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SENATE BILL NO. 841

Senate Amendments in [] — January 30, 1995

A BILL to amend and reenact § 2.1-563.31 of the Code of Virginia, relating to duties of the Council on Information Management.

Patrons—Nolen, Miller, K.G. and Schewel; Delegates: Cranwell, Deeds, Putney, Shuler and Thomas

Referred to the Committee on General Laws

Be it enacted by the General Assembly of Virginia:

1. That § 2.1-563.31 of the Code of Virginia is amended and reenacted as follows:

§ 2.1-563.31. General powers of Council; powers and duties of Council.

A. The Council shall have the following general powers:

1. To make and enter into all contracts and agreements necessary or incidental to the performance of duties and the execution of its powers, including but not limited to contracts with the United States, other state agencies and governmental subdivisions of the Commonwealth.

2. To accept grants from the United States government and agencies and instrumentalities thereof and any source, other than any person, firm, or corporation, or director, officer, or agent thereof which manufactures or sells information technology equipment, goods or services. To these ends, the Council shall have the power to comply with such conditions and execute such agreements as may be necessary, convenient or desirable.

3. To prescribe regulations necessary or incidental to the performance of its duties or execution of its powers; however, the provisions of the Administrative Process Act (§ 9-6.14:1 et seq.) shall not apply to such regulations.

B. The Council shall have the following powers and duties concerning the planning, budgeting, management and use of information technology resources. All agencies and institutions of higher education shall cooperate with the Council in the performance of its powers and duties:

1. To monitor trends and advances in information technology, to develop a comprehensive, statewide, four-year planning process, and plan for the acquisition, management, and use of information technology resources. The statewide plan shall be updated annually and submitted to the Governor. In developing and updating such plans, the Council shall consider the advice of the Department, and of agencies and institutions of higher education through the Advisory Committees to the Council provided for herein.

2. To provide agencies and institutions of higher education with information and guidelines in the development of information management plans and the preparation of budget requests for information technology resources.

3. To require agencies and institutions of higher education to submit information management plans to the Council and a copy to the Department. The Council shall have the authority to approve such plans and amendments thereto, including the Department's. All agencies and institutions of higher education shall maintain current information management plans which have been approved by the Council.

4. To monitor implementation of information management plans.

5. To direct the development and promulgation of policies, standards, and guidelines for managing information technology resources in the Commonwealth.

6. To review agency and institution budget requests for information technology resources and to recommend budget request priorities to the Department of Planning and Budget.

7. To direct the compilation and maintenance of an inventory of all information technology resources, including but not limited to personnel, facilities, equipment, goods and contracts for services.

8. To develop an approval process to ensure that all information technology procurements conform to the statewide information management plan and the information management plans of agencies and institutions of higher education. The Council shall be authorized to disapprove the procurements that do not conform to the statewide information management plan and the agency plans.

9. *To establish statewide standards for the efficient exchange of electronic information and technology, including infrastructure, between the public and private sectors in the Commonwealth. [To assist the Council in fulfilling this duty, the Governor shall appoint a group of not more than ten individuals who are actively involved in and knowledgeable about information technology networks to recommend such uniform standards. The Governor shall appoint individuals with a high level of technical expertise who are genuinely committed to the establishment of such uniform standards and believe that Virginia is capable of formulating and executing a rational plan for such efficient exchange of electronic information and technology. Appointees shall serve without compensation, but shall be*

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60 *entitled to receive reimbursement for reasonable and necessary expenses pursuant to § 2.1-20.3.] [In*
61 *cooperation with the Division of Legislative Automated Systems, the Council shall also establish*
62 *standards for public access to the Legislative Information System which standards shall include*
63 *provisions for protecting the security and integrity of the system and the cost of public access.]*