

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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HOUSE BILL 253

Short Title: SIPS Name Change/AB.

(Public)

Sponsors: Representatives Owens; Alexander and Wainwright.

Referred to: Ways and Means.

March 4, 1999

A BILL TO BE ENTITLED

AN ACT TO CHANGE THE NAME OF THE STATE INFORMATION PROCESSING SERVICE TO THE DIVISION OF INFORMATION TECHNOLOGY SERVICES.

The General Assembly of North Carolina enacts:

Section 1. The name of the State Information Processing Service of the Department of Commerce is changed to the Division of Information Technology Services.

Section 2. G.S. 143B-474.44 reads as rewritten:

"§ 143B-472.44. ~~State Information Processing Services.~~ Division of Information Technology Services.

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

(1) To establish and operate information resource centers and services to serve two or more departments on a cost-sharing basis, if the Information Resources Management Commission decides it is advisable from the standpoint of efficiency and economy to establish these centers and services;

(2) With the approval of the Information Resources Management Commission, to charge each department for which services are

- 1 performed its proportionate part of the cost of maintaining and operating
2 the shared centers and services;
- 3 (3) With the approval of the Information Resources Management
4 Commission, to require any department served to transfer to the
5 Department of Commerce ownership, custody, or control of information
6 processing equipment, supplies, and positions required by the shared
7 centers and services;
- 8 (4) With the approval of the Information Resources Management
9 Commission, to adopt reasonable rules for the efficient and economical
10 management and operation of the shared centers, services, and the
11 integrated State telecommunications network;
- 12 (5) With the approval of the Information Resources Management
13 Commission, to adopt plans, policies, procedures, and rules for the
14 acquisition, management, and use of information technology resources
15 in the departments affected by this subdivision to facilitate more
16 efficient and economic use of information technology in these
17 departments; and
- 18 (6) To develop and promote training programs to efficiently implement,
19 use, and manage information technology resources.
- 20 (7) To provide cities, counties, and other local governmental units with
21 access to ~~State Information Processing Services~~ Division of Information
22 Technology Services information resource centers and services as
23 authorized in this section for State agencies. Access shall be provided
24 on the same cost basis that applies to State agencies.

25 The Department of Revenue is authorized to deviate from this subsection's
26 requirements that departments or agencies consolidate information processing functions
27 on equipment owned, controlled or under custody of the ~~State Information Processing~~
28 ~~Services~~ Division of Information Technology Services. All deviations from this
29 subsection's requirements shall be reported in writing within 15 days by the Department
30 of Revenue to the Information Resources Management Commission and shall be
31 consistent with available funding. The Department of Revenue is authorized to adopt and
32 shall adopt plans, policies, procedures, requirements and rules for the acquisition,
33 management, and use of information processing equipment, information processing
34 programs, data communications capabilities, and information systems personnel in the
35 Department of Revenue. If the plans, policies, procedures, requirements, rules, or
36 standards adopted by the Department of Revenue deviate from the policies, procedures,
37 or guidelines adopted by the ~~State Information Processing Services~~ Division of Information
38 Technology Services or the Information Resources Management Commission, those
39 deviations shall be allowed and shall be reported in writing within 15 days by the
40 Department of Revenue to the Information Resources Management Commission. The
41 Department of Revenue and the ~~State Information Processing Services~~ Division of
42 Information Technology Services shall develop data communications capabilities

1 between the two computer centers utilizing the North Carolina Integrated Network,
2 subject to a security review by the Secretary of Revenue.

3 The Department of Revenue shall prepare a plan to allow for substantial recovery and
4 operation of major, critical computer applications. The plan shall include the names of
5 the computer programs, databases, and data communications capabilities, identify the
6 maximum amount of outage that can occur prior to the initiation of the plan and
7 resumption of operation. The plan shall be consistent with commonly accepted practices
8 for disaster recovery in the information processing industry. The plan shall be tested as
9 soon as practical, but not later than six months, after the establishment of the Department
10 of Revenue information processing capability.

11 No data of a confidential nature, as defined in the General Statutes or federal law,
12 may be entered into or processed through any cost-sharing information resource center or
13 network established under this subdivision until safeguards for the data's security
14 satisfactory to the department head and the Secretary of Commerce have been designed
15 and installed and are fully operational. Nothing in this subsection may be construed to
16 prescribe what programs to satisfy a department's objectives are to be undertaken, nor to
17 remove from the control and administration of the departments the responsibility for
18 program efforts, regardless whether these efforts are specifically required by statute or
19 are administered under the general program authority and responsibility of the
20 department. This subdivision does not affect the provisions of G.S. 147-64.6, 147-64.7,
21 or 143B-472.42(1). Notwithstanding any other provision of law, the Department of
22 Commerce shall provide information technology services on a cost-sharing basis to the
23 General Assembly and its agencies as requested by the Legislative Services
24 Commission."

25 Section 3. G.S. 143B-474.41(8) reads as rewritten:

26 "(8) The Chair of the ~~State Information Processing Services~~ Division of
27 Information Technology Services Advisory Board."

28 Section 4. G.S. 143B-474.42(1) reads as rewritten:

29 "(1) With respect to State agencies, exercise general coordinating authority
30 for all telecommunications matters relating to the internal management
31 and operations of these agencies. In discharging that responsibility the
32 Secretary of Commerce may in cooperation with affected State agency
33 heads, do such of the following things as the Secretary of Commerce
34 deems necessary and advisable:

35 a. Provide for the establishment, management, and operation,
36 through either State ownership or commercial leasing, of the
37 following systems and services as they affect the internal
38 management and operation of State agencies:

- 39 1. Central telephone systems and telephone networks;
- 40 2. Teleprocessing systems;
- 41 3. Teletype and facsimile services;
- 42 4. Satellite services;
- 43 5. Closed-circuit TV systems;

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

1 users within State agencies in telecommunications technology
2 and systems.

3 l. Assist and coordinate the development of policies and long-range
4 plans, consistent with the protection of citizens' rights to privacy
5 and access to information, for the acquisition and use of
6 telecommunications systems; and base such policies and plans on
7 current information about State telecommunications activities in
8 relation to the full range of emerging technologies.

9 m. Work cooperatively with the North Carolina Agency for Public
10 Telecommunications in furthering the purpose of this
11 subdivision.

12 The provisions of this subdivision shall not apply to the Criminal
13 Information Division of the Department of Justice or to the Judicial
14 Information System in the Judicial Department."

15 Section 5. This act is effective when it becomes law.