
By: The President (Administration)

Introduced and read first time: January 22, 1996

Rule 32(d) suspended

Assigned to: Budget and Taxation

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 30, 1996

CHAPTER ____

1 AN ACT concerning

2 **Information Technology Investment Fund**

3 ~~FOR the purpose of creating the Information Technology Investment Fund within the~~
4 ~~Department of Budget and Fiscal Planning; consolidating the Information~~
5 ~~Processing Equipment Replacement Fund into the Information Technology~~
6 ~~Investment Fund; requiring certain moneys to be credited to the Fund under certain~~
7 ~~conditions; requiring that certain savings and revenues be distributed to certain~~
8 ~~agencies and the General Fund under certain conditions; providing that the Chief of~~
9 ~~Information Technology shall administer the Fund; authorizing the Chief of~~
10 ~~Information Technology to accept certain gifts, contributions, and grants under~~
11 ~~certain circumstances; requiring that expenditures from the Fund be made in~~
12 ~~accordance with certain procedures; authorizing the Fund to be used for certain~~
13 ~~purposes; defining certain terms; requiring the Chief of Information Technology to~~
14 ~~make a certain report; requiring the Department of Transportation to establish an~~
15 ~~information technology investment program and account for certain resources;~~
16 ~~requiring the Department to coordinate the expenditure of certain moneys with the~~
17 ~~Chief of Information Technology and the State Information Technology Board; and~~
18 ~~generally relating to the Information Technology Investment Fund.~~

19 FOR the purpose of requiring certain information technology proposals to be subject to a
20 certain process including advertisement, review, comment by the Legislative Policy
21 Committee, and approval by the Board of Public Works; defining certain terms;
22 altering the Information Processing Equipment Replacement Fund to be the
23 Information Technology Investment Fund within the Department of Budget and
24 Fiscal Planning; setting a certain State policy; specifying that the Fund consists of
25 certain moneys under certain conditions; requiring the Comptroller to account for
26 the Fund; making the Fund subject to a certain ceiling; assigning certain powers and
27 responsibilities to the Chief of Information Technology; requiring the Governor to

2

1 submit certain information; authorizing use of the Fund for certain purposes;
2 requiring that expenditures from the Fund be made in accordance with certain
3 procedures; establishing a certain process for projects to be eligible for certain
4 funding; requiring a certain annual report; requiring the Department of
5 Transportation to establish an information technology program and separate
6 account; requiring the Department to obtain certain approvals for information
7 technology-related projects; requiring the Department to include certain
8 information in the annual Consolidated Transportation Program; for a certain fiscal
9 year, setting a certain limit, requiring certain information on projects, and requiring
10 funding for a certain project; repealing certain provisions; and generally relating to
11 information technology.

12 BY repealing and reenacting, without amendments,
13 Article - State Finance and Procurement
14 Section 2-201, 3-401, 3-403, and 3-404
15 Annotated Code of Maryland
16 (1995 Replacement Volume and 1995 Supplement)

17 BY repealing and reenacting, with amendments,
18 Article - State Finance and Procurement
19 Section ~~3-412(a)(3)~~ 3-402, 3-405, and 7-316
20 Annotated Code of Maryland
21 (1995 Replacement Volume and 1995 Supplement)

22 BY adding to
23 Article - Transportation
24 Section 2-103.1(c)(2)(iii) and 2-111
25 Annotated Code of Maryland
26 (1993 Replacement Volume and 1995 Supplement)

27 BY repealing
28 Article - State Finance and Procurement
29 Section 3-412
30 Annotated Code of Maryland
31 (1995 Replacement Volume and 1995 Supplement)

32 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
33 MARYLAND, That the Laws of Maryland read as follows:

34 **Article - State Finance and Procurement**

35 ~~3-412.~~

36 ~~(a)(3) "Fund" means the Information [Processing Equipment Replacement]~~
37 ~~TECHNOLOGY INVESTMENT Fund.~~

38 2-201.

39 (a) In this section, "gift" has the meaning stated in Article 1, § 22 of the Code.

1 (b) Except as otherwise expressly provided by law, an officer or unit of the State
2 government may not spend any money that derives from a gift until the Governor assents
3 to the acceptance of the gift.

4 (c) If the Governor assents to the acceptance of a gift by an officer or unit, the
5 officer or unit may use the gift in accordance with its terms. If the gift is money or
6 generates money, the officer or unit may not spend the money until it is appropriated as
7 provided in Title 7.

8 3-401.

9 (a) This subtitle does not apply to changes relating to or the purchase, lease, or
10 rental of information technology by:

11 (1) the University College of the University of Maryland System for use in
12 University College overseas programs;

13 (2) public institutions of higher education solely for academic or research
14 purposes; or

15 (3) the Maryland Port Administration.

16 (b) Notwithstanding any other provision of law, except as provided in subsection
17 (a) of this section, this subtitle applies to all units of the Executive Branch of State
18 government including the University of Maryland System and all other institutions of
19 higher education.

20 3-402.

21 (a) In this subtitle the following words have the meanings indicated.

22 (b) "Board" means the Information Technology Board.

23 (c) "Chief" means the Chief of Information Technology.

24 (d) "Information technology" means all electronic information processing
25 hardware and software, including:

26 (1) maintenance;

27 (2) telecommunications; and

28 (3) associated consulting services.

29 (e) "Telecommunications" has the meaning provided in § 4-901 of this article.

30 (F) "RESOURCE SHARING" MEANS THE UTILIZATION OF A STATE RESOURCE
31 BY PRIVATE INDUSTRY IN EXCHANGE FOR THE PROVISION TO THE STATE OF A
32 COMMUNICATION SERVICE OR OTHER CONSIDERATION.

33 3-403.

34 (a) The Secretary is responsible for developing, maintaining, revising, and
35 enforcing information technology policies and standards.

36 (b) The Secretary shall develop a statewide information technology master plan.

1 (c) Except as provided in subsection (d) of this section, in accordance with
2 guidelines established by the Secretary, each unit of the Executive Branch of State
3 government shall develop and submit to the Secretary information technology policies
4 and standards and an information technology plan.

5 (d) The governing boards of the public institutions of higher education shall
6 develop and submit information technology policies and standards and an information
7 technology plan for their respective institutions or systems to the Secretary.

8 (e) In the case of the plans, policies, and standards for the public institutions of
9 higher education, the Secretary shall incorporate those submissions into the statewide
10 plan, provided the submissions are consistent with the statewide plan. If the Secretary
11 finds that the submissions are not consistent with the plan, the Secretary shall return the
12 submissions to the governing boards, which shall revise the submissions as appropriate
13 before resubmission to the Secretary.

14 (f) Before carrying out the powers and duties provided by this section, the
15 Secretary shall consult with the Comptroller.

16 3-404.

17 Information technology of each unit of the Executive Branch shall be consistent
18 with the statewide information technology master plan.

19 3-405.

20 (a) A unit of the Executive Branch of the State government may not purchase,
21 lease, or rent information technology unless consistent with the statewide information
22 technology master plan.

23 (b) (1) The Secretary may review any information technology project for
24 consistency with the statewide information technology master plan.

25 (2) Any information technology project selected for review may not be
26 implemented without the Secretary's approval.

27 (C) (1) A UNIT OF GOVERNMENT IN THE EXECUTIVE BRANCH OF STATE
28 GOVERNMENT SHALL ADVISE THE CHIEF OF ANY INFORMATION TECHNOLOGY
29 PROPOSAL INVOLVING RESOURCE SHARING, THE EXCHANGE OF GOODS OR
30 SERVICES, OR A GIFT, CONTRIBUTION, OR GRANT OF REAL OR PERSONAL
31 PROPERTY.

32 (2) THE CHIEF SHALL DETERMINE IF THE VALUE OF THE RESOURCES,
33 SERVICES, AND PROPERTY TO BE OBTAINED BY THE STATE UNDER THE TERMS OF
34 ANY PROPOSAL SUBMITTED IN ACCORDANCE WITH THE PROVISIONS OF
35 PARAGRAPH (1) OF THIS SUBSECTION EQUALS OR EXCEEDS \$100,000.

36 (3) IF THE VALUE OF ANY PROPOSAL SUBMITTED IN ACCORDANCE
37 WITH THIS SUBSECTION EQUALS OR EXCEEDS \$100,000 AND THE SECRETARY AND
38 UNIT AGREE TO PROCEED WITH THE PROPOSAL, INFORMATION ON THE PROPOSAL
39 SHALL BE:

1 (I) ADVERTISED FOR A PERIOD OF AT LEAST 30 DAYS IN THE
2 "CONTRACT WEEKLY", AS PUBLISHED BY THE OFFICE OF THE SECRETARY OF STATE;
3 AND

4 (II) SUBMITTED, SIMULTANEOUSLY WITH THE ADVERTISEMENT,
5 TO THE LEGISLATIVE POLICY COMMITTEE FOR A 60-DAY REVIEW AND COMMENT
6 PERIOD, DURING WHICH TIME THE COMMITTEE MAY RECOMMEND THAT THE
7 PROPOSAL BE TREATED AS A PROCUREMENT CONTRACT UNDER DIVISION II OF
8 THIS ARTICLE.

9 (4) FOLLOWING THE PERIOD FOR REVIEW AND COMMENT BY THE
10 LEGISLATIVE POLICY COMMITTEE UNDER PARAGRAPH (3) OF THIS SUBSECTION,
11 THE PROPOSAL IS SUBJECT TO APPROVAL BY THE BOARD OF PUBLIC WORKS.

12 (5) THIS SUBSECTION MAY NOT BE CONSTRUED AS AUTHORIZING AN
13 EXCEPTION FROM THE REQUIREMENTS OF DIVISION II OF THIS ARTICLE FOR ANY
14 CONTRACT THAT OTHERWISE WOULD BE SUBJECT TO THE STATE PROCUREMENT
15 PROCESS.

16 7-316.

17 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
18 INDICATED.

19 (2) "CHIEF OF INFORMATION TECHNOLOGY" MEANS THE CHIEF OF
20 INFORMATION TECHNOLOGY WITHIN THE DEPARTMENT OF BUDGET AND FISCAL
21 PLANNING.

22 (3) "FUND" MEANS THE INFORMATION TECHNOLOGY INVESTMENT
23 FUND.

24 (4) "INFORMATION TECHNOLOGY" HAS THE MEANING PROVIDED IN §
25 3-402 OF THIS ARTICLE.

26 ~~(5) "RESOURCE SHARING" MEANS THE UTILIZATION OF A STATE~~
27 ~~RESOURCE BY PRIVATE INDUSTRY IN EXCHANGE FOR THE PROVISION OF A~~
28 ~~COMMUNICATION SERVICE, OR OTHER CONSIDERATION, TO THE STATE.~~

29 ~~(6)~~ (5) "SECRETARY" MEANS THE SECRETARY OF BUDGET AND
30 FISCAL PLANNING.

31 [(a)] (B) There is an Information [Processing Equipment Replacement]
32 TECHNOLOGY INVESTMENT Fund.

33 [(b)] (C) (1) The Fund is established to [provide a fund to finance the purchase
34 of information processing equipment for units of the Executive Branch of State
35 government] ENCOURAGE STATE AGENCIES TO BE MORE EFFECTIVE IN THEIR USE
36 OF INFORMATION TECHNOLOGY AND TO FUND INFORMATION TECHNOLOGY
37 INITIATIVES AS PROVIDED IN SUBSECTION (1) OF THIS SECTION IN ACCORDANCE
38 WITH THE PROVISIONS OF THIS SECTION.

39 (2) IT IS THE POLICY OF THE STATE THAT STATE AGENCIES USE THEIR
40 RESOURCES TO PROMOTE THE ADVANCEMENT OF INFORMATION TECHNOLOGY. IT

1 IS THE INTENT OF THE STATE THAT PRIVATE USE OF A STATE RESOURCE SHOULD
2 FURTHER A LEGITIMATE PUBLIC PURPOSE AND NOT BE USED AS A MEANS TO
3 COMPETE WITH THE PRIVATE SECTOR.

4 [(c)] (D) The Fund is a continuing, nonlapsing special fund that is not subject to
5 § 7-302 of this subtitle.

6 ~~[(d)] (E) [The] EXCEPT AS PROVIDED IN SUBSECTIONS (F) AND (G) OF THIS~~
7 ~~SECTION, THE Fund consists of:~~

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

9 ~~(2) all moneys paid into the Fund as provided in [§ 3-406] § 3-412 of this~~
10 ~~article; [and]~~

11 ~~(3) all moneys received upon disposition of information processing~~
12 ~~equipment [purchased from the fund.] OWNED BY THE STATE;~~

13 ~~(4) SUBJECT TO THE DETERMINATION OF THE CHIEF OF INFORMATION~~
14 ~~TECHNOLOGY, MONEYS RECEIVED FROM THE SALE, LEASE OR EXCHANGE,~~
15 ~~INCLUDING RESOURCE SHARING, OF INFORMATION TECHNOLOGY RESOURCES,~~
16 ~~INCLUDING:~~

17 ~~(I) EQUIPMENT;~~

18 ~~(II) SERVICES;~~

19 ~~(III) DATA, INCLUDING GEOGRAPHIC INFORMATION SYSTEM DATA;~~

20 ~~(IV) COMMUNICATION SITES; AND~~

21 ~~(V) COMMUNICATION FREQUENCIES;~~

22 ~~(5) FUNDS REALIZED AFTER JULY 1, 1996 FROM SAVINGS ASSOCIATED~~
23 ~~WITH INFORMATION TECHNOLOGY CONTRACTS;~~

24 ~~(6) MONEYS RECEIVED IN REVENUES, COMMISSIONS, DISCOUNTS,~~
25 ~~REBATES, OR REFUNDS FROM INFORMATION TECHNOLOGY SERVICES OR~~
26 ~~PURCHASES;~~

27 ~~(7) EXCEPT AS OTHERWISE PROVIDED IN LAW, COMMISSIONS~~
28 ~~RECEIVED FROM PAY PHONES LOCATED ON STATE OWNED PROPERTY; AND~~

29 ~~(8) ALL MONEYS RECEIVED AND ACCEPTED AS GIFTS, CONTRIBUTIONS,~~
30 ~~OR GRANTS UNDER SUBSECTION (I) OF THIS SECTION.~~

31 ~~(F) (1) MONEYS RECEIVED UNDER SUBSECTION (E)(4) THROUGH (6) OF~~
32 ~~THIS SECTION SHALL BE DISTRIBUTED AS FOLLOWS:~~

33 ~~(I) FOR SAVINGS OR REVENUES GENERATED AT THE INITIATION~~
34 ~~OF OR OTHERWISE WITH THE SUBSTANTIAL PARTICIPATION OF A STATE AGENCY:~~

35 ~~1. ONE THIRD TO THE AGENCY;~~

36 ~~2. ONE THIRD TO THE FUND; AND~~

7

1 ~~3. ONE THIRD TO THE GENERAL FUND; AND~~

2 ~~(H) FOR ALL OTHER SAVINGS OR REVENUES GENERATED:~~

3 ~~1. TWO THIRDS TO THE FUND; AND~~

4 ~~2. ONE THIRD TO THE GENERAL FUND.~~

5 ~~(2) SUBJECT TO THE APPROVAL OF THE SECRETARY, THE CHIEF OF~~
6 ~~INFORMATION TECHNOLOGY SHALL DETERMINE WHETHER AN AGENCY IS~~
7 ~~ELIGIBLE TO RECEIVE FUNDS UNDER PARAGRAPH (1)(f) OF THIS SUBSECTION.~~

8 ~~(G) THE FUND MAY NOT CONSIST OF ANY MONEYS RECEIVED BY THE~~
9 ~~DEPARTMENT OF TRANSPORTATION OR THE MARYLAND TRANSPORTATION~~
10 ~~AUTHORITY.~~

11 [(d)] (E) [The] EXCEPT AS PROVIDED IN SUBSECTION (F) OF THIS SECTION
12 AND SUBJECT TO THE LIMITATIONS OF SUBSECTION (H) OF THIS SECTION, THE Fund
13 consists of:

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

15 (2) [all moneys paid into the Fund as provided in § 3-406 of this article; and

16 (3) all moneys received upon disposition of information processing
17 equipment purchased from the Fund.] MONEYS RECEIVED FROM THE SALE, LEASE,
18 OR EXCHANGE OF COMMUNICATION SITES OR COMMUNICATION FREQUENCIES FOR
19 INFORMATION TECHNOLOGY PURPOSES AS DETERMINED BY THE CHIEF OF
20 INFORMATION TECHNOLOGY AND AS APPROVED BY THE SECRETARY;

21 (3) MONEYS RECEIVED AS COMMISSIONS, REBATES, REFUNDS, RATE
22 REDUCTIONS, OR TELECOMMUNICATION BYPASS AGREEMENTS RESULTING FROM
23 INFORMATION TECHNOLOGY SERVICES OR PURCHASES;

24 (4) EXCEPT AS PROVIDED IN SUBSECTION (F) OF THIS SECTION, THAT
25 PORTION OF MONEYS EARNED FROM PAY PHONE COMMISSIONS TO THE EXTENT
26 THAT THE COMMISSION RATES EXCEED THOSE IN EFFECT IN DECEMBER 1993; AND

27 (5) ANY MONEYS RECEIVED AND ACCEPTED AS GIFTS, CONTRIBUTIONS,
28 OR GRANTS AS AUTHORIZED UNDER SUBSECTION (I) OF THIS SECTION.

29 (F) THE FUND DOES NOT INCLUDE ANY MONEYS:

30 (1) RECEIVED BY THE DEPARTMENT OF TRANSPORTATION, MARYLAND
31 TRANSPORTATION AUTHORITY, OR MARYLAND PUBLIC BROADCASTING
32 COMMISSION;

33 (2) RECEIVED BY THE JUDICIAL OR LEGISLATIVE BRANCHES OF STATE
34 GOVERNMENT; OR

35 (3) GENERATED FROM PAY PHONE COMMISSIONS THAT ARE CREDITED
36 TO OTHER ACCOUNTS OR FUNDS IN ACCORDANCE WITH OTHER PROVISIONS OF
37 LAW OR ARE AUTHORIZED FOR OTHER PURPOSES IN THE BUDGET OR THROUGH AN
38 APPROVED BUDGET AMENDMENT.

8

1 ~~[(e)]~~ (G) (1) The State Treasurer shall hold and the State Comptroller shall
2 account for the Fund.

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

5 (3) Investment earnings shall accrue to the credit of the [General] Fund.

6 ~~(F) THE CHIEF OF INFORMATION TECHNOLOGY SHALL ADMINISTER THE
7 FUND IN ACCORDANCE WITH THIS SECTION AND MAY RECEIVE AND ACCEPT FROM
8 ANY SOURCE, CONTRIBUTIONS, GRANTS, OR GIFTS OF MONEY OR PROPERTY IN
9 ACCORDANCE WITH § 2-201 OF THIS ARTICLE.~~

10 (H) (1) THE FUND IS SUBJECT TO A CEILING ON THE AMOUNT OF MONEYS
11 THAT MAY BE CREDITED TO THE FUND FOR THE FISCAL YEAR FOR WHICH THE
12 BUDGET IS SUBMITTED.

13 (2) THE GOVERNOR SHALL INCLUDE IN THE ANNUAL STATE BUDGET A
14 PROPOSED CEILING FOR THE FUND.

15 (3) THE CEILING ON THE FUND IS SET AS ENACTED IN THE ANNUAL
16 STATE BUDGET BILL.

17 (4) ANY REVENUES EARNED IN EXCESS OF THE CEILING ON THE
18 AMOUNT OF MONEYS THAT MAY BE CREDITED TO THE FUND IN A FISCAL YEAR
19 SHALL BE CREDITED TO THE GENERAL FUND OF THE STATE.

20 (I) THE CHIEF OF INFORMATION TECHNOLOGY:

21 (1) SHALL ADMINISTER THE FUND IN ACCORDANCE WITH THIS
22 SECTION;

23 (2) SUBJECT TO THE PROVISIONS OF §§ 2-201 AND 3-405 OF THIS
24 ARTICLE, MAY RECEIVE AND ACCEPT CONTRIBUTIONS, GRANTS, OR GIFTS OF
25 MONEY OR PROPERTY; AND

26 (3) SHALL BE RESPONSIBLE FOR OVERSEEING THE IMPLEMENTATION
27 OF PROJECTS FUNDED BY MONEYS FROM THE FUND.

28 (J) THE GOVERNOR SHALL SUBMIT WITH THE BUDGET:

29 (1) A SUMMARY SHOWING THE UNENCUMBERED BALANCE IN THE
30 FUND AS OF THE CLOSE OF THE PRIOR FISCAL YEAR AND A LISTING OF ANY
31 ENCUMBRANCES;

32 (2) AN ESTIMATE OF PROJECTED REVENUE FROM EACH OF THE
33 SOURCES SPECIFIED IN SUBSECTION (E) OF THIS SECTION FOR THE FISCAL YEAR
34 FOR WHICH THE BUDGET IS SUBMITTED; AND

35 (3) A DESCRIPTIVE LISTING OF PROJECTS REFLECTING PROJECTED
36 COSTS FOR THE FISCAL YEAR FOR WHICH THE BUDGET IS SUBMITTED AND ANY
37 ESTIMATED FUTURE YEAR COSTS.

38 ~~[(f)]~~ (K) (1) Expenditures from the Fund shall be made only:

1 (I) in accordance with an appropriation approved by the General
2 Assembly in the annual State budget ~~OR; OR~~

3 (II) THROUGH AN APPROVED BUDGET AMENDMENT UNDER PART
4 II OF SUBTITLE 2 OF THIS TITLE, PROVIDED THAT:

5 1. A BUDGET AMENDMENT IS SUBMITTED FOR ANY
6 PROJECT NOT REQUESTED AS PART OF THE BUDGET SUBMISSION OR FOR ANY
7 PROJECT WHERE THE SCOPE OR COST HAS INCREASED FOR A PROJECT THAT WAS
8 REQUESTED AS PART OF THE BUDGET SUBMISSION; AND

9 2. THE BUDGET AMENDMENT AND SUPPORTING
10 DOCUMENTATION HAVE BEEN SUBMITTED TO THE BUDGET COMMITTEES
11 ALLOWING A 60-DAY PERIOD FOR THEIR REVIEW AND COMMENT.

12 (2) THE CEILING IMPOSED ON THE FUND, AS PROVIDED UNDER
13 SUBSECTION (H) OF THIS SECTION, MAY NOT BE INCREASED BY BUDGET
14 AMENDMENT.

15 ~~(K) UPON THE RECOMMENDATION OF THE INFORMATION TECHNOLOGY~~
16 ~~BOARD AND SUBJECT TO SUBSECTION (J) OF THIS SECTION, THE FUND SHALL BE~~
17 ~~USED FOR:~~

18 (L) SUBJECT TO THE PROVISIONS OF SUBSECTION (M) OF THIS SECTION AND
19 EXCEPT FOR THE COST INCURRED IN ADMINISTERING THE FUND, THE FUND MAY
20 BE USED FOR:

21 (1) EDUCATIONALLY RELATED INFORMATION TECHNOLOGY
22 PROJECTS; AND

23 (2) STATE INFORMATION TECHNOLOGY PROJECTS, INCLUDING:

24 (I) PILOTS;

25 (II) PROTOTYPES;

26 (III) KIOSK SYSTEMS;

27 (IV) GRAPHICAL USER INTERFACE FOR CITIZEN ACCESS TO
28 GOVERNMENTAL SERVICES;

29 (V) DOCUMENT IMAGING SYSTEMS;

30 (VI) STATE AND CAMPUSWIDE NETWORKS; AND

31 (VII) THE MARYLAND ELECTRONIC CAPITAL; ~~AND~~

32 ~~(3) THE COST INCURRED IN ADMINISTERING THE FUND.~~

33 (M) (1) ANY AGENCY OR UNIT OF STATE GOVERNMENT MAY SUBMIT A
34 REQUEST TO THE CHIEF OF INFORMATION TECHNOLOGY TO SUPPORT THE COST OF
35 AN INFORMATION TECHNOLOGY PROJECT WITH MONEYS FROM THE FUND.

36 (2) IN CONSULTATION WITH THE INFORMATION TECHNOLOGY BOARD,
37 ESTABLISHED UNDER § 3-406 OF THIS ARTICLE AND SUBJECT TO THE FINAL

10

1 APPROVAL OF THE SECRETARY, THE CHIEF OF INFORMATION TECHNOLOGY SHALL
2 APPROVE A PROJECT AS ELIGIBLE FOR FUNDING ONLY IF THE PROJECT IS
3 CONSISTENT WITH THE STATE INFORMATION TECHNOLOGY MASTER PLAN.

4 (3) AS PART OF THE BUDGET SUBMISSION REQUIRED UNDER
5 SUBSECTION (J) OF THIS SECTION, THE GOVERNOR MAY REQUEST USE OF MONEYS
6 FROM THE FUND TO SUPPORT ANY PROJECT APPROVED IN ACCORDANCE WITH THIS
7 SUBSECTION.

8 ~~(L) THE CHIEF OF INFORMATION TECHNOLOGY SHALL REPORT TO THE~~
9 ~~GOVERNOR AND, SUBJECT TO § 2-1312 OF THE STATE GOVERNMENT ARTICLE, TO~~
10 ~~THE GENERAL ASSEMBLY BY OCTOBER 1 OF EACH YEAR. THE REPORT SHALL~~
11 ~~INCLUDE THE FINANCIAL STATUS OF THE FUND AND A SUMMARY OF ITS~~
12 ~~OPERATIONS FOR THE PRECEDING FISCAL YEAR.~~

13 (N) (1) BY NOVEMBER 1 OF EACH YEAR, THE CHIEF OF INFORMATION
14 TECHNOLOGY SHALL REPORT TO THE GOVERNOR AND TO THE BUDGET
15 COMMITTEES OF THE GENERAL ASSEMBLY AND SUBMIT A COPY OF THE REPORT TO
16 THE GENERAL ASSEMBLY IN ACCORDANCE WITH § 2-1312 OF THE STATE
17 GOVERNMENT ARTICLE.

18 (2) THE REPORT SHALL INCLUDE:

19 (I) THE FINANCIAL STATUS OF THE FUND AND A SUMMARY OF ITS
20 OPERATIONS FOR THE PRECEDING FISCAL YEAR;

21 (II) AN ACCOUNTING FOR THE PRECEDING FISCAL YEAR OF ALL
22 MONEYS FROM EACH OF THE REVENUE SOURCES SPECIFIED IN SUBSECTION (E) OF
23 THIS SECTION, INCLUDING ANY REVENUES IN EXCESS OF THE ANNUAL LIMIT THAT
24 ARE CREDITED TO THE GENERAL FUND, AND EXPENDITURES MADE FROM THE
25 FUND; AND

26 (III) A DESCRIPTION OF INFORMATION TECHNOLOGY PROJECTS
27 RECEIVING MONEYS FROM THE FUND IN THE PRECEDING FISCAL YEAR AND THE
28 STATUS OF EACH PROJECT WITH A COMPARISON OF ESTIMATED AND ACTUAL COSTS
29 AND ANY KNOWN OR ANTICIPATED CHANGES IN SCOPE OR COSTS.

30 **Article - Transportation**

31 2-103.1.

32 (c) (2) In addition to the items listed in paragraph (1) of this subsection, the
33 Consolidated Transportation Program shall include:

34 (III) REFLECTED UNDER THE OFFICE OF THE SECRETARY, ANY
35 TECHNOLOGY-RELATED PROJECT TO BE FUNDED FROM THE ACCOUNT
36 ESTABLISHED UNDER § 2-111 OF THIS ARTICLE, ALONG WITH A DESCRIPTION AND
37 PROJECTED COST OF EACH.

38 2-111.

39 (A) IN THIS SECTION, "INFORMATION TECHNOLOGY" HAS THE MEANING
40 STATED IN § 3-402 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

11

1 ~~(A)~~ (B) THE DEPARTMENT SHALL ESTABLISH AN INFORMATION
2 TECHNOLOGY INVESTMENT PROGRAM ~~AND ACCOUNT~~ IN ACCORDANCE WITH THE
3 STATEWIDE INFORMATION TECHNOLOGY MASTER PLAN, AS ESTABLISHED UNDER §
4 3-403 OF THE STATE FINANCE AND PROCUREMENT ARTICLE, AND SHALL MAINTAIN
5 A SEPARATE ACCOUNT WITHIN THE TRANSPORTATION TRUST FUND FOR
6 INFORMATION TECHNOLOGY-RELATED RESOURCES ~~WITHIN THE~~
7 ~~TRANSPORTATION TRUST FUND.~~

8 ~~(B) THE DEPARTMENT SHALL COORDINATE INFORMATION TECHNOLOGY~~
9 ~~EXPENDITURES, AS APPROPRIATE, WITH THE CHIEF OF INFORMATION~~
10 ~~TECHNOLOGY OF THE DEPARTMENT OF BUDGET AND FISCAL PLANNING AND THE~~
11 ~~STATE INFORMATION TECHNOLOGY BOARD.~~

12 (C) (1) BEFORE PROCEEDING WITH ANY INFORMATION
13 TECHNOLOGY-RELATED PROJECT, THE DEPARTMENT SHALL OBTAIN APPROVAL BY
14 THE CHIEF OF INFORMATION TECHNOLOGY OF THE DEPARTMENT OF BUDGET AND
15 FISCAL PLANNING THAT THE PROJECT IS CONSISTENT WITH THE STATE
16 INFORMATION TECHNOLOGY MASTER PLAN.

17 (2) SUBJECT TO THE FINAL APPROVAL OF THE SECRETARY OF BUDGET
18 AND FISCAL PLANNING, THE CHIEF OF INFORMATION TECHNOLOGY MAY APPROVE
19 AN INFORMATION TECHNOLOGY-RELATED PROJECT ONLY AFTER CONSULTING
20 WITH THE INFORMATION TECHNOLOGY BOARD ESTABLISHED UNDER § 3-406 OF
21 THE STATE FINANCE AND PROCUREMENT ARTICLE.

22 SECTION 2. AND BE IT FURTHER ENACTED, That for Fiscal Year 1997,
23 notwithstanding the provisions of Section 1 of this Act:

24 (1) The ceiling on the moneys that may be credited to the Information
25 Technology Investment Fund from the sources provided under this Act is set at \$4.0
26 million;

27 (2) The Chief of Information Technology of the Department of Budget and Fiscal
28 Planning shall submit information on the projects to be funded in Fiscal Year 1997 from
29 the Information Technology Investment Fund to the budget committees of the General
30 Assembly. The committees shall have a period of 60 days for review and comment;

31 (3) \$100,000 from the Fund shall be used to provide moneys for implementing a
32 Home-School Linked Technology Demonstration Project; and

33 (4) \$100,000 shall be credited to the Information Technology Investment Fund
34 resulting from a frequency band relocation agreement involving the Maryland Institute
35 for Emergency Medical Services Systems.

36 SECTION 3. AND BE IT FURTHER ENACTED, That Section 3-412 of the
37 Finance and Procurement Article of the Annotated Code of Maryland be repealed.

38 SECTION 2- 4, AND BE IT FURTHER ENACTED, That this Act shall take effect
39 July 1, 1996.

