

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 SENATE BILL 1702

By: Coffee

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7 AS INTRODUCED

8 An Act relating to public finance; amending Section
9 2, Chapter 451, O.S.L. 2009, as renumbered by Section
10 24, Chapter 451, O.S.L. 2009 (62 O.S. Supp. 2009,
11 Section 34.11.1), which relates to the Oklahoma
12 Information Services Act; deleting certain duty of
13 Chief Information Officer; repealing Section 4,
14 Chapter 391, O.S.L. 2005, as last amended by Section
15 19, Chapter 451, O.S.L. 2009 and as renumbered by
16 Section 64, Chapter 441, O.S.L. 2009 (62 O.S. Supp.
17 2009, Section 34.31), which relates to computer
18 software source codes; and declaring an emergency.

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

20 SECTION 1. AMENDATORY Section 2, Chapter 451, O.S.L.
21 2009, as renumbered by Section 24, Chapter 451, O.S.L. 2009 (62 O.S.
22 Supp. 2009, Section 34.11.1), is amended to read as follows:

23 Section 34.11.1 A. There is hereby created the position of
24 Chief Information Officer who shall be appointed by the Governor.
The Chief Information Officer, in addition to having authority over
the Information Services Division of the Office of State Finance,

1 shall also serve as Secretary of Information Technology and
2 Telecommunications or successor cabinet position and shall have
3 jurisdictional areas of responsibility related to information
4 technology and telecommunications systems of all state agencies as
5 provided for in the Oklahoma Information Services Act. The salary
6 of the Chief Information Officer shall not be less than One Hundred
7 Thirty Thousand Dollars (\$130,000.00) or more than One Hundred Sixty
8 Thousand Dollars (\$160,000.00). The first Chief Information Officer
9 shall be appointed no later than January 1, 2010.

10 B. Any person appointed to the position of Chief Information
11 Officer shall meet the following eligibility requirements:

12 1. A baccalaureate degree in Computer Information Systems,
13 Information Systems or Technology Management, Business
14 Administration, Finance, or other similar degree;

15 2. A minimum of ten (10) years of professional experience with
16 responsibilities for management and support of information systems
17 and information technology, including seven (7) years of direct
18 management of a major information technology operation;

19 3. Familiarity with local and wide-area network design,
20 implementation, and operation;

21 4. Experience with data and voice convergence service
22 offerings;

23 5. Experience in developing technology budgets;

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- 1 6. Experience in developing request for proposals and
- 2 administering the bid process;
- 3 7. Experience managing professional staff, teams, and
- 4 consultants;
- 5 8. Knowledge of telecommunications operations;
- 6 9. Ability to develop and set strategic direction for
- 7 information technology and telecommunications and to manage daily
- 8 development and operations functions;
- 9 10. An effective communicator who is able to build consensus;
- 10 11. Ability to analyze and resolve complex issues, both logical
- 11 and interpersonal;
- 12 12. Effective verbal and written communications skills and
- 13 effective presentation skills, geared toward coordination and
- 14 education;
- 15 13. Ability to negotiate and defuse conflict; and
- 16 14. A self-motivator, independent, cooperative, flexible and
- 17 creative.
- 18 C. The salary and any other expenses for the Chief Information
- 19 Officer shall be budgeted as a separate line item through the Office
- 20 of State Finance. The operating expenses of the Information
- 21 Services Division shall be set by the Chief Information Officer and
- 22 shall be budgeted as a separate line item through the Office of
- 23 State Finance. The Office of State Finance shall provide adequate
- 24 office space, equipment and support necessary to enable the Chief

1 Information Officer to carry out the information technology and
2 telecommunications duties and responsibilities of the Officer and
3 the Information Services Division.

4 D. 1. Within twelve (12) months of appointment, the first
5 Chief Information Officer shall complete an assessment of the
6 implementation of the transfer, coordination, and modernization of
7 all information technology and telecommunication systems of all
8 state agencies in the state as provided for in the Oklahoma
9 Information Services Act. The assessment shall include the
10 information technology and telecommunications systems of all
11 institutions within The Oklahoma State System of Higher Education,
12 the Oklahoma State Regents for Higher Education and the
13 telecommunications network known as OneNet.

14 2. Within twelve (12) months of appointment, the first Chief
15 Information Officer shall issue a report setting out a plan of
16 action which will include the following:

- 17 a. define the shared service model organization structure
18 and the reporting relationship of the recommended
19 organization,
- 20 b. the implementation of an information technology and
21 telecommunications shared services model that defines
22 the statewide infrastructure environment needed by
23 most state agencies that is not specific to individual
24

1 agencies and the shared applications that are utilized
2 across multiple agencies,

3 c. define the services that shall be in the shared
4 services model under the control of the Information
5 Services Division of the Office of State Finance,

6 d. define the roadmap to implement the proposed shared
7 services model. The roadmap shall include
8 recommendations on the transfer, coordination, and
9 modernization of all information technology and
10 telecommunication systems of all the state agencies in
11 the state,

12 e. recommendations on the reallocation of information
13 technology and telecommunication resources and
14 personnel,

15 f. recommendations on maximizing the benefits to the
16 state by the alignment and operation of the
17 communications and data transfer network assets known
18 as OneNet,

19 g. a cost benefit analysis to support the recommendations
20 on the reallocation of information technology and
21 telecommunication resources and personnel, and

22 h. a calculation of the net savings realized through the
23 reallocation and consolidation of information
24 technology and telecommunication resources and

1 personnel after compensating for the cost of
2 contracting with a private consultant as authorized in
3 paragraph 4 of this subsection, implementing the plan
4 of action, and ongoing costs of the Information
5 Services Division of the Office of State Finance.

6 3. The plan of action report shall be presented to the
7 Governor, Speaker of the House of Representatives, and the President
8 Pro Tempore of the State Senate.

9 4. The Chief Information Officer may contract with a private
10 consultant or consultants to assist in the assessment and
11 development of the plan of action report as required in this
12 subsection.

13 E. Beginning on the effective date of appointment, the Chief
14 Information Officer shall be authorized to employ personnel, fix the
15 duties and compensation of the personnel, not otherwise prescribed
16 by law, and otherwise direct the work of the personnel in performing
17 the function and accomplishing the purposes of the Information
18 Services Division of the Office of State Finance.

19 F. Beginning on the effective date of the appointment of the
20 first Chief Information Officer, the Information Services Division
21 of the Office of State Finance shall be responsible for the
22 following duties:

23 1. Formulate and implement the information technology strategy
24 for all state agencies;

1 2. Define, design, and implement a shared services statewide
2 infrastructure and application environment for information
3 technology and telecommunications for all state agencies;

4 3. Direct the development and operation of a scalable
5 telecommunications infrastructure that supports data and voice
6 communications reliability, integrity, and security;

7 4. Supervise the applications development process for those
8 applications that are utilized across multiple agencies;

9 5. Provide direction for the professional development of
10 information technology staff of state agencies and oversee the
11 professional development of the staff of the Information Services
12 Division of the Office of State Finance;

13 6. Evaluate all technology and telecommunication investment
14 choices for all state agencies;

15 7. Create a plan to ensure alignment of current systems, tools,
16 and processes with the strategic information technology plan for all
17 state agencies;

18 8. Set direction and provide oversight for the support and
19 continuous upgrading of the current information technology and
20 telecommunication infrastructure in the state in support of enhanced
21 reliability, user service levels, and security;

22 9. Direct the development, implementation, and management of
23 appropriate standards, policies and procedures to ensure the success
24 of state information technology and telecommunication initiatives;

1 10. Recruit, hire and transfer the required technical staff in
2 the Information Services Division of the Office of State Finance to
3 support the services provided by the Division and the execution of
4 the strategic information technology plan;

5 11. Establish, maintain, and enforce information technology and
6 telecommunication standards;

7 12. Delegate, coordinate, and review all work to ensure quality
8 and efficient operation of the Information Services Division of the
9 Office of State Finance;

10 13. Create and implement a communication plan that disseminates
11 pertinent information to state agencies on standards, policies,
12 procedures, service levels, project status, and other important
13 information to customers of the Information Services Division of the
14 Office of State Finance and provide for agency feedback and
15 performance evaluation by customers of the Division;

16 14. Develop and implement training programs for state agencies
17 using the shared services of the Information Services Division of
18 the Office of State Finance and recommend training programs to state
19 agencies on information technology and telecommunication systems,
20 products and procedures;

21 15. Provide counseling, performance evaluation, training,
22 motivation, discipline, and assign duties for employees of the
23 Information Services Division of the Office of State Finance;

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1 16. Approve the purchasing of all information technology and
2 telecommunication products and services for all state agencies;

3 17. Develop and enforce an overall infrastructure architecture
4 strategy and associated roadmaps for desktop, network, server,
5 storage, and statewide management systems for state agencies;

6 18. Effectively manage the design, implementation and support
7 of complex, highly available infrastructure to ensure optimal
8 performance, on-time delivery of features, and new products, and
9 scalable growth;

10 19. Define and implement a governance model for requesting
11 services and monitoring service level metrics for all shared
12 services; and

13 20. Create the budget for the Information Services Division of
14 the Office of State Finance to be submitted to the Legislature each
15 year.

16 G. Upon receiving approval of the State Governmental Technology
17 Applications Review Board, the Chief Information Officer shall
18 implement the plan of action as set forth in subsection D of this
19 section; provided, the plan of action for the Department of Human
20 Services shall not be implemented until July 1, 2011. The State
21 Governmental Technology Applications Review Board shall provide
22 ongoing oversight of the implementation of the plan of action. Any
23 proposed amendments to the plan of action shall be approved by the
24 Board prior to adoption. The net savings realized through the

1 reallocation and consolidation of information technology and
2 telecommunication resources and personnel after compensating for the
3 up-front costs and ongoing costs of the Information Services
4 Division of the Office of State Finance which are identified and
5 reported in the plan of action shall be realized no later than two
6 (2) years from the appointment date of the Chief Information Officer
7 and shall at a minimum be not less than fifteen percent (15%) of the
8 overall statewide information technology and telecommunications
9 expenditures made by all state agencies during the fiscal year
10 ending June 30, 2009.

11 H. Beginning on the effective date of appointment, the Chief
12 Information Officer shall act as the Information Technology and
13 Telecommunications Purchasing Director for all state agencies and
14 shall be responsible for the procurement of all information
15 technology and telecommunication software, hardware, equipment,
16 peripheral devices, maintenance, consulting services, high
17 technology systems, and other related information technology, data
18 processing, telecommunication and related peripherals and services
19 for all state agencies. The Chief Information Officer shall
20 establish, implement, and enforce policies and procedures for the
21 procurement of information technology and telecommunication
22 software, hardware, equipment, peripheral devices, maintenance,
23 consulting services, high technology systems, and other related
24 information technology, data processing, telecommunication and

1 related peripherals and services by purchase, lease-purchase, lease
2 with option to purchase, lease and rental for all state agencies.
3 The procurement policies and procedures established by the Chief
4 Information Officer shall be consistent with The Oklahoma Central
5 Purchasing Act.

6 I. The Information Services Division of the Office of State
7 Finance and the Chief Information Officer shall be subject to The
8 Oklahoma Central Purchasing Act for the approval and purchase of
9 equipment and products not related to information and
10 telecommunications technology, equipment, software, products and
11 related peripherals and services and shall also be subject to the
12 requirements of the Public Competitive Bidding Act of 1974, the
13 Oklahoma Lighting Energy Conservation Act and the Public Building
14 Construction and Planning Act when procuring data processing,
15 information technology, telecommunication, and related peripherals
16 and services and when constructing information technology and
17 telecommunication facilities, telecommunication networks and
18 supporting infrastructure. The Chief Information Officer shall be
19 authorized to delegate all or some of the procurement of information
20 technology and telecommunication products and services and
21 construction of facilities and telecommunication networks to another
22 state entity if the Chief Information Officer determines it to be
23 cost-effective and in the best interest of the state. The Chief
24 Information Officer shall have authority to designate information

1 technology and telecommunication contracts as statewide contracts
2 and mandatory statewide contracts pursuant to Section 85.5 of Title
3 74 of the Oklahoma Statutes.

4 J. The Chief Information Officer shall establish and implement
5 charges and a system to assess the charges to state agencies for
6 their use of shared information technology and telecommunication
7 services subject to the approval of the State Governmental
8 Technology Applications Review Board.

9 K. The Chief Information Officer shall establish, implement,
10 and enforce policies and procedure for the development and
11 procurement of an interoperable radio communications system for
12 state agencies. The Chief Information Officer shall work with local
13 governmental entities in developing the interoperable radio
14 communications system.

15 ~~L. The Chief Information Officer shall develop and implement a~~
16 ~~plan to utilize open source technology and products for the~~
17 ~~information technology and telecommunication systems of all state~~
18 ~~agencies.~~

19 ~~M.~~ All state agencies and authorities of this state and all
20 officers and employees of those entities shall work and cooperate
21 with and lend assistance to the Chief Information Officer and the
22 Information Services Division of the Office of State Finance and
23 provide any and all information requested by the Chief Information
24 Officer.

1 ~~N.~~ M. The Chief Information Officer shall prepare an annual
2 report detailing the ongoing net saving attributable to the
3 reallocation and consolidation of information technology and
4 telecommunication resources and personnel and shall submit the
5 report to the Governor, the Speaker of the House of Representatives,
6 and the President Pro Tempore of the Senate.

7 ~~Θ.~~ N. For purposes of the Oklahoma Information Services Act,
8 unless otherwise provided for, "state agencies" shall include any
9 office, officer, bureau, board, commission, counsel, unit, division,
10 body, authority or institution of the executive branch of state
11 government, whether elected or appointed; provided, except with
12 respect to the provisions of subsection D of this section, the term
13 "state agencies" shall not include institutions within The Oklahoma
14 State System of Higher Education, the Oklahoma State Regents for
15 Higher Education and the telecommunications network known as OneNet.

16 SECTION 2. REPEALER Section 4, Chapter 391, O.S.L. 2005,
17 as last amended by Section 19, Chapter 451, O.S.L. 2009 and as
18 renumbered by Section 64, Chapter 441, O.S.L. 2009 (62 O.S. Supp.
19 2009, Section 34.31), is hereby repealed.

20 SECTION 3. It being immediately necessary for the preservation
21 of the public peace, health and safety, an emergency is hereby
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1 declared to exist, by reason whereof this act shall take effect and
2 be in full force from and after its passage and approval.

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