

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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SENATE BILL 1106

Short Title: State Computer Funds Limits.

(Public)

Sponsors: Senators Royall, Daniel; Smith and Seymour.

Referred to: State Personnel and State Government.

June 2, 1992

A BILL TO BE ENTITLED

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2 AN ACT TO REQUIRE THE STATE CONTROLLER TO REPORT TO THE JOINT
3 LEGISLATIVE COMMISSION ON GOVERNMENTAL OPERATIONS BEFORE
4 HE SPENDS MORE FOR THE STATE COMPUTER SYSTEM THAN WAS
5 ANTICIPATED IN THE BUDGET FOR THE FISCAL PERIOD.

6 The General Assembly of North Carolina enacts:

7 Section 1. G.S. 143B-426.40 reads as rewritten:

8 "**§ 143B-426.40. State Information Processing Services.**

9 With respect to all executive departments and agencies of State government, except
10 the Department of Justice and The University of North Carolina, the Office of State
11 Controller shall have the following powers and duties:

12 (1) To establish and operate information resource centers and services to
13 serve two or more departments on a cost-sharing basis, if the
14 Information Technology Commission decides it is advisable from the
15 standpoint of efficiency and economy to establish these centers and
16 ~~services;~~ services. Before spending more than was authorized in the
17 budget enacted by the General Assembly for the fiscal period from the
18 internal service fund for the State Information Processing Services for
19 the purposes set out in this subdivision, the State Controller shall
20 report to the Joint Legislative Commission on Governmental
21 Operations and to the Fiscal Research Division of the Legislative
22 Services Office.

23 (2) With the approval of the Information Technology Commission, to
24 charge each department for which services are performed its

- 1 proportionate part of the cost of maintaining and operating the shared
2 centers and services;
- 3 (3) With the approval of the Information Technology Commission, to
4 require any department served to transfer to the Office of the State
5 Controller ownership, custody, or control of information processing
6 equipment, supplies, and positions required by the shared centers and
7 services;
- 8 (4) With the approval of the Information Technology Commission, to
9 adopt reasonable rules for the efficient and economical management
10 and operation of the shared centers, services, and the integrated State
11 telecommunications network;
- 12 (5) With the approval of the Information Technology Commission, to
13 adopt plans, policies, procedures, and rules for the acquisition,
14 management, and use of information technology resources in the
15 departments affected by this subdivision to facilitate more efficient and
16 economic use of information technology in these departments; and
- 17 (6) To develop and promote training programs to efficiently implement,
18 use, and manage information technology resources.

19 The Department of Revenue is authorized to deviate from this section's requirements
20 that departments or agencies consolidate information processing functions on equipment
21 owned, controlled or under custody of the State Information Processing Services. All
22 deviations from this section's requirements shall be reported in writing within 15 days
23 by the Department of Revenue to the Information Technology Commission and shall be
24 consistent with available funding. The Department of Revenue is authorized to adopt
25 and shall adopt plans, policies, procedures, requirements and rules for the acquisition,
26 management, and use of information processing equipment, information processing
27 programs, data communications capabilities, and information systems personnel in the
28 Department of Revenue. If the plans, policies, procedures, requirements, rules, or
29 standards adopted by the Department of Revenue deviate from the policies, procedures,
30 or guidelines adopted by the State Information Processing Services or the Information
31 Technology Commission, those deviations shall be allowed and shall be reported in
32 writing within 15 days by the Department of Revenue to the Information Technology
33 Commission. The Department of Revenue and the State Information Processing
34 Services shall develop data communications capabilities between the two computer
35 centers utilizing the North Carolina Integrated Network, subject to a security review by
36 the Secretary of Revenue.

37 The Department of Revenue shall prepare a plan to allow for substantial recovery
38 and operation of major, critical computer applications. The plan shall include the names
39 of the computer programs, databases, and data communications capabilities, identify the
40 maximum amount of outage that can occur prior to the initiation of the plan and
41 resumption of operation. The plan shall be consistent with commonly accepted
42 practices for disaster recovery in the information processing industry. The plan shall be
43 tested as soon as practical, but not later than six months, after the establishment of the
44 Department of Revenue information processing capability.

1 No data of a confidential nature, as defined in the General Statutes or federal law,
2 may be entered into or processed through any cost-sharing information resource center
3 or network established under this subdivision until safeguards for the data's security
4 satisfactory to the department head and the State Controller have been designed and
5 installed and are fully operational. Nothing in this section may be construed to
6 prescribe what programs to satisfy a department's objectives are to be undertaken, nor to
7 remove from the control and administration of the departments the responsibility for
8 program efforts, regardless whether these efforts are specifically required by statute or
9 are administered under the general program authority and responsibility of the
10 department. This subdivision does not affect the provisions of G.S. 147-64.6, G.S. 147-
11 64.7, or G.S. 143B-426.39(14). Notwithstanding any other provision of law, the Office
12 of the State Controller shall provide information technology services on a cost-sharing
13 basis to the General Assembly and its agencies as requested by the Legislative Services
14 Commission."

15 Sec. 2. This act becomes effective July 1, 1992.