

GOVERNMENT OVERSIGHT COMMITTEE



Subpart C Legislative Oversight of Government Agencies and Programs

Rule 371. Government Oversight Committee.

The Government Oversight Committee, referred to in this Rule as "the committee," is established. The committee consists of 6 members of the Senate and 6 members of the House of Representatives and must be evenly divided between the 2 largest political parties represented in each chamber. The President of the Senate shall appoint 6 Senators, 3 from the political party holding the majority of seats in the Senate and 3 from the political party holding the majority of the remainder of the seats in the Senate. The first-named Senator is the Senate chair. The Speaker shall appoint 6 members, 3 from the political party holding the majority of seats in the House and 3 from the political party holding the majority of the remainder of the seats in the House. The first-named member of the House is the House chair.

OPEGA

“PROGRAM EVALUATIONS”

- PERFORMANCE
- RESULTS
- EFFICIENCY
- EFFECTIVENESS
- ECONOMY

OPEGA
TAX
EXPENDITURE
REPORT



Evaluation of the Credit for Maine Shipbuilding Facility Investment

May
2024

a report to the
Government Oversight Committee and the Legislature
from the
Office of Program Evaluation & Government Accountability
of the Maine State Legislature

OPEGA
INFORMATION
BRIEF



INFORMATION BRIEF

Child Protective Services Reunification

February 2024

February
2024

prepared for the
Government Oversight Committee
by the
Office of Program Evaluation & Government Accountability
of the Maine State Legislature

OPEGA

RECOMMENDATIONS

Since the period for qualifying investment for the Paper Manufacturing Credit is closed, no future applications for initial certificates of approval are expected. As a result, OPEGA did not consider opportunities to improve that process. Instead, our recommendations focus on how design of similar future incentives might be improved and how ongoing data collection and reporting for this credit can be strengthened to better support oversight.

Recommendations for Legislative Consideration

- 1 The Legislature May Want to Consider Other Tools for Providing Incentives to Single Entities in the Future
- 2 The Legislature May Want to Consider Approaches to Increase Transparency Around Use of Multiple Incentives
- 3 Clarification of One Measure for Evaluating the Credit May Be Needed

Recommendations for Program Administrators

- 4 DECD Should Take Additional Steps to Confirm Compliance with Requirements for Job Quality
- 5 DECD Should Include Additional Information in Annual Reports to Allow Legislators to Monitor Fiscal Impact Developments

1 The Legislature May Want to Consider Other Tools for Providing Incentives to Single Entities in the Future

Although the purpose established in statute for the Paper Manufacturing Credit refers to supporting paper manufacturers in Maine generally, the credit's design limits its availability to one entity—Twin

XII. Issues and Recommendations

Issue 1: High Workloads Impact the Thoroughness of Investigations

Thoroughness of investigations, particularly in terms of thorough assessment of all risk and safety concerns, is an expectation and standard embedded in the CFSR process to ensure the safety and protection of children. In our analysis of OCFS Quality Assurance case reviews (see page 36), we saw that meeting the thoroughness standard across most aspects of investigations is an ongoing challenge for OCFS caseworkers. We did observe that caseworkers generally appear to be thorough and complete in the assessment of the caregivers, household members, and specific risks that were – in our opinion – most relevant and critical to the reported allegations. To be thorough in all aspects of an investigation, caseworkers need sufficient time and resources, including supervisor support. In survey and interview results, a strong theme emerged around workloads that are unreasonable for CPS staff. (See page 41 for detailed survey results on workload issues.) Notably, no supervisors agreed with the statement that the workloads of the caseworkers they supervise are reasonable, and only 8% of supervisors agreed that their own workloads are reasonable.

Caseworkers and supervisors also indicated that these high workloads impact their ability to understand critical elements within an investigation – the risks to the child and needs of the family. (See data on page 42.) Only 30% of caseworkers and 8% of supervisors agreed that caseworkers

THE
COMMITTEE
HAS ALSO
ENGAGED
DIRECTLY ON
ISSUES OF
CONCERN.



“FRONTLINE PERSPECTIVES IN CHILD PROTECTION AS CATALYSTS FOR REFORM”

Executive Summary

To those on the frontlines of child protection in Maine: We See You and We Hear You.

The Government Oversight Committee of the 131st Maine State Legislature conducted a series of work sessions from November 2023 to January 2024, with the goal of understanding from those on the frontlines of child protection in Maine the extent and nature of needed reforms. The Committee heard from case workers, Guardians ad Litem, resource (foster) families, biological parents, mandated reporters, and others. **It became clear that many in key roles are simply overwhelmed, and that the general state of Department staff burnout, turnover, and vacancies increases the risks of potential negative consequences for the safety and well-being of vulnerable Maine children.**

From the work sessions, the Committee coalesced around certain key conceptual goals for reform and then reached consensus on specific relevant recommendations (see page 6 for a summary list, and page 8 for brief narratives). Most of our recommendations received unanimous or nearly unanimous support from Members.

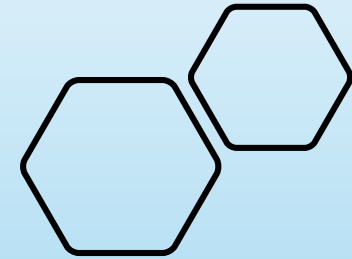
Item	Current Bills	Vote of Committee ¹
Unanimous Recommendations		
Category: Front Line Staff		
A1 Recruit and retain more case aides.	LD 2097	Unanimous
A2 Address burnout, turnover, vacancies, and workload.		Unanimous
A3 Provide specific coaching/mentoring opportunities.		Unanimous
A4 Increase and enhance ongoing training opportunities, including job shadowing.		Unanimous
A5 Create special teams to deal with complex cases.		Unanimous
Category: Services for Families		
D1 Improve family team meetings.	LD 857	
Category: Resource Families and Other Placement Support (Relative; Non-Relative; Other)		
D1 Ensure placement options exist other than in hotels or hospital emergency departments.		Unanimous
D2 Improve home-based therapeutic and other resource family (foster care) resources and supports.		Unanimous
D3 Expand financial support to resource (foster) families and ensure timely reimbursements for appropriate expenditures.		Unanimous
Category: Department Management, Plans, and Reporting		
E1 Task the new Department director with an improvement plan containing short, medium, and long-term strategies and metrics, with regular public updates on progress and challenges.		Unanimous
E2 Require outcomes data.	LD 50	Unanimous
E3 Require specific public reporting on any hospital, hotel, or Department office stays (age, length of stay, district).		Unanimous
E4 Improve culture and job satisfaction.		Unanimous
Category: The Courts		
F1 Improve Access to Courts for Children and Families.		Unanimous
F2 Improve Child and Family Access to Legal Services.		Unanimous
Category: Statute		
G1 Initiate a Review of Statutes Relevant to Child Protection.		Unanimous
Category: Technology		
H1 Fix issues with critical Department technology (Katahdin).		Unanimous
Category: Child Safety		
I3 Address Department struggles to determine the safety of children 1) at the beginning of involvement during child protective investigations and 2) when deciding whether or not to reunify children with their parents.		Unanimous
I4 Share Safety Science recommendations with stakeholders and implement systemic recommendations.		Unanimous
Recommendations with Bipartisan Majority		
Category: Child Safety		
J2 Make consultation with child abuse pediatricians more routine in the child protective intake process and investigations.		11 in support
I5 Join the National Center for Fatality Review and Prevention's Case Reporting System.		11 in support



Report of the Government Oversight Committee
 131st Maine State Legislature
 Second Regular Session
 Frontline Perspectives in Child Protection
 as Catalysts for Reform
 February 2024



Item	Current Bills	Vote of Committee ¹
Unanimous Recommendations		
Category: Front Line Staff		
A1	Recruit and retain more case aides.	LD 2097 Unanimous
A2	Address burnout, turnover, vacancies, and workload.	Unanimous
A3	Provide specific coaching/mentoring opportunities.	Unanimous
A4	Increase and enhance ongoing training opportunities, including job shadowing.	Unanimous
A5	Create special teams to deal with complex cases.	Unanimous
Category: Services for Families		
B2	Improve family team meetings.	LD 857
Category: Resource Families and Other-Placement Support (Relative; Non-Relative; Other)		
D1	Ensure placement options exist other than in hotels or hospital emergency departments.	Unanimous
D2	Improve home-based therapeutic and other resource family (foster care) resources and supports.	Unanimous
D3	Expand financial support to resource (foster) families and ensure timely reimbursements for appropriate expenditures.	Unanimous
Category: Department Management, Plans, and Reporting		
E1	Task the new Department director with an improvement plan containing short, medium, and long-term strategies and metrics, with regular public updates on progress and challenges.	Unanimous
E2	Require outcomes data.	LD 50 Unanimous
E3	Require specific public reporting on any hospital, hotel, or Department office stays (age, length of stay, district).	Unanimous
E4	Improve culture and job satisfaction.	Unanimous
Category: The Courts		
F1	Improve Access to Courts for Children and Families.	Unanimous
F2	Improve Child and Family Access to Legal Services.	Unanimous
Category: Statute		
G1	Initiate a Review of Statutes Relevant to Child Protection.	Unanimous
Category: Technology		
H1	Fix issues with critical Department technology (Katahdin).	Unanimous
Category: Child Safety		
I3	Address Department struggles to determine the safety of children 1) at the beginning of involvement during child protective investigations and 2) when deciding whether or not to reunify children with their parents.	Unanimous
I4	Share Safety Science recommendations with stakeholders and implement systemic recommendations.	Unanimous
Recommendations with Bipartisan Majority		
Category: Child Safety		
I2	Make consultation with child abuse pediatricians more routine in the child protective intake process and investigations.	11 in support
I5	Join the National Center for Fatality Review and Prevention's Case Reporting System.	11 in support



THE COMMITTEE CAN BY MAJORITY VOTE:

ADD A TOPIC TO THE OPEGA WORKPLAN;

DIRECT OPEGA TO GATHER MORE INFORMATION;

REFER THE MATTER TO ANOTHER COMMITTEE;

TAKE NO ACTION.

BY A $2/3$ VOTE

THE COMMITTEE CAN PRIORITIZE
AN OPEGA REVIEW AHEAD OF
OTHERS.



**THERE IS A PROCESS BY WHICH ANY MEMBER
OF THE LEGISLATURE
MAY WRITE TO THE COMMITTEE AND REQUEST
OPEGA'S REVIEW OF A TOPIC.**

**THE LEGISLATOR IS INVITED TO PRESENT THE REQUEST
BEFORE THE COMMITTEE
AND TAKE COMMITTEE QUESTIONS.**

**REQUESTS FROM MEMBERS OF THE PUBLIC REQUIRE THE
SPONSORSHIP OF A LEGISLATOR.**

**THE COMMITTEE CAN VOTE TO APPROVE
OR NOT APPROVE THE REQUEST.**

OPEGA PERFORMS
(AND REPORTS ON)
ITS EVALUATION
OF THE
COMMITTEE-
ASSIGNED TOPIC
INDEPENDENTLY.



OPEGA APPLIES OBJECTIVE CRITERIA.

**LAWS; RULES; REGULATIONS; BEST
PRACTICES.**

OPEGA HAS AUTHORITY TO
ACCESS AND SAFEGUARD
CONFIDENTIAL INFORMATION
TO REVIEW A TOPIC
BUT THEN REPORTS
PUBLICLY ON RESULTS
APPROPRIATELY.





CSOB220



CSOB220 1

WHEN OPEGA COMPLETES A REPORT OF REVIEW:

1. OPEGA: PRESENTS THE REPORT TO THE COMMITTEE AT A PUBLIC MEETING AND THE REPORT IS RELEASED PUBLICLY SIMULTANEOUSLY.



It's the accountability issue that if we don't

CSOB220 Dais



Maine
State
Legislature

Powered by Zoom

2. THE COMMITTEE: HOLDS A PUBLIC HEARING

CHAPTER 37

LEGISLATIVE OVERSIGHT OF GOVERNMENT AGENCIES AND PROGRAMS

- Section
- 991. Evaluation and Government Accountability.
 - 992. Definitions.
 - 993. Committee membership; chairs.
 - 994. Duties of committee.
 - 995. Director.
 - 996. Assistance to committee.
 - 997. Conduct and issuance of program evaluation reports.
 - 998. Process for review of tax expenditures.
 - 999. Full evaluation of tax expenditures.
 - 1000. Expedited review of tax expenditures.
 - 1001. Tax expenditure evaluation process details.

Historical and Statutory Notes

Laws 2001, c. 702, § 2, enacted Chapter 37, "Legislative Oversight of Government Agencies and Programs".

§ 991. Evaluation and Government Accountability

The Office of Program Evaluation and Government Accountability is created for the purpose of providing program evaluation of agencies and programs of State Government and, when determined necessary by the committee, local and county governments, quasi-municipal governments, special districts, utility districts, regional development agencies or any municipal or nonprofit corporation. The office also is established to ensure that public funds provided to local and county governments, quasi-municipal governments, special districts, utility districts, regional development agencies or any municipal or nonprofit corporation are expended for the purposes for which they were allocated, appropriated or contracted. When authorized by the committee, the office also may examine or direct an examination of any state contractor financed in whole or part by public funds and any expenditure by any public official or public employee during the course of public duty, including, but not limited to, any expenditure of private money for the purposes of the agency or other entity.

2001, c. 702, § 2; 2003, c. 451, § KKK-1, eff. June 12, 2003; 2003, c. 673, § GGGG-1.

Historical and Statutory Notes

“§ 991. Evaluation and Government Accountability

“The Office of Program Evaluation and Government Accountability is created for the purpose of providing program evaluation of agencies and programs of State Government. The office also is established to ensure that public funds provided to local and county governments, quasi-municipal development agencies or any municipal or

2003 Legislation

Laws 2003, c. 451, § KKK-1, in the third sentence, “the course of any expenditure by any public official or public employee during the course of public duty, including, but not limited to, any expenditure of private money for the purposes of the agency or other entity.”





3. THE COMMITTEE: CONDUCTS A WORK SESSION.

**THE COMMITTEE: MAY REPORT OUT
LEGISLATION TO IMPLEMENT
OPEGA FINDINGS AND RECOMMENDATIONS.**

1820

1820-21

F.O.J. SMITH

VOL. II

1822-31

VOL. III

1821

VOL. I

1821

VOL. II

1822

THE COMMITTEE MAY THEN VOTE TO:

```
graph TD; A[THE COMMITTEE MAY THEN VOTE TO:] --> B[1. ENDORSE;]; B --> C[2. ENDORSE IN PART; OR]; C --> D[3. NOT ENDORSE]; D --> E[OPEGA'S REPORT.];
```

1. ENDORSE;

2. ENDORSE IN PART; OR

3. NOT ENDORSE

OPEGA'S REPORT.

§999. Full evaluation of tax expenditures

1. Evaluation process. Beginning January 1, 2016, the office shall evaluate each tax expenditure identified under section 998, subsection 1, paragraph A in accordance with the schedule established in section 998, subsection 2.

A. Prior to the beginning of each evaluation, the committee, after consideration of recommendations from the office, shall approve the following for each tax expenditure subject to full evaluation:

- (1) The purposes, intent or goals of the tax expenditure, as informed by original legislative intent as well as subsequent legislative and policy developments and changes in the state economy and fiscal condition;
- (2) The intended beneficiaries of the tax expenditure;
- (3) The evaluation objectives, which may include an assessment of:
 - (a) The fiscal impact of the tax expenditure, including past and estimated future impacts;
 - (b) The extent to which the design of the tax expenditure is effective in accomplishing the tax expenditure's purposes, intent or goals and consistent with best practices;
 - (c) The extent to which the tax expenditure is achieving its purposes, intent or goals, taking into consideration the economic context, market conditions and indirect benefits;
 - (d) The extent to which those actually benefiting from the tax expenditure are the intended beneficiaries;
 - (e) The extent to which it is likely that the desired behavior might have occurred without the tax expenditure, taking into consideration similar tax expenditures offered by other states;
 - (f) The extent to which the State's administration of the tax expenditure, including enforcement efforts, is efficient and effective;
 - (g) The extent to which the tax expenditure is complementary or duplicative of other programs that serve similar purposes, intent or goals as the tax expenditure, and the extent to which it is complementary or duplicative;
 - (h) The extent to which the tax expenditure is a cost-effective use of resources compared to other options for using the same resources or addressing the same purposes, intent or goals; and
 - (i) Any other matters that impact the effectiveness of the tax expenditure in meeting its purposes, intent or goals; and
- (4) The performance measures appropriate for analyzing the evaluation objectives. Performance measures must be clear and relevant to the specific tax expenditure and the approved evaluation objectives. [PL 2017, c. 266, §2 (AMD).]

B. Before final approval pursuant to paragraph A, the committee shall seek and consider input from the policy committee and stakeholders and may seek input from experts. [PL 2015, c. 344, §4 (NEW).]

[PL 2017, c. 266, §2 (AMD).]

2. Action by office, report. The office shall submit a report on the results of each evaluation to the committee and the policy committee. The office shall seek stakeholder input as part of the report. For each tax expenditure evaluated, the report must include conclusions regarding the extent to which the tax expenditure is meeting its purposes, intent or goals and may include recommendations for continuation or repeal of the tax expenditure or modification of the tax expenditure to improve performance. [PL 2017, c. 266, §3 (AMD).]

[PL 2017, c. 266, §3 (AMD).]

3. Action by committee. The committee shall review the report submitted by the office under subsection 2, assess the report's objectivity and credibility and vote whether to endorse the report. The committee shall submit a record of the vote on each tax expenditure to the policy committee for its review and consideration.

OPEGA Also Performs Reviews Of Tax Expenditures (Incentives).
This Will Be The Subject Of A Separate Orientation Session At the January 24, 2025, Committee Meeting.

LEVIN CENTER



FOR OVERSIGHT
AND DEMOCRACY

**THE LEVIN CENTER FOR
OVERSIGHT
AND DEMOCRACY WILL
PRESENT
“BEST PRACTICES IN
LEGISLATIVE OVERSIGHT”
TO THE COMMITTEE
AT THE JANUARY 24, 2025,
COMMITTEE MEETING.**



OPEGA
IS ALSO PREPARED
TO OFFER
TOPIC-SPECIFIC
ORIENTATION(S)
AT THE
FEBRUARY 2025
COMMITTEE MEETINGS.



OPEGA WORK IN PROGRESS:

- **SELECT FINANCIAL OPERATIONS AT MAINE VETERANS' HOMES**
- **WORKER SAFETY AT RIVERVIEW AND DOROTHEA DIX PSYCHIATRIC CENTERS**
- **CREDIT FOR MAJOR BUSINESS HEADQUARTERS EXPANSION**

MAINE SUPREME JUDICIAL COURT
Decision: 2024 ME 81
Docket: Ken-23-61
Argued: December 6, 2023
Decided: December 26, 2024

Panel: STANFILL, C.J., and MEAD, HORTON, LAWRENCE, and DOUGLAS, JJ.*
Majority: STANFILL, C.J., and MEAD, HORTON, and DOUGLAS, JJ.
Concurrence: LAWRENCE, J.

GOVERNMENT OVERSIGHT COMMITTEE

v.

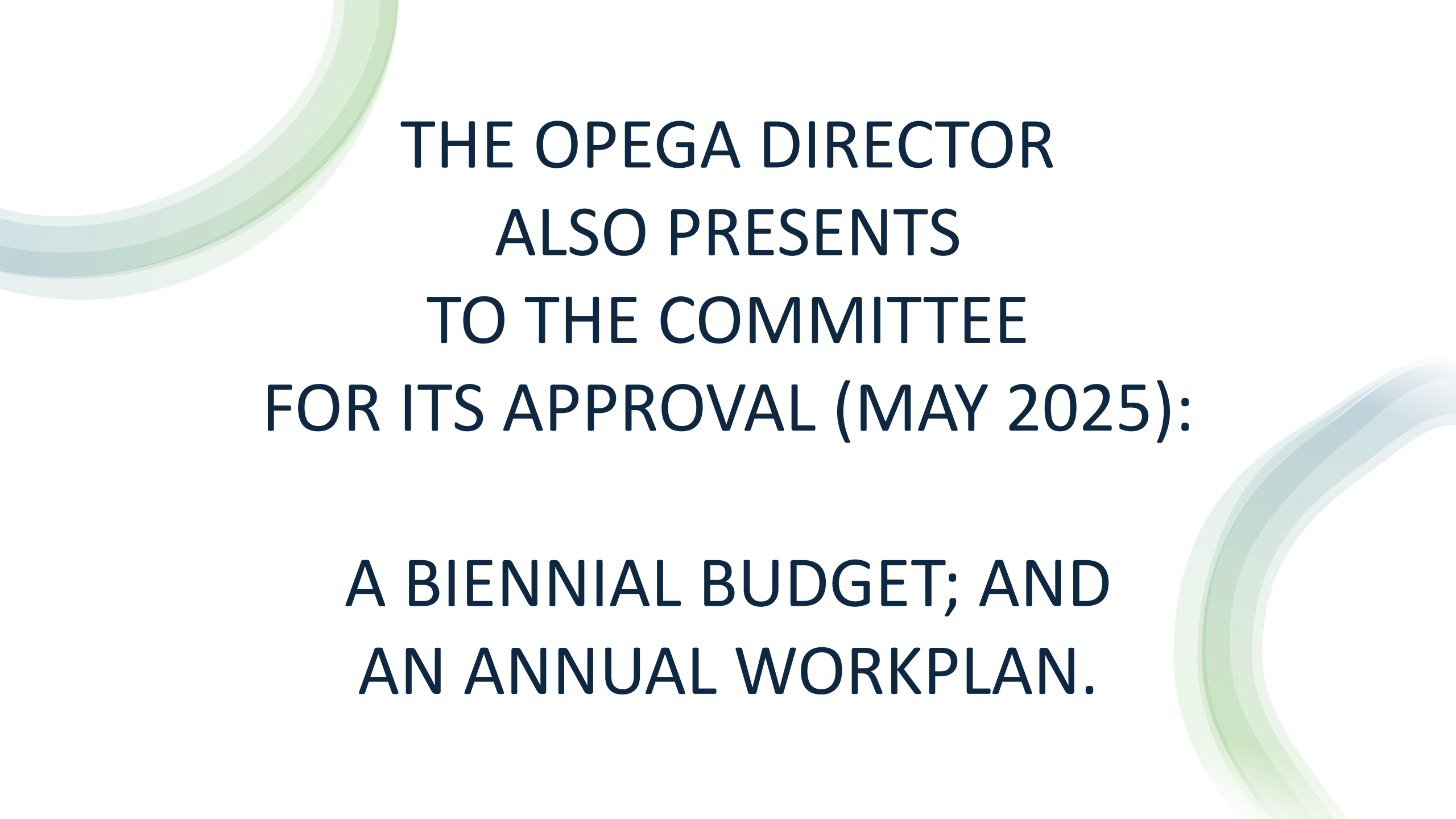
DEPARTMENT OF HEALTH AND HUMAN SERVICES

DOUGLAS, J.

[¶1] This case involves a dispute between the Government Oversight Committee of the 131st Maine Legislature and the Maine Department of Health and Human Services over access to confidential Department records relating to the deaths of four children in 2021. When the Department declined to produce

GOVERNMENT OVERSIGHT
COMMITTEE v. DHHS






**THE OPEGA DIRECTOR
ALSO PRESENTS
TO THE COMMITTEE
FOR ITS APPROVAL (MAY 2025):**

**A BIENNIAL BUDGET; AND
AN ANNUAL WORKPLAN.**

THE OPEGA DIRECTOR ALSO SUBMITS
AN ANNUAL REPORT
TO THE COMMITTEE AND THE LEGISLATURE
BY JANUARY 15.



THE OPEGA ANNUAL REPORT FOR 2024 IS IN
MEMBER BINDERS.

A large, empty conference room with a curved wooden table, chairs, and a large screen. The room is well-lit with recessed ceiling lights. The table is set with several binders, microphones, and a gavel. The text is overlaid in the center of the image.

**COMMITTEE RULES WILL BE DRAFTED
AND PRESENTED
FOR
COMMITTEE REVIEW AND APPROVAL
SOON.**



THERE ARE
LETTERED TABS
IN MEMBER BINDERS
THAT DETAIL
AUTHORITIES
AND
PROCESS.



A LIST OF
TENTATIVE
(TYPICAL)
COMMITTEE
MEETING DATES
IS ALSO IN
MEMBER BINDERS.

**OPEGA PLANS TO UNDERGO A PEER REVIEW
IN 2025
BY
COUNTERPART STATE OFFICE REPRESENTATIVES
THROUGH THE
NATIONAL LEGISLATIVE PROGRAM EVALUATION SOCIETY.**

**A PROFESSIONAL STAFF ASSOCIATION OF THE
NATIONAL CONFERENCE OF STATE LEGISLATURES.**



Professional Staff Association

**National Legislative
Program Evaluation
Society**