

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 Session¹

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.

¹ The Act ([3 M.R.S.A. §955](#)) also provides that the committee may, by March 1st in the First Regular Session, request “a single-page list of organizational units and programs within each organizational unit” from the agency. If a request is made, the agency must supply the list by April 1st of the same year.

Statutory Schedule of Agencies to be Reviewed by the 131st Legislature by Area of Committee Jurisdiction ([3 M.R.S. §959](#))

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

Criminal justice and public safety

- Department of Public Safety, except for the Emergency Services Communications Bureau
- Maine Emergency Management Agency within the Department of Defense, Veterans and Emergency Management

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 coverage, insurance and financial services

- Department of Professional and Financial Regulation, in conjunction with committee having jurisdiction over on innovation, development, economic advancement and business

Health and human services

- No reviews scheduled for 131st Legislature

Housing

- Maine State Housing Authority

Innovation, development, economic advancement and business

- Department of Professional and Financial Regulation, in conjunction with committee having jurisdiction over health coverage, insurance and financial services

Inland fisheries and wildlife

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

Judiciary

- No reviews scheduled for 131st Legislature

Labor

- Department of Labor

Marine resources

- Lobster Advisory Council

Medical use of cannabis

- No reviews scheduled for 131st Legislature

Environment and natural resources

- No reviews scheduled for 131st Legislature

Professional licensing of health care professions

- No reviews scheduled for 131st Legislature

Retirement

- No reviews scheduled for 131st Legislature

State and local government

- Maine Municipal Bond Bank
- Office of the Treasurer of State

Taxation

- No reviews scheduled for 131st Legislature

Transportation

- Bureau of Motor Vehicles within the Department of the Secretary of State

Utilities and energy

- Board of Directors, Maine Municipal and Rural Electrification Cooperative Agency

Veterans and legal affairs

- State Liquor and Lottery Commission
- Department of Administrative and Financial Services with regard to enforcement of law relating to manufacture, importation, storage, transportation and sale of all liquor and laws relating to licensing and collection of taxes on malt liquor and wine
- Bureau or division within the Department of Administrative and Financial Services that administers and enforces the Maine Medical Use of Cannabis Act (committee modified timing of review; statutory schedule is 2025)