

The Government Evaluation Act

Purpose

The enacting of legislation, review of agency rules, and the appropriation of funds by the Legislature are some of the ways that the Legislature directs and provides oversight of executive branch functions. The Government Evaluation Act (GEA) is another process which establishes a method specifically structured to assist the Legislature with its duty to serve as a check and balance on those who administer the laws of the State. The Act (3 MRSA chapter 35) provides for regular, periodic legislative review of the efficacy and performance of state government agencies and applies to all agencies and governmental entities that receive General Fund money or that are established by statute.

Process

GEA review is conducted by the joint standing committee of jurisdiction. The Act specifies a schedule for the review of agencies, but the reviewing committee may, by 2/3 vote, modify the schedule.

Once a GEA review is initiated by a committee and the committee notifies the agency it intends to go forward with the review (see timeline below), the agency must compile and submit a "program evaluation report," which must include the following (the committee may direct that other information be provided):

- Enabling or authorizing law, including any federal mandates;
- Comparison of agency-relevant federal laws/rules and state laws/agency rules;
- A detailed performance assessment of each program administered by the agency;
- Organizational structure, position count, job classes, organizational flow chart;
- Compliance with federal and state health and safety laws;
- 10-year financial summary;
- Regulatory agenda and summary of rules adopted;
- Efforts to coordinate with other state and federal agencies in achieving program objectives;
- Identification of constituencies served, noting any changes or projected changes;
- Use of alternative delivery systems, including privatization, in meeting goals and objectives;
- Identification of emerging issues;
- Policies on managing personal information, implementation of information technology, and adherence to the fair information practice principles; and
- Detailed information on paperwork required to be filed with the agency by the public and paperwork-reduction efforts.

Review Timeline: First Regular Session

By March 1 st	By April 1 st	By May 1 st	By Nov. 1 st
Committee of jurisdiction requests list of units/ programs of agency subject to review in 2 nd session.	Agency must supply list requested by committee of jurisdiction. Committee reviews list of agencies subject to review in 2 nd session.	Committee notifies agency of intent to review during the 2 nd Regular Session.	Agency must submit the Program Evaluation Report to the committee of jurisdiction.

Review Timeline: Second Regular Session

By February 1st

Committee of jurisdiction must begin its review of agencies scheduled.

By March 15th

Committee must submit to the full Legislature its findings, recommendations and any legislation required to implement recommendations.

Follow-up

Note: The Committee may establish a follow-up review procedure for the agency.

Review Schedule in Current Law for the 127th Legislature by Committee Jurisdiction

Agriculture, Conservation and Forestry

- Maine Dairy and Nutrition Council
- Maine Dairy Promotion Board
- Maine Milk Commission
- State Harness Racing Commission
- Land for Maine's Future Board

Business Research and Economic Development

- Department of Professional and Financial Regulation (*in conjunction with Insurance and Financial Services*)
- Maine State Housing Authority

Criminal Justice

- Department of Public Safety (*except Emergency Services Communication Bureau*)
- The Maine Emergency Management Agency

Education and Cultural Affairs

- Maine Arts Commission
- Maine Historic Preservation Commission
- Maine Historical Society
- Maine Library Commission
- Maine State Cultural Affairs Council
- Maine State Library
- Maine State Museum
- Maine State Museum Commission
- Office of State Historian

Health and Human Services

- No reviews scheduled in law

Inland Fisheries and Wildlife

- Department of Inland Fisheries and Wildlife
- Advisory Board for the Licensing of Taxidermists

Insurance and Financial Services

- Department of Professional and Financial Regulation, (*in conjunction with Business and Economic Development*)

Judiciary

- No reviews scheduled in law

Labor

- Department of Labor

Legal and Veterans' Affairs

- State Liquor and Lottery Commission
- The Department of Administrative and Financial Services (*specific functions relating to liquor*)

Marine Resources

- Lobster Advisory Council
- Maine Sardine Council

Natural Resources

- No reviews scheduled in law

State and Local Government

- Maine Municipal Bond Bank
- Office of Treasurer of State

Taxation

- No reviews scheduled in law

Transportation

- The Bureau of Motor Vehicles within the Department of the Secretary of State in 2015

Utilities and Energy

- Public Advocate
- Board of Directors, Maine Municipal and Rural Electrification Cooperative Agency
- Public Utilities Commission (including the Emergency Services Communication Bureau)
- Telecommunications Relay Services Advisory Council