



SEN. CRAIG V. HICKMAN, SENATE CHAIR
REP. ANNE-MARIE MASTRACCIO, HOUSE CHAIR

MEMBERS:

SEN. MIKE TIPPING
SEN. JILL C. DUSON
SEN. JEFF TIMBERLAKE
SEN. RICK BENNETT
SEN. BRADLEE T. FARRIN
REP. ANN HIGGINS MATLACK
REP. ADAM R. LEE
REP. MICHAEL H. LEMELIN
REP. CHAD RICHARD PERKINS
REP. JOHN EDER

MAINE STATE LEGISLATURE
GOVERNMENT OVERSIGHT COMMITTEE

MEETING SUMMARY
November 14, 2024

Call to Order

The Chair, Senator Hickman, called the Government Oversight Committee to order at approximately 9:40 a.m.

ATTENDANCE

Senators: Senator Hickman, Senator Duson, Senator Tipping, and Senator Timberlake

Representatives: Representative Fay, Representative Arata, Representative Mastraccio, Representative Millett, Representative Blier, and Representative O'Neil

Legislative Staff: Peter Schleck, Director, OPEGA
Justin Purvis, Temporary GOC Committee Clerk

Introduction of Committee Members

The members of the Committee introduced themselves.

New Business

(To watch this meeting - the recorded Live Stream can be viewed here: [November 14, 2024 GOC Meeting](#))

Meeting Summary – October 16, 2024

(A copy of this Meeting Summary can be found here: [October 16, 2024 GOC Meeting](#))

The Committee accepted and approved this meeting summary.

Procurement – Consideration of Potential Topics for OPEGA Preliminary Research

Director Schleck reviewed the following document which summarized key items discussed by the Committee to date, stating that all options remain on the table and today’s goal is to discuss topic(s) on the list, or not on the list, that the GOC would like OPEGA to do preliminary research on or have further discussions about.

[Potential Procurement Topics for GOC Consideration](#)

Representative Mastraccio stated her preference to start this process for the incoming Committee members, providing an overview of the topics for the new members. Representative Mastraccio is interested particularly in the first four topics listed: Procurement Processes; “Best Interest” of the State; Exceptions to Standard Processes; and Treatment of Unsuccessful Bidders, stating that there is something important in each of these that would be important to inform the incoming Committee members.

Representative Fay would like to give OPEGA some direction on work to do before the incoming Committee members begin. Representative Fay saw “The Best Interest” of the State, DHHS, and challenges with Large Information Tech Systems as important. She is most interested in the Barriers to Entry and Treatment of Bidders.

Representative Millett would like a consensus on which, if not all, of the topics are the most important and for Director Schleck to provide a summary of the topics to inform the new members of the incoming Committee of the work that has been done so far.

Senator Tipping would like the Committee to be forward thinking about what the incoming Committee members could look into in the next session. Senator Tipping brought up electrification, energy generation and storage as well as State ownership or equity stakes in these matters. Senator Tipping would like OPEGA to take an initial look into other States and how they have handled these topics and prepare a summary for the incoming Committee members to review.

Representative Fay appreciates the cooperation that DAFS has had with the Committee. Representative Fay stated she believes that DAFS is going to go through a process of internal evaluation of their processes and procedures, and suggested that OPEGA can help by working with DAFS to respond to the questions the Committee has for that department. Representative Fay would also like to see some future work with the Levin Center and their government oversight programs including education and outreach.

Senator Hickman would like to include researching a list of the longest ongoing contracts and if the contracts turn into a “no bid” situation or not. Senator Hickman would also like to learn what, if any, influence representatives of organizations who obtain contracts with the State have on the process of obtaining the contract. Senator Hickman would like to know if there is any influence that the Committee cannot see with this

process. Senator Hickman would like OPEGA to do some research with Deputy Director Trundy and DAFS into this and prepare a summary for the new GOC.

Motion and Committee Vote

Representative Fay moved that the Committee direct OPEGA to gather more information on the topics raised and organize the research for the new Committee members to inform them of the work that has been done up to this point. The motion was seconded by Representative Mastraccio. The motion was approved unanimously by all Committee Members.

Child Protection – Consideration of Further Committee Work

Next, Senator Hickman read a memo written by Representative Fay and himself titled Committee Consideration of Continuation of Child Protection Work.

A copy of the memo may be found at the following link: [Committee Consideration of Continuation of Child Protection Work](#).

Representative Arata opened discussion on the memo stating she endorses the memo and agrees it would be beneficial to have all the reports discussed in the memo linked in one location.

Representative Mastraccio stated she believes it is very important to bring the new Committee up to date on the work done so far on Child Protection. Representative Mastraccio suggested one GOC meeting, early in the session, to include all the information in the memo as part of the orientation of the new GOC so all members have the same information.

Senator Tipping agreed that information and context are very important. Senator Tipping suggested Director Schleck and some OPEGA staff meet with new Committee members in a format where the new Committee members could ask questions easily. During that meeting, Senator Tipping suggested a review of the work on Child Protection the Committee has done during the current session be presented as well as what the current Committee is suggesting for work to be done during the next session.

Representative Millett stated the committee should prioritize the issue of Child Protection to the new committee and describe it as probably the most important issue of human tragedy the Committee has been involved in for over 10 years and that the Committee has taken the issue of Child Protection seriously but work still needs to be done.

Senator Hickman stated he had been thinking about a Joint Standing Committee on Child Welfare, and he would like to know if any other states have something like this set up. Senator Hickman stated how important the issue of Child Protection is, but also believes the Committee did not get to look into part of the issue, the courts. Senator Hickman stated because Child Protection is so important, perhaps the Legislature may consider a Committee devoted to Child Protection.

Senator Timberlake reflected on the years the Committee has worked on the issue of Child Protection, and that the work is not done. Senator Timberlake also believes the courts have been a big part of the problem, and stated a discussion of the courts as relates to this issue of Child Protection should take place in the future.

Representative Fay stated how important the issue of Child Protection is and how important it will be for the new Chairs to understand the history and context of conversations the Committee has had so far on this issue. Representative Fay further stated she would be happy to answer questions the new chairs may have on the work that has been done so far.

Representative Blier agreed a lot of work had been done on the issue of Child Protection but more work remains including looking into the court systems and perhaps how the Committee could give suggestions for improvement of the courts. Representative Blair stated it would be good to ask the 132nd GOC to specifically look into the courts for the children in our state.

Representative O'Neil agrees with working with the new Committee on an orientation meeting, stating it would be beneficial to the new members, allowing them to ask questions, and that it does not need to be "off-mic" stating it would be informative to the public as well.

Representative Mastraccio agrees any meetings should be conducted on mic, stating anything the Committee does needs to also be for the public. Representative Mastraccio stated it is very important for any orientation to involve all parties that have been involved so far to tell the history of what has taken place so the new Committee can get a full picture and then decide how to go forward.

Representative O'Neil added that anyone listening to any meetings benefits from hearing the discussions of the Committee.

Representative Fay believes it would be beneficial for any incoming Chairs to listen to the conversation the Committee is having today.

Senator Hickman stated it could be recommended that watching this meeting be part of the orientation for the next Committee.

Representative Millett agrees with an orientation for the new committee and agrees with the part of the memo that recommends the 132nd Committee request updates on DHHS progress in implementing the results of the GOC and OPEGA work. Representative Millett would like to have this memo sent to the ten members of the next Legislative Council.

Senator Hickman asked Representative Millett to state any addendums for what the Committee should include in the letter for the incoming Committee to consider.

Representative Millett would like to expand on the first portion of the Committee recommendations to require progress reports to update the entire legislature and to ask the Legislative Council members to take a lead in making sure that happens to ensure there is accountability by DHHS.

Motion and Committee Vote

Representative Mastraccio moved to approve the recommendations from the Chairs for the Continuation of Child Protection Work including all the suggestions in the discussion today. Senator Hickman further stated the motion adds to the letter the recommendation that the new Committee may want to include more about the courts. The motion was seconded by Representative Arata. The motion was approved unanimously by all Committee Members.

Director's Report

Director Schleck expressed his appreciation for the opportunity to be of service to the Committee during the 131st Legislature and for the service of Members.

Director Schleck stated he understood the opportunity to refine and enhance the orientation for the new Committee.

Director Schleck informed the Committee that a new OPEGA Administrative Secretary/GOC Clerk has been hired.

Director Schleck stated he will inform the Committee of the awaited Law Court decision in GOC v. DHHS as soon as it comes in.

Director Schleck also stated the Levin Center for Oversight, with the current Chairs' encouragement, will be part of the new Committee's orientation, and would come to do a half day with the new Committee on Best Practices in Legislative Oversight.

Representative Arata mentioned the letter written by Senator Keim and herself and submitted to the GOC chairs regarding allegations that non-citizens are registered to vote, and that this was an issue the new Committee may consider.

Senator Duson requested the Director notify her when the Levin Center presentation occurs.

Final Statements of the GOC of the 131st Legislature

Senator Hickman then addressed the outgoing members of the Committee who were present, Representative O'Neil, Representative Millett, and Representative Fay, thanking them for their service and contributions to the Committee.

Representative Millett expressed his thoughts on the Committee and how it is a great learning experience across all State Government, as well as expanding upon the Appropriations Committee and that it has been a pleasure to be part of the Committee.

Representative O'Neil stated she is thankful for having the opportunity to work on the Committee and appreciates the nonpartisan approach of the Members, the transparency of the work, and ability of the public to attend and comment with their perspectives. Representative O'Neil also appreciated the work of OPEGA staff.

Representative Fay stated it has been a privilege to serve with the Committee members and appreciated the work and dedication of Director Schleck and the OPEGA staff.

Next GOC Meeting Date and Planning

The next GOC Meeting is pending the establishment of the GOC for the 132nd Legislature.

Adjourn

Senator Hickman adjourned the Government Oversight Committee, without objection, at approximately 10:38 am.