

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

FIRST REGULAR SESSION-2007

Legislative Document

No. 679

S.P. 216

February 9, 2007

An Act To Clarify Portions of the Laws Governing InforME

Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 204.

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

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator SCHNEIDER of Penobscot.
Cosponsored by Representative BARSTOW of Gorham and
Representative: JOY of Crystal.

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

2 **Sec. 1. 1 MRSA §534, sub-§2**, as enacted by PL 1997, c. 713, §1, is amended to
3 read:

4 **2. Board chair.** The Governor shall ~~annually~~ appoint one member of the board as
5 chair.

6 **Sec. 2. 1 MRSA §534, sub-§3**, as enacted by PL 1997, c. 713, §1, is amended to
7 read:

8 **3. Staff.** The Department of Administrative and Financial Services, ~~Bureau of~~
9 ~~Information Services~~ Office of Information Technology shall provide staff to the board.

10 **Sec. 3. 1 MRSA §534, sub-§5, ¶B**, as enacted by PL 1997, c. 713, §1, is
11 amended to read:

12 B. Approve the criteria and specifications for a network manager and its duties
13 developed by the ~~Director of the Bureau of Information Services~~ Chief Information
14 Officer within the Department of Administrative and Financial Services;

15 **Sec. 4. 1 MRSA §535, sub-§1**, as amended by PL 2005, c. 12, Pt. SS, §1, is
16 further amended to read:

17 **1. Criteria and specifications; contract terms.** The ~~Director of the Bureau of~~
18 ~~Information Services~~ Chief Information Officer within the Department of Administrative
19 and Financial Services or the Chief Information Officer's designee, in consultation with
20 the board, shall develop criteria and specifications for a network manager and its duties.
21 The ~~director~~ Chief Information Officer shall develop and release a request for ~~proposal~~
22 proposals to solicit bids from private entities to serve as the network manager. The
23 ~~director~~ Chief Information Officer shall develop the terms and conditions of the contract,
24 which must include at least the following:

25 A. Perpetual licensing to the board of software and other intellectual property
26 developed by the network manager for use by InforME; and

27 B. Procedures ensuring that executive branch and semiautonomous state agencies
28 and the network manager comply with the standards and policies adopted by the
29 Chief Information Officer of the Office of Information Technology within the
30 Department of Administrative and Financial Services.

31 **Sec. 5. 1 MRSA §535, sub-§3, ¶C**, as enacted by PL 2003, c. 681, §1, is
32 repealed.

33 **Sec. 6. 1 MRSA §536, sub-§3**, as enacted by PL 1997, c. 713, §1, is amended to
34 read:

35 **3. Service level agreements.** Services provided by the network manager and
36 information to be provided by a data custodian are governed by service level agreements
37 between the network manager and the data custodian. A service level agreement may

1 include a provision for the network manager to receive a portion of the agency fee for
2 information or services in return for electronically providing that information or service.
3 The fee for electronically accessing the information or service may not exceed the agency
4 fee for distributing the information or providing the service in its usual form.

5 **Sec. 7. 1 MRSA §537, sub-§1**, as enacted by PL 1997, c. 713, §1, is repealed and
6 the following enacted in its place:

7 **1. Funding.** InforME is self-supporting and may not receive an appropriation or
8 allocation from the General Fund or other state funds.

9 Revenue is generated through fees or surcharges on services paid by subscribers or other
10 users, from contracts with other state departments and agencies and from money, goods
11 or in-kind services donated or awarded to carry out the purposes of this Act.

12 **Sec. 8. PL 2003, c. 681, §6** is amended to read:

13 **Sec. 6. Additional InforME services.** The ~~InforME network manager~~ Chief
14 Information Officer, as described in the Maine Revised Statutes, ~~Title 1, section 535~~ Title
15 5, section 1971, in conjunction with the InforME board, as described in Title 1, section
16 534, ~~the Department of Administrative and Financial Services, the Department of~~
17 ~~Economic and Community Development, the Department of Labor, the Department of~~
18 ~~Human Services and Maine Revenue Services~~, shall enable as part of the InforME
19 system, ~~no later than January 1, 2006~~, on-line application and submission of forms by
20 persons seeking licensure as businesses through the "Business Licensing Assistant"
21 program. The Chief Information Officer may require participation from any executive
22 branch agency needed to meet the requirements of this section. Additionally, the
23 Department of Economic and Community Development, with technical assistance from
24 the InforME network manager, shall provide live on-line assistance during normal
25 business hours for questions concerning the establishment of a business in this State.

26 ~~The services required by this section may be classified "premium services," as~~
27 ~~defined in Title 1, section 532. The subscription fee for premium services~~ Subscription
28 or transaction fees may be adjusted to accommodate the services required by this section.
29 Any additional costs to agencies or departments as a result of this section must be
30 absorbed by those agencies and departments within existing budgeted resources.

31 SUMMARY

32 This bill changes references to the Bureau of Information Services to references to
33 the Office of Information Technology, reassigns responsibility for the Business Licensing
34 Assistant program to the Office of Information Technology and clarifies language
35 regarding funding of online initiatives.