

House Bill 3099

Sponsored by COMMITTEE ON CONSUMER PROTECTION AND GOVERNMENT EFFECTIVENESS

SUMMARY

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

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

1
2 Relating to state information technology; creating new provisions; amending ORS 84.064, 181.715,
3 181.725, 182.122, 182.124, 182.126, 182.128, 182.132, 184.305, 184.473, 184.475, 184.477, 184.483,
4 184.484, 184.486, 279A.050, 279A.075, 279B.075, 283.100, 283.120, 283.140, 283.143, 283.505, 283.510,
5 283.515, 283.520, 283.524, 291.016, 291.018, 291.032, 291.034, 291.038, 291.039, 291.042, 291.047,
6 291.055, 291.990, 403.450, 403.455, 403.460 and 413.308 and sections 1, 3, 4 and 5, chapter 782,
7 Oregon Laws 2009, section 1, chapter 77, Oregon Laws 2014, and sections 8, 9, 10, 11, 12, 13, 14,
8 15 and 17, chapter 87, Oregon Laws 2014; and declaring an emergency.

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

10 **SECTION 1. The duties, functions and powers of the Oregon Department of Administra-**
11 **tive Services that relate to information technology, information resources, information sys-**
12 **tems, geographic information systems, geographic data, telecommunications and related**
13 **services and technologies are imposed upon, transferred to and vested in the State Chief**
14 **Information Officer.**

15 **SECTION 2. (1) The Director of the Oregon Department of Administrative Services shall:**

16 **(a) Deliver to the State Chief Information Officer all records and property within the**
17 **jurisdiction of the director that relate to the duties, functions and powers transferred by**
18 **section 1 of this 2015 Act; and**

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

21 **(2) The State Chief Information Officer shall take possession of the records and property,**
22 **and shall take charge of the employees and employ them in exercising the duties, functions**
23 **and powers transferred by section 1 of this 2015 Act, without reduction of compensation but**
24 **subject to change or termination of employment or compensation as provided by law.**

25 **(3) The Governor shall resolve any dispute between the Oregon Department of Adminis-**
26 **trative Services and the State Chief Information Officer that relates to transfers of records,**
27 **property and employees under this section, and the Governor's decision is final.**

28 **SECTION 3. (1) The unexpended balances of amounts the Oregon Department of Admin-**

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

1 istrative Services is authorized to expend during the biennium beginning July 1, 2015, from
2 revenues dedicated, continuously appropriated, appropriated or otherwise made available for
3 the purpose of administering and enforcing the duties, functions and powers transferred by
4 section 1 of this 2015 Act are transferred to and are available for the State Chief Information
5 Officer to expend during the biennium beginning July 1, 2015, for the purpose of administer-
6 ing and enforcing the duties, functions and powers transferred by section 1 of this 2015 Act.

7 (2) The expenditure classifications, if any, established by Acts authorizing or limiting
8 expenditures by the Oregon Department of Administrative Services remain applicable to
9 expenditures by the State Chief Information Officer under this section.

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

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

25 (2) The rights and obligations that the Oregon Department of Administrative Services
26 legally incurred under contracts, leases and business transactions the department executed,
27 entered into or began 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 by section 1 of this
29 2015 Act are transferred to the State Chief Information Officer. For the purpose of suc-
30 cession to these rights and obligations, the State Chief Information Officer is a continuation
31 of the Oregon Department of Administrative Services and not a new authority.

32 **SECTION 6.** Notwithstanding the transfer of duties, functions and powers by section 1
33 of this 2015 Act, the rules of the Oregon Department of Administrative Services with respect
34 to duties, functions or powers that are in effect on the operative date of section 1 of this 2015
35 Act continue in effect until the State Chief Information Officer supersedes or repeals the
36 rules. For the purposes of sections 1 to 7 of this 2015 Act, references in the rules of the
37 Oregon Department of Administrative Services, relating to information technology, infor-
38 mation resources, information systems, geographic information systems, geographic data,
39 telecommunications and related services and technologies, to the department or an officer
40 or employee of the department are references to the State Chief Information Officer or an
41 officer or employee of the office of the State Chief Information Officer.

42 **SECTION 7.** Whenever, any uncodified law or resolution of the Legislative Assembly or
43 in any rule, document, record or proceeding that the Legislative Assembly authorizes, refers
44 in the context of the duties, functions and powers transferred by section 1 of this 2015 Act,
45 to the Oregon Department of Administrative Services, or an officer or employee of the de-

1 department, whose duties, functions or powers are transferred by section 1 of this 2015 Act,
 2 the reference is a reference to the State Chief Information Officer or an officer or employee
 3 of the office of the State Chief Information Officer who by sections 1 to 7 of this 2015 Act
 4 is charged with carrying out such duties, functions and powers.

5 **SECTION 8.** (1) There is established the State Information Technology Operating Fund
 6 in the State Treasury, separate and distinct from the General Fund. The moneys in the State
 7 Information Technology Operating Fund may be invested as provided in ORS 293.701 to
 8 293.857. Interest earnings on the fund assets must be credited to the fund.

9 (2) Amounts in the fund are continuously appropriated to the State Chief Information
 10 Officer for the purposes authorized by law. The Legislative Assembly intends that, except
 11 as otherwise provided by law, all activities that use the State Information Technology Oper-
 12 ating Fund are self-supporting and the State Chief Information Officer shall keep the nec-
 13 essary records to show the status of each activity.

14 (3) Unless otherwise provided by law, the State Chief Information Officer may advance
 15 from the State Information Technology Operating Fund the cost the State Chief Information
 16 Officer incurs in providing services, including labor, facilities and materials to the office of
 17 the State Chief Information Officer or to any state agency. The State Chief Information Of-
 18 ficer shall charge the state agencies that the State Chief Information Officer serves for the
 19 costs the State Chief Information Officer incurs and shall reimburse advances from the State
 20 Information Technology Operating Fund with payments from the state agencies.

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

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

34 84.064. (1) For purposes of ORS 84.049, 84.052 and 84.055, the [*Oregon Department of Adminis-*
 35 *trative Services*] **State Chief Information Officer** shall make determinations and adopt standards
 36 for state agencies.

37 (2) The [*department*] **State Chief Information Officer** shall adopt rules [*for the*] **to govern**
 38 **state agency** use of electronic signatures [*by state agencies*]. The rules [*shall*] **must** include control
 39 processes and procedures to ensure adequate integrity, security and confidentiality [*of state agency*]
 40 **for** business transactions [*conducted*] **that state agencies conduct** using electronic commerce and
 41 to ensure that [*those*] **the** transactions can be audited as [*may be*] **is** necessary for the normal con-
 42 duct of business.

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

1 (a) The Legislative Assembly, the courts, the district attorney for each county and *[their]* **the**
 2 officers and committees **of the Legislative Assembly, the courts and the district attorney;** and

3 (b) The Public Defense Services Commission.

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

5 181.715. (1) The Department of State Police or another criminal justice agency *[designated by the*
 6 *Director of the Oregon Department of Administrative Services]* **that the State Chief Information**
 7 **Officer designates** shall operate a Criminal Justice Information Standards program that coordinates
 8 information among state criminal justice agencies. The program *[shall]* **must:**

9 (a) Ensure that in developing new information systems, data can be retrieved to support *[evalu-*
 10 *ation of]* **evaluating** criminal justice planning and programs, including, but not limited to, **evalu-**
 11 **ating** the ability of the programs to reduce future criminal conduct;

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

13 (c) Establish methods and standards for data interchange and information access between crim-
 14 inal justice information systems, in compliance with *[the]* **information technology rules, policies**
 15 **and standards** *[and policies of the Oregon Department of Administrative Services]* **that the State**
 16 **Chief Information Officer adopts;**

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

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

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

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

35 (a) The Judicial Department;

36 (b) The Attorney General;

37 (c) The Department of Corrections;

38 (d) The Department of State Police;

39 (e) Any other state agency with law enforcement authority designated by order of the Governor;

40 (f) The Department of Transportation;

41 (g) The State Board of Parole and Post-Prison Supervision;

42 (h) The Department of Public Safety Standards and Training;

43 (i) The State Department of Fish and Wildlife;

44 (j) The Oregon Liquor Control Commission;

45 (k) The Oregon Youth Authority;

- 1 (L) The Youth Development Division; and
- 2 (m) A university that has established a police department under ORS 352.383 or 353.125.

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

4 181.725. (1) There is established a Criminal Justice Information Standards Advisory Board to
 5 advise the Department of State Police or the criminal justice agency [*designated by the Director of*
 6 *the Oregon Department of Administrative Services*] **that the State Chief Information Officer des-**
 7 **ignates** under ORS 181.715 (1) about the department’s or the agency’s duties under ORS 181.715.
 8 The board consists of the following members:

- 9 (a) The State Court Administrator or the administrator’s designee;
- 10 (b) The Director of the Department of Corrections or the director’s designee;
- 11 (c) The Superintendent of State Police or the superintendent’s designee;
- 12 (d) The executive director of the Oregon Criminal Justice Commission or the executive
 13 director’s designee;
- 14 (e) The Director of Transportation or the director’s designee;
- 15 (f) The chairperson of the State Board of Parole and Post-Prison Supervision or the
 16 chairperson’s designee;
- 17 (g) The Director of the Department of Public Safety Standards and Training or the director’s
 18 designee;
- 19 (h) A chief of police designated by the Oregon Association Chiefs of Police;
- 20 (i) A sheriff designated by the Oregon State Sheriffs’ Association;
- 21 (j) A jail manager designated by the Oregon Sheriff’s Jail Command Council;
- 22 (k) A county juvenile department director designated by the Oregon Juvenile Department
 23 Directors’ Association;
- 24 (L) A community corrections agency director designated by the Oregon Association of Commu-
 25 nity Corrections Directors;
- 26 (m) A district attorney designated by the Oregon District Attorneys Association;
- 27 (n) The [*administrator of the Enterprise Information Strategy and Policy Division of the Oregon*
 28 *Department of Administrative Services or the administrator’s*] **State Chief Information Officer or**
 29 **the State Chief Information Officer’s** designee;

- 30 (o) The Director of the Oregon Youth Authority or the director’s designee;
- 31 (p) The State Fish and Wildlife Director or the director’s designee;
- 32 (q) The administrator of the Oregon Liquor Control Commission or the administrator’s designee;
- 33 and
- 34 (r) The Youth Development Director or the director’s designee.

- 35 (2) The board shall meet at such times and places as the board deems necessary.
- 36 (3) The members of the board are not entitled to compensation but are entitled to expenses as
 37 provided in ORS 292.495.

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

39 182.122. (1) As used in this section:

- 40 (a) “Executive department” has the meaning given that term in ORS 174.112.
- 41 (b) “Information systems” means computers, hardware, software, storage media, networks, oper-
 42 ational procedures and processes used in [*the collection*] **collecting**, processing, [*storage*] **storing**,
 43 sharing or [*distribution of*] **distributing** information within, or with any access beyond ordinary
 44 public access to, the state’s shared computing and network infrastructure.

45 (2) The [*Oregon Department of Administrative Services*] **State Chief Information Officer** has

1 responsibility for and authority over information systems security in the executive department, in-
 2 cluding **responsibility for** taking all measures **that are** reasonably necessary to protect the avail-
 3 ability, integrity or confidentiality of information systems or the information stored in information
 4 systems. The [*Oregon Department of Administrative Services*] **State Chief Information Officer** shall,
 5 after consultation and collaborative development with agencies, establish a state information sys-
 6 tems security plan and associated standards, policies and procedures. **The plan must align with**
 7 **and support the Enterprise Information Resources Management Strategy described in ORS**
 8 **291.039.**

9 (3) The [*Oregon Department of Administrative Services, in its sole discretion, shall*] **State Chief**
 10 **Information Officer may coordinate with the Oregon Department of Administrative Services**
 11 **to:**

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

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

15 (c) Conduct vulnerability assessments of **state** agency information systems for the purpose of
 16 evaluating and responding to the susceptibility of information systems to attack, disruption or any
 17 other event that threatens the availability, integrity or confidentiality of information systems or the
 18 information stored in information systems.

19 (4) The [*Oregon Department of Administrative Services*] **State Chief Information Officer** shall
 20 contract with qualified, independent consultants for the purpose of conducting vulnerability assess-
 21 ments under subsection (3) of this section.

22 (5) In collaboration with **appropriate** agencies, the [*Oregon Department of Administrative Ser-*
 23 *vices*] **State Chief Information Officer** shall develop and implement policies for responding to
 24 events that damage or threaten the availability, integrity or confidentiality of information systems
 25 or the information stored in information systems, whether those systems are within, interoperable
 26 with or outside the state's shared computing and network infrastructure. In the policies, the [*de-*
 27 *partment*] **State Chief Information Officer** shall prescribe actions reasonably necessary to:

28 (a) Promptly assemble and deploy in a coordinated manner the expertise, tools and methodol-
 29 ogies required to prevent or mitigate the damage caused or threatened by an event;

30 (b) Promptly alert other persons of the event and of the actions reasonably necessary to prevent
 31 or mitigate the damage caused or threatened by the event;

32 (c) Implement forensic techniques and controls developed under subsection (6) of this section;

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

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

37 (6) After consultation and collaborative development with **appropriate** agencies[,] **and** the
 38 Oregon Department of Administrative Services, **the State Chief Information Officer** shall imple-
 39 ment forensic techniques and controls for the security of information systems, whether those systems
 40 are within, interoperable with or outside the state's shared computing and network infrastructure.
 41 The techniques and controls must include [*the use of*] **using** specialized expertise, tools and
 42 methodologies[,] to investigate events that damage or threaten the availability, integrity or
 43 confidentiality of information systems or the information stored in information systems. The [*de-*
 44 *partment*] **State Chief Information Officer** shall consult with the Oregon State Police, the Office
 45 of Emergency Management, the Governor and others as necessary in developing forensic techniques

1 and controls under this section.

2 (7) The [*Oregon Department of Administrative Services*] **State Chief Information Officer** shall
 3 ensure that reasonably appropriate remedial actions are undertaken when the [*department*] **State**
 4 **Chief Information Officer** finds that such actions are reasonably necessary by reason of vulner-
 5 ability assessments of information systems under subsection (3) of this section, evaluation of events
 6 under subsection (5) of this section and other evaluations and audits.

7 (8)(a) **State** agencies are responsible for [*the security of*] **securing** computers, hardware, soft-
 8 ware, storage media, networks, operational procedures and processes used in [*the collection*] **col-**
 9 **lecting**, processing, [*storage*] **storing**, sharing or [*distribution of*] **distributing** information outside
 10 the state's shared computing and network infrastructure, following information security standards,
 11 policies and procedures established by the [*Oregon Department of Administrative Services*] **State**
 12 **Chief Information Officer** and developed collaboratively with **the** agencies. Agencies may establish
 13 plans, standards and measures that are more stringent than the standards established by the [*de-*
 14 *partment*] **State Chief Information Officer** to address specific agency needs if [*those*] **the** plans,
 15 standards and measures do not contradict or contravene the state information systems security plan.
 16 Independent agency security plans [*shall*] **must** be developed within the framework of the state in-
 17 formation systems security plan.

18 (b) [*An*] **A state** agency shall report the results of any vulnerability assessment, evaluation or
 19 audit conducted by the agency to the [*department*] **State Chief Information Officer** for the pur-
 20 poses of consolidating statewide security reporting and, when appropriate, to prompt a state incident
 21 response.

22 (9) This section does not apply to:

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

25 (b)(A) Gaming systems and networks operated by the Oregon State Lottery or [*its*] contractors
 26 **of the State Lottery**; or

27 (B) The results of Oregon State Lottery reviews, evaluations and vulnerability assessments of
 28 computer systems outside the state's shared computing and network infrastructure.

29 (10) The [*Oregon Department of Administrative Services*] **State Chief Information Officer** shall
 30 adopt rules to [*carry out its responsibilities under*] **implement the provisions of** this section.

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

32 182.124. (1) Notwithstanding ORS 182.122, the Secretary of State, the State Treasurer and the
 33 Attorney General have sole discretion and authority over information systems security in their re-
 34 spective agencies, including [*taking*] **the discretion and authority to take** all measures **that are**
 35 reasonably necessary to protect the availability, integrity or confidentiality of information systems
 36 or the information stored in information systems.

37 (2) The Secretary of State, the State Treasurer and the Attorney General shall each establish
 38 an information systems security plan and associated standards, policies and procedures in collab-
 39 oration with the [*Oregon Department of Administrative Services*] **State Chief Information Officer**
 40 as provided in ORS 182.122.

41 (3) The plan established under subsection (2) of this section, at a minimum, must:

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

45 (b) Assign responsibility for:

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

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

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

11 (d) Prescribe actions reasonably necessary to:

12 (A) Promptly assemble and deploy in a coordinated manner the expertise, tools and methodol-
 13 ogies required to prevent or mitigate the damage caused or threatened by an event;

14 (B) Promptly alert **the State Chief Information Officer and** other persons of the event and
 15 of the actions reasonably necessary to prevent or mitigate the damage caused or threatened by the
 16 event;

17 (C) Implement forensic techniques and controls developed under paragraph (e) of this subsection;

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

20 (E) Communicate and share information with agencies, using preexisting incident response ca-
 21 pabilities; and

22 (e) Describe and implement forensic techniques and controls for the security of information
 23 systems, whether those systems are within, interoperable with or outside the state's shared com-
 24 puting and network infrastructure, including the use of specialized expertise, tools and methodol-
 25 ogies, to investigate events that damage or threaten the availability, integrity or confidentiality of
 26 information systems or the information stored in information systems.

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

30 (5) If **the State Chief Information Officer cannot agree with the Secretary of State, the**
 31 **State Treasurer or the Attorney General on** a joint information systems security plan and asso-
 32 ciated operational standards and policies [cannot be agreed upon by the Oregon Department of Ad-
 33 ministrative Services and a statewide elected official named in subsection (1) of this section, the
 34 department], **the State Chief Information Officer, in collaboration with the Oregon Department**
 35 **of Administrative Services,** may take steps reasonably necessary to condition, limit or preclude
 36 electronic traffic or other vulnerabilities between information systems for which the [official] **Sec-**
 37 **retary of State, State Treasurer or Attorney General** has authority under subsection (1) of this
 38 section and the information systems for which the [department] **State Chief Information Officer**
 39 has authority under ORS 182.122 (2).

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

41 182.126. As used in this section and ORS 182.128 and 182.132:

42 (1) "Convenience fee" means a fee for using an electronic government portal or governmental
 43 services available by means of an electronic government portal that the [Oregon Department of Ad-
 44 ministrative Services] **State Chief Information Officer** charges or authorizes an electronic govern-
 45 ment portal provider to charge under ORS 182.132 (3).

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

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

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

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

11 182.128. (1) There is created the Electronic Government Portal Advisory Board consisting of 13
 12 members appointed as follows:

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

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

17 (c) The Governor shall appoint:

18 (A) Three members who represent state agencies;

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

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

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

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

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

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

26 (2) Members of the Legislative Assembly who are members of the advisory board are nonvoting
 27 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 Department of Administrative
 30 Services concerning:

31 (A) The development of electronic government portals for the **State Chief Information Officer,**
 32 **the** department and other state agencies;

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

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

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

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

40 (b) Monitor the layout, content and usability of electronic government portals and advise **the**
 41 **State Chief Information Officer and** the department on ways to improve the delivery of govern-
 42 ment services by means of electronic government portals, the accountability of state agencies' use
 43 of electronic government portals to provide government services and user satisfaction with elec-
 44 tronic government portals.

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

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

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

3 and

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

5 (i) Electronic government portals; and

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

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

10 (5) *[Official action by the advisory board requires the approval of]* A majority of the members of
11 the advisory board **must approve official action by the advisory board.**

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

14 (7) If a vacancy on the advisory board occurs for any cause, the appointing authority shall make
15 an appointment *[to become]* **that becomes** immediately effective.

16 (8) The advisory board shall meet at times and places *[specified by the call of]* **that** the chair-
17 person or of a majority of the members of the advisory board **specifies.**

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

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

22 (11) Members of the advisory board who are not members of the Legislative Assembly *[are not*
23 *entitled to]* **may not receive** compensation, but may be reimbursed for actual and necessary travel
24 and other expenses the members incur in the performance of the members' official duties in the
25 manner and amounts provided for in ORS 292.495. Claims for expenses *[incurred]* **the members**
26 **incur** in performing functions of the advisory board shall be paid out of funds appropriated to the
27 Oregon Department of Administrative Services for purposes of the advisory board.

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

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

33 182.132. (1) The *[Oregon Department of Administrative Services]* **State Chief Information Offi-**
34 **cer,** with the advice of the Electronic Government Portal Advisory Board, shall provide the ability
35 for state agencies to offer government services by means of an electronic government portal. The
36 electronic government portal must be secure and must *[meet]* **comply with the information secu-**
37 **urity rules, policies and standards that the State Chief Information Officer adopts under ORS**
38 **182.122 and meet the** usability standards developed in cooperation with the advisory board.

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

43 (3)(a) The *[department]* **State Chief Information Officer** may charge members of the public a
44 convenience fee or may authorize an electronic government portal provider to charge a convenience
45 fee for an electronic government service if the advisory board recommends that the *[department]*

1 **State Chief Information Officer** charge or authorize a convenience fee for the electronic govern-
 2 ment service. The convenience fee must reflect the costs incurred in hosting, operating, maintaining
 3 or implementing the electronic government portal.

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

7 (4) The [department] **State Chief Information Officer** may adopt rules to implement the pro-
 8 visions of this section.

9 (5) Not later than the beginning of each odd-numbered year regular legislative session, the [de-
 10 partment] **State Chief Information Officer** shall prepare and submit to the Legislative Assembly
 11 a report in the manner provided in ORS 192.245 that summarizes the [department's] **State Chief**
 12 **Information Officer's** activities under the provisions of this section.

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

14 184.305. The Oregon Department of Administrative Services is created. The purpose of the
 15 Oregon Department of Administrative Services is to improve the efficient and effective use of state
 16 resources [through the provision of] **by providing:**

17 (1) Government infrastructure services that can best be provided centrally, including but not
 18 limited to purchasing, risk management, facilities management, surplus property and motor fleet;

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

20 (3) Leadership in [the implementation of] **implementing** a statewide performance measurement
 21 program;

22 (4) State employee workforce development and training;

23 (5) Personnel systems that promote fair, responsive and cost-effective human resource manage-
 24 ment;

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

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

28 [(8) Statewide information systems and networks to facilitate the reliable exchange of information
 29 and applied technology.]

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

31 184.473. As used in ORS 184.475 and 184.477:

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

33 [(1)] (2) “Information technology” includes, but is not limited to, all present and future forms
 34 of hardware, software and services for data processing, office automation and telecommunications.

35 [(2) “State agency” includes every state officer, board, commission, department, institution, branch
 36 or agency of the state government whose costs are paid wholly or in part from funds held in the State
 37 Treasury, except:]

38 [(a) The Secretary of State, the State Treasurer, the Legislative Assembly, the courts and their of-
 39 ficers and committees; and]

40 [(b) The Public Defense Services Commission.]

41 (3) **“State agency” means a board, commission, department, division, office or other en-
 42 tity within the executive department of state government, except:**

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

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

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

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

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

4 184.475. (1) The purposes of information technology portfolio-based management are to:

5 (a) Ensure that state agencies link *[their]* **the state agencies'** information technology invest-
 6 ments with business plans;

7 (b) Facilitate risk assessment of information technology projects and investments;

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

10 (d) Ensure that state agencies facilitate development and review of information technology per-
 11 formance related to business operations;

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

13 (f) Assist in state government-wide planning for common, shared information technology
 14 infrastructure.

15 (2) The *[Oregon Department of Administrative Services]* **State Chief Information Officer** shall
 16 integrate state agency strategic and business planning, technology planning and budgeting and
 17 project expenditure processes into the *[department's information technology]* **State Chief Informa-**
 18 **tion Officer's** portfolio-based management **and oversight of state information technology re-**
 19 **sources.**

20 (3) *[In cooperation with state agencies, the department]* **The State Chief Information Officer**
 21 shall conduct and maintain a continuous inventory of each state agency's current and planned in-
 22 vestments in information technology, a compilation of information about *[those assets]* **the current**
 23 **and planned investments** and the total life cycle cost of *[those assets.]* **the current and planned**
 24 **investments. Each state agency shall cooperate with the State Chief Information Officer in**
 25 **conducting and maintaining the inventory.** The *[department]* **State Chief Information Officer**
 26 shall develop and implement state government-wide **rules, policies and** standards[]], *processes and*
 27 *procedures]* for **conducting and maintaining** the required inventory and for *[the management of]*
 28 **managing** the state government-wide information technology portfolio. State agencies shall partic-
 29 ipate in the **State Chief Information Officer's** information technology portfolio-based management
 30 **program** and shall comply with the **rules, policies and** standards[]], *processes and procedures estab-*
 31 *lished by the department]* **that the State Chief Information Officer establishes** under this sub-
 32 section. The provisions of this subsection do not relieve any state agency from accountability for
 33 equipment, materials, supplies and tangible and intangible personal property under *[its]* **the state**
 34 **agency's** control.

35 (4) The *[department]* **State Chief Information Officer** shall ensure that state agencies imple-
 36 ment portfolio-based management of information technology resources in accordance with this sec-
 37 tion and with rules, **policies and standards** *[adopted by the Director of the Oregon Department of*
 38 *Administrative Services]* **that the State Chief Information Officer adopts.**

39 (5) This section does not apply to competitive research grants and contracts at public universi-
 40 ties **that are** listed in ORS 352.002 **or a public university with a governing board that is listed**
 41 **in ORS 352.054.**

42 (6) In implementing the provisions of this section, the *[department]* **State Chief Information**
 43 **Officer** shall submit state government-wide *[policies]* **rules** for review to the Joint Legislative
 44 Committee on Information Management and Technology.

45 **SECTION 20.** ORS 184.477, as amended by section 2, chapter 102, Oregon Laws 2014, is

1 amended to read:

2 184.477. (1) The purpose of enterprise **information resources** management is to create a plan
 3 and implement a state government-wide approach for managing distributed information technology
 4 assets to minimize total ownership costs from acquisition through retirement, while realizing maxi-
 5 mum benefits for transacting the state’s business and delivering services to the residents of this
 6 state.

7 (2) With input and recommendations from state agencies, [*the Oregon Department of Adminis-*
 8 *trative Services and*] the State Chief Information Officer each biennium shall [*develop, maintain or*
 9 *update, as appropriate,*] **adopt** an Enterprise Information Resources Management Strategy [*that*] **in**
 10 **accordance with ORS 291.039. The Enterprise Information Resources Management Strategy**
 11 **must**, among other functions, [*enables the department*] **enable the State Chief Information Officer**
 12 to manage **and oversee** distributed information technology assets throughout state government. The
 13 Enterprise Information Resources Management Strategy shall prescribe the state government-wide
 14 infrastructure and services for managing these assets. The [*department and the*] State Chief Infor-
 15 mation Officer shall submit the Enterprise Information Resources Management Strategy to the Joint
 16 Legislative Committee on Information Management and Technology for review.

17 (3) Following review by the Joint Legislative Committee on Information Management and
 18 Technology, the [*department and the*] State Chief Information Officer shall ensure state agency im-
 19 plementation of the Enterprise Information Resources Management Strategy, including the develop-
 20 ment of appropriate [*standards, processes and procedures*] **rules, policies and standards along with**
 21 **budget, resource and management plans that are necessary to implement the Enterprise**
 22 **Information Resources Management Strategy.**

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

27 (5) This section does not apply to competitive research grants and contracts at public universi-
 28 ties **that are** listed in ORS 352.002 **or a public university with a governing board that is listed**
 29 **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 Chief Information Offi-**
 32 **cer** shall develop and make available an Oregon transparency website. The website [*shall*] **must**
 33 allow any person to view information that is a public record and **is** not exempt from disclosure un-
 34 der ORS 192.410 to 192.505, including but not limited to information described in subsection (3) of
 35 this section.

36 (2) State agencies and education service districts, to the extent practicable and subject to laws
 37 relating to confidentiality, when at no additional cost, using existing data and existing resources of
 38 the state agency or education service district and without reallocation of resources, shall:

39 (a) Furnish information to the Oregon transparency website by posting reports and providing
 40 links to existing information system applications in accordance with standards [*established by the*
 41 *Oregon Department of Administrative Services*] **that the State Chief Information Officer estab-**
 42 **lishes;** and

43 (b) Provide the information in the format and manner [*required by the Oregon Department of*
 44 *Administrative Services*] **that the State Chief Information Officer requires.**

45 (3) To the extent practicable and subject to laws relating to confidentiality, when at no addi-

1 tional cost, using existing data and existing resources of the state agency or education service dis-
 2 trict and without reallocation of resources, the Oregon transparency website [*shall*] **must** contain
 3 information about each state agency and education service district, including but not limited to:

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

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

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

8 (d) Annual tax expenditures of state agencies, including, when possible, the identity of the re-
 9 cipients of each tax expenditure;

10 (e) For each state agency, a description of the percentage of expenditures made in this state and
 11 the percentage of expenditures made outside this state under all contracts for goods or services
 12 [*entered into by*] the state agency **enters into** during each biennium;

13 (f) A prominently placed graphic representation of the primary funding categories and approxi-
 14 mate number of individuals [*served by*] **that** the state agency or the education service district
 15 **serves**;

16 (g) A description of the mission, function and program categories of the state agency or educa-
 17 tion service district;

18 [*Information about the state agency from the Oregon Progress Board;*]

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

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

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

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

24 (4) In addition to the information described in subsection (3) of this section:

25 (a) The [*department*] **State Chief Information Officer** shall post on the Oregon transparency
 26 website notices of public meetings [*required to be provided by*] the state agency **must provide** under
 27 ORS 192.640. If the state agency maintains a website where minutes or summaries of the public
 28 meetings are available, the state agency shall provide the [*department*] **State Chief Information**
 29 **Officer** with the link to [*that*] **the state agency** website for posting on the Oregon transparency
 30 website.

31 (b) The [*department*] **State Chief Information Officer** shall post on the Oregon transparency
 32 website a link for the website [*maintained by*] **that** the Secretary of State **maintains** for rules
 33 [*adopted by*] **that** the state agency **adopts**. If the state agency maintains a website where the **state**
 34 **agency posts the** rules [*of the agency are posted*], or where any information relating to the rules
 35 of the agency is posted, the state agency shall provide the [*department*] **State Chief Information**
 36 **Officer** with the link to [*that*] **the** website for posting on the Oregon transparency website.

37 (c) The [*department*] **State Chief Information Officer** shall provide links on the Oregon trans-
 38 parency website for information [*received by the department regarding*] **that the State Chief Infor-**
 39 **mation Officer receives concerning** contracts and subcontracts [*entered into by*] **that** a state
 40 agency or education service district **enters into**, to the extent [*disclosure of*] that **disclosing the**
 41 information is allowed by law and the information is already available on websites [*maintained by*]
 42 **that** the state agency or education service district **maintains**. To the extent available, the infor-
 43 mation [*linked*] to **which the State Chief Information Officer links** under this section must in-
 44 clude:

45 (A) Information on professional, personal and material contracts;

1 (B) The date of each contract and the amount payable under the contract;

2 (C) The period during which the contract is or was in effect; and

3 (D) The names and addresses of vendors.

4 (5) In creating, operating, refining and recommending enhancements to the Oregon transparency
5 website, the [*Oregon Department of Administrative Services*] **State Chief Information Officer** and
6 the Transparency Oregon Advisory Commission created in ORS 184.486 shall consider and, to the
7 extent practicable, adhere to the following principles:

8 (a) The website must be accessible without cost and be easy to use;

9 (b) Information included on the Oregon transparency website must be presented using plain,
10 easily understandable language; and

11 (c) The website should teach users about how state government and education service districts
12 work and provide users with the opportunity to learn something about how state government and
13 education service districts raise and spend revenue.

14 (6) If a state agency or an education service district is not able to include information described
15 in this section on the Oregon transparency website because of the lack of availability of information
16 or cost in acquiring [*it*] **information**, the Transparency Oregon Advisory Commission created in
17 ORS 184.486 shall list the information that is not included for [*that*] **the** state agency or education
18 service district in the commission's report to the Legislative Assembly required under ORS 184.486.

19 (7) The [*Oregon Department of Administrative Services*] **State Chief Information Officer** shall
20 include on the Oregon transparency website a page that provides links to websites established by
21 local governments, as defined in ORS 174.116, and by special government bodies, as defined in ORS
22 174.117, for the purpose of providing transparency in the revenues, expenditures and budgets of the
23 [*public bodies*] **local governments and special government bodies**. The [*department*] **State Chief**
24 **Information Officer** shall include a link to the **local government's or special government body's**
25 website [*of the public body upon*] **after** receiving a request from the [*public body*] **local government**
26 **or special government body**, and shall consider recommendations from the Transparency Oregon
27 Advisory Commission for [*the inclusion of*] **including** other links to local **government** and special
28 government body websites. The [*department*] **office of the State Chief Information Officer** shall
29 include a prominent link on the home page of the Oregon transparency website for information
30 posted to the page described in this subsection.

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

32 184.484. (1) For each statute [*authorizing*] **that authorizes** a tax expenditure [*that has*] **with** a
33 purpose connected to economic development and **that** is listed in subsection (2) of this section, the
34 state agency charged with certifying or otherwise administering the tax expenditure shall submit a
35 report to the [*Oregon Department of Administrative Services*] **State Chief Information Officer**. If
36 [*no agency is authorized by*] a statute **does not exist to authorize a state agency to certify or**
37 **otherwise administer the tax expenditure**, or if [*the*] a statute does not provide for certification
38 or administration of the tax expenditure, the Department of Revenue shall submit the report.

39 (2) This section applies to:

40 (a) ORS 285C.175, 285C.309, 285C.362, 307.123, 307.455, 307.462, 315.141, 315.331, 315.336, 315.341,
41 315.507, 315.514, 315.533, 316.698, 316.778, 317.124, 317.391 and 317.394.

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

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

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

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

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

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

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

9 (d) Specific outcomes or results required by the tax expenditure program and information about
10 whether the taxpayer or applicant meets those requirements. This information *[shall]* **must** be based
11 on data **the state agency has** already collected and analyzed *[by the agency]* in the course of ad-
12 ministering the tax expenditure. Statistics must be accompanied by a description of the methodology
13 employed in *[their generation]* **the statistics**.

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

16 (f) Any additional information *[submitted by]* **that** the taxpayer or applicant **submits** and **that**
17 **the state agency relies on in certifying the** *[relied upon by the agency in its certification]* deter-
18 mination.

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

21 (4) The information reported under subsection (3) of this section may not include proprietary
22 information or information that is exempt from disclosure under ORS 192.410 to 192.505 or 314.835.

23 (5) No later than September 30 of each year, *[agencies]* **a state agency** described in subsection
24 (1) of this section shall submit to the *[Oregon Department of Administrative Services]* **State Chief**
25 **Information Officer** the information required under subsection (3) of this section as applicable to
26 applications for allowance of tax expenditures *[approved by]* the **state** agency **approved** during the
27 agency fiscal year ending during the current calendar year. The information *[shall]* **must** then be
28 posted on the Oregon transparency website *[required under]* **described in** ORS 184.483 no later than
29 December 31 of the same year.

30 (6) In addition to the information described in subsection (3) of this section, the *[Oregon De-*
31 *partment of Administrative Services]* **State Chief Information Officer** shall post on the Oregon
32 transparency website copies of all reports that the *[department]* **State Chief Information Officer**,
33 the Department of Revenue or the Oregon Business Development Department receives from counties
34 and other local governments relating to properties in enterprise zones that have received tax ex-
35 emptions under ORS 285C.170, 285C.175 or 285C.409, or that are eligible for tax exemptions under
36 ORS 285C.309, 315.507 or 317.124 by reason of being in an enterprise zone. The reports *[shall]* **must**
37 be submitted to the *[Oregon Department of Administrative Services]* **State Chief Information Offi-**
38 **cer** in a manner and format *[prescribed by the department]* **that the State Chief Information Of-**
39 **ficer prescribes**.

40 (7) The information described in this section that is available on the Oregon transparency
41 website must be accessible in the format and manner required by the *[Oregon Department of Ad-*
42 *ministrative Services]* **State Chief Information Officer**.

43 (8) The information described in this section *[shall be furnished]* **must be provided** to the
44 Oregon transparency website by posting reports and providing links to existing information systems
45 applications in accordance with standards established by the *[Oregon Department of Administrative*

1 *Services*] **the State Chief Information Officer.**

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

3 184.486. (1) There is created the Transparency Oregon Advisory Commission consisting of nine
4 members appointed as follows:

5 (a) The President of the Senate shall appoint two members from among members of the Senate,
6 one from the majority party and one from the minority party.

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

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

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

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

13 (f) The President of the Senate and the Speaker of the House of Representatives shall each ap-
14 point one member of the public with experience or interest in public finance, public relations,
15 measurement of performance outcomes or technology.

16 (2) The commission shall advise and make recommendations to the [*Oregon Department of Ad-*
17 *ministrative Services*] **State Chief Information Officer** regarding the creation, contents and opera-
18 tion of, and enhancements to, the Oregon transparency website.

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

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

23 (5) The commission shall elect one of [*its*] **the commission's** members to serve as
24 chairperson[. *The chairperson shall be selected*] not later than October 1 of each odd-numbered year.

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

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

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

30 (9) The commission shall use the services of permanent staff of the Legislative Fiscal Office to
31 the greatest extent practicable to staff the commission. The [*Oregon Department of Administrative*
32 *Services*] **State Chief Information Officer** may provide additional assistance.

33 (10) Notwithstanding ORS 171.072, members of the commission who are members of the Legis-
34 lative Assembly are not entitled to mileage expenses or a per diem and serve as volunteers on the
35 commission.

36 (11) Members of the commission who are not members of the Legislative Assembly are not en-
37 titled to compensation or reimbursement for expenses and serve as volunteers on the commission.

38 (12) All agencies of state government, as defined in ORS 174.111, [*are directed to*] **shall** assist
39 the commission in [*the performance of its*] **performing the commission's** duties and, to the extent
40 permitted by laws relating to confidentiality, to furnish such information and advice as the members
41 of the commission consider necessary to perform [*their*] **the members'** duties.

42 (13) The commission shall report to the Legislative Assembly not later than February 15 of each
43 odd-numbered year. The report [*shall*] **must** describe:

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

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

3 (A) Performance outcomes that measure the success of state agency programs in achieving
 4 goals;

5 (B) State agency bond debt;

6 (C) State agency expenses for capital improvements;

7 (D) Numbers and descriptions of jobs created through state agency contracts and subcontracts;

8 (E) Lists of businesses and individuals *[receiving]* **that receive** tax credits, deductions, refunds,
 9 rebates and other subsidies from a state agency;

10 (F) Lists of the names of contractors *[who]* **that** received a contract from a state agency, in-
 11 cluding the number of contracts and compensation **the contractors** received; and

12 (G) Lists *[by contracting state agency]* of the number of contracts **that each state agency** en-
 13 tered into during a biennium and the amount of moneys **each state agency** spent on the contracts;
 14 and

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

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

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

23 279A.050. (1)(a) Except as otherwise provided in the Public Contracting Code, a contracting
 24 agency shall exercise all **of the contracting agency's** procurement authority in accordance with
 25 the provisions of the Public Contracting Code.

26 (b) *[When]* **If** a contracting agency has authority under this section to carry out functions de-
 27 scribed in this section, or has authority to make procurements under a provision of law other than
 28 the Public Contracting Code, the contracting agency *[is]* **need** not *[required to]* exercise that au-
 29 thority in accordance with the provisions of the code if, under ORS 279A.025, the code does not
 30 apply to the contract or *[contracting]* authority.

31 (2)(a) Except as otherwise provided in **paragraph (b) of this subsection and** the Public Con-
 32 tracting Code, for state agencies the Director of the Oregon Department of Administrative Services
 33 has all the authority **available** to carry out the provisions of the Public Contracting Code.

34 **(b) Except as otherwise provided in the Public Contracting Code, for state agencies the**
 35 **State Chief Information Officer has all the authority available to procure or supervise the**
 36 **procurement of all goods, services and personal services related to information technology**
 37 **and telecommunications for state contracting agencies. This paragraph does not apply to**
 38 **contracts under which the contractor delivers to the state agency information technology**
 39 **products or services incidentally in performing a personal services contract described in ORS**
 40 **chapter 279C or a construction contract described in ORS chapter 279C.**

41 (3) Except as otherwise provided in the Public Contracting Code, the Director of Transportation
 42 has all the authority **available** to:

43 (a) Procure or supervise the procurement of all services and personal services to construct, ac-
 44 quire, plan, design, maintain and operate passenger terminal facilities and motor vehicle parking
 45 facilities in connection with any public transportation system, in accordance with ORS 184.689 (5);

1 (b) Procure or supervise the procurement of all goods, services, public improvements and per-
 2 sonal services [*relating to the operation, maintenance or construction of*] **that are related to oper-**
 3 **ating, maintaining or constructing** highways, bridges and other transportation facilities that are
 4 subject to the authority of the Department of Transportation; and

5 (c) Establish standards for, prescribe forms for and conduct the prequalification of prospective
 6 bidders on public improvement contracts **that are** related to [*the operation, maintenance or con-*
 7 *struction of*] **operating, maintaining or constructing** highways, bridges and other transportation
 8 facilities that are subject to the authority of the Department of Transportation.

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

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

15 (6) The state agencies listed in this subsection have all the authority **available, in accordance**
 16 **with the Public Contracting Code**, to [*do the following in accordance with the Public Contracting*
 17 *Code*] **procure or supervise the procurement of the goods, services, personal services, con-**
 18 **struction materials, equipment or supplies specified in each of the following paragraphs:**

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

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

32 (c) The State Department of Fish and Wildlife [*to procure or supervise the procurement of*] **for**
 33 construction materials, equipment, supplies, services and personal services for public improvements,
 34 public works or ordinary construction described in ORS 279C.320 that is subject to the authority
 35 of the State Department of Fish and Wildlife;

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

38 (e) The Oregon Department of Aviation [*to procure or supervise the procurement of*] **for** con-
 39 struction materials, equipment, supplies, services and personal services for public improvements,
 40 public works or ordinary construction described in ORS 279C.320 that is subject to the authority
 41 of the Oregon Department of Aviation;

42 (f) The Oregon Business Development Department [*to procure or supervise the procurement of*]
 43 **for** all goods, services, personal services and public improvements related to [*its*] **the Oregon**
 44 **Business Development Department's** foreign trade offices operating outside the state;

45 (g) The Housing and Community Services Department [*to procure or supervise the procurement*

1 of] **for** goods, services and personal services as provided in ORS 279A.025 (2)(n);

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

6 (i) The Department of Corrections, subject to any applicable provisions of ORS 279A.120,
7 279A.125, 279A.145 and 283.110 to 283.395, [*to procure or supervise the procurement of*] **for** goods,
8 services and personal services under ORS 179.040 for [*its*] **Department of Corrections** institutions;

9 (j) The Department of Veterans' Affairs [*to procure or supervise the procurement of*] **for** real es-
10 tate broker and principal real estate broker services related to programs under the department's
11 authority;

12 (k) The Oregon Military Department [*to procure or supervise the procurement of*] **for** construction
13 materials, equipment, supplies, services and personal services for public improvements, public works
14 or ordinary construction described in ORS 279C.320 that is subject to the authority of the Oregon
15 Military Department;

16 (L) The Department of Education, subject to any applicable provisions of ORS 329.075, 329.085
17 and 329.485 and the federal No Child Left Behind Act of 2001 (P.L. 107-110, 115 Stat. 1425), [*to pro-
18 cure or supervise the procurement of*] **for** goods, services, personal services and information technol-
19 ogy [*relating*] **related** to student assessment; and

20 (m) Any state agency [*to conduct a procurement when the agency is specifically authorized by*] **for**
21 **goods, services, personal services, construction materials, equipment or supplies** if any pro-
22 vision of law other than the Public Contracting Code **specifically authorizes the state agency** to
23 enter into a contract.

24 (7) Notwithstanding this section and ORS 279A.140 (1), the Director of the Oregon Department
25 of Administrative Services has exclusive authority, unless the director delegates [*this*] **the** authority,
26 to procure or supervise the procurement of all price agreements on behalf of the state agencies
27 identified in subsection (6) [(6)(a) to (k)] of this section under which more than one state agency may
28 order goods, services or personal services [*and, except for contracts procured by the Oregon Health
29 Authority, all state agency information technology contracts. This subsection does not apply to contracts
30 under which the contractor delivers to the state agency information technology products or services
31 incidental to the performance of personal services contracts described in ORS chapter 279C or con-
32 struction contracts described in ORS chapter 279C*]. **The State Chief Information Officer has ex-
33 clusive authority, unless the State Chief Information Officer delegates the authority, to
34 procure or supervise the procurement of all price agreements related to information tech-
35 nology and telecommunications on behalf of the state agencies identified in subsection (6)
36 of this section. Notwithstanding any authority that a state agency [*identified in*] may have
37 under subsection (3) or (6) [(6)(a) to (k)] of this section, the state agency may not establish a price
38 agreement or enter into a contract for goods, services, personal services, construction materials,
39 equipment or supplies without the approval of the director or the State Chief Information Officer
40 if the director or the State Chief Information Officer has established a price agreement for the
41 goods, services, [*or*] personal services, **construction materials, equipment or supplies.****

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

43 279A.075. (1) Unless otherwise provided in the Public Contracting Code, **a person or agency**
44 **that has an authority under the code may delegate and subdelegate** the exercise of [*all au-
45 thorities in the code may be delegated and subdelegated*] **the authority** in whole or in part.

1 Notwithstanding delegations of authority under this section, **the code and rules adopted under the**
 2 **code govern** a person's or agency's exercise of the delegated authority [*is governed by the code and*
 3 *rules adopted under the code*].

4 (2) The Secretary of State, State Treasurer, Director of the Oregon Department of Administra-
 5 tive Services, **State Chief Information Officer** and Director of Transportation and other heads of
 6 state agencies with specific limited authority identified in ORS 279A.050 (6) may delegate [*their*]
 7 authority to contract for and manage public contracts for their offices or agencies.

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

9 279B.075. (1) A contracting agency may award a contract for goods or services without compe-
 10 tition when the Director of the Oregon Department of Administrative Services, the local contract
 11 review board or a state contracting agency, if it has procurement authority under ORS 279A.050,
 12 **the State Chief Information Officer, with respect to goods or services described in subsection**
 13 **(2)(b) of this section**, or a person designated in writing by the director, board or state contracting
 14 agency with procurement authority under ORS 279A.050, determines in writing, in accordance with
 15 rules adopted under ORS 279A.065, that the goods or services, or class of goods or services, are
 16 available from only one source.

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

18 (a) That the efficient utilization of existing goods requires [*the acquisition of*] **acquiring** com-
 19 patible goods or services;

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

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

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

25 (3) To the extent reasonably practical, the contracting agency shall negotiate with the sole
 26 source to obtain contract terms **that are** advantageous to the contracting agency.

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

28 283.100. The Oregon Department of Administrative Services shall provide general government
 29 administrative functions [*to*] **for** state agencies. [*The cost of these services, or portions thereof, as*
 30 *determined by the department shall be allocated to state agencies as determined by the department and*
 31 *paid to the department in the same manner as other claims against the agency are paid.*] **The State**
 32 **Chief Information Officer shall provide information technology and telecommunications**
 33 **functions for state agencies. The department or the State Chief Information Officer shall**
 34 **allocate the costs that the department or the State Chief Information Officer determines for**
 35 **the services or a portion of the services, to state agencies, which shall pay the costs to the**
 36 **department or the State Chief Information Officer, as appropriate, in the same manner as**
 37 **the state agency pays other claims.**

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

39 283.120. Subject to rules [*prescribed by*] **that** the Oregon Department of Administrative Services
 40 **prescribes, or that the State Chief Information Officer prescribes for information technology**
 41 **and telecommunications**, any state agency may establish a service unit within the agency to fur-
 42 nish to other units of [*such*] **the** agency the services, facilities and materials that the **agency es-**
 43 **tablishes the** service unit [*is established*] to provide. The **state agency shall charge the service**
 44 **unit's** expenses [*of the service unit shall be charged*] to the units served and, except as provided in
 45 ORS 283.076 (3), the amounts [*so charged*] **the state agency charges must** [*shall*] be credited to the

1 miscellaneous receipts account established pursuant to ORS 279A.290. *[and]* **The moneys in the**
 2 **account are** hereby *[are]* appropriated continuously for expenditure by the state agency subject to
 3 the allotment system provided by ORS 291.234 to 291.260.

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

5 283.140. (1) The *[Oregon Department of Administrative Services]* **State Chief Information Offi-**
 6 **cer** shall exercise budgetary management, supervision and control over all telephone and telecom-
 7 munications service for all state agencies. The *[department]* **Oregon Department of**
 8 **Administrative Services** may operate central mail, shuttle bus or messenger services for **state**
 9 agencies located in Salem, Portland or other cities, *[where it would be economical so to do. The]* **if**
 10 **doing so is economical. The State Chief Information Officer shall charge the** cost of main-
 11 taining and operating any central telephone exchange, switching system, network service and facil-
 12 ity, intercity or intracity network trunk or line or switchboard, *[or]* **to the state agencies that the**
 13 **State Chief Information Officer serves and the department shall charge** the cost of **providing**
 14 mail, shuttle bus and messenger services, *[shall be charged to the various agencies served and paid*
 15 *to the department]* **to the state agencies that the department serves. The state agencies shall**
 16 **pay the costs to the State Chief Information Officer or the department, as appropriate,** in the
 17 same manner *[as other claims against the agencies are paid]* **in which the state agencies pay other**
 18 **claims.**

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

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

21 (b) Report biennially to the Director of the Oregon Department of Administrative Services on
 22 opportunities for savings through state agency mail room centralization, consolidation and auto-
 23 mation and through mail route coordination.

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

28 *[(4)]* (3) *[For the purposes of]* **As used in** this section, “telecommunications” means media that
 29 communicate voice, data, text, images or video over a distance using electrical, electronic or light
 30 wave transmission media.

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

32 283.143. (1) To encourage utilization of statewide integrated videoconferencing and statewide
 33 online access services, the *[Oregon Department of Administrative Services]* **State Chief Information**
 34 **Officer** shall, in addition to any other charge or assessment for providing telecommunications ser-
 35 vices to state agencies, impose upon each **state** agency and public corporation a surcharge, in an
 36 amount *[established by the department]* **the State Chief Information Officer establishes. The**
 37 **State Chief Information Officer shall deposit** all surcharge moneys *[collected shall be deposited*
 38 *in the Oregon Department of Administrative Services Operating Fund, and may be expended]* **into the**
 39 **State Information Technology Operating Fund established in section 8 of this 2015 Act. The**
 40 **State Chief Information Officer may expend moneys in the fund** only for state agency and
 41 public corporation telecommunication and videoconferencing activities, under such terms and con-
 42 ditions as the *[department]* **State Chief Information Officer** may prescribe.

43 (2) Notwithstanding subsection (1) of this section, the *[Oregon Department of Administrative*
 44 *Services shall]* **State Chief Information Officer** may not impose the surcharge established by this
 45 section on the Oregon University System or the Oregon Health and Science University. The *[Oregon*

1 *Department of Administrative Services*] **State Chief Information Officer** shall enter into an agree-
 2 ment with the Oregon University System and the Oregon Health and Science University on the
 3 amounts *[to be paid by]* **that** the Oregon University System and the Oregon Health and Science
 4 University **must pay to the State Chief Information Officer** *[to the Oregon Department of Ad-*
 5 *ministrative Services]* in lieu of the surcharge provided for in this section.

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

7 283.505. (1) The *[Oregon Department of Administrative Services]* **State Chief Information Offi-**
 8 **cer** shall coordinate the consolidation and operation of all telecommunications systems, **including**
 9 **emergency telecommunications systems, that the state and state agencies use.** *[used by the*
 10 *state and state agencies.]* Notwithstanding any other provision of law, *[no]* **an** agent or agency of the
 11 state *[shall]* **may not** construct, purchase or otherwise gain access to a telecommunications system
 12 without the prior approval of the *[department]* **State Chief Information Officer.**

13 (2) *[The department shall coordinate the consolidation and operation of emergency telecommuni-*
 14 *cations systems used by the state and state agencies. The provisions of this section shall not be con-*
 15 *strued to require consolidation of]* **The provisions of this section do not require emergency**
 16 **service providers, as defined by the State Chief Information Officer, to consolidate** telecom-
 17 munications systems *[used by]* **that** emergency service providers **use**, *[as defined by the*
 18 *department,]* into nonemergency networks.

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

20 283.510. (1) As used in this section:

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

24 (b) “Telecommunications provider” means any person **that is** capable of providing advanced
 25 digital communications including, but not limited to, a telecommunications utility as defined in ORS
 26 759.005, a competitive telecommunications provider as defined in ORS 759.005, a cable television
 27 provider or an interstate telecommunications provider.

28 (2) Notwithstanding ORS chapters 279A, 279B and 279C, the *[Oregon Department of Administra-*
 29 *tive Services]* **State Chief Information Officer** by contract shall acquire advanced digital commu-
 30 nications services from telecommunications providers or a consortium of *[such]*
 31 **telecommunications providers in a manner that is consistent with the State Chief Informa-**
 32 **tion Officer’s rules, polices and standards.** Contracts under this section *[shall]* **must** provide that
 33 all responsibility for *[construction, installation, operation and maintenance of]* **constructing, install-**
 34 **ing, operating and maintaining** the network *[shall remain]* **remains** with the contracting provider.

35 (3) *[Upon installation of]* **After a telecommunications provider has installed** an advanced
 36 digital communications network, the *[Oregon Department of Administrative Services]* **State Chief**
 37 **Information Officer** shall provide all telecommunications services and operations for the state and
 38 *[its]* **state agencies.** The *[department]* **State Chief Information Officer** *[shall]* **may not** approve the
 39 procurement of any telecommunications system or equipment that is incompatible with the network.

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

41 283.515. The *[Oregon Department of Administrative Services]* **State Chief Information Officer**
 42 annually shall review **each state agency’s budget**, in conjunction with *[each]* **the** state agency, *[the*
 43 *budget of that agency]* to identify *[agency funds to be used for]* **funds that the state agency uses**
 44 **for** travel and transportation that *[may be used]* **the state agency could instead use** for telecom-
 45 munications. If the *[department]* **State Chief Information Officer** determines that a **state agency**

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

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

10 283.520. (1) For the purposes of ORS 283.500 to 283.520, the *[Oregon Department of Administra-*
 11 *tive Services may]* **State Chief Information Officer may, in a manner that is consistent with**
 12 **the State Chief Information Officer's rules, policies and standards,** enter into a contract or
 13 contracts with telecommunications service providers and equipment manufacturers for *[the purchase,*
 14 *use or operation of]* **purchasing, using or operating** telecommunications equipment and services for
 15 a period not to exceed 10 years.

16 (2) For purposes of ORS 291.038, the *[Oregon Department of Administrative Services]* **State Chief**
 17 **Information Officer** may extend the benefits of telecommunications contracts for networks, equip-
 18 ment and services to nonprofit organizations that *[have been designated]* **the State Chief Informa-**
 19 **tion Officer designates** as communities of interest **under ORS 291.038.**

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

21 283.524. The *[Oregon Department of Administrative Services may]* **State Chief Information Of-**
 22 **ficer may, in a manner that is consistent with the State Chief Information Officer's rules,**
 23 **policies and standards,** enter into an agreement or agreements to fund or otherwise acquire tele-
 24 communications equipment and services by installment purchase or lease purchase contracts as
 25 provided by ORS 276.218.

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

27 **Sec. 1.** (1) The Oregon Broadband Advisory Council is established *[within the Oregon Business*
 28 *Development Department]* **under the State Chief Information Officer.** The council *[shall consist]*
 29 **consists** of 14 members, of whom:

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

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

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

33 (C) Three members to represent telecommunications service providers and Internet service pro-
 34 viders in this state. At least one member must represent rural telecommunications consortia.

35 (D) One member to represent Oregon tribes.

36 (E) One member to represent education.

37 (F) One member to represent economic development.

38 (G) One member to represent public safety.

39 (H) One member to represent health.

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

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

43 (b) The Speaker of the House of Representatives shall appoint one nonvoting member who is a
 44 member of the House of Representatives.

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

1 Senate.

2 (2) The term of office of each voting member is four years, but a voting member serves at the
 3 pleasure of the Governor. Before *[the expiration of]* the term of a voting member **expires**, the Gov-
 4 ernor shall appoint a successor whose term begins on January 1 next following. A voting member
 5 is eligible for reappointment. If there is a vacancy for any cause, the Governor shall make an ap-
 6 pointment *[to become]* **that becomes** immediately effective for the unexpired term.

7 (3) The nonvoting legislative members shall serve two-year terms and are eligible for reap-
 8 pointment.

9 (4) Members of the council who are not members of the Legislative Assembly are not entitled
 10 to compensation, but voting members may be paid expenses if funding is available from contributions
 11 *[accepted]* **the State Chief Information Officer accepts** under section 3 (2), chapter 782, Oregon
 12 Laws 2009.

13 (5) Members of the council who are members of the Legislative Assembly are entitled to com-
 14 pensation and expense reimbursement as provided in ORS 171.072.

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

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

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

23 (9) *[Official action by the council requires the approval of]* A majority of the voting members **of**
 24 **the council must approve official action by the council.** The council may recommend legislation,
 25 which must be prepared in 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 Information Officer** shall
 28 provide staff or facilities to the council.

29 (11) The *[Oregon Department of Administrative Services, the]* Public Utility Commission and the
 30 Department of Education may provide staff or facilities to the council.

31 (12) All agencies of state government, as defined in ORS 174.111, *[are directed to]* **shall** assist
 32 the council in the performance of *[its]* **the council's** duties and, to the extent permitted by laws
 33 relating to confidentiality, to furnish such information and advice as the members of the council
 34 consider necessary to perform *[their]* **the members'** duties.

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

36 **Sec. 3.** (1) The Oregon Broadband Advisory Council Fund is established, separate and distinct
 37 from the General Fund. Interest earned by the Oregon Broadband Advisory Council Fund *[shall]*
 38 **must** be credited to the fund. Moneys in the Oregon Broadband Advisory Council Fund are contin-
 39 uously appropriated to the *[Oregon Business Development Department]* **State Chief Information**
 40 **Officer** for the purposes of carrying out the duties of the Oregon Broadband Advisory Council.

41 (2) The *[department]* **State Chief Information Officer**, on behalf of the council, may accept
 42 contributions of funds and assistance from the United States Government or agencies of the United
 43 States Government or from any other source, public or private, and agree to conditions *[not incon-*
 44 *sistent]* **that are consistent** with the purposes of the council. **The State Chief Information Officer**
 45 **shall accept the funds** *[All such funds are]* to aid in financing the functions of the council and

1 *[must be deposited]* **shall deposit the funds** in the Oregon Broadband Advisory Council Fund to the
 2 credit of separate accounts for the council to disburse for the purposes for which the funds were
 3 contributed.

4 (3) The council shall encourage:

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

7 (b) State agencies to utilize broadband telecommunications;

8 (c) The development and support of digital inclusion and education programs to encourage
 9 broadband adoption and provide citizens with institutions to teach digital skills necessary for suc-
 10 cess in the workplace;

11 (d) Efforts to provide cost-effective quality workforce development training using telecommuni-
 12 cations infrastructure and facilities to access distance learning opportunities;

13 (e) Schools, education service districts and local education agencies in unserved areas to pro-
 14 mote broadband access for the surrounding community;

15 (f) Public and private entities to seek opportunities for partnership with educational institutions
 16 that will stimulate the use of broadband technologies through community projects and public edu-
 17 cation;

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

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

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

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

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

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

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

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

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

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

34 291.016. The Oregon Department of Administrative Services, **or the State Chief Information**
 35 **Officer for purposes related to information and telecommunications technology**, may make or
 36 cause to be made administrative and organizational surveys of the state agencies for the purpose
 37 of determining the feasibility of improving the administration of the state government by *[the elimi-*
 38 *nation of]* **eliminating** unnecessary positions and activities, *[the improvement of]* **improving** internal
 39 operating forms, *[the avoidance of]* **avoiding** duplication, and increasing efficiency and economical
 40 operation.

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

42 291.018. The Oregon Department of Administrative Services, **or the State Chief Information**
 43 **Officer for purposes related to information and telecommunications technology**, shall conduct
 44 research for use in administrative planning, policy review and organization and methods improve-
 45 ment. Periodic administrative reports to the department, **the State Chief Information Officer** and

1 the Governor[,] **that are** designed to outline factually the quantitative and qualitative aspects of
 2 work performance by operating units[,] may be required of state agencies. The department **and the**
 3 **State Chief Information Officer** may require [*submission of such*] **state agencies to submit** in-
 4 formation in reports [*as*] **that** will permit sound analysis and will provide the basis for detecting
 5 administrative weaknesses, correcting performance difficulties and permitting better planning and
 6 management of state services.

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

8 291.032. The Oregon Department of Administrative Services, **or the State Chief Information**
 9 **Officer for purposes related to information and telecommunications technology**, may provide
 10 technical services to state agencies for management improvement development and the development
 11 of economies in the organization and administration of state agencies. The technical services may
 12 include consulting studies in work simplification, work measurement, equipment utilization and other
 13 management improvement concepts. The **department or the State Chief Information Officer**
 14 **shall determine and charge the** cost of the technical services, or portions [*thereof, as determined*
 15 *by the department, shall be charged*] **of the technical services**, to the **state** agency served [*and*
 16 *paid*]. **The state agency shall pay the cost** to the department **or the State Chief Information**
 17 **Officer, as appropriate**, in the same manner [*as*] **that the state agency pays** other claims against
 18 the **state** agency [*are paid*].

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

20 291.034. The [*Oregon Department of Administrative Services*] **State Chief Information Officer**
 21 may provide technical services to state agencies for data processing systems development and [*the*
 22 *development of*] **developing** data processing methods and applications. The technical services may
 23 include consulting and programming services and assistance in locating electronic data processing
 24 installations. The **State Chief Information Officer shall determine and charge the** cost of the
 25 technical services, or portions [*thereof, as determined by the department, shall be charged*] **of the**
 26 **technical services**, to the **state** agency served [*and paid to the department*]. **The state agency**
 27 **shall pay the cost to the State Chief Information Officer** in the same manner [*as*] **that the state**
 28 **agency pays** other claims against the **state** agency [*are paid*].

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

31 291.038. (1) The State Chief Information Officer shall oversee [*policy for*] and coordinate **the**
 32 planning, **budgeting**, architecture and standardization, **consolidation, acquisition and oversight**
 33 of all information and telecommunications technology by state government and agencies of state
 34 government so that statewide and individual state agencies' plans and activities are addressed in the
 35 most integrated, economic and efficient manner, in a manner that minimizes duplication, fragmenta-
 36 tion, redundancy and cost in state [*agency*] **government** operations and in a manner that most ef-
 37 fectively meets state **government and state** agency program needs.

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

40 (a) Adopt rules, policies and standards to plan for, develop architecture for and standardize the
 41 state's information resources and technologies. In developing rules, policies and standards, the State
 42 Chief Information Officer shall consult with state agencies that have needs that information re-
 43 sources may satisfy. State agencies shall cooperate with the State Chief Information Officer in pre-
 44 paring and complying with rules, policies and standards **that the State Chief Information Officer**
 45 **adopts**.

1 (b) Formulate rules, policies and standards to promote electronic communication and information
 2 sharing among state agencies and programs, between state and local governments and with the
 3 public where appropriate.

4 [(c) *Seek to minimize duplicative or redundant advisory boards by recommending streamlined*
 5 *governance structures for information technology projects that involve more than one state agency,*
 6 *board or commission.*]

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

9 [(3)] **(d)** [*The State Chief Information Officer shall*] Formulate rules, policies, plans, standards and
 10 specifications to ensure that information resources and technologies fit together in a statewide sys-
 11 tem capable of providing ready access to information, [*computing*] **information technology** or tele-
 12 communication resources. Plans and specifications that the State Chief Information Officer adopts
 13 must be based on industry standards for open systems to the greatest extent possible.

14 **(3)** Before adopting rules described in subsection (2) of this section, the State Chief Information
 15 Officer shall present the proposed rules to the Joint Legislative Committee on Information Man-
 16 agement and Technology.

17 **(4)** The State Chief Information Officer has the responsibility to review, oversee and ensure that
 18 state agencies' rules and planning, acquisition and implementation activities **related to information**
 19 **technology and telecommunications** align with and support the [*statewide information resources*
 20 *management plan*] **Enterprise Information Resources Management Strategy. State agencies**
 21 **shall cooperate with the State Chief Information Officer to ensure that the state agencies'**
 22 **rules and planning, acquisition and implementation activities align with and support the En-**
 23 **terprise Information Resources Management Strategy. If the State Chief Information Officer**
 24 **delegates authority under ORS 279A.075 to procure information technology,** the Oregon De-
 25 partment of Administrative Services [*is responsible for procuring*] **and a state contracting agency,**
 26 **as defined in ORS 279A.010, shall procure** information technology fairly, competitively and in a
 27 manner that is consistent with the State Chief Information Officer's rules, **policies and standards.**

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

31 (b) The [*department*] **State Chief Information Officer** shall, when procuring telecommuni-
 32 cations network services, consider [*achieving the economic development and quality of life outcomes*
 33 *set forth in the Oregon benchmarks*] **the goals and objectives outlined within the Enterprise In-**
 34 **formation Resources Management Strategy and the policy, acquisition, coordination and**
 35 **consolidation objectives for information technology that are specified in ORS 283.500 to**
 36 **283.520 and 283.524.**

37 [(5)(a)] **(6)(a)** The [*department*] **State Chief Information Officer**, upon request, may furnish and
 38 deliver statewide integrated videoconferencing and statewide online access service to a public or
 39 private entity that primarily conducts activities for the direct good or benefit of the public or com-
 40 munity at large in providing educational, economic development, health care, human services, public
 41 safety, library or other public services. The [*department*] **State Chief Information Officer** shall
 42 adopt rules with respect to furnishing the service.

43 (b) The [*department*] **State Chief Information Officer** shall establish statewide integrated
 44 videoconferencing and statewide online access user fees, services, delivery, rates and long range
 45 plans. The rates must reflect the [*department's*] **State Chief Information Officer's** cost in providing

1 the service.

2 (c) The *[department]* **State Chief Information Officer** by rule shall restrict the *[department's*
 3 *furnishing or delivery of]* Internet access service **that the State Chief Information Officer fur-**
 4 **nishes or delivers** to private entities if the service would directly compete with two or more local
 5 established providers of Internet access services within the local exchange telecommunications ser-
 6 vice area.

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

9 ~~[(6)]~~ **(7)** An organization or organizations recognized as tax exempt under section 501(c)(3) of the
 10 Internal Revenue Code that primarily conduct activities for the direct good or benefit of the public
 11 or community at large in providing educational, economic development, health care, human services,
 12 public safety, library or other public services and **that** have formed an affiliation with one or more
 13 federal, state or local governmental units within this state may apply to the *[department]* **State**
 14 **Chief Information Officer** for designation as a community of interest. The application must be in
 15 the form that the *[department]* **State Chief Information Officer** prescribes and contain information
 16 *[regarding]* **about** the governmental affiliation relationship, the tax exempt status of each organiza-
 17 tion and the public benefit services the organization provides or intends to provide. The
 18 *[department]* **State Chief Information Officer** shall establish an application review and appeal
 19 process to ensure that designating the organizations as a community of interest for the purposes of
 20 including the organization in telecommunications contracts under ORS 283.520 will result in pro-
 21 viding educational, medical, library or other services for public benefit.

22 ~~[(7)]~~ **(8)** This section does not apply to the State Board of Higher Education, *[or]* any public
 23 university listed in ORS 352.002 **or a public university with a governing board that is listed in**
 24 **ORS 352.054.**

25 ~~[(8)]~~ **(9)** As used in this section **and ORS 291.039:**

26 (a) "Information resources" means media, instruments, **plans** and methods for *[planning,]* col-
 27 lecting, processing, transmitting and storing data and information, including telecommunications.

28 (b) "Information technology" *[includes, but is not limited to,]* **means** present and future forms of
 29 hardware, software and services for data processing, office automation and telecommunications.

30 (c) "Internet access service" means electronic connectivity to the Internet and the services of
 31 the Internet.

32 (d) "Open systems" means systems that allow state agencies freedom of choice by providing a
 33 vendor-neutral operating environment where different computers, applications, system software and
 34 networks operate together easily and reliably.

35 (e) "State-of-the-art services" *[includes]* **means the highest level at which** equipment, facilities
 36 and the capability to distribute digital communication signals that transmit voice, data, video and
 37 images over a distance **have developed at the time during which the equipment, facility or**
 38 **capability was installed or operating.**

39 (f) "Statewide integrated videoconferencing" means a statewide electronic system capable of
 40 transmitting video, voice and data communications.

41 (g) "Statewide online access" means electronic connectivity to information resources such as
 42 computer conferencing, electronic mail, databases and Internet access.

43 (h) "Telecommunications" means hardware, software and services for transmitting voice, data,
 44 video and images over a distance.

45 **SECTION 45.** ORS 291.039, as amended by section 5, chapter 102, Oregon Laws 2014, is

1 amended to read:

2 291.039. (1) The office of the State Chief Information Officer is established [*in the Oregon De-*
3 *partment of Administrative Services*] for the purpose of directing, coordinating and overseeing [*policy*
4 *related to*] **state information technology and telecommunications** in accordance with ORS 291.038
5 and other statutes, rules and policies that govern the state's or state agencies' [*use of*] **budgeting,**
6 **planning, acquiring, managing, overseeing and using** telecommunications and information tech-
7 nology.

8 (2) The Governor shall appoint the State Chief Information Officer, who [*shall serve*] **serves** at
9 the pleasure of the Governor. The State Chief Information Officer may adopt rules in accordance
10 with ORS chapter 183 to exercise and carry out the duties, functions and powers committed to the
11 State Chief Information Officer under ORS 291.038 and other statutes, rules or policies that commit
12 functions to the State Chief Information Officer.

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

15 (a) Perform the duties [*of the office, as determined by the Governor, in consultation with the Di-*
16 *rector of the Oregon Department of Administrative Services*] **that the Governor specifies**; and

17 (b) Carry out the functions specified in ORS 291.038 and in other statutes, rules or policies that
18 commit functions to the State Chief Information Officer.

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

20 **(A) Serve as the Governor's chief advisor concerning information resources, information**
21 **technology, information systems, geographic information systems, information systems se-**
22 **curity and telecommunications.**

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

25 **(C) Adopt rules, policies and standards for budgeting, planning, acquiring, installing, op-**
26 **erating and overseeing telecommunications and information technology for the executive**
27 **department.**

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

30 **(E) Adopt plans, rules, policies and standards for the executive department concerning**
31 **geographic information systems and geographic data.**

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

34 **(G) Assess state agencies each biennium to evaluate compliance with the State Chief**
35 **Information Officer's rules, policies and standards and provide results of the assessments to**
36 **the Governor and to the Joint Legislative Committee on Information Management and**
37 **Technology.**

38 **(H) Develop and promote training programs in information technology, information sys-**
39 **tems security, geographic information systems, enterprise architecture and project and**
40 **portfolio management.**

41 **(I) Enhance sharing and coordination among federal, tribal, regional, state government**
42 **and local government entities in this state with respect to geographic information systems**
43 **and geographic data.**

44 **(J) Standardize, manage, coordinate and oversee information technology and telecom-**
45 **munications procurements for the executive department. If a telecommunications or an in-**

1 formation technology procurement has an estimated contract price of \$1 million or more, the
 2 State Chief Information Officer must approve the procurement and shall enter into the
 3 contract for the procurement as the contracting party on behalf of the State of Oregon.

4 (K) Conduct a market analysis each biennium to determine whether the state data center
 5 is the most effective and efficient method for providing information technology and infor-
 6 mation resources to state agencies and other users. In conducting the market analysis, the
 7 State Chief Information Officer shall consider best practices and trends among federal, state
 8 and local government entities and the extent to which new or emerging technologies affect
 9 how the state provides information technology and information resources. The State Chief
 10 Information Officer shall provide the results of the analysis to the Governor and to the Joint
 11 Legislative Committee on Information Management and Technology and may recommend
 12 changes in the information technology and information resources that the state data center
 13 provides or in methods that the state data center uses to provide information technology and
 14 information resources.

15 (L) Identify information technology or information resources that the State Chief Infor-
 16 mation Officer believes should be designed, delivered and managed as enterprise or shared
 17 information technology or information resources and each biennium shall recommend to the
 18 Governor and to the Joint Legislative Committee on Information Management and Technol-
 19 ogy changes that are necessary and best practices for implementing design, delivery and
 20 management of enterprise or shared information technology and information resources.

21 [(4)(a)] (M) *[Each biennium the State Chief Information Officer, in collaboration with the depart-*
 22 *ment, shall develop, maintain or update, as appropriate,]* **Adopt or update each biennium** an En-
 23 terprise Information Resources Management Strategy for the state. In addition to the functions
 24 described in ORS 184.477, the Enterprise Information Resources Management Strategy must provide
 25 for integrating statewide technology initiatives, ensuring compliance with information technology
 26 **rules, policies and standards, promoting coordination, consolidation and** alignment of information
 27 resources and technologies and effectively managing **the state's and** state agencies' information
 28 technology portfolios. In developing the Enterprise Information Resources Management Strategy,
 29 the *[department and the]* State Chief Information Officer shall consult with and consider advice and
 30 suggestions from **the department**, state agencies and local governments, from private sector infor-
 31 mation technology experts, from the Legislative Fiscal Officer, from the Joint Legislative Committee
 32 on Information Management and Technology or from individual members of the Legislative Assembly
 33 that the President of the Senate and the Speaker of the House of Representatives appoint for the
 34 purpose of consulting with the State Chief Information Officer under this subsection.

35 [(b)] (N) *[The State Chief Information Officer shall]* Identify and recommend to the *[director the]*
 36 **Governor, within the State Chief Information Officer's biennial budget request**, resources that
 37 are necessary to implement the Enterprise Information Resources Management Strategy. *[The di-*
 38 *rector, in developing a biennial budget for the department, shall consider the recommendations that the*
 39 *State Chief Information Officer makes under this paragraph.]*

40 (b) As used in this subsection:

41 (A) "Executive department" has the meaning given that term in ORS 174.112.

42 (B) "Geographic data" means digital data that consist of geographic or projected map
 43 coordinate values, identification codes and associated descriptive data to locate and describe
 44 boundaries or features on, above or below the surface of the earth, demographic data or re-
 45 lated data.

1 (C) “Geographic information system” means hardware, software, and data for capturing,
 2 managing, analyzing and displaying geographic data.

3 (D) “Information system” means computers, hardware, software, storage media, net-
 4 works, operational procedures and processes used in collecting, processing, storing, sharing
 5 or distributing information within, or with any access beyond ordinary public access to, the
 6 state’s shared computing and network infrastructure.

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

8 (5) The State Chief Information Officer may:

9 (a) Organize and reorganize the office of the State Chief Information Officer in the
 10 manner the State Chief Information Officer considers necessary to conduct the work of the
 11 office of the State Chief Information Officer properly.

12 (b) Divide the office of the State Chief Information Officer into administrative programs,
 13 units or sections and appoint, subject to the Governor’s approval, an individual to administer
 14 each program, unit or section that the State Chief Information Officer establishes under this
 15 subsection. The individual the State Chief Information Officer appoints serves at the pleasure
 16 of the State Chief Information Officer, is not subject to the provisions of ORS chapter 240
 17 and must be well qualified by technical training and experience in the functions the individual
 18 will perform.

19 (c) Appoint a deputy State Chief Information Officer, who serves at the pleasure of the
 20 State Chief Information Officer, is not subject to ORS chapter 240 and has full authority to
 21 act for the State Chief Information Officer in the State Chief Information Officer’s absence,
 22 subject to the State Chief Information Officer’s control. The State Chief Information Officer
 23 may appoint the deputy by filing an order with the Secretary of State.

24 (d) Appoint subordinate officers and employees of the office of the State Chief Informa-
 25 tion Officer, prescribe the officers’ and employees’ duties and fix compensation for the offi-
 26 cers and employees. The State Chief Information Officer’s actions under this paragraph are
 27 subject to ORS chapter 240.

28 (e) Delegate to an employee of the office of the State Chief Information Officer or to
 29 another individual any duty, function or power that the State Chief Information Officer may
 30 exercise or perform under ORS 291.038 or under other statutes, rules or policies that commit
 31 functions to the State Chief Information Officer. For the purpose of performing an official
 32 act in the State Chief Information Officer’s name, the State Chief Information Officer may
 33 delegate a duty, function or power by means of an interagency agreement, an intergovern-
 34 mental agreement in accordance with ORS chapter 190 or a contract. An official act that an
 35 individual performs in the name of the State Chief Information Officer under a delegation
 36 from the State Chief Information Officer under this paragraph is an official act of the State
 37 Chief Information Officer.

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

39 291.042. (1) Except as provided in subsection (2) of this section, the [*Oregon Department of Ad-*
 40 *ministrative Services*] **State Chief Information Officer:**

41 (a) May hold copyrights and obtain patents on copyrightable or patentable data processing
 42 programs, information or materials [*developed, published or produced by*] **that a state agency de-**
 43 **velops, publishes or produces.**

44 (b) May cause to have sold, leased or otherwise made available the data processing programs,
 45 information or materials to any agency, judicial body or legislative body of any unit of local gov-

ernment, any state or the federal government under terms and conditions *[agreed to by]* **to which** the state agency that developed, published or produced the **data processing** programs, information or materials **agrees**.

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

(a) May hold copyrights and obtain patents on copyrightable or patentable data processing programs, information or materials *[developed, published or produced by]* **that** the Secretary of State, State Treasurer, judicial department or legislative department **develops, publishes or produces**.

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

(3) Except as provided in this subsection, moneys **that a state agency** collected under subsection (1) of this section, less *[state agency expenses accrued]* **expenses that the state agency incurred** in developing, producing and distributing software and in training software users, *[shall must]* be deposited in the General Fund and are available for general governmental purposes. If the resources **that a state agency** expended for the *[development, production, distribution and training activities were]* **activities described in subsection (1) of this section** came from fees or assessments **that the state agency** charged and collected *[by the state agency]*, the **state agency shall deposit the** net proceeds of moneys collected under subsection (1) of this section *[shall be deposited in]* **into** the same accounts *[in]* **into** which the **state agency deposits the** fees or assessments *[are deposited and shall be used]*. **The state agency shall use the moneys** to reduce the fees or assessments *[charged by]* the state agency **charges** to the extent permitted by law.

(4) Except as provided in this subsection, moneys **that the Secretary of State, State Treasurer, judicial department or legislative department** collected under subsection (2) of this section, less expenses *[of]* **that** the Secretary of State, State Treasurer, judicial department or legislative department *[accrued]* **incurred** in developing, producing and distributing software and in training software users, *[shall must]* be deposited in the General Fund and are available for general governmental purposes. If the resources **that the Secretary of State, State Treasurer, judicial department or legislative department** expended for the *[development, production, distribution and training activities were]* **activities described in subsection (2) of this section** came from fees or assessments *[charged and collected by]* **that** the secretary, treasurer, judicial department or legislative department **charged and collected**, the **secretary, treasurer, judicial department or legislative department shall deposit the** net proceeds of moneys collected under subsection (2) of this section *[shall be deposited in]* **into** the same accounts *[in]* **into** which the **secretary, treasurer, judicial department or legislative department deposits the** fees or assessments *[are deposited and shall be used]*. **The Secretary of State, State Treasurer, judicial department or legislative department shall use the moneys** to reduce the fees or assessments *[charged by]* the secretary, treasurer, judicial department or legislative department **charges** to the extent permitted by law.

(5) As used in this section:

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

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

SECTION 47. ORS 291.047 is amended to read:

291.047. (1) The Attorney General shall approve for legal sufficiency all personal services

1 contracts[,] **and** all architectural and engineering services contracts **with an estimated contract**
 2 **price of \$75,000 or more** and all information technology contracts [*calling for payment in excess of*
 3 *\$75,000 entered into by*] **with an estimated contract price of \$150,000 or more into which** a state
 4 agency **enters** before [*any such*] **the** contract [*becomes binding on*] **binds** the State of Oregon and
 5 before [*any service may be performed or payment may be made*] **a party to the contract performs**
 6 **a service or makes a payment** under the contract.

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

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

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

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

16 (3) The Attorney General shall impose by rule requirements necessary to carry out the pro-
 17 visions of this section. [*Such rules shall*] **The rules must** include, but are not limited to, a re-
 18 quirement that state agencies submit to the Attorney General procurement and other contract
 19 documents for review of the anticipated contract before **the state agency publicly advertises** a
 20 procurement of goods or services [*is publicly advertised*] if the anticipated contract is reasonably
 21 expected to require review for legal sufficiency. A state agency may request that the Attorney
 22 General assist the agency in developing requests for proposals, invitations to bid and requests for
 23 qualifications or information that are suitable to the needs of the agency.

24 (4) The Attorney General may exempt by rule classes of contracts from the requirements of this
 25 section if the Attorney General determines that **legal review of individual contracts within the**
 26 **class will not materially reduce** the degree of risk [*assumed by*] **that** state agencies **assume** under
 27 [*such*] **the** contracts [*is not materially reduced by legal review of individual contracts within the*
 28 *class*].

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

31 (a) The contract is substantially composed of forms, terms or conditions that [*have been preap-*
 32 *proved by*] the Attorney General **has preapproved;** or

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

36 (6) Notwithstanding subsections (1) and (2) of this section, the Attorney General may authorize
 37 services to be performed under a contract described in subsection (1) or (2) of this section before
 38 approval for legal sufficiency if the Attorney General determines that the authorization will not
 39 result in undue risk to this state. An authorization under this subsection [*shall*] **must** be limited to
 40 specific classes of contracts or to contracts for specific agency programs. The Attorney General may
 41 condition an authorization on a finding by the Director of the Oregon Department of Administrative
 42 Services, or a designee of the director, **the State Chief Information Officer, or a designee of the**
 43 **State Chief Information Officer,** [*and*] **or** by any other agency with a role in approving such
 44 contracts that the contract administration practices of the requesting agency are adequate to man-
 45 age the proposed contract and that the mission of the agency will be significantly impaired without

1 such authorization.

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

3 291.055. (1) Notwithstanding any other law that grants to a state agency the authority to es-
 4 tablish fees, all new state agency fees or fee increases adopted during the period beginning on the
 5 date of adjournment sine die of a regular session of the Legislative Assembly and ending on the date
 6 of adjournment sine die of the next regular session of the Legislative Assembly:

7 (a) Are not effective for agencies in the executive department of government unless approved
 8 in writing by the Director of the Oregon Department of Administrative Services;

9 (b) Are not effective for agencies in the judicial department of government unless approved in
 10 writing by the Chief Justice of the Supreme Court;

11 (c) Are not effective for agencies in the legislative department of government unless approved
 12 in writing by the President of the Senate and the Speaker of the House of Representatives;

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

15 (e) Are rescinded on adjournment sine die of the next regular session of the Legislative Assem-
 16 bly as described in this subsection, unless otherwise authorized by enabling legislation setting forth
 17 the approved fees.

18 (2) This section does not apply to:

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

20 (b) Taxes or other payments made or collected from employers for unemployment insurance re-
 21 quired by ORS chapter 657 or premium assessments required by ORS 656.612 and 656.614 or contri-
 22 butions and assessments calculated by cents per hour for workers' compensation coverage required
 23 by ORS 656.506.

24 (c) Fees or payments required for:

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

27 (B) Assessments imposed by the Oregon Medical Insurance Pool Board under section 2, chapter
 28 698, Oregon Laws 2013.

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

30 (D) Assessments paid to the Department of Consumer and Business Services under ORS 743.951
 31 and 743.961.

32 (d) Fees created or authorized by statute that have no established rate or amount but are cal-
 33 culated for each separate instance for each fee payer and are based on actual cost of services pro-
 34 vided.

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

36 (f) Any intergovernmental charges.

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

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

40 (i) Assessments on premiums charged by the Department of Consumer and Business Services
 41 pursuant to ORS 731.804 or fees charged by the Division of Finance and Corporate Securities of the
 42 Department of Consumer and Business Services to banks, trusts and credit unions pursuant to ORS
 43 706.530 and 723.114.

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

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

3 (L) New or increased fees that are anticipated in the legislative budgeting process for an
 4 agency, revenues from which are included, explicitly or implicitly, in the legislatively adopted
 5 budget or the legislatively approved budget for the agency.

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

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

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

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

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

20 291.055. (1) Notwithstanding any other law that grants to a state agency the authority to es-
 21 tablish fees, all new state agency fees or fee increases adopted during the period beginning on the
 22 date of adjournment sine die of a regular session of the Legislative Assembly and ending on the date
 23 of adjournment sine die of the next regular session of the Legislative Assembly:

24 (a) Are not effective for agencies in the executive department of government unless approved
 25 in writing by the Director of the Oregon Department of Administrative Services;

26 (b) Are not effective for agencies in the judicial department of government unless approved in
 27 writing by the Chief Justice of the Supreme Court;

28 (c) Are not effective for agencies in the legislative department of government unless approved
 29 in writing by the President of the Senate and the Speaker of the House of Representatives;

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

32 (e) Are rescinded on adjournment sine die of the next regular session of the Legislative Assem-
 33 bly as described in this subsection, unless otherwise authorized by enabling legislation setting forth
 34 the approved fees.

35 (2) This section does not apply to:

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

37 (b) Taxes or other payments made or collected from employers for unemployment insurance re-
 38 quired by ORS chapter 657 or premium assessments required by ORS 656.612 and 656.614 or contri-
 39 butions and assessments calculated by cents per hour for workers' compensation coverage required
 40 by ORS 656.506.

41 (c) Fees or payments required for:

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

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

45 (C) Assessments paid to the Department of Consumer and Business Services under ORS 743.951

1 and 743.961.

2 (d) Fees created or authorized by statute that have no established rate or amount but are cal-
 3 culated for each separate instance for each fee payer and are based on actual cost of services pro-
 4 vided.

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

6 (f) Any intergovernmental charges.

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

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

10 (i) Assessments on premiums charged by the Department of Consumer and Business Services
 11 pursuant to ORS 731.804 or fees charged by the Division of Finance and Corporate Securities of the
 12 Department of Consumer and Business Services to banks, trusts and credit unions pursuant to ORS
 13 706.530 and 723.114.

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

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

18 (L) New or increased fees that are anticipated in the legislative budgeting process for an
 19 agency, revenues from which are included, explicitly or implicitly, in the legislatively adopted
 20 budget or the legislatively approved budget for the agency.

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

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

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

31 (b) Fees that are decreased for reasons other than those described in paragraph (a) of this sub-
 32 section may not be subsequently increased except as allowed by ORS 291.050 to 291.060 and 294.160.

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

34 291.990. (1) If a person incurs or orders or votes to incur an obligation in violation of a provision
 35 of the statutes listed in subsection (4) of this section, the person and the sureties on the person's
 36 bond are jointly and severally liable for the violation to the person in whose favor the obligation
 37 was incurred.

38 (2) Upon certification by the Oregon Department of Administrative Services **or the State Chief**
 39 **Information Officer** that a state officer or employee of a state agency has failed or refused to
 40 comply with **a statute listed in subsection (4) of this section or** an order, rule, **policy** or regu-
 41 lation the department **or the State Chief Information Officer** made in accordance with the stat-
 42 utes listed in subsection (4) of this section, the salary of the officer or employee may not be paid
 43 until **the officer or employee complies with the statute,** order, rule, **policy** or regulation [*is*
 44 *complied with*]. **A state officer or employee who fails to comply with a statute listed in sub-**
 45 **section (4) of this section or with an order, rule, policy or regulation the department or the**

1 **State Chief Information Officer made in accordance with a statute listed in subsection (4)**
 2 **of this section is subject to discipline or termination in accordance with ORS chapter 240 or**
 3 **otherwise as provided by law or under the personnel rules and policies of the state agency**
 4 **that employs the officer or employee.**

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

7 (4) Subsections (1) to (3) of this section apply to ORS **84.064, 182.122, 182.124, 184.475, 184.477,**
 8 **279A.050,** 279A.140, 279A.280, 279B.270, 283.020, 283.110, 283.140, 283.143, 283.305 to 283.390, **283.505,**
 9 **283.510, 283.520, 283.524,** 291.001 to 291.034, **291.038, 291.039, 291.047,** 291.201 to 291.222, 291.232 to
 10 291.260, 291.307, 292.220 and 292.230 **and section 1, chapter 77, Oregon Laws 2014.**

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

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

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

16 (i) New hardware, software or services for data processing, office automation or telecommuni-
 17 cations;

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

20 (iii) A substantial expansion of existing data processing, office automation or telecommuni-
 21 cations services.

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

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

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

26 (iii) A renewal of an existing contract for data processing, office automation or telecommuni-
 27 cations services under terms and conditions that are substantially the same as in the existing con-
 28 tract; or

29 (iv) A replacement of a component of an existing data processing, office automation or tele-
 30 communications system that is not essential for the system to function as designed or that occurs
 31 at the end of the component's anticipated life cycle.

32 (b) "Preliminary quality assurance services" means a set of services in which a contractor pro-
 33 vides an independent and objective review of a state contracting agency's or a public corporation's
 34 plans, specifications, estimates, documentation, available resources and overall purpose for an in-
 35 formation technology initiative, including services in which the contractor evaluates a proposed in-
 36 formation technology initiative against applicable quality standards and best practices from private
 37 industry and other sources.

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

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

40 (i) The operations of which are subject to control by this state or by an agency or
 41 instrumentality of this state, or by officers of this state or of an agency or instrumentality of this
 42 state;

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

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

- 1 (B) “Public corporation” does not include:
- 2 (i) A person or entity described in ORS 174.108 (3);
- 3 (ii) A city, county, local service district, school district, education service district, community
- 4 college district or community college service district or a university with a governing board listed
- 5 in ORS 352.054; or
- 6 (iii) An administrative subdivision of an entity described in sub-subparagraph (ii) of this sub-
- 7 paragraph.
- 8 (e) “Quality management services” means a set of services in which a contractor provides an
- 9 independent and objective review and evaluation of a state contracting agency’s, a public
- 10 corporation’s or another contractor’s performance with respect to an information technology initi-
- 11 ative, such as services in which the contractor:
- 12 (A) Identifies quality standards that apply or should apply to the information technology initi-
- 13 ative;
- 14 (B) Suggests methods and means by which the state contracting agency, the public corporation
- 15 or the other contractor may meet quality standards identified in subparagraph (A) of this paragraph;
- 16 (C) Reviews and evaluates the state contracting agency’s, the public corporation’s or the other
- 17 contractor’s performance regularly as the information technology initiative progresses from start to
- 18 finish;
- 19 (D) Identifies omissions or gaps in the state contracting agency’s, the public corporation’s or the
- 20 other contractor’s planning, execution, control, methodology, communication or reporting as the in-
- 21 formation technology initiative progresses from start to finish;
- 22 (E) Identifies risks in the state contracting agency’s, the public corporation’s or the other
- 23 contractor’s plans or approach to designing, developing or implementing the information technology
- 24 initiative and suggests methods to reduce, mitigate or eliminate the risks;
- 25 (F) Assists the state contracting agency or the public corporation in testing or otherwise eval-
- 26 uating the hardware, software or services that are developed, provided or obtained as part of an
- 27 information technology initiative to determine whether the hardware, software or services conform
- 28 with the quality standards identified in subparagraph (A) of this paragraph;
- 29 (G) Advises the **State Chief Information Officer, the** state contracting agency or the public
- 30 corporation as to whether the hardware, software or services that are developed, provided or ob-
- 31 tained as part of an information technology initiative meet the contracting agency’s or the public
- 32 corporation’s needs, specifications or expectations and otherwise enable the state contracting
- 33 agency or the public corporation to achieve the objectives for the information technology initiative;
- 34 or
- 35 (H) Identifies unsatisfactory performance and suggests methods the **State Chief Information**
- 36 **Officer, the** state contracting agency, the public corporation or the other contractor might use to
- 37 eliminate the causes of unsatisfactory performance.
- 38 (f) “State contracting agency” has the meaning given that term in ORS 279A.010.
- 39 (2)(a) A state contracting agency or a public corporation that implements an information tech-
- 40 nology initiative shall obtain quality management services from a qualified contractor if the value
- 41 of the information technology initiative exceeds \$5 million or if the information technology initiative
- 42 meets criteria or standards that the State Chief Information Officer [*or the Director of the Oregon*
- 43 *Department of Administrative Services*] specifies by rule or policy.
- 44 (b) A state contracting agency or public corporation may, subject to ORS 279B.040, procure
- 45 preliminary quality assurance services from a contractor if the information technology initiative

1 meets the standards set forth in paragraph (a) of this subsection or if the state contracting agency
 2 or public corporation otherwise believes that the preliminary quality assurance services will enable
 3 the contracting agency or public corporation to implement an information technology initiative
 4 successfully.

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

7 [(4)(a)] (4) Notwithstanding any procurement authority that a state contracting agency or a
 8 public corporation has that is not subject to the authority of the Director of the Oregon Department
 9 of Administrative Services **or the State Chief Information Officer** under ORS 279A.050 (2), (3) or
 10 (7), the state contracting agency or public corporation is subject to the provisions of subsection (2)
 11 of this section and shall consult with and follow the rules, policies and procedures of the State Chief
 12 Information Officer [*and the Oregon Department of Administrative Services*] in determining the extent
 13 of preliminary quality assurance services or quality management services that the state contracting
 14 agency or public corporation will require for an information technology initiative.

15 [(b) *Notwithstanding the Oregon Health Authority's exemption in ORS 279A.050 (7) from the au-*
 16 *thority that the Oregon Department of Administrative Services has over all state agency information*
 17 *technology procurements, the Oregon Health Authority shall consult with and follow the rules, policies*
 18 *and procedures of the State Chief Information Officer and the Oregon Department of Administrative*
 19 *Services in determining the extent of preliminary quality assurance services or quality management*
 20 *services that the state contracting agency or public corporation will require for an information tech-*
 21 *nology initiative.*]

22 (5)(a) If a state contracting agency or a public corporation awards a contract for preliminary
 23 quality assurance services or quality management services, the contract must provide that at the
 24 same time a contractor provides a preliminary or final report to the contract administrator, the
 25 contractor shall also provide a copy of the report to:

26 (A) The State Chief Information Officer;

27 (B) The Director of the Oregon Department of Administrative Services; [*and*]

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

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

30 (i) The director of the state contracting agency or, if a board or commission sets policy for the
 31 state contracting agency, to the board or commission; or

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

33 (b) The state contracting agency or public corporation shall provide the contractor with names,
 34 addresses and other contact information the contractor needs to comply with paragraph (a) of this
 35 subsection.

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

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

39 403.450. (1) The State Interoperability Executive Council is created under the [*Oregon Depart-*
 40 *ment of Administrative Services*] **State Chief Information Officer** to be the statewide interoper-
 41 ability governing body serving as the primary steering group for the Oregon Statewide
 42 Communication Interoperability Plan. The membership of the council consists of:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

17 (L) One member of the public.

18 (c) The following members appointed by the Governor with the concurrence of the President of
 19 the Senate and the Speaker of the House of Representatives:

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

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

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

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

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

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

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

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

28 (I) One member who represents a nonprofit professional organization interested in the enhance-
 29 ment of public safety communications systems; and

30 (J) One member of the public who works or resides in Federal Communications Commission
 31 Region 35.

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

35 (3) Members of the council are not entitled to compensation, but in the discretion of the [*Di-*
 36 *rector of the Oregon Department of Administrative Services*] **State Chief Information Officer** may
 37 be reimbursed from funds available to the [*Oregon Department of Administrative Services*] **office of**
 38 **the State Chief Information Officer** for actual and necessary travel and other expenses [*incurred*
 39 *by them in the performance of their*] **the members incur in performing the members'** official du-
 40 ties in the manner and amount provided in ORS 292.495.

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

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

45 403.450. (1) The State Interoperability Executive Council is created under the [*Oregon Depart-*

1 *ment of Administrative Services*] **State Chief Information Officer** to be the statewide interoper-
 2 ability governing body serving as the primary steering group for the Oregon Statewide
 3 Communication Interoperability Plan. The membership of the council consists of:

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

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

7 (B) The Speaker of the House of Representatives shall appoint one member from the House of
 8 Representatives with an interest in public safety and emergency communications infrastructure.

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

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

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

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

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

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

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

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

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

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

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

22 (K) One member of the public.

23 (c) The following members appointed by the Governor with the concurrence of the President of
 24 the Senate and the Speaker of the House of Representatives:

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

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

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

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

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

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

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

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

33 (I) One member who represents a nonprofit professional organization interested in the enhance-
 34 ment of public safety communications systems; and

35 (J) One member of the public who works or resides in Federal Communications Commission
 36 Region 35.

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

40 (3) Members of the council are not entitled to compensation, but in the discretion of the [*Di-*
 41 *rector of the Oregon Department of Administrative Services*] **State Chief Information Officer** may
 42 be reimbursed from funds available to the [*Oregon Department of Administrative Services*] **office of**
 43 **the State Chief Information Officer** for actual and necessary travel and other expenses [*incurred*
 44 *by them in the performance of their*] **the members incur in performing the members'** official du-
 45 ties in the manner and amount provided in ORS 292.495.

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

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

5 403.455. The State Interoperability Executive Council created under ORS 403.450 shall:

6 (1) Develop, annually update and monitor implementation of the Oregon Statewide Communi-
 7 cation Interoperability Plan, the goal of which is to achieve statewide interoperability of public
 8 safety communications systems. **To the maximum extent possible, the Oregon Statewide Com-**
 9 **munication Interoperability Plan shall align with and support the Enterprise Information**
 10 **Resources Management Strategy described in ORS 291.039.** As part of the executive council's
 11 duties under this subsection, the executive council shall:

12 (a) Recommend strategies to improve public safety communications interoperability among state,
 13 local, tribal and federal public safety agencies;

14 (b) Develop standards to promote consistent design and development of public safety communi-
 15 cations infrastructures and recommend changes in existing public safety infrastructures that are
 16 necessary or appropriate for implementation of the interoperability plan;

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

19 (d) Develop long-term technological and policy recommendations to establish a statewide public
 20 safety communications system to improve emergency response and day-to-day public safety oper-
 21 ations; and

22 (e) Develop recommendations for legislation and for the development of state and local policies
 23 that promote public safety communications interoperability in [*Oregon*] **this state**.

24 (2) Recommend to the Governor, for inclusion in the Governor's recommended budget, invest-
 25 ments by the State of Oregon in public safety communications systems.

26 (3) Coordinate state, local and, as appropriate, tribal and federal activities related to obtaining
 27 federal grants for support of interoperability and request technical assistance related to interoper-
 28 ability.

29 (4) Conduct and submit an annual update of the interoperability plan to the United States De-
 30 partment of Homeland Security, Office of Emergency Communications, aligning the update with
 31 standards established in the National Emergency Communications Plan and by the federal office.

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

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

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

37 (8) Report to the Joint Committee on Ways and Means[,] or to the Joint Interim Committee on
 38 Ways and Means, **and to the Joint Legislative Committee on Information Management and**
 39 **Technology**, on or before February 1 of each odd-numbered year, on the development of the inter-
 40 operability plan and the executive council's other activities.

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

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

44 403.460. (1) The [*Oregon Department of Administrative Services*] **State Chief Information Offi-**
 45 **cer** shall establish and fill a full-time equivalent position for a statewide interoperability coordinator

1 to serve as the central coordination point for the Oregon Statewide Communication Interoperability
 2 Plan and, through coordination and collaboration with agencies and entities in the emergency re-
 3 sponse community, to implement the interoperability plan.

4 (2) The statewide interoperability coordinator:

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

8 (b) Shall assist the executive council in conducting and submitting annual updates to the inter-
 9 operability plan, in coordination and collaboration with the emergency responders in this state;

10 (c) **Shall ensure that the interoperability plan aligns with and supports the Enterprise**
 11 **Information Resources Management Strategy;**

12 [(c)] (d) Shall identify funding opportunities for planned interoperability improvements and co-
 13 ordinate efforts to acquire funding;

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

15 [(e)] (f) Shall serve as a member of the National Council of Statewide Interoperability Coordi-
 16 nators; and

17 [(f)] (g) Shall represent the State of Oregon in local, regional and national efforts to plan and
 18 implement changes required to ensure communications operability, interoperability and continuity
 19 of communications for emergency responders in this state.

20 (3) Public bodies, as defined in ORS 174.109, that own or operate public safety communications
 21 infrastructure may collaborate and coordinate [*their*] **the public bodies'** efforts and investments to
 22 achieve the statewide interoperability goal [*set by*] the executive council **sets** and implement the
 23 interoperability plan [*approved by*] the executive council **approves**.

24 (4) Under the direction of the executive council **and the State Chief Information Officer**, the
 25 statewide interoperability coordinator may mediate disputes between public bodies collaborating to
 26 implement interoperable public safety communications systems.

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

28 413.308. The duties of the Health Information Technology Oversight Council are to:

29 (1) Set specific health information technology goals and develop a strategic health information
 30 technology plan for this state. **The plan must align with and support the Enterprise Informa-**
 31 **tion Resources Management Strategy described in ORS 291.039. Each biennium, the council**
 32 **shall submit the plan to the State Chief Information Officer and the Joint Legislative Com-**
 33 **mittee on Information Management and Technology for review.**

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

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

38 (4) Create and provide oversight for a public-private purchasing collaborative or alternative
 39 mechanism to help small health care practices, primary care providers, rural providers and providers
 40 whose practices include a large percentage of medical assistance recipients to obtain affordable
 41 rates for high-quality electronic health records hardware, software and technical support for plan-
 42 ning, installation, use and maintenance of health information technology.

43 (5) Identify and select, **in consultation with the State Chief Information Officer**, the indus-
 44 try standards for all health information technology promoted by the purchasing collaborative de-
 45 scribed in subsection (4) of this section, including standards for:

1 (a) Selecting, supporting and monitoring health information technology vendors, hardware, soft-
2 ware and technical support services; and

3 (b) Ensuring that health information technology applications have appropriate privacy and se-
4 curity controls and that data cannot be used for purposes other than patient care or as otherwise
5 allowed by law.

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

8 (7) Educate the public and health care providers on the benefits and risks of information tech-
9 nology infrastructure investment.

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

12 (9) Support and provide oversight for efforts by the Oregon Health Authority to implement a
13 personal health records bank for medical assistance recipients and assess its potential to serve as
14 a fundamental building block for a statewide health information exchange that:

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

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

18 (c) Provides meaningful remedies if security or privacy policies are violated.

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

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

24 **SECTION 57.** Section 8, chapter 87, Oregon Laws 2014, is amended to read:

25 **Sec. 8.** In consultation with the State Interoperability Executive Council created in ORS
26 403.450, the *[Oregon Department of Administrative Services]* **State Chief Information Officer** shall:

27 (1) Facilitate decision making and planning for potential implementation of the FirstNet net-
28 work; and

29 (2) Make recommendations to the state agency responsible for administering federal funds from
30 the United States Department of Commerce, National Telecommunications and Information Admin-
31 istration.

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

33 **Sec. 9.** (1) The duties, functions and powers of the Department of Transportation relating to the
34 Oregon Statewide Communication Interoperability Plan, the State Interoperability Executive Council
35 and ORS 403.450, 403.455 and 403.460 are imposed upon, transferred to and vested in the *[Oregon*
36 *Department of Administrative Services]* **State Chief Information Officer**.

37 (2) This section does not apply to duties, functions or powers related to the completion, opera-
38 tion or maintenance of the State Radio Project, which is the land-mobile radio system of the State
39 of Oregon, for voice communications, formerly known as the Oregon Wireless Interoperability Net-
40 work.

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

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

43 (a) Deliver to the *[Oregon Department of Administrative Services]* **State Chief Information Of-**
44 **ficer** all records and property within the jurisdiction of the Director of Transportation that relate
45 to the duties, functions and powers transferred by section 9, **chapter 87, Oregon Laws 2014** *[of this*

1 2014 Act]; and

2 (b) Transfer to the [*Oregon Department of Administrative Services*] **State Chief Information**
3 **Officer** those employees, including the statewide interoperability coordinator, **who are** engaged
4 primarily in [*the exercise of*] **exercising** the duties, functions and powers transferred by section 9,
5 **chapter 87, Oregon Laws 2014** [*of this 2014 Act*].

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

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

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

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

23 (2) The unexpended balances of amounts authorized to be expended by the Department of
24 Transportation for a six-year period beginning July 1, 2009, or beginning July 1, 2011, from revenues
25 dedicated, continuously appropriated, appropriated or otherwise made available for the purpose of
26 administering and enforcing the duties, functions and powers transferred by section 9, **chapter 87,**
27 **Oregon Laws 2014**, [*of this 2014 Act*] by acquiring land and by acquiring, planning, constructing,
28 altering, repairing, furnishing and equipping buildings and facilities, are transferred to and are
29 available for expenditure by the [*Oregon Department of Administrative Services*] **State Chief Infor-**
30 **mation Officer** for the six-year period specified in section 54, chapter 107, Oregon Laws 2010, or
31 in section 2, chapter 79, Oregon Laws 2012, for the purpose of administering and enforcing the du-
32 ties, functions and powers transferred by section 9, **chapter 87, Oregon Laws 2014** [*of this 2014*
33 *Act*].

34 (3) The expenditure classifications, if any, established by Acts authorizing or limiting expen-
35 ditures by the Department of Transportation remain applicable to expenditures by the [*Oregon De-*
36 *partment of Administrative Services*] **State Chief Information Officer** under this section.

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

38 **Sec. 12.** The transfer of duties, functions and powers to the [*Oregon Department of Administra-*
39 *tive Services*] **State Chief Information Officer** by section 9, **chapter 87, Oregon Laws 2014**, [*of*
40 *this 2014 Act*] does not affect any action, proceeding or prosecution involving or with respect to the
41 duties, functions and powers begun before and pending at the time of the transfer, except that the
42 [*Oregon Department of Administrative Services*] **State Chief Information Officer** is substituted for
43 the Department of Transportation in the action, proceeding or prosecution.

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

45 **Sec. 13.** (1) Nothing in sections 9 to 15, **chapter 87, Oregon Laws 2014**, [*of this 2014 Act*] re-

1 lieves a person of a liability, duty or obligation accruing under or with respect to the duties, func-
 2 tions and powers transferred by section 9, **chapter 87, Oregon Laws 2014. The State Chief**
 3 **Information Officer** [of this 2014 Act. *The Oregon Department of Administrative Services*] may
 4 undertake the collection or enforcement of the liabilities, duties or obligations.

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

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

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

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

24 **Sec. 15.** Whenever, in any uncodified law or resolution of the Legislative Assembly or in any
 25 rule, document, record or proceeding authorized by the Legislative Assembly, in the context of the
 26 duties, functions and powers transferred by section 9, **chapter 87, Oregon Laws 2014** [of this 2014
 27 *Act*], reference is made to the Department of Transportation, or an officer or employee of the De-
 28 partment of Transportation, whose duties, functions or powers are transferred by section 9, **chapter**
 29 **87, Oregon Laws 2014** [of this 2014 Act], the reference is considered to be a reference to the
 30 [*Oregon Department of Administrative Services*] **State Chief Information Officer** or an officer or
 31 employee of the [*Oregon Department of Administrative Services*] **State Chief Information Officer**
 32 who by sections 9 to 15, **chapter 87, Oregon Laws 2014**, [of this 2014 Act] is charged with carrying
 33 out the duties, functions and powers.

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

35 **Sec. 17.** Notwithstanding any other law limiting expenditures, the limitation on expenditures
 36 established by section 2 (3), chapter 627, Oregon Laws 2013, for the biennium beginning July 1, 2013,
 37 as the maximum limit for payment of expenses from fees, moneys or other revenues, including Mis-
 38 cellaneous Receipts and federal funds received from charges, but excluding lottery funds and federal
 39 funds not described in section 2, chapter 627, Oregon Laws 2013, collected or received by the
 40 Oregon Department of Administrative Services for the [*Chief Information Office*] **office of the State**
 41 **Chief Information Officer**, is increased by \$654,298.

42 **SECTION 66.** (1) **Sections 1 to 8 of this 2015 Act and the amendments to ORS 84.064,**
 43 **181.715, 181.725, 182.122, 182.124, 182.126, 182.128, 182.132, 184.305, 184.473, 184.475, 184.477,**
 44 **184.483, 184.484, 184.486, 279A.050, 279A.075, 279B.075, 283.100, 283.120, 283.140, 283.143, 283.505,**
 45 **283.510, 283.515, 283.520, 283.524, 291.016, 291.018, 291.032, 291.034, 291.038, 291.039, 291.042,**

1 291.047, 291.055, 291.990, 403.450, 403.455, 403.460 and 413.308, sections 1, 3, 4 and 5, chapter 782,
 2 Oregon Laws 2009, section 1, chapter 77, Oregon Laws 2014, and sections 8, 9, 10, 11, 12, 13,
 3 14, 15 and 17, chapter 87, Oregon Laws 2014, by sections 9 to 65 of this 2015 Act become op-
 4 erative January 1, 2016.

5 (2) The State Chief Information Officer and the Director of the Oregon Department of
 6 Administrative Services may take any action before the operative date specified in subsection
 7 (1) of this section that is necessary to enable the State Chief Information Officer or the di-
 8 rector to exercise, on or after the operative date specified in subsection (1) of this section,
 9 all of the duties, functions and powers conferred on the State Chief Information Officer or
 10 the director by sections 1 to 8 of this 2015 Act, the amendments to ORS 84.064, 181.715,
 11 181.725, 182.122, 182.124, 182.126, 182.128, 182.132, 184.305, 184.473, 184.475, 184.477, 184.483,
 12 184.484, 184.486, 279A.050, 279A.075, 279B.075, 283.100, 283.120, 283.140, 283.143, 283.505, 283.510,
 13 283.515, 283.520, 283.524, 291.016, 291.018, 291.032, 291.034, 291.038, 291.039, 291.042, 291.047,
 14 291.055, 291.990, 403.450, 403.455, 403.460 and 413.308, sections 1, 3, 4 and 5, chapter 782, Oregon
 15 Laws 2009, section 1, chapter 77, Oregon Laws 2014, and sections 8, 9, 10, 11, 12, 13, 14, 15 and
 16 17, chapter 87, Oregon Laws 2014, by sections 9 to 65 of this 2015 Act.

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