

ENROLLED HOUSE
BILL NO. 2228

By: Askins of the House

and

Harrison of the Senate

An Act relating to sunset; amending 62 O.S. 1991, Sections 41.5e, as amended by Section 6, Chapter 214, O.S.L. 1996, 41.5k, as last amended by Section 3, Chapter 246, O.S.L. 1995, and Section 1, Chapter 268, O.S.L. 1992, as amended by Section 4, Chapter 246, O.S.L. 1995 (62 O.S. Supp. 1997, Sections 41.5e, 41.5k and 41.5m), which relate to data processing and telecommunications; removing the State Data Processing and Telecommunications Advisory Committee from the law; repealing Section 2, Chapter 268, O.S.L. 1992, as last amended by Section 5, Chapter 246, O.S.L. 1995 (62 O.S. Supp. 1997, Section 41.5n), which relates to the State Data Processing and Telecommunications Advisory Committee; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 62 O.S. 1991, Section 41.5e, as amended by Section 6, Chapter 214, O.S.L. 1996 (62 O.S. Supp. 1997, Section 41.5e), is amended to read as follows:

Section 41.5e A. All agencies of the executive branch of this state presently using or contemplating the use of electronic data processing applications, including but not limited to, the use of mainframe computers, minicomputers or microcomputers, word processing equipment, or office automation systems, shall annually submit to the Information Services Division 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;
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.

B. No agency of the executive branch of this state shall enter into any agreement for the acquisition, development, or enhancement of application systems software or for the acquisition of electronic data processing equipment, 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 submit in writing to the Governor, the Speaker of the House of Representatives, and the President Pro Tempore of the Senate ~~and the Chair of the State Data Processing and Telecommunications Advisory Committee~~ its 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.

C. The provisions of this section shall not apply to the telecommunications network known as OneNet whether said network is governed or operated by the Oklahoma State Regents for Higher Education or any other state entity assigned responsibility for OneNet.

SECTION 2. AMENDATORY 62 O.S. 1991, Section 41.5k, as last amended by Section 3, Chapter 246, O.S.L. 1995 (62 O.S. Supp. 1997, Section 41.5k), is amended to read as follows:

Section 41.5k A. There is hereby established the Joint Legislative Committee on Data Processing and Telecommunication. Such committee shall be composed of three ~~(3)~~ members of the Senate and three ~~(3)~~ members of the House of Representatives, who shall be appointed every two (2) years by the President Pro Tempore of the Senate and the Speaker of the House of Representatives, respectively. The chairmanship of the committee shall alternate every two (2) years between the Senate and House of Representatives at the beginning of each odd-numbered year.

B. The committee shall meet at least quarterly and at such other times as called by the chairman thereof for the purposes of:

1. Reviewing and making recommendations regarding state plans, standards and rules developed under the administrative control of the Director of State Finance as prescribed in Sections 41.5a through 41.5g of this title;

2. Providing a forum for the Office of State Finance, ~~the State Data Processing and Telecommunications Advisory Committee~~ and state agencies, as necessary to accomplish the legislative intent of this legislation;

3. Coordinating and reporting to the Legislature the development and progress of the long-range plans, proposed systems and joint projects required to accomplish the statewide objectives; and

4. Reviewing agency budget requests for new and expanded programs in the areas of data processing and telecommunications and making such recommendations as it deems necessary to the appropriations committees of the Legislature.

SECTION 3. AMENDATORY Section 1, Chapter 268, O.S.L. 1992, as amended by Section 4, Chapter 246, O.S.L. 1995 (62 O.S. Supp. 1997, 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; and

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 41.5n of this title.~~

SECTION 4. REPEALER Section 2, Chapter 268, O.S.L. 1992, as last amended by Section 5, Chapter 246, O.S.L. 1995 (62 O.S. Supp. 1997, Section 41.5n), is hereby repealed.

SECTION 5. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the House of Representatives the 17th day of February,
1998.

Speaker of the House of
Representatives

Passed the Senate the 30th day of March, 1998.

President of the Senate