
By: **Delegates McIntosh and Rosenberg**

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CHAPTER _____

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)

1 Preamble

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

5 WHEREAS, To carry out this critical mission, the diverse government units
6 must be able to rapidly and effectively share information, using a variety of
7 information technology and communications systems, and be able to access data,
8 images, and other information contained in historical and other database systems
9 maintained by federal, State, county, and municipal units; and

10 WHEREAS, Historically, individual jurisdictions and individual units have
11 established and maintained separate databases and separate communication and
12 information management systems; and

13 WHEREAS, Currently, the responsibility for developing and managing the
14 State's critical communications, information, and data systems infrastructure is
15 dispersed among dozens of units at many governmental levels within and outside of
16 the State; and

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

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

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

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

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

28 3-101.

29 IN THIS TITLE, "COMMISSION" MEANS THE STATE COMMISSION ON
30 TECHNOLOGY AND CRITICAL INFRASTRUCTURE.

31 3-102.

32 (A) THERE IS A STATE COMMISSION ON TECHNOLOGY AND CRITICAL
33 INFRASTRUCTURE.

34 (B) THE COMMISSION CONSISTS OF THE FOLLOWING ~~25~~ 29 MEMBERS:

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

3 (2) ONE MEMBER OF THE HOUSE OF DELEGATES, APPOINTED BY THE
4 SPEAKER OF THE HOUSE;

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

6 (4) THE CHIEF JUDGE OF THE COURT OF APPEALS OR THE CHIEF
7 JUDGE'S DESIGNEE;

8 (5) THE SECRETARY OF PUBLIC SAFETY AND CORRECTIONAL SERVICES
9 OR THE SECRETARY'S DESIGNEE;

10 (6) THE SECRETARY OF THE STATE POLICE OR THE SECRETARY'S
11 DESIGNEE;

12 (7) THE SECRETARY OF JUVENILE JUSTICE OR THE SECRETARY'S
13 DESIGNEE;

14 (8) THE PUBLIC DEFENDER OR THE PUBLIC DEFENDER'S DESIGNEE;

15 (9) THE SECRETARY OF BUDGET AND MANAGEMENT OR THE
16 SECRETARY'S DESIGNEE;

17 (10) THE DIRECTOR OF THE MARYLAND EMERGENCY MANAGEMENT
18 AGENCY OR THE DIRECTOR'S DESIGNEE;

19 (11) THE EXECUTIVE DIRECTOR OF THE GOVERNOR'S OFFICE OF CRIME
20 CONTROL AND PREVENTION OR THE EXECUTIVE DIRECTOR'S DESIGNEE;

21 (12) THE CHAIRMAN OF THE CRIMINAL JUSTICE INFORMATION
22 ADVISORY BOARD OR THE CHAIRMAN'S DESIGNEE;

23 (13) THE SECRETARY OF HEALTH AND MENTAL HYGIENE OR THE
24 SECRETARY'S DESIGNEE; ~~AND~~

25 (14) THE SECRETARY OF TRANSPORTATION OR THE SECRETARY'S
26 DESIGNEE;

27 (15) THE SECRETARY OF HUMAN RESOURCES OR THE SECRETARY'S
28 DESIGNEE;

29 (16) THE EXECUTIVE DIRECTOR OF THE MARYLAND INSTITUTE FOR
30 EMERGENCY MEDICAL SERVICE SYSTEMS; AND

31 ~~(14)~~ (17) THE FOLLOWING MEMBERS APPOINTED BY THE GOVERNOR:

32 (I) ONE REPRESENTATIVE OF THE MARYLAND STATE'S
33 ATTORNEYS ASSOCIATION;

1 (II) ONE REPRESENTATIVE OF THE MARYLAND CHIEFS OF POLICE
2 ASSOCIATION;

3 (III) ONE REPRESENTATIVE OF THE MARYLAND MUNICIPAL POLICE
4 EXECUTIVES ASSOCIATION;

5 (IV) ONE REPRESENTATIVE OF THE MARYLAND SHERIFFS
6 ASSOCIATION;

7 (V) ONE REPRESENTATIVE OF THE MARYLAND CORRECTIONAL
8 ADMINISTRATORS ASSOCIATION;

9 (VI) ~~ONE REPRESENTATIVE~~ TWO REPRESENTATIVES OF
10 ORGANIZATIONS THAT PROVIDE FIRE FIGHTING OR RESCUE SERVICES IN THE
11 STATE;

12 (VII) ONE REPRESENTATIVE OF COUNTY GOVERNMENT;

13 (VIII) ONE REPRESENTATIVE OF MUNICIPAL GOVERNMENT;

14 (IX) ONE REPRESENTATIVE OF A VICTIMS' ADVOCACY GROUP;

15 (X) ONE REPRESENTATIVE OF A PUBLIC SAFETY ORGANIZATION;
16 AND

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

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

20 (2) THE TERMS OF APPOINTED MEMBERS ARE STAGGERED AS
21 REQUIRED BY THE TERMS PROVIDED FOR MEMBERS OF THE COMMISSION ON JULY 1,
22 2002.

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

25 (4) A MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN SERVES
26 ONLY FOR THE REST OF THE TERM AND UNTIL A SUCCESSOR IS APPOINTED AND
27 QUALIFIES.

28 3-103.

29 THE GOVERNOR SHALL DESIGNATE A CHAIRMAN FROM AMONG THE
30 COMMISSION MEMBERS.

31 3-104.

32 (A) A MAJORITY OF THE MEMBERS THEN SERVING ON THE COMMISSION IS A
33 QUORUM.

1 (B) THE COMMISSION SHALL MEET AT THE TIMES THAT THE CHAIRMAN
2 DETERMINES.

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

6 (D) THE COMMISSION MAY EMPLOY A STAFF IN ACCORDANCE WITH THE
7 STATE BUDGET.

8 3-105.

9 (A) WITH THE APPROVAL OF THE GOVERNOR, THE CHAIRMAN SHALL APPOINT
10 AN EXECUTIVE DIRECTOR, WHO SHALL SERVE AT THE PLEASURE OF THE
11 COMMISSION.

12 (B) THE EXECUTIVE DIRECTOR SHALL PERFORM THE ADMINISTRATIVE
13 FUNCTIONS THAT THE COMMISSION DIRECTS.

14 (C) THE EXECUTIVE DIRECTOR IS ENTITLED TO:

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

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

18 3-106.

19 (A) THE COMMISSION SHALL:

20 (1) RECOMMEND TO THE ~~ADMINISTRATIVE OFFICE OF THE COURTS~~
21 CHIEF JUDGE OF THE COURT OF APPEALS STANDARDS, PROCEDURES, OR
22 PROTOCOLS TO ENSURE THE COMPATIBILITY AND INTEROPERABILITY OF
23 COMMUNICATION AND INFORMATION MANAGEMENT SYSTEMS MAINTAINED BY THE
24 JUDICIARY;

25 (2) ADOPT REGULATIONS, INCLUDING STANDARDS, PROCEDURES, OR
26 PROTOCOLS, TO ENSURE:

27 (I) THE COMPATIBILITY AND INTEROPERABILITY OF
28 COMMUNICATION AND INFORMATION MANAGEMENT SYSTEMS MAINTAINED BY
29 STATE, COUNTY, AND MUNICIPAL PUBLIC SAFETY UNITS; AND

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

32 (3) DEVELOP AND UPDATE ANNUALLY A STATEWIDE TECHNOLOGY
33 STRATEGY.

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

4 3-107.

5 THE COMMISSION SHALL CONSULT AND COOPERATE WITH:

6 (1) OTHER STATE AND FEDERAL UNITS TO PROVIDE REASONABLE
7 COMPATIBILITY BETWEEN STATE TECHNOLOGY STANDARDS AND ANY NATIONALLY
8 ESTABLISHED STANDARD; AND

9 (2) OTHER STATE, COUNTY, OR MUNICIPAL CORPORATION UNITS
10 CONCERNING TECHNOLOGY STANDARDS.

11 3-108.

12 (A) ON OR BEFORE DECEMBER 1 OF EACH YEAR, THE COMMISSION SHALL
13 SUBMIT A REPORT OF ITS RECENT ACTIVITIES TO THE GOVERNOR, THE DEPARTMENT
14 OF BUDGET AND MANAGEMENT, THE ~~ADMINISTRATIVE OFFICE OF THE COURTS~~
15 CHIEF JUDGE OF THE COURT OF APPEALS AND, IN ACCORDANCE WITH § 2-1246 OF
16 THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY.

17 (B) ON AN ONGOING BASIS, THE COMMISSION SHALL INFORM THE
18 DEPARTMENT OF BUDGET AND MANAGEMENT, THE SENATE BUDGET AND TAXATION
19 COMMITTEE, THE HOUSE APPROPRIATIONS COMMITTEE, THE HOUSE COMMERCE
20 AND GOVERNMENT MATTERS COMMITTEE, AND THE ~~ADMINISTRATIVE OFFICE OF~~
21 ~~THE COURTS~~ CHIEF JUDGE OF THE COURT OF APPEALS WHETHER COMMUNICATION
22 AND INFORMATION MANAGEMENT SYSTEMS SUPPORTED BY STATE MONEY COMPLY
23 WITH APPLICABLE STANDARDS.

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

27 (1) 4 members in 2003;

28 (2) 4 members in 2004; and

29 (3) ~~4~~ 5 members in 2005.

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

