

CHAPTER 100—S.F.No. 1556

An act relating to state government; changing terminology for Office of Enterprise Technology; amending Minnesota Statutes 2006, sections 16E.15, subdivision 2; 16E.18, subdivisions 2, 3, 7.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2006, section 16E.15, subdivision 2, is amended to read:

Subd. 2. **Software sale fund.** (a) Except as provided in paragraphs (b) and (c), proceeds of the sale or licensing of software products or services by the chief information officer must be credited to the ~~intertechnologies~~ enterprise technology revolving fund. If a state agency other than the ~~Department of Administration~~ Office of Enterprise Technology has contributed to the development of software sold or licensed under this section, the chief information officer may reimburse the agency by discounting computer services provided to that agency.

(b) Proceeds of the sale or licensing of software products or services developed by the Pollution Control Agency, or custom developed by a vendor for the agency, must be credited to the environmental fund.

(c) Proceeds of the sale or licensing of software products or services developed by the Department of Education, or custom developed by a vendor for the agency, to support the achieved savings assessment program, must be appropriated to the commissioner of education and credited to the weatherization program to support weatherization activities.

Sec. 2. Minnesota Statutes 2006, section 16E.18, subdivision 2, is amended to read:

Subd. 2. **Creation.** Except as provided in subdivision 4, the chief information officer, through the state information infrastructure, shall arrange for the provision of ~~voice, data, video,~~ information technology and other telecommunications ~~transmission~~ services to state agencies. The state information infrastructure may also serve educational institutions, including public schools as defined in section 120A.05, subdivisions 9, 11, 13, and 17, nonpublic, church or religious organization schools that provide instruction in compliance with sections 120A.22, 120A.24, and 120A.41, and private colleges; public corporations; Indian tribal governments; state political subdivisions; and public noncommercial educational television broadcast stations as defined in section 129D.12, subdivision 2. It is not a telephone company for purposes of chapter 237. The chief information officer may purchase, own, or lease any telecommunications network facilities or equipment after first seeking bids or proposals and having determined that the private sector cannot, will not, or is unable to provide these services, facilities, or equipment as bid or proposed in a reasonable or timely fashion consistent with policy set forth in this section. The chief information officer shall not resell or sublease any services or facilities to nonpublic entities except to serve private schools and colleges. The chief information officer has the responsibility for planning, development, and operations of the state information infrastructure in order to provide cost-effective telecommunications

transmission services to state information infrastructure users consistent with the policy set forth in this section.

Sec. 3. Minnesota Statutes 2006, section 16E.18, subdivision 3, is amended to read:

Subd. 3. **Duties.** (a) The chief information officer shall:

(1) arrange for ~~voice, data, video,~~ information technology and ~~other~~ telecommunications ~~transmission~~ services to the state and to political subdivisions through an account in the ~~intertechnologies revolving~~ enterprise technology revolving fund;

(2) manage vendor relationships, network function, and capacity planning in order to be responsive to the needs of the state information infrastructure users;

(3) set rates and fees for services;

(4) approve contracts for services, facilities, or equipment relating to the system;

(5) develop a system plan and the annual program and fiscal plans for the system; and

(6) in consultation with the commissioner of education in regard to schools, assist state agencies, political subdivisions of the state, and higher education institutions, including private colleges and public and private schools, to identify their telecommunication needs, and develop plans for interoperability of the network consistent with the policies in subdivision 1, paragraphs (a) and (b). When requested, the chief information officer may also assist in identifying, purchasing, or leasing their customer premises equipment.

(b) The chief information officer may purchase, own, or lease any telecommunications network facilities or equipment after first seeking bids or proposals and having determined that the private sector cannot, will not, or is unable to provide these services, facilities, or equipment as bid or proposed in a reasonable and timely fashion consistent with the policy set forth in this section.

Sec. 4. Minnesota Statutes 2006, section 16E.18, subdivision 7, is amended to read:

Subd. 7. **Appropriation.** Money appropriated for the state information infrastructure and fees for telecommunications services must be deposited in an account in the ~~intertechnologies~~ enterprise technology revolving fund. Money in the account is appropriated annually to the chief information officer to carry out the purposes of this section.

Presented to the governor May 18, 2007

Signed by the governor May 21, 2007, 2:28 p.m.