

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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SENATE BILL 541

Short Title: State Information Management.

(Public)

Sponsors: Senators Sherron, Royall, and Goldston.

Referred to: State Government.

March 20, 1989

A BILL TO BE ENTITLED

1 AN ACT TO REPEAL THE POWERS AND DUTIES OF THE SECRETARY OF
2 ADMINISTRATION REGARDING TELECOMMUNICATIONS MATTERS
3 AND TO REESTABLISH THOSE POWERS AND DUTIES WITHIN THE
4 OFFICE OF THE STATE CONTROLLER; TO REPEAL SECTION 23.1 OF
5 CHAPTER 876 OF THE 1987 SESSION LAWS AND TO RENAME AND
6 REVISE THE MEMBERSHIP OF THE COMPUTER COMMISSION.
7

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 G.S. 143-340(14) is repealed.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 G.S. 143-341(9) is repealed.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12 Section 33 of Chapter 1086, Session Laws of 1987, is repealed.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 1. Central telephone systems and telephone networks;
- 2 2. Teleprocessing systems;
- 3 3. Teletype and facsimile services;
- 4 4. Satellite services;
- 5 5. Closed-circuit TV systems;
- 6 6. Two-way radio systems;
- 7 7. Related systems based on telecommunication
- 8 technologies.
- 9 b. 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 c. 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 d. Perform traffic analysis and engineering for all
- 20 telecommunications services and systems listed in item 'a' of
- 21 this subdivision.
- 22 e. 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 f. 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 g. 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 h. Provide a periodic inventory of telecommunications costs,
- 33 facilities, systems, and personnel within State government.
- 34 i. 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 j. 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.

- 1 (5) With the approval of the Information Technology Commission, to
2 adopt plans, policies, procedures, and rules for the acquisition,
3 management, and use of information technology resources in the
4 departments affected by this subdivision to facilitate more efficient and
5 economic use of information technology in these departments; and
6 (6) To develop and promote training programs to efficiently implement,
7 use, and manage information technology resources.

8 The Department of Revenue is authorized to deviate from this section's requirements
9 that departments or agencies consolidate information processing functions on equipment
10 owned, controlled or under custody of the State Information Processing Services. All
11 deviations from this section's requirements shall be reported in writing within 15 days
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 adopt
14 and shall adopt plans, policies, procedures, requirements and rules for the acquisition,
15 management, and use of information processing equipment, information processing
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, procedures,
19 or guidelines adopted by the State Information Processing Services or the Information
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 Technology
22 Commission. The Department of Revenue and the State Information Processing
23 Services shall develop data communications capabilities utilizing the North Carolina
24 Integrated Network.

25 The Department of Revenue shall prepare a plan to allow for substantial recovery
26 and operation of major, critical computer applications. The plan shall include the names
27 of the computer programs, databases, and data communications capabilities, identify the
28 maximum amount of outage that can occur prior to the initiation of the plan and
29 resumption of operation. The plan shall be consistent with commonly accepted
30 practices for disaster recovery in the information processing industry. The plan shall be
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 law,
34 may be entered into or processed through any cost-sharing information resource center
35 established under this subdivision until safeguards for the data's security satisfactory to
36 the department head and the State Controller have been designed and installed and are
37 fully operational. Nothing in this section may be construed to prescribe what programs
38 to satisfy a department's objectives are to be undertaken, nor to remove from the control
39 and administration of the departments the responsibility for program efforts, regardless
40 whether these efforts are specifically required by statute or are administered under the
41 general program authority and responsibility of the department. This subdivision does
42 not affect the provisions of G.S. 147-58 or G.S. 143B-426.39(14). Notwithstanding any
43 other provision of law, the Office of the State Controller shall provide information

1 of the report; the projected budgets and expenditures of the project over the next two
2 calendar years after the date of the report; the major applications and uses on the
3 supercomputer in the time since the last report; and the major projected applications and
4 uses on the supercomputer in the next several months that will follow the report. The
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
8 designee, shall present the report verbally to the meeting of the Joint Legislative
9 Commission on Governmental Operations."

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