

1 management for this state;

2 (2) Provide technical assistance to the administrators of the
3 various state spending units in the design and management of
4 information systems;

5 (3) Evaluate the economic justification, system design and
6 suitability of information equipment and related services, and
7 review and make recommendations on the purchase, lease or
8 acquisition of information equipment and contracts for related
9 services by the state spending units;

10 (4) Develop a mechanism for identifying those instances where
11 systems of paper forms should be replaced by direct use of
12 information equipment and those instances where applicable state or
13 federal standards of accountability demand retention of some paper
14 processes;

15 (5) Develop a mechanism for identifying those instances where
16 information systems should be linked and information shared, while
17 providing for appropriate limitations on access and the security of
18 information;

19 (6) Create new technologies to be used in government, convene
20 conferences and develop incentive packages to encourage the
21 utilization of technology;

22 (7) Engage in any other activities as directed by the
23 Governor;

24 (8) Charge a fee to the state spending units for evaluations

1 performed and technical assistance provided under the provisions of
2 this section. All fees collected by the Chief Technology Officer
3 shall be deposited in a special account in the State Treasury to be
4 known as the Chief Technology Officer Administration Fund.
5 Expenditures from the fund shall be made by the Chief Technology
6 Officer for the purposes set forth in this article and are not
7 authorized from collections but are to be made only in accordance
8 with appropriation by the Legislature and in accordance with the
9 provisions of article three, chapter twelve of this code and upon
10 the fulfillment of the provisions set forth in article two, chapter
11 eleven-b of this code: *Provided*, That the provisions of section
12 eighteen, article two, chapter eleven-b of this code ~~shall~~ do not
13 operate to permit expenditures in excess of the spending authority
14 authorized by the Legislature. Amounts collected which are found
15 to exceed the funds needed for purposes set forth in this article
16 may be transferred to other accounts or funds and redesignated for
17 other purposes by appropriation of the Legislature;

18 (9) Monitor trends and advances in information technology and
19 technical infrastructure;

20 (10) Direct the formulation and promulgation of policies,
21 guidelines, standards and specifications for the development and
22 maintenance of information technology and technical infrastructure,
23 including, but not limited to:

24 (A) Standards to support state and local government exchange,

1 acquisition, storage, use, sharing and distribution of electronic
2 information;

3 (B) Standards concerning the development of electronic
4 transactions, including the use of electronic signatures;

5 (C) Standards necessary to support a unified approach to
6 information technology across the totality of state government,
7 thereby assuring that the citizens and businesses of the state
8 receive the greatest possible security, value and convenience from
9 investments made in technology;

10 (D) Guidelines directing the establishment of statewide
11 standards for the efficient exchange of electronic information and
12 technology, including technical infrastructure, between the public
13 and private sectors;

14 (E) Technical and data standards for information technology
15 and related systems to promote efficiency and uniformity;

16 (F) Technical and data standards for the connectivity,
17 priorities and interoperability of technical infrastructure used
18 for homeland security, public safety and health and systems
19 reliability necessary to provide continuity of government
20 operations in times of disaster or emergency for all state, county
21 and local governmental units; and

22 (G) Technical and data standards for the coordinated
23 development of infrastructure related to deployment of electronic
24 government services among state, county and local governmental

1 units;

2 (11) Periodically evaluate the feasibility of subcontracting
3 information technology resources and services, and to subcontract
4 only those resources that are feasible and beneficial to the state;

5 (12) Direct the compilation and maintenance of an inventory of
6 information technology and technical infrastructure of the state,
7 including infrastructure and technology of all state, county and
8 local governmental units, which may include personnel, facilities,
9 equipment, goods and contracts for service, wireless tower
10 facilities, geographic information systems and any technical
11 infrastructure or technology that is used for law enforcement,
12 homeland security or emergency services;

13 (13) Develop job descriptions and qualifications necessary to
14 perform duties related to information technology as outlined in
15 this article; and

16 (14) Promulgate legislative rules, in accordance with the
17 provisions of chapter twenty-nine-a of this code, as may be
18 necessary to standardize and make effective the administration of
19 the provisions of article six of this chapter.

20 (b) With respect to executive agencies, the Chief Technology
21 Officer may:

22 (1) Develop a unified and integrated structure for information
23 systems for all executive agencies;

24 (2) Establish, based on need and opportunity, priorities and

1 time lines for addressing the information technology requirements
2 of the various executive agencies of state government;

3 (3) Exercise authority delegated by the Governor by executive
4 order to overrule and supersede decisions made by the
5 administrators of the various executive agencies of government with
6 respect to the design and management of information systems and the
7 purchase, lease or acquisition of information equipment and
8 contracts for related services;

9 (4) Draw upon staff of other executive agencies for advice and
10 assistance in the formulation and implementation of administrative
11 and operational plans and policies; ~~and~~

12 (5) Recommend to the Governor transfers of ~~equipment and~~ human
13 resources from any executive agency and the most effective and
14 efficient uses of the fiscal resources of executive agencies, to
15 consolidate or centralize information-processing operations; and

16 (6) Ensure information technology equipment is properly
17 cleansed before disposal or transfer to another agency or
18 organization. The Office of Technology is responsible for the
19 retirement or transfer of information technology equipment that may
20 contain confidential or privileged electronic data. Information
21 technology equipment shall be cleansed using appropriate and
22 effective methods commensurate with the data, de-commissioning
23 agency and the planned disposition of the device. Following
24 certified cleansing, the Chief Technology Officer may distribute

1 the information technology equipment for reuse by another state
2 spending unit, send the information technology equipment to a state
3 authorized recycler or send the information technology equipment to
4 a certified information technology equipment refurbisher.
5 Transfers and disposal of information technology equipment are
6 specifically exempt from the surplus property requirements
7 enumerated in sections forty three through forty-six, article three
8 of this chapter.

9 (c) The Chief Technology Officer may employ the personnel
10 necessary to carry out the work of the Office of Technology and may
11 approve reimbursement of costs incurred by employees to obtain
12 education and training.

13 (d) The Chief Technology Officer shall develop a
14 comprehensive, statewide, four-year strategic information
15 technology and technical infrastructure policy and development plan
16 to be submitted to the Governor and the Joint Committee on
17 Government and Finance. A preliminary plan shall be submitted by
18 December 1, 2006, and the final plan shall be submitted by June 1,
19 2007. The plan shall include, but not be limited to:

20 (A) A discussion of specific projects to implement the plan;

21 (B) A discussion of the acquisition, management and use of
22 information technology by state agencies;

23 (C) A discussion of connectivity, priorities and
24 interoperability of the state's technical infrastructure with the

1 technical infrastructure of political subdivisions and encouraging
2 the coordinated development of facilities and services regarding
3 homeland security, law enforcement and emergency services to
4 provide for the continuity of government operations in times of
5 disaster or emergency;

6 (D) A discussion identifying potential market demand areas in
7 which expanded resources and technical infrastructure may be
8 expected;

9 (E) A discussion of technical infrastructure as it relates to
10 higher education and health;

11 (F) A discussion of the use of public-private partnerships in
12 the development of technical infrastructure and technology
13 services; and

14 (G) A discussion of coordinated initiatives in website
15 architecture and technical infrastructure to modernize and improve
16 government to citizen services, government to business services,
17 government to government relations and internal efficiency and
18 effectiveness of services, including a discussion of common
19 technical data standards and common portals to be utilized by
20 state, county and local governmental units.

21 (e) The Chief Technology Officer shall oversee
22 telecommunications services used by state spending units for the
23 purpose of maximizing efficiency to the fullest possible extent.
24 The Chief Technology Officer shall establish microwave or other

1 networks and LATA hops; audit telecommunications services and
2 usage; recommend and develop strategies for the discontinuance of
3 obsolete or excessive utilization; participate in the renegotiation
4 of telecommunications contracts; and encourage the use of
5 technology and take other actions necessary to provide the greatest
6 value to the state.

NOTE: The purpose of this bill is to clarify that the Office of Technology is responsible for the retirement or transfer of information technology equipment that may contain confidential or privileged electronic data.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.