

SENATE BILL 253

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SB 648/02 - EHE

2003 Regular Session  
3r0606

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By: **Senators Teitelbaum, Della, Giannetti, Kelley, Klausmeier, McFadden,  
Middleton, and Ruben**

Introduced and read first time: January 30, 2003

Assigned to: Finance

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A BILL ENTITLED

1 AN ACT concerning

2 **State Government - Department of Technology - Creation and Duties**

3 FOR the purpose of creating the Department of Technology as a principal department  
4 of State government; creating the office of Secretary of Technology; specifying  
5 the duties and powers of the Secretary of Technology; changing the composition  
6 of the membership of the State Information Technology Board; requiring the  
7 Secretary to submit a certain annual report; repealing certain provisions  
8 relating to the Chief of Information Technology in the Department of Budget  
9 and Management; repealing certain provisions relating to major information  
10 technology project requests; repealing certain provisions relating to the Major  
11 Information Technology Development Project Fund; transferring all the  
12 functions, powers, duties, equipment, assets, liabilities, and employees of the  
13 office of the Chief of Information Technology from the Department of Budget  
14 and Management to the Department of Technology created by this Act;  
15 establishing that it is the intent of the General Assembly that for a certain fiscal  
16 year, all funds appropriated under certain budget codes shall be transferred  
17 from the office of the Chief of Information Technology to the Department of  
18 Technology established by this Act; defining certain terms; and generally  
19 relating to the creation of the Department of Technology.

20 BY transferring

21 Article - State Finance and Procurement  
22 Section 3-406 through 3-409, 3-410.1, 3-410.2, 3-411, and 3-412, respectively  
23 Annotated Code of Maryland  
24 (2001 Replacement Volume and 2002 Supplement)

25 to be

26 Article - State Government  
27 Section 20-108 through 20-115, respectively  
28 Annotated Code of Maryland  
29 (1999 Replacement Volume and 2002 Supplement)

30 BY adding to

31 Article - State Government

1 Section 20-101 through 20-107, inclusive, to be under the new title "Title  
2 20. Technology"  
3 Annotated Code of Maryland  
4 (1999 Replacement Volume and 2002 Supplement)

5 BY repealing and reenacting, without amendments,  
6 Article - State Government  
7 Section 20-108 and 20-110  
8 Annotated Code of Maryland  
9 (1999 Replacement Volume and 2002 Supplement)  
10 (As enacted by Section 1 of this Act)

11 BY repealing and reenacting, with amendments,  
12 Article - State Government  
13 Section 20-109, 20-111, 20-112, 20-113, and 20-115  
14 Annotated Code of Maryland  
15 (1999 Replacement Volume and 2002 Supplement)  
16 (As enacted by Section 1 of this Act)

17 BY repealing  
18 Article - State Finance and Procurement  
19 Section 3-410 and 3-413  
20 Annotated Code of Maryland  
21 (2001 Replacement Volume and 2002 Supplement)

22 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
23 MARYLAND, That Section(s) 3-406 through 3-409, 3-410.1, 3-410.2, 3-411, and  
24 3-412, respectively, of Article - State Finance and Procurement of the Annotated  
25 Code of Maryland be transferred to be Section(s) 20-108 through 20-115, respectively,  
26 of Article - State Government of the Annotated Code of Maryland.

27 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland  
28 read as follows:

29 **Article - State Government**

30 **TITLE 20. TECHNOLOGY.**

31 20-101.

32 (A) IN THIS TITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

33 (B) "DEPARTMENT" MEANS THE DEPARTMENT OF TECHNOLOGY.

34 (C) "INFORMATION TECHNOLOGY" INCLUDES:

- 1 (1) TELECOMMUNICATIONS;
  - 2 (2) AUTOMATED DATA PROCESSING;
  - 3 (3) WORD PROCESSING;
  - 4 (4) THE GLOBAL INFORMATION SYSTEM KNOWN AS THE INTERNET;
  - 5 (5) MANAGEMENT INFORMATION SYSTEMS; AND
  - 6 (6) RELATED INFORMATION, EQUIPMENT, GOODS, AND SERVICES.
- 7 (D) "SECRETARY" MEANS THE SECRETARY OF TECHNOLOGY.

8 20-102.

9 THERE IS A DEPARTMENT OF TECHNOLOGY, ESTABLISHED AS A PRINCIPAL  
10 DEPARTMENT OF STATE GOVERNMENT.

11 20-103.

12 (A) THE HEAD OF THE DEPARTMENT OF TECHNOLOGY IS THE SECRETARY OF  
13 TECHNOLOGY, WHO SHALL BE APPOINTED BY THE GOVERNOR WITH THE ADVICE  
14 AND CONSENT OF THE SENATE.

15 (B) THE SECRETARY:

- 16 (1) SERVES WITHOUT A FIXED TERM AND MAY BE REMOVED BY THE  
17 GOVERNOR;
- 18 (2) IS ENTITLED TO THE SALARY PROVIDED IN THE STATE BUDGET; AND
- 19 (3) SHALL DEVOTE FULL TIME TO THE DUTIES ASSIGNED TO THE  
20 SECRETARY.

21 20-104.

22 THE SECRETARY SHALL EMPLOY A STAFF AND ENGAGE OTHER STAFF AND  
23 CONSULTANT SERVICES AS MAY BE REQUIRED TO PERFORM THE POWERS AND  
24 DUTIES CONFERRED UPON THE SECRETARY BY STATUTE OR EXECUTIVE ORDER IN  
25 ACCORDANCE WITH THE STATE BUDGET.

26 20-105.

27 THE SECRETARY SHALL:

- 28 (1) PROVIDE TECHNICAL ASSISTANCE, ADVICE, AND  
29 RECOMMENDATIONS TO THE SECRETARY OF BUDGET AND MANAGEMENT  
30 CONCERNING INFORMATION TECHNOLOGY MATTERS;

1           (2)     DIRECT THE DEVELOPMENT, MAINTENANCE, AND ENFORCEMENT  
2 OF STATEWIDE INFORMATION TECHNOLOGY STANDARDS, POLICIES, AND  
3 PROCEDURES;

4           (3)     REVIEW EACH UNIT'S ANNUAL PROJECT PLAN TO MAKE  
5 INFORMATION AND SERVICES AVAILABLE TO THE PUBLIC OVER THE INTERNET; AND

6           (4)     DEVELOP AND MAINTAIN A STATEWIDE INFORMATION TECHNOLOGY  
7 MASTER PLAN THAT WILL:

8                   (I)     BE THE BASIS FOR THE MANAGEMENT AND DIRECTION OF  
9 INFORMATION TECHNOLOGY WITHIN THE EXECUTIVE BRANCH OF STATE  
10 GOVERNMENT;

11                   (II)    INCLUDE ALL ASPECTS OF STATE INFORMATION TECHNOLOGY  
12 INCLUDING TELECOMMUNICATIONS, DATA PROCESSING, AND INFORMATION  
13 MANAGEMENT;

14                   (III)   CONSIDER INTERSTATE TRANSFERS RESULTING FROM  
15 FEDERAL LEGISLATION AND REGULATION;

16                   (IV)   ENSURE THAT INFORMATION TECHNOLOGY PLANS AND  
17 BUDGET APPROPRIATIONS OF UNITS OF STATE GOVERNMENT ARE CONSISTENT;

18                   (V)     ENSURE THAT STATE INFORMATION TECHNOLOGY PLANS,  
19 POLICIES, AND STANDARDS ARE CONSISTENT WITH STATE GOALS, OBJECTIVES, AND  
20 RESOURCES, AND REPRESENT A LONG-RANGE VISION FOR USING INFORMATION  
21 TECHNOLOGY TO IMPROVE THE OVERALL EFFECTIVENESS OF STATE GOVERNMENT;  
22 AND

23                   (VI)   INCLUDE STANDARDS TO ASSURE NONVISUAL ACCESS TO THE  
24 INFORMATION AND SERVICES MADE AVAILABLE TO THE PUBLIC THROUGH THE  
25 INTERNET.

26 20-106.

27     IN ADDITION TO OTHER POWERS PROVIDED IN THIS TITLE, THE SECRETARY  
28 MAY:

29           (1)     MAKE AND ENTER INTO CONTRACTS AND AGREEMENTS NECESSARY  
30 TO THE PERFORMANCE OF THE DUTIES OF THE SECRETARY;

31           (2)     ACCEPT GRANTS FROM THE FEDERAL GOVERNMENT AND OTHER  
32 AGENCIES AND SOURCES;

33           (3)     EXERCISE THE POWERS AND DUTIES IMPOSED ON OR REQUIRED BY  
34 THE SECRETARY BY LAW OR BY THE GOVERNOR;

35           (4)     DELEGATE THE DUTIES SET FORTH IN THIS TITLE;

1 (5) ADOPT REGULATIONS NECESSARY FOR THE PERFORMANCE OF THE  
2 DUTIES OF THE DEPARTMENT;

3 (6) APPROVE MAJOR INFORMATION TECHNOLOGY PROJECTS BEFORE  
4 THE PROJECTS ARE IMPLEMENTED BY OTHER STATE AGENCIES; AND

5 (7) ADOPT BY REGULATION NONVISUAL ACCESS ENFORCEMENT  
6 STANDARDS TO BE USED IN THE PROCUREMENT OF INFORMATION TECHNOLOGY  
7 AND THE PROVISION OF INFORMATION TECHNOLOGY SERVICES BY OR ON BEHALF  
8 OF UNITS OF STATE GOVERNMENT.

9 20-107.

10 SUBJECT TO § 2-1246 OF THIS ARTICLE, THE SECRETARY SHALL SUBMIT TO THE  
11 GENERAL ASSEMBLY AND THE JOINT TECHNOLOGY OVERSIGHT COMMITTEE,  
12 ESTABLISHED UNDER CHAPTER 11 OF THE ACTS OF THE GENERAL ASSEMBLY OF  
13 2000, AN ANNUAL REPORT THAT INCLUDES THE STATUS AND PROBLEMS OF  
14 TECHNOLOGY PROGRAMS BEING DEVELOPED.

15 20-108.

16 There is a State Information Technology Board.

17 20-109.

18 (a) (1) The Board consists of [34] 35 members.

19 (2) Of the members of the Board:

20 (i) [13] 14 shall be the Secretary or the Secretary's designee of the  
21 following departments or agencies, who serve as ex officio members:

22 1. the Department of Budget and Management;

23 2. the Department of General Services;

24 3. the Comptroller of the Treasury;

25 4. the Department of Human Resources;

26 5. the University System of Maryland;

27 6. the Maryland Higher Education Commission;

28 7. the Department of Public Safety and Correctional  
29 Services;

30 8. the Department of Health and Mental Hygiene;

31 9. the Department of Transportation;

1 10. the Maryland State Department of Education;  
2 11. the Department of Planning;  
3 12. the Department of State Police; [and]  
4 13. the Department of Business and Economic Development;

5 AND

6 14. THE DEPARTMENT OF TECHNOLOGY;  
7 (ii) six shall be members of the public with significant information  
8 technology experience;

9 (iii) one shall be a representative of the Maryland Association of  
10 Community Colleges, appointed by the Governor;

11 (iv) two shall be members of the Senate of Maryland, appointed by  
12 the President of the Senate;

13 (v) two shall be members of the Maryland House of Delegates,  
14 appointed by the Speaker of the House;

15 (vi) one shall be a representative of the Judicial Branch, appointed  
16 by the Chief Judge of the Court of Appeals;

17 (vii) one shall be a representative of State government appointed by  
18 the Governor;

19 (viii) one shall be the Executive Director, or the designee of the  
20 Executive Director, of the Maryland Technology Development Corporation;

21 (ix) five shall be representatives from information technology  
22 companies or associations with expertise in information technology or electronic  
23 commerce, appointed by the Governor;

24 (x) one shall be a representative of the Maryland Independent  
25 College and University Association, appointed by the Governor; and

26 (xi) one shall be a representative of the Maryland Association of  
27 Public Library Administrators, appointed by the Governor.

28 (b) The Governor shall appoint the members specified in subsection (a)(2)(ii),  
29 (ix), (x), and (xi) of this section with the advice and consent of the Senate.

30 (c) The term of an appointed member is 3 years and until a successor is  
31 appointed by the Governor.

32 (d) Members appointed by the Governor may be reappointed, but may not  
33 serve more than two consecutive terms.

1 (e) The terms of the members appointed by the Governor are staggered, as  
2 required by the terms provided for members of the Board on July 1, 1994 and June 1,  
3 2000.

4 (f) A member appointed by the Governor who is appointed after a term has  
5 begun serves only for the rest of the term and until a successor is appointed and  
6 qualifies.

7 (g) The Governor may remove any member for incompetence, misconduct, or  
8 the failure to attend meetings.

9 20-110.

10 (a) The Governor shall appoint the Chairperson of the Board.

11 (b) The Chairperson may appoint subcommittees as necessary to carry out the  
12 responsibilities of the Board.

13 20-111.

14 (a) In addition to any other powers granted and duties imposed by law, and  
15 subject to any restrictions imposed by law, the Board has the following powers and  
16 duties:

17 (1) providing advice and counsel to the [Chief] SECRETARY in the  
18 development of the information technology master plan;

19 (2) studying existing and emerging Internet and information technology;

20 (3) developing standards and making recommendations concerning  
21 Internet-based commerce, including:

22 (i) advertising on the Internet;

23 (ii) banking transactions on the Internet;

24 (iii) business transactions on the Internet;

25 (iv) taxation of Internet-based commerce; and

26 (v) taxation of Internet services;

27 (4) developing standards and making recommendations concerning  
28 Internet user privacy, including:

29 (i) the availability of personal information on the Internet;

30 (ii) the use of unsolicited bulk e-mail;

31 (iii) the use of encryption technology; and

- 1 (iv) the use of filters to screen out obscene or objectionable material;
- 2 (5) making recommendations concerning Internet-based crime,  
3 including:
- 4 (i) on-line fraud;
- 5 (ii) on-line pornography; and
- 6 (iii) on-line defamation;
- 7 (6) making recommendations concerning the use of the Internet in the  
8 health care industry, including:
- 9 (i) the use of an on-line database for patient medical history; and
- 10 (ii) processing payment and insurance transactions on-line;
- 11 (7) making recommendations concerning the deployment of  
12 Internet-based applications and services for State government and educational  
13 institutions; and
- 14 (8) providing advice and counsel to the [Chief] SECRETARY on such  
15 other matters as the [Chief] SECRETARY may request.
- 16 (b) (1) The Board shall create an annual report detailing its activities and  
17 findings.
- 18 (2) The Board shall present its annual report to the Governor and,  
19 subject to § 2-1246 of [the State Government Article] THIS ARTICLE, to the General  
20 Assembly.
- 21 20-112.
- 22 (a) This section does not apply to a public institution of higher education.
- 23 (b) In submitting its information technology project requests, a unit of State  
24 government shall designate projects which are major information technology  
25 development projects.
- 26 (c) In reviewing information technology project requests, the [Chief]  
27 SECRETARY may change a unit's designation of a major information technology  
28 development project.
- 29 (d) The [Chief] SECRETARY shall review and approve major information  
30 technology development projects and specifications for consistency with statewide  
31 plans, policies, and standards, including a systems development life cycle plan.
- 32 (e) The [Chief] SECRETARY shall be responsible for overseeing the  
33 implementation of major information technology development projects, regardless of  
34 fund source.

1 (f) Expenditures for major information technology development projects shall  
2 be subject to the approval of the [Chief] SECRETARY who shall approve expenditures  
3 only when those projects are consistent with statewide plans, policies, and standards.

4 (g) (1) The [Chief] SECRETARY shall approve funding for major information  
5 technology development projects only when those projects are supported by an  
6 approved systems development life cycle plan.

7 (2) The [Chief] SECRETARY may approve funding incrementally,  
8 consistent with the systems development life cycle plan.

9 20-113.

10 (a) In this section, "Fund" means the Major Information Technology  
11 Development Project Fund.

12 (b) There is a Major Information Technology Development Project Fund.

13 (c) The purpose of the Fund is to support major information technology  
14 development projects.

15 (d) The Fund is a continuing, nonlapsing special fund that is not subject to §  
16 7-302 of [this article] THE STATE FINANCE AND PROCUREMENT ARTICLE.

17 (e) Except as provided in subsection (f) of this section, the Fund consists of:

18 (1) all moneys appropriated in the State budget to the Fund;

19 (2) moneys received from the sale, lease, or exchange of communication  
20 sites or communication frequencies for information technology purposes as  
21 determined by the [Chief and as approved by the] Secretary;

22 (3) moneys received as commissions, rebates, refunds, rate reductions, or  
23 telecommunication bypass agreements resulting from information technology  
24 services or purchases;

25 (4) except as provided in subsection (f) of this section, that portion of  
26 moneys earned from pay phone commissions to the extent that the commission rates  
27 exceed those in effect in December 1993;

28 (5) any moneys received and accepted as gifts, contributions, or grants  
29 as authorized under subsection (h) of this section; and

30 (6) general funds appropriated for major information technology  
31 development projects of any unit of State government other than a public institution  
32 of higher education that:

33 (i) are unencumbered and unexpended at the end of a fiscal year;

34 (ii) have been abandoned; or

1 (iii) have been withheld by the General Assembly or the Secretary  
2 OF BUDGET AND MANAGEMENT.

3 (f) The Fund does not include any moneys:

4 (1) received by the Department of Transportation, Maryland  
5 Transportation Authority, or Maryland Public Broadcasting Commission;

6 (2) received by the Judicial or Legislative Branches of State government;  
7 or

8 (3) generated from pay phone commissions that are credited to other  
9 accounts or funds in accordance with other provisions of law or are authorized for  
10 other purposes in the budget or through an approved budget amendment.

11 (g) (1) The State Treasurer shall hold and the State Comptroller shall  
12 account for the Fund.

13 (2) The Fund shall be invested and reinvested in the same manner as  
14 other State funds.

15 (3) Investment earnings shall accrue to the credit of the Fund.

16 (h) The [Chief] SECRETARY:

17 (1) shall administer the Fund in accordance with this section; and

18 (2) subject to the provisions of [§]§ 2-201 [and 3-405 of this article] OF  
19 THE STATE FINANCE AND PROCUREMENT ARTICLE, may receive and accept  
20 contributions, grants, or gifts of money or property.

21 (i) The Governor shall submit with the budget:

22 (1) a summary showing the unencumbered balance in the Fund as of the  
23 close of the prior fiscal year and a listing of any encumbrances;

24 (2) an estimate of projected revenue from each of the sources specified in  
25 subsection (e) of this section for the fiscal year for which the budget is submitted; and

26 (3) a descriptive listing of projects reflecting projected costs for the fiscal  
27 year for which the budget is submitted and any estimated future year costs.

28 (j) Expenditures from the Fund shall be made only:

29 (1) in accordance with an appropriation approved by the General  
30 Assembly in the annual State budget; or

31 (2) through an approved budget amendment under Title 7, Subtitle 2,  
32 Part II of [this article] THE STATE FINANCE AND PROCUREMENT ARTICLE, provided  
33 that a budget amendment for any project not requested as part of the budget  
34 submission or for any project for which the scope or cost has increased by more than

1 5% or \$250,000 shall be submitted to the budget committees allowing a 30-day period  
2 for their review and comment.

3 (k) The Fund may be used for:

4 (1) major information technology development projects; or

5 (2) as provided in subsection (l) of this section.

6 (l) Notwithstanding subsection (c) of this section and except for the cost  
7 incurred in administering the Fund, each fiscal year up to \$1 million of this Fund may  
8 be used for:

9 (1) educationally related information technology projects;

10 (2) application service provider initiatives as provided for in Title 9,  
11 Subtitle 22 of the State Government Article; and

12 (3) information technology projects, including:

13 (i) pilots; and

14 (ii) prototypes.

15 (m) A unit of State government or local government may submit a request to  
16 the [Chief] SECRETARY to support the cost of an information technology project with  
17 moneys under subsection (l) of this section.

18 (n) (1) On or before November 1 of each year, the [Chief] SECRETARY shall  
19 report to the Governor and to the budget committees of the General Assembly and  
20 submit a copy of the report to the General Assembly in accordance with § 2-1246 of  
21 the State Government Article.

22 (2) The report shall include:

23 (i) the financial status of the Fund and a summary of its  
24 operations for the preceding fiscal year;

25 (ii) an accounting for the preceding fiscal year of all moneys from  
26 each of the revenue sources specified in subsection (e) of this section, including any  
27 expenditures made from the Fund; and

28 (iii) a description of projects receiving moneys from the Fund in the  
29 preceding fiscal year and the status of each project with a comparison of estimated  
30 and actual costs and any known or anticipated changes in scope or costs.

31 20-114.

32 This subtitle may not be construed to give the [Chief of Information  
33 Technology] SECRETARY or the Information Technology Board authority over:

1 (1) the content of educational applications or curriculum at the State or  
2 local level; or

3 (2) which entities may participate in such educational programs.

4 20-115.

5 (a) The [Chief] SECRETARY and the Board, in consultation with other units of  
6 State government, and after public comment, shall develop a nonvisual access clause  
7 for use in the procurement of information technology and information technology  
8 services which specifies that the technology and services:

9 (1) must provide equivalent access for effective use by both visual and  
10 nonvisual means;

11 (2) will present information, including prompts used for interactive  
12 communications, in formats intended for both visual and nonvisual use;

13 (3) can be integrated into networks for obtaining, retrieving, and  
14 disseminating information used by individuals who are not blind or visually impaired;  
15 and

16 (4) shall be obtained, whenever possible, without modification for  
17 compatibility with software and hardware for nonvisual access.

18 (b) (1) Except as provided in paragraph (2) of this subsection, the nonvisual  
19 access clause required under subsection (a) of this section shall be included in each  
20 invitation for bids or request for proposals and in each procurement contract or  
21 modification of a contract issued under Title 13 of [this article] THE STATE FINANCE  
22 AND PROCUREMENT ARTICLE, without regard to the method chosen under Title 13,  
23 Subtitle 1 of [this article] THE STATE FINANCE AND PROCUREMENT ARTICLE for the  
24 purchase of new or upgraded information technology and information technology  
25 services.

26 (2) Except as provided in subsection (a)(4) of this section, the nonvisual  
27 access clause required under paragraph (1) of this subsection is not required if:

28 (i) the information technology is not available with nonvisual  
29 access because the essential elements of the information technology are visual and  
30 nonvisual equivalence cannot be developed; or

31 (ii) the cost of modifying the information technology for  
32 compatibility with software and hardware for nonvisual access would increase the  
33 price of the procurement by more than 5 percent.

34 **Article - State Finance and Procurement**

35 [3-410.

36 (a) The Chief of Information Technology is established within the Department.

1 (b) The Chief shall be appointed by the Secretary and serves at the Secretary's  
2 pleasure.

3 (c) The Chief shall be provided appropriate professional and administrative  
4 staff by the Secretary as provided in the budget.

5 (d) The Chief is responsible to the Secretary in carrying out the following  
6 duties:

7 (1) developing, maintaining, and enforcing statewide information  
8 technology standards, policies, and procedures;

9 (2) providing technical assistance, advice, and recommendations to the  
10 Secretary and any unit of State government concerning information technology  
11 matters;

12 (3) reviewing each unit's annual project plan to make information and  
13 services available to the public over the Internet;

14 (4) developing and maintaining a statewide information technology  
15 master plan that will:

16 (i) be the basis for the management and direction of information  
17 technology within the Executive Branch of State government;

18 (ii) include all aspects of State information technology including  
19 telecommunications, data processing, and information management;

20 (iii) consider interstate transfers due to federal legislation and  
21 regulation;

22 (iv) ensure that information technology plans and budgets are  
23 consistent;

24 (v) ensure that State information technology plans, policies, and  
25 standards are consistent with State goals, objectives, and resources, and represent a  
26 long-range vision for using information technology to improve the overall  
27 effectiveness of State government; and

28 (vi) include standards to assure nonvisual access to the information  
29 and services made available to the public over the Internet; and

30 (5) adopting by regulation and enforcing nonvisual access standards to  
31 be used in the procurement of information technology and the provision of  
32 information technology services by or on behalf of units of State government.]

33 [3-413.

34 The Secretary may delegate the duties set forth in this subtitle and may adopt  
35 regulations necessary to carry out its purposes.]

1 SECTION 3. AND BE IT FURTHER ENACTED, That as of July 1, 2003, all of  
2 the functions, powers, duties, equipment, assets, liabilities, and employees of the  
3 office of the Chief of Information Technology shall be transferred from the  
4 Department of Budget and Management to the Department of Technology created by  
5 this Act.

6 SECTION 4. AND BE IT FURTHER ENACTED, That it is the intent of the  
7 General Assembly that for fiscal year 2004, all funds appropriated under Budget  
8 Codes F10A04 and F50A01 shall be transferred from the office of the Chief of  
9 Information Technology to the Department of Technology established by this Act.

10 SECTION 5. AND BE IT FURTHER ENACTED, That this Act shall take  
11 effect July 1, 2003.