
28 required by ORS 656.612 and 656.614 or contributions and assessments cal-
29 culated by cents per hour for workers' compensation coverage required by
30 ORS 656.506.

31 (c) Fees or payments required for:

1 (A) Health care services provided by the Oregon Health and Science
2 University, by the Oregon Veterans' Homes and by other state agencies and
3 institutions pursuant to ORS 179.610 to 179.770.

4 (B) Assessments imposed by the Oregon Medical Insurance Pool Board
5 under section 2, chapter 698, Oregon Laws 2013.

6 (C) Copayments and premiums paid to the Oregon medical assistance
7 program.

8 (D) Assessments paid to the Department of Consumer and Business Ser-
9 vices under ORS 743.951 and 743.961.

10 (d) Fees created or authorized by statute that have no established rate
11 or amount but are calculated for each separate instance for each fee payer
12 and are based on actual cost of services provided.

13 (e) State agency charges on employees for benefits and services.

14 (f) Any intergovernmental charges.

15 (g) Forest protection district assessment rates established by ORS 477.210
16 to 477.265 and the Oregon Forest Land Protection Fund fees established by
17 ORS 477.760.

18 (h) State Department of Energy assessments required by ORS 469.421 (8)
19 and 469.681.

20 (i) Assessments on premiums charged by the Department of Consumer and
21 Business Services pursuant to ORS 731.804 or fees charged by the Division
22 of Finance and Corporate Securities of the Department of Consumer and
23 Business Services to banks, trusts and credit unions pursuant to ORS 706.530
24 and 723.114.

25 (j) Public Utility Commission operating assessments required by ORS
26 756.310 or charges paid to the Residential Service Protection Fund required
27 by chapter 290, Oregon Laws 1987.

28 (k) Fees charged by the Housing and Community Services Department for
29 intellectual property pursuant to ORS 456.562.

30 (L) New or increased fees that are anticipated in the legislative budgeting
31 process for an agency, revenues from which are included, explicitly or im-

1 plicitly, in the legislatively adopted budget or the legislatively approved
2 budget for the agency.

3 (m) Tolls approved by the Oregon Transportation Commission pursuant
4 to ORS 383.004.

5 (n) Convenience fees as defined in ORS 182.126 and established by the
6 [*Oregon Department of Administrative Services*] **State Chief Information**
7 **Officer** under ORS 182.132 (3) and recommended by the Electronic Govern-
8 ment Portal Advisory Board.

9 (3)(a) Fees temporarily decreased for competitive or promotional reasons
10 or because of unexpected and temporary revenue surpluses may be increased
11 to not more than their prior level without compliance with subsection (1)
12 of this section if, at the time the fee is decreased, the state agency specifies
13 the following:

14 (A) The reason for the fee decrease; and

15 (B) The conditions under which the fee will be increased to not more than
16 its prior level.

17 (b) Fees that are decreased for reasons other than those described in
18 paragraph (a) of this subsection may not be subsequently increased except
19 as allowed by ORS 291.050 to 291.060 and 294.160.

20 **SECTION 49.** ORS 291.055, as amended by section 36, chapter 698, Oregon
21 Laws 2013, is amended to read:

22 291.055. (1) Notwithstanding any other law that grants to a state agency
23 the authority to establish fees, all new state agency fees or fee increases
24 adopted during the period beginning on the date of adjournment sine die of
25 a regular session of the Legislative Assembly and ending on the date of
26 adjournment sine die of the next regular session of the Legislative Assembly:

27 (a) Are not effective for agencies in the executive department of govern-
28 ment unless approved in writing by the Director of the Oregon Department
29 of Administrative Services;

30 (b) Are not effective for agencies in the judicial department of govern-
31 ment unless approved in writing by the Chief Justice of the Supreme Court;

1 (c) Are not effective for agencies in the legislative department of gov-
2 ernment unless approved in writing by the President of the Senate and the
3 Speaker of the House of Representatives;

4 (d) Shall be reported by the state agency to the Oregon Department of
5 Administrative Services within 10 days of their adoption; and

6 (e) Are rescinded on adjournment sine die of the next regular session of
7 the Legislative Assembly as described in this subsection, unless otherwise
8 authorized by enabling legislation setting forth the approved fees.

9 (2) This section does not apply to:

10 (a) Any tuition or fees charged by a public university listed in ORS
11 352.002.

12 (b) Taxes or other payments made or collected from employers for unem-
13 ployment insurance required by ORS chapter 657 or premium assessments
14 required by ORS 656.612 and 656.614 or contributions and assessments cal-
15 culated by cents per hour for workers' compensation coverage required by
16 ORS 656.506.

17 (c) Fees or payments required for:

18 (A) Health care services provided by the Oregon Health and Science
19 University, by the Oregon Veterans' Homes and by other state agencies and
20 institutions pursuant to ORS 179.610 to 179.770.

21 (B) Copayments and premiums paid to the Oregon medical assistance
22 program.

23 (C) Assessments paid to the Department of Consumer and Business Ser-
24 vices under ORS 743.951 and 743.961.

25 (d) Fees created or authorized by statute that have no established rate
26 or amount but are calculated for each separate instance for each fee payer
27 and are based on actual cost of services provided.

28 (e) State agency charges on employees for benefits and services.

29 (f) Any intergovernmental charges.

30 (g) Forest protection district assessment rates established by ORS 477.210
31 to 477.265 and the Oregon Forest Land Protection Fund fees established by

1 ORS 477.760.

2 (h) State Department of Energy assessments required by ORS 469.421 (8)
3 and 469.681.

4 (i) Assessments on premiums charged by the Department of Consumer and
5 Business Services pursuant to ORS 731.804 or fees charged by the Division
6 of Finance and Corporate Securities of the Department of Consumer and
7 Business Services to banks, trusts and credit unions pursuant to ORS 706.530
8 and 723.114.

9 (j) Public Utility Commission operating assessments required by ORS
10 756.310 or charges paid to the Residential Service Protection Fund required
11 by chapter 290, Oregon Laws 1987.

12 (k) Fees charged by the Housing and Community Services Department for
13 intellectual property pursuant to ORS 456.562.

14 (L) New or increased fees that are anticipated in the legislative budgeting
15 process for an agency, revenues from which are included, explicitly or im-
16 plicitly, in the legislatively adopted budget or the legislatively approved
17 budget for the agency.

18 (m) Tolls approved by the Oregon Transportation Commission pursuant
19 to ORS 383.004.

20 (n) Convenience fees as defined in ORS 182.126 and established by the
21 [*Oregon Department of Administrative Services*] **State Chief Information**
22 **Officer** under ORS 182.132 (3) and recommended by the Electronic Govern-
23 ment Portal Advisory Board.

24 (3)(a) Fees temporarily decreased for competitive or promotional reasons
25 or because of unexpected and temporary revenue surpluses may be increased
26 to not more than their prior level without compliance with subsection (1)
27 of this section if, at the time the fee is decreased, the state agency specifies
28 the following:

29 (A) The reason for the fee decrease; and

30 (B) The conditions under which the fee will be increased to not more than
31 its prior level.

1 (b) Fees that are decreased for reasons other than those described in
2 paragraph (a) of this subsection may not be subsequently increased except
3 as allowed by ORS 291.050 to 291.060 and 294.160.

4 **SECTION 50.** ORS 291.990 is amended to read:

5 291.990. (1) If a person incurs or orders or votes to incur an obligation in
6 violation of a provision of the statutes listed in subsection (4) of this section,
7 the person and the sureties on the person's bond are jointly and severally
8 liable for the violation to the person in whose favor the obligation was in-
9 curred.

10 (2) Upon certification by the Oregon Department of Administrative Ser-
11 vices **or the State Chief Information Officer** that a state officer or em-
12 ployee of a state agency has failed or refused to comply with **a statute**
13 **listed in subsection (4) of this section or** an order, rule, **policy** or regu-
14 lation the department **or the State Chief Information Officer** made in
15 accordance with the statutes listed in subsection (4) of this section, the sal-
16 ary of the officer or employee may not be paid until **the officer or employee**
17 **complies with the statute, order, rule, policy** or regulation [*is complied*
18 *with*]. **A state officer or employee who fails to comply with a statute**
19 **listed in subsection (4) of this section or with an order, rule, policy or**
20 **regulation the department or the State Chief Information Officer made**
21 **in accordance with a statute listed in subsection (4) of this section is**
22 **subject to discipline or termination in accordance with ORS chapter**
23 **240 or otherwise as provided by law or under the personnel rules and**
24 **policies of the state agency that employs the officer or employee.**

25 (3) A violation of a provision of a statute listed in subsection (4) of this
26 section is a Class A violation.

27 (4) Subsections (1) to (3) of this section apply to ORS **84.064, 182.122,**
28 **182.124, 184.475, 184.477, 279A.050, 279A.140, 279A.280, 279B.270, 283.020,**
29 **283.110, 283.140, 283.143, 283.305 to 283.390, 283.505, 283.510, 283.520, 283.524,**
30 **291.001 to 291.034, 291.038, 291.039, 291.047, 291.201 to 291.222, 291.232 to**
31 **291.260, 291.307, 292.220 and 292.230 and section 1, chapter 77, Oregon**

1 **Laws 2014.**

2 **SECTION 51.** Section 1, chapter 77, Oregon Laws 2014, is amended to
3 read:

4 **Sec. 1.** (1) As used in this section:

5 (a)(A) "Information technology initiative" means a project to develop or
6 provide, with [*the*] a state contracting agency's or public corporation's own
7 personnel and resources, or to obtain by means of a procurement or set of
8 related procurements:

9 (i) New hardware, software or services for data processing, office auto-
10 mation or telecommunications;

11 (ii) An overhaul, upgrade or replacement of a substantial portion of the
12 hardware or software in an existing data processing, office automation or
13 telecommunications system; or

14 (iii) A substantial expansion of existing data processing, office auto-
15 mation or telecommunications services.

16 (B) "Information technology initiative" does not include:

17 (i) A procurement for preliminary quality assurance services or quality
18 management services;

19 (ii) A routine update to or purchase of hardware or software within an
20 existing data processing, office automation or telecommunications system;

21 (iii) A renewal of an existing contract for data processing, office auto-
22 mation or telecommunications services under terms and conditions that are
23 substantially the same as in the existing contract; or

24 (iv) A replacement of a component of an existing data processing, office
25 automation or telecommunications system that is not essential for the system
26 to function as designed or that occurs at the end of the component's antic-
27 ipated life cycle.

28 (b) "Preliminary quality assurance services" means a set of services in
29 which a contractor provides an independent and objective review of a state
30 contracting agency's or a public corporation's plans, specifications, esti-
31 mates, documentation, available resources and overall purpose for an infor-

1 mation technology initiative, including services in which the contractor
2 evaluates a proposed information technology initiative against applicable
3 quality standards and best practices from private industry and other sources.

4 (c) "Procurement" has the meaning given that term in ORS 279A.010.

5 (d)(A) "Public corporation" means a corporation:

6 (i) The operations of which are subject to control by this state or by an
7 agency or instrumentality of this state, or by officers of this state or of an
8 agency or instrumentality of this state;

9 (ii) That is organized, at least in part, to serve a public purpose; and

10 (iii) That receives public funds or other support from an entity described
11 in sub-subparagraph (i) of this subparagraph.

12 (B) "Public corporation" does not include:

13 (i) A person or entity described in ORS 174.108 (3);

14 (ii) A city, county, local service district, school district, education service
15 district, community college district or community college service district or
16 a university with a governing board listed in ORS 352.054; or

17 (iii) An administrative subdivision of an entity described in sub-
18 subparagraph (ii) of this subparagraph.

19 (e) "Quality management services" means a set of services in which a
20 contractor provides an independent and objective review and evaluation of
21 a state contracting agency's, a public corporation's or another contractor's
22 performance with respect to an information technology initiative, such as
23 services in which the contractor:

24 (A) Identifies quality standards that apply or should apply to the infor-
25 mation technology initiative;

26 (B) Suggests methods and means by which the state contracting agency,
27 the public corporation or the other contractor may meet quality standards
28 identified in subparagraph (A) of this paragraph;

29 (C) Reviews and evaluates the state contracting agency's, the public
30 corporation's or the other contractor's performance regularly as the infor-
31 mation technology initiative progresses from start to finish;

1 (D) Identifies omissions or gaps in the state contracting agency's, the
2 public corporation's or the other contractor's planning, execution, control,
3 methodology, communication or reporting as the information technology in-
4 itiative progresses from start to finish;

5 (E) Identifies risks in the state contracting agency's, the public
6 corporation's or the other contractor's plans or approach to designing, de-
7 veloping or implementing the information technology initiative and suggests
8 methods to reduce, mitigate or eliminate the risks;

9 (F) Assists the state contracting agency or the public corporation in
10 testing or otherwise evaluating the hardware, software or services that are
11 developed, provided or obtained as part of an information technology initi-
12 ative to determine whether the hardware, software or services conform with
13 the quality standards identified in subparagraph (A) of this paragraph;

14 (G) Advises the **State Chief Information Officer, the** state contracting
15 agency or the public corporation as to whether the hardware, software or
16 services that are developed, provided or obtained as part of an information
17 technology initiative meet the contracting agency's or the public
18 corporation's needs, specifications or expectations and otherwise enable the
19 state contracting agency or the public corporation to achieve the objectives
20 for the information technology initiative; or

21 (H) Identifies unsatisfactory performance and suggests methods the **State**
22 **Chief Information Officer, the** state contracting agency, the public corpo-
23 ration or the other contractor might use to eliminate the causes of unsatis-
24 factory performance.

25 (f) "State contracting agency" has the meaning given that term in ORS
26 279A.010.

27 (2)(a) A state contracting agency or a public corporation that implements
28 an information technology initiative shall obtain quality management ser-
29 vices from a qualified contractor if the value of the information technology
30 initiative exceeds \$5 million or if the information technology initiative meets
31 criteria or standards that the State Chief Information Officer [*or the Director*

1 *of the Oregon Department of Administrative Services]* specifies by rule or
 2 policy.

3 (b) A state contracting agency or public corporation may, subject to ORS
 4 279B.040, procure preliminary quality assurance services from a contractor
 5 if the information technology initiative meets the standards set forth in
 6 paragraph (a) of this subsection or if the state contracting agency or public
 7 corporation otherwise believes that the preliminary quality assurance ser-
 8 vices will enable the contracting agency or public corporation to implement
 9 an information technology initiative successfully.

10 (3) A state contracting agency or public corporation may not artificially
 11 divide or fragment an information technology initiative so as to avoid the
 12 application of this section.

13 [(4)(a)] (4) Notwithstanding any procurement authority that a state con-
 14 tracting agency or a public corporation has that is not subject to the au-
 15 thority of the Director of the Oregon Department of Administrative Services
 16 **or the State Chief Information Officer** under ORS 279A.050 (2), (3) or (7),
 17 the state contracting agency or public corporation is subject to the pro-
 18 visions of subsection (2) of this section and shall consult with and follow the
 19 rules, policies and procedures of the State Chief Information Officer [*and the*
 20 *Oregon Department of Administrative Services]* in determining the extent of
 21 preliminary quality assurance services or quality management services that
 22 the state contracting agency or public corporation will require for an infor-
 23 mation technology initiative.

24 [(b) *Notwithstanding the Oregon Health Authority's exemption in ORS*
 25 *279A.050 (7) from the authority that the Oregon Department of Administrative*
 26 *Services has over all state agency information technology procurements, the*
 27 *Oregon Health Authority shall consult with and follow the rules, policies and*
 28 *procedures of the State Chief Information Officer and the Oregon Department*
 29 *of Administrative Services in determining the extent of preliminary quality*
 30 *assurance services or quality management services that the state contracting*
 31 *agency or public corporation will require for an information technology initi-*

1 *ative.]*

2 (5)(a) If a state contracting agency or a public corporation awards a
3 contract for preliminary quality assurance services or quality management
4 services, the contract must provide that at the same time a contractor pro-
5 vides a preliminary or final report to the contract administrator, the con-
6 tractor shall also provide a copy of the report to:

7 (A) The State Chief Information Officer;

8 (B) The Director of the Oregon Department of Administrative Services;

9 [*and*]

10 (C) **The Legislative Fiscal Officer; and**

11 [(C)] (D) As appropriate for the specific information technology initiative,
12 to:

13 (i) The director of the state contracting agency or, if a board or commis-
14 sion sets policy for the state contracting agency, to the board or commission;

15 or

16 (ii) The governing body of the public corporation.

17 (b) The state contracting agency or public corporation shall provide the
18 contractor with names, addresses and other contact information the con-
19 tractor needs to comply with paragraph (a) of this subsection.

20 (6) This section does not apply to the Secretary of State or the State
21 Treasurer.

22 **SECTION 52.** ORS 403.450, as amended by section 3, chapter 87, Oregon
23 Laws 2014, is amended to read:

24 403.450. (1) The State Interoperability Executive Council is created under
25 the [*Oregon Department of Administrative Services*] **State Chief Informa-**
26 **tion Officer** to be the statewide interoperability governing body serving as
27 the primary steering group for the Oregon Statewide Communication Inter-
28 operability Plan. The membership of the council consists of:

29 (a) Two members from the Legislative Assembly, as follows:

30 (A) The President of the Senate shall appoint one member from the Senate
31 with an interest in public safety communications infrastructure; and

1 (B) The Speaker of the House of Representatives shall appoint one mem-
2 ber from the House of Representatives with an interest in public safety and
3 emergency communications infrastructure.

4 (b) The following members appointed by the Governor:

5 (A) One member from the Department of State Police;

6 (B) One member from the Office of Emergency Management;

7 (C) One member from the State Forestry Department;

8 (D) One member from the Department of Corrections;

9 (E) One member from the Department of Transportation;

10 (F) One member from the [*Oregon Department of Administrative Services*]
11 **office of the State Chief Information Officer;**

12 (G) One member from the Oregon Health Authority;

13 (H) One member from the Oregon Military Department;

14 (I) One member from the Department of Public Safety Standards and
15 Training;

16 (J) One member from the Oregon Broadband Advisory Council;

17 (K) One member of an Indian tribe as defined in ORS 97.740 or a designee
18 of an Indian tribe; and

19 (L) One member of the public.

20 (c) The following members appointed by the Governor with the concur-
21 rence of the President of the Senate and the Speaker of the House of Rep-
22 resentatives:

23 (A) One member from the Oregon Fire Chiefs Association;

24 (B) One member from the Oregon Association Chiefs of Police;

25 (C) One member from the Oregon State Sheriffs' Association;

26 (D) One member from the Association of Oregon Counties;

27 (E) One member from the League of Oregon Cities;

28 (F) One member from the Special Districts Association of Oregon;

29 (G) One member who is an information technology officer of an Oregon
30 city;

31 (H) One member who is an information technology officer of an Oregon

1 county;

2 (I) One member who represents a nonprofit professional organization in-
3 terested in the enhancement of public safety communications systems; and

4 (J) One member of the public who works or resides in Federal Communi-
5 cations Commission Region 35.

6 (2) Each agency or organization identified in subsection (1)(b)(A) to (J)
7 and (1)(c)(A) to (H) of this section shall recommend an individual from the
8 agency or organization for membership on the council.

9 (3) Members of the council are not entitled to compensation, but in the
10 discretion of the [*Director of the Oregon Department of Administrative Ser-*
11 *vices*] **State Chief Information Officer** may be reimbursed from funds
12 available to the [*Oregon Department of Administrative Services*] **office of the**
13 **State Chief Information Officer** for actual and necessary travel and other
14 expenses [*incurred by them in the performance of their*] **the members incur**
15 **in performing the members'** official duties in the manner and amount
16 provided in ORS 292.495.

17 (4) Members of the Legislative Assembly appointed to the council are
18 nonvoting members and may act in an advisory capacity only.

19 **SECTION 53.** ORS 403.450, as amended by sections 3 and 4, chapter 87,
20 Oregon Laws 2014, is amended to read:

21 403.450. (1) The State Interoperability Executive Council is created under
22 the [*Oregon Department of Administrative Services*] **State Chief Informa-**
23 **tion Officer** to be the statewide interoperability governing body serving as
24 the primary steering group for the Oregon Statewide Communication Inter-
25 operability Plan. The membership of the council consists of:

26 (a) Two members from the Legislative Assembly, as follows:

27 (A) The President of the Senate shall appoint one member from the Senate
28 with an interest in public safety communications infrastructure; and

29 (B) The Speaker of the House of Representatives shall appoint one mem-
30 ber from the House of Representatives with an interest in public safety and
31 emergency communications infrastructure.

1 (b) The following members appointed by the Governor:

2 (A) One member from the Department of State Police;

3 (B) One member from the Office of Emergency Management;

4 (C) One member from the State Forestry Department;

5 (D) One member from the Department of Corrections;

6 (E) One member from the Department of Transportation;

7 (F) One member from the [*Oregon Department of Administrative Services*]

8 **office of the State Chief Information Officer;**

9 (G) One member from the Oregon Health Authority;

10 (H) One member from the Oregon Military Department;

11 (I) One member from the Department of Public Safety Standards and
12 Training;

13 (J) One member of an Indian tribe as defined in ORS 97.740 or a designee
14 of an Indian tribe; and

15 (K) One member of the public.

16 (c) The following members appointed by the Governor with the concur-
17 rence of the President of the Senate and the Speaker of the House of Rep-
18 resentatives:

19 (A) One member from the Oregon Fire Chiefs Association;

20 (B) One member from the Oregon Association Chiefs of Police;

21 (C) One member from the Oregon State Sheriffs' Association;

22 (D) One member from the Association of Oregon Counties;

23 (E) One member from the League of Oregon Cities;

24 (F) One member from the Special Districts Association of Oregon;

25 (G) One member who is an information technology officer of an Oregon
26 city;

27 (H) One member who is an information technology officer of an Oregon
28 county;

29 (I) One member who represents a nonprofit professional organization in-
30 terested in the enhancement of public safety communications systems; and

31 (J) One member of the public who works or resides in Federal Communi-

1 cations Commission Region 35.

2 (2) Each agency or organization identified in subsection (1)(b)(A) to (I)
3 and (1)(c)(A) to (H) of this section shall recommend an individual from the
4 agency or organization for membership on the council.

5 (3) Members of the council are not entitled to compensation, but in the
6 discretion of the [*Director of the Oregon Department of Administrative Ser-*
7 *vices*] **State Chief Information Officer** may be reimbursed from funds
8 available to the [*Oregon Department of Administrative Services*] **office of the**
9 **State Chief Information Officer** for actual and necessary travel and other
10 expenses [*incurred by them in the performance of their*] **the members incur**
11 **in performing the members'** official duties in the manner and amount
12 provided in ORS 292.495.

13 (4) Members of the Legislative Assembly appointed to the council are
14 nonvoting members and may act in an advisory capacity only.

15 **SECTION 54.** ORS 403.455, as amended by section 6, chapter 87, Oregon
16 Laws 2014, is amended to read:

17 403.455. The State Interoperability Executive Council created under ORS
18 403.450 shall:

19 (1) Develop, annually update and monitor implementation of the Oregon
20 Statewide Communication Interoperability Plan, the goal of which is to
21 achieve statewide interoperability of public safety communications systems.
22 **To the maximum extent possible, the Oregon Statewide Communi-**
23 **cation Interoperability Plan shall align with and support the Enter-**
24 **prise Information Resources Management Strategy described in ORS**
25 **291.039.** As part of the executive council's duties under this subsection, the
26 executive council shall:

27 (a) Recommend strategies to improve public safety communications inter-
28 operability among state, local, tribal and federal public safety agencies;

29 (b) Develop standards to promote consistent design and development of
30 public safety communications infrastructures and recommend changes in ex-
31 isting public safety infrastructures that are necessary or appropriate for im-

1 plementation of the interoperability plan;

2 (c) Identify immediate short-term technological and policy solutions to tie
3 existing public safety communications infrastructures together into an
4 interoperable communications system;

5 (d) Develop long-term technological and policy recommendations to es-
6 tablish a statewide public safety communications system to improve emer-
7 gency response and day-to-day public safety operations; and

8 (e) Develop recommendations for legislation and for the development of
9 state and local policies that promote public safety communications interop-
10 erability in [*Oregon*] **this state**.

11 (2) Recommend to the Governor, for inclusion in the Governor's recom-
12 mended budget, investments by the State of Oregon in public safety commu-
13 nications systems.

14 (3) Coordinate state, local and, as appropriate, tribal and federal activities
15 related to obtaining federal grants for support of interoperability and request
16 technical assistance related to interoperability.

17 (4) Conduct and submit an annual update of the interoperability plan to
18 the United States Department of Homeland Security, Office of Emergency
19 Communications, aligning the update with standards established in the Na-
20 tional Emergency Communications Plan and by the federal office.

21 (5) Coordinate statewide interoperability activities among state, local and,
22 as appropriate, tribal and federal agencies.

23 (6) Advise the **State Chief Information Officer**, the Governor and the
24 Legislative Assembly on implementation of the interoperability plan.

25 (7) Serve as the Governor's Public Safety Broadband Advisory Group.

26 (8) Report to the Joint Committee on Ways and Means[,] or to the Joint
27 Interim Committee on Ways and Means, **and to the Joint Legislative**
28 **Committee on Information Management and Technology**, on or before
29 February 1 of each odd-numbered year, on the development of the interoper-
30 ability plan and the executive council's other activities.

31 (9) Adopt rules necessary to carry out [*its*] **the council's** duties and

1 powers.

2 **SECTION 55.** ORS 403.460, as amended by section 7, chapter 87, Oregon
3 Laws 2014, is amended to read:

4 403.460. (1) The [*Oregon Department of Administrative Services*] **State**
5 **Chief Information Officer** shall establish and fill a full-time equivalent
6 position for a statewide interoperability coordinator to serve as the central
7 coordination point for the Oregon Statewide Communication Interoperability
8 Plan and, through coordination and collaboration with agencies and entities
9 in the emergency response community, to implement the interoperability
10 plan.

11 (2) The statewide interoperability coordinator:

12 (a) Is the primary staff support provided by the [*Oregon Department of*
13 *Administrative Services*] **State Chief Information Officer** for the State
14 Interoperability Executive Council created under ORS 403.450;

15 (b) Shall assist the executive council in conducting and submitting annual
16 updates to the interoperability plan, in coordination and collaboration with
17 the emergency responders in this state;

18 (c) **Shall ensure that the interoperability plan aligns with and sup-**
19 **ports the Enterprise Information Resources Management Strategy;**

20 [(c)] (d) Shall identify funding opportunities for planned interoperability
21 improvements and coordinate efforts to acquire funding;

22 [(d)] (e) Shall engage stakeholders to coordinate strategic interoperability
23 plans;

24 [(e)] (f) Shall serve as a member of the National Council of Statewide
25 Interoperability Coordinators; and

26 [(f)] (g) Shall represent the State of Oregon in local, regional and na-
27 tional efforts to plan and implement changes required to ensure communi-
28 cations operability, interoperability and continuity of communications for
29 emergency responders in this state.

30 (3) Public bodies, as defined in ORS 174.109, that own or operate public
31 safety communications infrastructure may collaborate and coordinate [*their*]

1 **the public bodies'** efforts and investments to achieve the statewide inter-
2 operability goal [*set by*] the executive council **sets** and implement the inter-
3 operability plan [*approved by*] the executive council **approves**.

4 (4) Under the direction of the executive council **and the State Chief**
5 **Information Officer**, the statewide interoperability coordinator may medi-
6 ate disputes between public bodies collaborating to implement interoperable
7 public safety communications systems.

8 **SECTION 56.** ORS 413.308 is amended to read:

9 413.308. The duties of the Health Information Technology Oversight
10 Council are to:

11 (1) Set specific health information technology goals and develop a strate-
12 gic health information technology plan for this state. **The plan must align**
13 **with and support the Enterprise Information Resources Management**
14 **Strategy described in ORS 291.039. Each biennium, the council shall**
15 **submit the plan to the State Chief Information Officer and the Joint**
16 **Legislative Committee on Information Management and Technology**
17 **for review.**

18 (2) Monitor progress in achieving the goals established in subsection (1)
19 of this section and provide oversight for the implementation of the strategic
20 health information technology plan.

21 (3) Maximize the distribution of resources expended on health information
22 technology across this state.

23 (4) Create and provide oversight for a public-private purchasing
24 collaborative or alternative mechanism to help small health care practices,
25 primary care providers, rural providers and providers whose practices in-
26 clude a large percentage of medical assistance recipients to obtain affordable
27 rates for high-quality electronic health records hardware, software and
28 technical support for planning, installation, use and maintenance of health
29 information technology.

30 (5) Identify and select, **in consultation with the State Chief Informa-**
31 **tion Officer**, the industry standards for all health information technology

1 promoted by the purchasing collaborative described in subsection (4) of this
2 section, including standards for:

3 (a) Selecting, supporting and monitoring health information technology
4 vendors, hardware, software and technical support services; and

5 (b) Ensuring that health information technology applications have ap-
6 propriate privacy and security controls and that data cannot be used for
7 purposes other than patient care or as otherwise allowed by law.

8 (6) Enlist and leverage community resources to advance the adoption of
9 health information technology.

10 (7) Educate the public and health care providers on the benefits and risks
11 of information technology infrastructure investment.

12 (8) Coordinate health care sector activities that move the adoption of
13 health information technology forward and achieve health information tech-
14 nology interoperability.

15 (9) Support and provide oversight for efforts by the Oregon Health Au-
16 thority to implement a personal health records bank for medical assistance
17 recipients and assess its potential to serve as a fundamental building block
18 for a statewide health information exchange that:

19 (a) Ensures that patients' health information is available and accessible
20 when and where [*they*] **the patients** need [*it*] **the health information**;

21 (b) Applies only to patients who choose to participate in the exchange;
22 and

23 (c) Provides meaningful remedies if security or privacy policies are vio-
24 lated.

25 (10) Determine a fair, appropriate method to reimburse providers for
26 [*their*] **the providers'** use of electronic health records to improve patient
27 care, starting with providers whose practices consist of a large percentage
28 of medical assistance recipients.

29 (11) Determine whether to establish a health information technology loan
30 program and if so, to implement the program.

31 **SECTION 57.** Section 8, chapter 87, Oregon Laws 2014, is amended to

1 read:

2 **Sec. 8.** In consultation with the State Interoperability Executive Council
3 created in ORS 403.450, the [*Oregon Department of Administrative Services*]
4 **State Chief Information Officer** shall:

5 (1) Facilitate decision making and planning for potential implementation
6 of the FirstNet network; and

7 (2) Make recommendations to the state agency responsible for adminis-
8 tering federal funds from the United States Department of Commerce, Na-
9 tional Telecommunications and Information Administration.

10 **SECTION 58.** Section 9, chapter 87, Oregon Laws 2014, is amended to
11 read:

12 **Sec. 9.** (1) The duties, functions and powers of the Department of Trans-
13 portation relating to the Oregon Statewide Communication Interoperability
14 Plan, the State Interoperability Executive Council and ORS 403.450, 403.455
15 and 403.460 are imposed upon, transferred to and vested in the [*Oregon De-*
16 *partment of Administrative Services*] **State Chief Information Officer**.

17 (2) This section does not apply to duties, functions or powers related to
18 the completion, operation or maintenance of the State Radio Project, which
19 is the land-mobile radio system of the State of Oregon, for voice communi-
20 cations, formerly known as the Oregon Wireless Interoperability Network.

21 **SECTION 59.** Section 10, chapter 87, Oregon Laws 2014, is amended to
22 read:

23 **Sec. 10.** (1) The Director of Transportation shall:

24 (a) Deliver to the [*Oregon Department of Administrative Services*] **State**
25 **Chief Information Officer** all records and property within the jurisdiction
26 of the Director of Transportation that relate to the duties, functions and
27 powers transferred by section 9, **chapter 87, Oregon Laws 2014** [*of this 2014*
28 *Act*]; and

29 (b) Transfer to the [*Oregon Department of Administrative Services*] **State**
30 **Chief Information Officer** those employees, including the statewide inter-
31 operability coordinator, **who are** engaged primarily in [*the exercise of*] **ex-**

1 **ercising** the duties, functions and powers transferred by section 9, **chapter**
2 **87, Oregon Laws 2014** [*of this 2014 Act*].

3 (2) The [*Director of the Oregon Department of Administrative Services*]
4 **State Chief Information Officer** shall take possession of the records and
5 property and shall take charge of the employees and employ the employees
6 in the exercise of the duties, functions and powers transferred by section 9,
7 **chapter 87, Oregon Laws 2014** [*of this 2014 Act*], without reduction of
8 compensation but subject to change or termination of employment or com-
9 pensation as provided by law.

10 (3) The Governor shall resolve any dispute between the Department of
11 Transportation and the [*Oregon Department of Administrative Services*] **State**
12 **Chief Information Officer** relating to the transfer of records, property and
13 employees under this section. The Governor's decision is final.

14 **SECTION 60.** Section 11, chapter 87, Oregon Laws 2014, is amended to
15 read:

16 **Sec. 11.** (1) The unexpended balances of amounts authorized to be ex-
17 pended by the Department of Transportation for the biennium beginning July
18 1, 2013, from revenues dedicated, continuously appropriated, appropriated or
19 otherwise made available for the purpose of administering and enforcing the
20 duties, functions and powers transferred by section 9, **chapter 87, Oregon**
21 **Laws 2014**, [*of this 2014 Act*] are transferred to and are available for ex-
22 penditure by the [*Oregon Department of Administrative Services*] **State Chief**
23 **Information Officer** for the biennium beginning July 1, 2013, for the pur-
24 pose of administering and enforcing the duties, functions and powers trans-
25 ferred by section 9, **chapter 87, Oregon Laws 2014** [*of this 2014 Act*].

26 (2) The unexpended balances of amounts authorized to be expended by the
27 Department of Transportation for a six-year period beginning July 1, 2009,
28 or beginning July 1, 2011, from revenues dedicated, continuously appropri-
29 ated, appropriated or otherwise made available for the purpose of adminis-
30 tering and enforcing the duties, functions and powers transferred by section
31 **9, chapter 87, Oregon Laws 2014**, [*of this 2014 Act*] by acquiring land and

1 by acquiring, planning, constructing, altering, repairing, furnishing and
2 equipping buildings and facilities, are transferred to and are available for
3 expenditure by the [*Oregon Department of Administrative Services*] **State**
4 **Chief Information Officer** for the six-year period specified in section 54,
5 chapter 107, Oregon Laws 2010, or in section 2, chapter 79, Oregon Laws
6 2012, for the purpose of administering and enforcing the duties, functions and
7 powers transferred by section 9, **chapter 87, Oregon Laws 2014** [*of this 2014*
8 *Act*].

9 (3) The expenditure classifications, if any, established by Acts authorizing
10 or limiting expenditures by the Department of Transportation remain appli-
11 cable to expenditures by the [*Oregon Department of Administrative Services*]
12 **State Chief Information Officer** under this section.

13 **SECTION 61.** Section 12, chapter 87, Oregon Laws 2014, is amended to
14 read:

15 **Sec. 12.** The transfer of duties, functions and powers to the [*Oregon De-*
16 *partment of Administrative Services*] **State Chief Information Officer** by
17 section 9, **chapter 87, Oregon Laws 2014**, [*of this 2014 Act*] does not affect
18 any action, proceeding or prosecution involving or with respect to the duties,
19 functions and powers begun before and pending at the time of the transfer,
20 except that the [*Oregon Department of Administrative Services*] **State Chief**
21 **Information Officer** is substituted for the Department of Transportation in
22 the action, proceeding or prosecution.

23 **SECTION 62.** Section 13, chapter 87, Oregon Laws 2014, is amended to
24 read:

25 **Sec. 13.** (1) Nothing in sections 9 to 15, **chapter 87, Oregon Laws 2014**,
26 [*of this 2014 Act*] relieves a person of a liability, duty or obligation accruing
27 under or with respect to the duties, functions and powers transferred by
28 section 9, **chapter 87, Oregon Laws 2014**. **The State Chief Information**
29 **Officer** [*of this 2014 Act*]. *The Oregon Department of Administrative*
30 *Services*] may undertake the collection or enforcement of the liabilities, du-
31 ties or obligations.

1 (2) The rights and obligations of the Department of Transportation legally
2 incurred under contracts, leases and business transactions executed, entered
3 into or begun before [*the effective date of this 2014 Act*] **July 1, 2014**, accruing
4 under or with respect to the duties, functions and powers transferred by
5 section 9, **chapter 87, Oregon Laws 2014**, [*of this 2014 Act*] are transferred
6 to the [*Oregon Department of Administrative Services*] **State Chief Infor-**
7 **mation Officer**. For the purpose of succession to these rights and obli-
8 gations, the [*Oregon Department of Administrative Services*] **State Chief**
9 **Information Officer** is a continuation of the Department of Transportation
10 and not a new authority.

11 **SECTION 63.** Section 14, chapter 87, Oregon Laws 2014, is amended to
12 read:

13 **Sec. 14.** Notwithstanding the transfer of duties, functions and powers by
14 section 9, **chapter 87, Oregon Laws 2014** [*of this 2014 Act*], the rules of the
15 Department of Transportation with respect to the duties, functions or powers
16 that are in effect on [*the effective date of this 2014 Act*] **July 1, 2014**, continue
17 in effect until superseded or repealed by rules of the [*Oregon Department of*
18 *Administrative Services*] **State Chief Information Officer**. References in
19 the rules of the Department of Transportation to the Department of Trans-
20 portation or an officer or employee of the Department of Transportation are
21 considered to be references to the [*Oregon Department of Administrative*
22 *Services*] **State Chief Information Officer** or an officer or employee of the
23 [*Oregon Department of Administrative Services*] **State Chief Information**
24 **Officer**.

25 **SECTION 64.** Section 15, chapter 87, Oregon Laws 2014, is amended to
26 read:

27 **Sec. 15.** Whenever, in any uncodified law or resolution of the Legislative
28 Assembly or in any rule, document, record or proceeding authorized by the
29 Legislative Assembly, in the context of the duties, functions and powers
30 transferred by section 9, **chapter 87, Oregon Laws 2014** [*of this 2014 Act*],
31 reference is made to the Department of Transportation, or an officer or em-

1 ployee of the Department of Transportation, whose duties, functions or
 2 powers are transferred by section 9, **chapter 87, Oregon Laws 2014** [*of this*
 3 *2014 Act*], the reference is considered to be a reference to the [*Oregon De-*
 4 *partment of Administrative Services*] **State Chief Information Officer** or
 5 an officer or employee of the [*Oregon Department of Administrative*
 6 *Services*] **State Chief Information Officer** who by sections 9 to 15, **chapter**
 7 **87, Oregon Laws 2014**, [*of this 2014 Act*] is charged with carrying out the
 8 duties, functions and powers.

9 **SECTION 65.** Section 17, chapter 87, Oregon Laws 2014, is amended to
 10 read:

11 **Sec. 17.** Notwithstanding any other law limiting expenditures, the limi-
 12 tation on expenditures established by section 2 (3), chapter 627, Oregon Laws
 13 2013, for the biennium beginning July 1, 2013, as the maximum limit for
 14 payment of expenses from fees, moneys or other revenues, including Miscel-
 15 laneous Receipts and federal funds received from charges, but excluding lot-
 16 tery funds and federal funds not described in section 2, chapter 627, Oregon
 17 Laws 2013, collected or received by the Oregon Department of Administrative
 18 Services for the [*Chief Information Office*] **office of the State Chief Infor-**
 19 **mation Officer**, is increased by \$654,298.

20 **SECTION 66.** (1) **Sections 1 to 8 of this 2015 Act and the amend-**
 21 **ments to ORS 84.064, 181.715, 181.725, 182.122, 182.124, 182.126, 182.128,**
 22 **182.132, 184.305, 184.473, 184.475, 184.477, 184.483, 184.484, 184.486, 279A.050,**
 23 **279A.075, 279B.075, 283.100, 283.120, 283.140, 283.143, 283.505, 283.510,**
 24 **283.515, 283.520, 283.524, 291.016, 291.018, 291.032, 291.034, 291.038, 291.039,**
 25 **291.042, 291.047, 291.055, 291.990, 403.450, 403.455, 403.460 and 413.308,**
 26 **sections 1, 3, 4 and 5, chapter 782, Oregon Laws 2009, section 1, chapter**
 27 **77, Oregon Laws 2014, and sections 8, 9, 10, 11, 12, 13, 14, 15 and 17,**
 28 **chapter 87, Oregon Laws 2014, by sections 9 to 65 of this 2015 Act be-**
 29 **come operative January 1, 2016.**

30 (2) **The State Chief Information Officer and the Director of the**
 31 **Oregon Department of Administrative Services may take any action**

1 before the operative date specified in subsection (1) of this section that
2 is necessary to enable the State Chief Information Officer or the di-
3 rector to exercise, on or after the operative date specified in sub-
4 section (1) of this section, all of the duties, functions and powers
5 conferred on the State Chief Information Officer or the director by
6 sections 1 to 8 of this 2015 Act, the amendments to ORS 84.064, 181.715,
7 181.725, 182.122, 182.124, 182.126, 182.128, 182.132, 184.305, 184.473, 184.475,
8 184.477, 184.483, 184.484, 184.486, 279A.050, 279A.075, 279B.075, 283.100,
9 283.120, 283.140, 283.143, 283.505, 283.510, 283.515, 283.520, 283.524, 291.016,
10 291.018, 291.032, 291.034, 291.038, 291.039, 291.042, 291.047, 291.055, 291.990,
11 403.450, 403.455, 403.460 and 413.308, sections 1, 3, 4 and 5, chapter 782,
12 Oregon Laws 2009, section 1, chapter 77, Oregon Laws 2014, and
13 sections 8, 9, 10, 11, 12, 13, 14, 15 and 17, chapter 87, Oregon Laws 2014,
14 by sections 9 to 65 of this 2015 Act.

15 SECTION 67. This 2015 Act being necessary for the immediate
16 preservation of the public peace, health and safety, an emergency is
17 declared to exist, and this 2015 Act takes effect on its passage.

18
