

# MAINE STATE LEGISLATURE

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# 115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

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Legislative Document

No. 1860

S.P. 695

In Senate, May 16, 1991

Reference to the Committee on Audit and Program Review suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator BUSTIN of Kennebec  
Cosponsored by Representative FARNSWORTH of Hallowell.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND NINETY-ONE

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**An Act to Require the Preparation of Impact Statements.**

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

4 3 MRSA c. 35 is enacted to read:

6 CHAPTER 35

8 IMPACT STATEMENTS

10 §1001. Definitions

12 As used in this chapter, unless the context otherwise  
indicates, the following terms have the following meanings.

14 1. Agency. "Agency" means an agency or independent agency  
subject to review under chapter 33.

16 2. Committee. "Committee" means the joint standing  
committee of the Legislature having jurisdiction over audit and  
program review matters.

20 3. Impact. "Impact" is the benefit, result or outcome of  
the operation of a government program or service. "Impact"  
includes the effect attributable to the operation of a program or  
service. A program or service may be operated to cause more than  
one specific type of impact. An impact is expected to be  
positive or constructive for the constituency that the service or  
program is designed to benefit.

28 §1002. Impact statements

30 At least once in each biennium, the director of an agency  
shall prepare an impact statement to evaluate the extent to which  
the agency's programs and services are achieving the goals of the  
agency and the efficiency of those programs and services. The  
impact statement must contain the following information:

36 1. Programs and services provided. The programs and  
services provided by the agency, the agency's goals in providing  
its programs and services and the degree to which the goals are  
being achieved;

42 2. Public benefit. A report of the impact of each program  
and service of the agency that identifies the specific public  
benefit of each program and service and whether the program or  
service serves a broad-based or limited interest and that  
aggregates, to the extent practical, the relation of the impact  
obtained by each program and service to the agency's general  
mission;

2       3. Services not provided. The needs, problems and  
opportunities not addressed by the agency's programs and services  
4       to the extent that the needs, problems and opportunities are the  
responsibility of the agency and any new programs and services  
5       proposed to address those needs, problems and opportunities;

6  
7       4. Coordination. The extent of the agency's coordination  
8       with other agencies providing similar programs and services and  
9       recommendations, if any, for further coordination;

10  
11       5. Alternatives. Alternate courses of action for providing  
12       the agency's programs and services in a more effective and  
13       efficient manner; and

14  
15       6. Nonprovision; impact. The impact, including the  
16       immediate and long-term costs, of not providing the agency's  
17       programs and services.

18  
19       The acquisition of data used as the basis for ascertaining  
20       the impact of a program or service must be conducted as a routine  
21       and regular element of the agency that delivers the program or  
22       service or by such other component of the agency that performs  
23       data acquisition, evaluation and dissemination functions as an  
24       internal service operation.

25       **§1003. Submission of impact statements**

26  
27       The director of an agency shall submit the impact statement  
28       required by section 1002 to the Governor according to a schedule  
29       established by the Governor and to the committee according to a  
30       schedule established by the committee.

31  
32       When any standing or select committee of the Legislature  
33       considers legislation that may alter the ability of an agency to  
34       maintain current achievement of program or service goals:

35  
36       1. Request by committee. The standing or select committee  
37       may request an impact statement with respect to the issue at  
38       hand; and

39  
40       2. Submission by agency. The agency may submit an impact  
41       statement with respect to the issue at hand as part of the  
42       agency's presentation regarding that issue.

43       **§1004. Role of department**

44  
45       1. Criteria for statement preparation. The Department of  
46       Audit, in consultation with the committee and the Office of  
47       Fiscal and Program Review, shall establish impact specifications  
48       for each program and service of each agency. Any agency may  
49       request a copy of the specifications.  
50

2 submit proposed impact specifications for consideration by the  
3 Department of Audit. The impact specifications for any program  
4 or service must include:

5 A. The identification of each impact attributable to the  
6 operation of the program or service;

7 B. The scale used to measure the impact;

8 C. The procedure used to infer impact if it is not directly  
9 measurable;

10 D. Any factors in the environment of program or service  
11 operation that mitigate against achieving a higher value of  
12 impact; and

13 E. The optimal value of impact that could possibly be  
14 achieved.

15 2. Compilation of information. The Department of Audit, in  
16 consultation with the Office of Information Services, shall  
17 establish a format for the presentation of the information  
18 required by section 1002. The format must be suitable for use in  
19 presenting both cost and impact information for:

20 A. Existing programs and services;

21 B. Existing programs and services after proposed revisions,  
22 upgrades and restructuring; and

23 C. Proposed new programs and services.

24 3. Audit and analysis. The Department of Audit shall audit  
25 the impact statements as part of the audit process and provide  
26 administrative services to the committee to assist the committee  
27 in analyzing the impact statements.

## 28 STATEMENT OF FACT

29 The purpose of this bill is to establish impact measurement,  
30 evaluation and reporting to serve as a foundation for enabling  
31 the Legislature to judge the relative value of any program or  
32 service. The bill requires all state agencies to prepare impact  
33 statements for the purpose of evaluating the extent to which the  
34 agencies' programs and services are achieving their goals and the  
35 efficiency of state agencies in conducting their programs and  
36 services. The bill requires agencies to submit the impact  
37 statements to the Governor and the Joint Standing Committee on

2 Audit and Program Review. The Department of Audit is required to  
develop criteria to be used by agencies to conduct evaluations  
4 and a system for compiling the information required for the  
evaluations. The Department of Audit also is required to audit  
6 the impact statements and assist the Joint Standing Committee on  
Audit and Program Review in analyzing the impact statements.