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STATE OF MAINE

ONE HUNDRED AND TWENTY-SECOND LEGISLATURE

COMMITTEE ON NATURAL RESOURCES

March 16, 2006

The Honorable Beth Edmonds
 President of the Senate
 The Honorable John Richardson
 Speaker of the House of Representatives
 122nd Legislature
 State House
 Augusta, ME 04333

Dear Madam President and Mr. Speaker

Pursuant to Title 3 Maine Revised Statutes, chapter 35, we are pleased to submit the findings of the Joint Standing Committee on Natural Resources from the review and evaluation of the Advisory Commission on Radioactive Waste and Decommissioning under the State Government Evaluation Act. In its review, the Committee found that the Commission has operated within its statutory authority.

Sincerely,

A handwritten signature in black ink, appearing to read 'Scott W. Cowger'.

Senator Scott W. Cowger
 Senate Chair

A handwritten signature in black ink, appearing to read 'Ted S. Koffman'.

Representative Ted S. Koffman
 House Chair

cc: Patrick Norton, Director, Office of Policy and Legal Analysis
 Dora A. Mills, Director, Maine Center for Disease Control and Prevention

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JOINT STANDING COMMITTEE ON NATURAL RESOURCES
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**Review of the Advisory Commission on Radioactive
Waste and Decommissioning
Pursuant to the Government Evaluation Act**

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 law, enacted in the 117th Legislature to replace the Government Audit and Program Review Program, substitutes a legislative audit of each agency 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 statutes; 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; emerging issues for the agency; comparison of state laws to federal laws; policies regarding use of personal information; and public filing requirements.

Review Process

Pursuant to the requirements of the Act, the Joint Standing Committee on Natural Resources notified the Advisory Commission on Radioactive Waste and Decommissioning of its intent to review the Commission. The Commission submitted its Program Evaluation Report on January 18, 2006. The Committee held a worksession on the report on January 31, 2006. At the worksession, Jay Hyland, Program Manager of the Radiation Control Program at the Department of Health and Human Services reviewed the Commission's report with the Committee. The Department of Health and Human Services provides staff support to the Commission.

Findings of Review

The Advisory Commission on Radioactive Waste and Decommissioning is charged with advising the Governor, the Legislature and other pertinent state agencies and entities on matters relating to radioactive waste management and decommissioning of nuclear power plants and providing information to the public and creating opportunities for public input in order to facilitate public understanding of radioactive waste and decommissioning issues. Pursuant to statute (38 MRSA §1453-A, sub-§7) the Commission terminates no later than June 30, 2006, unless continued or modified by law.

The Joint Standing Committee on Natural Resources finds that the Advisory Commission on Radioactive Waste and Decommissioning has operated within its statutory authority and that the Commission has effectively performed the duties required by statute. The Committee also finds that the charge of the Department of Health and Human Services includes duties that would otherwise be undertaken by the Commission and therefore, the Committee supports termination of the Commission pursuant to 38 MRSA §1453-A, sub-§7.