

52:9XX-1

LEGISLATIVE HISTORY CHECKLIST
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(New Jersey Information Resources
Management)

NJSA: 52:9XX-1

LAWS OF: 1993 **CHAPTER:** 199

BILL NO: A2412

SPONSOR(S) Felice and Gibson

DATE INTRODUCED: March 29, 1993

COMMITTEE: **ASSEMBLY:** State Government
SENATE: ---

AMENDED DURING PASSAGE: No

DATE OF PASSAGE: **ASSEMBLY:** May 20, 1993
SENATE: June 10, 1993

DATE OF APPROVAL: July 23, 1993

FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes
SENATE: No

FISCAL NOTE: Yes

VETO MESSAGE: No

MESSAGE ON SIGNING: No

FOLLOWING WERE PRINTED:

REPORTS: No

HEARINGS: No

KBG:pp

P.L.1993, CHAPTER 199, *approved July 23, 1993*

1993 Assembly No. 2412

1 AN ACT creating a New Jersey Information Resources
2 Management Commission and supplementing Title 52 of the
3 Revised Statutes.

4
5 BE IT ENACTED by the Senate and General Assembly of the
6 State of New Jersey:

7 1. The Legislature finds and declares that:
8 a. information is a valuable and strategic asset of the State
9 and should be managed effectively for the benefit of the State
10 and the public;

11 b. information technology is both the State's primary tool for
12 reducing the costs of program operations and the key to success
13 in providing quality services to the State's citizens;

14 c. information resources management is ultimately the
15 responsibility of the top nontechnical managers of the
16 government;

17 d. the Joint Legislative-Executive Information Processing
18 Review Committee, established by correspondence between the
19 President of the Senate and the Speaker of the General Assembly
20 and the Governor to review the management of the State's
21 information resources, found that a need exists for leadership and
22 direction for all information resources management activities in
23 the three branches of State government;

24 e. to meet that need, the Joint Legislative-Executive
25 Information Processing Review Committee has recommended the
26 establishment of a New Jersey Information Resources
27 Management Commission, which would operate through consensus
28 and respect the unique constitutional prerogatives of each of the
29 three branches of State government, with representatives from
30 all three branches and with responsibility for establishing policies
31 and standards to govern information management services in the
32 three branches based on the foundation set forth by the Joint
33 Legislative-Executive Information Processing Review Committee.

34 2. There is hereby created a New Jersey Information
35 Resources Management Commission (hereinafter referred to as
36 the "commission"). The commission shall consist of the following
37 members:

38 a. two members of the Senate, who shall not be of the same
39 political party, to be appointed by the President of the Senate;

40 b. two members of the General Assembly, who shall not be of
41 the same political party, to be appointed by the Speaker of the
42 General Assembly;

43 c. four members of the Executive Branch of the State
44 government, who hold the position of Commissioner, Deputy
45 Commissioner, Assistant Commissioner or their equivalent, to be
46 appointed by the Governor;

1 d. a member of the Judicial Branch, to be appointed by the
2 Chief Justice of the Supreme Court; and

3 e. six public members of whom two each shall be appointed by
4 the Governor, the President of the Senate and the Speaker of the
5 General Assembly.

6 3. Legislative members shall serve for the two-year legislative
7 term in which they are appointed. Members of the Executive
8 Branch shall serve at the pleasure of the Governor. The
9 representative of the Judicial Branch shall serve at the pleasure
10 of the Chief Justice of the Supreme Court. Public members of
11 the commission shall serve for a term of two years and until their
12 successors are appointed and qualified, except that of the
13 appointments first made to the commission under this act, the
14 Governor, the President of the Senate and the Speaker of the
15 General Assembly each shall appoint one public member for a
16 term of one year and one public member for a term of two years.
17 In the case of the initial appointments of public members, the
18 members of the commission other than the public members shall
19 recommend to each appointing officer at least three names for
20 each appointment to be made and the appointing officer shall
21 make an appointment from among those persons named.
22 Thereafter, all members of the commission shall recommend to
23 the appropriate appointing officer at least three names for each
24 appointment to be made and the appointing officer shall make an
25 appointment from among those persons named. Any vacancy in
26 the membership of the commission shall be filled in the same
27 manner as the original appointment and for the unexpired term
28 only. The commission members shall serve without compensation
29 but shall be reimbursed for necessary expenses incurred in the
30 performance of their duties.

31 4. The commission shall organize as soon as possible after the
32 appointment of its members and shall select annually a chairman
33 and a vice chairman from among its members.

34 5. a. The commission shall appoint an executive director, who
35 shall serve at its pleasure and who shall be in the unclassified
36 service of the Civil Service. To the extent assistance is not
37 available under subsection b. of this section, the commission may
38 appoint other employees as may be necessary, whose employment
39 shall be in the unclassified service of the Civil Service, except
40 that employees performing stenographic or clerical duties shall
41 be in the career service and appointed pursuant to Title 11A
42 (Civil Service) of the New Jersey Statutes. Permanent career
43 service employees who are appointed to an unclassified position
44 with the commission and who are later separated from service
45 with the commission shall have a right of reinstatement to the
46 career service to a level held prior to service with the
47 commission, unless the employee has been separated, after
48 opportunity for hearing, from service with the commission for
49 reasons which constitute cause for removal from the career
50 service.

51 b. The commission may call to its assistance and avail itself of
52 the services of such employees of the State as it may require and
53 as may be available to it for that purpose.

54 6. The executive director shall serve as secretary to the

1 commission and shall be responsible for the selection of properly
2 qualified staff members. Staff members shall have backgrounds
3 appropriate to the work of the commission. The commission is
4 authorized to contract with outside providers for services in
5 support of commission responsibilities and documented as
6 unavailable to the commission.

7 7. The commission shall:

8 a. initiate and oversee an ongoing Statewide information
9 management planning process in State government in accordance
10 with the strategic plan submitted to the commission pursuant to
11 section 12 of this act;

12 b. establish policies, procedures, and standards, in accordance
13 with the strategic plan submitted to the commission pursuant to
14 section 12 of this act, for all information management services in
15 the three branches of State government, including, but not
16 limited to: (1) information access and sharing; (2) security and
17 privacy; (3) evaluation systems; (4) information systems and
18 telecommunications architecture; (5) procurement; and (6) human
19 resources management;

20 c. review Executive, Legislative and Judicial information
21 management master plans and revisions thereof;

22 d. develop audit, oversight and evaluation mechanisms to
23 monitor compliance with, and the effectiveness of, the policies,
24 procedures, and standards established by the commission;

25 e. establish a Statewide inventory system for information
26 resources management in State government; and

27 f. establish advisory committees, when appropriate.

28 8. The commission and its staff shall consult and work closely
29 with appropriate parties in the three branches in the development
30 and implementation of policies, procedures, and standards as
31 specified in section 7 of this act.

32 9. The Governor, in the case of the Executive Branch, the
33 Chief Justice of the Supreme Court, in the case of the Judicial
34 Branch, and the President of the Senate and the Speaker of the
35 General Assembly, in the case of the Legislative Branch, each
36 shall establish a body to develop an information management
37 master plan and to provide oversight and coordination of and set
38 priorities for branch information management activities. Each
39 such body may establish and define the functions of a central
40 information operating agency within its respective branch.
41 Individual departments, agencies and operating units within the
42 three branches of State government shall be responsible for their
43 respective information processing activities in accordance with
44 the policies and procedures established by each branch's
45 information management body or central information operating
46 agency, as appropriate.

47 10. The commission shall report monthly to the Governor, the
48 President of the Senate, the Speaker of the General Assembly,
49 and the Chief Justice, for as long as the Governor, President,
50 Speaker or Chief Justice deems necessary. The commission shall
51 provide additional reports as requested by the Governor, the
52 President of the Senate, the Speaker of the General Assembly, or
53 the Chief Justice. The financial records of the commission shall
54 be audited annually by the State Auditor.

1 11. The commission shall publish an annual report, which shall
2 include, but not be limited to, the following:

3 a. a statement of long-term Statewide goals and objectives for
4 information resources management in State government;

5 b. a report on the accomplishments, initiatives, and problems
6 of the reporting period;

7 c. branch master plans for the next three years; and

8 d. a current Statewide inventory of all information resources.

9 12. The Joint Legislative-Executive Information Processing
10 Review Committee shall submit to the commission a strategic
11 plan for information resources management in the three branches
12 of State government as soon as possible after the establishment
13 of the commission and may submit any other recommendations
14 for the commission's consideration that it deems appropriate or
15 desirable.

16 13. This act shall take effect immediately.

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19 STATEMENT
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21 This bill establishes the New Jersey Information Resources
22 Management Commission, with representatives from all three
23 branches of State government and with responsibility for
24 establishing policies and standards to govern information
25 management services in the three branches. The Joint
26 Legislative-Executive Information Processing Review
27 Committee, created by the President of the Senate, the Speaker
28 of the General Assembly and the Governor to review the
29 management of the State's information resources, recommended
30 that the commission be established.

31 The commission shall:

32 a. initiate and oversee an ongoing Statewide information
33 management planning process in State government in accordance
34 with a strategic plan submitted by the Joint Committee;

35 b. establish policies, procedures, and standards, in accordance
36 with a strategic plan submitted by the Joint Committee, for all
37 information management services in the three branches of State
38 government, including, but not limited to: (1) information access
39 and sharing; (2) security and privacy; (3) evaluation systems; (4)
40 information systems and telecommunications architecture; (5)
41 procurement; and (6) human resources management;

42 c. review Executive, Legislative and Judicial information
43 management master plans and revisions thereof;

44 d. develop audit, oversight and evaluation mechanisms to
45 monitor compliance with, and the effectiveness of, the policies,
46 procedures, and standards established by the commission;

47 e. establish a Statewide inventory system for information
48 resources management in State government; and

49 f. establish advisory committees, when appropriate.

50 The commission shall have fifteen members. The President of
51 the Senate shall appoint two members of the Senate for the
52 two-year legislative term in which they are appointed and two
53 members of the public for a term of two years. The Speaker of
54 the General Assembly shall appoint two members of the General

1 Assembly for the two-year legislative term in which they are
2 appointed and two members of the public for a term of two
3 years. The Governor shall appoint four members of the Executive
4 Branch, who hold the position of Commissioner, Deputy
5 Commissioner, Assistant Commissioner or their equivalent, to
6 serve at the Governor's pleasure and two members of the public
7 to serve for terms of two years. The Chief Justice of the
8 Supreme Court shall appoint a member of the Judicial Branch to
9 serve at the pleasure of the Chief Justice.

10 The commission shall appoint an executive director who shall
11 serve as secretary to the commission and be responsible for
12 selecting staff members with appropriate backgrounds. The
13 commission and its staff shall consult and work closely with
14 appropriate parties in the three branches in the development and
15 implementation of policies, procedures, and standards. Each
16 branch shall establish a body to develop an information
17 management master plan and to provide oversight and
18 coordination of and set priorities for branch information
19 management activities. Such body may establish and define the
20 functions of a central information operating agency within its
21 respective branch. Individual departments, agencies and
22 operating units within the three branches of State government
23 shall be responsible for their respective information processing
24 activities in accordance with the policies and procedures
25 established by each branch's information management body or
26 central information operating agency, as appropriate.

27 The Joint Legislative-Executive Information Processing
28 Review Committee shall submit to the commission a strategic
29 plan for information resources management in the three branches
30 of State government as soon as possible after the establishment
31 of the commission and may submit any other recommendations
32 for the commission's consideration that it deems appropriate or
33 desirable.

34 Initially, the commission shall report monthly to the Governor,
35 the President of the Senate, the Speaker of the General
36 Assembly, and the Chief Justice, for as long as they deem
37 necessary. The commission shall publish an annual report and
38 shall provide additional reports as requested by the Governor, the
39 President of the Senate, the Speaker of the General Assembly, or
40 the Chief Justice.

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45 Creates New Jersey Information Resources Management
46 Commission.

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4 information resources management in State government;
 - 5 b. a report on the accomplishments, initiatives, and problems
6 of the reporting period;
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10 Review Committee shall submit to the commission a strategic
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33 management planning process in State government in accordance
34 with a strategic plan submitted by the Joint Committee;
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36 with a strategic plan submitted by the Joint Committee, for all
37 information management services in the three branches of State
38 government, including, but not limited to: (1) information access
39 and sharing; (2) security and privacy; (3) evaluation systems; (4)
40 information systems and telecommunications architecture; (5)
41 procurement; and (6) human resources management;
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43 management master plans and revisions thereof;
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45 monitor compliance with, and the effectiveness of, the policies,
46 procedures, and standards established by the commission;
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52 two-year legislative term in which they are appointed and two
53 members of the public for a term of two years. The Speaker of
54 the General Assembly shall appoint two members of the General

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2 appointed and two members of the public for a term of two
3 years. The Governor shall appoint four members of the Executive
4 Branch, who hold the position of Commissioner, Deputy
5 Commissioner, Assistant Commissioner or their equivalent, to
6 serve at the Governor's pleasure and two members of the public
7 to serve for terms of two years. The Chief Justice of the
8 Supreme Court shall appoint a member of the Judicial Branch to
9 serve at the pleasure of the Chief Justice.

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37 necessary. The commission shall publish an annual report and
38 shall provide additional reports as requested by the Governor, the
39 President of the Senate, the Speaker of the General Assembly, or
40 the Chief Justice.

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45 Creates New Jersey Information Resources Management
46 Commission.

ASSEMBLY STATE GOVERNMENT COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2412

STATE OF NEW JERSEY

DATED: MAY 6, 1993

The Assembly State Government Committee reports favorably Assembly, No. 2412.

This bill creates the New Jersey Information Resources Management Commission, consisting of representatives from the three branches of State government. The commission is to have responsibility for establishing policies and standards to govern information management services in the three branches. The Joint Legislative-Executive Information Processing Review Committee, an ad hoc task force constituted in 1992 through correspondence between the President of the Senate, the Speaker of the General Assembly and the Governor to review the management of the State's information resources, recommended that the commission be created.

Duties of the commission. The bill requires the commission to:

- a. initiate and oversee an ongoing Statewide information management planning process in State government in accordance with a strategic plan submitted by the Joint Committee;
- b. establish policies, procedures, and standards, in accordance with a strategic plan submitted by the Joint Committee, for all information management services in the three branches of State government, including, but not limited to (1) information access and sharing, (2) security and privacy, (3) evaluation systems, (4) information systems and telecommunications architecture, (5) procurement, and (6) human resources management;
- c. review Executive, Legislative and Judicial information management master plans and revisions thereof;
- d. develop audit, oversight and evaluation mechanisms to monitor compliance with, and the effectiveness of, the policies, procedures, and standards established by the commission;
- e. establish a Statewide inventory system for information resources management in State government; and
- f. establish advisory committees, when appropriate.

In the development and implementation of the policies, procedures and standards referred to above, the commission and its staff are to consult and work closely with appropriate parties in the three branches of government.

Commission membership. The commission is to have fifteen members. The President of the Senate is to appoint two members of the Senate, who shall not be of the same political party, for the two-year legislative term in which they are appointed, and two members of the public for terms of two years. The Speaker of the General Assembly shall appoint two members of the General Assembly, who shall not be of the same political party, for the two-year legislative term in which they are appointed, and two members of the public for terms of two years. The Governor is to appoint four members of the Executive Branch who hold the

position of Commissioner, Deputy Commissioner, Assistant Commissioner or their equivalent, each to serve at the Governor's pleasure, and two members of the public to serve for terms of two years. The Chief Justice of the Supreme Court is to appoint a member of the Judicial Branch to serve at the pleasure of the Chief Justice.

Each of the six public members are to be appointed from among three persons nominated by commission members. With respect to the initial appointment of public members, the nominations are to be made by the nonpublic members; thereafter, the nominations are to be made by the entire membership of the commission.

Commission staffing. The commission is to appoint an executive director, who shall serve at the commission's pleasure, to be secretary to the commission and to be responsible for selecting properly qualified staff members. In assembling the service resources needed to support its mission, the commission is first authorized to call State employees to its assistance. To the extent that it requires further assistance, the commission may hire additional employees, who shall (except for those employed in clerical positions) be in the unclassified service. Finally, if it is documented that necessary support services are otherwise unavailable, the commission is authorized to contract for them with outside providers.

Collateral duties of the three branches of State government. Each branch is to establish a body to develop an information management master plan and to provide oversight and coordination of and set priorities for branch information management activities. Each such body may establish and define the functions of a central information operating agency within its respective branch. Individual departments, agencies and operating units within the three branches of State government shall be responsible for their respective information processing activities in accordance with the policies and procedures established by each branch's information management body or central information operating agency, as appropriate.

Responsibilities of the Joint Committee. The Joint Legislative-Executive Information Processing Review Committee is to submit to the commission a strategic plan for information resources management in the three branches of State government as soon as possible after the establishment of the commission and may submit any other recommendations for the commission's consideration that it deems appropriate or desirable.

Commission reports. Initially, the commission is to report monthly to the Governor, the President of the Senate, the Speaker of the General Assembly, and the Chief Justice, for as long as they deem necessary. The commission is to publish an annual report and provide additional reports as requested by the Governor, the President of the Senate, the Speaker of the General Assembly, or the Chief Justice.

FISCAL NOTE TO
ASSEMBLY, No. 2412
STATE OF NEW JERSEY

DATED: June 29, 1993

Assembly Bill No. 2412 of 1993 establishes the New Jersey Information Resources Management Commission whose responsibility is to establish policies and standards to govern information management services for the three branches of State government. The commission will have fifteen members, an executive director and other employees as needed. No appropriation has been recommended for the commission in the bill.

The Office of Telecommunications and Information Systems (OTIS) in the Department of the Treasury has provided no fiscal estimate of the impact of this bill but has indicated that OTIS staff will be involved in the development and implementation of a strategic planning process. At present, the department does not anticipate additional out of pocket or salary expenses to perform this work. It notes, however, that since no unallocated resources are available for this commission and OTIS staff are expected to be involved with the work of the commission, current services and projects provided by OTIS are likely to be delayed or eliminated, depending on the needs and priorities of the commission.

The Office of Legislative Services (OLS) notes that the uncertain resource needs of this commission are of concern. No appropriation has been made for the commission and the assumption seems to be that OTIS personnel will provide for staffing needs of the commission at no extra cost. If this does not happen, the commission will need to hire a staff with data processing skills. It is unknown how many individuals would be needed to develop and implement the policies, procedures and standards created by the commission.

OTIS currently provides for most data processing needs in the executive branch of State government. In FY 1992, the State spent approximately \$101.4 million for OTIS services alone to provide for State data processing needs. In FY 1993, resources available to OTIS were reduced to \$88.9 million. This same level of resources is recommended in the Governor's FY 1994 budget. The contraction of resources to OTIS has delayed and postponed various projects in FY 1993. It is possible that if the needs of this commission must be met by OTIS employees, additional projects will be delayed or postponed.

This fiscal note has been prepared pursuant to P.L.1980, c.67.