

The State Government Evaluation Act (GEA)

Purpose

Enacting legislation, reviewing agency rules, and appropriating funds are the most familiar ways in which the Legislature directs and conducts oversight of Executive Branch functions. The State Government Evaluation Act (“GEA” or “the Act”) establishes another method through which the Legislature fulfills its duty to serve as a check and balance on agencies that administer state laws. The Act ([Title 3, chapter 35](#) of the Maine Revised Statutes) provides for regular, periodic review of the performance of certain state agencies and independent agencies that receive General Fund money or that are established by statute.

Process

Each GEA review is conducted by the joint standing committee of jurisdiction. The Act specifies a schedule for conducting reviews of specified agencies and independent agencies (see list of agencies scheduled for review by this Legislature on reverse page) but the reviewing committee may modify this schedule by 2/3 vote.

A committee initiates a GEA review by notifying the agency in writing that it intends to proceed, triggering the agency’s duty to compile and submit a “program evaluation report” by the statutory deadline. This report must include certain types of information specified by the Act ([3 M.R.S.A. §956](#)), although the committee may direct that additional information be provided. Often, committees invite agencies to present their reports at a committee meeting, allowing committee members to pose clarifying questions and seek additional information.

The Act ([3 M.R.S.A. §957](#)) states that, in conducting its analysis of the report, the committee may consider:

- The extent to which the agency operates in accordance with its statutory authority;
- The agency’s degree of success in meeting its goals and objectives for each program;
- The agency’s degree of success in meeting its statutory and administrative mandates; and
- The extent to which the agency has increased or reduced filing and paperwork burdens on the public.

After completing its review and analysis of the report, the Act ([3 M.R.S.A. §955](#)) directs the committee to submit its findings, administrative recommendations and, if applicable, legislation necessary to implement those recommendations, to the Legislature. If it chooses, the committee may also establish in the report a specified time in which the committee will conduct a follow-up review to assess the agency’s progress in meeting the committee’s administrative recommendations.

Important Dates: First Regular Session

By May 1st

Committee must notify the agency of its intent to review the agency during the 2nd Regular Session.

By November 1st

Agency must submit the Program Evaluation Report to the committee.

Important Dates: Second Regular Session

By February 1st

Committee must begin its review of each agency subject to review.

By March 15th

Committee must submit a final report to the full Legislature.

**Statutory Schedule of Agencies to be Reviewed by the 132nd Legislature
by Area of Committee Jurisdiction ([3 M.R.S. §959](#))**

Agriculture, conservation and forestry

- Department of Agriculture, Conservation and Forestry
- Baxter State Park Authority
- Maine Agricultural Bargaining Board

Criminal justice and public safety

- No reviews scheduled for 132nd Legislature

Education and cultural affairs

- Board of Trustees of the University of Maine System
- Board of Trustees of the Maine Maritime Academy
- Maine Community College System

Environment and natural resources

- Department of Environmental Protection
- Board of Environmental Protection

Health and human services

- Department of Health and Human Services

Health coverage, insurance and financial services

- State Employee Health Commission

Housing

- No reviews scheduled for 132nd Legislature

Innovation, development, economic advancement and business

- Finance Authority of Maine

Inland fisheries and wildlife

- No reviews scheduled for 132nd Legislature

Judiciary

- No reviews scheduled for 132nd Legislature

Labor

- Maine Labor Relations Board
- Workers' Compensation Board

Marine resources

- No reviews scheduled for 132nd Legislature

Medical use of cannabis

- No reviews scheduled for 132nd Legislature

Professional licensing of health care professions

- No reviews scheduled for 132nd Legislature

Retirement

- No reviews scheduled for 132nd Legislature

State and local government

- No reviews scheduled for 132nd Legislature

Taxation

- No reviews scheduled for 132nd Legislature

Transportation

- Department of Transportation
- Maine State Pilotage Commission

Utilities and energy

- Telecommunications Relay Services Council

Veterans and legal affairs

- No reviews scheduled for 132nd Legislature