

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

## An Act To Amend the State Government Evaluation Act

Be it enacted by the People of the State of Maine as follows:

**Sec. 1. 3 MRSA §955, sub-§1**, as enacted by PL 1995, c. 488, §2, is amended to read:

**1. Review established.** The committee of jurisdiction shall establish its agency review schedule in accordance with this chapter and upon approval of the necessary resources by the Legislative Council. The committee of jurisdiction shall request from each agency and independent agency scheduled for review under section 959 a single-page list of organizational units and programs within each organizational unit by March 1st of the first regular session of the Legislature. The agency or independent agency shall provide the list to the committee of jurisdiction by April 1st of the first regular session of the Legislature. The committee of jurisdiction shall provide ~~each~~ an agency or independent agency with a written notice of its intent to review ~~an~~ the agency or independent agency by ~~no later than~~ May 1st of the first regular session of the Legislature.

**Sec. 2. 3 MRSA §956, sub-§2, ¶B**, as enacted by PL 1995, c. 488, §2, is amended to read:

B. A description of each program administered by the agency or independent agency, including the following for each program:

- (1) Established priorities, including the goals and objectives in meeting each priority;
- (2) Performance ~~criteria, timetables~~ measures or other benchmarks used by the agency to measure its progress in achieving the goals and objectives; and
- (3) An assessment by the agency indicating the extent to which it has met the goals and objectives, using the performance ~~criteria~~ measures. When an agency has not met its goals and objectives, the agency shall identify the reasons for not meeting them and the corrective measures the agency has taken to meet the goals and objectives;

**Sec. 3. 3 MRSA §956, sub-§2, ¶D**, as enacted by PL 1995, c. 488, §2, is repealed.

**Sec. 4. 3 MRSA §956, sub-§2, ¶F**, as enacted by PL 1995, c. 488, §2, is repealed.

**Sec. 5. 3 MRSA §956, sub-§2, ¶M**, as amended by PL 2001, c. 495, §2, is further amended to read:

M. Agency policies for collecting, managing and using personal information over the Internet and nonelectronically, information on the agency's implementation of information technologies and an evaluation of the agency's adherence to the fair information practice principles of notice, choice, access, integrity and enforcement; ~~and~~

**Sec. 6. 3 MRSA §956, sub-§2, ¶N**, as enacted by PL 2001, c. 495, §3, is amended to read:

N. A list of reports, applications and other similar paperwork required to be filed with the agency by the public. The list must include:

- (1) The statutory authority for each filing requirement;
- (2) The date each filing requirement was adopted or last amended by the agency;
- (3) The frequency that filing is required;
- (4) The number of filings received annually for the last 2 years and the number anticipated to be received annually for the next 2 years; and
- (5) A description of the actions taken or contemplated by the agency to reduce filing requirements and paperwork duplication;

**Sec. 7. 3 MRSA §956, sub-§2, ¶¶O and P** are enacted to read:

O. A list of reports required by the Legislature to be prepared or submitted by the agency or independent agency; and

P. A copy of the single-page list of organizational units and programs within each organizational unit required pursuant to section 955, subsection 1, placed at the front of the report.

**Sec. 8. 3 MRSA §957**, as amended by PL 2001, c. 495, §4, is repealed and the following enacted in its place:

**§ 957. Committee analysis and recommendations; authority**

For each agency or independent agency or a component part of each agency or independent agency subject to review pursuant to section 952, the committee of jurisdiction may conduct an analysis and evaluation that may include, but need not be limited to, an evaluation of the program evaluation report submitted pursuant to section 956, subsection 1, including:

**1. Statutory authority.** The extent to which the agency or independent agency operates in accordance with its statutory authority;

**2. Goals and objectives.** The degree of success in meeting the agency's or independent agency's goals and objectives for each program, including population served;

**3. Statutory and administrative mandates.** The degree of success achieved by the agency or independent agency in meeting its statutory and administrative mandates; and

**4. Filing requirements.** The extent to which the agency or independent agency has increased or reduced filing requirements and paperwork duplication burdens on the public.

In consultation with the Legislative Council, the committee of jurisdiction shall select agencies or independent agencies for review either in accordance with the scheduling guidelines provided in this chapter or at any time determined necessary by the committee.

## SUMMARY

The State Government Evaluation Act requires each agency and independent agency to prepare and submit to the Legislature, through the relevant joint standing committee of the Legislature, a program evaluation report. This bill requires the joint standing committees to request from each agency or independent agency under their jurisdiction a single-page list of organizational units and programs in each organizational unit for that report by March 1st of the first regular session of the Legislature. The bill also requires that an agency or independent agency provide the list to the committee by April 1st of the first regular session of the Legislature. The bill also requires an agency or independent agency to include in the program evaluation report a list of all reports required by the Legislature and a copy of the single-page list.

The bill also eliminates the requirement that an agency or independent agency include in the program evaluation report information about being in compliance with federal and state health and safety laws and a summary of rules adopted.