INFORMATION TECHNOLOGY COMMITTEE

Thursday, December 14, 2023
Harvest Room, State Capitol
Bismarck, North Dakota

Representative Glenn Bosch, Chairman, called the meeting to order at 9:30 a.m.

Members present: Representatives Glenn Bosch, Josh Christy, Corey Mock, Jonathan Warrey*, Robin Weisz; Senators Keith Boehm, Randy A. Burckhard, Kyle Davison, Jonathan Sickler; Citizen Member Kuldip Mohanty

Members absent: Representative Nathan Toman; Senator Greg Kessel

Others present: See Appendix A
Attended remotely

It was moved by Senator Davison, seconded by Representative Mock, and carried on a voice vote that the minutes of the August 23, 2023, meeting be approved as distributed.

STUDY OF INTEROPERABLE PUBLIC SAFETY COMMUNICATION SYSTEM GOVERNANCE
State Interoperable Executive Committee

Mr. Brooks Martin, Subcommittee Chairman, Statewide Interoperability Executive Committee, presented information (Appendix B) regarding the Statewide Interoperability Executive Committee's (SIEC) role in public safety communication systems, any challenges with public safety network and equipment, governance consolidation needed, and suggestions to improve public safety and emergency services communications. He noted:

- The SIEC established a subcommittee to focus on the statewide interoperable radio network (SIRN) and regional interoperability boards (CRIB) to provide for a comprehensive emergency communications governance model in the state;

- The CRIB strongly believe the emergency communications governance model is working and are not in favor of any governance changes before the SIRN system is fully operational; and

- The SIEC anticipates the SIRN system will be fully operational by the end of 2025 or early 2026.

Emergency Services Communications Coordinating Committee

Mr. Jason Horning, Next Generation 9-1-1 Program Manager, North Dakota Association of Counties, presented information (Appendix C) regarding the Emergency Services Communications Coordinating Committee's (ESC3) role in public safety communication systems, any challenges with public safety network and equipment, governance consolidation needed, and suggestions to improve public safety and emergency services communications. He noted the ESC3:

- Focuses on 911 emergency communications and defers any radio-related emergency communication issues to the SIEC;

- Provides guidance to the North Dakota Association of Counties and the North Dakota 911 Association's strategic technology and planning subcommittee, which includes providing direction to the North Dakota Association of Counties regarding contracts for services and administration of the next generation 911 program;

- Has not met to consider possible emergency communications governance consolidation in the state; and

- Has concerns regarding the increasing pressure on the general fund of local governments to pay for emergency communications network and equipment expenses as 911 fees have remained relatively unchanged in recent years.

In response to a question from a committee member, Mr. Horning noted all four members of the ESC3 also serve on the SIEC.

Department of Emergency Services

Mr. Darin Anderson, State Radio Director, Department of Emergency Services, presented information (Appendix D) regarding State Radio's role in public safety communication systems, any challenges with public safety network and equipment, governance consolidation needed, and suggestions to improve public safety and emergency services communications. He noted:

- State Radio provides 911 dispatch services for 25 of North Dakota's 53 counties and will be the last public safety answering point to transition to the SIRN system;

- Challenges will include annual maintenance costs of the SIRN system, clarifying who owns SIRN data, and hardware replacement costs and availability; and

- The Department of Emergency Services recommends the SIEC be phased out to allow the ESC3 to manage the SIRN system, but to continue with the current CRIB and SIRN workgroups to allow for local feedback and guidance.

Department of Transportation

Mr. Ron Henke, Director, Department of Transportation, presented information (Appendix E) regarding the Department of Transportation's (DOT) role in public safety communication systems, any challenges with public safety network and equipment, governance consolidation needed, suggestions to improve public safety and emergency services communications, and any leases entered with private entities for radio tower space, pursuant to North Dakota Century Code Section 24-02-45.2. He noted:

- DOT's primary responsibility in the public safety system is to ensure and maintain continuous operation of the 45 state-owned towers used for the current very high frequency (VHF) radio network;

- 37 of the 45 state-owned towers will be used as part of the SIRN system;

- During the 2021-23 biennium, the DOT spent approximately $2.6 million on utilities, network fees, lease payments, and service contracts to operate and maintain state-owned towers and the VHF radio network;

- Transportation funding may be used for maintenance and operation of the state-owned tower network only if the towers are used for transportation-related purposes;

- The SIRN system will be utilized for a broad range of public safety purposes, some of which are not transportation related, meaning a new funding source will be needed for SIRN-related expenses;

- DOT anticipates transitioning to the SIRN network by the 4th quarter of 2024; and

- DOT has entered lease agreements with federal and state agencies on 14 towers, but not with any private entities.

In response to a question from a committee member, Mr. Henke noted DOT will continue to manage tower lease contracts and either provide or manage maintenance services for each tower location in the SIRN system.

In response to a question from a committee member, Mr. Travis Lutman, Transportation Manager, Department of Transportation, noted network fees for state-owned towers include broadband and Internet costs.

Comments by Interested Persons

Mr. Craig Felchle, Chief Technology Officer, Information Technology Department, presented information (Appendix F) regarding emergency communications and SIRN. He noted:

- Items to consider as the SIRN project nears completion and the process transitions to an operational phase includes which agency should have the obligation for maintenance and operation of the SIRN system, which agencies need to be included in the process to ensure ongoing success of SIRN, how to ensure stakeholders have a continued voice in SIRN operations, and how to fund ongoing maintenance and operations; and

- A proposed new governance model could include an executive group that makes decisions on emergency communications topics and issues, an advisory group that provides guidance and input to the executive group, and workgroups comprised of the CRIB and Information Technology Department (ITD) staff.

Mr. Travis Collins, Williams County Sherriff's Office, presented information regarding emergency communications and SIRN.

Mr. Grant Peterson, Regional Radio Systems Coordinator, Grand Forks County, presented information regarding emergency communications and SIRN. He suggested the Legislative Assembly make no changes to SIRN system governance.

MAJOR PROJECT REPORTING

Mr. Justin Data, Director, Project Management Office, Information Technology Department, presented information (Appendix G) regarding major information technology (IT) project reporting, including the most recent quarterly status report (Appendix H), and project startup and closeout reports completed since August 2023 (Appendix I).

EDUCATION-RELATED INFORMATION TECHNOLOGY UPDATES

Mr. Darin King, Vice Chancellor for IT/Chief Information Officer, North Dakota University System, presented information (Appendix J) regarding the most recent quarterly summary status report (Appendix K) and project startup and closeout reports completed since August 2023 (Appendix L).

Mr. Corey Quirk, Deputy Chief Information Officer, North Dakota University System, presented an update (Appendix M) regarding the ERP360 project initiative. He noted:

- The University System has hired Peak Performance Technologies to provide consulting services for a state assessment of the campuses; and

- Potential enterprise resource planning vendors that could provide a product to replace the PeopleSoft software include Oracle Cloud ERP and Workday Enterprise Management Cloud.

STUDY OF ARTIFICIAL INTELLIGENCE
Department of Public Instruction

Ms. Kirsten Baesler, Superintendent of Public Instruction, presented information (Appendix N) regarding artificial intelligence (AI) benefits and threats for students and teachers, including AI used by North Dakota schools, plans for the use of AI technologies, and any legislative suggestions related to AI. She noted:

- Teaching K-12 students about computer science and AI will be critical for student success;

- In House Bill No. 1398 (2023), the Legislative Assembly made North Dakota the first state to require all schools teach computer science and cybersecurity to all K-12 grade levels, effective for the 2023-24 school year; and

- The Department of Public Instruction has partnered with other states to collaborate in AI guidance workgroups and with ITD and TeachAI to coordinate a North Dakota workgroup of teachers and leaders to draft North Dakota's school AI guidance and toolkit documents.

In response to questions from committee members, representatives of the Department of Public Instruction provided information (Appendix O) regarding AI guidance and North Dakota cybersecurity standards.

North Dakota University System

Dr. Mark Hagerott, Chancellor, North Dakota University System, presented information (Appendix P), and Dr. Andrew Armacost, President, University of North Dakota, presented information (Appendix Q) regarding AI benefits and threats for students, professors, and higher education IT, including AI used by the University System, plans for the use of AI technologies, and any legislative suggestions related to AI. Dr. Armacost noted:

- Multiple University System campuses have hosted AI-related events for students and in May 2023, the State Board of Higher Education launched an Envision 2035 strategic planning exercise to determine what higher education faculty should teach students about AI and digital sciences and how faculty can utilize AI for operations;

- North Dakota higher education students have used AI for research in various fields, including computer science, medicine, agriculture, biology, energy, and cybersecurity;

- The University System is examining the benefits of AI for higher education students, as well as risks, which include data privacy, security, bias, copyright and intellectual concerns, cheating and plagiarism, and unproven third-party AI tools; and

- The State Board of Higher Education suggests the Legislative Assembly recognize AI as an opportunity for economic growth, study the policy actions of other states, the federal government, and other countries,

cultivate a system that attracts individuals to the state to pursue AI opportunities, and recognize the importance of AI infrastructure for state agencies, including data storage and computation.

Attorney General

Mr. Steven Harstad, Chief Investigator, Bureau of Criminal Investigation, Attorney General's office, presented information (Appendix R) regarding AI benefits and threats for children and any legislative suggestions related to AI. He noted:

- AI has created challenges for law enforcement agencies, including the Bureau of Criminal Investigation (BCI) cybercrime unit;

- AI has made it easier to alter images of individuals, which has resulted in a significant increase in AI-generated pornographic images and videos of children. This has increased the number of sextortion cases and tips and reports received by the BCI cybercrime unit, and has raised legal questions about whether an individual can possess and distribute AI-generated photos depicting children in a sexual manner; and

- The agency is not aware of model legislation examples in other states at this time, but the Attorney General's office will continue to work with law enforcement on concerns and challenges with AI and may present proposed legislation for the committee to consider regarding the use of AI and the protection of adults and children.

Children's Advocacy Centers of North Dakota

Mr. Greg Kasowski, Executive Director, Children's Advocacy Centers of North Dakota, presented information (Appendix S) regarding AI benefits and threats for children and any legislative suggestions related to AI (Appendix T). He noted:

- Child sexual abuse material has increased due to the availability of AI-generating software;

- In September 2023, the National Association of Attorneys General sent a letter to congressional leaders requesting an expert commission be established to study how AI is used to generate child sexual abuse material, to propose solutions, and for federal laws related to possession and distribution of child sexual abuse material to be expanded to cover AI-generated material; and

- Potential benefits of AI include having an ability to refine forensic interviews of children and to prevent child abuse through predictive analytics.

Greater North Dakota Chamber

Ms. Andrea Pfennig, Director of Government Affairs, Greater North Dakota Chamber, and Mr. Jordan Crenshaw, Senior Vice President, United States Chamber of Commerce Technology Engagement Center, presented information (Appendix U) regarding AI benefits and threats for public and private sector entities and any legislative suggestions related to AI. Mr. Crenshaw noted:

- Every sector is using AI, including manufacturing, construction, technology, hospitality, finance, transportation, health care, energy, and communications; and

- 23 percent of small businesses are using AI, primarily for marketing, customer outreach, and inventory management to operate more efficiently, find new customers, limit cost increases, address supply chain challenges, and cope with staffing issues.

Other

In response to a question from a committee member, Mr. Mohanty noted ITD has not established a state government AI policy, but ITD staff have had conversations about what should be considered appropriate guidelines for AI uses and policies.

REPORT FROM THE CHIEF INFORMATION OFFICER

Mr. Greg Hoffman, Deputy Chief Information Officer, Information Technology Department, presented information (Appendix V) regarding the ITD annual report (Appendix W); the status of hiring full-time equivalent positions authorized during the 2023 legislative session (Appendix X); and the status of major ITD projects approved during the 2023 legislative session (Appendix Y).

Mr. Brian Newby, Broadband Program Director, Information Technology Department, presented an update (Appendix Z) of funding spent and expected to be spent from the federal Coronavirus Capital Projects Fund for broadband infrastructure grants and funding transferred to the Department of Career and Technical Education for career academy inflationary costs; and an update of funding spent and expected to be spent from federal funds

derived from the Infrastructure Investment and Jobs Act for the broadband, equity, access, and deployment (BEAD) grant program (Appendix AA). He noted:

- Of the $45,000,000 appropriated to ITD from the Coronavirus Capital Projects Fund, $7,748,014 was made available to the Department of Career and Technical Education for career academy inflationary costs pursuant to Section 10 of House Bill No. 1021 (2023). Of the $37,251,986 awarded for broadband infrastructure projects, $2,202,547 has been expended as of December 14, 2023;

- North Dakota submitted the BEAD 5-year action plan to the National Telecommunications and Information Administration and has received $130.2 million of federal funds for the BEAD grant and digital equity grant programs;

- According to Federal Communications Commission broadband maps as of November 2023, of the 348,661 residential and commercial locations in the state, 4,568, or 1.3 percent, are considered unserved or underserved and need access to high-speed broadband services through the BEAD and digital equity programs;

- North Dakota was one of a limited number of states that successfully applied for the state and local cybersecurity grant through the Infrastructure Investment and Jobs Act. Total federal funding awarded for federal fiscal years 2022 and 2023 was $6,953,348, which will be provided to political subdivisions for cybersecurity modernization expenses.

No further business appearing, Chairman Bosch adjourned the meeting at 4:00 p.m.

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Levi Kinnischtzke
Senior Fiscal Analyst

ATTACH:27