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ONE HUNDRED AND TWENTY-FIRST LEGISLATURE
COMMITTEE ON LEGAL AND VETERANS' AFFAIRS

MEMORANDUM

March 25, 2004

TO: The Honorable Beverly Daggett
President of the Senate

The Honorable Patrick Colwell
Speaker of the House of Representatives
121st Legislature
State House
Augusta, ME 04333

FROM: Senator Kenneth Gagnon
Representative Joseph Clark
Joint Standing Committee on Legal and Veterans' Affairs

RE: Government Evaluation Act Review of the Department of Defense, Veterans, and
Emergency Management

Dear Madam President and Mr. Speaker:

This is to inform you that the Joint Standing Committee on Legal and Veterans' Affairs has completed its review and evaluation of the Government Evaluation Act Report submitted by the Department of Defense, Veterans, and Emergency Management under the State Government Evaluation Act to the Legislature pursuant to Title 3 Maine Revised Statutes, chapter 35. The Legal and Veterans' Affairs Committee finds that the Department of Defense, Veterans and Emergency Management presented an adequate report and is operating within its statutory authority and is performing effectively to carry out its statutory mandates.

cc: Department of Defense, Veterans, and Emergency Management
David Elliott, Director, Office of Policy and Legal Analysis

JOINT STANDING COMMITTEE ON LEGAL AND VETERANS' AFFAIRS

Review of the Department of Defense, Veterans and Emergency Management

The Government Evaluation Act

The Government Evaluation Act ("Act") provides for a system of periodic review of the efficacy and performance of state government agencies. The review of an agency's finances and programs must include a review of agency management and organization, program delivery, goals and objectives, statutory mandates and fiscal accountability (3 MRSA § 951 et seq). The law was enacted in the 117th Legislature to replace the old Government Audit and Program Review Program and substituted a legislative audit of each agency on a rotating basis with an agency self-assessment.

The keystone to the Act is the agency program evaluation report, which consists of a number of components required by the statute. Essentially, the report is an agency self-assessment that the committee of jurisdiction uses as a starting point for its evaluation of the agency's effectiveness, efficiency and performance. The components that must be included in the report are: the agency's enabling state and federal legislation; program descriptions; organizational structure, position count and job classifications; compliance with federal and state health and safety laws; ten-year financial summaries; regulatory agenda; coordinated efforts with other state agencies; constituencies served by the agency; alternative delivery systems; and emerging issues for the agency.

Review Process

The Government Evaluation Act required that the Department of Defense, Veterans and Emergency Management present its report for review during the Second Session of the 120th Legislature. Citing the events of September 11, 2001 and the increased responsibilities imposed upon it, the Department requested that they be granted an extension of their reporting date. The request was made to the Legal and Veterans' Affairs Committee who forwarded the request to the Presiding Officers of the Legislature. The extension request was approved and the Department submitted its report for review during the Second Regular Session of the 121st Legislature.

The Legal and Veterans' Affairs Committee conducted its review during one meeting held on March 9, 2004. At the meeting the committee reviewed the material submitted by the Department and discussed its role protecting the lives, property and welfare of the people of Maine by maintaining the Nation Guard, providing services to veterans and coordinating emergency management.

Findings of Review

The Legal and Veterans' Affairs Committee finds that the Department of Defense, Veterans and Emergency Management presented an adequate report and is operating within its statutory authority and is performing effectively to carry out its statutory mandates.