



SEN. ROGER J. KATZ, CHAIR
REP. DAVID C. BURNS, CHAIR

MEMBERS:

SEN. MARGARET M. CRAVEN
SEN. LAWRENCE BLISS
SEN. EARLE L. MCCORMICK
SEN. NANCY B. SULLIVAN
SEN. DAVID TRAHAN
REP. DONALD E. PILON
REP. ANDREA M. BOLAND
REP. JOYCE A. FITZPATRICK
REP. LESLIE T. FOSSEL
REP. STEPHEN D. LOVEJOY

MAINE STATE LEGISLATURE
GOVERNMENT OVERSIGHT COMMITTEE

MEETING SUMMARY

February 4, 2011

Accepted May 5, 2011

CALL TO ORDER

The Chair, Senator Katz, called the Government Oversight Committee to order at 12:04 p.m. in the Burton Cross Building.

ATTENDANCE

Senators: Sen. Katz, Sen. Bliss, Sen. McCormick, and Sen. Sullivan,
Joining the meeting in progress: Sen. Craven and Sen. Trahan

Representatives: Rep. Burns, Rep. Pilon, and Rep. Lovejoy
Joining the meeting in progress: Rep. Boland, Rep. Fitzpatrick and
Rep. Fossel

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

INTRODUCTION OF GOVERNMENT OVERSIGHT COMMITTEE MEMBERS

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

NEW BUSINESS

● **Discussion on Selecting Next Projects for OPEGA Work Plan**

Chair Katz thought the discussion for selecting projects for OPEGA's Work Plan would go beyond today's meeting. He suggested Director Ashcroft brief the GOC on the topics currently on the On Deck List. The GOC can determine if there are any topics no longer of interest and remove them from the list. New topics suggested by

current GOC members could also be proposed for consideration. At the GOC's next meeting, after the members have had an opportunity to review and consider all topics, they can make decisions of which reviews to add to OPEGA's Work Plan.

Sen. Sullivan noted that there was legislation introduced during yesterday's Senate Session requiring OPEGA to review a particular topic. She asked if that topic was included in today's GOC's meeting material.

Chair Katz said the LD had been referred to the Education Committee. He and Chair Burns talked with the Chairs of the Education Committee regarding that LD. They suggested the Education Committee consider sending a request for the review, if the Committee wanted to pursue it, to the GOC rather than passing legislation that made it a mandate. The Chairs of the Education Committee seemed amenable to that suggestion.

Chair Katz asked Director Ashcroft if she would go through the List of On Deck topics. The Director said it might be helpful, in considering the long list of topics, to have a sense of what the GOC would like to have for output and outcomes from OPEGA over the next two years as this could affect what topics and questions the GOC decided to have OPEGA review.

Sen. McCormick asked if Director Ashcroft or the GOC Chairs had heard whether the Chief Executive was going to forward requests for reviews to the Committee. Chair Katz had spoken with Kathleen Newman from the Governor's Office. The Governor is currently giving thought to what he wants to propose on an executive level, and did not have any specific suggestions for the GOC at this time.

Chair Katz invited members to comment on what kinds of projects they felt the GOC should be asking OPEGA to do. He gave the examples of rapid response projects intended to assist legislators in their work this session or next, projects that involve looking at an entire organization like the Maine Turnpike Authority, projects focused on ways to save money in State government, or projects to look at programs that were set up to accomplish certain goals to see if those goals are being accomplished.

Sen. Bliss said he believes that long, detailed 75 page, 18 month studies, while interesting, are less valuable to legislators than having OPEGA respond quickly and more directly to a particular concern a legislator has expressed about an issue. That allows individual legislators or a committee to take some action rather than waiting 18 months from now when they may have gone on to many other interests in the Legislature.

Rep. Boland said that when she served on the GOC in the past, OPEGA had a blend of both short and longer projects and the Director was able to give the Committee an idea of the financial rewards that the GOC could expect relative to one or the other.

Sen. Craven hoped OPEGA would be able to look at something and decide if it warrants investigation. She gave the example of contracts with DHHS.

Rep. Fossel agreed and suggested that, in some cases, an interim report on larger projects may be helpful.

Sen. Sullivan thought the quicker information can be brought back to the Committee, the more helpful it would be and prefers a shorter period for a review.

Chair Burns agreed with all that had been said and thinks that after the GOC has gone through some of the On Deck topics it would be valuable for the Committee to have the discussion again. He thinks as topics are considered the GOC will start identifying which topics are important, needed, have common interest or value. Over the past 2 years OPEGA has done both long and short reviews, and the Committee will have to make the decision of how deep they want to get into a topic.

Chair Katz suggested that as the GOC goes through the On Deck List, if there is one Committee member who thinks a topic is worth leaving on the list for further discussion that will be done. If there is no interest at all, he suggests the GOC consider taking that topic off the List.

Before proceeding with the On Deck list, Chair Katz asked members to share any topics they would like to propose for consideration.

Rep. Fossel said he was interested, as a member of the HHS Committee in issues regarding MaineCare. In particular, issues about their enrollment procedures and when they pay claims have come up several times already.

Rep. Fitzpatrick would be interested in looking at the number of contracted organizations that are used for the delivery of DHHS services and determine their efficiency.

Rep. Lovejoy proposed the following three topics and felt two of them were fairly focused in terms of the question to be addressed.

1. The intent of the BETR and BETE programs was to stimulate business investment in Maine. He understands that a significant amount of money is sent to corporations that are out of state and would like to look at how much money is being sent out of state and whether the companies receiving the funds are helping to rebuild Maine's economy.
2. A study of the amount of "double dipping" going on where companies are using both state and local tax incentives to actually get back more in benefits than taxes being paid in, and what could be done to eliminate those situations.
3. Equitable tax assessment. He believes tax assessors in the communities are agents of the state and licensed by the state, but communities are not required to use them. Tax assessments often vary substantially from actual values due under-assessment. He asked if a state assessment program would be more efficient and equitable. Communities would still have total control over their budgeting and setting their mill rates, but values would be more up to date and equitable.

GOC: Sen. Craven said she would want to know if tax assessment was under the State's purview.

GOC: Rep. Pilon referred to the BETR and BETE Programs and said the Taxation Committee did a lot of work last session in those areas. He asked if Rep. Lovejoy was suggesting to approach the BETE program in a different manner.

GOC: Rep. Lovejoy wanted to develop the information to see if those programs should be restructured in regards to out-of-state corporations receiving Maine funds.

GOC: Rep. Pilon said the Taxation Committee had a lot of discussion regarding that issue, and there were some alternatives suggested.

GOC: Chair Katz suggested that Rep. Lovejoy may want to pursue that topic with Rep. Pilon or the Taxation Committee, and if he still has concerns, bring it back to the GOC.

OPEGA: Director Ashcroft said that gathering that kind of information is something OPEGA has done for the Committee in the past. They can research the questions and report back to the GOC the information found.

Chair Katz moved to the topics he proposed for an OPEGA review.

1. Maine's per year cost for each prisoner incarcerated within the Department of Corrections is approximately \$43,000. He thinks it would be worthwhile to understand why the State's costs are so much higher than the national average, the 7th highest.
2. Looking at the Maine State Housing Authority's operation in how it fits into what else is being done in State government. The Housing Authority's mission has expanded tremendously to include many subjects beyond housing, including the administration of energy programs, fuel assistance, homelessness programs, etc. The

Authority is a large quasi government agency subject to some legislative oversight. It would be worthwhile to see if the goals that the State was hoping to accomplish through this agency are being accomplished in the most efficient manner.

3. Review the four cultural agencies in State government: the Library, Archives, Historic Preservation and Arts Commission. Is the existence of four stand alone agencies under the umbrella of the Cultural Affairs Council the best way to be organized?
4. Child Development Services (CDS). CDS provides one of the most important services in the State of Maine to deliver many services to children. From the financial management and cost control perspectives, CDS is not the most efficient entity in State government and he would suggest looking at how CDS is structured, funded, and whether the State is receiving what they expected to receive.

GOC: Sen. Sullivan said CDS has just been remodeled and what the Chair had heard might be prior to that.

GOC: Chair Burns said he thought the Commissioner of Department of Corrections (DOC) had recently said that Maine was the 7th lowest in the nation not the 7th highest.

GOC: Chair Katz will check that fact with the Commissioner and if Chair Burns is correct, he will withdraw his request.

GOC: Sen. Trahan agreed that the DOC is a topic to be reviewed. Many high salaried employees at Corrections had retired and been rehired into their same positions prior to the Legislature changing the policy on rehiring of retired State employees. He also thought the effects of consolidation and shifting prisoners from the State to County on property taxes should be reviewed.

GOC: Rep. Lovejoy commented that the Housing Authority is similar to the Turnpike Authority in that it is broad and will take time for OPEGA to review. He also noted that the Cultural Agencies are underfunded and small for what they do.

GOC: Chair Katz said his inquiry about the cultural agencies would not be why these agencies are spending so much money, but whether there is an alternate structure that would allow for more efficient and effective use of the funds they do have, or perhaps put them in a position to make an argument for additional funds.

GOC: Rep. Fossel believes the Cultural Agencies have been studied endlessly over the years and information would be easily available.

GOC: Rep. Pilon mentioned he would like to evaluate the Certificate of Need license process. He would like to get a better understanding of who is involved in making the Certificate of Need determinations and who oversees them.

He also mentioned the Maine Quality Forum and Advisory Counsel on Health Systems Development. It is his understanding that it is a panel that advises Dirigo and makes recommendations on ways to reduce health care cost. Beyond that he is not sure what they do, but in the biennium budget it is funded up to \$1 million.

GOC: Sen. McCormick has seen three bills regarding Certificate of Need. One bill is to abolish the whole thing so the Committee may want to see how those bills proceed before having OPEGA do a review.

GOC: Sen. Trahan proposed a review of Efficiency Maine. The issue is the distributions of the money from the Efficiency Maine Trust to communities and questions where the money was going. He thinks it could be a rapid respond review. OPEGA could look at a sample of projects to make sure there is a good process in place for distributing the money.

GOC: Rep. Fossel thought with some of these organizations, there are tax credits involved and at the end of the year the tax credits disappear. In those circumstances, the dollars get shoved out the door and he suggested that the GOC may want to look at the procedure of spending the money before it dies and tends to get badly spent.

Chair Burns ask Director Ashcroft to summarize the On Deck Topics. A copy of the List is attached to this Summary. The Committee members' comments and questions included:

Revenue Collected Through the Courts

GOC: Rep. Lovejoy noted the State Contoller's Internal Audit Division had planned to do an audit and asked if that had been done.

OPEGA: Director Ashcroft said to OPEGA's knowledge, although that was a planned review by the State Controller's Office, it has not been completed. She will double check with the Controller's Office.

GOC: Sen. Sullivan believes the Courts are currently reviewing the process for paying traffic fines/summons.

State Lottery

GOC: Sen. Sullivan said the Veterans and Legal Affairs Committee received a report last year on the State Lottery. It may be reviewed for restructuring or selling. She thinks that Committee will be doing a lot of work regarding the Lottery because it ties in with the gaming and casinos being looked at. She would take it off because it will be a duplication.

GOC: Sen. Trahan said he did not think that the State's sale of liquor sale revenues had been a good deal for Maine. He would like a review of how the sale of liquor revenues worked out, and how much revenue did Maine lose.

GOC: Sen. Sullivan said the State Lottery and Liquor are two separate things. The liquor contract that Maine entered was not a bad deal, they could have done better, but at the time they wanted upfront money to get Maine through a financial situation.

Economic Development Programs

GOC: Rep. Boland asked Director Ashcroft where the GOC was with this topic at the time it was added to the List.

OPEGA: Director Ashcroft said it is still a topic on the List because the more detailed reviews OPEGA had recommended on some of the individual economic development programs have not been done. This topic is a place holder for the Committee to continue considering whether there is an economic development program in particular that it wants to pursue. It is something the GOC wanted to keep on the radar screen. The BETR and BETE programs talked about earlier are both programs that would fall within this topic. There had also been work done recently regarding evaluating tax incentives. The Commissioner of DAFS led a tax force that gave a report to the Appropriations and Financial Affairs (AFA) Committee on how a structure might be set up to evaluate tax incentive programs. She does not know the current status of that.

GOC: Sen. Trahan remembers Director Ashcroft saying before that some of the tax incentive programs had come out as higher risk in OPEGA's Economic Development Program review. As Chair of the Taxation Committee, he would like to know what those programs are. Taxation has been having discussions about all the bills that are coming forward that create tax credits, exemptions, etc. to help economic development. That Committee has talked about eliminating some of the other ineffective programs and using the savings to invest in new ideas. He would be interested in looking at some of the programs that raised red flags, and if not effective, free that revenue up to invest in others.

- GOC: Sen. Craven remembered being very frustrated with the Economic Development Evaluation Report commissioned by DECO. The State paid \$150,000 to conduct it and could find no savings from the effort. She thinks it warrants reviewing again. Members of the AFA Committee continue to say they have no idea where the money goes or how it is benefitting the State.
- OPEGA: Director Ashcroft said OPEGA had prepared a schedule of all the programs that are now in the State's economic development inventory. That schedule shows which are funded primarily by General Fund, and in particular, which ones OPEGA had said looked like they did not have the clearest purpose. If the GOC wanted that list she will get it for them. It may help when trying to determine if there are individual programs that might be of interest.
- GOC: Rep. Lovejoy noted that FAME has 31 different loan programs and a small enterprise growth fund and asked if OPEGA looked at individual programs like that to see which were active.
- OPEGA: Director Ashcroft said OPEGA collected information from the agencies. They had to canvas the agencies to find out what they had for programs that met the definition of economic development programs because there was not an inventory. Once OPEGA got the list they sent out a detailed survey to each of the agencies asking for particular types of data about each of the programs so OPEGA could do a risk assessment of which ones seemed to have the elements in place to be effective and efficient. From that, OPEGA made its recommendations about which programs should have a more detailed review. OPEGA collected quite a bit of higher level information about each of the programs in the Review.
- GOC: Sen. Trahan said he remembered that after release of OPEGA's report, John Richardson, Commissioner, Department of Economic and Community Development (DECD), testified before the BRED Committee that they were going to establish an evaluation process for the economic development programs and hired an evaluator. Sen. Trahan asked what the State received for that position and what has happened since then.
- GOC: Sen. Craven said the AFA Committee received a Report from DECD and was disappointed because it did not have anything useful about individual programs.
- OPEGA: Director Ashcroft said she could pull together for the GOC that status of efforts that had resulted from OPEGA's report. She would intend to do it at some point anyhow as the last GOC had not finished that process.
- GOC: Chair Burns asked the Director to remind the Committee of that when the topic is discussed again.
- GOC: Rep. Lovejoy asked if the GOC could get a copy of DECD's evaluator's report.
- OPEGA: Director Ashcroft said there are two reports that DECD had hired an evaluator to do. One is around a set of programs that are mostly for research and development and they have been doing that evaluation on an annual basis for quite some time. It appears that evaluation process has matured to a point where people look for the information it contains.
- DECD tried to do an evaluation of the rest of the economic development programs in a similar fashion, and as noted by Sen. Craven, most felt it did not have the information in it that even the R & D Report had come to have. She will get the GOC copies of both reports.

State Boards, Committees, Commissions and Councils

- GOC: Chair Burns said he had an interest in keeping this topic on the list and asked if any other members did.
- OPEGA: Director Ashcroft said the topic is on the List because some of the recommendations made have not been revisited in terms of whether the Committee wanted OPEGA to do additional work.

- GOC: Rep. Lovejoy had looked at this because of all the unfilled appointments. He noted that the Director had briefed the State and Local Government Committee (SLG) in 2009 and asked if she knew if anything has changed since then.
- OPEGA: Director Ashcroft said no, and in fact, the last GOC was at a point of going through the process of looking at past reports and was making decisions of whether they wanted OPEGA to do any additional work or initiate any additional action. They were in the process of reviewing this particular Report. At their last meeting, they said they wanted to reread the Report before discussing it further, but the Committee did not meet again.
- GOC: Rep. Boland, a member of the SLG Committee, said OPEGA's Report was of interest, but the Committee just came to the end of the year not having dealt with it. There was more there than they wanted to deal with. She suggested sending a letter to the new SLG Committee.
- GOC: Sen. Craven noted that all of the boards are self-funded and when the AFA Committee was looking for money, looked in this area and found out there was no General Fund money. If the AFA Committee thought some were excessive, it was not their place to say.
- GOC: Sen. Sullivan agreed that a letter should be sent, not so much for the money piece, but for efficient government making sure that citizens can get to them. The past administration was notorious for not filling vacancies on them.

State Administration Staffing

- GOC: Sen. Sullivan would be in favor of taking this topic off the List. She thinks they should give the new administration a chance to look at the staffing before the GOC takes any action.
- GOC: Chair Burns agreed.

Maine Revenue Services

- GOC: Sen. Trahan said the Taxation Committee has a number of bills to deal with issues regarding the Maine Revenue Services (MRS) including how they conduct audits, their tactics, phone calls, and the way they interpret the tax code. The GOC should discuss doing a review to look at their operations. He does have a bill in to reform MRS and would be willing to withdraw that bill or table until something was done.
- GOC: Rep. Pilon was not certain that was a topic that could be taken care of by the GOC. Those issues should be addressed by legislation, and there are currently a number of bills to address those specifics. The issues have been discussed with the MRS and their response has been that they are acting within the scope of the law. He does not think investigating or evaluating them is going to result in any new procedures.
- GOC: Sen. Craven thinks it would be useful to look at how MRS defines and interprets the tax code.

Personal Use of State Assets: recreational vehicles, airplanes, helicopters and houses and camps

- GOC: Sen. Sullivan said the State has gone to a centralized fleet and Marine Resources now will lease from that fleet, but Director Ashcroft could keep track to make sure everybody does that. She would consider taking the topic off the list.
- GOC: Rep. Lovejoy said it appears that OPEGA's initial research into this found that not all departments who have State assets have a written policy on the personal use of State assets. He would suggest that all departments who have State assets be required to develop a written policy and then this topic can be removed from the List.

- GOC: Chair Burns thinks the new Administration will have a different perspective on this item and that may cause some changes.
- GOC: Sen. Trahan has introduced a bill because last year it was revealed to the Inland Fisheries and Wildlife (IF&W) Committee, that the IF&W Department had put a significant amount of money into a warden's camp. That created a great deal of controversy. The Committee also learned that IF&W Department and the Department of Conservation had a number of those camps and a lot of other properties. His bill is to inventory the Department of IF&W's properties. He said other natural resource agencies should also be reviewed. He would encourage the GOC to review an inventory in the course of considering this topic.

Substance Abuse Treatment Programs in Prison System

- GOC: Sen. Sullivan is concerned about the effectiveness and efficiency of these programs and equally concerned about what would it cost the State if they are negligent in providing what is needed to people in custody. It is an area that is going to become more important with people coming back into the correctional system and especially the children in the juvenile system. She would like to see the topic moved up the List, not for savings, but what it could cost the State if there was negligence in providing what was needed.

Dirigo Health Program

- GOC: Rep. Boland asked that the background information given on the List for the Dirigo Health Program be updated, particularly the dollar figures.
- GOC: Sen. Sullivan asked if an update of the figures and information provided on the **Long-term Care: Nursing Homes** topic could be done at the same time. She thinks **Dirigo Health Program** will probably cease to exist, but **Long-term Care** is going to become a larger concern. She was trying to co-mingle some of the topics on the List.
- GOC: Rep. Fossel said Dirigo, Long-term Care and other DHHS issues will be having a lot of changes over the year so that anything looked at may not be here in a year. He reminded members that there are two parts to Dirigo – the insurance portion and then the data gathering portion. The data gathering portion has a lot of value, but people are all over the map on the insurance portion. He thinks, at this point, it is probably not good to review because it may be a waste of effort.
- GOC: Rep. Boland agrees with some points made by Rep. Fossel, but does not arrive at the same conclusions for the very reason there is a lot of talk regarding the topics. She thinks updating the information would be helpful.
- GOC: Sen. Craven said the GOC could ask Karynlee Harrington, Executive Director, Dirigo, for a copy of the Report she delivered to the HHS Committee that has the latest numbers. She agreed that it is going to be shifting and changing and not there in the future, but agrees with Rep. Fossel that the data gathering portion of Dirigo is an important money saver down the road.

Pharmaceuticals – Prescription Drugs and Medicaid Drug Rebate

- GOC: Rep. Lovejoy thinks this topic could be taken off the List.
- GOC: Chair Burns agreed.

Public Health Labs

- GOC: Rep. Pilon asked if the State has outsourced any of this or if the State was still doing its own.

OPEGA: Director Ashcroft said the outsourcing would be a possible area of focus if OPEGA did a review. The GOC has never done anymore than consider this topic. Three years ago OPEGA had canvassed peer offices in other states about where they had found savings and this was one of those areas.

GOC: Rep. Pilon asked if this is something that should be done or considered being done.

GOC: Rep. Fossil suggested sending the topic to the HHS Committee and ask if they could ask the Department to consider this topic.

Chair Burns thought it was possible to refer a lot of these topics to the policy committees and request that they take a look at them without the GOC being presumptuous. If those Committees choose not to, the topics would come back to the GOC for a decision of whether to pursue a review.

Sen. Craven said a pressing matter right now was that the State was going to be paying hospitals millions of dollars in the current supplemental budget and legislators do not have any information on how much any hospital is going to receive. It is difficult to vote something out of the supplemental budget when they do not know where the money is going. She thinks it would be helpful to know how much each hospital is being paid from the settlement money.

Director Ashcroft said there has to be someone who knows what each hospital will be paid. OPEGA could track that down and get it to GOC members.

Motion: That the Government Oversight Committee directs OPEGA to get the information of the amount of money each hospital will be receiving from the settlement money. (Motion by Sen. Trahan, second by Rep. Lovejoy).

Discussion: It is Sen. McCormick's understanding that the Governor's Office does have numbers. However, they are in the process of finding out whether the State and hospitals agree on what is owed to each. They did not want to release that information to all the hospitals until they received the necessary information from each hospital.

Sen. Trahan would like to receive whatever information is available.

Sen. Craven said she had received the information on the temporary dollar amounts the previous week, but then was told to disregard the information.

Director Ashcroft summarized what she believed the Committee was asking for. The GOC would like to have a list of the hospitals to which the State owes money, the total dollars that is thought to be owed to that hospital as of this point, what is anticipated to be paid to each hospital from the supplemental budget. She asked whether it was possible that nonpartisan staff in OPLA or OFPR were already working on getting this information or whether the GOC felt that OPEGA is the best avenue to get that information.

Sen. Craven said the AFA Committee has asked for the information but as yet, has not received it.

Sen. Sullivan would like the information before voting on the supplemental budget because there are other things to consider prior to voting on the budget.

Vote: The GOC voted on the above Motion. Motion passed by unanimous vote 10-0.

Director Ashcroft said OPEGA will put together a matrix of all the information received at today's GOC meeting, including which topics the members were considering removing from the List. Having a matrix will give the Committee a structure to work through and make final decisions on some of the topics. OPEGA will also get together pertinent information for their decision making regarding some of the topics, either where information should be updated or for the new topics brought up at today's meeting.

Director Ashcroft asked the GOC whether there were any questions or requests for additional information they may have that OPEGA could be working on in preparation for the GOC's work session on the Maine Turnpike Authority Report work session. Questions and comments of the Committee included:

GOC: Rep. Pilon wanted more information on the bond rating. The GOC was provided bond rating information for MTA and he wanted to know what the bond ratings are for the other New England States. Did the bond ratings for New Hampshire or Massachusetts Turnpike Authority change when they went from an independent authority to the DOT? He also wanted to know the hourly rate for a truck operator for the MTA versus a DOT truck operator.

GOC: Sen. Trahan asked for MTA's advertising budget and a description of what it does for advertising. He also wants to know if their independent engineer received trips or meals paid for by MTA, and said this could be answered by MTA themselves. He would like more information of where the money went for lobbying efforts. MTA has a Public Affairs Office and he wanted to know if the Office was doing the same things as MTA's lobbyist.

OPEGA: Director Ashcroft said the last question would be best posed to MTA as to how they are using those outsource lobbyists in relation to their in-house office.

GOC: Sen. Sullivan would like, not only the bonding rate difference, but what would it cost the people of Maine if we were to cover the cost of all the State Police 24/7, the cost of upkeep, including grass mowing, etc., and the improvements of guardrails, etc. She is looking for what the cost would be to turn the Turnpike over to State government. Also, does the MTA pay the retirement, workers comp. etc., for the State Police patrolling the Turnpike and how many working employees does the MTA have.

OPEGA: Director Ashcroft noted that typically additional information gathered by OPEGA for a report work session is related to results, recommendations and content in the report. The requested detail on what MTA pays for the State Police relates to discussion that was in the report but she wanted to clarify that OPEGA had not intended to make any suggestion, recommendation or observation about the pros or cons of combining the Turnpike with MDOT.

GOC: Sen. Sullivan said she inferred from Rep. Pilon's bonding questions that the GOC may get into a discussion about whether to fold MTA into MDOT. She would not want to have that discussion without the information she requested.

GOC: Sen. Trahan does not think the GOC should be going into transportation policy in any way and the question of whether MTA should be turned over to MDOT is under the jurisdiction of the Transportation Committee.

GOC: Rep. Fossel felt that line of discussion would be getting the GOC out of the scope of what the MTA study is about. He would prefer to get through the public hearing and work session, decide where the GOC wants to go from there, and try to limit any further movement at this point.

Committee discussion continued regarding what information members' were asking OPEGA to get for them. Chair Burns said his concerns are whether the information is available without OPEGA doing more inquiry. Some of the information for the questions are not in the Report and more research would have to be done.

Director Ashcroft noted that the question of how MTA's bond ratings compare to other New England agencies is already contained in a Report done by Fitch Ratings that is referenced in the OPEGA report. Providing that information would not require additional research. Rep. Pilon agreed that information would work to answer his question. Sen. Trahan said that if any information he had requested could not be answered by MTA and would make OPEGA have to do more research, he did not want OPEGA to pursue.

STATUS REPORTS FROM DIRECTOR

- **Current Work in Progress**

Director Ashcroft summarized for the GOC the progress of OPEGA's current work.

- **OPEGA Budget**

Director Ashcroft referred the GOC to the budget information in their notebooks noting that the GOC approves OPEGA's budget. She prepares OPEGA's All Other budget and the Executive Director of the Legislative Council's Office calculates and prepares the Personal Services' budget. Director Ashcroft did not have those figures for the GOC for this meeting because the Executive Director's Office was still working on them.

Sen. Trahan reflected on how OPEGA's budget has been reduced since it started and what a good job the Director has done in managing the budget. He asked if Director Ashcroft had begun the process for filling the vacant analyst position in OPEGA.

Director Ashcroft said she had spoken with the Executive Director and the Human Resources Director about starting the process of filling the vacancy. She gathered there was concern about what the Governor's budget will have in it and what might be expected of the Legislature in terms of budgetary savings. Their suggestion was that OPEGA may want to wait and see what that budget looks like. Director Ashcroft was waiting for that information because she does not want to spend the money for advertising if it looks like in the end, they may not be able to fill the position. She also did not want to hire someone and then have to lay them off.

Following further Committee discussion, it was decided Director Ashcroft will wait until further budget information before proceeding to fill the vacant position in OPEGA.

REVISED COMMITTEE RULES

The GOC had no further changes to the Rules.

OPEGA'S ANNUAL REPORT

The GOC requested this item be brought back to them at a future meeting.

NEXT GOC MEETING DATE

Friday, February 11, 2011 at 9:30 a.m.

ADJOURNMENT

The Government Oversight Committee meeting was adjourned at 3:47 p.m. (Motion by Rep. Fossel, Rep. Pilon, unanimous).