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State of Maine  
ONE HUNDRED AND TWENTY-SEVENTH LEGISLATURE  
COMMITTEE ON APPROPRIATIONS AND FINANCIAL AFFAIRS

The Honorable Paul R. LePage  
Governor of Maine  
1 State House Station  
Augusta, ME 04333

November 10, 2015

Dear Governor LePage:

At the Appropriations Committee meeting on Thursday, November 5<sup>th</sup> additional and follow-up questions were put forth by committee members. The questions may be found on the attached list.

Though the Committee is not currently planning to meet in December, the members would very much appreciate getting the answers by December 4, 2015 so that the information can be taken into account in setting their next meeting date and in formulating meeting agendas for the beginning of the upcoming session. You may provide the responses to either one of us directly or through our Committee Analyst, Maureen Dawson at the Office of Fiscal and Program Review (287-1635 or [Maureen.Dawson@legislature.maine.gov](mailto:Maureen.Dawson@legislature.maine.gov)).

Thank you in advance for your consideration and timely response.

Sincerely,

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James Hamper  
Senate Chair

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Margaret Rotundo  
House Chair

Enclosure

cc: Mary Mayhew, Commissioner, Department of Health and Human Services  
Richard Rosen, Commissioner, Department of Administrative and Financial Service  
David Bernhardt, Commissioner, Department of Transportation  
Members, Joint Standing Committee of Transportation  
Maureen Dawson, Principal Analyst, Legislative Office of Fiscal and Program Review

**Questions Posed by the Appropriations and Financial Affairs Committee  
November 5, 2015**

**Department of Health and Human Services**

- Crisis Services RFP: Given the length of time some people experiencing a mental health crisis spend in the emergency room, what services or assistance would be available for those who reach the –hour cap and how would those services be paid for?
- Colorectal Screening Grant Renewal: Why is the department uncertain as to whether they will accept grant funds (especially given that grantees were more likely than non-grantees to use evidence based practices; colon cancer will kill over 200 people in Maine next year; and those in rural communities would especially benefit from local screening)? Are there strings attached to the grant that negate its cost effectiveness?

**Department of Administrative and Financial Services**

- Consolidation of State Office Buildings: How will this development affect plans for utilizing State-owned office space in the greater Augusta area?
- Consolidation of State Office Buildings: Please provide a copy of any cost-benefit analysis of leasing space versus renovating space already owned by the State.

**Department of Transportation: Cuts to the Regional Planning Offices (RPOs)**

*The RPOs historically have been very involved in the planning process for state transportation projects. DOT is planning on drastically cutting their funding– by 75% in the case of the Androscoggin Valley Council of Governments (from \$50,000 to \$12,500). There is a long standing relationship between DOT and the RPOs– it one of the only mechanisms for municipalities to provide input into DOT planning for future projects.*

- What has changed to justify this change in policy at DOT?

*In order to effectively plan for regional transportation projects the RPOs rely on stable funding from the DOT.*

- If the DOT is concerned about how the funding to the RPOs is being spent, couldn't they simply work with the RPOs on improving and strengthening guidelines rather than drastically cutting funding?

*The RPOs are about the only avenues that municipalities have for input into the planning process.*

- How is the DOT going to continue to meet federal requirements for local review and input for transportation planning if the RPOs are being cut out of the process?

**Department of Transportation: The Lewiston- Auburn Passenger Rail Planning Study**

*Parts Part A-71 and Section YY of the biennial budget (PL 2015 c. 267) call for DOT to study and develop a plan for passenger rail service between the cities of Lewiston and Auburn and the Amtrak Downeaster service. The cities of Lewiston and Auburn have now paid their match to allow the project to move forward. The legislation states that the Department shall develop the plan in consultation with the cities of Lewiston and Auburn.*

- What specific plans does DOT have to work with the cities of Lewiston and Auburn to live up to the language of the law?
- Please provide the Committee on Appropriations and Financial Affairs and the Committee on Transportation with periodic updates on steps to be taken to work with Lewiston and Auburn throughout the project - including a date for the first meeting.



STATE OF MAINE  
OFFICE OF THE GOVERNOR  
1 STATE HOUSE STATION  
AUGUSTA, MAINE  
04333-0001

Paul R. LePage  
GOVERNOR

December 4, 2015

Senator Hamper, Senate Chair  
Representative Rotundo, House Chair  
Appropriations and Financial Affairs Committee  
State House  
Augusta, ME 04333

Dear Senator Hamper and Representative Rotundo,

This letter is sent to you in response to your November 10 letter containing questions to the Maine Departments of Health and Human Services, Administrative and Financial Services, and Transportation.

**DEPARTMENT OF HEALTH AND HUMAN SERVICES:**

**Crisis Services RFP** - The three hour per day limit in an emergency department is intended to support a maximum length of time to effectively provide crisis stabilization services. Crisis stabilization services are separate from the responsibilities of a hospital emergency department staff and their requirements under state and federal regulations to provide medical assessment and stabilization. It is imperative that the crisis role in the ER be focused on effective stabilization and urgent decision-making to minimize any patient languishing unnecessarily in the ER.

During the first three hours of crisis support in the emergency department, DHHS will reimburse for both crisis services as well as the hospital emergency department costs. The current crisis stabilization rates vary by region, but bill as much as \$540 per day. Additionally, as a result of the recent crisis services rate study, DHHS will be increasing rates for Crisis Stabilization Units to support greater utilization of this critical support for individuals in crisis who do not need an inpatient psychiatric bed.

**Colorectal Screening Grant Renewal** - I am still considering acceptance and use of these grant dollars.

**DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES:**

**Consolidation of State Office Buildings** - The Department's RFP seeking leased spaced in the City of Augusta will not affect plans for utilizing state-owned office space in the greater Augusta area. If an award is made in response to RFP# 201505009, the result will continue to provide the State of Maine with a balanced portfolio of state-owned and leased space throughout the City of Augusta.

As this committee knows, the Administration has been making investments in state-owned properties that have been neglected for years. During the most recent legislative session, I requested funding through the Maine Governmental Facilities Authority to make better use of state-owned space and to address a number of facility issues. The \$17 million in bond funding authorized by the Legislature has been and



continues to be used to fund upgrades to buildings on the Augusta East Campus, providing useable office space for state agencies and preventing further deterioration of those buildings.

Specific facilities to benefit from this funding include the Deering Building renovation project, Greenlaw Building renovation project, CETA building study, East Campus parking lot and driveway repair project, the Mechanical Building renovation project and upgrades to the Campbell Barn. Just last month, Maine Preservation honored the State of Maine for its work to renovate and restore the Campbell Barn.

Consolidation of State Office Buildings - The State's plans for renovating state-owned space in the City of Augusta remain unchanged. For the purposes of RFP# 201505009, the State seeks to consolidate state agencies into a single, modern, energy efficient facility in the City of Augusta. It is anticipated that such a consolidation will reduce the State's leased and state-owned space by as much as 100,000 square feet.

This reduction in square footage realizes a savings to the State of Maine that is calculated at just below \$1 million a year. Total savings over a 30-year lease period exceed \$28 million in operating costs alone.

Additional savings are expected, but total savings will not be possible to calculate until bids are received and compared to the State's current costs.

#### **DEPARTMENT OF TRANSPORTATION:**

Regional Planning Offices - The statement inherent within these questions -- "DOT is planning on drastically cutting" regional planning organizations is factually incorrect. MaineDOT will spend exactly the same amount on regional planning next year as it spent this year.

Additionally, the assertion "RPO's are about the only avenues that municipalities have for input into the planning process" is not accurate. While RPO work with municipalities is often valuable, it's not the whole story. In fact, MaineDOT interacts with and seeks input from municipalities more than any other state government entity in a multitude of ways:

- The Community Services Division is in continuous contact with municipal officials offering technical assistance and training.
- Regional directors from the Bureau of Operations and Maintenance, regional engineers from the Bureau of Project Management, and regional planners from the Bureau of Planning offer local expertise and seek input across the state.
- Every major project constructed in the state involves a substantial public process including municipal officials.
- Business and Community Relations Liaisons proactively contact community leaders on a regular basis.
- Last winter, the Outreach office in the Bureau of Planning conducted over 40 public listening sessions across the state to seek input from local leaders and citizens alike. Their work was cataloged and submitted to the Federal Highway Administration.
- Each year, MaineDOT attends and presents at the Maine Municipal Association's annual convention. Similar, municipal officials are invited to MaineDOT's annual conference.

- Commissioner Bernhardt and other department executives routinely meet with local officials to discuss their planning and transportation needs.

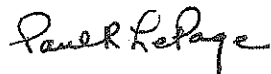
All of these contacts help inform the MaineDOT about needs of municipalities. Moreover, a number of department initiatives – the Municipal Partnership Initiative, the Business Partnership Initiative, and the Planning Partnership Initiative are all designed to better capture priorities of municipalities in the selection of transportation projects. All of these activities and more go above and beyond federal requirements for public and local government participation in transportation planning.

MaineDOT is changing how planning services are purchased from RPOs. MaineDOT conducted a review of costs and activities performed by RPOs and found some problems. Previously, funds were allocated on a formula basis, than drawn down as time was invoiced on an hourly basis. The result was some misspent funding, but more problematic, it was difficult to determine and track if taxpayers were getting an appropriate return on limited available resources. Therefore, as the Committee suggested in its letter, MaineDOT is working with the RPOs to improve and strengthen guidelines to ensure taxpayer dollars are spent wisely and in a manner that improves transportation systems throughout the state. Next year, 25% of available funds will be allocated on a formula basis and drawn down on an hourly basis for use in providing technical expertise and developing possible projects. The remaining 75% will be used for RPO work, but paid for on a deliverable basis. A transportation planning need will be identified; a scope of work will be developed; a price for the deliverable agreed upon; and the RPO will be paid after completing and delivering the work.

Lewiston-Auburn Passenger Rail Planning Study - MaineDOT has agreed to meet with appropriate stakeholders, including the cities of Lewiston and Auburn. MaineDOT has not begun preparing Requests for Proposals and will not until it completes its demanding work on the 2016-2018 work plan by the end of the calendar year. Therefore, the department expects to hold meetings with stakeholders shortly after the New Year. Please be assured that the department looks forward to hearing from the cities of Lewiston and Auburn on what elements they believe should be considered in the scope of work for the study and service development plan.

Thank you for the opportunity to address your questions.

Sincerely,



Paul R. LePage  
Governor