

STATE OF OKLAHOMA

1st Session of the 48th Legislature (2001)

HOUSE BILL HB1642

By: Deutschendorf

AS INTRODUCED

An Act relating to technology; creating the Office of Technology; providing for management by an Executive Director; stating mission of the Office; providing definitions; stating function of the Executive Director; stating qualification of the Executive Director; providing for staffing; stating duties of the Executive Director; creating the Governmental Technology Policy Board; providing for membership; providing for terms of office, appointments, and reappointments; providing for meetings, officers, and a quorum; providing for travel reimbursement; stating duties of the Board; stating general powers of the Office of Technology; stating duties of the Office of Technology; establishing certain advisory councils; providing for appointments to advisory councils; providing for officers and travel reimbursement; establishing membership of each advisory council; stating function of the advisory councils; requiring the Executive Director to submit an annual technology report; transferring duties, powers, and responsibilities of the Information Services Division of the Office of State Finance to the Office of Technology; providing for codification; providing an effective date; and declaring an emergency.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 8401 of Title 74, unless there is created a duplication in numbering, reads as follows:

There is hereby created the Office of Technology. The Office of Technology shall be managed by an Executive Director appointed by the Governor. The Office shall provide leadership and direction for information and communications technology to encourage the development of a technology-literate population in the state and to ensure sufficient access to and efficient delivery of government services.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 8402 of Title 74, unless there is created a duplication in numbering, reads as follows:

As used in Sections 1 through 9 of this act:

1. "Information and communications technology" means all computerized and auxiliary automated information processing, telecommunications and related technology, including hardware, software, vendor support and related services, equipment, and projects;

2. "Office" means the Office of Technology; and

3. "Executive Director" means the Executive Director of the Office of Technology.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 8403 of Title 74, unless there is created a duplication in numbering, reads as follows:

A. The Executive Director of the Office of Technology shall be the state's chief information officer and technology advisor. The Executive Director shall be knowledgeable in the current state of technology and be experienced in the development, management, and use of technology and technology systems and services. The Executive Director may hire such staff as may be necessary to fulfill the duties of the Office. The staff of the Office of Technology shall include individuals knowledgeable in information and communications technology.

B. The Executive Director shall:

1. Coordinate the state's information and communications technology systems to serve the needs of the state government;

2. Coordinate the design of a master plan for information and communications technology systems in the state and the political subdivisions of the state and shall report the plan to the Governor and Legislature annually;

3. Coordinate all information and communications technology plans and contracts and oversee the state's information and communications systems;

4. Establish standards for information and communications systems that encourage competition and support open systems environments and that are compatible with national and international standards; and

5. Maintain a library of systems and programs developed by the state and its political subdivisions for use by agencies of government.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 8404 of Title 74, unless there is created a duplication in numbering, reads as follows:

A. There is hereby created the Governmental Technology Policy Board. The Board shall be a policy board and shall oversee the functions of the Office of Technology. The Board shall be composed of the following members:

1. Three members appointed by the Governor;

2. Three members appointed by the Speaker of the House of Representatives; and

3. Three members appointed by the President Pro Tempore of the Senate.

B. The length of initial appointments shall be as follows:

1. The terms of one member appointed by the Governor, one member appointed by the Speaker of the House of Representatives and one member appointed by the President Pro Tempore of the Senate shall expire on January 1, 2002;

2. The terms of one member appointed by the Governor, one member appointed by the Speaker of the House of Representatives and one member appointed by the President Pro Tempore of the Senate shall expire on January 1, 2003; and

3. The terms of one member appointed by the Governor, one member appointed by the Speaker of the House of Representatives and one member appointed by the President Pro Tempore of the Senate shall expire on January 1, 2004.

Thereafter, the term of office of a member of the Board shall be for three (3) years and until a successor is appointed.

C. 1. An appointment shall be made within ninety (90) days after a vacancy has occurred due to resignation, death, or any cause resulting in an unexpired term. In the event of a vacancy on the Board due to resignation, death, or for any other cause resulting in an unexpired term, if not filled within ninety (90) days following such vacancy, the Board may appoint a provisional member to serve in the interim until an appointment is made.

2. A member of the Board may be reappointed for additional terms.

D. 1. The Board shall hold meetings as necessary at a place and time to be fixed by the Board. The Board shall select, at its first meeting, one of its members to serve as chair and another of its members to serve as vice-chair. At the first meeting, and in each calendar year thereafter, the chair and vice-chair for the ensuing year shall be elected. A majority of the Board present at the meeting shall constitute a quorum of the Board.

2. Members of the Board shall receive necessary travel expenses according to the provisions of the State Travel Reimbursement Act.

E. The Board shall:

1. Be the rulemaking body of the Office;

2. Assist the Office in conducting periodic review and planning activities related to the goals, objectives, priorities, and policies of the Office;

3. Provide a public forum for receiving comments and disseminating information to the public and the governmental

entities of the state regarding goals, objectives, priorities, and policies of the Office;

4. Review and approve the budget request of the Office; and

5. Review and evaluate the need for amendments or additions to the Oklahoma Statutes regarding programs or functions of the Office and make legislative recommendations to the Legislature.

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 8405 of Title 74, unless there is created a duplication in numbering, reads as follows:

The Office of Technology shall have the following general powers:

1. Enter into contracts and agreements necessary or incidental to the performance of duties and the execution of its powers, including but not limited to contracts for goods and services with public or private organizations;

2. Apply for, accept and disburse grants and other aid from the United States government and other public or private sources;

3. Work with the advisory councils established in Section 7 of this act;

4. Appoint committees and task forces to assist the Office in carrying out its duties;

5. Sponsor and conduct conferences and studies, collect and disseminate information, and issue reports relating to information and communications technology issues; and

6. Participate in the activities of standard-setting bodies and other appropriate conferences related to information and communications technology issues.

SECTION 6. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 8406 of Title 74, unless there is created a duplication in numbering, reads as follows:

The Office of Technology shall have the following duties:

1. Develop, implement, and maintain a coordinated statewide plan for information and communications technology;

2. Adopt statewide technical, coordination, and security standards for information and communications technology;

3. Serve as the statewide coordinator for information and communications technology resources;

4. Develop a statewide disaster technology recovery plan;

5. Develop a detailed list of information and communications technology assets owned, leased, or employed by state agencies, political subdivisions, and educational entities;

6. Coordinate the efficient and effective use of available public information and communications technology resources;

7. Encourage cooperation and collaboration among state and local governments in developing intergovernmental communication and information systems;

8. Cooperate and collaborate with the legislative and judicial branches in the development of information and communications systems in those branches; and

9. Cooperate and collaborate with educational entities in the state in the development of information and communications systems.

SECTION 7. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 8407 of Title 74, unless there is created a duplication in numbering, reads as follows:

A. There are hereby established the following advisory councils to the Office of Technology:

1. The State Agency Advisory Council;

2. The Education Advisory Council;

3. The Local Government Advisory Council;

4. The Telehealth Advisory Council; and

5. The Geographic Information Systems Advisory Council.

B. 1. Each council established pursuant to subsection A of this section shall consist of six (6) members. Appointments shall

be for three-year terms. Appointed members of the councils shall serve at the pleasure of and may be removed from office by the appointing authority. Members shall continue to serve until their successors are appointed. Any vacancy shall be filled in the same manner as the original appointments. Four members shall constitute a quorum.

2. Each council shall elect a chair and a vice-chair from among its members. Each council shall meet as is necessary.

3. Members of the councils shall receive necessary travel expenses according to the provisions of the State Travel Reimbursement Act.

C. The State Agency Advisory Council shall be composed of the chief technology administrator or the webmaster from each of the following agencies to be designated by the director of that agency:

1. The Department of Human Services;
2. The Department of Public Safety;
3. The Department of Commerce;
4. The Department of Libraries;
5. The Department of Central Services; and
6. The Office of State Finance.

D. The Education Advisory Council shall be composed as follows:

1. The technology administrator for the State Department of Education to be designated by the Superintendent of Public Instruction;

2. The technology administrator for the State Department of Career and Technology Education to be appointed by the Director of the Department of Career and Technology Education;

3. The technology administrator for the State Regents for Higher Education to be appointed by the Chancellor of Higher Education;

4. One member who is a teacher in a public school in the state to be appointed by the Governor;

5. One member who is a teacher at an area vocational-technical school to be appointed by the Speaker of the House of Representatives; and

6. One member who is a professor at a public higher education institution in the state to be appointed by the President Pro Tempore of the Senate.

E. The Local Government Advisory Council shall be composed as follows:

1. Two members who are members of a governing body of a city or municipality in the state; one to be appointed by the Governor and one to be appointed by the Speaker of the House of Representatives;

2. Two members who are county commissioners; one to be appointed by the Speaker of the House of Representatives and one to be appointed by the President Pro Tempore of the Senate; and

3. Two members who represent regional councils that represent local governments; one to be appointed by the Governor and one to be appointed by the President Pro Tempore of the Senate.

F. The Telehealth Advisory Council shall be composed as follows:

1. Two members who represent rural hospitals; one to be appointed by the Governor and one to be appointed by the Speaker of the House of Representatives;

2. Two members who represent urban tertiary hospitals; one to be appointed by the Speaker of the House of Representatives and one to be appointed by the President Pro Tempore of the Senate;

3. One member who shall represent a statewide hospital organization to be appointed by the President Pro Tempore of the Senate; and

4. One member who shall represent a statewide organization of physicians to be appointed by the Governor.

G. The Geographic Information Systems Advisory Council shall be composed as follows:

1. The Director of the Oklahoma Conservation Commission or designee;
2. The Director of the Department of Environmental Quality or designee;
3. The State Geographer or designee;
4. The Director of the Oklahoma Geological Survey or designee;
5. The Director of the Center for Spatial Analysis of the University of Oklahoma or designee; and
6. The Dean of the Division of Agricultural Sciences and Natural Resources of Oklahoma State University or designee.

H. The advisory councils shall meet with, confer with and advise the Office of Technology in the development of the state's policies, standards, guidelines, systems, and the exchange of communications and information technology resources.

SECTION 8. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 8408 of Title 74, unless there is created a duplication in numbering, reads as follows:

The Executive Director shall submit to the Governor and the Legislature an annual technology report.

SECTION 9. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 8409 of Title 74, unless there is created a duplication in numbering, reads as follows:

On and after July 1, 2001, all duties, powers, and responsibilities relating to systems planning, data content, and program development of the Information Services Division of the Office of State Finance shall be transferred to and assumed by the Office of Technology. All unexpended funds, property, records, personnel, and any outstanding financial obligations and encumbrances of the Information Services Division of the Office of State Finance are hereby transferred to the Office of Technology.

SECTION 10. This act shall become effective July 1, 2001.

SECTION 11. 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.

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