

# MAINE STATE LEGISLATURE

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# ONE HUNDRED AND SEVENTH LEGISLATURE

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**Legislative Document**

**No. 1789**

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H. P. 1440

House of Representatives, April 8, 1975

On Motion of Mr. Cooney of Sabattus, referred to Committee on State Government. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented to the House of Representatives by the Joint Standing Committee on State Government Pursuant to Joint Rule 3 of the Legislature.

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## STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-FIVE

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**AN ACT** Creating the Bureau of Central Computer Services within the  
Department of Finance and Administration.

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Be it enacted by the People of the State of Maine, as follows:

Sec. 1. 5 MRSA § 283, sub-§ 8, is enacted to read:

8. Bureau of Central Computer Services. Bureau of Central Computer Services, the head of which shall be the Director of Central Computer Services.

Sec. 2. 5 MRSA § 154I, sub-§ 12, as enacted by P&SL 1969, c. 251, Section C, § 1, is repealed.

Sec. 3. 5 MRSA c. 157 is enacted to read:

### CHAPTER 157

#### DATA PROCESSING AND CENTRAL COMPUTER SERVICES

##### § 185I. Definitions

As used in this chapter, unless the context otherwise indicates, the following words shall have the following meanings:

1. Bureau. "Bureau" means the Bureau of Central Computer Services.
2. Commissioner. "Commissioner" means the Commissioner of Finance and Administration.
3. Data processing. "Data processing" means the process that encompasses all computerized and auxiliary automated information handling, in-

cluding systems analysis and design, conversion of data, computer programming, information storage and retrieval, data and facsimile transmission, requisite system controls, simulation and all the related man-machine interaction.

4. Director. "Director" means the Director of Central Computer Services. § 1852. Powers and duties

The Department of Finance and Administration, through the Bureau of Central Computer Services, shall have authority:

1. Central computer services. To establish, maintain and operate a central data processing bureau; and to develop and administer standards, subject to the approval of the commissioner, governing data processing systems and programming methods;

2. Centralization. To effect the centralization and consolidation of existing electronic data processing equipment in order to obtain maximum utilization and efficiency or to approve the continuation of departmental facilities if in the best interests of the State;

3. Approve acquisition and use. To approve acquisition and use of all data processing services and systems by state agencies, other than requirements for personnel;

4. Data processing personnel. To review and comment to the Legislature and to the Department of Personnel on positions for data processing personnel requested by state agencies;

5. Training. To develop and conduct training programs for state data processing personnel;

6. Staff and technical assistance. To furnish staff and technical assistance to other state agencies;

7. Comprehensive state master plan. To formulate, develop and maintain a comprehensive state master plan for data processing and report thereon to the Governor and the Legislature at the beginning of each regular session. The plan shall include a report on the current status of state data processing, including information on major items of equipment, major applications, data processing personnel, costs and sources of funding for state data processing;

8. Charges. To levy appropriate charges against all state agencies utilizing services provided by the bureau, such charges to be those fixed in a schedule or schedules prepared and revised as necessary by the director and approved by the commissioner. The schedule of charges shall be supported and explained by accompanying information.

9. Budget. To submit a budget of estimated revenues to and costs to be incurred by the bureau;

10. Professional and technical services. To employ or engage such outside technical or professional personnel and services as may be necessary

within funds available for carrying out the purposes of this chapter, subject to the approval of the commissioner ;

11. Other powers and duties. To make rules and regulations, subject to the approval of the commissioner, for carrying out the purposes of this chapter.

#### § 1853. Intergovernmental cooperation and assistance

The director, with the approval of the commissioner, is authorized and empowered to enter into such agreements with the Federal Government, the University of Maine, and other agencies and organizations as will promote the objectives of this chapter, and to accept funds from the Federal Government, municipal and county agencies, or from any individual or corporation to be expended for purposes consistent with this chapter.

#### § 1854. Intragovernmental service fund account

There is established an intragovernmental service fund account for the Bureau of Central Computer Services. This fund shall include but not be limited to appropriations made to the bureau, funds transferred to the bureau from within the Department of Finance and Administration, and funds received for data processing services rendered to state agencies.

#### § 1855. Computer Services Advisory Board

There is established a Computer Services Advisory Board. The board shall consist of 15 members. The Governor shall appoint 2 members from the private sector who shall be knowledgeable in the science and administration of data processing services, but who shall not be vendors of data processing services to the State or vendors of data processing equipment and supplies. The members from the private sector shall be appointed to serve 4-year terms; however, of these first members appointed, one shall be appointed to serve for a 2-year term only. The Chancellor of the University of Maine shall designate an employee of the University who shall be knowledgeable in the science and administration of data processing to be a member of the board. The commissioners of the departments of Health and Welfare, Transportation, Manpower Affairs, Finance and Administration, Educational and Cultural Services, Public Safety, Mental Health and Corrections, and the Secretary of State shall each designate a member of his department to serve on the board, except that no member of the Bureau of Central Computer Services shall be a member of the board. The Director of the State Planning Office or his designee shall be a member of the board. At the beginning of each biennium, the Governor shall designate 3 agencies from those state agencies not already represented on the board whose heads shall each designate a member of their agencies to serve on the board.

The members of the board who are state employees or employees of the University of Maine shall receive no compensation for their services. The members appointed from the private sector shall be reimbursed by the bureau for necessary expenses incurred in the discharge of their duties and shall receive a per diem of \$35.

**§ 1856. Chairman; meetings**

The board shall elect a chairman from its membership annually. In the event of a vacancy in the chairmanship, the board shall elect a chairman to serve for the remainder of the unexpired term. The board shall meet at the call of the chairman or at the request of a majority of its members. The board shall meet at least quarterly.

**§ 1857. Duties of Computer Services Advisory Board**

The board shall have the following duties:

1. To assist the bureau in the development of standards governing data processing systems and methods; to assist the bureau in the development of rules, regulations and policies relating to data processing, the development of the schedule of charges, and the development of the comprehensive state master plan.

2. To review the standards governing data processing systems and methods, rules, regulations and policies relating to data processing, the schedule of charges and the budget. The board shall make its recommendations and comments to the Commissioner of the Department of Finance and Administration prior to his approval or disapproval of the above.

3. To review the comprehensive state master plan and submit its comments and recommendations together with the bureau's biennial report on the comprehensive state master plan to the Governor and the Legislature.

**§ 1858. Bureau assistance**

The bureau shall provide assistance to the board in the performance of its duties.

**§ 1859. Appeal process**

Any state agency disagreeing with an action or decision of the bureau as it affects that agency may appeal to the commissioner to alter the action or decision. If the agency is not satisfied with the decision of the commissioner, the agency may appeal to the Governor to alter the action or decision of the bureau. The decision of the Governor is final.

**§ 1860. Review of appeal**

In the event of an appeal by an agency to the commissioner or to the Governor, as provided for in section 1859, the Computer Services Advisory Board shall review the basis for the appeal and present its recommendations to the commissioner or the Governor, as appropriate.

**§ 1861. Protection of information files**

The bureau shall develop rules and regulations regarding the maintenance and use of information files relating to data processing required by law to be kept confidential, with the assistance of the Computer Services Advisory Board and subject to the approval of the commissioner. The bureau shall be responsible for the enforcement of such rules and regulations.

## STATEMENT OF FACT

This bill provides for the consolidation of state data processing management and services while providing service users a role in determining how such services will be managed.

This legislation is the result of a study of state data processing by the Joint Standing Committee on State Government of the 106th Legislature and is introduced in this Legislature pursuant to Rule 3 of the Joint Rules.