

HOUSE BILL 275

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2000 Regular Session
(01r0166)

ENROLLED BILL

-- Commerce and Government Matters/Finance --

Introduced by **The Speaker (Administration) and Delegates Rosenberg and Franchot**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **State Information Technology Board - Membership and Duties**

3 FOR the purpose of altering the membership and duties of the State Information
4 Technology Board; clarifying the appointment and term of certain members;
5 providing for the removal of any member of the Board under certain
6 circumstances; specifying the terms of certain additional members of the Board;
7 and generally relating to the State Information Technology Board.

8 BY repealing and reenacting, without amendments,
9 Article - State Finance and Procurement
10 Section 3-406 and 3-408
11 Annotated Code of Maryland
12 (1995 Replacement Volume and 1999 Supplement)

13 BY repealing and reenacting, with amendments,
14 Article - State Finance and Procurement

1 Section 3-407 and 3-409
 2 Annotated Code of Maryland
 3 (1995 Replacement Volume and 1999 Supplement)

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

6 **Article - State Finance and Procurement**

7 3-406.

8 There is a State Information Technology Board.

9 3-407.

10 (a) (1) The Board consists of [25] ~~29~~ 32 34 members.

11 (2) Of the members of the Board:

12 (i) [14] ~~12~~ 13 shall be the Secretary or the Secretary's designee of
 13 the following departments or agencies, who serve as ex officio members:

14 1. the Department of Budget and Management;

15 2. the Department of General Services;

16 3. the Comptroller of the Treasury;

17 4. the Department of Human Resources;

18 5. the University System of Maryland;

19 6. the Maryland Higher Education Commission;

20 [7. the Maryland Public Broadcasting Commission;]

21 [8.] 7. the Department of Public Safety and Correctional
 22 Services;

23 [9.] 8. the Department of Health and Mental Hygiene;

24 [10.] 9. the Department of Transportation;

25 [11. the Department of Business and Economic Development;

26 [12.] 10. the Maryland State Department of Education;

27 [13.] 11. the Maryland Office of Planning; ~~and~~

28 [14.] 12. the Department of State Police; AND

1 (f) A ~~public~~ member APPOINTED BY THE GOVERNOR who is appointed after a
2 term has begun serves only for the rest of the term and until a successor is appointed
3 and qualifies.

4 (g) The Governor may remove any member for incompetence ~~or~~ misconduct,
5 OR THE FAILURE TO ATTEND MEETINGS.

6 3-408.

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

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

10 3-409.

11 (a) In addition to any other powers granted and duties imposed by law, and
12 subject to any restrictions imposed by law, the Board has the following powers and
13 duties:

14 (1) providing advice and counsel to the Chief in the development of the
15 information technology master plan;

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

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

19 (i) advertising on the Internet;

20 (ii) banking transactions on the Internet;

21 (iii) business transactions on the Internet;

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

23 (v) taxation of Internet services;

24 (4) developing standards and making recommendations concerning
25 Internet user privacy, including:

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

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

28 (iii) the use of encryption technology; and

29 (iv) the use of filters to screen out obscene or objectionable material;

30 (5) making recommendations concerning Internet-based crime,
31 including:

- 1 (i) on-line fraud;
- 2 (ii) on-line pornography; and
- 3 (iii) on-line defamation;
- 4 (6) making recommendations concerning the use of the Internet in the
5 health care industry, including:
- 6 (i) the use of an on-line database for patient medical history; and
- 7 (ii) processing payment and insurance transactions on-line; [and]

8 (7) MAKING RECOMMENDATIONS CONCERNING THE DEPLOYMENT OF
9 INTERNET-BASED APPLICATIONS AND SERVICES FOR STATE GOVERNMENT AND
10 EDUCATIONAL INSTITUTIONS; AND

- 11 (8) providing advice and counsel to the Chief on such other matters as
12 the Chief may request.

13 (b) (1) The Board shall create an annual report detailing its activities and
14 findings.

15 (2) The Board shall present its annual report to the Governor and,
16 subject to § 2-1246 of the State Government Article, to the General Assembly.

17 SECTION 2. AND BE IT FURTHER ENACTED, That the terms of the
18 additional members of the State Information Technology Board appointed by the
19 Governor under this Act shall expire as follows:

- 20 (1) two members in 2001;
- 21 (2) three members in 2002; and
- 22 (3) three members in 2003.

23 ~~SECTION 2. 3.~~ AND BE IT FURTHER ENACTED, That this Act shall take
24 effect June 1, 2000.