



SEN. EMILY ANN CAIN, SENATE CHAIR  
REP. CHUCK KRUGER, HOUSE CHAIR

## MAINE STATE LEGISLATURE GOVERNMENT OVERSIGHT COMMITTEE

### MEMBERS:

SEN. ROGER KATZ  
SEN. DAVID C. BURNS  
SEN. MARGARET M. CRAVEN  
SEN. CHRISTOPHER K. JOHNSON  
SEN. EDWARD M. YOUNGBLOOD  
REP. PAUL T. DAVIS, SR.  
REP. ANDREA M. BOLAND  
REP. H. DAVID COTTA  
REP. LANCE E. HARVELL  
REP. JEFF M. MCCABE

## MEETING SUMMARY

June 14, 2013

Accepted July 25, 2013

## CALL TO ORDER

The Chair, Sen. Cain, called the Government Oversight Committee to order at 1:05 p.m. in the Cross Office Building.

## ATTENDANCE

Senators: Sen. Cain, Sen. Katz, Sen. Burns, and Sen. Craven  
Joining the meeting in progress: Sen. Johnson  
Absent: Sen. Youngblood

Representatives: Rep. Kruger, Rep. Boland, Rep. Cotta, Rep. Harvell, and Rep. McCabe  
Absent: Rep. Davis

Legislative Officers and Staff: Beth Ashcroft, Director of OPEGA  
Etta Connors, 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.

## SUMMARY OF THE MAY 10, 2013 GOC MEETING

The Meeting Summary of May 10, 2013 was accepted as written.

## NEW BUSINESS

### • Briefing on Status of Blue Ribbon Unemployment Investigation Commission

Chair Cain said the GOC was hoping to have one of the Co-Chairs of the Blue Ribbon Commission at the meeting to give an update on the status of the Commission, but neither was available to attend the meeting. She asked Director Ashcroft, who has been in contact with the Commission's Co-Chairs, for an update.

Director Ashcroft referred members to the Executive Order 2013-003 dated May 29, 2013 – An Order Establishing The Unemployment Reform Blue Ribbon Commission - that was in their notebooks. The Governor appointed Daniel E. Wathen and George M. Jabar, II as Co-Chairs of the Blue Ribbon Commission. She was informed by the Co-Chairs that the Executive Order was just recently shared with them and they had been waiting for the Order to be issued before proceeding with the Commission's business. They have not yet appointed the other members, but anticipate doing so shortly. Director Ashcroft said the Co-Chairs did not feel they had a lot of information they could report to the GOC at this time, but are interested in hearing what specific concerns GOC members have that the Commission should be aware of as they move forward with their work.

Director Ashcroft has been in contact with the federal office of the Solicitor regarding the status of their review. They are pulling together all the information gathered in preparation of writing their report. They are also doing legal research on what they will explore further. The federal office did not give the Director a date of when their report will be issued, but it sounds as though they are within the timeframe they had previously told her.

Director Ashcroft said she received limited information from the Co-Chairs of the Blue Ribbon Commission, but would try to answer Committee members' questions if she could, and if she could not, would get the answer and email the information to them.

Sen. Craven asked when the Co-Chairs anticipated making their appointments to the Commission. Director Ashcroft did not know. When she spoke with Co-Chairs Wathen and Jabar they had not had the opportunity to talk much, but she had the impression from Chair Wathen, that although they had not contacted anyone, they had certain individuals in mind. He did not share who they were with the Director. She could find out who they are and email that information to the GOC.

Chair Cain asked if members of the Committee wanted to invite Co-Chairs Wathen and Jabar to the next meeting. GOC members agreed they would like to have the Co-Chairs at the next meeting. This item will be added to the next meeting agenda.

• **Interim Report: OPEGA's Follow-up Review of Office of Information Technology**

Director Ashcroft said that the 125<sup>th</sup> GOC asked OPEGA to review the Office of Information Technology (OIT). OPEGA is reviewing three areas regarding OIT:

- Project Management;
- Business Continuity Planning and Disaster Recovery; and
- Supporting the Data Needs of Executive Branch Departments – includes data analytics capabilities within State government as a whole.

OPEGA's follow-up work required OIT to put together a formal strategic plan of reasonable improvement goals for the two year time frame to 2015 and what the specific action plans were going to be to meet the goals. A copy of OIT's goals and action plan provided to OPEGA is included in the GOC members' notebooks.

Director Ashcroft said OPEGA has had further discussions with OIT regarding their action plans and it became evident that significant improvements in the areas stated above is not something OIT alone believes it can accomplish. There is a degree of partnership needed with each of the agencies in State government. OPEGA's concern when reviewing the action plan was while OIT had certain things it thought it could do, agencies would also have to be able to contribute, either in terms of funding or in terms of human resources and skills.

OPEGA met with Sawin Millett, Commissioner of the Department of Administration and Financial Services (DAFS) regarding who was coordinating the agencies' business partner side. OIT's vision is that they are a service provider, and while they can support, and give guidance, it is not their role to push the work all the way without the agency being an equal partner. For example, under OIT's plan each agency would be required to fund its own portion of the business continuity and disaster recovery efforts. The State has not been funding those kinds of effort which is a problem that OPEGA has identified over the years. Director Ashcroft said she is not sure that the funding model for disaster recovery and business continuity in OIT's plan is a good one given the critically of such efforts to the State as a whole.

Director Ashcroft said those were some of the initial concerns OPEGA has about OIT's plans and OPEGA has started discussions with OIT and Commissioner Millett about those concerns. She does not know what the answer is, but there needs to be a coordinator and accountable person at the top of the Executive branch, that brings agency efforts and resources together with OIT.

Sen. Craven noted that disasters may not be statewide and might only affect certain applications. Director Ashcroft said that is the kind of planning that is needed. There are multiple pieces to disaster recovery and business continuity that requires thinking about all the different scenarios or types of disasters and how the State would want to be prepared to handle each.

Director Ashcroft reported that OPEGA issued a request for proposals for a technical consultant to assist OPEGA with assessing the reasonableness of the plans and goals that OIT had laid out. OPEGA is reviewing the proposals received.

## UNFINISHED BUSINESS

- **GOC Consideration of Open Recommendations From OPEGA Prior Report On:**

- **Children's Mental Health**

Sen. Craven will review the information regarding Children's mental Health and it will be discussed at the next GOC meeting.

- **Continued Review of Potential Topics for Addition to OPEGA's Work Plan or Removal From On Deck List**

- **List of Topics Under Consideration as of June 2013**

Not discussed. It will be added to a future GOC meeting agenda.

## REPORT FROM OPEGA DIRECTOR

- **Status of Projects In Progress**

Director Ashcroft said OPEGA is writing the reports on the **Maine State Housing: Weatherization and LIHEAP Programs** and **Public Utilities Commission** reviews and hopes to have them ready late July. OIT was discussed earlier. The **Healthy Maine Partnership FY 13 Contracts and Funding** project has been initiated and a large amount of the work done, but as of now, it is on hold in order to get the two other reports completed. She said OPEGA has started work on the **Special Project: Tax Expenditure Programs** and noted that there was a section in the budget where OPEGA is tasked with supporting a special task force. Director

Ashcroft would like the opportunity to talk with whoever has knowledge about that. She would like to know what might be required of OPEGA beyond what is already in the Special Project.

Chair Cain noted that Director Ashcroft was referring to the \$40 Million Tax Expenditure Commission that is in the budget for the second fiscal year. She thinks the Commission will be set up at the end of this session and once the budget becomes law. Chair Cain thought it may be worthwhile, once the Chairs of the Task Force are appointed, to invite them to a GOC meeting. She said a lot of the language came from the same conversations discussed at GOC meetings and conversations Director Ashcroft had with the Pew Research Foundation and Taxation and AFA Committees. It will be on the radar screen in the coming months to make sure that there is not duplication of work happening.

### **NEXT GOC MEETING DATE**

Chair Cain said if the Legislature is still in session on June 28<sup>th</sup> the GOC will meet, but if not, Etta will poll members to determine which day and time works best for the next Committee meeting. Sen. Burns noted that the meetings do not have to be held on Fridays. Director Ashcroft said OPEGA would probably not have a report ready to issue until the later part of July, the week of the 22<sup>nd</sup> or 29th.

### **ADJOURNMENT**

The Government Oversight Committee meeting was adjourned at 1:30 p.m.