



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 R. PERKINS
REP. JOHN M. EDER

MAINE STATE LEGISLATURE
GOVERNMENT OVERSIGHT COMMITTEE

March 5, 2025

VIA ELECTRONIC MAIL

The Honorable Shenna Bellows
Secretary of State
148 State House Station
Augusta, Maine 04333

The Honorable Aaron Frey
Attorney General
6 State House Station
Augusta, Maine 04333

Dear Secretary of State Bellows and Attorney General Frey,

At the February 14, 2025, meeting of the Committee, we considered the request of Representative Chad Perkins (adopting and bringing forward a prior request from Representative Amy Arata and former Senator Lisa Keim) for a review of certain election integrity concerns. The context of the request was prior reporting by *The Maine Wire*, based on information received from a source, that suggested that certain data fields in Maine Care, when compared with published voter rolls, raised the specter that noncitizens may be voting in Maine elections.

The Committee was evenly divided when it voted on a motion to direct the Office of Program Evaluation and Government Accountability to conduct a review of these concerns, and thus the motion did not prevail. A second motion, to transmit to both of you the relevant approved Committee meeting summary, received unanimous Committee support.

We now enclose the meeting summary, and request your review and consideration of it, for any action you may deem appropriate.

Thank you for your attention to this matter.

Sincerely,

Craig V. Hickman
Senate Chair

Anne-Marie Mastraccio
House Chair

Enclosure



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MAINE STATE LEGISLATURE
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MEETING SUMMARY
February 14, 2025

Call to Order

The Chair, Senator Hickman, called the Government Oversight Committee to order at approximately 9:36 a.m.

ATTENDANCE

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

Representatives: Representative Mastraccio, Representative Eder, Representative Lee, Representative Lemelin, Representative Matlack, and Representative Perkins

Legislative Staff: Peter Schleck, Director, OPEGA
Kari Hojara, Senior Analyst, OPEGA
Hillary Risler, Analyst, OPEGA
Jennifer Greiner, GOC 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: [February 14, 2025 GOC Meeting](#))

Meeting Summary – January 24, 2025

(A copy of this Meeting Summary can be found here: [January 24, 2025 GOC Meeting Summary](#))

The Committee accepted and approved this meeting summary.

Proposed Committee Rules

Sen. Hickman welcomed OPEGA Director Peter Schleck and OPEGA Analyst Hillary Risler to present the Proposed Committee Rules.

Ms. Risler began by acknowledging all the members are familiar with committee rules, therefore she would just highlight the sections of the proposed rules that are unique to the Government Oversight Committee, and a couple of changes that have been proposed from the previous GOC Rules due to changes in the Joint Rules of the 132nd Legislature.

Ms. Risler also stated that as these are the draft rules there may be some discussion or questions among the Committee as the draft rules are reviewed. Ms. Risler wanted to remind the Committee, while she is going through these draft rules, that once the Committee Rules are approved and posted by the Committee, questions of interpretation or enforcement are up to the Chairs and ultimately the presiding officers as needed.

Ms. Risler then reviewed the Draft Rules noting the following changes:

- **5. Questions of Order.** Pursuant to Joint Rule 304, the presiding chair shall decide all questions of order, subject to appeal to the Committee. The chair's ruling stands unless overruled by a majority of the Committee membership.
- **6. Procedural motions.** A procedural motion, including but not limited to a motion to table, to reconsider or to overrule the ruling of the presiding chair, fails without an affirmative vote by the majority of the Committee membership.

Rep. Mastraccio stated that she wanted to make sure it is understood that in the rules, a majority is of the 12 members of the Committee, not a majority of those members present at a meeting as this is different from policy committees.

Sen. Hickman agreed with Rep. Mastraccio stating that for this Committee, every vote has to have at least 7 members vote in favor to affirmatively move forward.

Ms. Risler continued reviewing the Draft Rules noting the changes regarding consumption of food and beverage in the committee rooms and that during committee meetings only legislators appointed to the committee may be seated at the horseshoe.

Ms. Risler also noted that rules regarding public hearings, work sessions and voting are different from the rules for a policy committee and read through those rules.

Sen. Hickman asked about section 10, Paragraph G, regarding voting to authorize reviews, specifically the wording “2/3 of those voting” for rapid reviews instead of 2/3 of the Committee, and is this a change in wording from the previous rules.

Ms. Risler stated she did not believe it was a change, but would be a simple matter to clarify the wording.

Rep. Mastraccio stated that when doing a Rapid Response, as she has been part of in previous GOC, that it is 2/3 of the members, not 2/3 of those voting at the meeting.

Sen. Hickman agreed, stating a motion can be made for an amendment of the wording of 10. G. to read “2/3 of the Committee Membership”.

Sen. Bennett asked about the definition of Rapid Response reviews.

Director Schleck stated that in the Statute, MRS Title 3, Chapter 37, there is a reference of having “a system to provide immediate review of a program or function of a state agency or other entity in the event that there is a suspicion of a major mismanagement of public funds or functions”. It is essentially a mechanism that developed over time to address the notion of the Committee being able to vote, by a 2/3 majority, to have a matter that just came in to the Committee that is such importance that it should take priority over other work.

Sen. Hickman read into record, MRS Title 3, Chapter 37 § 994 subsection 12. Clarifying that “Rapid Response” means Immediate Review System.

Sen. Bennett stated that clarification of the term is important and the same term should be used in the Committee rules as in statute. Sen. Bennett also noted that it appeared the Committee should determine a procedure for an Immediate Review system and is there more to this procedure than a 2/3 vote of the Committee?

Sen. Hickman asked Sen. Bennett if he is suggesting instead of the use of the term Rapid Response in the Committee Rules, the term Immediate Review should be used instead.

Sen. Bennett confirmed Sen. Hickman’s question and also added if the statute assumes that the Committee has proceedings developed for an Immediate Review or is it sufficient for a 2/3 vote to proceed with an Immediate Review.

Director Schleck stated he has no concerns with using the same terminology that is in the statute in the proposed Committee rules to clarify the meaning. Director Schleck also stated it was his understanding that an Immediate Review to be the notion of the Committee, whether making an explicit finding on the record or not, with a 2/3 vote could prioritize an Immediate Review over all other work.

Sen. Tipping asked for further clarification on if rules had changed regarding 2/3 majority of those voting, or 2/3 of membership of the Committee.

Rep. Mastraccio stated that in all her time on the Committee, they have always followed that there needs to be 2/3 of the membership of the Committee on all votes. Rep. Mastraccio further stated that there has not been a change in past practice of the Committee, the Committee just wants to make sure the current rules reflect the practice of the Committee.

Sen. Tipping then stated that perhaps in the case of a Rapid Response or Immediate Review, it might be better to keep the wording of “2/3 of those voting” as it might be useful if all the members are not present at the time of the vote and the Committee wants to begin investigating something immediately, stating it would likely be bipartisan.

Rep. Mastraccio disagreed with Sen. Tipping, stating that if it is “2/3 of those voting” even though it may appear bipartisan, with “2/3 of the Membership of the Committee” many members from both parties are significantly involved in the vote. Rep. Mastraccio also noted that an Immediate Review involves an interruption of work of OPEGA and the work plan, so it must be done for a very good reason.

Sen. Hickman then summarized the discussion on section 10 G, stating that what has been discussed was a proposed amendment to section 10. G. in which the final language would read, “The Committee shall vote to authorize OPEGA to begin or schedule specific reviews. This includes votes to approve the Annual Work Plan, make changes to the “approved” Work Plan or initiate Immediate Reviews. Such motions must pass by a majority of the Committee membership, with the exception that motions to begin Immediate Reviews must pass by 2/3 of the Committee membership.”

Ms. Risler continued reviewing the Proposed Committee Rules regarding voting to introduce legislation and appointment of subcommittees.

Rep. Lee, regarding the rule that membership of subcommittees appointed by the committee must be “bipartisan in nature” asked about the phrase “bipartisan in nature”, asking if it does not necessarily mean that there’s an equitable balance between the parties. Rep. Lee further asked if this phrase “bipartisan in nature” needs to be equal members from the two major parties?

Rep. Mastraccio stated that subcommittees happen very rarely, but the subcommittees might be three out of the 12 Committee members, therefore bipartisan in nature does not necessarily mean equal members from the parties.

Director Schleck referenced the litigation subcommittee, which was appointed by the entire Committee, had the chairs and leads on it, so in that case the subcommittee was evenly divided. Director Schleck stated that, in his opinion, the Committee is free to make composition determination of the subcommittee as it is formed.

Sen. Bennett stated that he believes the term “in nature” in the proposed rule 11 adds a level of uncertainty to what is meant.

Sen. Hickman summarized the discussion on section 11, stating that the proposed amendment to section 11 would read “Membership of any subcommittees appointment by the Committee must be bipartisan”.

Motion and Committee Vote

Sen. Hickman asked the Committee if there was a Motion regarding the Proposed Committee Rules.

Rep. Mastraccio made a motion to approve the proposed Committee Rules as amended in the discussion held during the Committee Meeting. The motion was seconded by Sen. Bennett. The motion was approved unanimously by all Committee Members. (This included the vote of one member who later voted by absentee vote as allowed by Committee Rules).

Committee Consideration of Legislator Requests for Reviews

Sen. Hickman next turned to consider a number of requests from fellow legislators, including members of the Committee. Sen. Hickman will invite each member to present their requests in the order listed on the agenda. Sen. Hickman further stated that, without objection, the Committee will hold any formal motions on any and all matters considered until after the Committee has heard about staffing and staff safety at Riverview and Dorothea Dix.

Sen. Hickman also stated that after hearing from all requestors and hearing the presentation on Dorothea Dix and Riverview, the Committee can invite the OPEGA Director to discuss any practical considerations in terms of workload and timing in relations to which, if any, requests the Committee might by a majority vote add to the OPEGA workplan.

Requests regarding the Office of Cannabis Policy

Sen. Hickman invited Rep. Boyer and Rep. Perkins to speak of their requests concerning the Office of Cannabis Policy.

Rep. Boyer began by sharing his written testimony with the Committee, which includes three areas of concern with the Office of Cannabis Policy (OCP)

- The licensure of suspected illicit cannabis operations
- The appearance of a conflict of interest concerning OCP Director John Hudak and OCP contractor METRC
- The OCP's stakeholder and legislative relations

Rep. Boyer's written testimony may be found here: [Letter from Rep. Boyer](#)

Sen. Tipping stated that he finds it deeply troubling that a statutorily required report would be not only withheld, but for the stated reasons it was withheld. Sen. Tipping asked Rep. Boyer if there was one area of concern out of the several raised that Rep. Boyer would be most relevant to the work of the GOC.

Rep. Boyer stated that all three areas he outlined raise questions about the OCP. Rep. Boyer further stated that he believes the withholding of the report that was statutorily required is the area to focus on to start.

Sen. Bennett stated that he believes VLA seems to be the right place to address the issue of the statutorily required report from OCP being withheld from the VLA. Sen. Bennett further stated that the area of concern that stood out to him were the questions of conflict of interest of certain people in the OCP and if this issue may be better within the purview of the GOC. Sen. Bennett asked Rep. Boyer to share about the dynamics between the VLA and OCP.

Rep. Boyer, in reference to the dynamics of the VLA and OCP, stated he personally has exhausted all efforts to try to request various items of information from the OCP without really having those requests fulfilled. Rep. Boyer stated that he is also troubled by the appearance of the conflict of interest he outlined in his testimony, further stating that he defers to the GOC on what the Committee believes it would be appropriate to review.

Sen. Timberlake stated that he also serves on the VLA and finds the issue of the appearance of a conflict of interest in contracting to be the matter for the GOC. Sen. Timberlake also stated that he believes the issue of the statutorily required report being withheld falls under the VLA, and regarding the issue of licensure of suspected illicit cannabis operations, perhaps the VLA needs to get the Criminal Justice and Public Safety Committee involved.

Rep. Boyer agreed with Sen. Timberlake and further stated that the issue of the conflict of interest in contracting goes beyond just money going where it shouldn't, but policy implications and how it impacts those operators who fall under the OCP.

Sen. Hickman spoke of the illicit growth concern, disclosing that he is the Chair of the VLA Committee, highlighting a question in Rep. Boyer's testimony "Under current law, are you required to process applications within a certain period of time?", which at this time the answer is no, and this has been a problem for some people when some applications are delayed, and some are done immediately including some applications from individuals suspected of being involved in illicit cannabis operations.

Rep. Boyer agreed that registrations of individuals suspected of being involved in illicit cannabis operations is a major concern for those in the regulated community.

Sen. Hickman stated that the application process is an issue the VLA can address.

Sen. Hickman then read into the record the powers and purpose of the Committee and OPEGA from MRS Title 3, Chapter 37 § 991. Sen. Hickman then stated that Rep. Boyer's testimony regarding the appearance of a conflict of interest relates directly to the purpose of OPEGA.

Sen. Duson stated that as a public official, the best way to address growing distrust of government in the area of conflict of interest is to disclose publicly any appearance or potential area of conflict of interest so it can be addressed. Sen. Duson stated she agrees it is within the jurisdiction of the GOC to look into this matter.

Rep. Lee stated that there may be an oversight function as to how OCP regulates and provides registrations to illicit cannabis operations and asked Rep. Boyer if that was what he meant by asking the GOC to look into the licensure of suspected illicit cannabis operations.

Rep. Boyer agreed with Rep. Lee's statement. Rep. Boyer further stated that he has a concern that the OCP appears to have little respect for the VLA or at least lawmakers in the legislative branch based on previous interactions between the OCP and VLA.

Rep. Lemelin stated that he is upset by the statutorily required report being withheld from VLA, but agreed with the Members who stated the Committee should look into the issue of the appearance of conflict of interest with OCP and hopes that during an investigation into the appearance of conflict of interest, the issue of illicit cannabis operations may also be uncovered.

Rep. Perkins also agrees the Committee should look into the issue of the appearance of conflict of interest with OCP, but also believes the Committee should also look into the issue of the statutorily required report from OCP being withheld from the VLA and that this might also address the issues with transparency, communication, and decorum from the OCP.

Sen. Hickman then asked Rep. Perkins, who also has a request before the Committee regarding the statutorily required report from OCP being withheld, to share his request with the Committee.

Rep. Perkins' written testimony to the Committee on OCP can be found here: [Memorandum from Rep. Perkins, Investigative Request Into The Policies and Procedures For Releasing Statutorily Required Reports to Legislative Committees](#)

Rep. Perkins further explained that the purpose of his request is not to look into any one person or employee, but that the Committee look into this issue to make sure there were not any policies, procedures, or training deficiencies found so that this issue does not happen again. Rep. Perkins believes this would be better handled by OPEGA than a policy committee.

Sen. Tipping asked Rep. Perkins if he had any evidence of withholding reports or related activities other than the statutorily required report from OCP being withheld.

Rep. Perkins stated he does not have any knowledge of other instances of withholding required reports, but he would like to make sure policies are in place to ensure this does not happen again.

Requests regarding Election Integrity

Sen. Hickman next invited Rep. Perkins to speak about his concerns regarding Election Integrity noting this is also a prior request to the Committee from Rep. Arata and former Sen. Keim.

Rep. Perkins' written testimony may be found here: [Rep. Perkins Request RE Election Integrity](#)

Rep. Perkins read his written testimony into the record then asked if Rep. Arata could also speak to the Committee regarding this request as she has seen the information to be discussed firsthand.

Sen. Hickman invited Rep. Arata to speak on this matter.

Rep. Arata stated that she was approached by a journalist who offered to show her the records that he disclosed in his publication. Rep. Arata met with this journalist in mid-October 2024 and after that meeting, Rep. Arata felt an obligation to bring this issue to the Committee.

Rep. Arata, then with the Chairs' permission, read the letter to the Committee into the record from Sen. Keim and herself dated October 31, 2024. That letter may be found here: [Letter from Sen. Keim and Rep Arata Regarding Election Integrity](#)

Rep. Arata then stated she believed this could be a very quick and brief investigation and suggested the scope of the investigation could be limited to Portland registered voters to begin with and depending on the findings the Committee could decide whether to perform a deeper investigation.

Sen. Bennett asked if the individuals who, according to the journalist's report, were non-citizens and registered to vote, there was any indication those individuals actually voted.

Rep. Arata stated that some of the individuals have voted since 2016.

Sen. Bennett then asked for the reason for the suggestion of limiting the scope of the investigation to Portland registered voters.

Rep. Arata answered that the names shown to her by the journalist were registered to vote in Portland.

Sen. Tipping asked if there was evidence of malfeasance rather than misclassifications in the large MaineCare medical database noting its purpose is not for validating citizenship or voting.

Rep. Arata stated that her understanding is that the database is updated regularly, but agreed Sen. Tipping made a good point and it is possible there could be some misclassifications in the database in relation to citizenship classification.

Sen. Tipping then asked Rep. Arata if the information she has viewed were confidential medical records.

Rep. Arata stated that yes, the information she viewed was confidential medical records.

Sen. Tipping then asked Rep. Arata how she obtained the confidential medical records.

Rep. Arata answered that the journalist was given the confidential medical records by a whistleblower who somehow had access to the confidential medical records and that is the reason the journalist is not willing to release the names of the individuals to the Secretary of State.

Sen. Tipping then asked Rep. Arata if she has been contacted by law enforcement regarding the confidential medical records.

Rep. Arata stated she has not been contacted by law enforcement regarding this matter.

Sen. Tipping asked Rep. Arata if she was concerned that anyone was looking up medical records for reasons other than usual medical reasons.

Rep. Arata stated that it was very concerning.

Sen. Tipping then asked Rep. Arata if she was aware of regular review of voting roles through the Secretary of State's office to verify proper voting registration.

Rep. Arata stated that she believes the Office of the Secretary of State looks at addresses and cross references those with voter names and other similar methods, but that she is not sure how regularly that occurs, nor does she know what the Office of the Secretary of State does to verify citizenship for voters.

Rep. Lee asked Rep. Arata if the records she saw from the journalist regarding the immigration status of individuals was simply from the MaineCare database.

Rep. Arata confirmed the records she saw were from the MaineCare database.

Rep. Lee asked Rep. Arata if there was any other document that she viewed that cross-referenced the individuals and their immigration status.

Rep. Arata stated the only document type she was shown cross-referencing the individuals and their immigrations status was from the MaineCare database.

Sen. Hickman asked Rep. Arata if there was any documentation cross-referencing the records of the individual's immigrations status to the voter rolls.

Rep. Arata stated that the names and addresses from the MaineCare data base were cross-referenced with voter rolls.

Sen. Hickman asked Rep. Arata if she turned in those names to the office of the Attorney General.

Rep. Arata stated that she did not write down the names shown to her, she did not take her own screenshot of the names, she just saw the information and formed a belief that OPEGA should look into this matter.

Sen. Hickman stated that any non-citizen voting in an election is a crime under State and Federal Law, and that he hopes the Office of Attorney General has at least been informed as to who are allegedly committing this crime so that the Office of the Attorney General can investigate. Sen. Hickman also noted that if the Office of Attorney General has subpoenaed any of these records, the public would not know because investigations are not public until they are completed. Sen. Hickman asked Rep. Arata if she was aware if there is a possibility that the Office of Attorney General may already be investigating this matter.

Rep. Arata stated she did not believe the Attorney General is investigating this matter. Rep. Arata further stated that Maine has a very strong statute for whistleblowers and for protecting journalists. Rep. Arata also stated that the journalist has said he is not willing to give the records to the Office of the Attorney General in order to protect his source. Rep. Arata further stated she does not know who the source is.

Sen. Hickman again stated for the record that if there is non-citizen voting in Maine elections, that this is a crime, and the Office of the Attorney General is the appropriate place to have that crime investigated.

Sen. Timberlake stated he would like to clarify the issue, and that as he understands the request, there was a whistleblower, who does not want to lose their job or go to jail, who gave the information of noncitizens to a reporter, and the reporter is doing their job by not divulging the source of the information. Sen. Timberlake further asked Rep. Arata if she is saying this information is true and non-citizens have voted, that to have this issue investigated through the Office of the Attorney General may not keep names confidential, but if it was investigated through OPEGA confidentiality would be kept.

Rep. Perkins stated his understanding, based on his recollection, that the information was offered to both the Office of the Secretary of State and the Office of the Attorney General but both offices declined to pursue it without the name of the whistleblower.

Rep. Arata added to Rep. Perkins' statement, saying that she believes the Office of the Secretary of State and the Office of the Attorney General would not pursue it without the name of the whistleblower and the names of the registered voters.

Sen. Hickman then addressed the whistleblower directly stating if the whistleblower is listening to this conversation, he would urge the whistleblower to go to the Office of the Attorney General with the information. Sen. Hickman further stated the law protects the whistleblower from retaliation if they follow the law and report these names of alleged criminal activity directly to the Office of Attorney General without going through a third party. Sen. Hickman urges the whistleblower to do this so the issue can be resolved whether or not this Committee directs OPEGA to investigate.

Rep. Mastraccio stated that she feels very strongly that it's against the law for noncitizens to vote and if that is happening she would like to know; however, she believes it is the job of the Attorney General and no one knows whether the Attorney General is or is not investigating this issue currently or has subpoenaed those records. Rep. Mastraccio also believes that revealing the medical records was a crime.

Rep. Arata stated that one reason the journalist would not give the names of the registered voters to the Attorney General was because the journalist was concerned the to identify the whistleblower could be discovered by looking at the portal entry.

Sen. Tipping then stated that improper voting is incredibly rare citing an investigation by a former Attorney General, Charlie Summers, whose investigation into voting lasted months and did not find evidence of improper voting.

Sen. Timberlake stated that he believes it was unclear if actual medical records were divulged or if it was just the names of alleged noncitizens.

Sen. Duson asked Rep. Arata if it was clear that the names she viewed were from MaineCare records.

Rep. Arata stated that the screenshots she saw looked like a portal, and she believes it was the MaineCare PAS online portal. Rep. Arata also stated that the screenshots have been shared publicly with the names and addresses redacted.

Sen. Hickman asked Rep. Arata if she saw the names and address of the screenshots.

Rep. Arata confirmed that she did see the names and addresses.

Sen. Duson asked Rep. Arata if the journalist did not feel comfortable disclosing the names of the alleged noncitizen voters, or the name of the whistleblower to the Attorney General, would the journalist disclose that information to OPEGA.

Rep. Arata stated the journalist would not share that information with OPEGA, that OPEGA would need to do a systemic review of the voter rolls.

Sen. Bennett asked Rep. Arata and Rep. Perkins if they are looking for OPEGA to do an investigation on the generalized question of noncitizens voting in Maine elections on the basis of the information and names you have seen from the journalist. Sen. Bennett further asked if Rep. Arata and Rep. Perkins think this triggers a fuller scale investigation, and asked how big of an investigation is being requested.

Rep. Arata stated she believes it would be easy to compare the list of registered voters with their citizen status under the MaineCare portal in a systemic review, beginning with Portland and coming back to the Committee with those results.

Rep. Mastraccio stated that the issue raised is about a crime, and therefore should be investigated by the Office of the Attorney General.

Sen. Hickman stated that unless Rep. Arata and Rep. Perkins are suggesting there is malfeasance in the Department of the Secretary of State or at the municipal level where people are registering voters, Sen. Hickman is not sure what the Committee would direct OPEGA to do. Sen. Hickman further stated that the GOC has authority over municipal and nonprofit corporations, and municipal, county and state governments. Sen. Hickman asked Rep. Arata and Rep. Perkins if they are asking the Committee to direct OPEGA to evaluate the way in which the Office of the Secretary of State and or Portland municipal officials register voters.

Rep. Arata agreed with Sen. Hickman's statement.

Request Regarding Home Energy Assistance Program

Sen. Hickman next invited Rep. Perkins to present his request regarding the Home Energy Assistance Program.

Rep. Perkins' written testimony may be found here: [Rep. Perkins Request RE Home Energy Assistance Program](#)

Rep. Mastraccio asked Rep. Perkins that since LIHEAP is federally funded, was his concern more with Maine Housing administering the funds.

Rep. Perkins confirmed he is concerned with Maine Housing administering the funds of LIHEAP acknowledging Maine Housing is probably allowed to use some of the funds for administrative costs, but stated there may be other sources of state funds used as part of the administration of the program.

Rep. Mastraccio asked Rep. Perkins if he is requesting to look into how the federal funds of LIHEAP are administered and whether or not there has been a federal audit and what the requirements are when the federal government provides those funds to the state of Maine how they are utilized through Maine State Housing.

Rep. Perkins stated that he would like to know how any funds that are involved with LIHEAP in any way are spent.

Sen. Tipping stated that he has heard from several constituents that they have experienced issues including interview times far after they needed the heating assistance. Sen. Tipping also stated that if people who need heating assistance from LIHEAP sign up on-line they can bypass the interview process and get the help needed immediately. Sen. Tipping then asked the Committee if there was a committee that has jurisdiction of LIHEAP or that has dealt with these matters directly.

Sen. Hickman stated the committee with jurisdiction of LIHEAP would be the Housing and Economic Development Committee.

Rep. Lemelin stated he also had a constituent who was concerned about the time it took to get an interview to get the application done for receiving help from LIHEAP, and Rep. Lemelin stated he had difficulty getting answers from PenquisCAP until he was able to speak with a manager who informed Rep. Lemelin that PenquisCAP is understaffed and if a person in need can go on-line to apply the applicant can be approved immediately. The manager further told Rep. Lemelin that if the person who needs help cannot go on-line to apply for assistance, due to shortage of staffing, interviews are being booked quite a long time in the future.

Sen. Timberlake stated he would like to learn what the cost of administering LIHEAP actually is. Sen. Timberlake also addressed the issue of wait times for those applying for heat assistance, stating if lack of staffing is the issue, then there needs to be a way to increase staff.

Request Regarding Juniper Ridge Landfill

Sen. Hickman next invited Sen. Bennett and Sen. Tipping to present their request regarding Juniper Ridge Landfill.

Sen. Bennett began by reading the letter from Sen. Tipping and himself requesting an investigation into the Juniper Ridge Landfill and the awarding of public contracts to waste management companies. This letter may be found here: [Letter from Sen. Bennett and Sen. Tipping RE Juniper Ridge](#)

Sen. Bennett stated that the increasing monopoly regarding waste services in Maine is concerning. Sen. Bennett stated that Juniper Ridge, created to replace municipal landfills, is currently the only state-owned landfill, and the tipping fees being charged by Casella creates questions of how much the state is paying for waste management. Sen. Bennett stated he has personally requested basic financial information on operating costs of the Juniper Ridge Landfill from the Bureau of General Services and Casella on multiple occasions which have been denied.

Sen. Bennett believes looking at Juniper Ridge is a good way of looking into procurement generally because of the size of the contract.

Sen. Tipping stated he believes the request regarding Juniper Ridge Landfill fits well with the Committee's scope of work in regards to procurement and believes this is the biggest example across the state where the Committee's oversight can make a difference. Sen. Tipping stated that this issue affects tipping fees and property taxes of constituents.

Sen. Hickman asked Sen. Bennett and Sen. Tipping when the contract involving Juniper Ridge Landfill was extended.

Sen. Tipping stated the contract extension is currently in process.

Sen. Bennett further stated the current contract extension requires DEP approval, which is being appealed currently.

Sen. Bennett stated some questions he has regarding the Juniper Ridge Landfill are, is Casella adhering to the solid waste management law, is Casella trying to minimize out of state waste and bulk products in the landfill and how that relates to the disposal of sludge products.

Sen. Tipping also added to the concerns of Juniper Ridge, the issue of PFAS and the chemicals that have been found the leachate and that the management, contracting, procurement and oversight as well as the environment around the landfill.

Sen. Hickman then noted a letter received from the DAFS Commissioner to the Committee regarding Juniper Ridge Landfill which states "The Department of Administrative and Financial Services, Bureau of General Services (BGS), has not extended the Operating Services Agreement with Casella for the operation of the State-owned Juniper Ridge Landfill". The letter further states that "BGS has no authority to award an expansion. Per statute, the application for expansion must be submitted to and approved by the Maine Department of Environmental Protection (DEP)".

That letter may be found here: [Letter from DAFS Commissioner RE Juniper Ridge Landfill](#)

Sen. Bennett stated his understanding is, noting his information is hearsay, that Casella, because of the needs to expand the landfill, demanded that if they expand the landfill the contract must be extended. Sen. Bennett also stated that he believes, based on his information, that the administration has agreed to move forward with the extension of the contract so they can get the expansion of the landfill.

Sen. Tipping noted the public hearings and decisions that have been announced regarding the expansion of Juniper Ridge, and that clarifying the issues raised during this discussion is some of the work the Committee should be doing.

Rep. Lee asked Sen. Bennett and Sen. Tipping if the letter from the DAFS Commissioner is factually true but does not disclose that the expansion of the landfill and the extension of the operating agreement are currently being negotiated.

Sen. Bennett agreed with Rep. Lee's statement. Sen. Bennett further stated that he hopes the investigation by the Committee with OPEGA would learn deeper information regarding the benefits of the contract with Casella, the performance under the contract, financial benefit of public vs. private under the contract, whether it's in the best interest of the policy goals of the Legislature involving solid waste management, and costs involved on the citizens municipal property tax.

Sen. Tipping added his concern of the length of the contract with Casella, 30 years, with little oversight.

Sen. Hickman next invited Director Schleck to address any practical considerations of the four requests the Committee has discussed.

Director Schleck spoke to the Committee of what OPEGA might do in relation to the four requests presented before the Committee.

In terms of the request regarding the Office of Cannabis Policy, Director Schleck stated OPEGA could focus on the conflict of interest issue concerning OCP contracting and let the other issues raised be handled in turn through other avenues.

In terms of the Juniper Ridge issue, Director Schleck stated OPEGA could address the questions raised about Juniper Ridge, and agreed that it could implicate a range of issues in state contracting, generally, consistent with Committee interest in the larger processes.

In regards to the request regarding Home Energy Assistance, Director Schleck stated due to the specificity of the questions, there is plenty that OPEGA could look into.

Rep. Mastraccio asked Director Schleck if it is possible to have agency leaders come before the Committee to answer questions to provide more clarity on some of the issues raised before the Committee takes a vote.

Director Schleck confirmed that the Committee always has the option to have responsible agency leaders come before the Committee and answer questions of the Committee before taking a vote on whether or not to move forward on a matter.

Director Schleck further stated there is also the opportunity for OPEGA to come back before the Committee with a proposed scope of work on a particular topic to have the Committee affirm that the Committee's questions are being addressed.

Director Schleck spoke next on the request regarding election integrity stating if it is the will of the Committee, OPEGA is perhaps an organization that does have unique access to confidential information and could do a data matching exercise just within MaineCare and comparing it to public voter rolls and come back to the Committee with just that incremental result. Director Schleck added that if OPEGA were to do this, he would likely need to document a number of caveats including that OPEGA had not validated whether the results were due to mistakes or typos within the agency database. Director Schleck stated that to do this, OPEGA's effort would not involve going to the whistleblower or the journalist, but it would involve looking in an agency database for anomalies when compared to other publicly available (voting) records.

OPEGA Presentation – Results of Information Gathering – Staff Safety at Riverview and Dorothea Dix Psychiatric Centers

Director Schleck, with the Chair's permission, next invited OPEGA Senior Analyst, Kari Hojara, to present to the Committee results of certain information gathering, requested by the prior Committee, concerning staffing and staff safety at Riverview and Doretha Dix Psychiatric Centers.

With further permission from the Chair, Ms. Hojara shared a slide presentation with the Committee, which can be found here: [DDPC and RPC Slide Presentation](#)

Ms. Hojara started her presentation stating she would be walking through documents with the Committee which contain three sources of information: 1. Direct Care Staff Survey Results; 2. Departmental Data Compilation; and 3. Management Responses.

Ms. Hojara stated that as this information is not an OPEGA Evaluation, there are no conclusions or recommendations based on the information gathered.

Other documents provided to the Committee during this presentation can be found here:

[Direct Care Staff Survey Results](#)

[Departmental Data Compilation](#)

[Management Responses](#)

Sen. Hickman asked the Committee if there were any questions for Ms. Hojara.

Rep. Perkins asked Ms. Hojara if she had conducted any interviews with any staff other than nurses and mental health workers, and if not, are there possibly other support workers with possible work-related injuries that were not part of this data.

Ms. Hojara stated the data presented to the Committee is the result of a survey that was sent to all mental health workers, nursing staff, and acuity specialists at the centers who were identified as direct care workers by the department. Ms. Hojara stated that OPEGA does recognize that there could be concerns beyond those the survey was sent to, but for the purposes of sending out a survey with a defined population, it was decided to send it to direct care workers. Ms. Hojara further stated there may be more concerns or different concerns in the broader population of the staff at these facilities.

Rep. Lemelin stated that when he visited Riverview, not long ago, that he was told that a huge majority of staff injuries were caused by one individual who is basically untreatable, and has even been sent to an out of state facility for care for a while. Rep. Lemelin asked Ms. Hojara if she was informed by staff at Riverview of this one individual who causes most of the injuries.

Ms. Hojara stated in the surveys there were respondents who raised concerns of a very small number of patients causing a majority of the injuries at Riverview.

Rep. Mastraccio asked Ms. Hojara if the difference in numbers presented between Dorothea Dix and Riverview was due to the nature of the clients or residents the facilities have.

Ms. Hojara stated that this question is one which OPEGA cannot fully answer at this time as a full evaluation has not been done which would provide the information needed, but that this is an area the Committee could choose to look into.

Sen. Tipping asked Ms. Hojara, in relation to the numbers of injuries at the facilities presented in the information today, are they the same numbers that were reported to the HHS Committee.

Ms. Hojara stated she does not know that information offhand but OPEGA can go back and look into this.

Sen. Tipping asked Ms. Hojara if she had received information from the internal surveys conducted by management, and if so did she compare that information with the responses to the OPEGA survey.

Ms. Hojara stated that OPEGA did not request the information from internal surveys conducted by management during this process, but the Committee could decide to have OPEGA request that information.

Sen. Tipping, in referencing the data collected, stated that it seems like there is a disconnect between management and staff, speaking of the open-ended questions in the information presented, where some staff felt blamed by management for injuries and feared management retaliation if they spoke out. Sen. Tipping asked Ms. Hojara if a significant number of the staff felt that way.

Ms. Hojara stated the feeling of being blamed by management for injuries and fearing management retaliation if they spoke out was a fairly prominent theme of those who chose to answer the survey questions.

Sen. Tipping noted the differences between the facilities, stating that may speak to the differences in management or the environments of the facilities.

Sen. Duson asked Ms. Hojara if she was able to identify specific standard operating procedures or reporting and data gathering when a patient is identified as one of the few patients who create most of the problems, is there an internal process that allows staff to ask management to pull together an approach to serving that type of patient so that supervisors and managers are required to address the heightened safety issues.

Ms. Hojara stated that during this process of surveying the direct care workers, OPEGA did not look at the actual operation of internal policies or processes. Ms. Hojara did state that in the open-ended responses to the survey, some individuals who chose to answer felt strongly that they could not raise safety concerns, particularly at Riverview.

Sen. Hickman next asked the Committee, taking each item in the order they were listed on the agenda, whether there were any motions concerning the disposition of the following requests:

Concerning Cannabis Reporting

Following Committee discussion, the following Motion was made.

Motion and Committee Vote

Sen. Timberlake made a motion to add to the work plan conflict of interest concerns in the Office of Cannabis Policy with specific scope to be presented for subsequent approval by the Committee. The motion was seconded by Rep. Mastraccio. The motion was approved unanimously by all Committee Members. (Two members voted by absentee vote as allowed by Committee Rules)

Concerning Election Integrity

Following Committee discussion, the following Motions were made.

Motion and Committee Vote

Sen. Timberlake made a motion to direct OPEGA to preform a data matching exercise of MaineCare data fields and publicly available voting records to identify potential indicators that non-citizens vote. The motion was seconded by Rep. Perkins. With a vote of six to six, the motion failed. (Two members voted by absentee vote as allowed by Committee Rules)

Sen. Tipping made a motion to forward the Committee's discussion concerning election integrity concerns to the Attorney General and the Secretary of State. The motion was seconded by Rep. Mastraccio. The motion was approved unanimously by all Committee Members. (Two members voted by absentee vote as allowed by Committee Rules)

Concerning Home Energy Assistance Program

Following Committee discussion, the Committee decided take no action at this time and for a future agenda item to ask the Maine Housing Director to come before the Committee to answer questions raised.

Concerning Juniper Ridge

Following Committee discussion, the following Motion was made.

Motion and Committee Vote

Sen. Timberlake made a motion to add Juniper Ridge to the OPEGA workplan with specific scope of work to be prepared by OPEGA to be presented for subsequent approval by the Committee. The motion was seconded by Rep. Lemelin. With a vote of 11 to one the motion passed. (Two members voted by absentee vote as allowed by Committee Rules)

Concerning Dorothea Dix and Riverview

Following Committee discussion, the Committee decided to come back to this discussion at another meeting, allowing time for the members to review the information presented during this meeting.

Director's Report

Sen. Hickman next invited Sen. Timberlake to share a matter of concern to address at a future meeting.

Sen. Timberlake shared a letter addressed to the Committee written by Sen. Bennett, Sen. Farrin and himself, regarding FOAA requests to DHHS and delay of payments from DHHS to daycare providers.

Director Schleck then spoke of a request from the previous Committee to provide the new Committee with a more substantive orientation of the topical area of Child Protection. Director Schleck stated that he has prepared an overview of work the Committee has previously done in the area of Child Protection that can be presented in any level of detail to Committee at a future meeting. The Director further spoke of the many unanimous recommendations from previous work on Child Protection and suggested it may be an option of the Committee to request periodic reporting of how the recommendations of the Committee are being implemented.

Rep. Mastraccio added that it would be good to hear from the committee of jurisdiction for Child Protection about progress made with regards to the recommendations this Committee has made.

Rep. Mastraccio then mentioned she has been reading the book, Recoding America, which was recommended by the Levin Center, and stated she highly recommends the book to the members as a valuable read for legislators.

Next GOC Meeting Date and Planning

The next GOC Meeting is scheduled for February 28, 2025.

Adjourn

Sen. Hickman adjourned the Government Oversight Committee, without objection, at approximately 2:03 pm.