

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 Commissioner of Transportation;
2 Chief Executive Officer of the Finance Authority
3 of Maine;
4 Executive Director of the Maine Municipal Bond
5 Bank; and
6 Executive Director of the Maine State Housing Au-
7 thority.

8 Sec. 124. 12 MRSA §6022, sub-§4, as amended by
9 PL 1979, c. 541, Pt. B, §73, is further amended to
10 read:

11 4. Warden code. The commissioner shall prepare a
12 written code governing the operating procedures of
13 the Bureau of Marine Patrol services for submission
14 to the ~~Commissioner~~ Director of Personnel. The code
15 shall become effective when approved by the
16 ~~Commissioner~~ Director of Personnel.

17 Sec. 125. 12 MRSA §6025, sub-§1, as amended by
18 PL 1979, c. 541, Pt. B, §14, is further amended to
19 read:

20 1. Appointment. Applicants for the position of a
21 marine patrol officer who qualify under the officer's
22 code and pass the examination administered by the
23 ~~Department~~ Bureau of Personnel, may be appointed by
24 the commissioner to hold office under Title 5, chap-
25 ters 51 to 67 and under the officer's code.

26 Sec. 126. 12 MRSA §7051, sub-§1, as amended by
27 PL 1983, c. 440, §2, is further amended to read:

28 1. Qualifications. The commissioner shall ap-
29 point as game wardens persons who have qualified un-
30 der the written code prepared by the commissioner and
31 approved by the ~~Commissioner~~ Director of Personnel.

32 Sec. 127. 14 MRSA §8109, sub-§1, ¶A, as amended
33 by PL 1985, c. 81, is further amended to read:

34 A. Any agency may settle any claim for an amount
35 of \$1,500 or less when such settlement is ap-
36 proved by the appropriate department or agency

1 head in accordance with regulations promulgated
2 by the Commissioner of Finance and
3 Administration.

4 Sec. 128. 14 MRSA §8109, sub-§1, ¶B, as enacted
5 by PL 1977, c. 2, §2, is amended to read:

6 B. Any other claim may be settled when such set-
7 tlement is approved by the head of the department
8 or agency against which the claim is filed, the
9 Commissioner of Finance and Administration and
10 the Attorney General.

11 Sec. 129. 14 MRSA §8115, sub-§1, as enacted by
12 PL 1977, c. 2, §2, is further amended to read:

13 1. Payment from next appropriation. In the event
14 no insurance has been procured by the State to pay a
15 claim or judgment arising under this chapter, and no
16 appropriated funds are reasonably available, as de-
17 termined by the Commissioner of Finance and
18 Administration, the claim or judgment shall be paid
19 from the next appropriation to the state instrumen-
20 tality whose action or omission, or the action or
21 omission of whose employee, gave rise to the claim.

22 Sec. 130. 20-A MRSA §11054, as enacted by PL
23 1981, c. 693, §§5 and 8, is amended to read:

24 §11054. Duties of board

25 The board on the part of the State shall obtain
26 accurate accounts of all the board's receipts and
27 disbursements and shall report to the Governor and
28 the Commissioner of Finance and Administration annu-
29 ally on or before the 15th day of September, setting
30 forth in such detail as the commissioner may require
31 the transactions of the board for the fiscal year
32 ending on the preceding June 30th. They shall in-
33 clude in such report recommendations for any legisla-
34 tion as may be necessary or desirable to carry out
35 the intent and purposes of the New England Higher Ed-
36 ucation Compact among the states joining.

37 Sec. 131. 20-A MRSA §13506, as enacted by PL
38 1983, c. 859, Pt. J, §2, is amended to read:

1 FISCAL NOTE

2 This bill restructures existing departments,
3 agencies, bureaus and divisions into a separate De-
4 partment of Finance and a separate Department of Ad-
5 ministration.

6 Financial agencies, bureaus and divisions will
7 remain within the Department of Finance into which
8 will be placed the State Lottery Commission and its
9 staff organized as the Bureau of Lottery. There is
10 no measurable financial impact on the General Fund.

11 Administrative agencies and functions now con-
12 tained within the Department of Finance and Adminis-
13 tration will be transferred to the new Department of
14 Administration. The former Department of Personnel
15 and the Office of Employee Relations are designated
16 as bureaus reporting directly to the Commissioner of
17 Administration. Into this new department will be
18 placed the newly created Office of Information Ser-
19 vices, headed by a deputy commissioner and consisting
20 of the Bureau of Data Processing, Bureau of Informa-
21 tion Services Planning, Division of Data Processing
22 Audits and Standards and a Division of Data Process-
23 ing Training.

24 There is no measurable impact on the General Fund
25 in establishing the Department of Administration and
26 restructuring data processing services. While some
27 positions will be added and others restructured, in-
28 creased costs will be offset by savings through the
29 delivery of more cost-effective services, improved
30 use of staff resources and improved system controls.

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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 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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