

# MAINE STATE LEGISLATURE

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# 114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

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Legislative Document

No. 1562

S.P. 559

In Senate, May 9, 1989

Reference to the Committee on State and Local Government suggested and ordered printed.

A handwritten signature in cursive script, reading 'Joy J. O'Brien'.

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator BUSTIN of Kennebec.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND EIGHTY-NINE

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An Act Concerning the Acquisition of Data Processing Equipment and Services by  
State Agencies.

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

3 Sec. 1. 5 MRSA §1886, sub-§2, as enacted by PL 1985, c. 785,  
Pt. A, §78, is repealed.

5 Sec. 2. 5 MRSA §1886, sub-§5, as enacted by PL 1985, c. 785,  
7 Pt. A, §78, is repealed and the following enacted in its place:

9 5. Standards for acquisition and use of equipment and  
11 services. The deputy commissioner shall, with the advice and  
13 consent of the board, promulgate rules under the Maine  
15 Administrative Procedure Act, Title 5, chapter 375, for the  
17 acquisition and use of data processing and telecommunications  
19 equipment and services by state agencies, which shall include  
21 standards for acquisition and a list of approved equipment and  
23 services.

25 Sec. 3. 5 MRSA §1888, first ¶, as amended by PL 1987, c. 402,  
27 Pt. A, §50, is further amended to read:

29 No purchase of data processing equipment, software or  
31 services and no internal systems development efforts may be made  
33 except in accordance with this subchapter. No agency may  
35 purchase any data processing equipment, software or services  
37 which are not on the approved list or otherwise in compliance  
39 with the standards established under section 1886, subsection 5,  
41 without the prior written approval of the deputy commissioner.  
43 The state controller shall not authorize payment for data  
45 processing equipment, software or services without evidence of  
prior approval of the purchases by the deputy commissioner.

### 33 STATEMENT OF FACT

35 The Office of Information Services coordinates the  
37 acquisition and use of data processing equipment and services by  
39 state agencies. The deputy commissioner of the Department of  
41 Administration is the head of the Office of Information  
43 Services. Current law prohibits any state agency from acquiring  
45 or using any data processing or telecommunications equipment  
without the specific approval of the deputy commissioner. This  
requirement results in needless delay and diverts the deputy  
commissioner from overall charge to coordinate state data  
processing.

47 This bill enables the deputy commissioner, with the advice  
49 and consent of the Information Services Policy Board, to adopt  
standards and an approved list for the acquisition and use of  
data processing and telecommunication equipment and services.  
51 Agencies acquiring equipment and services that meet these

1 standards would not have to go through review procedures. Any  
agency proposing to acquire equipment or services that did not  
3 meet the standards would have to justify its decision to the  
deputy commissioner.