

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 stator 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 130th Legislature
by Area of Committee Jurisdiction ([3 M.R.S. §959](#))**

Agriculture, conservation and forestry matters

- No reviews scheduled for 130th Legislature

Business, research and economic development matters

- Maine Development Foundation
- Department of Economic and Community Development

Criminal justice and public safety matters

- No reviews scheduled for 130th Legislature

Education and cultural affairs

- Department of Education
- State Board of Education

Health and human services matters

- No reviews scheduled for 130th Legislature

Inland fisheries and wildlife matters

- No reviews scheduled for 130th Legislature

Insurance and financial services matters

- No reviews scheduled for 130th Legislature

Judiciary matters

- No reviews scheduled for 130th Legislature

Labor matters

- No reviews scheduled for 130th Legislature

Legal and veterans affairs

- No reviews scheduled for 130th Legislature

Marine resource matters

- Atlantic States Marine Fisheries Commission
- Department of Marine Resources

Natural resource matters

- Saco River Corridor Commission

Professional licensing of health care professions matters

- No reviews scheduled for 130th Legislature

Retirement matters

- Maine Public Employees Retirement System

State and local government matters

- Maine Governmental Facilities Authority
- State Civil Service Appeals Board
- State Claims Commission

Taxation matters

- No reviews scheduled for 130th Legislature

Transportation matters

- Maine Turnpike Authority

Utilities and energy matters

- Public Utilities Commission, including the
Emergencies Services Communication Bureau