

SENATE BILL 198

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2000 Regular Session
0lr0165
CF 0lr0166

By: **The President (Administration) and Senators Miller and Hogan**
Introduced and read first time: January 24, 2000
Assigned to: Finance

A BILL ENTITLED

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; and generally relating to the State Information Technology
5 Board.

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

11 BY repealing and reenacting, with amendments,
12 Article - State Finance and Procurement
13 Section 3-407 and 3-409
14 Annotated Code of Maryland
15 (1995 Replacement Volume and 1999 Supplement)

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

18 **Article - State Finance and Procurement**

19 3-406.

20 There is a State Information Technology Board.

21 3-407.

22 (a) (1) The Board consists of [25] 29 members.

23 (2) Of the members of the Board:

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

1. the Department of Budget and Management;
2. the Department of General Services;
3. the Comptroller of the Treasury;
4. the Department of Human Resources;
5. the University System of Maryland;
6. the Maryland Higher Education Commission;
- [7. the Maryland Public Broadcasting Commission;]
- [8.] 7. the Department of Public Safety and Correctional
9 Services;
- [9.] 8. the Department of Health and Mental Hygiene;
- [10.] 9. the Department of Transportation;
- [11. the Department of Business and Economic Development;
- [12.] 10. the Maryland State Department of Education;
- [13.] 11. the Maryland Office of Planning; and
- [14.] 12. the Department of State Police;

16 (ii) [seven] SIX shall be members of the public with significant
17 information technology experience;

18 (iii) one shall be a representative of the Maryland Association of
19 Community Colleges;

20 (iv) one shall be a member of the Senate of Maryland, appointed by
21 the President of the Senate;

22 (v) one shall be a member of the Maryland House of Delegates,
23 appointed by the Speaker of the House; [and]

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

26 (VII) ONE SHALL BE A REPRESENTATIVE OF STATE GOVERNMENT
27 APPOINTED BY THE GOVERNOR;

28 (VIII) ONE SHALL BE THE EXECUTIVE DIRECTOR OF THE MARYLAND
29 SCIENCE, ENGINEERING, AND TECHNOLOGY DEVELOPMENT CORPORATION; AND

1 (IX) FIVE SHALL BE REPRESENTATIVES FROM INFORMATION
2 TECHNOLOGY COMPANIES OR ASSOCIATIONS WITH EXPERTISE IN INFORMATION
3 TECHNOLOGY OR ELECTRONIC COMMERCE.

4 (b) The Governor shall appoint the [public] members SPECIFIED IN
5 SUBSECTION (A)(2)(II) AND (IX) OF THIS SECTION with the advice and consent of the
6 Senate.

7 (c) The term of a public member is 3 years and until a successor is appointed
8 by the Governor.

9 (d) Public members may be reappointed, but may not serve more than two
10 consecutive terms.

11 (e) The terms of the public members are staggered, as required by the terms
12 provided for members of the Board on July 1, 1994.

13 (f) A public member who is appointed after a term has begun serves only for
14 the rest of the term and until a successor is appointed and qualifies.

15 (g) The Governor may remove any member for incompetence or misconduct.
16 3-408.

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

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

20 3-409.

21 (a) In addition to any other powers granted and duties imposed by law, and
22 subject to any restrictions imposed by law, the Board has the following powers and
23 duties:

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

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

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

29 (i) advertising on the Internet;

30 (ii) banking transactions on the Internet;

31 (iii) business transactions on the Internet;

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

- 1 (v) taxation of Internet services;
- 2 (4) developing standards and making recommendations concerning
3 Internet user privacy, including:
- 4 (i) the availability of personal information on the Internet;
- 5 (ii) the use of unsolicited bulk e-mail;
- 6 (iii) the use of encryption technology; and
- 7 (iv) the use of filters to screen out obscene or objectionable material;
- 8 (5) making recommendations concerning Internet-based crime,
9 including:
- 10 (i) on-line fraud;
- 11 (ii) on-line pornography; and
- 12 (iii) on-line defamation;
- 13 (6) making recommendations concerning the use of the Internet in the
14 health care industry, including:
- 15 (i) the use of an on-line database for patient medical history; and
- 16 (ii) processing payment and insurance transactions on-line; [and]
- 17 (7) MAKING RECOMMENDATIONS CONCERNING THE DEPLOYMENT OF
18 INTERNET-BASED APPLICATIONS AND SERVICES FOR STATE GOVERNMENT AND
19 EDUCATIONAL INSTITUTIONS; AND
- 20 (8) providing advice and counsel to the Chief on such other matters as
21 the Chief may request.
- 22 (b) (1) The Board shall create an annual report detailing its activities and
23 findings.
- 24 (2) The Board shall present its annual report to the Governor and,
25 subject to § 2-1246 of the State Government Article, to the General Assembly.
- 26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
27 June 1, 2000.