

MAINE STATE LEGISLATURE

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(EMERGENCY)
(New Draft of S.P. 832, L.D. 2106)
(New Title)
SECOND REGULAR SESSION

ONE HUNDRED AND TWELFTH LEGISLATURE

Legislative Document No. 2392

S.P. 954 In Senate, April 12, 1986

Reported by Senator Andrews of Cumberland from the Committee on State Government and printed under Joint Rule 2. Original bill sponsored by President Pray of Penobscot. Cosponsored by Representative Diamond of Bangor, Senator Gill of Cumberland and Representative Carter of Winslow.

JOY J. O'BRIEN, Secretary of the Senate

STATE OF MAINE

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

**AN ACT to Reorganize the Department of
Finance and Administration and the
Department of Personnel.**

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the reorganization of the Department of Finance and Administration into the Department of Finance and the Department of Administration and the reorganization of the Department of Personnel into the Department of Administration will have a significant impact upon the State's accounting procedures; and

Whereas, the 90-day period following the adjournment of the Legislature will occur roughly 2 weeks following the commencement of the 1986-87 fiscal year of State Government; and

1 Commissioner of Human Services;
2 Commissioner of Inland Fisheries and Wildlife;
3 Commissioner of Labor;
4 Commissioner of Marine Resources;
5 Commissioner of Mental Health and Mental Retarda-
6 tion;
7 Commissioner of Transportation;
8 Chief Executive Officer of the Finance Authority
9 of Maine;
10 Executive Director of the Maine Municipal Bond
11 Bank; and
12 Executive Director of the Maine State Housing Au-
13 thority.

14 Sec. 88. 14 MRSA §8109, sub-§1, ¶A, as amended
15 by PL 1985, c. 81, is further amended to read:

16 A. Any agency may settle any claim for an amount
17 of \$1,500 or less when such settlement is ap-
18 proved by the appropriate department or agency
19 head in accordance with regulations promulgated
20 by the Commissioner of Finance and
21 Administration.

22 Sec. 89. 14 MRSA §8109, sub-§1, ¶B, as enacted
23 by PL 1977, c. 2, §2, is amended to read:

24 B. Any other claim may be settled when such set-
25 tlement is approved by the head of the department
26 or agency against which the claim is filed, the
27 Commissioner of Finance and Administration and
28 the Attorney General.

29 Sec. 90. 14 MRSA §8115, sub-§1, as enacted by PL
30 1977, c. 2, §2, is further amended to read:

31 1. Payment from next appropriation. In the event
32 no insurance has been procured by the State to pay a
33 claim or judgment arising under this chapter, and no

1 appropriated funds are reasonably available, as de-
2 termined by the Commissioner of Finance and
3 Administration, the claim or judgment shall be paid
4 from the next appropriation to the state instrumen-
5 tality whose action or omission, or the action or
6 omission of whose employee, gave rise to the claim.

7 Sec. 91. 20-A MRSA §11054, as enacted by PL
8 1981, c. 693, §§5 and 8, is amended to read:

9 §11054. Duties of board

10 The board on the part of the State shall obtain
11 accurate accounts of all the board's receipts and
12 disbursements and shall report to the Governor and
13 the Commissioner of Finance and Administration annu-
14 ally on or before the 15th day of September, setting
15 forth in such detail as the commissioner may require
16 the transactions of the board for the fiscal year
17 ending on the preceding June 30th. They shall in-
18 clude in such report recommendations for any legisla-
19 tion as may be necessary or desirable to carry out
20 the intent and purposes of the New England Higher Ed-
21 ucation Compact among the states joining.

22 Sec. 92. 20-A MRSA §13506, as enacted by PL
23 1983, c. 859, Pt. J, §2, is amended to read:

24 2. Transmittal of information. The commissioner
25 shall transmit the necessary filing data to the De-
26 partment of Finance and Administration in sufficient
27 time to allow the issuance of payments on February
28 15th and August 15th of each year.

29 Sec. 93. 20-A MRSA §15903, sub-§3, ¶A, as en-
30 acted by PL 1981, c. 693, §§5 and 8, is amended to
31 read:

32 A. The Bureau of Public Improvements, Department
33 of Finance and Administration;

34 Sec. 94. 22 MRSA §254, last ¶, as amended by PL
35 1983, c. 290, is further amended to read:

36 The Commissioner of Finance and Administration
37 may create a dedicated revenue account to receive
38 moneys pursuant to this section from whatever source

1 STATEMENT OF FACT

2 This new draft incorporates the provisions of 3
3 other bills in order to assure consistency throughout
4 many Titles of the Maine Revised Statutes. The spe-
5 cific details of the bill propose:

6 1. The creation of the Department of Finance to
7 consist of the following:

- 8 A. Bureau of the Budget;
9 B. Bureau of Accounts and Control;
10 C. Bureau of Taxation;
11 D. Bureau of the Lottery; and
12 E. Bureau of Alcoholic Beverages;

13 2. The creation of the Department of Administra-
14 tion to consist of the following:

- 15 A. Office of Information Services;
16 B. Bureau of Data Processing;
17 C. Bureau of Human Resources, effective July 1,
18 1987;
19 D. Bureau of Employee Relations;
20 E. Bureau of State Employee Health;
21 F. Bureau of Public Improvements;
22 G. Bureau of Purchases;
23 H. Division of Risk Management; and
24 I. Board of Trustees - Group Accident and Sick-
25 ness or Health Insurance;

26 3. The coordination of Data Processing activi-
27 ties throughout State Government under the direction
28 of the Deputy Commissioner of Administration and the
29 Information Services Policy Board to include:

- 1 A. Centralization of purchase or acquisition of
2 data processing equipment, services and software;
- 3 B. Supervision of data processing activities;
- 4 C. Implementation of training programs for data
5 processing personnel, computer program personnel
6 and systems analysts;
- 7 D. Creation of a comprehensive master plan for
8 data processing to include plans developed by
9 each department and agency of State Government;
10 and
- 11 E. Creation of standards of data processing;
- 12 4. The creation of the Information Services Pol-
13 icy Board to serve as a policy-making body with re-
14 spect to data processing and to consist of the fol-
15 lowing:
- 16 A. The Commissioner of Administration;
- 17 B. The Commissioner of Finance;
- 18 C. The Commissioner of Human Services;
- 19 D. The Commissioner of Labor;
- 20 E. The Commissioner of Transportation;
- 21 F. The Deputy Secretary of State, Division of
22 Motor Vehicles;
- 23 G. A representative from the Governor's office;
- 24 H. Two members representing other state agen-
25 cies; and
- 26 I. Two members representing the private sector
27 with experience, knowledge and training in the
28 administration of data processing systems.

29 This board will work with the Deputy Commissioner
30 of Administration, for information services, to es-
31 tablish data processing policies and to monitor data
32 processing activities in State Government. In addi-