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MAINE STATE LEGISLATURE

OFFICE OF PROGRAM EVALUATION AND
GOVERNMENT ACCOUNTABILITY

Date: December 17, 2025

To: Government Oversight Committee

From: 
Peter Schleck, Director

Re: Proposed Provisional Scoping of Maine Seed Potato Certification Program Review

The following provisional¹ scope of work is respectfully submitted for the consideration and approval of the Government Oversight Committee (GOC) at today's meeting.

Maine Seed Potato Certification Program

OPEGA endeavored to prepare this proposed scope consistent with the general framework suggested by the Senate and House Chairs of the Judiciary Committee in their presentation to the GOC on September 17, 2025. The proposed scope is as follows:

- what are the purpose(s) and authorit(ies) of the Maine Seed Potato Certification Program (the program);
- how is the program funded?
- to what extent do key constituencies understand the purpose(s) and limitation(s) of the program, including:
 - whether the program is designed, intended, or mandated such that a completed inspection somehow provides a warranty that the seed is fit for a particular purpose and for any particular period of time; and/or
 - to what extent is the program designed, intended, or mandated to be a form of insurance for the seed owner;
- to what extent have required inspections taken place, and taken place timely;
- what are the reasons, if any, for any inspections not taking place, or not taking place timely, and when did this occur, if at all (including the possible impact, if any, of COVID);
- how does the State ensure that inspectors are adequately trained;

¹ OPEGA would return to the Committee to seek approval if additional information or further developments suggest proposing a revised scope of work.

- how does the State otherwise ensure that inspectors perform effective tests;
- to what extent are there reliable indicators that tests have failed to detect disease;
- how are tests conducted and documented (e.g., visually, through laboratory analysis); and
- how and when, if at all, are test results shared with seed owners and do seed owners have any rights or recourse regarding the program?

Thank you, kindly, for your consideration.

Committee Amended December 17, 2025

The Committee Members voted to add the following to the proposed scope:

- 1. What remedies exist if an inspection does not occur.**
- 2. The Committee has authorized OPEGA to consider during the review whether there are indicators of any inspector-specific impediments to effective inspections.**