#### **SESSION 1989**

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SENATE BILL 541

Short Title: State Information Management.

(Public)

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Sponsors: Senators Sherron, Royall, and Goldston.

Referred to: State Government.

# March 20, 1989

#### A BILL TO BE ENTITLED

2	AN ACT TO REPEAL THE POWERS AND DUTIES OF THE SECRETARY OF
3	ADMINISTRATION REGARDING TELECOMMUNICATIONS MATTERS
4	AND TO REESTABLISH THOSE POWERS AND DUTIES WITHIN THE
5	OFFICE OF THE STATE CONTROLLER; TO REPEAL SECTION 23.1 OF
6	CHAPTER 876 OF THE 1987 SESSION LAWS AND TO RENAME AND
7	REVISE THE MEMBERSHIP OF THE COMPUTER COMMISSION.
8	The General Assembly of North Carolina enacts:
9	Section 1. G.S. 143-340(14) is repealed.
10	Sec. 2. G.S. 143-341(9) is repealed.
11	Sec. 3. Section 23.1 of Chapter 876 of the 1987 Session Laws as amended by
12	Section 33 of Chapter 1086, Session Laws of 1987, is repealed.
13	Sec. 4. G.S. 143B-426.39 is amended by adding a new subdivision to read:
14	"(14) With respect to the principal State offices and Departments as defined
15	in G.S. 143A-11 and G.S. 143B-6, or a division thereof, to exercise
16	general coordinating authority for all telecommunications matters
17	relating to the internal management and operations of State
18	government. In discharging that responsibility the State Controller
19	may in cooperation with affected State Agency Heads, do such of the
20	following things as he deems necessary and advisable:
21	a. Provide for the establishment, management, and operation,
22	through either State ownership or commercial leasing of the
23	following systems and services as they affect the internal
24	management and operation of State government:

1		<u>1.</u> <u>Central telephone systems and telephone networks;</u>
2		1.Central telephone systems and telephone networks;2.Teleprocessing systems;3.Teletype and facsimile services;4.Satellite services;5.Closed-circuit TV systems;6.Two-way radio systems;7.Related systems based on telecommunication
3		<u>3.</u> <u>Teletype and facsimile services;</u>
4		<u>4.</u> <u>Satellite services;</u>
5		5. <u>Closed-circuit TV systems;</u>
6		<u>6.</u> <u>Two-way radio systems;</u>
7		7. Related systems based on telecommunication
8		technologies.
9	<u>b.</u>	Coordinate the development of cost-sharing systems for
10		respective user agencies for their proportionate parts of the cost
11		of maintenance and operation of the systems and services listed
12		in item 'a' of this subdivision, in accordance with the rules and
13		regulations adopted by the Governor and approved by the
14		Council of State, pursuant to G.S. 143-341(8)k.
15	<u>c.</u>	Assist in the development of coordinated telecommunications
16		services or systems within and among all agencies and
17		departments, and recommend, where appropriate, cooperative
18		utilization of telecommunication facilities by aggregating users.
19	<u>d.</u>	Perform traffic analysis and engineering for all
20		telecommunications services and systems listed in item 'a' of
21		this subdivision.
22	<u>e.</u>	Pursuant to G.S. 143-49, establish telecommunications
23		specifications and designs so as to promote and support
24		compatibility of the systems within State government.
25	<u>f.</u>	Pursuant to G.S. 143-49 and G.S. 143-50, coordinate the review
26		of requests by State agencies for the procurement of
27		telecommunications systems or services.
28	<u>g.</u>	Pursuant to G.S. 143-341 and Chapter 146 of the General
29	-	Statutes, coordinate the review of requests by State agencies for
30		State government property acquisition, disposition, or
31		construction for telecommunications systems requirements.
32	<u>h.</u>	Provide a periodic inventory of telecommunications costs,
33		facilities, systems, and personnel within State government.
34	<u>i.</u>	Promote, coordinate, and assist in the design and engineering of
35		emergency telecommunications systems, including but not
36		limited to the 911 emergency telephone number program,
37		Emergency Medical Services, and other emergency
38		telecommunications services.
39	<u>j.</u>	Perform frequency coordination and management for State and
40		local governments, including all public safety radio service
41		frequencies, in accordance with the rules and regulations of the
42		Federal Communications Commission or any successor federal
43		agency.

1989			GENI	ERAL A	SSEMBLY	OF NO	RTH CAROL	INA
	<u>k.</u>	Advise	all	State	agencies	and	institutions	on
		telecomm	unica	tions ma			and related ma	atters
		and provi	de thr	ough the	State Person	nnel Tra	aining Center o	or the
		State Info	ormati	on Proce	essing Servic	es train	ing to users w	vithin
		State go	vernn	nent in	telecommu	nication	<u>s</u> technology	and
		systems.						
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adding a new Pa								a og
				PART 28	SA.			
••	STAT	E INFORM			<b>D</b> CESSING	SERVI	CES.	
" <u>§ 143B-426.40</u>								
With respec	t to all	executive	depart	ments an	d agencies c	of State	government, ex	xcept
the Department	of Just	ice and The	e Ūniv	versity of	North Carol	ina:	-	_
<u>(1)</u>	To es	stablish and	l oper	ate infor	mation resou	irce cen	ters and servic	es to
	serve	two or	more	departm	ents on a	cost-sha	aring basis, if	f the
	Infor	mation Tec	hnolo	gy Comr	nission decid	des it is	advisable from	n the
	stand	point of ef	ficien	cy and e	economy to	establisl	h these centers	s and
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1	(5) <u>With the approval of the Information Technology Commission</u> ,	
2	adopt plans, policies, procedures, and rules for the acquisition	
3	management, and use of information technology resources in	
4	departments affected by this subdivision to facilitate more efficient a	ind
5	economic use of information technology in these departments; and	
6	(6) To develop and promote training programs to efficiently impleme	nt,
7	use, and manage information technology resources.	
8	The Department of Revenue is authorized to deviate from this section's requireme	
9	that departments or agencies consolidate information processing functions on equipme	
10	owned, controlled or under custody of the State Information Processing Services.	
11	deviations from this section's requirements shall be reported in writing within 15 da	<u>ays</u>
12	by the Department of Revenue to the Information Technology Commission and shall	be
13	consistent with available funding. The Department of Revenue is authorized to add	opt
14	and shall adopt plans, policies, procedures, requirements and rules for the acquisitie	on,
15	management, and use of information processing equipment, information processing	ing
16	programs, data communications capabilities, and information systems personnel in	the
17	Department of Revenue. If the plans, policies, procedures, requirements, rules,	or
18	standards adopted by the Department of Revenue deviate from the policies, procedur	es,
19	or guidelines adopted by the State Information Processing Services or the Information	ion
20	Technology Commission, those deviations shall be allowed and shall be reported	in
21	writing within 15 days by the Department of Revenue to the Information Technolo	ogy
22	Commission. The Department of Revenue and the State Information Processi	ing
23	Services shall develop data communications capabilities utilizing the North Carol	ina
24	Integrated Network.	
25	The Department of Revenue shall prepare a plan to allow for substantial recover	ery
26	and operation of major, critical computer applications. The plan shall include the nan	•
27	of the computer programs, databases, and data communications capabilities, identify	
28	maximum amount of outage that can occur prior to the initiation of the plan a	
29	resumption of operation. The plan shall be consistent with commonly accept	ted
30	practices for disaster recovery in the information processing industry. The plan shall	
31	tested as soon as practical, but not later than six months, after the establishment of	the
32	Department of Revenue information processing capability.	
33	No data of a confidential nature, as defined in the General Statutes or federal la	ıw,
34	may be entered into or processed through any cost-sharing information resource cen	
35	established under this subdivision until safeguards for the data's security satisfactory	
36	the department head and the State Controller have been designed and installed and	
37	fully operational. Nothing in this section may be construed to prescribe what progra	
38	to satisfy a department's objectives are to be undertaken, nor to remove from the cont	
39	and administration of the departments the responsibility for program efforts, regardle	
40	whether these efforts are specifically required by statute or are administered under	
41	general program authority and responsibility of the department. This subdivision do	
42	not affect the provisions of G.S. 147-58 or G.S. 143B-426.39(14). Notwithstanding a	
43	other provision of law, the Office of the State Controller shall provide informati	-

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1	technology services on a cost-sharing basis to the General Assembly and its agencies as
2	requested by the Legislative Services Commission."
3	Sec. 6. Part 23 of Article 9 of Chapter 143B of the General Statutes reads as
4	rewritten:
5	''PART 23.
6	"COMPUTER COMMISSION INFORMATION TECHNOLOGY COMMISSION.
7	"§ 143B-426.21. Computer CommissionInformation Technology Commission.
8	(a) Creation; Membership. – The Computer Commission-Information Technology
9	Commission is created in the Department of AdministrationOffice of the State Controller.
10	The Commission consists of the following ex officio members: the Governor,
11	Lieutenant Governor, Secretary of the Department of Administration, State Budget
12	Officer, State Auditor, State Treasurer, Secretary of State, Superintendent of Public
13	Instruction, Commissioner of Agriculture, Commissioner of Labor, Commissioner of
14	Insurance, State President of the Department of Community Colleges, Chair of the
15	Governor's Committee on Data Processing and Information Systems, Chair of the State
16	Information Processing Services Advisory Board, and the Legislative Services Officer
17	or his designee. The Governor shall chair the Commission and the Secretary of
18	Administration shall be secretary to the Commission. The Commission shall meet at the
19	call of the chairman or at the request of a majority of its members. The Department of
20	Administration-Office of the State Controller shall provide elerical staff support and other
21	services required by the Commission.
22	(b) Powers and Duties. – The Commission has the following powers and duties:
23	(1) To approve or disapprove proposals by the <del>Department of</del>
24 25	Administration State Information Processing Services under G.S. 143-
25 26	<ul> <li>(2) 341(9)G.S. 143B-426.40;</li> <li>(2) To obtain information relevant to the decisions required of the</li> </ul>
20 27	(2) To obtain information relevant to the decisions required of the Commission under G.S. 143-341(9)-G.S. 143B-426.40 from the affected
28	departments; and
20 29	(3) To develop a comprehensive five year plan, covering the current and
30	<u>following biennium</u> for the acquisition and use of information
31	processing_technology_resources in the affected departments, which
32	shall be updated annually and shall be submitted to the General
33	Assembly on the first day of each regular session."
34	Sec. 7. Section 36(b) of Chapter 1086, Session Laws of 1987 reads as
35	rewritten:
36	"(b) The State Computer Information Technology Commission and the agency,
37	institution, or organization it designates as the manager for the supercomputer project
38	shall present a written report on the progress of the supercomputer project to each
39	regular monthly meeting of the Joint Legislative Commission on Governmental
40	Operations through the years 1988, 1989, and 1990. The written reports shall be
41	delivered to the Director of General Assembly Fiscal Research Division not less than 48
42	hours prior to the beginning of the Commission's full meeting. The written reports shall
43	contain at least the following information: the major tasks accomplished since the last
44	report; the major tasks expected for the project over the two calendar years after the date

of the report; the projected budgets and expenditures of the project over the next two 1 calendar years after the date of the report; the major applications and uses on the 2 3 supercomputer in the time since the last report; and the major projected applications and uses on the supercomputer in the next several months that will follow the report. The 4 5 report shall constitute a full management and status report on the supercomputer project. 6 If so requested by the Cochairmen of the Joint Legislative Commission on 7 Governmental Operations, the Chairman of the State Computer Commission, or his designee, shall present the report verbally to the meeting of the Joint Legislative 8 9 Commission on Governmental Operations."

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- Sec. 8. This act is effective upon ratification.