

ENGROSSED HOUSE AMENDMENT

TO

ENGROSSED SENATE BILL NO. 669

By: Robinson of the Senate

and

Anthony of the House

( telecommunications and public records - State Data  
Processing and Telecommunications Advisory Committee -  
codification - repealer )

AMENDMENT NO. 1. Strike the stricken title, enacting clause and  
entire bill and insert

"( telecommunications and public records - amending 62  
O.S., Sections 41.5e, 41.5m and 41.5n - state agencies -  
repealing 17 O.S., Section 140 and 62 O.S., Section  
41.5k - Joint Legislative Committee )

SECTION 1. NEW LAW A new section of law to be codified  
in the Oklahoma Statutes as Section 41.5n-1 of Title 62, unless  
there is created a duplication in numbering, reads as follows:

The State Data Processing and Telecommunications Advisory  
Committee, referred to in Section 43 of Article X of the Oklahoma  
Constitution and in Section 57.303 of Title 62 of the Oklahoma  
Statutes, is hereby renamed and shall be known as the  
Telecommunications and Computerization Oversight Committee.

SECTION 2. AMENDATORY 62 O.S. 1991, Section 41.5e, is amended to read as follows:

Section 41.5e ~~Not later than September 1, 1984, and not less than annually thereafter all~~ All agencies of the state executive branch presently using or contemplating the use of ~~electronic data processing~~ computer applications or telecommunications equipment, including but not limited to, the use of mainframe computers, minicomputers, or ~~microcomputers, word processing equipment, or office automation systems~~ geographic information systems, or local area or wide area network hardware or software, shall submit to the Information Services Division, annually, a long-range plan, summarizing the agency's detailed plan, for not less than the ensuing three (3) fiscal years, which shall include as a minimum:

1. An overview of major projects and objectives;
2. Estimated resource requirements including personnel, hardware, ~~and software,~~ and the purchase of on-line services;
3. Key project dates;
4. Project priorities;
5. Estimated project costs and benefits;
6. Revisions to previous plans;
7. Specific segments which will be included in the agency budget request for the next ensuing fiscal year; and
8. Such other information as the Information Services Division may require for analysis and consolidation into a statewide plan for ~~electronic data processing~~ computerization and telecommunications.

~~After June 30, 1985, no~~ No agency of the state shall enter into any agreement for the acquisition, development, or enhancement of application systems software, or for the acquisition of ~~electronic data processing~~ network equipment or software, or for peripheral devices whether or not connected to such equipment, unless the cost of such acquisition, development, or enhancement has been included in said agency's plan.

The Information Services Division ~~upon review of an agency's data processing and telecommunication plan~~ shall review and analyze the agencies' plans and write a comprehensive report which the Director of State Finance shall submit in writing to the Governor, the Speaker of the House of Representatives, the President Pro Tempore of the Senate and the Chairman Chair of the Joint Legislative Committee on Data Processing and Telecommunication its Telecommunications and Computerization Oversight Committee. The report shall include findings and recommendations on all proposed new and expanded programs and expenditures for personnel and the purchase or acquisition of equipment, hardware and software or accessories thereto, including but not limited to leases, rentals or lease-purchase, indicating that the associated cost meet or comply with Section 41.5a of this title.

SECTION 3. AMENDATORY Section 1, Chapter 268, O.S.L. 1992 (62 O.S. Supp. 1994, Section 41.5m), is amended to read as follows:

Section 41.5m A. There is hereby created a wide area telecommunications network to be known and referred to as the "Oklahoma Government Telecommunications Network (OGTN)". The OGTN shall consist of the telecommunications systems and networks of educational entities and agencies of state government.

B. Notwithstanding the provisions of subsection A of this section:

1. The Oklahoma State Regents for Higher Education may continue to operate, maintain and enhance the State Regents Educational Telecommunications Network; provided, however, the Oklahoma State Regents for Higher Education shall submit all plans for the enhancement of the State Regents Educational Telecommunications Network to the Office of State Finance for review and approval within the context of the statewide telecommunications network provided for in subsection C of this section and shall participate

with the Office of State Finance in joint efforts to provide services for the OGTN; and

2. The Department of Public Safety may continue to operate, maintain and enhance the statewide law enforcement data communications network provided for in Section 2-124 of Title 47 of the Oklahoma Statutes; provided, however, the Department of Public Safety shall submit all plans for the enhancement of the statewide law enforcement data communications network to the Office of State Finance for review and approval and shall participate with the Office of State Finance in joint efforts to provide services for the OGTN.

C. The Office of State Finance shall be responsible for developing, operating and maintaining the OGTN. The purposes of the OGTN shall include the following:

1. Development of a comprehensive, unified statewide telecommunications network to effectively and efficiently meet the communication needs of educational entities and agencies of state government;

2. Effective and efficient utilization of existing telecommunications systems operated by educational entities and agencies of state government; and

3. Elimination and prevention of unnecessarily duplicative telecommunications systems operated by educational entities and agencies of state government.

D. In developing, operating and maintaining the OGTN, the Office of State Finance shall:

1. Develop a statewide master plan for meeting the communications needs of educational entities and of agencies of state government. ~~To facilitate the development of a statewide master plan as provided for in this paragraph:~~

a. ~~the Oklahoma State Regents for Higher Education shall submit a report annually to the Director of State~~

~~Finance identifying the telecommunications plans of each member of The Oklahoma State System of Higher Education. For purposes of developing such report, each member shall cooperate with and submit to the State Regents a plan of its telecommunications needs, including, but not limited to, any interactive video plans, the purchase of informational data bases, software for manipulation of bibliographic records, and the use of telecommunications equipment or services,~~

b. ~~the State Superintendent of Public Instruction shall submit a report annually to the Director of State Finance identifying the telecommunications plans of the public common school system of the state. For purposes of developing such report, the respective public elementary and secondary schools shall cooperate with and submit to the State Superintendent a plan of their telecommunications needs, including, but not limited to, any interactive video plans, the purchase of informational data bases, software for manipulation of bibliographic records, and the use of telecommunications equipment or services,~~

c. ~~the State Director of Vocational and Technical Education shall submit a report annually to the Director of State Finance identifying the telecommunications plans of area vocational-technical school districts. For purposes of developing such report, each area vocational-technical school district as defined in Section 14-108 of Title 70 of the Oklahoma Statutes shall cooperate with and submit to the State Director of Vocational and Technical Education a plan of its telecommunications needs,~~

~~including, but not limited to, any interactive video plans, the purchase of informational data bases, software for manipulation of bibliographic records, and the use of telecommunications equipment or services,~~

- d. ~~the chief administrative officer of each state agency of the executive branch shall submit a plan annually to the Director of State Finance identifying the telecommunications needs of the state agency, including, but not limited to, any interactive video plans, the purchase of informational data bases, software for manipulation of bibliographic records, and the use of telecommunications equipment or services, and~~
- e. ~~the Director of the Oklahoma Department of Libraries shall submit a report annually to the Director of State Finance identifying the telecommunications plans of public libraries and public library systems. For purposes of developing such report, the chief administrative officer of any public library or public library system not otherwise required to submit a plan of its telecommunications needs pursuant to the provisions of this paragraph shall cooperate with and submit annually to the Director of the Oklahoma Department of Libraries a plan of its telecommunications needs, including, but not limited to, any interactive video plans, the purchase of informational data bases, software for manipulation of bibliographic records and the use of telecommunications equipment or services. To assure inclusion in the report of the plans of the telecommunications needs of any library that is a part~~

~~of any member of The Oklahoma State System of Higher Education, a public elementary or secondary school, or area vocational-technical school district, all such plans relating to libraries received by the Oklahoma State Regents for Higher Education, the State Superintendent of Higher Education, and the State Director of Vocational and Technical Education shall be submitted to the Director of the Oklahoma Department of Libraries by the respective recipients thereof as soon as practicable after receipt. The Director of the Oklahoma Department of Libraries shall certify to the Office of State Finance that such plans are consistent with the plan developed by the Oklahoma Library Technology Network or explain any inconsistencies therewith;~~

2. Identify the most cost-effective means of meeting the telecommunications needs of educational entities and of agencies of state government;

3. Develop minimum mandatory standards and protocols for equipment, facilities and services of the OGTN;

4. Evaluate the advantages and disadvantages of utilizing equipment, facilities, and services of both private entities and those owned and operated by the state;

5. Recommend a fee structure to provide for the operation and maintenance of the OGTN; and

6. Seek the advice of the ~~State Data Processing and Telecommunications Advisory Committee created by Section 2 of this act and the Industry Advisory Committee created pursuant to Section 41.5b of Title 62 of the Oklahoma Statutes~~ Telecommunications and Computerization Oversight Committee.

E. All state agencies, institutions and constituent agencies of The Oklahoma State System of Higher Education and public school

districts shall submit to the Office of State Finance all information requested by that office toward meeting its responsibilities pursuant to subsection D of this section.

SECTION 4. AMENDATORY Section 2, Chapter 268, O.S.L. 1992, as last amended by Section 1, Chapter 21, O.S.L. 1994 (62 O.S. Supp. 1994, Section 41.5n), is amended to read as follows:

Section 41.5n A. There is hereby created, to continue until July 1, 1998, in accordance with the provisions of the Oklahoma Sunset Law, Section 3901 et seq. of Title 74 of the Oklahoma Statutes, a ~~State Data Processing and Telecommunications Advisory~~ and Computerization Oversight Committee. The Committee shall assist the Office of State Finance in addressing the state's ~~data processing~~ computerization and telecommunications needs. The Committee shall consist of twenty-six (26) members, nine of whom shall be voting members and seventeen of whom shall be ex officio nonvoting members. Voting members shall include three members of the House of Representatives appointed by the Speaker of the House of Representatives, three members of the State Senate appointed by the President Pro Tempore of the Senate, two members appointed by the Governor, and the Director of the Office of State Finance or the Director's designee. Ex officio nonvoting members shall include the chief administrative officer of each of the following state agencies or ~~his or her~~ designee:

1. State Department of Education;
2. Oklahoma State Regents for Higher Education;
3. Department of Public Safety;
4. Department of Human Services;
5. Department of Commerce;
6. Department of Libraries;
7. Oklahoma Educational Television Authority;
8. Oklahoma Corporation Commission;
9. State Department of Vocational and Technical Education;

10. Department of Corrections;
11. Oklahoma Tourism and Recreation Department;
12. State Department of Health;
13. Oklahoma Tax Commission;
14. Office of Personnel Management;
15. State Election Board; and
16. Department of Mental Health and Substance Abuse Services.

The remaining ex officio nonvoting position shall be rotated among other state agencies at the discretion of the Governor. The ~~chairmanship~~ chair of the Committee shall alternate every two (2) years among the House of Representatives, the Senate and the Director of the Office of State Finance at the beginning of each odd-numbered year. Meetings of the Committee shall be called by the ~~Chairman~~ chair not less than two times each year and shall be open to data processing and telecommunications managers from all state agencies. A majority of the voting members of the Committee shall constitute a quorum.

B. Members of the ~~State Data Processing and Telecommunications Advisory~~ and Computerization Oversight Committee shall receive no compensation for serving on the Committee, but shall receive travel reimbursement as follows:

1. Legislative members of the Committee shall be reimbursed for their necessary travel expenses incurred in the performance of their duties in accordance with Section 456 of Title 74 of the Oklahoma Statutes; and

2. Nonlegislative members of the Committee shall be reimbursed by their respective agencies for their necessary travel expenses incurred in the performance of their duties in accordance with the State Travel Reimbursement Act, Section 500.1 et seq. of Title 74 of the Oklahoma Statutes.

C. The duties of the ~~State Data Processing and Telecommunications Advisory~~ and Computerization Oversight Committee shall include:

1. Advising the Office of State Finance in the development of a statewide master plan for telecommunications and in the development of the Oklahoma Government Telecommunications Network created in Section 41.5m of this title as an efficient, secure, and reliable means whereby public schools, public institutions of higher education, state agencies and county and municipal agencies, other public agencies, public trusts, and other instrumentalities of the state can exchange voice, data, and video communication;

2. Providing a forum for discussion of major issues facing state agencies in the areas of ~~data processing~~ computerization and telecommunications;

3. ~~Meeting jointly with the Industry Advisory Committee created pursuant to Section 41.5b of this title at least annually to ensure that the state's planned activities are consistent with the direction of industry data processing and telecommunications;~~

4. ~~Advising the Information Services Division of the Office of State Finance on the development and implementation of statewide data processing policies~~ Reviewing agency budget requests for new and expanded programs in the areas of computerization and telecommunications and making such recommendations as it deems necessary to the appropriations committees of the Legislature; and

~~5.~~ 4. Making recommendations to the Office of State Finance for expenditures for telecommunications as provided in Section 57.303 of this title and Section 43 of Article X of the Oklahoma Constitution; provided, however, no such recommendations shall become final and no such expenditures shall be made unless approved by the Contingency Review Board;

5. Reviewing draft rules proposed for promulgation by the Office of State Finance setting charges agencies shall assess for provision of public records in formats other than paper; and

6. Ensuring that plans for telecommunications development, whether by enhancement of the OGTN, by means of other networks or by individual agencies or groups of agencies, give highest priority to the protection of confidentiality where required by law and reflect due consideration of the rights of individuals to privacy.

SECTION 5. REPEALER Section 1, Chapter 152, O.S.L. 1993 (17 O.S. Supp. 1994, Section 140), is hereby repealed.

SECTION 6. REPEALER 62 O.S. 1991, Section 41.5k, as amended by Section 8, Chapter 268, O.S.L. 1992 (62 O.S. Supp. 1994, Section 41.5k), is hereby repealed."

Passed the House of Representatives the 24th day of April, 1995.

Speaker of the House of Representatives

Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 1995.

President of the Senate