L.34.d	**Library Records – Videotape Circulation** Circulation records for videotapes (and other audiovisual format library materials, such as movies on CD or DVD).	Until item is returned Not confidential
L.34.e	**Library Records – Yearbooks** Noncirculating record copy maintained by school (whether or not as part of its library collection).	**Permanent** Not Confidential
L.35.	**Local Copies of Reports Filed With the Maine Dept. of Education** DOE reports filed – local copy.	6 years Not Confidential
L.36.	**Maintenance Records** Records of the school's maintenance department.	3 years plus current Not Confidential
L.37.	**Migrant Records** Records documenting the part of the student population classified as "migrant" (i.e., children of migrant workers), including services provided to them.	File in permanent record folder **Confidential** (3)
L.38.a	**Notes on Students – Disciplinary – Infrequent Contact** Notes kept by faculty members or administration concerning disciplinary contact with students who require this only occasionally during the course of the school year.	Current year **Confidential** (3)
L.38.b	**Notes on M.26– Disciplinary – Frequent Contact** Notes kept by faculty members or administration concerning disciplinary contact with students who require this repeatedly during the course of the school year.	Retain until student graduates or leaves school **Confidential** (3)
L.38.c	**Notes on Students – Nondisciplinary** Notes kept by faculty members or administration concerning contact with students that is not disciplinary in nature.	Current year **Confidential** (3)
L.39.	**Parents Night Files** Records of attendance at parents' night events, and of programs offered on those occasions.	Current year Not Confidential
L.40.	**Permission Slips** Permission slips signed by parents allowing their students to participate in school activities such as field trips, viewing of films, etc.	6 years **Confidential** (3)
L.41.	**Permanent Record Cards** Cards created for each student showing essential information such as name, gender, home address, etc.	**Permanent** **Confidential** (3)

A.31.	**Employee Drug Tests** Records of drug test and results for employees of local government agency.	5 years **Confidential** (4)
A.32.	**Equipment Records** All documents related to the purchase, upgrading, and maintenance of equipment such as motor vehicles, computers, etc.	2 years from disposal Not Confidential
A.33.	**Expense Reports** Expense account vouchers and supporting documents submitted for reimbursement by employees and elected/appointed officials.	6 years Not Confidential
A.34.	**Grants** Federal, state and privately funded grants sought and/or obtained by local government agencies: applications, reports, and supporting documentation.	3 years Not Confidential
A.35.a	**Hazardous Chemicals - Material Safety Data Sheets** Material Safety Data Sheets explain the hazards and describe the measures that should be taken if employees are exposed to chemicals stored or used at the work site.	Current MSDS only Not Confidential
A.35.b	**Hazardous Chemicals - Chemical Identification List and Related Records** Each work site where hazardous chemicals are used or stored must maintain a list, with MSDS (see A.35.a above) and any related documents.	20 years (per Title 26, Chp. 823, 1716.1) Not Confidential
A.36.a	**Health Records - Clinics Sponsored by Local Government Agency** Immunizations, cholesterol/blood pressure screenings, etc. Does not include records maintained by government-operated hospitals or similar health care facilities.	10 years **Confidential** (4)
A.36.b	**Health Records - Individuals** Health records of local government employees, individuals visited by municipal nurses, etc. Does not include records maintained by government-operated hospitals or similar health care facilities.	60 years **Confidential** (4)
A.36.c	**Health Records - Historic** Records of health emergencies or disasters.	**Permanent** Not Confidential

A.24.	**Clothing Records** Clothing allowances, uniform allowances, and uniform records, for employees whose work clothing is provided all or in part by the local government employer.	3 years Not Confidential
A.25.a	**Complaints Leading to Inspections** Complaints to local government officials that result in inspection of the purported problem situation.	See Municipal Inspections Not Confidential
A.25.b	**Complaints - Other** Complaints to local government officials that do not result in inspections.	3 years from resolution Not Confidential
A.26	**Contracts** Contracts entered into by local government agencies for the purchase of goods, services, leasing of property, etc.	6 years after completion Not Confidential
A.27.a	**Correspondence - Transitory** Letters of transmittal, requests for information, letters of application, of thanks, etc.	1 year Not Confidential
A.27.b	**Correspondence - Substantive** Letters and memoranda documenting actions taken by the local government agency.	File with related record series Not Confidential (unless matter documented makes it so)
A.27.c	**Correspondence Received from Parents by Schools** Letters and other written communications received by school administrators or school administrative offices from parents of students regarding the student's school experience. (Notes and other written communications between parents and individual teachers are covered by Disposition Schedule L, Item 38 - Notes on Students).	File with student's permanent record (See Disposition Schedule L for School Records) **Confidential** (3)
A.28.	**Deeds to Properties Owned by Local Government Agencies** Deeds (plus any related documents) to a local government agency's real property. These deeds must also be recorded at the appropriate County Register's Office.	**Permanent** Not Confidential
A.29.	**Deposit Slips** Bank deposit slips for accounts maintained by local government agencies.	6 years Not Confidential
A.30.	**Depreciation Schedules** Depreciation schedules for non-real property owned by local government agencies.	6 years after disposal of property Not Confidential

L.42.	**Permanent Record Folders** See: Individual student records.	**Permanent** **Confidential** (3)
L.43.	**Program Files** Subject files maintained by school officials on various programs, such as Adult Education, Industrial Arts; Business Education, etc.	3 years plus current Not Confidential
L.44.	**Record of Records Released** Record (including date and recipient) of all records released by the school or school department.	**Permanent** **Confidential** (3)
L.45.	**Registrations for Recreational Activities** Registrations for students also enrolled in recreational activities.	6 years **Confidential** (3)
L.46.	**Retention Lists** List of students retained instead of being promoted.	**Permanent** **Confidential** (3)
L.47.	**Retention Review Committee Files** Files of review committee that determines whether or not a student should be retained instead of promoted.	**Permanent** **Confidential** (3)
L.48.	**Schedule Cards** Cards or computer files containing each student's class schedule for the year.	1 year plus current **Confidential** (3)
L.49.	**Scholarship Awards** Record of scholarships awarded to students.	Current year Not Confidential
L.50.a	**School Board Minutes** All official school board meetings.	**Permanent** Not Confidential
L.50.b	**School Board – Committee Minutes** Minutes of committees appointed by school board.	**Permanent** Not Confidential
L.50.c	**School Board – Reports and Special Studies** Commissioned by the Board, That Relate to Policy, Curriculum, Or Have a Major Impact on the Community Reports and special studies commission by the school board if they relate to policy, curriculum, or have a major impact on the community of which the school is part.	**Permanent** Not Confidential
L.50.d	**School Board – Accreditation Reports** Accreditation reports.	**Permanent** Not Confidential

L.50.e	**School Board – Crisis Response Plans** Title 20-A §1001requires that each school board annually approve a plan developed by the school unit administration working with local public safety, mental health and law enforcement officials to deal with crises and potential crisis situations involving violent acts by or against students in each school in the school administrative unit.	5 years after each revision Not Confidential
L.51.	**School Construction Records** Plans and related documents that provide history of school construction projects. Destroy records when building no longer exists, or transfer records to new owner.	Life of building (or until no longer owned by school dept.) Not Confidential
L.52.	**School Lunch Records** See Food Service Files.	
L.53	**School Registers (Attendance)** Attendance registers.	**Permanent** **Confidential** (3)
L.54.	**School Trust Fund Records** Records of all trust funds supporting school.	**Permanent** Not Confidential
L.55.	**Special Education Students Records** Records of students enrolled in or eligible for special education programs and services.	**Permanent** **Confidential** (3)
L.56.	**Student Activity Accounts** Accounting records for funds collected to support student activities.	3 years Not Confidential
L.57.	**Student Assistance Team Records** Student Assistance Teams perform the same function for students that an Employee Assistance Program performs for adults; the teams work to locate the right help for public school students whose performance is being affected by nonacademic problems such as family alcoholism, etc. These records should not be made part of the Individual Student ("permanent") Record, because in most cases the problem will have been dealt with and a record should not remain in the person's permanent file.	6 years after student reaches age 18 **Confidential** (3)
L.58.	**Student Contracts** Contracts between students and teachers or administrators for improvement of problem behaviors.	See Notes on Students.
L.59.	**Student Insurance Records** Records generated by purchase of school-sponsored student insurance.	6 years **Confidential** (3)

A.16.	**Bond Records, Performance** Bonds posted as insurance against employee theft.	6 years after expiration Not Confidential
A.17.	**Board of Appeals Files** Case files, including proposal initially refused by Planning Board, documents submitted in support or opposition to appeal, related correspondence.	**Permanent** Not Confidential
A.18.a	**Budget Records - Summary** Final copy of the budget, listing anticipated revenues and expenses for year.	**Permanent** Not Confidential
A.18.b	**Budget Records – Forms and Information Used to Compile Summary** Working files used to draw up the final budget, including estimates and requests submitted for compilation by individual departments.	6 years Not Confidential
A.19.	**Buildings and Grounds Records** Record of construction (if applicable), purchase, and on-going repair and alteration of buildings owned and/or operated by local government agency.	Destroy when building no longer exists, or transfer records to its new owner Not Confidential
A.20.	**Cash Sheets and Other Accounting Records Summarized by Permanent Documents, Such as Ledgers** All "temporary" accounting records that are generated in the course of creating a local government agency's permanent ledger.	6 years Not Confidential
A.21.	**Cemetery Lots** Record of ownership of lots in municipally operated cemeteries.	**Permanent** Not Confidential
A.22.a	**Certified Mail Receipts - Routine** Receipts for items sent by certified mail, not used to transmit documents that are the subject of litigation or likely to become the subject of litigation.	3 months Not Confidential
A.22.b	**Certified Mail Receipts - Evidential** Receipts for items sent by certified mail, used to transmit documents that are the subject of litigation or likely to become the subject of litigation.	Keep with file copy of item transmitted Not Confidential (unless transmitted item is confidential)
A.23	**Checks** Canceled checks, or images of canceled checks, returned to local government agency by bank.	6 years Not Confidential

A.04.	**Agendas** Meetings of official boards and committees.	6 years Not Confidential
A.05.	**Annual Reports Created by Local Government (one copy)** E.g., town reports, comprehensive reports of counties, school districts, etc.	**Permanent** Not Confidential
A.06.	**Applications for Employment - Not Hired** Cover letters, application form, references, etc. (See A.53 for other personnel records.)	2 years **Confidential** MRSA 30-A § 2702 — for school personnel, MRSA 20-A § 6101(2)
A.07.	**Appointments/Oaths** Appointments to boards, commissions, or other offices with accompanying oaths of office, usually in a bound volume or "book."	25 years Not Confidential
A.08.	**Audit Reports** Report issued by auditor following each official audit.	**Permanent** Not Confidential
A.09.	**Audits, Internal** (Working Papers) Calculations and other backup materials used by auditors to generate final report.	6 years Not Confidential
A.10.	**Bank Reconciliations** Reconciliation of bank balance with local government agency account(s).	6 years Not Confidential
A.11.	**Bankruptcy Notices** Notices filed with local government official by individuals who have been declared bankrupt, in order to have debt(s) owed to local government agency dismissed.	10 years after debt dismissed Not Confidential
A.12.	**Bids** Bids made by potential vendors to provide goods or services for local government agency purchase.	6 years Not Confidential
A.13.	**Bills** Written requests for payment, to or from a local government agency.	6 years Not Confidential
A.14.	**Bills of Sale for Property That Must Be Filed with Municipal Clerk** Bills of sale for property owned by a local government agency, such as a house located on rented land.	6 years after property is sold or removed Not Confidential
A.15.	**Bond Records, Financial** Bonds (financial, representing funds invested) purchased or sold by municipality.	6 years after expiration Not Confidential

L.60.	**Substitute Folders** Folders containing lesson plans and resource materials for use by substitute teachers.	Current year Not Confidential
L.61.	**Substitute Reports** Reports of school department's employment of substitute teachers to cover teacher absences.	1 year Not Confidential
L.62.	**Teacher Registers** List of faculty members and their assignments.	Until State reports filed Not Confidential
L.63.	**Transcripts, Graduate and Nongraduate** For each student who has attended the school, a summary of classes taken and grades received.	**Permanent** **Confidential** (3)
L.64.	**Truancies** Record of students truant from school.	6 years **Confidential** (3)
L.65.	**Vocational Education Records** Records generated by vocational programs.	**Permanent** **Confidential** (3)
L.66.	**Work Permits** Work permits on file for students less than 16 years old.	Retain until student is 18 **Confidential** (3)

DISPOSITION SCHEDULE M:

JAIL RECORDS

Please see Disposition Schedule A for payrolls, invoices, and other records common to more than one office of local government.

The "retention" column indicates either 1) a limited period after which the records may be destroyed, or 2) the word "Permanent," indicating the records **may not be destroyed** and must be retained permanently.

Unless otherwise noted, please refer to the following citations for confidentiality restrictions:
(1) Federal Privacy Act of 1974 (Section 7 of Pub. L. 93-579 in Historical Note), 5 U. S. C., § 552a;
(2) Social Security Act, 42 U. S. C. §§ 408(a)(8) and 405(c)(2)(C)(viii)(I);
(3) Family Educational Rights and Privacy Act, 20 U. S. C. § 1232g;
(4) Standards for Privacy of Individually Identifiable Health Information (HIPAA), 45 CFR Section 160 through 164.
For citations (1) and (2), the primary records concerns are redaction of social security numbers and proper disposal of nonpermanent records containing them. The presence of a social security number does not, by itself, render an entire document confidential.

Series	Series Title / Description and Confidentiality Status	Retention
M.01	**Administrative Lockups** Record of prisoners separated from the general population.	10 years Not Confidential
M.02.a	**Administrator's Files – Copies and Informational Materials** Jail administrator's nonrecord materials, such as publications and duplicate copies of records officially maintained elsewhere.	Until no longer needed Not Confidential
M.02.b	**Administrator's Files – All Other Records** Jail administrator's files that are record materials – that is, documents created or received in the course of business.	6 years Not Confidential
M.03.	**Admission/Release Documents** Used to prepare monthly report to Dept. of Corrections.	2 years Not Confidential
M.04.	**Board of Prisoners** Bills and receipts.	6 years Not Confidential
M.05	**Complaint Cards** Obsolete.	No retention Not Confidential

DISPOSITION SCHEDULE A:

GENERAL DISPOSITION SCHEDULE FOR LOCAL GOVERNMENT RECORDS

Records (regardless of media) are scheduled for retention by the office which has legal accountability. Additional copies held only for convenience are not records, and may be destroyed when no longer needed. Drafts and notes may also be destroyed when no longer needed, except when these materials document the development of local government policy and are therefore incorporated into an official file. Drafts and notes incorporated into official files become part of that file, and have the same retention period as the other records contained therein.
Most record series listed on the General Disposition Schedule may be found in any office of local government, although several are unique to municipalities. Attachments B – Q are Disposition Schedules for specific offices/departments of local government.
The "retention" column indicates either 1) a limited period after which the records may be destroyed, or 2) the word "Permanent," indicating the records **may not be destroyed** and must be retained permanently.

Unless otherwise noted, please refer to the following citations for confidentiality restrictions:
(1) Federal Privacy Act of 1974 (Section 7 of Pub. L. 93-579), 5 U. S. C., § 552a;
(2) Social Security Act, 42 U. S. C. §§ 408(a)(8) and 405(c)(2)(C)(viii)(I);
(3) Family Educational Rights and Privacy Act, 20 U. S. C. § 1232g;
(4) Standards for Privacy of Individually Identifiable Health Information (HIPAA), 45 CFR Section 160 through 164.
For citations (1) and (2), the primary records concerns are redaction of social security numbers and proper disposal of nonpermanent records containing them. The presence of a social security number does not, by itself, render an entire document confidential.

Series	Series Title / Description and Confidentiality Status	Retention
A.01.	**Accident Reports Filed by Local Government Employees** Includes personal injury, property damage, vehicle accidents.	6 years Not Confidential
A.02.	**Administrative Calendars** Employee calendars, facility use schedules, meeting schedules.	Current year Not Confidential
A.03.	**Aerial Photographs** Systematic documentation of land use; not casual photos, which may be destroyed when no longer useful.	**Permanent** Not Confidential

M.06.	**Contingency Reports** Boarding of inmates for or at other jurisdictions.	2 years Not Confidential
M.07.	**Audit Reports** Report issued by auditor following each official audit.	10 years Not Confidential
M.08.	**Correspondence from Sheriff's Office** Communications between jail and Sheriff's Office.	2 years Not Confidential
M.09.	**Cutlery Reports** Before and after each meal, cutlery is counted to make sure none is missing.	2 years Not Confidential
M.10.	**Daily Classification Log** Record of how many prisoners in each classification are housed each day.	10 years Not Confidential
M.11.	**Disciplinary Hearings** Hearings conducted to determine whether or not discipline is required, and if so what it should be.	6 years Not Confidential
M.12.	**Fines** Now handled by courts.	No retention Not Confidential
M.13.	**Inmate Accounts** Receipts and daily balance sheets for personal funds held on behalf of inmates.	6 years Not Confidential
M.14.a	**Inmate Case Files – Admission/Release Forms** Forms completed to document admission and release of inmate.	10 years Not Confidential
M.14.b	**Inmate Case Files – Appearance Bonds** Appearance bonds and other records used to establish date of release.	10 years Not Confidential
M.14.c	**Inmate Case Files – Booking Cards** Records made when an inmate is booked.	10 years Not Confidential
M.14.d	**Inmate Case Files – Civil Papers** Record of noncriminal papers served on this prisoner.	* Not Confidential
M.14.e	**Inmate Case Files – Commitment Orders** Court order committing prisoner to custody of jail.	**Permanent** Not Confidential
M.14.f	**Inmate Case Files – Disciplinary Hearing Records** Case file copy of record of disciplinary hearing involving inmate.	** Not Confidential

M.14.g	**Inmate Case Files – District Attorney's Computation of Time Served** The record of time served for the prisoner, as computed by the District Attorney.	** Not Confidential
M.14.h	**Inmate Case Files – Fingerprint Cards** Card containing prisoner's fingerprints, created each time prisoner is processed..	Retain clearest prints only (note: this may mean retaining more than one card)** Not Confidential
M.14.i	**Inmate Case Files – Inmate Memos** Incident file documenting all significant interactions of staff with prisoner.	6 years Not Confidential
M.14.j	**Inmate Case Files – Inmate Photographs** Photographs taken at required points of incarceration.	Retain most recent photo only Not Confidential
M.14.k	**Inmate Case Files – Judgments and Other Records Used for Risk Classification** Those records that must be used to judge the level of risk posed by the prisoner.	5 years or most recent incarceration Not Confidential
M.14.l	**Inmate Case Files – Money Records** Case file copy of records documenting prisoner's personal funds.	* Not Confidential
M.14.m	**Inmate Case Files – Printouts From Jail Database** All printouts from the jail database concerning this inmate, including booking printouts.	2 years Not Confidential
M.14.n	**Inmate Case Files – Property Records** Personal property of inmate and prison property issued to inmate.	* Not Confidential
M.14.o	**Inmate Case Files – Request/Grievance Forms** Used by inmate to make requests or file grievances.	6 years Not Confidential
M.14.p	**Inmate Case Files – Request for Visitors** Inmate's request to be visited by specific persons.	* Not Confidential

AUTHORITY: 5 MRSA, Chapter 6, ss95-B; 30-A MRSA ss1705
EFFECTIVE DATE: September 3, 1990

AMENDED: August 11, 1991
AMENDED: March 9, 1992
AMENDED: October 4, 1992

EFFECTIVE DATE (ELECTRONIC CONVERSION): April 28, 1996

NON-SUBSTANTIVE CORRECTIONS: May 29, 1996 – added "are" in Attachment D. Note: corrected reference to Attachments in Attachment A.

NON-SUBSTANTIVE CORRECTIONS: February 10, 1997 – incorrect reference in Section 2 changed from "Section 10" to "Section 5".

AMENDED: March 1, 1997
AMENDED: October 1, 2000
REPEALED AND REPLACED: October 1, 2005

BASIS STATEMENT

Chapter 10. Rules for Disposition of Local Government Records

This chapter implements that provision of 5 MRSA § 95-B which provides that no record shall be destroyed or otherwise disposed of by any local government official except as provided by the Archives Advisory Board. The rules prescribed in this chapter establish the procedures for the disposition of such records.

No one testified at the public hearing, and the Board received no written comments during the comment period. Before adopting the rules, the Board decided to clarify Section 10.A.4 as follows:
4) Show evidence of a capacity to care for the records by providing evidence 1) of a mission statement; and 2) that a person who cares for the records has had basic archival training, such as ~~an approved~~ a workshop approved by the Maine State Archives, formal education, or related experience.

The Board also decided to clarify Disposition Schedule E by deleting the extra DIS in its heading, and by rewording Item E.01 as follows:

E.01.	**Ballots Used for County Elections, Municipal Elections, Referenda Elections or Special Legislative Elections** Ballots used for county elections, municipal elections, referenda elections or special legislative elections. These ballots must be retained for 2 months. (21-A, section 23.7)	~~1 year~~ 2 months **Confidential (Title 21-A, § 22.2)**

The Board also decided to clarify Disposition Schedule K, Item K.05 by adding the following sentence:
This does not include wills deposited for safekeeping only, since these are private property and not public records.

Specific guidelines for vault construction (Section 12) were clarified to reflect the National Fire Protection Association's discontinuance of NFPA 232AM, Archives and Records Centers as a separate hard copy publication.

The vault should be planned and its construction supervised by a registered engineer or architect. Its walls may only be pierced for necessary services, and should not be open to any type of shaft. Floor and roof may not be pierced. All walls, floor (if vault is structure-supported rather than ground-supported), and door should at a minimum meet 4-hour fire resistance standards per a nationally recognized standards organization. The vault door may not be a standard "fire door" or other design not specifically intended for vault use. The door locking mechanism should provide for escape by a person accidentally locked inside.

No combustible materials may be used in the vault's construction, including in any necessary damp-proofing. A ventilating system that conforms to nationally recognized standards should be provided, and all services (electrical, heating, etc.) should conform to national and local codes. Open flame heating shall not be used under any circumstances.

The vault should be installed by qualified and experienced personnel, in conformity with its manufacturer's requirements. "Fireproof" cabinets or other portable fire resistant records storage equipment may not be substituted for a properly designed and constructed vault.

Specific Guidelines for Vault Construction:

The National Fire Protection Association's Guideline (NFPA 232, Protection of Records) provides guidance concerning vault construction. This copyrighted publication may be obtained from the NFPA at 800-344-3555 (One Batterymarch Park, P.O. Box 9101, Quincy, MA 02269-9101; www.nfpa.org).

13. VIOLATION OF RULES

Whoever violates any provision of these rules shall be guilty of a Class E crime.

M.14.q	**Inmate Case Files – State Police Bureau of Identification Printouts** Printouts concerning prisoner's history obtained from SBI.	No retention Not Confidential
M.14.r	**Inmate Case Files – Trustee/Work Release Records** Inmate's record of service as a trustee, or of being granted work release.	6 years Not Confidential
M.15.	**Inmate Cards** Index to case files.	Destroy when case file is destroyed Not Confidential
M.16.	**Intake Logs** Record in log format of all admissions to the jail.	10 years Not Confidential
M.17.	**Judgments and Commitments** Administrator's copies of the documents that authorize the jail to hold the prisoner.	10 years Not Confidential
M.18.	**Key Log** Record of keys issued and returned.	6 years Not Confidential
M.19.	**Laundry Checklist and Inventory** List of prisoner clothing going to laundry and being returned; inventory of all clothing items owned by a prisoner.	1 year Not Confidential
M.20.	**Medical Records** Prisoner medical records for use when treatment is needed while in custody.	10 years **Confidential** (4)
M.21.	**Menus** Menus of jail's food service unit.	No retention Not Confidential
M.22.	**Officer Memos (Incident)** Corrections officer notes concerning incidents that require documentation.	6 years Not Confidential
M.23.	**Program Files** Inmate attendance at jail programs.	2 years Not Confidential
M.24.	**Random Cell Search Logs** Logs kept of random cell searches and their findings.	6 years Not Confidential

M.25.	**Rules and Regulations (Policies and Procedures)** The policies and procedures under which the facility operates. (Required by Maine Jail Standards)	**Permanent** Not Confidential
M.26.	**Shave/Shower Log** Record of when prisoners have shaved and showered.	6 years Not Confidential
M.27.	**Summonses** Legal demands for court appearances.	6 years Not Confidential
M.28.	**Visitor Sign-In Sheets** Sheets on which all visitors are required to sign in.	6 years Not Confidential
M.29.	**Work Schedules** Work schedules for jail staff.	Current year Not Confidential
M.30.	**"TPA"** Accounting for inmate canteen funds, or similar mechanisms - money from candy machines, etc. used for such items as newspapers and recreational equipment.	6 years Not Confidential

*Retain for most recent incarceration only.
**Destroy after inmate reaches age 80 and State Police Bureau of Identification confirms no contact with Criminal Justice System in last 5 years.

B. Fire protection must be provided;Stored records may be released only to employees of the local government agency (which shall be responsible for making records available to the public);

C. Only bonded employees of the Records Center may handle boxes or provide reference services;

D. Routine reference service must be available within one business day;

E. Emergency reference service must be available within 2 hours or less during normal business hours;

F. Records must be stored in a physically safe facility (i.e., not located in a flood plain; not located next to a hazardous chemical storage area).

Commercial records centers used by local government agencies shall be subject to periodic inspection by the Maine State Archives, which will notify the Archives Advisory Board of any failure to meet these standards. Local government agencies which use commercial records centers must maintain accurate listings of all records stored.

Commercial records centers used by local government agencies shall be liable for damage, destruction or loss of records, whether in storage at the facility or in transit between the facility and the local government agency's offices.

12. VAULT FOR PERMANENT RECORDS

State law requires each local government to have a fireproof safe or vault to protect permanently valuable records. Recent fires in several town provide a reminder about the perils of not protecting critical records. Here is the text of the law:

> 5 M.R.S.A. § 95-B. Local government records
> The following provisions apply to local government records.
>
> 2. Safe or vault for preservation. Each local government shall provide a fireproof safe or vault for the preservation of all records that must be retained permanently but are not required for business purposes. The official having responsibility for those records shall deposit them in the safe or vault where those records must be kept except when required for use.

General Guidelines for Budgeting and Planning Purposes, to Insure Conformity With State Law:

> Vault should be either ground-supported (i.e., capable of standing on its own if the building around it collapses) or located within a fire-resistive building (one that will not suffer structural collapse even if its contents is completely consumed). Walls of the building may only be used as walls of the vault if the building is fire-resistive.

2) Provide storage facilities situated in a physically safe location (i.e., not located in a flood plain; not located next to a hazardous chemical storage area; etc.). These facilities should have heating/ventilation/air conditioning capable of maintaining temperatures between 60 and 70 degrees Fahrenheit, and of holding relative humidity to less than 50 percent.

3) Provide reasonable access to the records as required by the Public Proceedings statute. "Reasonable" should at a minimum mean that the facility is open to the public, by regularly scheduled hours or by appointment, at least two days each week throughout the year. There shall be no charge for retrieving or viewing the records, and any charge for obtaining copies shall be limited to the organization's actual cost to produce such copies. However, if the organization's staff is requested to research the records for the requestor, the organization may charge any fee that it would normally require for research services.

4) Show evidence of a capacity to care for the records by providing evidence 1) of a mission statement; and 2) that a person who cares for the records has had basic archival training, such as a workshop approved by the Maine State Archives, formal education, or related experience.

5) Maintain a non-profit corporate status.

6) May be inspected by Maine State Archives staff before approval is granted, with reinspection possible at any time after approval.

7) Notify the Archives Advisory Board of any changes in its facilities or policies that relate to the standards described in this section.

8) Approval may be revoked by the Board at any time, after notice and opportunity to correct, if standards do not continue to be met.

B. Approved Institutions. An institution must be approved by the Archives Advisory Board as a depository for local government records before a local government agency may deposit its records with the institution. The Board shall maintain a list of approved institutions at the Maine State Archives.

11. USE OF COMMERCIAL RECORDS CENTERS

Local government agencies may use commercial records centers to store their semi-current records. Before any records are transferred, the commercial records center must be approved in writing by the Archives Advisory Board. The following criteria must be met:

A. Security must be provided to prevent the loss of records, both in storage areas and during transfer;

DISPOSITION SCHEDULE N:

TAX RECORDS, COUNTY AND MUNICIPAL

Please see Disposition Schedule A for payrolls, invoices, and other records common to more than one office of local government.

The "retention" column indicates either 1) a limited period after which the records may be destroyed, or 2) the word "Permanent," indicating the records **may not be destroyed** and must be retained permanently.

Series	Series Title / Description and Confidentiality Status	Retention
N.01.	**County Tax Reports** Annual reports incorporating audited county financial statements, provided to each municipality within that county's borders.	**Permanent** Not Confidential
N.02.	**Duplicate Copies of Tax Bills** Duplicate copies of tax bills sent to taxpayers.	6 years Not Confidential
N.03.	**Excise Taxes (Auto)** Automobile excise tax documentation.	5 years Not Confidential
N.04.	**Poll Tax Records - Obsolete** Records of poll tax collected.	No retention Not Confidential
N.05.	**Tax Abatement Decrees Granted by Counties** Tax abatement decisions made by County Commissioners are records in the minutes of the Commissioners' meetings, which are retained permanently. These are copies of the decrees given to the applicants.	6 years Not Confidential
N.06.	**Tax Anticipation Notes** Notes from local government agency borrowing funds in anticipation of tax collection revenues.	6 years Not Confidential
N.07.	**Tax Collector's Settlement** Tax collector's settlement of funds collected from taxpayers.	**Permanent** Not Confidential
N.08.	**Tax Commitments** Tax collector's commitment of revenues.	**Permanent** Not Confidential
N.09.	**Tax Demand Notices** Demand that overdue taxes be paid.	6 years Not Confidential

N.10.a	**Tax Liens – Discharged** Tax liens that have been discharged after the taxpayer paid the bill. All tax lien discharges must be recorded at the appropriate Register of Deeds office.	10 years Not Confidential
N.10.b	**Tax Liens – Not Discharged** Tax liens still in effect because the bill has not been paid.	**Permanent** Not Confidential
N.10.c	**Tax Liens – 30-Day Notices (Taxpayer Paid Bill Before Lien Applied)** Tax liens that were never applied because the taxpayer responded to the 30-day notice with payment.	6 years Not Confidential
N.11.	**Taxpayer Lists** Note: municipalities may keep taxpayer lists in many formats. This item applies to whichever format the municipality regards as the official, or "record," copy.	Until updated Not Confidential

3) The local government agency must have a specific plan for an ongoing process of migrating long-term and permanent records stored on the system from older to newer hardware and software.

Whether or not the system is used to maintain permanent records, the public's right to request and receive usable electronic copies of public records must be protected through compliance with A2, A3, and A5 above for imaging systems; and by compliance with B1 and B2 above for electronic information systems.

C. Effective Dates

This section is effective for all new systems installed after January 1, 2002 and for all systems in operation on January 1, 2006. The Board shall review the status of concerns about privacy issues raised by the provisions of this section before March 1, 2001.

9. REQUESTS FOR DISPOSITION

Requests for disposition of records not specified in the disposition schedules may be made in writing to the Archives Advisory Board, accompanied by sample copies of the records involved. Communications to the Archives Advisory Board should be addressed to: Local Government Records, Maine State Archives, 84 State House Station, Augusta, Maine 04333.

10. ALTERNATIVE INSTITUTIONAL PLACEMENT FOR NONCONFIDENTIAL RECORDS

A. General Guidelines. **Nonconfidential** records to be retained according to Section 3 or authorized to be destroyed according to Section 4.C or Section 4.D, may be deposited with an alternative institution as described in Subsection 10.B. The local government agency retains legal custody of these records and shall insure that they are not alienated from the institution except for placement, with approval of the local government agency, in another approved institution or for authorized destruction. The local government agency may regain possession of records deposited in an authorized institution at any time.

Local government agencies shall enter a written agreement with the institution insuring that issues of custody, regaining possession, security, preservation, and access are clarified, and that the institution will provide storage facilities capable of preserving records at least as well as those available to the local government agency. A copy of this agreement shall be sent to the Archives Advisory Board before any records are deposited at the alternative institution.

To become approved, the institution must meet the following criteria:

1) Provide security to prevent the loss of records both in storage and in reference areas. This shall at a minimum include locks on all doors and windows, plus an intruder alarm system and a fire alarm system. Minimum security shall also include direct supervision of researchers at all times when records are available for access.

8. APPROVED MEDIA FOR RECORDS STORAGE

Local government records which have been identified as having archival (permanent) value must be maintained on one or more of the following media: paper; microfilm produced according to archival standards, as established by the American National Standards Institute; microfiche produced according to archival standards, per ANSI. Permanently valuable records may be maintained for convenience on nonarchival media (such as magnetic tape, diskette, hard disk, or optical disk), but the same records must in every case be maintained on an archival medium or must be maintained on a system that meets the following requirements:

A. Imaging Systems:

1) The system must be able to produce output to a nonrewritable medium such as Write Once Read Many (WORM), Computer Output to Laser Disk (COLD), or Compact Disk - Read Only Memory (CD-ROM).

2) The system must use a non-proprietary digital image file format (preferably the most generic version of TIFF - Tagged Image File Format - available).

3) The system must use International Telecommunications Union (ITU) Group 3 and Group 4 compression techniques.

4) The system must use a standard Error Detection and Correction (EDAC) system; for example, the Small Computer System Interface (SCSI) command "Write and Verify" must be used when writing data to digital optical disks.

5) The indexing database must provide for efficient retrieval, ease of use, and up-to-date information about the digital images stored on the system. The software employed must be capable of producing ASCII output.

6) The local government agency must have a specific plan for an ongoing process of migrating long-term and permanent records stored on the system from older to newer hardware and software.

B. Electronic Information Systems:

1) The software and hardware used must be capable of copying data to one or more standard offline storage devices, such as standard-sized floppy disks, magnetic tapes, etc.

2) The system must be capable of exporting data in ASCII code or other standard file types, that can be imported by other commonly used software packages. The data must not be modified or truncated, except to conform with statutory confidentiality requirements. The physical and logical formats shall be described in a manner to permit human interpretation of the files.

DISPOSITION SCHEDULE O:

VEHICLE REGISTRATIONS

Please see Disposition Schedule A for payrolls, invoices, and other records common to more than one office of local government.

The "retention" column indicates either 1) a limited period after which the records may be destroyed, or 2) the word "Permanent," indicating the records **may not be destroyed** and must be retained permanently.

Unless otherwise noted, please refer to the following citations for confidentiality restrictions:
(1) Federal Privacy Act of 1974 (Section 7 of Pub. L. 93-579 in Historical Note), 5 U. S. C., § 552a;
(2) Social Security Act, 42 U. S. C. §§ 408(a)(8) and 405(c)(2)(C)(viii)(I);
(3) Family Educational Rights and Privacy Act, 20 U. S. C. § 1232g;
(4) Standards for Privacy of Individually Identifiable Health Information (HIPAA), 45 CFR Section 160 through 164.
For citations (1) and (2), the primary records concerns are redaction of social security numbers and proper disposal of nonpermanent records containing them. The presence of a social security number does not, by itself, render an entire document confidential.

Series	Series Title / Description and Confidentiality Status	Retention
O.01.	**ATVs** Registrations for all terrain vehicles.	3 years Not Confidential
O.02.	**Automobiles** Registrations for automobiles, trucks, etc.	5 years **Confidential** Federal Driver Privacy Protection Act (18 U.S.C. Chapter 123)[1]
O.03.	**Boats** Registrations for boats.	3 years Not Confidential
O.04.	**Snowmobiles** Registrations for snowmobiles.	3 years Not Confidential
O.05.	**Trailers** Registrations for trailers.	5 years **Confidential** Federal Driver Privacy Protection Act (18 U.S.C. Chapter 123)

[1] Chapter 10, the Bureau of Motor Vehicles administrative rule implementing this Act, specifies that "agents" of the BMV (such as municipal officials handling registration and re-registration of vehicles) must observe the same confidentiality restrictions as BMV's own employees

DISPOSITION SCHEDULE P:

VITAL RECORDS

(THIS SCHEDULE FOR USE BY MUNICIPAL CLERKS)
Please see Disposition Schedule A for payrolls, invoices, and other records common to more than one office of local government.

The "retention" column indicates either 1) a limited period after which the records may be destroyed, or 2) the word "Permanent," indicating the records **may not be destroyed** and must be retained permanently.

Unless otherwise noted, please refer to the following citations for confidentiality restrictions:
(1) Federal Privacy Act of 1974 (Section 7 of Pub. L. 93-579 in Historical Note), 5 U. S. C., § 552a;
(2) Social Security Act, 42 U. S. C. §§ 408(a)(8) and 405(c)(2)(C)(viii)(I);
(3) Family Educational Rights and Privacy Act, 20 U. S. C. § 1232g;
(4) Standards for Privacy of Individually Identifiable Health Information (HIPAA), 45 CFR Section 160 through 164.
For citations (1) and (2), the primary records concerns are redaction of social security numbers and proper disposal of nonpermanent records containing them. The presence of a social security number does not, by itself, render an entire document confidential.

Series	Series Title / Description and Confidentiality Status	Retention
P.01.	**Births** Record of births taking place within the municipality.	**Permanent** Not Confidential except in cases of illegitimacy
P.02.	**Burial Transit Permit** Permit to transport human remains.	**Permanent** Not Confidential
P.03.	**Consent to Marriage Given by Parents, Legal Guardians, or Judges of Probate** Consent to marriage from legal authorities when one or both partners has not reached majority.	**Permanent** Not Confidential
P.04.	**Correspondence with Judge of Probate Concerning Marriage of Persons Under 16 Years Of Age** Correspondence with judge of probate when one or both marriage partners is under 16 years of age.	2 years Not Confidential

B. Confidential Records. When destruction has been authorized, confidential records shall be destroyed under the authorized supervision required by Section 4A.

C. Nonconfidential Records. When destruction has been authorized, nonconfidential records may be, at the discretion of the creating agency, 1) retained, 2) transferred to an approved alternative institution as specified in Section 10, or 3) destroyed under the supervision required by Section 4A. Nonconfidential records may be sold for waste provided there is reasonable assurance that they will be handled and processed carefully to destroy their identity.

D. Destruction of Records by Recycling. Nonconfidential records may be destroyed by recycling if the system employed for collecting them ensures that: 1) only records actually due for destruction are collected; 2) records intended for recycling are not at risk of removal by unauthorized persons, both while on site at the local government agency's offices and after removal to the recycling facility; 3) there is reasonable assurance that the recycling process will completely obliterate all information from the records. **Confidential records** may be recycled only if they are shredded before their removal from the local government agency's offices, or if destruction takes place under the direct observation of the official in whose custody the records were held (or under the direct observation of that official's designee).

5. DISPOSITION SCHEDULES

Disposition schedules included in these Rules shall be used primarily to identify those local government records that should be retained permanently by the local government agency, deposited with the Maine State Archives, or deposited with an approved alternative institution as described in Section 10. These disposition schedules also provide retention periods for records that do not have permanent value. Each quasimunicipal organization shall either retain its nonpermanent records for at least the recommended retention periods, or shall adopt and follow its own retention/disposition schedule for its nonpermanent records. All municipal and county government offices shall follow the records retention requirements provided in these Rules.

6. RECORDS CREATED PRIOR TO JANUARY 1, 1900

All records created prior to January 1, 1900 must be retained permanently, regardless of provisions in these rules, unless specifically authorized for destruction by the Archives Advisory Board.

7. RECORDS SUBJECT TO AUDIT OR LITIGATION

Under no circumstances shall these rules constitute authorization for a local government agency to destroy records when it is known that such records are still eligible for State or Federal audit, or other Federal requirements. These rules shall not provide authorization to destroy records which are known to be the subject of, or material to, potential or ongoing litigation.

H. "Retention Period" means the period of time for which record series should be kept in offices and in records storage areas before their ultimate disposition. The time period is usually given in months or years, but is sometimes expressed as contingent upon the occurrence of a particular event, such as audit or death of claimant.

I. "Semi-Current Records" means records no longer needed frequently in the conduct of current business, but which, for administrative, fiscal, or legal purposes, must still be retained. The general rule is that any record series not consulted more than once per month per file drawer (or other file unit--such as a volume or case file) is semi-current, and should be transferred, if quantity warrants, to storage areas utilizing lower-cost space and equipment until eligible for final disposition.

J. "Record Copy" means a single copy of any document received or created by a local government agency during the transaction of official business, which shall be retained for the term set by the Disposition Schedules for Local Government Records. All other copies of the same document in the agency's possession are duplicate copies, held for convenience only, and may be destroyed when no longer of use.

K. "Local Government Agency" means a municipality, a quasi-municipal organization (such as a school administrative district, water or sewer district, etc.), an office of county government (such Register of Deeds, County Sheriff, etc.), and offices of District Attorney.

2. DISPOSITION OF LOCAL GOVERNMENT RECORDS

No record shall be destroyed or otherwise disposed of by any official, except as provided by these rules. All disposition of records not listed in the Disposition Schedules A through Q must be approved as specified in Section 5 by these Rules in advance, and in writing, by the Archives Advisory Board.

3. RECORDS RETAINED

Records which are to be retained shall be preserved by the creating agency, deposited with an approved alternative institution as specified in Section 10, or deposited with the Maine State Archives. The State Archivist shall determine whether or not to accept transfers of local government records, based on space available at the Maine State Archives, condition of the records, and available alternatives to transfer. The State Archivist shall accept all permanent records of any deorganized Maine municipality.

4. RECORDS AUTHORIZED FOR DESTRUCTION

A. Destruction of Records. Unless otherwise specified by statute or rule, records may be destroyed by shredding, pulping, burning, burial, or other effective means. The removal and destruction process shall be supervised by the official in whose custody the records are held in order to prevent the inadvertent removal and destruction of records of continuing value.

P.05.	**Deaths** Record of deaths occurring within the municipality.	**Permanent** **Title 22 §2706 allows disclosure of date of death, name, age and location by city or town where death occurred. The rest of the death record is confidential.**
P.06.	**Divorces - Obsolete** Certified copies filed prior to 8/4/1949.	May be destroyed immediately Not Confidential
P.07.	**Marriage Certificates** Record of marriages taking place within municipality.	**Permanent** Not Confidential
P.08.	**Marriage Intentions** Intentions filed by a person planning to marry.	**Permanent** Not Confidential
P.09.	**Premarital Medical Examination Forms - Obsolete** Forms no longer required (blood tests) before a couple can marry.	No retention period **Confidential** (4)
P.10.	**Waiver of Premarital Medical Examination - Obsolete** Waiver of required blood test (no longer required in any case).	No retention period **Confidential** (4)
P.11.	**Waiver of Waiting Period Between Filing of Marriage Intentions and Issue of License** Waiver of required waiting period before couple can marry.	2 years Not Confidential

DISPOSITION SCHEDULE Q:

PUBLIC WORKS

Please see Disposition Schedule A for payrolls, invoices, and other records common to more than one office of local government.

The "retention" column indicates either 1) a limited period after which the records may be destroyed, or 2) the word "Permanent," indicating the records **may not be destroyed** and must be retained permanently.

Series	Series Title / Description and Confidentiality Status	Retention
Q.01.	**Excavation Permits** Permit to dig within municipal limits.	3 years Not Confidential
Q.02.	**Field Books** Measurements and survey notes for highways, streets, bridges, and other construction projects.	**Permanent** Not Confidential
Q.03.	**Landfill Monitoring** Testing (and requirements for it) for municipal landfill, groundwater, and surrounding soil.	**Permanent** Not Confidential
Q.04.	**Street Files** Record of all changes taking place on each street within municipality. May include street description, deeds to land street occupies, street plans, letters of easement, drainage issues, letters from citizens such as requests to fix potholes, work done (maintenance as well as changes), right-of-way documents.	**Permanent** Not Confidential
Q.05.	**Work Orders** Order for Public Works staff to perform jobs.	3 years Not Confidential

29 - SECRETARY OF STATE

255 MAINE STATE ARCHIVES

Chapter 10

RULES FOR DISPOSITION OF LOCAL GOVERNMENT RECORDS

SUMMARY: This chapter governs the disposition of local government records.

1. DEFINITIONS

A. "Appraisal" means the archival process of determining the value and thus the disposition of records based on a study of their use, their subject content, their arrangement, their relationship to function and organization, and their relationship to other records.

B. "Current Records" means records needed and used in the day-to-day conduct of the current business of a local government office or official, and which therefore must be kept in office space and equipment for that purpose.

C. "Disposition" includes all actions taken with regard to semi-current and non-current records following their appraisal. These actions include (1) transfer of semi-current records to a temporary storage area or to a records center; (2) transfer of non-current records having archival value to a designated archival depository; (3) reproduction on microfilm or optical disk with or without destruction of the originals; and (4) destruction.

D. "Non-Current Records" means records which no longer have value--administrative, legal or fiscal--for the current business of the originating office or official, and which should be disposed of in accordance with law or rule.

E. "Record" means all documentary material, regardless of media or characteristics, made or received and maintained by a local government agency in accordance with law or rule or in the transaction of its official business.

F. "Records Disposition Schedule" means a listing of record series with retention periods as appropriate for their current and semi-current phases, and an indication or their ultimate disposition.

G. "Record Series" means file units (folders or volumes) or documents arranged in accordance with a filing system, or maintained as a unit because they relate to a particular function, result from the same activity, have a particular physical form, or because of some other relationship arising out of their creation, receipt, or use.

NOTES

TABLE OF CONTENTS

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Maine State Archives
Records Management Services
84 State House Station
Augusta, ME 04333 0084

RULES

for Disposition of Local Government Records

Secretary of State
Maine State Archives
Effective 10/01/2005

TESTIMONY

OF

RICHARD B. THOMPSON
CHIEF INFORMATION OFFICER
DEPARTMENT OF ADMINISTRATIVE & FINANCIAL SERVICES

Before the Joint Standing Committees on Appropriation and Financial Affairs, and State and Local Government

Hearing Date: February 26, 2007
Place: Room 228, State House
Time: 1:00PM

"L.D. 499-An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds, and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2008 and June 30, 2009"

Senator Rotundo, Representative Fischer and distinguished Members of the Joint Standing Committee on Appropriations and Financial Affairs; and Senator Schneider, Representative Barstow and distinguished Members on Joint Standing Committee of the State and Local Government. I am Richard Thompson, Chief Information Officer. I direct and manage the Office of Information Technology (OIT), the entity within the Department of Administrative and Financial Services that was created and charged by the 122nd Legislature and the Governor to manage, support and deliver information technology systems and services to Executive Branch agencies and other users, such as the Judicial Branch and quasi agencies.

I offer this testimony in support of the Department of Administrative and Financial Services (DAFS) requests specific to its information technology needs.

Background

OIT was created to consolidate the individual and autonomous IT organization within individual departments and agencies. This is an informed and appropriate approach to managing these very important assets. The Office of Program Evaluation and Government Accountability (OPEGA) has reviewed the design and very early progress and has issued a report which supports the basic strategy.

Their report does highlight specific security and management weaknesses held over from the former model of operation, and has recommendations for improvement. OIT takes these necessary improvements seriously and is continuously working to address.

The consolidation process transferred nearly all IT staff from individual agencies to the OIT. Infrastructure support staffs (server and desktop support, networking) have moved in many cases to clustered facilities. Applications (the working systems within each agency) are generally supported by staff located in the state agency, such as DAFS.

The transition is a slow process and at times quality of service has been a challenge. I am appreciative of the support and patience shown by all agencies as this continues to improve. It is important to note significant improvements in basic infrastructure, security and project management have already begun.

Budget Requests

The consolidation process has identified deficiencies in some agencies budgets over the years. Also included in the submission are certain costs associated with improvements to security, project management and policy management. The initiatives presented represent the cost for DAFS, including OIT to cover all of its IT needs over the next two years. The IT budget was created with cooperation of the DAFS and OIT staff. There is a requested increase from the baseline established in several categories. They are described below:

BD	Comm	LD499		INITIATIVES	FY08	FY09
A-23	A-1	P.23	**CA9105**	Adjusts funding for supporting existing information technology agency applications within the agency.	2,917,367	2,917,367
			OIT	**Justification:** Incremental cost for the management and maintenance of existing applications not attributable to the OIT consolidation or OIT rates. Examples of these costs include vendor support contracts, software licenses, equipment, and equipment maintenance.		
A-34	A-1	P.35	**CA9105**	Adjusts funding for supporting existing information technology agency applications within the agency.	1,099,715	1,110,862
			OSC	**Justification:** Incremental cost for the management and maintenance of existing applications not attributable to the OIT consolidation or OIT rates. Examples of these costs include vendor support contracts, software licenses, equipment, and equipment maintenance.		
A-34	A-1	P.35	**CA9106**	Provides funding for fiscal year 2007-08 and 2008-09 enhancements to existing information technology applications	1,281,936	418,480
			OSC	**Justification:** Provides funding for enhancements to existing applications and ongoing support for the changes such as OIT services for development, vendor costs, equipment, software licenses, etc.		
A-34	A-1	P.35	**CA9109**	The $3.4 million initiative in debt service for the AdvantageME accounting system.	3,425,169	3,425,169
			OSC	**Justification:** Provides funding for the debt service to pay for the Accounting System (AdvantageME)		
A-36	A-1	P.37	**CA9109**	Provides funding for the cost of radio support services to be provided by the Office of Information Technology.	1,712,000	3,423,523
			OIT	**Justification:** Provides funding for the debt service for the Statewide Radio System (MSCOMMNET)		
				TOTAL	**10,436,187**	**11,295,401**

GENERAL FUND APPROPRIATION TO OIT

For the first time, OIT is requesting a direct appropriation towards specific functions not directly attributed to direct services. Project Management and Information Technology Security, and the support to provide these services, must be addressed.

The Office of Information Technology is responsible for the delivery of safe, secure and high performing networks and systems to State Agencies for daily performance of their missions to the citizens of Maine. Reliance on these assets is critical.

The Office of Program Evaluation and Government Accountability specifically pointed to weakness in IT security (both physical infrastructure and software/network systems) and project management as necessary investment requirements going forward. The $2,917,367 will be used to specifically make improvements in both areas.

Security: Security previously was managed individually by agencies without significant coordination and with inadequate depth necessary in a rapidly changing world. As access to data is promulgated through new systems, security of data becomes more challenging. The baseline investments will be strategically made to secure our existing systems and insure no new system (infrastructure or application) is implemented without adequate safeguards and complete testing.

- Detailed training of staff- network, application, users
- Intrusion testing and remediation
- Physical Security evaluation and remediation
- Consulting services on policy and strategic security planning
- Provide four full-time equivalents to provide day to day security monitoring and provide technical resources (both State and contracted) for identified weaknesses in existing infrastructure and applications.
- Emergency response to incidents

Project Management: Development, enhancement and implementation of applications (software) have been less than successful all too many times in State Government. OPEGA points to serious lack of direct project management; project management oversight and the lack of a common system development life cycle methodology as critical contributors to recent failures. This investment is necessary to make wise decisions throughout a project and to properly identify and remedy risks as they occur. An independently operating section will report directly to the CIO on all major projects, assuring strong management practices and managing risk. Specific tasks listed below:

- Establish Portfolio of existing, proposed and under development systems
- Select and implement a systems development life cycle methodology for statewide use
- Implement the project management protocol
- Train project management staff, developers and agency business persons as new projects are initiated
- Review regular reporting on State IT Projects
- Intervene in current projects as necessary to mitigate risk
- Assure proper testing and compliance
- Establish policies on project management and reporting

OTHER DAFS INITIATIVES

In addition there are increases in allocation to allow expenditures related to providing staff, desktop computer devices and software to agencies under the new consolidated delivery model. Allocation is also required to cover the general and continuous investment in hardware and software products used to operate the states network and computing (Data Center) environments.

The actual funding for these initiatives will be based on revenue from rates established by OIT and used in agency budgets for FY08-09.

The Office of the State Controller has three initiatives related to the development and operations of the core systems that manage personnel, budget and accounting in State government. The first two initiatives cover the increased cost of maintenance and necessary enhancements to care for the agency Human Resource System and the costs of the expanded accounting system (Advantage) to go live in July.

The $3.4 million initiative in debt service is for the AdvantageME accounting system.

Statewide Radio Network Operations and Debt Service Initiatives

Debt Services: Maine's current public safety communications infrastructure is in critical need of an upgrade. The communications system is operated by several agencies and all are in varying states of disrepair. An engineering firm has been retained to assist us in the design and building of the new and improved Maine State Communications Network (MSCommNet) infrastructure. This is a blend of new and existing infrastructure that will provide interoperability during times of crisis and perform well in daily operations. It is being designed and built to stringent public safety standards. There is lease purchase authority for $20 million of a proposed $50 million system.

The debt service requests are to meet the current and planned expenditures under that authority. The current schedule allows for careful planning, competitive sourcing of contracts and the seeking of grants to offset state dollars where possible.

MDOT has been engaged to help address high priority needs that must be addressed not and to provide technical and legal services in support of the project which will reimburse their costs. Some construction is being planned for 2007.

Operations: The investment in Radio Services personnel is necessary to ensure that we are properly staffed to maintain our current antiquated environment as well as the new technologically being deployed in the advanced MSCommNet infrastructure. The allocations will allow spending and hiring authority. The costs shall be invoiced to using agencies based on rates established by OIT. This includes:

- These towers and repeater equipmentare located in some of the most remote areas; maintenance is required 7X24 as these are critical public safety communications towers
- Staff of 10 technicians from three different agencies maintain approximately sixty communication towers state wide (these staff will transfer to OIT at some point in the future
- To ensure our system remains operational continuously an additional five technicians is required to accomplish stringent maintenance procedures, required to properly maintain the existing system and new system as it comes on line
- MSCommNet is a $50 million dollar project, initial expenditure authority is at $20 million
- The debt service requests are for direct appropriation to OIT for the development of the system
- OIT will be operationally and administratively responsible for the MSCommNet infrastructure

This request for funding allows us to increase our existing staff by five positions necessary to maintain a geographically dispersed public safety communication system 7x24x365. When a tower is down public safety officials are unable to communicate during these times. It becomes a life safety issue for the users.

A regular monthly billing to these accounts would occur with detail to identify investments and expenditures.

I am happy to answer specific questions at the hearing and will participate at work sessions.

Calculation of Baseline Personal Services Budget for 2008/2009

- Prior to July 1st of each even-numbered year, as we begin to prepare the new biennial budget, the Budget Office obtains the information necessary to establish the projected costs for various aspects of personal services budgets. This information includes projected rates for health insurance benefits and dental benefits, as well as the projected costs of retiree health coverage, workers compensation, shift differentials, and so on, for the coming biennium.

- This information is entered into the Budget and Financial Management System (BFMS), along with the attrition factors to be employed for the coming budget cycle and all relevant job classification information and salary schedules that will be in effect during the coming two years. BFMS is also updated to reflect the correct number of pay periods for each payroll cycle that will occur over the coming two fiscal years. Personal Services costs are treated in the same manner, regardless of the source of funding (general fund, federal funds, etc.).

- For personnel positions that are currently established and filled prior to the July 1st date cited above, that will continue to be in effect during the upcoming biennium, payroll and benefits information is copied out of the State's Human Resources (HR) system – on a position by position basis – into the baseline budget for the budget period. So the starting point for the new biennium for current positions is exactly the same as is in effect in the current fiscal year. This means that the current salary step for each employee is carried forward, as is each individual employee's current insurance options (dental coverage, family v. couple v. individual health coverage) and, where applicable, retirement options, stipends, shift differentials, etc., moves forward – as is – into the new base.

- Some positions are supported by a combination of different types of revenues – general funds and federal funds, for example. In these situations, the funding "formula" for each position authorized by the Legislature is reflected in the personal services base.

- Sometimes, positions have been authorized by the Legislature but for any number of reasons, have not been established by the time the new baseline budget preparations begin. This means that there is no position-specific information in the HR system relative to that group of positions. In such cases, the Budget Office "copies" the authorized position information (job classification, funding "formula" by type of revenue, and so on) from the approved budget into the new personal services base. For vacant positions, the base is built using default values for salary steps, and so on; by default, a vacant position is budgeted at the level of family coverage for health insurance.

- This starting point for the base is then adjusted for anticipated merit increases – again, on a position-specific basis – for those employees not already at the top step of their salary scale.

- Finally, in August, the base amounts are adjusted for the new retirement rates, provided by the Maine State Retirement System, as approved by the MSRS Board of Trustees. The result is the baseline personal services costs you see in the program summary in the budget document.

- Changes to the personal services base must be addressed in an initiative.

While baseline trending for personal services is the same, regardless of fund type, other factors at work may result in the total requests for funding on these Personal Services lines to change at differing rates. Such factors include, but are not necessarily limited to, changes in the mix of personnel (classifications, pay steps, etc.) supported by the respective funds, the impact of statewide General Fund reductions, and the availability of support by fund type.

MMA/LDA - Rental Income

	2007	2008	2009	
Revenue U.S. to DVEM, and DVEM to DAFS	$2,413,983.00	$2,413,983.00	$2,413,983.00	(@5.50 per square foot)
Expense: DAFS pays LDA	$785,641.74	$724,194.90	$658,359.00	(@$1.79 in 2007, $1.65 in 2008, $1.50 in 2009)
Expense: DAFS pays for MMA/LDA Capital Repairs	$27,082.26	$183,262.10	$228,098.00	(releases LDA of a $134K commitment for capital repairs to MMA buildings)
Expense: DAFS pays General Fund	$1,109,723.00	$0.00	$0.00	
Expense: DAFS pays DVEM for Life Insurance	$91,536.00	$0.00	$0.00	
Expense: DAFS pays DVEM for Disaster Relief	$0.00	$543,263.00	$543,263.00	(@current statutorily required level)
Expense: DAFS pays for Armory Capital Repair	$0.00	$543,263.00	$543,263.00	(@level reflective of Legislative intent - f/note to LD 2044)
Expense: DAFS pays DVEM for tutiion	$400,000.00	$420,000.00	$441,000.00	
Total expenses:	$2,413,983.00	$2,413,983.00	$2,413,983.00	

Department of Administrative and Financial Services Organizational Chart

- Commissioner
  - Alcoholic Beverages and Lottery Operations
  - Budget
  - Information Technology
    - Policy and Strategic Planning
    - Performance Management and Administration
    - Agency Service Centers
    - Core Technology Services
    - Project Managment
  - Revenue Services
    - Compliance and Tax Processing
    - Sales, Fuel & Special Taxes
    - Income Tax
    - Property Tax
    - Appellate
    - Tax Policy
    - Econometric Research
  - State Controller
    - Statewide Payroll Management
    - Statewide Internal Audit
    - General Accounting
    - Financial Reporting & Analysis
  - Human Resources
    - Training and Organizational Development
    - Classification & Compensation
    - Merit System & Civil Service
    - Employee Health and Benifits
    - Employee Relations*
  - Financial and Personnel Services
    - General Government Service Center
    - Security and Employment Service Center
    - Corrections Service Center
    - Health and Human Services Service Center
    - Natural Resources Service Center
    - Transportation Service Center
  - General Services
    - Professional Services
    - Risk Management
    - Central Fleet Management and Central Services
    - Property Managment
    - Purchases
    - Leased Space

Chart Key

- Department Head
- Bureau
- Divison

* 08/09 Budget Initiative to Merge Within Human Resources

February 26, 2007

Fund for the Efficient Delivery of Local and Regional Services

Fact Sheet

What is the purpose of the Fund?
The Fund for the Efficient Delivery of Local and Regional Services is established to encourage and support intergovernmental cooperation in order to reduce Maine's property tax burden.

Who administers it?
The Department of Administrative and Financial Services administers the Fund. It also manages the grant program and may contract out the administration of the program. The State Planning Office assists the department.

How much is available?
Funding for this grant program was established as part of the School Finance Act of 2003, the citizens' initiative known as Question 1A, and *Public Law 2005, c. 2,* commonly referred to as LD 1. Two percent or approximately $2 million of municipal revenue sharing funds is to be deposited in the Fund each year. Funding for the grant program was suspended for FY 06-07, although partial funding was restored in the amount of $500,000 for FY 07.

Who is eligible to apply?
Municipalities, counties, and regional government subdivisions may apply for grants from the Fund. Regional government subdivisions include regional planning councils or commissions and governmental entities created under the joint exercise of power statute (interlocal agreements).

What are the eligibility criteria?
An eligible project requires intergovernmental cooperation. An applicant must collaborate with one or more other eligible applicants.

What types of projects are eligible?
Projects are eligible that achieve significant and sustainable savings in the cost of delivering local and regional governmental services, which reduce the demand for property tax revenues, through collaborative approaches to service delivery, including new or enhanced regional delivery systems, consolidation of services, or broad-based purchasing alliances.

Two types of projects can be funded:

- ✔ Planning grants can be used to assist the applicant develop collaborative arrangements including conducting feasibility studies or cost-benefit studies or facilitating joint planning sessions or public meetings.

- ✔ Cooperative services grants can be used to implement a collaborative service delivery initiative.

Is a local match required?
No local match is required for a cooperative services grant and there is no competitive advantage given for one. Although not required, applicants for planning grants who provide a match will be given greater consideration. In-kind match provided by the applicants is not allowed. The value of in-kind services donated by professionals not employed by the applicants (i.e. attorneys, consultants) may be considered as cash match.

Who reviews the grant applications?

A review panel of state, regional, and local officials reviews, ranks, and awards the grants. The panel comprises the following representatives, appointed by the Governor:

- A representative of the Maine State Planning Office
- A representative of the Department of Administrative and Financial Services
- A representative of the Department of Economic and Community Development
- One representative of a county or regional government subdivision recommended by a statewide organization representing county or regional service providers
- Two representatives of municipal government recommended by the Maine Municipal Association. One represents rural communities with a population of less than 4,000 and one represents suburban communities with a population of 4,000 or more.
- One representative of a service center community recommended by the Maine Service Centers Coalition

What are the review criteria?

In 2006, applications were evaluated based on the following selection criteria:

1. Extent and quality of cooperation among the participating applicants (20 points)
2. Estimated amount of property tax savings to the region over time (35 points)
3. Degree /likelihood of success in implementing and sustaining the intergovernmental arrangement (20 points)
4. Extent to which the project can be replicated by other regions in future cooperative endeavors (15 points)
5. Extent to which the project incorporates innovative and unique solutions or ideas (10 points)

How much has been awarded and what types of projects have been funded?

Before the 2003 School Finance Act went into affect, Governor Baldacci included $1 million in his general fund budget to pilot the grant program. Those funds were awarded to 26 projects involving cooperation among 121 governmental units in 2005. In fall 2006, the state awarded $500,000 from the Fund to 14 projects involving 70 municipal, county, and regional governmental organizations. Types of projects funded include:

- Municipal service consolidation
- Regional emergency dispatch
- Shared property assessment
- Joint purchasing implementation
- Regionalized economic development planning
- Emergency services consolidation
- Collaborations on storm water management and education
- Regional recycling and waste management projects

Where can I get assistance with preparing a grant application or putting together a regional proposal?

The following resources are available:

- Frequently-asked questions about the grant process: http://www.maine.gov/dafs/fundfaqs.htm

- Regionalization resource list: http://www.maine.gov/dafs/fund.htm

- Assistance with the grant RFP process: Contact: Jeremy Caron, Department of Administrative and Financial Services at 624-7800 or jeremy.caron@maine.gov

- Assistance with grant applications: Contact: Jody Harris, Maine State Planning Office at 287-5424 or jody.harris@maine.gov