

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 308*

Short Title: GPAC/IRMC Duties and Agency IRM.

(Public)

Sponsors: (by request) Representatives Nesbitt, Barnes, Blue, Diamont, Hackney, Hensley, H. Hunter, G. Miller, and Robinson.

Referred to: Appropriations.

February 25, 1993

A BILL TO BE ENTITLED

AN ACT TO IMPLEMENT RECOMMENDATIONS OF THE GOVERNMENT PERFORMANCE AUDIT COMMITTEE TO MODIFY POWERS AND DUTIES OF THE INFORMATION RESOURCE MANAGEMENT COMMISSION AND TO ESTABLISH VARIOUS AGENCY INFORMATION RESOURCE AND TELECOMMUNICATIONS MANAGEMENT FUNCTIONS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 143B-426.21 reads as rewritten:

"§ 143B-426.21. Information Resource Management Commission.

(a) Creation; Membership. – The Information Resource Management Commission is created in the Office of the State Controller. The Commission consists of the following members:

- (1) Four members of the Council of State, appointed by the Governor.
- (2) The Secretary of Administration.
- (3) The State Budget Officer.
- (4) Two members of the Governor's cabinet, appointed by the Governor.
- (5) One citizen of the State of North Carolina with a background in and familiarity with information systems or telecommunications, appointed by the General Assembly upon the recommendation of the President Pro Tempore of the Senate in accordance with G.S. 120-121.
- (6) One citizen of the State of North Carolina with a background in and familiarity with information systems or telecommunications, appointed

1 by the General Assembly upon the recommendation of the Speaker of
2 the House of Representatives in accordance with G.S. 120-121.

3 (7) The Chair of the Governor's Committee on Data Processing and
4 Information Systems.

5 (8) The Chair of the State Information Processing Services Advisory
6 Board.

7 Members of the Commission shall not be employed by or serve on the board of
8 directors or other corporate governing body of any information systems, computer
9 hardware, computer software, or telecommunications vendor of goods and services to
10 the State of North Carolina.

11 The two initial cabinet members appointed by the Governor and the two initial
12 citizen members appointed by the General Assembly shall each serve a term beginning
13 September 1, 1992, and expiring on June 30, 1995. Thereafter, their successors shall be
14 appointed for four-year terms, commencing July 1. Members of the Governor's cabinet
15 shall be disqualified from completing a term of service of the Commission if they are no
16 longer cabinet members.

17 The appointees by the Governor from the Council of State shall each serve a term
18 beginning on September 1, 1992, and expiring on June 30, 1993. Thereafter, their
19 successors shall be appointed for four-year terms, commencing July 1. Members of the
20 Council of State shall be disqualified from completing a term of service on the
21 Commission if they are no longer members of the Council of State.

22 Vacancies in the two legislative appointments shall be filled as provided in G.S.
23 120-122.

24 The Commission chair shall be elected in the first meeting of each calendar year
25 from among the appointees of the Governor from the Council of State and shall serve a
26 term of one year. The Secretary of Administration shall be secretary to the
27 Commission.

28 No member of the Information Resource Management Commission shall vote on an
29 action affecting solely his or her own State agency.

30 (b) Powers and Duties. – The Commission has the following powers and duties:

31 (1) To develop, approve, and publish a statewide information technology
32 strategy covering the current and following biennium that shall be
33 updated annually and shall be submitted to the General Assembly on
34 the first day of each regular session.

35 (2) To develop, approve, and sponsor statewide technology initiatives and
36 to report on those initiatives in the annual update of the statewide
37 information technology strategy.

38 (3) To review and approve biennially the information technology plans of
39 the executive agencies, including their plans for the procurement and
40 use of personal computers and workstations.

41 (4) To recommend to the Governor and the Office of State Budget and
42 Management the relative priorities across executive agency
43 information technology plans.

- 1 (5) To establish a quality assurance policy for all agency information
2 technology projects, information systems training programs, and
3 information systems documentation.
- 4 (6) To establish and enforce a quality review and expenditure review
5 procedure for major agency information technology projects.
- 6 (7) To review and approve expenditures from appropriations made to the
7 Office of State Budget and Management for the purpose of creating a
8 Computer Reserve Fund.
- 9 (8) To develop and promote a policy and procedures for the fair and
10 competitive procurement of information technology consistent with the
11 rules of the Department of Administration and consistent with
12 published industry standards for open systems that provide agencies
13 with a vendor-neutral operating environment where different
14 information technology hardware, software, and networks operate
15 together easily and reliably.
- 16 (9) To prepare and maintain a statewide data security plan, including data
17 security standards and security audit standards, to protect the integrity
18 and confidentiality of sensitive data and communications that reside on
19 the State's computers and that move through the State's
20 telecommunications networks.

21 (c) Meetings. – The Information Resources Management Commission shall
22 adopt bylaws containing rules governing its meeting procedures. The Information
23 Resources Management Commission shall meet at least monthly.

24 (d) Agency Information Resource Manager Reports. – Each executive agency
25 shall designate in January of each year to the Information Resource Management
26 Commission the senior staff member in the agency who serves as the Information
27 Resource Manager in the agency. Not later than the last business day of the first month
28 of each calendar quarter, the Information Resource Manager in each agency shall
29 deliver to the Commission a written report summarizing the agency's expenditures in
30 the previous calendar quarter for information technology hardware, information
31 technology software, telecommunications, information technology consulting services,
32 information technology personnel, and other miscellaneous information technology
33 expenses. The report also shall contain brief descriptions of the major information
34 technology initiatives undertaken in the previous calendar quarter and the tangible
35 results from each initiative.

36 (e) Agency Telecommunications Resource Managers. – Each State agency shall
37 designate in January of each year one of its employees or officials to the Information
38 Resource Management Commission as the Telecommunications Resource Manager for
39 the agency. The person designated by the agency as the Telecommunications Resource
40 Manager may be the same person designated as the agency Information Resource
41 Manager. Any state advisory board or commission that makes recommendations to the
42 State Information Processing Service concerning the operation of its computer and
43 telecommunications resources shall include at least two members from the persons who
44 have been designated as agency telecommunications resource managers.

1 (f) State Information Processing Services Telecommunications Plans. – The
2 State Information Processing Services (hereafter 'SIPS') shall submit an annual
3 telecommunications plan, including plans for the expenditures and operations of the
4 State Telecommunications System, to the first regularly scheduled meeting of the
5 Information Resource Management Commission each year. The Commission shall
6 incorporate information that it deems relevant and useful from this annual
7 telecommunications plan in the annual statewide information technology strategy
8 presented to the General Assembly on the first day of each regular session.

9 SIPS shall submit a strategic plan for State telecommunications to the first regularly
10 scheduled meeting of the Information Resource Management Commission each year.
11 The strategic plan shall include statements of direction for the development of voice,
12 data, and video technology to be made available to State government through the State
13 Telecommunications System in the coming three-to-five years. The strategic
14 telecommunications plan shall summarize its anticipated costs and benefits to State
15 government and the citizens of North Carolina. The Commission shall incorporate
16 information that it deems relevant and useful from this strategic telecommunications
17 plan in the annual statewide information technology strategy presented to the General
18 Assembly on the first day of each regular session.

19 (g) Risk Notifications. – The Information Resources Management Commission
20 shall establish and maintain procedures for periodically identifying (i) agencies facing
21 risks to the continuing operation of their information technology systems or (ii) agencies
22 facing risks to the successful implementation of new information technology
23 applications. Any agency identified and notified by the Commission as facing risks
24 under this subsection shall prepare a written plan to reduce and eliminate these risks.
25 The affected agencies shall deliver their plans to the Commission not later than 90 days
26 after receiving the notification from the Commission."

27 Sec. 2. This act is effective upon ratification.