



SEN. DEBORAH L. SIMPSON, CHAIR  
REP. DAWN HILL, CHAIR

MEMBERS:

SEN. RICHARD A. NASS  
SEN. JOSEPH C. BRANNIGAN  
SEN. BILL DIAMOND  
SEN. EARLE L. MCCORMICK  
SEN. DAVID TRAHAN  
REP. EVERETT W. MCLEOD, SR.  
REP. BRUCE A. BICKFORD  
REP. DAVID C. BURNS  
REP. PEGGY A. PENDLETON  
REP. MARGARET R. ROTUNDO

MAINE STATE LEGISLATURE  
GOVERNMENT OVERSIGHT COMMITTEE

**MEETING SUMMARY**  
**January 22, 2010**  
**Accepted February 19, 2010**

**CALL TO ORDER**

The Chair, Senator Simpson, called the Government Oversight Committee to order at 9:45 a.m. in the Burton Cross Building.

**ATTENDANCE**

Senators: Sen. Simpson, Sen. Nass, Sen. Brannigan, Sen. Diamond, Sen. McCormick, and Sen. Trahan

Representatives: Rep. Hill, Rep. McLeod, Rep. Rotundo, Rep. Pendleton, and Rep. Burns,  
Absent: Rep. Bickford

Legislative Officers and Staff: Beth Ashcroft, Director of OPEGA  
Etta Begin, Adm. Secretary, OPEGA

**INTRODUCTION OF GOVERNMENT OVERSIGHT COMMITTEE MEMBERS**

Members of the Government Oversight Committee introduced themselves for the benefit of the listening audience.

**SUMMARY OF THE DECEMBER 14, 2009 GOC MEETING**

**Motion:** That the Meeting Summary of December 14, 2009 be accepted as written. (Motion by Rep. McLeod, second by Sen. Nass, unanimous).

**NEW BUSINESS**

• **OPEGA 2009 Annual Report on Activities and Performance**

Director Ashcroft explained that she had publicly released OPEGA's Annual Report on January 14<sup>th</sup> as it was due by statute on January 15<sup>th</sup>. She noted that her preference would have been to get it to the GOC before then but the Committee meeting for January 8<sup>th</sup> had been cancelled.

Director Ashcroft said she briefed the Legislative Council at their meeting on January 21<sup>st</sup>.

Director Ashcroft briefed the GOC on the three parts of the Report

### 1. Statistics for OPEGA over the last 5 years

In the work OPEGA does, it advocates for other agencies to be providing the kind of information contained in this section of the report to the Legislature. This type of information on inputs, outputs and outcomes is needed in order to make some assessment of cost benefit or cost effectiveness of government functions. The Director has provided this information to the GOC and Legislature for their use in assessing OPEGA and to be a model that others might follow in terms of the kind of information that might be available and important for legislators.

### 2. Performance on Strategic Plan Objectives

The second section of the report illustrates OPEGA's progress in achieving the shorter-term objectives that are set forth in the Strategic Plan that the GOC approved and OPEGA implemented. In a well managed function, there are short term objectives that are supposed to drive toward longer term goals and there are performance measures set to try to determine whether those objectives are being achieved.

GOC members asked questions and had comments that included:

GOC: Rep. Burns asked why there was such differences in 2007 in the Obj. A.1, Table regarding the percent of reports actively considered by the Legislature within one year of the report release.

OPEGA: Director Ashcroft said the subjects vary from year-to-year and the state of things OPEGA finds when it goes in to review. OPEGA makes recommendations for management or recommendations for the Legislature. In the 2007 audits, a lot of the recommendations were to management but policy committees were also asking OPEGA to do a presentation of the report before their committees. In 2008, some of OPEGA's reports were released during the legislative interim and the Legislature was dealing with budget crises. Even though OPEGA was making recommendations for legislative action, those reports were not getting as much attention in the policy committees.

GOC: Sen. Diamond referred to the following in the Report – "Two of OPEGA's 2008 reports were released after the 123<sup>rd</sup> Legislature had adjourned and had not been acted on by the Legislature as of our last annual report. However, in recent months results from both of those reports have been presented to the Appropriations and Financial Affairs Committee (AFA) as offering potential opportunities for financial savings. AFA's consideration of the information in these reports did not occur within one year of the reports' release". He asked the Director to be more specific of what the financial savings were and what AFA did not react to.

OPEGA: Director Ashcroft said earlier in the year when AFA was first getting started on the streamlining effort, she had been asked by Maureen Dawson, Analyst, Office of Fiscal and Program Review (OFPR) to review for AFA what might be in OPEGA's past reports that could offer opportunities for savings. The Director gave a summary of what those items were. AFA asked her to come back to prioritize which of those areas she thought might be more fruitful to work on. AFA did consider these areas. However, because that consideration did not occur within a year of the release of those reports, she did not count them as actively considered for purposes of this measure as the one year time frame was the criteria for meeting this measure. It does mean, though, that 100% of the 2008 reports were ultimately considered by the Legislature and that is also noted in the Annual Report.

GOC: Sen. Diamond said he felt the language in the Annual Report gave the impression that OPEGA presented ideas, that AFA did not react to them, and therefore, lost the financial issues. Sen. Diamond said AFA did ask OPEGA to come back with specific ways to save money and OPEGA was going to do that. He felt the language was misleading.

OPEGA: Director Ashcroft said that was definitely not her intent. She was trying to say AFA's consideration of that information did not come within the one year time frame. Director Ashcroft said AFA did actively consider it and asked OPEGA to take the action on what it considered. She said she did not count it as a report that was actively considered in 2008 because that whole process did not happen within the year set for OPEGA's benchmark. Director Ashcroft apologized for the confusion.

GOC: Sen. Trahan said he could not think of any department in state government that went under the scrutiny or evaluation that OPEGA is going through in connection with this Annual Report. He said that if every department had to be scrutinized through the Government Evaluation Act (GEA) to the level that this report has been scrutinized, Maine would have a very efficient government. Sen. Trahan said he feels things are moving in a direction that he is not comfortable with, and that he has noticed a pattern when reviews are being conducted. Legislators are asking OPEGA what they actually saved. From his perspective many of these agencies, when under review, make changes before the report is released to achieve the savings so OPEGA does not get the credit for the savings. He said the GOC has to understand that before criticizing OPEGA for not finding savings. This is a much different process than what has been used in the past and it still may achieve significant savings, they just may not be reflected in OPEGA's actual findings.

GOC: Rep. Rotundo said, as a member of the AFA and having had the opportunity to work with the departments looking at cost savings, she felt the summary of OPEGA's impact for projects completed as of December 31, 2009, particularly in regard to cost avoidance, are things the departments were working on prior to the start of the review. She gave the example of MECMS. From her perspective, there is so much pressure at this point on all of the departments, that they are looking for savings wherever they can find them and she thinks the GOC has to be careful in terms of OPEGA's role.

OPEGA: Director Ashcroft referred the GOC back to Table 1 in the Report. She said she gave a lot of thought to comments Rep. Rotundo had made last year around this matter of how to report fiscal impacts from OPEGA's reviews. In an attempt to try to make it clearer what the fiscal impact information represented, she tried to talk about it differently in this year's Report. She would appreciate the Committee's feedback whether she had succeeded in being clearer about what these dollar amounts represent.

Director Ashcroft referred the GOC to page 5. She explained that what she was trying to relay here is that there are fiscal impacts associated with the weaknesses that OPEGA identifies through some of the reviews. Those weaknesses, to the degree they exist and need to be corrected, do have some fiscal impacts to the State. She said she did not try to cast past avoided costs as opportunities for actual future cost savings. The amount shown in the Report for past costs that could have been avoided is to try to impress upon anyone, that unless the weaknesses identified through the review are fixed, the State is at risk for incurring again in the future the kinds of unplanned costs that were associated with those weaknesses. We could have avoided those costs in the past had there been proper systems in place. The number is not meant to imply that OPEGA is trying to take credit for cost savings of things in the past that could have been avoided. It is meant to make it clear that we have a situation that really should be addressed if we want to make sure we don't incur future costs that we did not plan for. Rep. Rotundo's observation is correct in that, to some degree the departments already knew of some of the weaknesses, the costs had already been incurred and they are not something that you can say are

- future savings. The idea, however, is that if we don't correct it, we are at risk for experiencing the same things in the future.
- GOC: Rep. Rotundo said in many of the instances the departments had already recognized their weaknesses and were addressing them.
- GOC: Sen. Trahan said if you only look at the value of OPEGA in the money that it saves or potential costs avoidance in the future that does not reflect the difference in the types of studies that are conducted. He gave the example of Senator Elizabeth Mitchell, who was chair of the GOC and had a priority of looking at Riverview. That review had nothing to do with saving money as much as it did with saving lives. That review's value could not be measured in dollar amounts, but in treating of mental health patients that were served by Riverview. Sen. Trahan said he is both troubled and concerned that the GOC may be looking at OPEGA in its value of how many dollars it saved, and not at all its other purposes.
- OPEGA: Director Ashcroft addressed Sen. Diamond's point and said she does feel that AFA actively considered those reviews. Because OPEGA set itself a one year time frame for the measure, she did not want to take credit for meeting that target.
- GOC: Sen. Diamond said he wanted to make sure people did not have the impression that AFA did not react to OPEGA's reviews and thanked the Director for her explanation.
- GOC: Sen. Nass referred to the indicators of overall outcomes in Table 1 and noted there was a large amount of activity on the website, but he questioned how many legislators are paying attention. He noted that only 15 hard copies of the reports were distributed and 2 audio recordings and said as a group they have not been successful in getting legislators to pay attention to what the GOC and OPEGA are doing.
- OPEGA: Director Ashcroft said there are reports in the Law and Legislative Reference Library and legislators are made aware of that, but she did not know the number of legislators accessing them through those means. Director Ashcroft said Sen. Nass' point is well taken. This is still a challenge that OPEGA needs to work on - how to communicate the information most quickly and easily to legislators and how to make it useable for them. She said unfortunately OPEGA was not able to experiment with new ways to reach Legislators as much as she had hoped, due to other priorities, but she hopes in the year ahead to find ways to make that happen.
- GOC: Sen. Brannigan said that the work being done is not rich enough, exciting enough or is not to the point people really want it.
- GOC: Sen. McCormick asked how often the Director was invited to make a presentation of a report to the committees of jurisdiction.
- OPEGA: Director Ashcroft said it seemed to depend on whether the request for the review had come from the policy committee. She gave the example of the Transportation Committee and its request for the review of Highway Fund eligibility by the Department of Public Safety. The Transportation Committee used the information from OPEGA's report quite extensively in their work regarding whether they should change the percentage of funding that comes from the Highway Fund. Director Ashcroft said the Economic Development Report is another example. The request came from AFA and that report is still being referred to in legislative discussions. She believes the level of interest is related to where the request came from and the time that committees have available to consider the reports.
- GOC: Sen. Trahan said often times requests would come from an individual legislator who had a special interest in an issue and then the Committee reflected that same concern once it was brought to their attention. He agrees there needs to be a better connection and that is something that OPEGA

and the GOC need to correct. He thinks the GEA could be the bridge that the GOC needs to make OPEGA more effective and get the committees of oversight involved in the work.

GOC: Rep. Burns agreed with Sen. Trahan and said the policy committees have to see OPEGA as an asset rather than someone who is going to usurp their power. He said that is not what OPEGA is about and they should see OPEGA as another process to oversee State government just as policy committees do. Rep. Burns said if they can get over that hurdle, legislators may pay attention to what information OPEGA is putting out.

OPEGA: Director Ashcroft said the GOC and OPEGA had been interested in supporting the policy committees so when a request comes from a policy committee they tried to accommodate the request. An example is the Fund for Healthy Maine review which came from the policy committee and the GOC wanted to honor the request. At the Legislative Council meeting Speaker Pingree said sometimes committees referred a request to OPEGA because they did not want to deal with it. The GOC and OPEGA need to have the discussion about whether it is a good use of OPEGA's resources or not. The decision rests with the GOC about whether the request would be of interest to legislators and otherwise a valuable use of resources.

GOC: Chair Hill asked how OPEGA's Annual Report was received by the Legislative Council.

OPEGA: Director Ashcroft said she thought the Report was well received, but was not sure how many members had the opportunity to review it in advance. She said she got some good questions from her presentation of it.

GOC: Chair Hill referred to Table 1 and asked if the fiscal impacts had been followed through on or were just recommendations. She questioned whether we know if those measures were taken and if money was saved going forward.

OPEGA: Director Ashcroft said the numbers listed in the report are very conservative. She did not want to get accused of taking credit for something she should not be. The figures are based on dollars that were actually noted with regard to an issue during the review or could be reasonably estimated from what was seen. Director Ashcroft said in many cases, the dollar amounts are likely higher than what is listed in the report in terms of what the fiscal impact really is. She does not include any dollar amounts that she cannot prove how those were derived. Director Ashcroft gave the example of the Durable Medical Equipment Review and OPEGA's analysis of the data indicated there were a certain number of payments that were at risk for being overpayments. That number could be quantified. She said some figures have historical basis in this way and the assumption is made that if we correct the weaknesses, we should not have those kinds of expenses going forward.

Director Ashcroft said OPEGA is keeping track of what departments say they have done to correct weaknesses, but has not gone back to see if those changes have made a difference and whether actual cost savings can be quantified. She said some changes could be easier to do than others.

GOC: Chair Hill asked if Director Ashcroft utilized a national standard versus an internal standard for the performance standards or targets she set.

OPEGA: Director Ashcroft said it varied. Many were internal - what OPEGA staff and she thought were stretches, but still reasonable targets to expect for whatever category they were in and what the Office itself would like to achieve. Others were based on a national standard, for example, the number of reports per analyst. OPEGA selected a number that is in line with peer offices like OPEGA around the country and they are issuing about one report per analyst on average over the year. Another example is the performance measure related to meeting quality assurance points in OPEGA's process. It is the expectation of the nationally recognized professional standards

OPEGA is guided by that these points are consistently met – so one hundred percent is what is expected and that is the target OPEGA has.

GOC: Sen. McCormick asked, given the budget situations, whether some of OPEGA's goals or decisions may have been impacted by loss of funds in the last budget cycle or whether OPEGA's goals may have been different if the Office had not been swamped with requests to find money.

OPEGA: As far as OPEGA's budget goes, Director Ashcroft said she has been working to better align what our appropriated resources are with what we actually need to conduct this function. Consequently, she does not feel that many of the cuts to OPEGA's budget so far have impacted the goals.

GOC: Rep. Rotundo wanted to know how much is being paid per report in terms of OPEGA's budget and the number of reports being issued.

OPEGA: Director Ashcroft said it varies by report. OPEGA does track the number of hours it spends on any particular project and to average them may not tell the whole story. She referred the GOC to Outputs in Table 1 that shows the number of projects initiated, 27, not all came to completion, but OPEGA did a considerable amount of work on each. If you divide the 27 by the number listed for general dollar funds expended, you get \$123,000 per project if you want to look at it that way.

GOC: Sen. Trahan said at another committee's meeting yesterday the Commissioner of Inland Fisheries and Wildlife asked for \$100,000 to do a study of just whether there was a problem with the building the Department was in and how to fix it. If you compare the two reviews, Senator Trahan said he thinks the Legislature is getting its monies worth given the depth to which OPEGA does its analysis and the integrity with which the information is brought forward.

OPEGA: Director Ashcroft said the total dollar amount spent on OPEGA does not just relate to the specific projects. OPEGA also staffs the GOC, having 65 meetings over the course of the 5 years. In an effort to be as transparent as possible, a lot of effort is also put in on the output of the meetings in terms of the minutes. OPEGA also has many other efforts going on aside from just the projects. Director Ashcroft also noted that the expenses for the GOC itself are appropriated in OPEGA's budget. She does not have the figures with her to break that out right now.

GOC: Chair Hill asked Director Ashcroft if she and the staff see ways to get to projects in a more laser-like fashion and get the cost down.

OPEGA: Director Ashcroft said how laser-like OPEGA can be is dependent on the topic selected for OPEGA to look at and the breadth of the question(s) that OPEGA is trying to answer. For example, GOC members have discussed the need for the State to find significant cost savings, and have acknowledged that reductions have been made by picking around the edges for a very long time. It's likely that significant cost savings are only going to come from determining which programs are functioning well and making decisions about and which ones we should give resources to or not. OPEGA has not been asked to review very many topics from that perspective.

Director Ashcroft gave the current PSAP project as an example of what helps OPEGA get work done quickly. That request came from the Senators of Kennebec County and their letter was fairly specific as to what their concerns were. That allowed OPEGA to get quickly to framing out what specific questions it was going to try to answer and to target more quickly what work needed to be done to get to the answers. Director Ashcroft said specificity up front leads OPEGA to, not only provide a more specific answer in the end, but also helps get it done in a more streamlined fashion.

GOC: Chair Hill asked the Director how to get to more specific questions. Is it the GOC that narrows the question down or does the Director tell the GOC she cannot take that project without the Committee defining the question?

OPEGA: Director Ashcroft said she thinks it is a combination of both. Over the years, OPEGA has done its best to try to define and recommend to the GOC scope questions that makes sense to pursue. However, there may not have been the level of discussion needed about what value might potentially come from trying to answer any particular question. Director Ashcroft believes that we learn more every time we do a review of what we do or do not want to do the next time. She recognizes that the broader questions and topics are where OPEGA runs into problems in terms of providing timely information to the GOC and the resources it takes to plan and figure out how to answer that question. Director Ashcroft believes it is her responsibility to the GOC to try to offer more specific questions, and for the GOC to push her as to whether the question is scoped down as narrowly as possible. Director Ashcroft said early on in this session the GOC discussed an approach of having OPEGA go after the answer to one question and if it leads to other areas we are concerned about, the Committee can send OPEGA to do another review. Director Ashcroft thinks that is an approach that has to be tried because most often one question does lead to others and is why OPEGA's recommendations sometimes suggest that the GOC may want to have OPEGA look at something else.

GOC: Rep. Burns said that is exactly the approach that should be taken and what OPEGA should be all about. He said there are a lot of perceptions that the state has archaic institutions. Whether we do or not and are concerned about it, is exactly what the GOC should be asking OPEGA to do in some instances. He said we should be looking at some aspects of the agencies, or maybe some complete programs, to see if they are in fact archaic and, if they are, do what we have to do to replace them or eliminate them. Rep. Burns said when you start to do that, all kinds of barriers start to come up. He thinks it is going to be incumbent upon the GOC and, hopefully, the Legislature to say wherever we have to shed the light, we will and whatever is found, is found. The facts will speak for themselves. He said the Committee cannot be afraid of doing that.

GOC: Rep. Rotundo said, given what Director Ashcroft has said, she would like to go back and revisit a request that came from AFA a couple of years ago and how the Director would suggest it be done differently. Rep. Rotundo said AFA, for a long time, has been concerned about the number of economic development programs that exists and the fact that they don't get reviewed. She was referring to a lot of programs that had been created over the years by previous members of AFA for their districts and the State now has no idea why the programs are still on the books. AFA asked OPEGA to undertake a review and was very helpful in getting AFA to look at certain programs. Rep. Rotundo said then the State paid \$170,000 to look at some of those programs and did not get very much from it. She said OPEGA spent time working on it, the State spent \$170,000 on OPEGA's recommendation to pursue it, and the State still does not have any information. Rep. Rotundo asked if that were done over again, what would Director Ashcroft advise the Committee to do to get the results it wanted.

OPEGA: Director Ashcroft said she believes there were multiple things that occurred. When the request from AFA was originally presented to the GOC, the GOC was working through where OPEGA's resources should be spent for the first work plan and there was a sense that if we tried to address all 13 programs for the kind of information AFA was looking for, it could tie OPEGA up for a long time. Director Ashcroft said she and the GOC had discussions of how OPEGA could look at the request without tying up all of OPEGA's resources. She said that, in hindsight, that was a point where she should have gone back to AFA and asked for further input on narrowing down the review to still get at what was desired. Director Ashcroft said OPEGA could have possibly gotten to a specific program then.

When OPEGA released the report, it included a finding about the lack of coordination of the State's portfolio of economic development programs and how there seemed to be no one responsible for reporting on how the whole portfolio was working toward achieving economic strategies or goals. She said although AFA did not get the value out of the Department of

Economic and Community Development's Report that it was looking for, she thinks it was their attempt to try to move in the direction of reporting on the whole portfolio. In its report, OPEGA also recommended that the Legislature consider sending OPEGA or someone else to evaluate certain specific programs. The Director acknowledges that has not happened yet. Director Ashcroft said that when the report recommendations were being discussed at the BRED Committee, DECD was proposing the broader evaluation, which she thought was a good idea for other reasons, but she did tell the BRED Committee directly to be aware that the review would likely not result in an evaluation of individual programs to the degree that they would have information with which to make decisions about whether to keep the program or not. That is another point at which the GOC or the BRED Committee could have said lets pick out 1 or more of these programs that we want reviewed in depth. DECD did add some case studies to the broader review to try to get at some specific programs but in the end there was not enough depth.

Director Ashcroft said that economic development programs as a topic has been coming up before the GOC since OPEGA released its Economic Development Report and was on the list of items for the GOC to consider for OPEGA's work plan this year. She said she has been trying to work with the Taxation Committee about getting them jump started on tax incentives, but there have still been no specific directives for OPEGA to review a particular economic development program.

GOC: Sen. Trahan said he had attended the BRED Committee meetings and from his perspective, said he saw DECD's Commissioner, John Richardson, coming forward and aggressively trying to address the review and recommendations. He said he was taking better control over analysis and evaluation of his own department's programs and other commissioners were responsible to do so with their departments. Commissioner Richardson said he was going to put an evaluator on his staff to restructure the way programs are delivered and to get rid of the duplication. Sen. Trahan said he saw it as the Commissioner coming forward and addressing the concerns in OPEGA's review, but thinks the problem is that the GOC did not follow up to ensure that all the recommendations happened and we achieved the savings if duplication was done away with. Sen. Trahan is concerned about what work will be done by DECD now that Commissioner Richardson has moved on. He said that if the State wants to save money in economic development programs it has to first find out what goals of Commissioner Richardson has been achieved and if there has not been progress, the GOC should ask OPEGA to go back and look at the duplication.

Sen. Trahan said from his own perspective as an individual, what he keeps stressing is that the departments being reviewed try to make the changes before the report comes out and the Economic Development Report may be one of those examples where the Commissioner did try to address them, but the ball has been dropped.

GOC: Sen. McCormick said because PSAPs had been mentioned he had some information to impart about a concern he had expressed at the last GOC meeting. The concern regarded a failed relay of information on an accident where police were dispatched to Winthrop Street in Augusta rather than Winthrop Street in Hallowell. He said after the meeting he spoke with Cliff Wells, Director, Consolidated Emergency Communications Bureau, who had researched the call in question and determined that the protocol of the PSAP was exactly correct. The PSAP had notified Augusta PD who had the dispatch responsibility for Hallowell and that is where this particular call broke down. Sen. McCormick said he apologizes if he incorrectly identified the PSAP as the problem.

GOC: Chair Hill asked Sen. McCormick, as one of the orchestrators of the letter that was sent to the GOC and OPEGA requesting the PSAP review, if he could share how they got the question so precise.

GOC: Sen. McCormick said municipalities across Kennebec County were bailing out and going to other counties and places for their PSAP service, so it was a question of why and how could the problem be fixed, if there was a problem.

OPEGA: Director Ashcroft said the Senators had bulleted what their specific areas of concern or questions



were around PSAPs and OPEGA was able to turn them into questions that we felt we could go forward and answer.

GOC: Chair Hill said the PSAP request was done right and that would be a great model to use going forward.

Director Ashcroft continued to the third section of OPEGA's Annual Report.

### 3. Summary of Reports and Results

Director Ashcroft said the Report gives an overview of what has occurred in 2009 in regard to reports OPEGA has issued. She noted that of the 12 reports that OPEGA issued prior to 2009 containing recommendations, 5 of the reports have been fully or mostly implemented. The recommendations in 6 other reports are in process or partially implemented and there is only 1 that has limited implementation to date. Director Ashcroft said there is activity and things have been done on OPEGA's work.

**Motion:** The Government Oversight Committee thanks Director Ashcroft and accepts OPEGA's 2009 Annual Report on Activities and Performance and that the Report be left open and put on the next GOC meeting agenda in the event someone has more questions. (Motion by Sen. Nass, second by Rep. McLeod, PASSED unanimous).

GOC: Rep. McLeod said he is satisfied with the Report and likes keeping the option open so if something drastic happens the GOC can go back to a report to take a second look. He said that may also be the case in the Economic Development Report.

Chair Hill moved to the Project Status Report

## REPORT FROM OPEGA DIRECTOR

### • Project Status Report

Director Ashcroft gave the following status report:

**Public Safety Answering Points and Dispatch Centers** – OPEGA is currently meeting with agencies on any issues and recommendations OPEGA has that will be in the report. The final confidential draft of the report will be issued to the agencies on January 25 or 26 and OPEGA will submit the Report to the GOC at the February 12<sup>th</sup> meeting.

GOC: Chair Hill asked if the outside consultant was still involved or is that work finished.

OPEGA: Director Ashcroft said the consultant has completed his part in helping OPEGA get through the work. We have been going over the draft of the Report with him for his comments and additional recommendations. She said she has asked him to be at the GOC's meeting on the 12<sup>th</sup> in case the Committee has more technical and specific questions that are in his realm of knowledge.

**Medical Services in the Prison System** - OPEGA gave the GOC a recommendation on project direction at the December 14<sup>th</sup> meeting. Director Ashcroft said there was a good amount of discussion about the question that OPEGA had recommended to the GOC and what that was likely to result in. Given today's discussion about priorities for OPEGA, she said if the members wanted to rethink that and go back to revisit the scope of that review, now would be the time.

**Special Project: Assistance to AFA and OFPR** – OPEGA is in the final phase of the review which is talking with the agencies about individual contracts.

GOC: Rep. Rotundo asked if the AFA's charge to OPEGA was specific enough or do they need to rework what they asked OPEGA to do because it is not enabling you to bring information the AFA can use and need.

OPEGA: Director Ashcroft said she believes when she first brought the idea to the AFA she had laid it out in some amount of detail and AFA seemed to indicate that was of interest. Consequently, she has been proceeding with the approach she had presented to AFA.

## **UNFINISHED BUSINESS**

- **Personnel Matters (Executive Session)**

**Motion:** Pursuant to 1 MRSA section 405, subsection 6A, the Government Oversight Committee moves into executive session for the purpose of discussing the performance evaluation of the Director of OPEGA and her request for reappointment. (Motion by Rep. Rotundo, second by Sen. Trahan, PASSED unanimous).

The Government Oversight Committee recessed at 10:58 a.m. to go into an executive session.

Chair Simpson reconvened the Government Oversight Committee meeting at 12:55 p.m.

- **Potential Changes to OPEGA Statute Regarding Confidentiality of Work Papers**

The GOC did not discuss this item.

## **NEXT COMMITTEE MEETING**

The next meeting was scheduled for February 12, 2010 at 9:30 a.m.

## **ADJOURNMENT**

The Government Oversight Committee was adjourned at 12:56 p.m. on the motion of Rep. McLeod, second by Sen. Trahan, unanimous.