

PERIODIC REVIEW AND REVISION OF STATUTORY PROVISIONS

Title 1, chapter 33

STATUTES IDENTIFIED IN GEA PROGRAM EVALUATION REPORT FOR POSSIBLE REVIEW

1. The Program Evaluation Report that a department submits is now supposed to include a list of provisions in the enabling or authorizing statutes that may require legislative review to determine whether the statute should be amended in order to align with:

- Federal law;
- Other Maine law;
- Decisions of the US Supreme Court; or
- Decision of the Maine Supreme Judicial Court.

3 MRSA §956. PROGRAM EVALUATION REPORT

1. Report required. Each agency and independent agency shall prepare and submit to the Legislature, through the committee of jurisdiction, a program evaluation report by a date specified by the committee.

2. Program evaluation report; contents. Each report must include the following information in a concise but complete manner:

...

Q. Identification of provisions contained in the agency's or independent agency's enabling or authorizing statutes that may require legislative review to determine the necessity of amendment to align the statutes with federal law, other state law or decisions of the United States Supreme Court or the Supreme Judicial Court.

2. Committee Analysts will submit reported provisions, and any recommended legislation, to Marion when committee's GEA report complete (no later than March 15th, pursuant to 3 §955, sub-§4). Marion will ensure that ROS and OPLA review the reported provisions, as well as any legislation recommended by the committee of jurisdiction.

3. By November 1st prior to First Regular Session, ROS and OPLA develop a report that lists the statutory provisions that were identified as possibly requiring review and are NOT addressed in legislation by the committee of jurisdiction. Report is submitted to the committee of jurisdiction and the Judiciary Committee.

4. Each committee that receives a report will review it and make recommendations to the Judiciary Committee. The Judiciary Committee can report out legislation to align statutes with federal law, other law and judicial decisions.

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