

MAINE STATE LEGISLATURE

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R.O.S

L.D. 51

DATE: 5-14-03

(Filing No. H-361)

STATE AND LOCAL GOVERNMENT

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
121ST LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 59, L.D. 51, Bill, "An Act to Amend Certain Provisions of the Program Evaluation and Government Accountability Laws"

Amend the bill by inserting after the enacting clause and before section 1 the following:

Sec. 1. 3 MRSA §992, sub-§5, as enacted by PL 2001, c. 702, §2, is amended to read:

5. Program evaluation. "Program evaluation" means an examination of any government program that includes performance audits, management analysis, inspections, operations or research or examinations of efficiency, effectiveness, or economy and, when determined necessary by the committee, financial audits and post-audits. All financial audits and post-audits must be performed by the Department of Audit or, if the Department of Audit is unable to perform the audit within the time frame established by the committee to complete the report, a qualified auditor.

Sec. 2. 3 MRSA §992, sub-§5-A is enacted to read:

5-A. Qualified auditor. "Qualified auditor" means an auditor who meets the education and experience requirements of the Office of State Auditor as defined in Title 5, section 241.

Sec. 3. 3 MRSA §994, sub-§10, as enacted by PL 2001, c. 702, §2, is amended to read:

COMMITTEE AMENDMENT

R. of S.

COMMITTEE AMENDMENT "A" to H.P. 59, L.D. 51

2 **10. Adopt rules.** To adopt rules, as long as the rules are
not in conflict with the Joint Rules of the Legislature. By
4 January 1, 2005, the committee must develop a mission statement
to be included in the rules.'

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Further amend the bill by relettering or renumbering any
8 nonconsecutive Part letter or section number to read
consecutively.

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SUMMARY

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This amendment requires all financial audits and post-audits
to be performed by the Department of Audit. If the department is
16 unable to conduct the audit within the time frame established by
the joint legislative committee established to oversee program
18 evaluation and government accountability matters, a qualified
auditor must perform the financial audit or post-audit. It also
20 requires the committee to develop a mission statement by January
1, 2005.

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FISCAL NOTE REQUIRED
(See attached)

COMMITTEE AMENDMENT



**121st Maine Legislature
Office of Fiscal and Program Review**

LD 51

**An Act to Amend Certain Provisions of the Program Evaluation and
Government Accountability Laws**

LR 0456(02)

Fiscal Note for Bill as Amended by Committee Amendment " "

Committee: State and Local Government

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund

Fiscal Detail and Notes

Current funding for the Office of Program Evaluation and Government Accountability has been completely eliminated for fiscal years 2003-04 and 2004-05. While the Joint Rules of the 121st Legislature establishes the oversight committee, no appointments have been made. Whether or not the 122nd Legislature will establish the oversight committee is not known. Therefore, it may not be possible for the committee to develop a required mission statement by January 1, 2005.