

GENERAL ASSEMBLY OF NORTH CAROLINA
1983 SESSION

CHAPTER 267
SENATE BILL 37

AN ACT TO ESTABLISH A COMPUTER COMMISSION AND TO GIVE THIS
COMMISSION AUTHORITY OVER INFORMATION PROCESSING.

The General Assembly of North Carolina enacts:

Section 1. G.S. 143-341(9) is rewritten to read:

"(9) Information Processing Services. With respect to all executive departments and agencies of State government, except the Department of Justice and The University of North Carolina:

- a. To establish and operate information processing centers and services to serve two or more departments on a cost-sharing basis, if the Computer Commission decides it is advisable from the standpoint of efficiency and economy to establish these centers and services;
- b. With the approval of the Computer Commission, to charge, on a time basis, each department for which services are performed its proportionate part of the cost of maintaining and operating the shared centers and services;
- c. With the approval of the Computer Commission, to require any department served to transfer to the Department of Administration ownership, custody, or control of information processing equipment, supplies, and positions required by the shared centers and services;
- d. With the approval of the Computer Commission, to adopt reasonable rules for the efficient and economical management and operation of the shared centers and services;
- e. With the approval of the Computer Commission, to adopt plans, policies, procedures, and rules for the acquisition, management, and use of information processing equipment and personnel in the departments affected by this subdivision to facilitate more efficient and economic use of information processing resources in these departments; and
- f. To develop and promote training programs to improve the technical and managerial capability of personnel in information processing functions.

No data of a confidential nature, as defined in the General Statutes or federal law, may be entered into or processed through any cost-sharing information processing center established under this subdivision until safeguards for the data's security satisfactory to the department head and the Secretary of Administration have been

designed and installed and are fully operational. Nothing in this section may be construed to prescribe what programs to satisfy a department's objectives are to be undertaken, nor to remove from the control and administration of the departments the responsibility for program efforts, regardless whether these efforts are specifically required by statute or are administered under the general program authority and responsibility of the department. This subdivision does not affect the provisions of G.S. 147-58 or G.S. 143- 340(14). Notwithstanding any other provision of law, the Department of Administration shall provide information processing services on a cost-sharing basis to the General Assembly and its agencies as requested by the Legislative Services Commission."

Sec. 2. Article 9 of Chapter 143B of the General Statutes is amended by adding a new Part to read:

"Part 23.

"Computer Commission.

"§ 143B-426.21. **Computer Commission.** – (a) Creation; membership. The Computer Commission is created in the Department of Administration. The Commission consists of the following ex officio members: the Governor, Lieutenant Governor, Secretary of the Department of Administration, State Budget Officer, State Auditor, State Treasurer, Secretary of State, Superintendent of Public Instruction, Commissioner of Agriculture, Commissioner of Labor, Commissioner of Insurance, State President of the Department of Community Colleges and the Legislative Services Officer or his designee. The Governor shall chair the Commission and the Secretary of Administration shall be secretary to the Commission. The Commission shall meet at the call of the chairman or at the request of a majority of its members. The Department of Administration shall provide clerical and other services required by the Commission.

(b) Powers and duties. The Commission has the following powers and duties:

- (1) to approve or disapprove proposals by the Department of Administration under G.S. 143- 341(9);
- (2) to obtain information relevant to the decisions required of the Commission under G.S. 143-341(9) from the affected departments; and
- (3) to develop a comprehensive five-year plan for the acquisition and use of information processing resources in the affected departments, which shall be updated annually and shall be submitted to the General Assembly on the first day of each regular session."

Sec. 3. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 6th day of May, 1983.