

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

**Meeting Summary
February 14, 2005**

CALL TO ORDER

The Co-chair, Senator Gagnon, called the meeting to order at approximately 3:15 p.m. in the Labor Committee Room.

ROLL CALL

Senators: Sen. Gagnon, Sen. Courtney, Sen. Mitchell, Sen. Raye
Absent: Sen. Dow, Sen. Perry

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

SUMMARY OF FEBRUARY 9TH MEETING

The Committee reviewed the summary of the prior meeting and did not request any changes. Committee agreed not to treat the meeting summaries as formal minutes and therefore no vote to formally accept the minutes was needed.

REPORT FROM OPEGA DIRECTOR

Director Ashcroft briefed the Committee on the status of the Office start up activities including the creation of the physical office space and the hiring of two positions. Specifically, Director Ashcroft noted that a final design for the office space had been completed and she was working with the Executive Director and BGS on construction efforts. They expected to meet with the contractor in the coming week. She also mentioned that efforts would be made to utilize furnishings that the Legislature already has in inventory to keep costs down as much as possible.

Director Ashcroft also reported that she was receiving a large number of applications for the Principal Analyst and Administrative Secretary positions that had been advertised. Rep. Trahan inquired as to whether the Principal Analyst position had been nationally advertised particularly among groups who were already performing OPEGA type work in other states. Director Ashcroft replied that the position had not yet been advertised

nationally but that she may make the decision to do so depending on how many applicants in the first round of advertising possessed the skills and experience she was seeking.

OLD BUSINESS

The Committee reviewed a flowchart and narrative description prepared by Director Ashcroft of the proposed Evaluation Selection Process that Sen. Gagnon had proposed and the Committee had discussed at the last meeting.

Much discussion ensued around the issues of:

1. How best to communicate to management of selected entities and the public which entities had been selected for review. Also how to accomplish assuring that the entities selected received word of the Committee's decisions before they were made public.
 - Rep. Trahan suggested an easy way to communicate which entities were in the On Deck area was to post it on an OPEGA website.
 - Rep. Canavan suggested checking with the Attorney General on whether there were any legal concerns with keeping the Committee's selection decisions confidential until the affected entities had been notified.
 - Rep. Dugay suggested that perhaps the OPEGA Oversight Committee should invite the Commissioners to a Committee meeting for the purpose of educating them on the Committee's plans and processes and giving them an opportunity to ask questions. Director Ashcroft concurred that she thought this would be appropriate and very helpful in establishing an effective working relationship with the Commissioners and their organizations. She suggested that we should arrange such a meeting once the Committee had finalized its processes.

2. How to deal with specific allegations or accusations that are brought to the Committee about a particular person or entity.
 - Rep. Canavan was interested in how we would treat the situation if the allegation was brought by a state worker about something going on in their department. She also was questioning whether we should make sure that everything to do with allegations or complaints was documented in writing.
 - Sen. Gagnon was interested in whether the Committee would be able to maintain the anonymity or confidentiality of the person making the allegation. He suggested that perhaps someone from the Attorney General's office should come meet with the Committee to answer some of these confidentiality questions.
 - Rep. Trahan reported that in Florida the comparable group to OPEGA often handles accusations by referring them out to the Joint Standing Committee of jurisdiction for follow up.
 - Rep. O'Brien noted that when some background information was gathered on an allegation we may find that the issue had already previously been

addressed or was in the process of being addressed such that the Committee would feel comfortable that there was no need to pursue it further.

3. What criteria to use in determining which entities should go into the On Deck area or Annual Plan.
 - Rep. Canavan liked the idea of having some criteria decided up front so that various requests that came in could be weighed against each other. She noted that some criteria might be more important than others and questioned how that would be accounted for. Director Ashcroft mentioned that there could be a weighting given to each criteria and those that were more important would carry a higher weighting factor.
 - Sen. Raye thought that having some criteria would be important to OPEGA's credibility but wanted to assure that the criteria would not result in a focus that was too narrow. He suggested that the Director have some examples of criteria the Committee might consider for the next meeting. The Committee agreed this would be a good idea.
 - Director Ashcroft will provide a list of possible selection criteria to be discussed at the next meeting.

4. How many evaluations OPEGA would be able to perform in a year.
 - Sen. Raye inquired as to how we would determine how many evaluations could be done in a year. Director Ashcroft explained the approach that would be used in developing an average number of hours to be used on each evaluation, then determining person hours available for OPEGA staff and computing how many evaluations the OPEGA staff would be able to complete. Monetary resources available for hiring consultants would also be factored in.
 - Rep. Dugay requested the Director provide a spreadsheet with an estimate of the OPEGA person hours available so that the Committee would have a sense of what it was possible to accomplish while making its decisions on prioritizing entities to be reviewed. The Director will plan to provide this at a future meeting.
 - Sen. Raye also inquired as to when OPEGA may be ready to begin performing reviews. Director Ashcroft replied that she hoped to be able to begin a review by mid-April but much still depended on when staff got hired and when the Committee completed its process of determining what entities should be evaluated.

5. What other states were doing
 - Rep. Collins and others were curious as to what other states were using for criteria and which states seemed to be most effective in identifying cost savings and etc.
 - Other Committee members also expressed interest in how other states handled the introduction of legislation to address OPEGA report recommendations, i.e. did the oversight body initiate the legislation or was it referred to Joint Standing Committees?

- Rep. Trahan suggested that it might be helpful for members of the Committee to talk with other oversight bodies in other states as he had gained a great deal from those kind of interactions. Some members of the Committee expressed reluctance to actually take any trips. Rep. Dugay suggested that perhaps some sort of ITV conference could be arranged.
- Director Ashcroft will perform some surveying of other states on the Committee's questions and provide a summary to the Committee at the next meeting.

NEW BUSINESS

The Committee reviewed the press release drafted by Director Ashcroft regarding the Committee's current activities. Director Ashcroft was asked to make some minor changes. The Committee approved the press release.

Committee members also requested that the Director provide notices of Committee meetings to the Office of Legislative Information so that the meetings would be posted on the schedules and notice boards for committee meetings. In this way, the press would also be aware of when OPEGA Committee meetings would be taking place.

SCHEDULE NEXT COMMITTEE MEETING

The next Committee meeting is scheduled for Wednesday, February 23, 2005 at 3:00 pm. Director Ashcroft will obtain a room for the meeting.

Sen. Gagnon indicated that the agenda for the next meeting would be more limited to allow the Committee to focus on possible selection criteria and the OPEGA budget.

ADJOURNMENT

The meeting was adjourned at 5:10 p.m.