

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

## An Act To Clarify Portions of the Laws Governing InforME

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

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

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

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

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

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

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

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

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

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

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

**Sec. 5. 1 MRSA §535, sub-§3, ¶C**, as enacted by PL 2003, c. 681, §1, is repealed.

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

**3. Service level agreements.** Services provided by the network manager and information to be provided by a data custodian are governed by service level agreements between the network manager and the data custodian. A service level agreement may include a provision for the network manager to receive a portion of the agency fee for information or services in return for electronically providing that information or service. The fee for electronically accessing the information or service may not exceed the agency fee for distributing the information or providing the service in its usual form.

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

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

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

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

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

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

Effective September 20, 2007