

# 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 modify the schedule by 2/3 vote.

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 certain items specified in law (3 MRSA §956); the committee may direct that other information be provided. After the committee completes its review, it submits its findings and recommendations to the Legislature; the report may include legislation necessary to implement recommendations.

### Important Dates: First Regular Session<sup>1</sup>

#### **By May 1st**

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

#### **By Nov. 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 agencies subject to review.

#### **By March 15th**

Committee must submit to the full Legislature its findings, recommendations and any legislation required to implement its recommendations. Committee may establish a follow-up review procedure for the agency.

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<sup>1</sup> The law also provides that if a committee requests by March 1st in the First Regular Session a list of units and programs of an agency subject to review, the agency must supply that list by April 1st.

## Review Schedule in Current Law for the 128th Legislature by Committee Jurisdiction

### **Agriculture, Conservation and Forestry**

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

### **Business Research and Economic Development**

- Finance Authority of Maine

### **Criminal Justice**

- No reviews scheduled in law

### **Education and Cultural Affairs**

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

### **Health and Human Services**

- Department of Health and Human Services

### **Inland Fisheries and Wildlife**

- No reviews scheduled in law

### **Insurance and Financial Services**

- State Employee Health Commission

### **Judiciary**

- Maine Human Rights Commission

### **Labor**

- Maine Labor Relations Board
- Workers' Compensation Board

### **Legal and Veterans' Affairs**

- No reviews scheduled in law

### **Marine Resources**

- No reviews scheduled in law

### **Natural Resources**

- Department of Environmental Protection
- Board of Environmental Protection

### **State and Local Government**

- No reviews scheduled in law

### **Taxation**

- No reviews scheduled in law

### **Transportation**

- The Department of Transportation
- Maine State Pilotage Commission

### **Utilities and Energy**

- No reviews scheduled in law