

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-TWO

—
H.P. 1199 - L.D. 1610

**An Act To Promote Equity in Policy Making by Enhancing the State's Ability
To Collect, Analyze and Apply Data**

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

Sec. 1. 1 MRSA c. 14-B is enacted to read:

CHAPTER 14-B

DATA GOVERNANCE PROGRAM

§547. Data governance program established

The Secretary of State, or the secretary's designee, and the Chief Information Officer shall establish a data governance program.

1. Implementation. Implementation of a data governance program must include:

- A. Establishing data project priorities;
- B. Ensuring data privacy compliance and that best practices are followed;
- C. Developing data structure policies that ensure the best data quality, alignment and availability across systems; and
- D. Establishing data-sharing policies and agreements.

2. Program requirements. The data governance program must:

- A. Support decision making and improve citizen access to government services;
- B. Promote consistent collection of racial and ethnic demographic data;
- C. Use evidence-based strategies to improve data collection;
- D. Address technology barriers that restrict the ability of state agencies to share data between agencies;
- E. Create models for sharing data with the public and for developing policies to reduce disparities and increase equity;

F. Include records management capabilities and compliance; and

G. Ensure that data sharing and usage complies with state and federal laws, rules and regulations.

3. Consultations. Within 30 days of the effective date of this chapter, and at least quarterly thereafter, the Secretary of State, or the secretary's designee, and the Chief Information Officer shall consult with:

A. The Permanent Commission on the Status of Racial, Indigenous and Tribal Populations established by Title 5, section 12004-J, subsection 19 to discuss how racial equity will be incorporated in the data governance program as well as in all projects related to the program. The consultation must include discussion of methods for building racial equity considerations into every aspect of the data life cycle, including planning, data collection, data access, algorithms, statistical tools, data analysis, reporting and dissemination; and

B. The State Archivist, or the archivist's designee, regarding the development and implementation of the data governance program and to generate a records management and retention plan and program in compliance with Title 5, section 95-C.

4. Report. The Secretary of State, or the secretary's designee, the Chief Information Officer and the Permanent Commission on the Status of Racial, Indigenous and Tribal Populations established by Title 5, section 12004-J, subsection 19 shall jointly report on the status of the program and the consultations under subsection 3 to the joint standing committee of the Legislature having jurisdiction over state and local government matters annually by February 15. The committee may report out a bill based on the report during the legislative session in which the report is received.

Sec. 2. 5 MRSA §282, 2nd ¶, as amended by PL 2011, c. 655, Pt. I, §3 and affected by §11, is further amended to read:

The commissioner may employ such other deputies, division heads, assistants and employees as may be necessary, subject to the Civil Service Law. In addition, the commissioner may employ a Director of Compliance to carry out departmental responsibilities related to: Labor relations and labor contract compliance; human rights and affirmative action compliance; and audit guidelines and other 3rd-party compliance requirements. The Director of Compliance serves at the pleasure of the commissioner. In addition, the commissioner may employ an Associate Commissioner for Tax Policy to supervise and direct the tax policy analysis, guidance and communications activities of the Office of Tax Policy within the Bureau of Revenue Services. The Associate Commissioner for Tax Policy serves at the pleasure of the commissioner. In addition, the commissioner may employ a State Economist to provide economic and demographic data and analysis. The State Economist has the authority to hire staff.

Sec. 3. 5 MRSA §282, sub-§11, as enacted by PL 2017, c. 284, Pt. GG, §3, is amended to read:

11. Economic and demographic analyses. To conduct studies and continuing economic and demographic analyses of the state economy, including economic and demographic forecasting, and collect, collate and analyze all pertinent data and statistics relating to those studies and analyses to assist the Governor, the Legislature and the various state departments in formulating economic goals and programs and policies to achieve

those goals. The commissioner shall make these data and statistics available to the Legislature upon request. All state agencies shall cooperate with the commissioner regarding implementation of the provisions of this subsection. In implementing this subsection, the commissioner may use secondary data made available to the commissioner by other state agencies or other organizations.

Sec. 4. Appropriations and allocations. The following appropriations and allocations are made.

**ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF
Office of the Commissioner - Administrative and Financial Services 0718**

Initiative: Establishes one Public Service Coordinator I position within the Office of the State Economist to conduct demographic analyses and provide the capacity to make data accessible to the public.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	0.000	1.000
Personal Services	\$0	\$98,620
GENERAL FUND TOTAL	<u>\$0</u>	<u>\$98,620</u>

**ADMINISTRATIVE AND FINANCIAL
SERVICES, DEPARTMENT OF
DEPARTMENT TOTALS**

	2021-22	2022-23
GENERAL FUND	\$0	\$98,620
DEPARTMENT TOTAL - ALL FUNDS	<u>\$0</u>	<u>\$98,620</u>

**SECRETARY OF STATE, DEPARTMENT OF
Administration - Archives 0050**

Initiative: Establishes one Data Governance Architect position within the Maine State Archives to advance data governance policies and programs including design and implementation of necessary database and system architecture and facilitate accessibility, equity, privacy and security.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	0.000	1.000
Personal Services	\$0	\$118,328
GENERAL FUND TOTAL	<u>\$0</u>	<u>\$118,328</u>

**SECRETARY OF STATE, DEPARTMENT OF
DEPARTMENT TOTALS**

	2021-22	2022-23
GENERAL FUND	\$0	\$118,328
	<u></u>	<u></u>

DEPARTMENT TOTAL - ALL FUNDS **\$0** **\$118,328**

**STATUS OF RACIAL, INDIGENOUS AND TRIBAL POPULATIONS,
PERMANENT COMMISSION ON THE**

Racial, Indigenous and Tribal Populations Z319

Initiative: Establishes one Public Service Coordinator I position within the Permanent Commission on the Status of Racial, Indigenous and Tribal Populations to coordinate the commission's ongoing consultative role in establishing and enhancing the data governance program.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	0.000	1.000
Personal Services	\$0	\$98,620
GENERAL FUND TOTAL	\$0	\$98,620

**STATUS OF RACIAL, INDIGENOUS AND
TRIBAL POPULATIONS, PERMANENT
COMMISSION ON THE
DEPARTMENT TOTALS**

GENERAL FUND	2021-22	2022-23
GENERAL FUND	\$0	\$98,620
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$98,620

SECTION TOTALS

GENERAL FUND	2021-22	2022-23
GENERAL FUND	\$0	\$315,568
SECTION TOTAL - ALL FUNDS	\$0	\$315,568