

**§535. InforME network manager; contract terms and duties**

**1. Criteria and specifications; contract terms.** The 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 Chief Information Officer shall develop and release a request for proposals to solicit bids from private entities to serve as the network manager. The 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 [PL 1997, c. 713, §1 (NEW).]

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. [PL 2007, c. 37, §4 (AMD).]

[PL 2007, c. 37, §4 (AMD).]

**2. Network manager duties.** The network manager shall:

A. Serve as an agent of the State in carrying out the purposes of InforME; [PL 1997, c. 713, §1 (NEW).]

B. Direct and supervise the day-to-day operations and expansion of InforME, including the initial phase of operations necessary to make InforME operational; [PL 1997, c. 713, §1 (NEW).]

C. Attend meetings of the board; [PL 1997, c. 713, §1 (NEW).]

D. Deposit and disburse funds as directed by the board and service level agreements; [PL 1997, c. 713, §1 (NEW).]

E. Keep a record of all operations of InforME and maintain and be a custodian of all financial and operation records, documents and papers filed with InforME. The records of InforME are the property of the board, not the network manager; [PL 1997, c. 713, §1 (NEW).]

F. Develop fees for the services provided to users, agencies and subscribers, which must meet the provisions of section 534, subsection 5, paragraph G; [PL 2011, c. 321, §11 (AMD).]

G. Develop and regularly update, in cooperation with the data custodians, a draft strategic plan for InforME for presentation to the board. The draft must include proposed measurable performance criteria; [PL 1997, c. 713, §1 (NEW).]

H. Report to the board on a periodic basis concerning potential new data and services and related redacting issues; [PL 1997, c. 713, §1 (NEW).]

I. Seek advice from the general public, subscribers, professional associations, academic groups and institutions and individuals with knowledge of and interest in areas of networking, electronic mail, public information access, gateway services, add-on services and electronic filing of information; [PL 2003, c. 406, §9 (AMD).]

J. Ensure that confidential information is not disclosed by the network manager without the express authorization of the data custodian; and [PL 2003, c. 406, §9 (AMD).]

K. Collect funds for electronic services and information provided and distribute funds collected to the appropriate data custodians or agencies pursuant to section 533, subsection 10; [PL 2003, c. 406, §10 (NEW).]

[PL 2011, c. 321, §11 (AMD).]

**3. Powers.** The network manager may:

A. Negotiate and enter into contracts for professional consulting, research and other services; and [PL 2007, c. 695, Pt. A, §3 (AMD).]

B. To the extent permitted by the service level agreement between the network manager and the data custodian, have access to confidential information if it is necessary to carry out the duties of the network manager or the purposes of InforME. The network manager is subject to the same limitations and penalties as a data custodian concerning the use and disclosure of confidential information. [PL 2007, c. 695, Pt. A, §4 (AMD).]

C. [PL 2007, c. 37, §5 (RP).]  
[PL 2007, c. 695, Pt. A, §§3-4 (AMD).]

#### SECTION HISTORY

PL 1997, c. 713, §1 (NEW). PL 2003, c. 406, §§9,10 (AMD). PL 2003, c. 681, §1 (AMD). PL 2005, c. 12, §SS1 (AMD). PL 2007, c. 37, §§4, 5 (AMD). PL 2007, c. 695, Pt. A, §§3-4 (AMD). PL 2011, c. 321, §11 (AMD).

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