

MAINE STATE LEGISLATURE

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1 SECOND REGULAR SESSION
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE
4

5 Legislative Document

No. 2106
6

7 S.P. 832

In Senate, March 3, 1986

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

10 JOY J. O'BRIEN, Secretary of the Senate

Presented by President Pray of Penobscot.

Cosponsored by Representative Diamond of Bangor, Senator Gill of
11 Cumberland and Representative Carter of Winslow.

12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-SIX
16

17 AN ACT to Provide More Cost Effective Data
18 Processing in the Executive Branch.
19

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

22 Sec. 1. 2 MRSA §6, sub-§1, as amended by PL
23 1983, c. 553, §46, is further amended to read:

24 1. Range 91. The salaries of the following
25 state officials and employees shall be within salary
26 range 91:

27 Commissioner of Transportation;

28 Commissioner of Conservation;

29 Director of State Development Office;

30 Commissioner of Finance and Administration;

31 Commissioner of Administration;

1 ment agency in which soil science work is done, at
2 least one partner, officer or employee shall be a
3 certified soil scientist. In the case of an agency of
4 State Government, the ~~Department~~ Bureau of Personnel
5 shall classify officers and employees under the Per-
6 sonnel Law in a manner that ensures that at least one
7 certified geologist or soil scientist shall work for
8 each agency in which, as the case may be, geological
9 or soil science work is done and that any officer or
10 employee who is engaged in the practice of geology or
11 soil science and who is uncertified works as a subor-
12 dinate to a certified geologist or soil scientist, as
13 the case may be, and does not have responsible charge
14 of work or evaluation.

15 Sec. 151. 36 MRSA §575, as amended by PL 1973,
16 c. 460, §18, is further amended to read:

17 §575. Administration; rules

18 The State Tax Assessor shall have the powers and
19 duties provided in this subchapter. He shall adopt
20 and amend such rules ~~and regulations~~ as may be rea-
21 sonable and appropriate to carry out these responsi-
22 bilities. He may contract with municipal, State and
23 Federal Governments or their agencies to assist in
24 the carrying out of any of his assigned tasks. He is
25 authorized to hire such technical assistance as may
26 be required for the performance of his assigned
27 tasks. He is authorized to request such technical as-
28 sistance from the Forestry Bureau or the Department
29 of Finance ~~and Administration~~ as the respective de-
30 partment may be able to provide.

31 Sec. 152. 36 MRSA §653, sub-§1, ¶H is amended to
32 read:

33 H. Any municipality granting exemptions under
34 this subsection shall have a valid claim against
35 the State to recover 90% of the taxes lost by
36 reason of such exemptions as exceeds 3% of the
37 total local tax levy, upon proof of the facts in
38 form satisfactory to the Commissioner of Finance
39 ~~and Administration~~. Such claims shall be pre-
40 sented to the Legislature next convening.

1 Sec. 153. 36 MRSA §841-B, as repealed and re-
2 placed by PL 1985, c. 295, §54, is amended to read:

3 §841-B. Land Classification Appeals Board; purpose;
4 composition

5 The Land Classification Appeals Board, as estab-
6 lished by Title 5, section 12004, subsection 2, is
7 established to hear appeals from decisions of municip-
8 al tax assessors, chief assessors and the State Tax
9 Assessor acting as assessor of the unorganized terri-
10 tory relating to the Maine Tree Growth Tax Law or the
11 Farm and Open Space Tax Law. The board shall be com-
12 posed of 4 voting members: The Commissioner of Con-
13 servation or his designee; the Commissioner of Agri-
14 culture, Food and Rural Resources or his designee;
15 and 2 members, serving 4 years, to be appointed by
16 the Governor. One of these members shall be a munic-
17 ipal officer and one shall be a forest landowner.
18 The initial appointment of the municipal officer
19 shall be for a 2-year period. In the event of the
20 death or resignation of such an appointee, the Gover-
21 nor shall make an appointment to the appeals board
22 for the unexpired term. The Commissioner of Finance
23 ~~and Administration~~ or his designee shall serve in an
24 advisory capacity as a nonvoting member and as chair-
25 man of the board. In the case of a tie vote, the
26 Commissioner of Finance ~~and Administration~~ or his
27 designee shall vote to break the tie. The landowner
28 member and the municipal officer shall be compensated
29 according to Title 5, chapter 379. All other members
30 shall be compensated by the agency they represent for
31 actual expenses incurred in the performance of their
32 duties under this section.

33 Sec. 154. 36 MRSA §2863, sub-§1, ¶A, as enacted
34 by PL 1981, c. 711, §10, is amended to read:

35 A. "Commissioner" means the Commissioner of Fi-
36 nance ~~and Administration~~.

37 Sec. 155. 38 MRSA §1306-C, sub-§4, ¶A, as en-
38 acted by PL 1981, c. 430, §18, is amended to read:

39 A. A final order issued by the court under that
40 procedure shall provide for disposition of the
41 conveyance by the Department of Finance ~~and Ad-~~

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STATEMENT OF FACT

2 The statutory changes put forward in this bill
3 are based upon the findings and recommendations of
4 the Governor's Management Task Force in its report to
5 the Governor, "A Review of the Data Processing Envi-
6 ronment in the Executive Branch of Maine State Gov-
7 ernment." The task force's recommendations are based
8 primarily upon a study and evaluation conducted by a
9 5-member Computer Management Team charged with "re-
10 viewing all State Government Executive Branch comput-
11 er operations in order to recommend ways to eliminate
12 long-term deficiencies, reduce costs, improve organi-
13 zational structure and to suggest improvements in
14 management and operations techniques."

15 The review team and the task force concluded that
16 data processing operations in State Government, which
17 function as a series of autonomous or semi-autonomous
18 units, constitute an organization which is, as a
19 whole, "fragmented, disjointed and lacks overall di-
20 rection." It was their unanimous and unequivocal
21 opinion that "these deficiencies can only be cor-
22 rected by a major structural reorganization."

23 The task force recommends the creation of an Of-
24 fice of Information Services to coordinate data pro-
25 cessing planning, to provide universal auditing and
26 training and to consolidate the equipment and staffs
27 of the Executive Branch's major computer user depart-
28 ments.

29 Careful consideration was given to the creation
30 of a new 17th department or of superimposing the new
31 Office of Information Services organization upon the
32 present Department of Finance and Administration.
33 Both ideas were rejected. To avoid creating a 3rd
34 staff department and to maintain a reasonable span of
35 control for the Governor, it was decided to split the
36 present Department of Finance and Administration into
37 purely financial and purely administrative depart-
38 ments, and to place the new Office of Information
39 Services within the Department of Administration.
40 Under this proposal, all purely financial agencies
41 and functions will remain within the Department of
42 Finance into which will be placed the State Lottery

1 Commission with its staff organized as the Bureau of
2 Lottery.

3 All administrative agencies and functions now
4 contained within the Department of Finance and Admin-
5 istration will be transferred to the new Department
6 of Administration, along with the former Department
7 of Personnel, now organized as a bureau, and with the
8 Office of Employee Relations, also designated as a
9 bureau and reporting directly to the Commissioner of
10 Administration. Into this department will be placed
11 the newly created Office of Information Services,
12 headed by a deputy commissioner and consisting of the
13 Bureau of Data Processing, Bureau of Information Ser-
14 vices Planning, Division of Data Processing Audits
15 and Standards and Division of Data Processing Train-
16 ing. Special employment arrangements are proposed for
17 the Deputy Commissioner Information Services and for
18 the Directors in the Office of Information Services.

19 This bill will eliminate the present Computer
20 Services Advisory Board and replace it with an Infor-
21 mation Services Policy Board. Six of the 9 members
22 of the new board will be the commissioners, or their
23 designees, of the major data processing user depart-
24 ments. The Information Services Policy Board, in co-
25 operation with the Commissioner of Administration and
26 the Deputy Commissioner of Information Services, will
27 establish all policies, determine priorities and al-
28 locate resources. On any matters in which a majority
29 of the board disagrees with the Commissioner of Ad-
30 ministration, the Governor will be responsible for
31 the final decision.

32 The Office of Information Services will be funded
33 by agency user charges through internal services fund
34 accounts as is the current Bureau of Central Computer
35 Services.

36 The information management system created in this
37 bill is designed to:

38 A. Better allocate resources to projects and
39 systems;

40 B. Increase consistency and stability in data
41 processing facilities;

- 1 C. Increase flexibility to respond to changing
2 situations;
- 3 D. Reduce duplication in hardware acquisition
4 and software design;
- 5 E. Increase data processing productivity; and
- 6 F. Better plan and evaluate the State's long-
7 term needs for information processing.

8 Significant portions of this bill are required to
9 make changes with respect to the establishment of
10 separate Departments of Finance and of Administra-
11 tion.

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