

---

The original instrument was prepared by Tom Wade. The following digest, which does not constitute a part of the legislative instrument, was prepared by Jerry J. Guillot.

---

Michot (SB 455)

DIGEST

Proposed law establishes the office of information technology within the division of administration, to be headed by the chief information officer (CIO). Provides for CIO to be appointed by the governor and serve in the unclassified service and to report to the commissioner of administration on information technology and information resources. Provides that the office of information technology shall have authority over all information technology systems and services for agencies in the executive branch of state government, and that the office shall have no authority over the legislative or judicial branches of state government or agencies thereof. Authorizes office to adopt rules in accordance with APA.

Proposed law provides for the office of information technology to consist of executive offices and staff as deemed necessary for effective information technology governance, including but not limited to the following two executive offices, each headed by an executive director:

- (1) Office of telecommunications management.
- (2) Office of electronic services.

Proposed law provides the following duties for the CIO:

- (1) Overseeing and implementing a state master information technology plan.
- (2) Establishing and directing the implementation of information technology standards, architecture, and guidelines suitable for statewide application for hardware, software, services, contractual arrangements, consolidation of systems and management of systems.
- (3) Reviewing, coordinating, and standardizing information technology strategic business technology planning, information technology procurement, information technology budgeting, and information technology personnel and training.
- (4) Implementing strategic information technology planning.
- (5) Assessing the performance of information technology systems and technology operations and personnel.
- (6) Overseeing and coordinating the centralization of the technology systems and data processing systems.
- (7) Overseeing all telecommunication systems.
- (8) Assuring compatibility and connectivity of Louisiana's information systems.
- (9) Facilitating and fostering innovative applications of emerging technologies.
- (10) Reviewing and overseeing information technology projects and systems

for compliance with statewide strategies, policies, and standards.

- (11) Providing support and technical assistance to the office of state purchasing, the office of contractual review, the office of facility planning and control, the office of planning and budget, and the La. Technology Innovations Council.
- (12) Providing direction to the La. Geographic Information Systems Council.
- (13) Identifying information technology applications that should be statewide in scope, and ensuring that these applications are not developed independently or duplicated by individual state agencies of the executive branch.
- (14) Reviewing and approving the receipt by executive agencies of information technology goods and services and telecommunication systems and services from non-appropriated sources.
- (15) Preparing annual reports and plans concerning the status and result of the state's specific information technology plans and submitting these annual reports and plans to the governor and the legislature.
- (16) Facilitating and fostering the identification of the policy and planning data needs of the state.
- (17) Overseeing and coordinating the identification of databases in the state and the creation of a catalog maintained in electronic format of those databases.
- (18) Charging respective user agencies for the cost of the information technology services provided by the office of information technology.

Proposed law provides that if the office of information technology and a statewide elected official cannot jointly agree on an information technology plan, system, or service for any agency under his jurisdiction, the official may, if he believes there is just cause to do so, implement an information technology plan, system, or service of his own, after giving notice of his reasons for doing so to the Jt. Leg. Cmt. on the Budget. Requires that any information technology plan, system, or service adopted by a statewide elected official be as compatible as is practical under the circumstances with the state master technology plan.

Proposed law excludes the information, technology, personnel, agency resources, and records of the Integrated Criminal Justice Information System.

Proposed law further creates the La. Information Technology Advisory Board with the following duties:

- (1) Advise the CIO on approaches to coordinating information technology solutions among state government entities.
- (2) Provide a forum for the discussion of emerging technologies that enhance electronic accessibility to various publicly funded sources of information and services.
- (3) Advise the CIO in matters regarding the use of information technology.
- (4) Provide advice and support as requested by the CIO.

Proposed law provides that this advisory board be composed of the following members:

- (1) The chief executive officer from each department within the scope of authority of the office of information technology.
- (2) One representative from higher education appointed by the governor.
- (3) The Senate president, or his designee.
- (4) The House speaker, or his designee.
- (5) The chief justice or his designee.
- (6) One representative from the office of the governor, appointed by the governor.
- (7) Five members appointed by the governor.
- (8) Each statewide elected official, other than the governor, or his designee.

Proposed law creates the La. Technology Advisory Group with the following duties:

- (1) Serve as the technology counter-part to the IT Advisory Board, providing advice and support as requested.
- (2) Advise the CIO on technology approaches to coordinating information technology solutions among state government entities.
- (3) Provide a forum for the discussion of emerging technologies.
- (4) Provide technical resources to assist the CIO in the development and implementation of statewide information technology plans, policies, architecture, standards, and guidelines.
- (5) Provide advice and support as requested by the CIO.

Proposed law provides that the advisory group be composed of the following members:

- (1) One information technology representative from each department within the scope of authority of the office of information technology to be appointed by the chief executive officer of that department.
- (2) One information technology representative from higher education to be appointed by higher education's representative on the Information Technology Advisory Board.
- (3) One information technology representative from the Senate to be designated by the president.
- (4) One information technology representative from the House of Representatives to be designated by the speaker.
- (5) One information technology representative from the judicial branch to be designated by the chief justice.

- (6) One information technology representative from the office of the governor, to be appointed by the governor.
- (7) Five members to be appointed by the CIO.

Proposed law establishes the office of electronic services within the division of administration, headed by the state director of the office of electronic services, under the supervision and control of the CIO. Provides that the office shall have authority for all its duties for agencies in the executive branch of state government, and that the office shall have no authority over the legislative or judicial branches of state government or agencies thereof.

Proposed law provides the following duties for the office of electronic services:

- (1) To identify the policy and planning data needs of the state.
- (2) To provide for a catalog maintained in electronic format of databases in the state.
- (3) To coordinate mutual data needs of the state.
- (4) To encourage cooperative endeavors between public entities and private individuals, businesses, or nonprofit corporations in the development, enhancement, and sharing of databases, information and information services.
- (5) To provide for the uniformity, accuracy, format, and timeliness of the catalog.
- (6) To create or to authorize or contract with another public entity to provide a clearinghouse for information on location, scope, format, access, and availability of data in Louisiana.
- (7) To provide for the voluntary inclusion of private sector and nonprofit corporation data and information resources in the catalog.
- (8) To define the Louisiana Database.
- (9) To establish and maintain a statewide plan for using electronic technology to enhance and improve the effectiveness, efficiency, and timeliness of providing access to information, delivery of state services, and conduct of state business.
- (10) To coordinate with state agencies to provide and maintain an electronic directory of all state services.
- (11) To ensure that the directory of state services is electronically accessible to state personnel, other public sector, private sector, nonprofits, and citizens.
- (12) To facilitate a process among state agencies to identify services that are favorable for electronic delivery.
- (13) To coordinate endeavors to implement electronic delivery of services for which electronic delivery has been determined to be favorable.
- (14) To determine mutual technology and process needs of state agencies to provide for information access and electronic delivery of services and

to coordinate endeavors to promote technology sharing and facilitation of statewide capabilities to meet these needs.

- (15) To provide an Internet portal to serve as the gateway to all state information that is electronically available online from agency web sites.
- (16) To coordinate statewide standards for electronic access to and dissemination of information and resources made available through state agency web sites.
- (17) To ensure that the Louisiana Database and other state data, informational resources, and electronically delivered services are accessible to all departments and branches of state government, other public sectors, the private sector, nonprofits, and citizens.
- (18) To maintain the confidentiality and privacy of protected data while encouraging as much access to state information as possible by government entities and other interested persons.
- (19) To provide for coordination of geographic data, geographic technology, and geographic standards of the state.
- (20) To facilitate access to state online resources by individuals with disabilities, economic, or geographic impediments.
- (21) To charge respective user agencies for the cost of the information technology services provided by the office of electronic services.

Proposed law further provides that the office of electronic services provide for the creation of a catalog in electronic format of databases in Louisiana, containing relevant information that identifies the existence, location, scope, format, access, and other information as determined by the office. Provides that no information that is declared confidential or otherwise exempt from disclosure as a public record by law or is protected by a valid license agreement or contract shall be included in the catalog entry identifying that database. Further provides for cooperation with the office in performing this task.

Present law provides for certain duties to be performed by the office of telecommunications management, including to establish and coordinate all telecommunications systems and telecommunications services affecting the management and operations of the executive branch of state government. Proposed law adds to the list of systems covered the following systems:

- (1) Local area network systems and services.
- (2) Wide area network systems and services.
- (3) Video systems and services, except those video systems and services specifically reserved to the La. Educational Television Authority pursuant to R.S. 17:2501.

Proposed law adds to the duties of the office of telecommunications management the duty to manage, with the concurrence of the building owner, access by telecommunications common carriers to state facilities.

Proposed law changes the membership of the La. Technology Innovations Council by replacing the commissioner of administration with the chief

information officer, who will serve as chair of the council.

Proposed law changes the Advisory Council for Technology Access by the Visually Impaired to the Advisory Council for Technology Access by Individuals with Disabilities, and places the council within the office of information technology. Provides for two additional members on the council from the following:

- (1) Louisiana Commission for the Deaf.
- (2) Governor's office of disability affairs.

Present law provides for the La. Data Base Commission. Proposed law repeals the provisions for that commission and places the La. Geographic Information Systems Council within the office of electronic services.

Present law establishes and provides for the membership of the La. Geographic Information Systems Council. Proposed law adds to the council membership one representative of the La. Association of Planning and Development Districts, appointed by the governor from a list of three names submitted by the association, subject to Senate confirmation. Otherwise, retains present law.

Effective on July 1, 2001; if vetoed by the governor and subsequently approved by the legislature, the Act shall become effective on July 1, 2001, or on the day following such approval by the legislature, whichever is later.

(Amends R.S. 36:4(B)(1)(e), R.S. 39:141(A)(1) and (3) and (B), 143(3), 199(E), 212(A)(3) and (B), 301(A) and (B), 302, 1752(1), (6), and (9), R.S. 49:1053(B), 1054(9); adds R.S. 39:15.1-15.5, 16.1-16.5, 141(A)(10) and 1752(12) and (13) and R.S. 49:1053(C)(18); repeals R.S. 39:196(C) and 290-298)

#### Summary of Amendments Adopted by Senate

##### Committee Amendments Proposed by Senate Committee on Senate and Governmental Affairs to the original bill.

1. Provides for an effective date July 1, 2001 unless vetoed by the governor and if approved by the legislature effective July 1, 2001 or the day following such approval by the legislature whichever is later.

##### Senate Floor Amendments to engrossed bill.

1. Deletes reference that service fees charged to user agencies include the cost of operation of the office of technology.
2. Adds provisions regarding lack of agreement between office of information technology and statewide elected official on an information technology plan, system, or service for any agency under his jurisdiction.
3. Removes exclusion of information, technology, personnel, agency resources, and records of higher education from the Act.
4. Adds each statewide elected official, other than the governor, or his designee to the Technology Advisory Group.

5. Provides that the chairman of the Board will be elected by its membership rather than appointed by the CIO.
6. Provides that the chairman of the Group will be elected by its membership rather than appointed by the CIO.
7. Deletes provision that terms and conditions of brand contracts may be amended by the central purchasing office "at any time provided the CIO, determines in writing that the amendment is in the best interest of the state."
8. Adds a representative of the La. Association of Planning and Development Districts to the membership of the GIS Council.