
By: **Delegates McIntosh and Rosenberg**
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Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **State Commission on Technology and Critical Infrastructure**

3 FOR the purpose of establishing the State Commission on Technology and Critical
4 Infrastructure to ensure that certain communication and information
5 management systems maintained by certain governmental units are compatible
6 and interoperable; providing for the membership, terms of office, chairman,
7 quorum, and meeting times of the Commission; authorizing members of the
8 Commission to employ a staff and executive director; providing for the
9 reimbursement of members of the Commission and reimbursement and
10 compensation for the executive director; requiring the Commission to make
11 certain recommendations, adopt certain regulations, and consult and cooperate
12 with certain governmental units; requiring the Commission to submit a certain
13 report on or before a certain date to the Governor, certain State units of State
14 government, and the General Assembly; requiring the Commission to inform on
15 an ongoing basis certain units of State government whether certain
16 communication and information management systems comply with applicable
17 standards; defining a certain term; and generally relating to the State
18 Commission on Technology and Critical Infrastructure.

19 BY adding to
20 Article 41 - Governor - Executive and Administrative Departments
21 Section 3-101 through 3-108, inclusive, to be under the new title "Title 3. State
22 Commission on Technology and Critical Infrastructure"
23 Annotated Code of Maryland
24 (1997 Replacement Volume and 2001 Supplement)

25 Preamble

26 WHEREAS, The safety of the people who live in, work in, and visit Maryland is
27 entrusted to an assortment of federal, State, county, and municipal units in the
28 executive, legislative, and judicial branches of government; and

29 WHEREAS, To carry out this critical mission, the diverse government units
30 must be able to rapidly and effectively share information, using a variety of
31 information technology and communications systems, and be able to access data,

1 images, and other information contained in historical and other database systems
2 maintained by federal, State, county, and municipal units; and

3 WHEREAS, Historically, individual jurisdictions and individual units have
4 established and maintained separate databases and separate communication and
5 information management systems; and

6 WHEREAS, Currently, the responsibility for developing and managing the
7 State's critical communications, information, and data systems infrastructure is
8 dispersed among dozens of units at many governmental levels within and outside of
9 the State; and

10 WHEREAS, Communication and information sharing should be enhanced by
11 adopting common standards and protocols to facilitate system compatibility and
12 interoperability among federal, State, county, and municipal units in the executive,
13 legislative, and judicial branches of government; and

14 WHEREAS, No single entity currently has the responsibility to ensure that
15 communication and information systems used by federal, State, county, and
16 municipal units are compatible and interoperable; now, therefore,

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

19 **Article 41 - Governor - Executive and Administrative Departments**

20 TITLE 3. STATE COMMISSION ON TECHNOLOGY AND CRITICAL INFRASTRUCTURE.

21 3-101.

22 IN THIS TITLE, "COMMISSION" MEANS THE STATE COMMISSION ON
23 TECHNOLOGY AND CRITICAL INFRASTRUCTURE.

24 3-102.

25 (A) THERE IS A STATE COMMISSION ON TECHNOLOGY AND CRITICAL
26 INFRASTRUCTURE.

27 (B) THE COMMISSION CONSISTS OF THE FOLLOWING 25 MEMBERS:

28 (1) ONE MEMBER OF THE SENATE OF MARYLAND, APPOINTED BY THE
29 PRESIDENT OF THE SENATE;

30 (2) ONE MEMBER OF THE HOUSE OF DELEGATES, APPOINTED BY THE
31 SPEAKER OF THE HOUSE;

32 (3) THE ATTORNEY GENERAL OR THE ATTORNEY GENERAL'S DESIGNEE;

33 (4) THE CHIEF JUDGE OF THE COURT OF APPEALS OR THE CHIEF
34 JUDGE'S DESIGNEE;

- 1 (5) THE SECRETARY OF PUBLIC SAFETY AND CORRECTIONAL SERVICES
2 OR THE SECRETARY'S DESIGNEE;
- 3 (6) THE SECRETARY OF THE STATE POLICE OR THE SECRETARY'S
4 DESIGNEE;
- 5 (7) THE SECRETARY OF JUVENILE JUSTICE OR THE SECRETARY'S
6 DESIGNEE;
- 7 (8) THE PUBLIC DEFENDER OR THE PUBLIC DEFENDER'S DESIGNEE;
- 8 (9) THE SECRETARY OF BUDGET AND MANAGEMENT OR THE
9 SECRETARY'S DESIGNEE;
- 10 (10) THE DIRECTOR OF THE MARYLAND EMERGENCY MANAGEMENT
11 AGENCY OR THE DIRECTOR'S DESIGNEE;
- 12 (11) THE EXECUTIVE DIRECTOR OF THE GOVERNOR'S OFFICE OF CRIME
13 CONTROL AND PREVENTION OR THE EXECUTIVE DIRECTOR'S DESIGNEE;
- 14 (12) THE CHAIRMAN OF THE CRIMINAL JUSTICE INFORMATION
15 ADVISORY BOARD OR THE CHAIRMAN'S DESIGNEE;
- 16 (13) THE SECRETARY OF HEALTH AND MENTAL HYGIENE OR THE
17 SECRETARY'S DESIGNEE; AND
- 18 (14) THE FOLLOWING MEMBERS APPOINTED BY THE GOVERNOR:
- 19 (I) ONE REPRESENTATIVE OF THE MARYLAND STATE'S
20 ATTORNEYS ASSOCIATION;
- 21 (II) ONE REPRESENTATIVE OF THE MARYLAND CHIEFS OF POLICE
22 ASSOCIATION;
- 23 (III) ONE REPRESENTATIVE OF THE MARYLAND MUNICIPAL POLICE
24 EXECUTIVES ASSOCIATION;
- 25 (IV) ONE REPRESENTATIVE OF THE MARYLAND SHERIFFS
26 ASSOCIATION;
- 27 (V) ONE REPRESENTATIVE OF THE MARYLAND CORRECTIONAL
28 ADMINISTRATORS ASSOCIATION;
- 29 (VI) ONE REPRESENTATIVE OF ORGANIZATIONS THAT PROVIDE
30 FIRE FIGHTING OR RESCUE SERVICES IN THE STATE;
- 31 (VII) ONE REPRESENTATIVE OF COUNTY GOVERNMENT;
- 32 (VIII) ONE REPRESENTATIVE OF MUNICIPAL GOVERNMENT;
- 33 (IX) ONE REPRESENTATIVE OF A VICTIMS' ADVOCACY GROUP;

1 (X) ONE REPRESENTATIVE OF A PUBLIC SAFETY ORGANIZATION;
2 AND

3 (XI) TWO MEMBERS OF THE PUBLIC WITH KNOWLEDGE AND
4 EXPERTISE IN INFORMATION MANAGEMENT SYSTEMS.

5 (C) (1) THE TERM OF AN APPOINTED MEMBER IS 3 YEARS.

6 (2) THE TERMS OF APPOINTED MEMBERS ARE STAGGERED AS
7 REQUIRED BY THE TERMS PROVIDED FOR MEMBERS OF THE COMMISSION ON JULY 1,
8 2002.

9 (3) AT THE END OF A TERM, A MEMBER CONTINUES TO SERVE UNTIL A
10 SUCCESSOR IS APPOINTED AND QUALIFIES.

11 (4) A MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN SERVES
12 ONLY FOR THE REST OF THE TERM AND UNTIL A SUCCESSOR IS APPOINTED AND
13 QUALIFIES.

14 3-103.

15 THE GOVERNOR SHALL DESIGNATE A CHAIRMAN FROM AMONG THE
16 COMMISSION MEMBERS.

17 3-104.

18 (A) A MAJORITY OF THE MEMBERS THEN SERVING ON THE COMMISSION IS A
19 QUORUM.

20 (B) THE COMMISSION SHALL MEET AT THE TIMES THAT THE CHAIRMAN
21 DETERMINES.

22 (C) A MEMBER OF THE COMMISSION MAY NOT RECEIVE COMPENSATION
23 BUT IS ENTITLED TO REIMBURSEMENT FOR EXPENSES IN ACCORDANCE WITH THE
24 STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.

25 (D) THE COMMISSION MAY EMPLOY A STAFF IN ACCORDANCE WITH THE
26 STATE BUDGET.

27 3-105.

28 (A) WITH THE APPROVAL OF THE GOVERNOR, THE CHAIRMAN SHALL APPOINT
29 AN EXECUTIVE DIRECTOR, WHO SHALL SERVE AT THE PLEASURE OF THE
30 COMMISSION.

31 (B) THE EXECUTIVE DIRECTOR SHALL PERFORM THE ADMINISTRATIVE
32 FUNCTIONS THAT THE COMMISSION DIRECTS.

33 (C) THE EXECUTIVE DIRECTOR IS ENTITLED TO:

34 (1) COMPENSATION IN ACCORDANCE WITH THE STATE BUDGET; AND

1 (2) REIMBURSEMENT FOR EXPENSES UNDER THE STANDARD STATE
2 TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.

3 3-106.

4 (A) THE COMMISSION SHALL:

5 (1) RECOMMEND TO THE ADMINISTRATIVE OFFICE OF THE COURTS
6 STANDARDS, PROCEDURES, OR PROTOCOLS TO ENSURE THE COMPATIBILITY AND
7 INTEROPERABILITY OF COMMUNICATION AND INFORMATION MANAGEMENT
8 SYSTEMS MAINTAINED BY THE JUDICIARY;

9 (2) ADOPT REGULATIONS, INCLUDING STANDARDS, PROCEDURES, OR
10 PROTOCOLS, TO ENSURE:

11 (I) THE COMPATIBILITY AND INTEROPERABILITY OF
12 COMMUNICATION AND INFORMATION MANAGEMENT SYSTEMS MAINTAINED BY
13 STATE, COUNTY, AND MUNICIPAL PUBLIC SAFETY UNITS; AND

14 (II) ACCESSIBILITY BY OTHER APPROPRIATE ENTITIES TO PUBLIC
15 SAFETY AND CRIMINAL JUSTICE DATABASES; AND

16 (3) DEVELOP AND UPDATE ANNUALLY A STATEWIDE TECHNOLOGY
17 STRATEGY.

18 (B) TO THE EXTENT AUTHORIZED IN THE STATE BUDGET, THE COMMISSION
19 MAY PROVIDE TECHNICAL ASSISTANCE TO HELP JURISDICTIONS COMPLY WITH
20 REGULATIONS THAT THE COMMISSION ADOPTS.

21 3-107.

22 THE COMMISSION SHALL CONSULT AND COOPERATE WITH:

23 (1) OTHER STATE AND FEDERAL UNITS TO PROVIDE REASONABLE
24 COMPATIBILITY BETWEEN STATE TECHNOLOGY STANDARDS AND ANY NATIONALLY
25 ESTABLISHED STANDARD; AND

26 (2) OTHER STATE, COUNTY, OR MUNICIPAL CORPORATION UNITS
27 CONCERNING TECHNOLOGY STANDARDS.

28 3-108.

29 (A) ON OR BEFORE DECEMBER 1 OF EACH YEAR, THE COMMISSION SHALL
30 SUBMIT A REPORT OF ITS RECENT ACTIVITIES TO THE GOVERNOR, THE DEPARTMENT
31 OF BUDGET AND MANAGEMENT, THE ADMINISTRATIVE OFFICE OF THE COURTS AND,
32 IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL
33 ASSEMBLY.

34 (B) ON AN ONGOING BASIS, THE COMMISSION SHALL INFORM THE
35 DEPARTMENT OF BUDGET AND MANAGEMENT, THE SENATE BUDGET AND TAXATION
36 COMMITTEE, THE HOUSE APPROPRIATIONS COMMITTEE, AND THE ADMINISTRATIVE

1 OFFICE OF THE COURTS WHETHER COMMUNICATION AND INFORMATION
2 MANAGEMENT SYSTEMS SUPPORTED BY STATE MONEY COMPLY WITH APPLICABLE
3 STANDARDS.

4 SECTION 2. AND BE IT FURTHER ENACTED, That the terms of the initial
5 appointed members of the State Commission on Technology and Critical
6 Infrastructure shall expire as follows:

- 7 (1) 4 members in 2003;
8 (2) 4 members in 2004; and
9 (3) 4 members in 2005.

10 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 July 1, 2002.