

1 STATE OF OKLAHOMA

2 1st Session of the 53rd Legislature (2011)

3 HOUSE BILL 1304

By: Derby

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5
6 AS INTRODUCED

7 An Act relating to technology; amending Section 2,
8 Chapter 451, O.S.L. 2009, and as renumbered by
9 Section 24, Chapter 451, O.S.L. 2009 (62 O.S. Supp.
10 2010, Section 34.11.1), which relates to the Chief
11 Information Officer; clarifying language; and
12 providing an effective date.

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

14 SECTION 1. AMENDATORY Section 2, Chapter 451, O.S.L.
15 2009, and as renumbered by Section 24, Chapter 451, O.S.L. 2009 (62
16 O.S. Supp. 2010, Section 34.11.1), is amended to read as follows:

17 Section 34.11.1 A. There is hereby created the position of
18 Chief Information Officer who shall be appointed by the Governor.
19 The Chief Information Officer, in addition to having authority over
20 the Information Services Division of the Office of State Finance,
21 shall also serve as the Secretary of Information Technology and
22 Telecommunications or successor cabinet position and shall have
23 jurisdictional areas of responsibility related to information
24 technology and telecommunications systems of all state agencies as

1 provided for in the Oklahoma Information Services Act. The salary
2 of the Chief Information Officer shall not be less than One Hundred
3 Thirty Thousand Dollars (\$130,000.00) or more than One Hundred Sixty
4 Thousand Dollars (\$160,000.00). The first Chief Information Officer
5 shall be appointed no later than January 1, 2010.

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

8 1. A baccalaureate degree in Computer Information Systems,
9 Information Systems or Technology Management, Business
10 Administration, Finance, or other similar degree;

11 2. A minimum of ten (10) years of professional experience with
12 responsibilities for management and support of information systems
13 and information technology, including seven (7) years of direct
14 management of a major information technology operation;

15 3. Familiarity with local and wide-area network design,
16 implementation, and operation;

17 4. Experience with data and voice convergence service
18 offerings;

19 5. Experience in developing technology budgets;

20 6. Experience in developing request for proposals and
21 administering the bid process;

22 7. Experience managing professional staff, teams, and
23 consultants;

24 8. Knowledge of telecommunications operations;

1 9. Ability to develop and set strategic direction for
2 information technology and telecommunications and to manage daily
3 development and operations functions;

4 10. An effective communicator who is able to build consensus;

5 11. Ability to analyze and resolve complex issues, both logical
6 and interpersonal;

7 12. Effective verbal and written communications skills and
8 effective presentation skills, geared toward coordination and
9 education;

10 13. Ability to negotiate and defuse conflict; and

11 14. A self-motivator, independent, cooperative, flexible and
12 creative.

13 C. The salary and any other expenses for the Chief Information
14 Officer shall be budgeted as a separate line item through the Office
15 of State Finance. The operating expenses of the Information
16 Services Division shall be set by the Chief Information Officer and
17 shall be budgeted as a separate line item through the Office of
18 State Finance. The Office of State Finance shall provide adequate
19 office space, equipment and support necessary to enable the Chief
20 Information Officer to carry out the information technology and
21 telecommunications duties and responsibilities of the Officer and
22 the Information Services Division.

23 D. 1. Within twelve (12) months of appointment, the first
24 Chief Information Officer shall complete an assessment of the

1 implementation of the transfer, coordination, and modernization of
2 all information technology and telecommunication systems of all
3 state agencies in the state as provided for in the Oklahoma
4 Information Services Act. The assessment shall include the
5 information technology and telecommunications systems of all
6 institutions within The Oklahoma State System of Higher Education,
7 the Oklahoma State Regents for Higher Education and the
8 telecommunications network known as OneNet.

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

- 12 a. define the shared service model organization structure
13 and the reporting relationship of the recommended
14 organization,
- 15 b. the implementation of an information technology and
16 telecommunications shared services model that defines
17 the statewide infrastructure environment needed by
18 most state agencies that is not specific to individual
19 agencies and the shared applications that are utilized
20 across multiple agencies,
- 21 c. define the services that shall be in the shared
22 services model under the control of the Information
23 Services Division of the Office of State Finance,

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- 1 d. define the roadmap to implement the proposed shared
2 services model. The roadmap shall include
3 recommendations on the transfer, coordination, and
4 modernization of all information technology and
5 telecommunication systems of all the state agencies in
6 the state,
- 7 e. recommendations on the reallocation of information
8 technology and telecommunication resources and
9 personnel,
- 10 f. recommendations on maximizing the benefits to the
11 state by the alignment and operation of the
12 communications and data transfer network assets known
13 as OneNet,
- 14 g. a cost benefit analysis to support the recommendations
15 on the reallocation of information technology and
16 telecommunication resources and personnel, and
- 17 h. a calculation of the net savings realized through the
18 reallocation and consolidation of information
19 technology and telecommunication resources and
20 personnel after compensating for the cost of
21 contracting with a private consultant as authorized in
22 paragraph 4 of this subsection, implementing the plan
23 of action, and ongoing costs of the Information
24 Services Division of the Office of State Finance.

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

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

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

14 F. Beginning on the effective date of the appointment of the
15 first Chief Information Officer, the Information Services Division
16 of the Office of State Finance shall be responsible for the
17 following duties:

18 1. Formulate and implement the information technology strategy
19 for all state agencies;

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

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- 1 3. Direct the development and operation of a scalable
2 telecommunications infrastructure that supports data and voice
3 communications reliability, integrity, and security;
- 4 4. Supervise the applications development process for those
5 applications that are utilized across multiple agencies;
- 6 5. Provide direction for the professional development of
7 information technology staff of state agencies and oversee the
8 professional development of the staff of the Information Services
9 Division of the Office of State Finance;
- 10 6. Evaluate all technology and telecommunication investment
11 choices for all state agencies;
- 12 7. Create a plan to ensure alignment of current systems, tools,
13 and processes with the strategic information technology plan for all
14 state agencies;
- 15 8. Set direction and provide oversight for the support and
16 continuous upgrading of the current information technology and
17 telecommunication infrastructure in the state in support of enhanced
18 reliability, user service levels, and security;
- 19 9. Direct the development, implementation, and management of
20 appropriate standards, policies and procedures to ensure the success
21 of state information technology and telecommunication initiatives;
- 22 10. Recruit, hire and transfer the required technical staff in
23 the Information Services Division of the Office of State Finance to
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1 support the services provided by the Division and the execution of
2 the strategic information technology plan;

3 11. Establish, maintain, and enforce information technology and
4 telecommunication standards;

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

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

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

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

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

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

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

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

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

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

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

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

1 The procurement policies and procedures established by the Chief
2 Information Officer shall be consistent with The Oklahoma Central
3 Purchasing Act.

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

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

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

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

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

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

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

7 O. 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. This act shall become effective November 1, 2011.

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