

Government Oversight Committee
(Joint Legislative Committee on Program Evaluation
and Government Accountability)

Meeting Summary
March 28, 2005

CALL TO ORDER

The Co-chair, Senator Gagnon, called the meeting to order at approximately 4:10 p.m. in the Labor Committee Room.

ROLL CALL

Senators: Sen. Gagnon, Sen. Dow, Sen. Raye
Absent: Sen. Courtney, Sen. Perry, Sen. Mitchell (Sen. Courtney and Sen. Mitchell joined the meeting in progress)

Representatives: Rep. Dugay, Rep. Canavan, Rep. Collins, Rep. Crosthwaite, Rep. O'Brien, Rep. Trahan

Legislative Officers: Beth Ashcroft, Director, Office of Program Evaluation and Government Accountability

Guest Speakers: Linda Pistner, Chief Deputy, Attorney General's Office

SUMMARY OF March 14th MEETING

The Committee did not request any changes.

REPORT FROM OPEGA DIRECTOR

Director Ashcroft briefed the Committee on the status of the Office start up activities. In regards to the open positions, she reported that she had hired an Administrative Secretary who would be starting work on April 6th. She also reported that interviews for the Principal Analyst position were planned for Friday, April 1st and the week of April 4th.

In regards to office space, Director Ashcroft told the Committee that she was expecting to move into the office space in Room 107 this week.

The Director briefed the Committee on her meeting with John Turcotte of TPACT Consulting. In discussing the OPEGA statute with Mr. Turcotte, who assisted with the drafting, the Director discovered that there is no requirement for OPEGA work papers to become public documents. The statute requires that final report be a public document and also gives the Director latitude to share the working papers with the entity being evaluated as appropriate. However, other than this, the work papers remain confidential documents even after the evaluation is completed. The Director indicated she was pleased to discover this as

she feels the ongoing confidentiality of those working papers will be critical to gaining the cooperation of those who may get interviewed as part of an evaluation process.

Lastly, the Director briefed the Committee on the potential impacts to the Committee and to OPEGA of the Part OOO Budget Amendment and LD 798. Sen. Gagnon told the Committee that the language in the Part OOO Budget Amendment was being revised in a Technical Amendment through the House Chair. The revision, in effect, negates the requirement for OPEGA to review the slate of economic development programs by a particular date and instead makes it an area of evaluation that OPEGA “may” address at the Committee’s direction. Rep. Trahan and Sen. Raye expressed their appreciation to Sen. Gagnon and Rep. Dugay for the assistance in getting the technical amendment submitted so that the Committee would still have discretion in directing what OPEGA should evaluate.

Regarding LD 798, Rep. Trahan said that he had also heard the comments made by the sponsor of this bill during the public hearing and had similar concerns to those voiced by the Director. He noted that the responsibilities and oversight of any Sunset Reviews that might ultimately be needed should be structured to avoid duplication of efforts with OPEGA. The working session for LD 798 is scheduled for Wed. afternoon and Rep. Trahan indicated he would be proposing that the bill be held over for further research and discussion.

OLD BUSINESS

Sen. Raye asked Rep. Crosthwaite what the status of LD 245 was. Rep. Crosthwaite responded that Director Ashcroft had attended the work session as had the State Auditor and the State Controller. Prior to the bill being addressed in work session, those three parties had agreed on some wording changes to the proposed legislation which removed some ambiguity, strengthened OPEGA’s position and also clarified that there would be coordination between OPEGA, the State Auditor and the State Controller in the case of an “immediate review”. The State Controller proposed the revised language and the Joint Standing Committee on State and Local Government voted that the bill “Ought to Pass”.

UNFINISHED BUSINESS

Linda Pistner of the AG’s Office reviewed with the Committee the briefing paper she had prepared on the confidentiality provisions of the OPEGA statute.

Rep. Dugay asked questions regarding the Child Protection statutes and discussion ensued around confidentiality and Dept. of Health and Human Services functions and records.

Other questions from the Committee were answered by Ms. Pistner.

Ms. Pistner mentioned that she was still working on standard language the Committee had requested for use when they wanted to go into Executive Session and would be getting that language to the Committee shortly.

NEW BUSINESS

The Committee reviewed the draft of the Legislative Interest survey that the Director had prepared. Some minor changes were suggested which the Director will make prior to issuing the survey.

Senators Gagnon and Mitchell suggested that each of the Joint Standing Committee's should also get a survey to fill out as a committee, perhaps through the Joint Standing Committee Chairs. The Committee agreed this would be helpful.

The Committee briefly discussed the process for a Government Oversight Committee member or other legislator to bring an issue forward and the idea of formalizing this process further.

Director Ashcroft committed to distributing the survey by Wednesday of this week. The Committee decided the legislators should be given two weeks to return the survey and suggested that the Director issue a reminder part way through the two week period.

SCHEDULE NEXT COMMITTEE MEETING

The next Committee meeting is tentatively scheduled for Monday, April 4, 2005 at 4:00 pm in the Labor Committee Room. The Chairs requested that other Committee members make them aware of any potential agenda items.

ADJOURNMENT

The meeting was adjourned at 5:05 p.m.