

MAINE STATE LEGISLATURE

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STATE OF MAINE
Special Commission on Governmental Restructuring

Minutes
October 4, 1991

The full Commission met from 8:30 a.m. to 5:00 p.m. in Room 334 of the State House. No separate Committee meetings were held during the day.

From 8:30 to 9:00 a.m. the Commission met with Carl Leinonen, Executive Director of the Maine State Employees Association (MSEA), Mary Ann Turowski, President of the MSEA, and Charles Sherburne, State Coordinator for the American Federation of State, County and Municipal Employees (AFSCME). Discussions with these labor representatives touched upon many issues, including the effects of reorganization on employees, "privatization", and "Total Quality Management" (TQM) initiatives. Mr. Nicoll stressed that the Committees must include impacts on state employees in analyses of the benefits and costs of privatizing state functions and that cooperation among labor, the Legislature and the Executive is essential for successful implementation of any TQM proposals.

During the remainder of the day, the Commission reviewed outlines of preliminary findings and recommendations of each of the 6 working Committees. The outlines, which are part of the record of the Commission, generated much substantive discussion about the nature of the recommendations, the process of the Commission itself and the scope of the Commission's study.

The Commission's discussions raised two fundamental questions that were not resolved during the day.

1. Does the mandate of the Commission preclude recommendations for substantive policy changes?

Several recommendations of the Committees touched upon substantive policy issues such as tax policy, prioritization of expenditures and resource allocation. These recommendations raised questions, aired intermittently throughout the day, as to whether the Commission's mandate included the authority to make such recommendations. Mr. Nicoll and Mr. Henry noted that the Commission's mandate is broad, but does not extend either to proposing the establishment of new functions or proposing the elimination of existing functions of state government. Its mandate is generally to achieve efficiencies through restructuring or consolidation of existing functions. Further discussions on this important question was deferred until the Commission's review of its first draft report in early November. Mr. Nicoll, however, proposed the following 3-pronged test for determining if an issue can be addressed within the mandate of the Commission:

should they be separate? Can some social service functions be privatized? Would privatization of social services affect accountability? Would it displace state workers? Are private hospitals an option to AMHI and BMHI? What criteria should the State use to determine the need for each of the numerous boards and commissions associated with DHS and DMH&MR?

•*Education and Cultural Services.* What is the history of educational expenditures and teacher's salaries in Maine since enactment of the Educational Reform Act? How do Maine's historical per-pupil expenditures compare to those of other States? What criteria should the State use to determine the need for satellite campuses of the University of Maine System? Why are there 2 campuses in Aroostook County? What is the administrative overhead at the various campuses? What is the need for the Maine Maritime Academy? How can the State coordinate the vocational high school and the vocational college systems? Is the length of the school year appropriate? Does Maine need a State Board of Education? If so, what is the appropriate relationship between the Commissioner of Education and the State Board? Does the State need a Cultural Affairs Bureau?

•*Physical Resources.* Does Maine need a consolidated Department of Natural Resources? Should we reform the State's environmental permitting processes? What criteria should the State use to define rational natural resource regions? Does the State need the Land Use Regulation Commission? Should the State's game warden and marine patrol services be consolidated?

•*Public Safety and Health.* Should the constitutional offices be restructured as heads of departments (eg. the Attorney General as the Commissioner of a Department of Justice)? Should mental health services for the incarcerated be provided by DMH&MR instead of by the Department of Corrections? Should educational services for the incarcerated be provided by the Department of Education? How many penal institutions does the State operate? What is their capacity and occupancy rate? Who are their occupants? Should the Judiciary submit their budget directly to the Legislature rather than to the Executive? Is the existing Judicial budget process violative of the constitutional separation of powers?

•*Economic and Physical Infrastructure.* Should the State consolidate the management of state employee worker compensation claims? Should the State privatize liquor sales? Should the constitutional offices be reformed? If the constitutional office of the Secretary of State is abolished, where do functions go (eg, motor vehicles, corporations)? What are the relative costs and benefits of the State owning or leasing facilities? What are the benefits of lease purchase agreements for the State? Should the functions of the Department of Economic and Community Development be consolidated into other agencies? What is that Department's role in economic development?

•*Governmental Process and Relations.* What is the appropriate size of the Maine Legislature? Is the 33-99 model an appropriate one for Maine? Should there be limits on the number of terms a person may serve in the Legislature? Are limits on the terms of House Speaker and Senate President necessary? Should the Executive

- *Can the issue be addressed by restructuring or consolidating existing functions?*
- *Can the issue be addressed by changing existing modes of operation? or*
- *Can the issue be addressed by modifying existing decision-making processes?*

2. How should the Commission deal with issues that cut across the functional areas being studied by the separate Committees?

Several "cross-cutting" issues were identified by the Commission. Preliminary cross-cutting issues identified included the regionalization of services, technology, facilities (physical space), education and TQM. After discussion, it was decided that these issues will be identified and addressed at the Commission level. Individual Committees will address these issues only within the context of how they impact services specific to their area of study. Mr. Nicoll and Mr. Henry will work with staff to identify all cross-cutting issues and will provide the members with a format for addressing those issues. The Chairs and staff will coordinate that format with a consistent format for presenting all Committee findings and recommendations.

Several other key issues pertaining to the function, role and goals of the Commission were addressed during the day. These key issues are summarized as follows:

- The Committees must not be complacent about reviewing any department or any area of state government. Concerns about a proposal's political viability is not a sufficient reason to "drop" a proposal;
- The Committees must not allow individual examples or "anecdotal" testimony to distort their analysis. It is essential that the Committees keep the "overall picture" in mind during the study; and
- The goal of the Commission is to produce a bipartisan report, unanimous if possible. To accomplish this, members must avoid ascribing motives and should not be afraid of being bold.

During the discussion of each Committee's preliminary findings and recommendations, areas for further investigation were identified. The following summary lists further key areas of inquiry and substantive questions for each Committee. Committee members were challenged to address these issues and questions in future drafts of their findings and recommendations.

- *Health, Social Services and Economic Security.* Does it make sense to include medicaid in a new, consolidated Department of Health, or should it be separated out? Why combine the Department of Human Services, the Department of Mental Health and Mental Retardation and the Division of Community Services into two new departments? Why not create a single consolidated Department of Health and Social Services? Should we leave medicaid policy and program implementation together, or

have line item veto authority? Is the quasi-legislative rulemaking function of the Executive Branch in need of reform? What governmental forces prevent the "natural" consolidation of operations among differing agencies? Does the existing Audit and Program Review process function effectively? How can it be improved?

With respect to other matters discussed during the day, the Commission also revised its schedule through the month of November. Staff is to prepare and distribute a revised schedule for the Commission based upon the following changes:

- Committees must "sign-off" on draft findings and recommendations by October 18th;
- Chairs review Committee draft findings and recommendations, and compile into a draft report for distribution to Commission members by October 23rd-25th;
- Full Commission meets to review and finalize draft report on November 1st and November 8th; and
- Full Commission holds public hearings on draft report in mid-November.

The Chairs also requested that each Committee include in its preliminary report a discussion of all issues addressed by the Committee, including those issues that did not lead to findings or recommendations.

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Special Commission on Governmental Restructuring

Minutes
September 20, 1991

The full Commission met briefly in the morning before dividing up into its committees. Co-chairs Nicoll and Henry drew members' attention to the important discussions of the full Commission scheduled for October 4. Nicoll noted that a memo outlining the format of the meeting would be delivered to members later in the day.

At lunch, Nicoll asked all members present to speak briefly about issues they felt were of significance to the full Commission or that were concerning them about the work of a committee of which they were not a member. McGowan requested that state employee union representatives (AFSCME and MSEA) be invited to address the full Commission at its next meeting. He added that the union reps addressing his committee had made several useful suggestions concerning coordination of governmental functions between different departments. Nicoll observed that employee involvement in any quality management initiative would be essential. Anderson drew the Commission's attention to the potential cost savings and other benefits of co-locating state agency facilities around the state using examples from the natural resource agencies.

Amero posed several questions for the Commission to consider that were of great concern to her group. Who is responsible for making educational policy in the State and how is that policy reflected in the appropriations process? What are the appropriate roles of the Governor, Department of Education, Board of Education and Education Committee (legislative) in policy making. Does the continuing tension over state vs. local control of education threaten equity of educational opportunity? Hibyan added a point asking Commission members to consider the implications of having education be the #1 priority for state government as is currently reflected in state expenditures.

Bernstein made three points regarding 1) the need to examine the numerous advisory boards and commissions; 2) the possibility of consolidating formal advocacy services in state government and 3) the need for the State to provide leadership in the humane (as well as efficient) delivery of services to the people of the State. Levenson added that there were concerns about the excessive and uncoordinated licensing, monitoring and regulation of human services provider organizations. Nicoll noted that he had asked the Governmental Relations and Process Committee to develop criteria regarding advisory boards for consideration of the full Commission. The fact that Sen. Pray had submitted a proposal on Advocacy Services was also noted.

Wiley asked that the Governmental Relations and Process Committee consider how the Legislature could conduct its business in a manner that would increase its accessibility to the citizens of the State. For example, why meet continuously for 6 months per year? Why not meet for a limited number of days each month, year round? Perhaps with regular evening sessions.

After further committee sessions in the afternoon, the Commission adjourned until October 4 at 8:30 AM in room 334 of the State House.

STATE OF MAINE
SPECIAL COMMISSION ON GOVERNMENTAL RESTRUCTURING

Minutes
September 6, 1991

The full Commission met briefly in the morning to review schedules and several general issues. Co-chair Nicoll asked for any general concerns any members might have regarding the activities of the committees. No concerns were raised at this point. The Commission then broke up into its committees for the remainder of the morning.

The Commission reconvened for a working lunch during which it received a presentation on Total Quality Management techniques employed by L.L. Bean and the Maine Medical Center. Presenters Robert Peixotto and Judith Stone reviewed the very positive experience of their organizations with quality management. Leading off, Mr. Peixotto defined total quality management as "managing an enterprise to maximize customer satisfaction in the most efficient and effective manner practical by fully unleashing the talents of people at all levels of the organization". Both presenters stressed the importance of fully understanding the needs of the enterprise's "customers" be they in a for-profit or not-for profit setting and whether they are internal or external customers.

Other key points included the following:

- The Commission should avoid the trap of "restructuring" state government simply by rearranging the existing organizational structure. Rather the focus should be on the various processes of service delivery and government function regardless of how the those processes match with existing organizational charts. Many issues exist in the "white space" between the boxes on organizational charts.
- Along with soliciting the active participation of all workers, managers within the organization should ask each other questions like, "What do you need from me?", "What do you do with what I give you?", "What are the gaps?" and "What do I give you that you don't need?"
- The development of discreet, measurable performance criteria is key to the implementation of quality management.

Excellent materials accompanying the presentations provide additional important points.

Mr. Nicoll closed the presentation stressing the need for the committees to consider adapting the concepts of quality management to executive, legislative and judicial branches where ever possible.

After further committee meetings, the Commission adjourned until September 20 at 9 AM.

OFFICE OF POLICY AND LEGAL ANALYSIS

July 1, 1991

TO: Members and staff of the Special Commission on
Governmental Restructuring

FROM: Martha Freeman, ^{MCF} Director, OPLA

RE: Summary of the June 21 commission meeting

The Special Commission on Governmental Restructuring convened for its second meeting at 9:00 a.m. on June 21. Commission members James Howaniec and Roland Caron were unable to be present.

The meeting began with a talk by Charles Colgan, former State Economist and currently a professor with the Edmund S. Muskie Institute of Public Affairs at the University of Southern Maine. Professor Colgan presented the commission with eight principles to guide their examination of government:

1. Most of Maine state government is not broken; it is honest and well-managed compared to many other states. Restructuring efforts should be focused on trying to improve, not fix a broken, Maine government.
2. Reorganization does not save money, only cutting programs and services does.
3. Government agencies are not like private businesses in one important way: public agencies are always assigned multiple, often incompatible, objectives; private entities usually have few purposes or a single purpose, such as making a profit. Responding to the several demands placed on a public agency makes managing them a difficult job.
4. Organization charts do not equal management. Current literature on the subject advocates flattening organization charts and diffusing responsibility. As applied to government, this runs against the notion that elected representatives should be in charge of government and that bureaucrats already have too much responsibility. A tension then exists within government agencies: the need to run an effective organization in the face of citizens' suspicions of agencies having the freedom to do that.
5. Focusing on agency budgets does not equal focusing on management issues. Public sector managers are accused of empire building if they seek larger budgets. But public agencies never have enough resources to do all they are assigned, so good public managers will want more resources to do what the public has asked of them.

6. Management is about dealing with people. It means getting good people, giving them sufficient responsibility to do their jobs, letting them know what is expected and what resources are available, and holding them accountable.

7. Coordination is not an unnatural act. Coordination primarily involves communication and the flow of information. However, all organizations fragment work; specialization is the defining characteristic of modern organizations. In aiming for specialization, organizations must distinguish between functional fragmentation (taking advantage of specialization) and disfunctional fragmentation (using specialists inappropriately, not letting them work together when overlapping issues exist).

8. Privatization is not a new idea and lessons have been learned about how to employ it, including looking to not-for-profit as well as for-profit agencies to deliver services, being realistic about life cycle costs, knowing the goal and maintaining accountability, watching out for corruption. Permitting competition between public and private agencies may be a good approach. The private agency must be well managed, and the public sector must learn to manage any privatization employed.

Colgan cautioned commission members to be wary of restructuring efforts that further distance the people of Maine from their government and threaten their confidence in it. While the state government generally serves people well, many do not believe that. In part, the professionalization of government, essential to dealing with the complex problems of modern society, distances government from the people. To be confident in government people must find it accessible and feel that it makes decisions on the best possible basis, though those decision may not always be correct.

In sum, Colgan stated that any restructuring efforts must have these goals: to get good people to do government's work and to hold them accountable; to permit the acquisition of information, foster communication, permit decisions that are timely and made efficiently; and to instill confidence in Maine people about their state government. With these goals in mind, Colgan suggested four topics for commission subcommittees:

- people
- information and communication
- accountability
- public understanding and confidence

Using these topics, subcommittees could explore themes critical to the structure of state government and ask how government should be organized to accomplish these ends. Employing these themes will permit easier communication to the public of issues that cut across state agencies.

After some discussion with Professor Colgan of questions raised by his talk, commission members turned to some exercises and a videotape on shifting paradigms. Commission member Jean Mattimore led this segment. The videotape, produced by Joel A. Barker and entitled "Discovering the Future: The Business of Paradigms," makes the point that peoples' existing paradigms - the rules we have that establish boundaries and filter experience - may keep people from anticipating the future. To accept new ideas, people must recognize existing paradigms and go beyond them. People who create new paradigms are often outsiders; those who implement them pioneers. The tape concludes with this admonition: Determine what would be the most useful thing to do in your organization that you feel is impossible to do, and look for ways to shift that paradigm.

Don Nicoll next facilitated the commission's discussion of the roles and functions of government. In discussing the role of state government, commission members mentioned its role in assuring that certain activities take place, rather than necessarily performing the activities itself; that state government can be a catalyst, can be creative, can set minimum standards. In discussing functions served by state government, commission members mentioned many issues:

- economic development, education, labor training
- health and welfare
- the environment and ambience of Maine
- the level of revenues, tax policy
- transportation, infrastructure
- regulatory function
- state and federal relations
- natural resource protection
- the court system
- long-term planning
- fiscal policy, saving during the good times
- services carried out at local, regional levels
- cultural activities
- higher education

During the lunch hour, Rich Silkman, Director of the State Planning Office, spoke to the commission about the demographics of Maine. His primary point was that the sizes of the portions of Maine's population at different stages in life will impact Maine's communities, businesses, and state government. The baby boom generation remains the largest segment of Maine's population. When they were children, the demand for elementary and secondary schools was great. Now that they are middle-aged, they are responsible for much of the 70% growth of household formation in Maine. In the late 1990's, this generation will be thinking about retirement and in the 2010's and 2020's many will be retired and concerned with housing for the elderly and long-term health care. Whether the baby boom generation is at a stage of life in which they are saving

earnings or spending savings in retirement will have a financial impact upon Maine, too.

After lunch, Tim Glidden, Principal Analyst, Office of Policy and Legal Analysis, reviewed with the commission a discussion draft prepared by the staff of possible subcommittee divisions and topics. After much discussion of how the commission should divide itself for subcommittee work, the commission came to a tentative agreement to take a functional approach to subcommittee divisions and topics. Two proposals emerged for further commission consideration:

- One proposal suggested these subcommittee divisions: physical security, welfare, investing in improving the quality of life, promoting economic development, regulatory functions.
- A second proposal suggested these subcommittee divisions: investing in human resources, physical resources, public safety and protection, and managing government responsibilities.

The commission agreed to have staff and some commission members prepare another subcommittee proposal for the next commission meeting bringing together suggestions present in the proposals above and other commission discussions.

The commission completed its meeting by discussing some of the organizational issues faced by the commission in its work throughout the summer and fall. Commission members offered these suggestions: to have subcommittee meetings in the morning and a full commission meeting in the afternoon of each day the commission meets; to take care to focus on key issues and not get mired in detailed information; to work toward making the present system of government better, while not assuming that all of the present system needs to be reinvented; to concentrate on what state government needs to be in the future; to organize subcommittees so that cross-cutting and overlapping issues are addressed; to focus on products wanted from commission work when determining how to organize; to produce a final product that can be communicated to the public; that the commission needs to remember the limited amount of time it has in which to work when deciding upon whether and when to hold public hearings; to produce a September interim report that provides a status report on subcommittee work.

With the completion of its discussion of subcommittee work and other organizational issues, the commission agreed to meet again on July 12, 1991, and adjourned for the day.

State of Maine
SPECIAL COMMISSION ON GOVERNMENTAL RESTRUCTURING

June 14, 1991

To: Joint Standing Committee on State and Local Government
 Joint Standing Committee on Appropriations and Financial Affairs

Subject: Report of the Special Commission on Governmental Restructuring on
 the Process and Time Line the Commission Intends to Follow in
 Fulfilling Its Responsibilities under Chapter 139, P.L. 1991

The Special Commission on Governmental Restructuring held its initial meeting Thursday, May 30, 1991, in the State House. It is pleased to submit its initial report, which contains its work plan for the period of its mandate, May 30-December 15, 1991.

The members of the Commission understand their responsibilities to encompass a review and analysis of the three branches of State Government, and development of a recommended plan "to maximize citizen participation in public policy making, to use public resources more effectively and to consolidate and restructure State Government in such a way that efficiency is assured and cost savings result."

In carrying out those responsibilities, it is the intention of the Commission to address the following issues and the questions that flow from them:

1. the roles, responsibilities and functions of State Government;
2. efficiency in the structure, organization, management, financing and operation of state government, including the use of personnel, facilities and equipment in the State Capitol Region, and at the regional and local level;
3. coordination of departments, agencies, public institutions and government programs;
4. accountability, quality assurance and quality control for state operated and state contracted programs;
5. alternative methods of delivering state financed public services, including different forms of state agencies, assignments to regional and local public bodies, and contracts with private agencies and corporations; and
6. expanded and more effective citizen participation in public policy development.

The Commission will function as a committee of the whole and through subcommittees that deal with targeted issues, ranging from clusters of

D R A F T (06/04/91)

departments and agencies to financial management, cost-benefit analyses, and similar questions. The Commission intends to form those subcommittees and make decisions on committee assignments at its next meeting, June 21. Subcommittees will interact with each other and with the Commission as a whole. The Commission expects to meet as a committee of the whole at least once a month. It will encourage public participation through its public meetings, possible use of the University of Maine System's Interactive Television system, and through dissemination of information about its work.

In both its general Commission deliberations and in the work of its subcommittees the Commission intends to draw on information from past Maine general and specific studies of government organization and operations, current proposals for restructuring State Government, and information about other states, including comparative data and information on restructuring efforts. Some of that information will be obtained from government documents, some from journal articles and some from scholarly studies. The Commission will be aided in its search for those materials and in its exploration of their implications by its staff from the State Planning Office and the Legislative Office of Policy and Legal Analysis. It also intends to draw on the expertise of scholars from the academic community, public officials, private sector experts, and individual citizens.

The Commission intends to use the following schedule:

May 30: initial Commission meeting;

May 30-June 21: reading and preparation for an all day meeting, June 21;

June 21: all day meeting devoted to: (a) an outside expert's view of current challenges in state government organization and operation; (b) discussion and development of a preliminary Commission consensus on principles and values with respect to government roles, responsibilities and operations that will guide it in its deliberations; and (c) decisions on subcommittees and refinements in the work plan;

June 21-September 13: follow-up on the June 21 meeting, public hearings in existing proposals and recommendations, subcommittee work and preparation of preliminary findings for the September 13 preliminary report;

September 13-November 15: public hearings on the interim report, review revisions and refinements in the report, aiming for publication of a draft final report by November 15; and

November 15-December 13: public hearings on the draft final report, review and revisions of that document for submission of the final report no later than December 13, 1991.

We welcome your comments and suggestions and are prepared to answer questions you may have.

D R A F T (05/04/91)

State of Maine SPECIAL COMMISSION ON GOVERNMENTAL RESTRUCTURING

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Respectfully submitted,

Merton G. Henry
Co-Chair

Donald E. Nicoll
Co-Chair

Jane Amero
Rosalyne Bernstein
Wes Bonney
Russell Brace
Roland Caron
Robert Cope
David Flanagan
Roger Hare
Roy Hibyan
Linwood Higgins

James Howaniec
Charlene Kinnelly
Edward Lavery
Betsy Levenson
Jean Mattimore
Patrick K. McGowan
Bonnie Post
John Rosser
James A. Storer
N. Laurence Willey

cc: Governor John R. McKernan, Jr.
President Charles P. Pray
Speaker John L. Martin

D R A F T (06/04/91)

State of Maine
SPECIAL COMMISSION ON GOVERNMENTAL RESTRUCTURING

M E M O R A N D U M

May 30, 1991

TO: Commission Members

FROM: Mert Henry & Don Nicoll, Co-Chairs

SUBJECT: Suggested Work Plan

We have a substantial amount of work to do between now and December 15, 1991, when our final report is due. We are suggesting the following work plan for discussion and action at our meeting today, to help us get underway as expeditiously as possible.

In general we are suggesting that we work as a committee of the whole and as subcommittees, with each subcommittee focusing on sections of government that are closely related. The suggested subcommittees are as follows:

1. Natural Resources
2. Public Safety
3. Human Resources
4. Education and Labor
5. Transportation
6. Regulatory and Smaller Agencies
7. Judiciary
8. Legislature and Constitutional Officers

There will be some functional overlapping between subcommittees, which can be addressed through joint subcommittee meetings as well as full commission discussions. Advisory boards, commissions and committees will be examined in connection with relevant agencies and departments.

We have two initial tasks that we shall have to address individually and as a full commission: (1) review of previous government organization reports, review of current proposals for reorganization and restructuring, and readings in pertinent national literature; and (2) development of a commission consensus on the principles and values with respect to state government roles, responsibilities and operations that will guide us in our deliberations.

Our staff (the State Planning Office and the Legislative Office of Policy and Legal Analysis) will provide us with reports, publications, legislative and other proposals, and will assist us in identifying expert witnesses and consultants. They will be very busy during the final weeks of the legislative session, so we are suggesting that we meet next on June 21 and concentrate our efforts in the meantime on our reading. We propose that the June 21 session be an all day "retreat", where we can focus on a broad overview of our task and the development of our principles and values.

We are distributing a preference sheet for you to indicate your first, second and third choices for subcommittee assignments, suggesting that you select

State of Maine SPECIAL COMMISSION ON GOVERNMENTAL RESTRUCTURING
MEMORANDUM: To: Commission Members May 30, 1991
FROM: Mert Henry & Don Nicoll, Co-chairs -2-
SUBJECT: Suggested Commission Work Plan

subcommittees that are not concerned with your primary constituency, if you are identified with a particular agency or group of agencies. We want to encourage as much of a fresh view as we can in the subcommittee work. There will be plenty of opportunity for us to bring our "expertise" to bear in the general commission sessions.

In the course of our work we shall, of course, be meeting in public. We shall plan to hold formal hearings and give opportunities for public participation at appropriate times in our schedule.

There are several key dates we need to keep in mind as we develop our work plan: June 15 is the due date for our report on our work plan (that must be submitted by June 14, since June 15 is a Saturday); September 15 is the due date for an interim report (September 13 is the real deadline, since September 15 is Sunday); and December 15 (really December 13) is the date on which our final report is due.

Our general suggested schedule is as follows:

May 30-June 21 - reading and preparation for the June 21 all-day "retreat";

June 21-September 13 - follow-up on the June 21 meeting, public hearings on existing proposals and recommendations, subcommittee work and preparation of preliminary findings for the September 13 interim report;

September 13-November 15 - public hearings on the interim report, review, revisions and refinements in the report, aiming for publication of a draft final report by November 15; and

November 15-December 13 - public hearings on the draft final report, review and revisions of that document for submission of the final report December 13.

We suggest that the commission plan to hold its regular meetings on Friday afternoons, arranging subcommittee meetings to coincide with those dates as often as possible (recognizing that the subcommittee members may wish to meet more frequently).

MGH&DEN/n

**Special Commission on Governmental Restructuring
MEMORANDUM**

October 10, 1991

TO: Members, Special Commission on Governmental Restructuring
FROM: Mert Henry & Don Nicoll
RE: Structure of the final report; work priorities; hearing schedule

As we enter the final months of our joint endeavor, it becomes increasingly important that our work be designed to fit the form of the Commission's final report. To date we have felt that it was important to leave each committee the flexibility to design its own approach. Now, however, it is necessary to conform the results of these efforts to a format that will give us a coherent report with consistent themes and a clear message for the public, the Legislature and the Governor. Stapling together six committee reports with an introduction by the chairs will not provide us with that report.

This memo lays out the format for the final report in outline form. We have attached recommendations to each committee refining our comments of October 4. We also make several directives to staff to start writing various pieces of the report that do not require further committee deliberation. Obviously, you will have the opportunity to review all work products prior to the public hearings in November. As you can see from the outline; there are no individual committee reports as such. Rather the broad themes and cross-cutting issues that have arisen in all committees are treated in separate chapters. For the purposes of the draft, other subjects and recommendations will be organized by the area of state government affected. Please feel free to contact either of us if you have questions or concern about any aspect of final report outline.

We are now working to set up hearings on November 19, 20 and 21 in Bangor, Augusta and Portland, respectively. The hearings will start at 3 PM and run until 7 PM. Prior to the Augusta hearing on November 20, we will hold hearings via the interactive television system at sites in Fort Kent, Presque Isle, Machias and Farmington. The time of the ITV session has not been set. We will attend all the hearings. We very much hope that all commission members will be able to attend at least one of the hearings. We can discuss details at the Commission meeting on November 1.

Finally, we emphasize that the committees must finish their work by October 18 in order to allow staff time to prepare the written material for incorporation into the draft final report. It is very important that you provide your staff with all the direction they will need to accurately reflect your views by October 18. As the staff will be fully engaged in writing the draft final report between October 18 and November 1, no staff will be available for committee work during that period. Please do not schedule any new meetings involving staff during that period.

We appreciate that all members are working on an extremely tight set of deadlines. However, because there is no need for a formal written committee report prior to the draft Commission report, we feel that all available staff effort should now be devoted to accurately representing your discussions in the format outlined in the attached material. We will be working with staff during the week of October 21 to prepare the draft report. The draft will be mailed to you on October 25 in preparation of the full Commission meetings on November 1 and 8.

attachments
cc: staff
2506nrg

DRAFT COMMISSION FINAL REPORT OUTLINE

I. Preface

- Establishment of the Commission
- Its charge (generally, quote the short section from legislation)
- Its membership (generally; attach list of membership elsewhere)
- Its procedures and functioning
- Discuss briefly the structure of the report.

II. Introduction

- Discussion of the relationship between Maine's quality of life and the quality of its government. *We make some comments here about the policy issues identified as centrally important to commission members. At present these issues include education, health and safety, business climate. We will recognize that to use public resources effectively there must first be public resources to use; that Maine therefore needs a good business climate for enterprises and workers; that to have a healthy economy government needs to assist businesses and workers (current and potential) to be the best they can be while balancing the need for all to be responsible members of the community of Maine (i.e., caretakers of the commons, environmental and human (those who can't care for themselves)); that this requires government to provide good education, the conditions of health and safety in which people can learn, and an appropriate regulatory and fiscal policy. However, the commission can't comment on what the precise policies, balance, and funding should be - those are decisions for elected officials; but it can suggest some processes for making those decisions (see chapters III, IV & V).*
- Strong statement regarding the mandate of the Commission to do "better with less" (eg: quality, effectiveness and cost-savings) along with the other legislative mandates. *We will address directly the misapprehension that Commission is supposed to reduce the size of state government.*
- Discuss themes of report
 - increase public participation in and access to decisions
 - increase public accountability of government officials
 - improve effectiveness of government programs
 - improve cost efficiency of government programs
 - reduce negative economic and social impact of government programs*These themes will be woven into the discussion in subsequent chapters of all findings and recommendations in order to achieve a consistency of style and message.*

III. The Budget Process - Matching the Means to the Needs

- Incorporate the proposal (as modified by the Governmental Process Committee) by Henry & Nicoll.
 - Strategic planning
 - Long-range (~6 yr) revenue and expenditure forecasting
 - Modified budget process
 - Modified program evaluation process

Incorporate a strong but diplomatic discussion of the failures of the current process. This would further clarify that it is not the Commission's job to recommend "downsizing" state government (ie eliminating programs). That is the job of elected officials. The proposal in this chapter provides more effective tools to allow those decision-makers to do their job better.

IV. Organization of Services

This section would include recommendations that address:

- departmental/agency/bureau reorganizations and changes;
- incentives for agency change
- fragmentation and duplication of services
- coordination and collaboration
- integration and coordination of functionally similar programs

V. Decentralization & consistent regional approaches

This section would include discussions and recommendations for redrawing regional boundaries in a consistent fashion, decentralized mechanisms of decision-making and facilities consolidation.

VI. Rationalizing Government - Improving Its Overall Management & Operation

Discussion of findings and recommendations in the broad areas that cut across all aspects of state government. Make the general/conceptual recommendations here with a limited number of specific showcase or pilot proposals drawn from committee work for illustration.

- Privatization - allowing flexibility in the choice of service delivery vehicles
- Application of quality control and quality assurance programs - TQM
- Application of technology and modern information management
- Coordinated use of and cost-effective lease or purchase of space and facilities
- Boards and commissions

VI. Other Findings & Recommendations

This chapter will function to capture all recommendations which do not fall under the original headings (including those issues considered with no recommendations). If additional themes appear among recommendations in this section they will be pulled into additional, appropriate headings for the final draft copy. Recommendations that still do not fit within a heading could remain in this category.

- Executive
 - Education
 - Public Safety & Corrections
 - Health & Welfare
 - Economic Development & Labor
 - Natural Resources
 - Finance & Administration
 - Other
- Legislature & Constitutional Officers
- Judiciary

VI. Conclusion

Restatement of introductory themes and wrap-up

VII. Appendices

- Legislation & Joint Rule proposals
- Bibliographic information (selected)
- Statistical

Note: Some form of Executive Summary is necessary. This will be prepared subsequent to the November 1 Commission meeting.

ADDENDUM

TO: Members, Governmental Relations and Process Committee
FROM: Don Nicoll & Mert Henry
RE: Issues under committee consideration

We have attached a list of issues that have been within the purview of your committee organized by the status of your discussions as we understand it. We have divided these issues into three groups: 1) issues for which the committee has or expects to develop recommendations; 2) issues discussed for which no recommendation is anticipated ("off the table"); and 3) issues that have not received substantial discussion.

We are directing your staff, by copy of this memo, to start writing up the provisions of the report for the issues in group #2 and all of those issues in group #1 on which the committee has made final decisions.

As noted in the cover memo, you should be planning to make your final decisions on the remaining issues in group #1 by October 18 and give your staff all necessary direction to draft those provisions. Where necessary, you should have outlined the substance of any necessary legislation. Technical drafting can be accomplished later.

After evaluating the time and resources remaining to us all, we are strongly recommending that you undertake some discussion of the issues in group #3. In the few cases where consideration of an issue is required by the Commission's enabling legislation (**bold face**), we have no choice but to include some discussion. The remaining issues, we feel, are of sufficient importance and public interest to deserve additional effort.

Finally, some issues considered by your committee relate directly to the broad, "cross-cutting" topics covered in chapter IV. Where necessary, we will work with staff to fold your recommendations into these chapters.

Group 1**Issues Discussed****Group 2**
Issues Discussed
No Recommendations**Group 3****No Substantive Discussions****Governmental Process**

- Audit/Program Review
- Budget Process
 - Expenditure analysis
 - Consensus forecasting
 - Program budgeting
 - Integration of Tax policies
 - Capital budgeting
- Legislative Term Length
- Size of Legislature
- Criteria for Boards/Commissions
- Finance & Administration
- Secretary of State
- Treasurer/Investments
- Co-location/Regional Offices
- Own v. Lease?

- Further Consolidation of Executive Branch Functions
- State Auditor
- Attorney General
- Judicial Branch Budget

- Legislative Term Limits
- Leadership Term Limits
- Appointment of Members of Legislative Committees

Office of Policy and Legal Analysis

ADDENDUM

TO: Members, Health, Social Services and Economic Security Committee
FROM: Don Nicoll & Mert Henry
RE: Issues under committee consideration

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Group 1

Issues Discussed

Group 2

**Issues Discussed
No Recommendations**

Group 3

No Substantive Discussions

Health, Social Services

- Inter-agency Coordination
- Creation of Department of Children & Families and Department of Health and Disabilities
(Includes Medicaid issue)
- Unified Case Management
- Contracting, Evaluation and Licensing
- Unified Intake, referral and information system
- Office of Advocacy
- Boards and Commissions
- Technology implementation
- Regionalization
- Countercyclical funding
- Privatization
- AMHI and BMHI

- All issues identified have been discussed.

Office of Policy and Legal Analysis

ADDENDUM

TO: Members, Education and Cultural Services Committee
FROM: Don Nicoll & Mert Henry

RE: Issues under committee consideration

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<p>Group 1</p> <p>Issues Discussed</p>	<p>Group 2</p> <p>Issues Discussed</p> <p>No Recommendations</p>	<p>Group 3</p> <p>No Substantive Discussions</p>
<p>Education</p> <ul style="list-style-type: none"> •Education Funding •Outcome Based Performance Measures •Use of Facilities •Public/Private Partnerships •Strategic Planning •Budgeting Process/Committees •Board of Education •Department of Education •Facility Consolidation •Early Childhood Education •Head Start •Technology •Curriculum Sharing •Regionalization •Vocational education/High Schools and Technical Colleges •Length of School Year 	<ul style="list-style-type: none"> •Historical Expenditures/Salaries •Per-Pupil Expenditures •Administrative Overhead 	<ul style="list-style-type: none"> •Criteria for Determining Need for UM Campuses •Aroostook County Campuses •Maine Maritime Academy •Cultural Affairs Bureau

ADDENDUM

TO: Members, Public Safety and Health Committee
FROM: Don Nicoll & Mert Henry
RE: Issues under committee consideration

We have attached a list of issues that have been within the purview of your committee organized by the status of your discussions as we understand it. We have divided these issues into three groups: 1) issues for which the committee has or expects to develop recommendations; 2) issues discussed for which no recommendation is anticipated ("off the table"); and 3) issues that have not received substantial discussion.

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Group 1
Issues Discussed

Group 2
Issues Discussed
No Recommendations

Group 3
No Substantive Discussions

Public Safety and Health

- Education of the Public
- Alternatives to Incarceration
- Privatization
- Cost-Benefit Analysis
- Prison Industry Programs
 - Public Private Partnerships
 - Venture Capital Financing
 - Self-Sustaining Prisons
- Intake/Screening Improvements
- Early Intervention
- Rehabilitation Programs
- Regionalization
- Judiciary Budget(Separation of Powers)
- Law Enforcement Coordination
- Mental Health and Educational Services to Incarcerated
- Basic Data
 - Number of Prisons
 - Beds and Occupancy Rates

- Department of Children and Families
- Department of Justice

Office of Policy and Legal Analysis

ADDENDUM

TO: Members, Economic and Physical Infrastructure Committee
FROM: Don Nicoll & Mert Henry
RE: Issues under committee consideration

We have attached a list of issues that have been within the purview of your committee organized by the status of your discussions as we understand it. We have divided these issues into three groups: 1) issues for which the committee has or expects to develop recommendations; 2) issues discussed for which no recommendation is anticipated ("off the table"); and 3) issues that have not received substantial discussion.

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Group 1
Issues Discussed

Group 2
Issues Discussed
No Recommendations

Group 3
No Substantive Discussions

Economic and Physical Infrastructure

- Historical Growth Analysis
- Macroeconomics
- Economic Development
- Business Development
- Infrastructure
- Taxes/Economic Growth
- Regulation
- State Finances
- Restructuring

- Privatize Liquor Sales
- DECD Consolidation
- Reducing Expenditures
- TQM/State Employees
- Boards and Commissions
- State Worker Compensation Claims
- Tourism

Office of Policy and Legal Analysis

ADDENDUM

TO: Members, Physical Resources Committee
FROM: Don Nicoll & Mert Henry

RE: Issues under committee consideration

We have attached a list of issues that have been within the purview of your committee organized by the status of your discussions as we understand it. We have divided these issues into three groups: 1) issues for which the committee has or expects to develop recommendations; 2) issues discussed for which no recommendation is anticipated ("off the table"); and 3) issues that have not received substantial discussion.

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Group 1
Issues Discussed

Group 2
Issues Discussed
No Recommendations

Group 3
No Substantive Discussions

Physical Resources

- Consolidation of Facilities
- Capital sales/retention of revenues
- Legislative Prioritization
- Management
- Cross Training
- APA
- Departmental Reorganization
 - Pesticide Board
 - Salmon Commission
 - Recreational Vehicles
 - Wastewater Plumbing
 - Natural Areas Office
- Technology

- Combining Wardens and Marine Patrol

- Natural Resource Agency Consolidation
- Environmental Permitting

Office of Policy and Legal Analysis

COMMITTEE ON HEALTH, SOCIAL SERVICES AND ECONOMIC SECURITY

OCTOBER 4 STATUS REPORT TO SPECIAL COMMISSION ON GOVERNMENTAL RESTRUCTURING

I. MOST SIGNIFICANT FINDINGS AND ACCOMPANYING RECOMMENDATIONS

1. Coordination and Collaboration

Finding

Inter-agency coordination is inadequate, and no effective mechanism exists to resolve disputes between agencies and to facilitate ongoing collaboration.

Recommendation

Raise coordination and collaboration to priority status. Reconstitute the Interdepartmental Council (IDC) into an office of the Executive Department, with an executive director appointed by the Governor, an independent budget and staff, and authority to arbitrate disputes and allocate resources among departments. This should be done regardless of the configuration of State agencies. (See no. 2, below.)

2. Fragmentation, Duplication and Responsiveness to Consumer Needs

Finding

As services evolve, they become fragmented and less responsive to consumers. This appears to be attributable in large part to categorical funding streams. Services are developed around those streams, forcing consumers to face several eligibility processes in several agencies. This is most apparent for children, youth and families, who may be receiving services from 6 or more major State agencies. Fragmentation has resulted in duplication or overlap of several services and functions, including case management, information and referral, advocacy and abuse investigations, advisory groups, licensing, management information systems, planning, contracting and evaluation, and adult protective services.

Recommendations

Abolish the Department of Human Services, the Department of Mental Health and Mental Retardation, and the Division of Community Services. Realign services into a Department of Children and Families and a Department of Health and Disabilities.

Create a unified case management system within each of the new departments.

Reorganize contracting, evaluation and licensing to allow private providers to have 1 contract, 1 evaluation process and 1 licensing process with each new department. Use uniform contract forms across agencies.

Develop a unified information and referral system and a unified intake system within and across appropriate State agencies.

Combine various advocacy services into a single Office of Advocacy organized in 4 divisions, as follows: children, disabilities, aging and poverty.

Apply staggered repeal dates to all statutory health and social services advisory groups that are not required by federal law. Direct each department head to review the advisory groups that report to the department and to submit legislation to lift the repeal for any group that the department justifies as necessary.

3. Technology

Finding

Technology used by many State agencies is outdated and incompatible with applications in other State agencies. Although technological enhancements offer the greatest promise of improved productivity and efficiency, inadequate investment is made in this area. This is true particularly in times of fiscal stress, when technology enhancements tend to get cut out of budget requests.

Recommendation

Invest in technology that will improve efficiency and planning capability within and across departments. For example, a 90% federal match is available to enhance technology in the Medicaid program to eliminate paper claims and simultaneously create a data base for timely analysis. In the income maintenance area, a 90% federal match is available to automate eligibility functions. This would reduce the error rate, improve productivity and enable the State to move toward a single eligibility process.

4. Regional Service Delivery Areas

Finding

Each department has unique regional service delivery boundaries. The lack of uniform boundaries confuses consumers and hampers interdepartmental coordination of regional resources.

Recommendation

Unify all health and social service regions into one common regional system with conterminous boundaries and share regional service delivery resources wherever possible.

5. Demand for Services

Finding

The demand for social services increases dramatically as the economy worsens, placing fiscal strain on the State when it is least able to respond.

Recommendation

Create a counter cyclical fund to finance health and social services during difficult economic periods.

II. SINGLE ISSUE OR METHODOLOGICAL PROBLEM GIVING THE COMMITTEE THE MOST TROUBLE

The expectation that the health and social service areas will yield significant savings is ill-founded. The Committee believes that its recommendations will lead to a more efficient and effective service delivery system, but will not result in large savings, at least in the short-run. The emphasis in this area must be on the rational and humane delivery of services. The Committee does believe that a more rational organization of services will result in savings, as outlined below in section III.

III. SHORT- AND LONG-TERM SAVINGS OF COMMITTEE OPTIONS UNDER DISCUSSION

Although specific estimates are not available, the Committee has grouped its list of options into those that are likely to result in some savings and those that require an investment of resources now in order to achieve savings in the future.

1. Short-Term Savings

- A. Reduce administrative costs by eliminating the Division of Community Services.

3 State positions and 1 Federal position eliminated, for savings of approximately \$250,000 per year

- B. Streamline service delivery by reorganizing health and social services into a Department of Children and Families and a Department of Health and Disabilities.

- Duplication is reduced:
 - each new department implements a single case management system and unifies contracting, evaluation and licensing
 - Effectiveness is enhanced:
 - child and family services are consolidated (from 6 or more agencies presently)
 - the link between physical and mental health is acknowledged and utilized
- C. Take advantage of existing expertise by splitting the Bureau of Rehabilitation's functions and reassigning them to the Department of Labor and the Department of Health and Disabilities.
 - Job placement expertise at Labor and rehabilitation expertise at Health and Disabilities are exploited; duplication of functions is reduced
- D. Reduce expensive interdepartmental disputes and improve effectiveness by reconstituting the Interdepartmental Council into a strong organization with authority.
- E. Consolidate several existing information, referral, and intake services into a unified service.
- F. Consolidate advocacy agencies into a single agency.
- G. Eliminate advisory boards that no longer serve a pressing need.

2. Long-Term Savings

- A. Enhance long-term collaboration between departments through a strong Interdepartmental Council.
- B. Reduce long-term need for services by providing more prevention and early intervention programs.
- C. Reduce need for future staff increases and improve productivity of current work force through technological enhancements.
- D. Reduce the need for regional infrastructure by implementing conterminous regional boundaries.
- E. Reduce growth through the development of a monitoring mechanism to stem the proliferation of State agencies.

SPECIAL COMMISSION ON GOVERNMENTAL RESTRUCTURING

EDUCATION AND CULTURAL SERVICES COMMITTEE

OCTOBER 4, 1991 OUTLINE

ISSUE #1

In order to develop the full potential of Maine people and to provide for a competitive workforce leading to more and better jobs, education must be viewed as a life-long endeavor and the top priority of State government.

POSSIBLE RECOMMENDATIONS

1. Education funding needs to be adequate, equitable and consistent;
2. Increase the state share of education funding in return for greater local acceptance and attainment of outcome based performance measures.
3. Open school facilities year round and use as community centers;
4. Increase investment in technical education programs with specific emphasis on equipment;
5. Explore new partnerships between schools and other groups (citizen groups, businesses, etc.) directed at enhancing the system with non-public resources.

ISSUE #2

Modify overall governance of the educational system to enhance efficiency and improve quality, while recognizing the importance of and benefits provided by the autonomous nature of our present education system.

POSSIBLE RECOMMENDATIONS

1. Long range strategic planning needs to be instituted between the K-12 system, the University of Maine System (UMS), the Maine Technical College System (MTCS) and the Maine Maritime Academy (MMA) through the creation of a council of presidents and board representatives that would report annually to the Governor and Legislature;
2. Due to the magnitude and priority of educational spending, the Joint Standing Committee on Education should have a more prominent role in the appropriation process, ensuring that dollars

are more effectively allocated on a priority basis as defined in the long range planning process;

3. The missions of the K-12 system, UMS, MTCS and MMA must reflect long term educational directions and minimize overlap;
4. The State Board of Education should have greater authority to establish K-12 education policy. This would make the board more closely resemble the board structures of the UMS, MTCS and MMA.
5. The Department of Education must be granted sufficient flexibility to move resources between regulatory functions and assistance to local districts;
6. Reduce the number of school systems by providing incentives for consolidation;
7. Provide incentives that encourage restructuring of schools.

ISSUE #3

Develop a statewide policy that supports and invests in children and their families so that all children will arrive at school ready to learn and that provides a primary role for the Department of Education in the Pre-K environment.

POSSIBLE RECOMMENDATIONS

1. Increase investment in early childhood in order to alleviate the need for expenditures in remedial intervention in later years.
2. Move oversight of the Head Start program to the Department of Education;
3. Expand Head Start to all eligible children and expand the Head Start concept to all children;
4. The Department of Education should serve as a facilitator and provide technical assistance to local communities in establishing early childhood programs and in incorporating early childhood philosophy in the public school curriculum;
5. Encourage delivery of services to children and families on a regional basis that uses, whenever possible, existing school facilities;

6. The Department of Education should serve as a catalyst for providing increased parenting education through local adult education programs;

ISSUE #4

There are opportunities for improving delivery of educational services and effect cost savings through improved coordination, cooperation, and allocation of resources among K-12 system, UMS, MTCS, and MMA.

POSSIBLE IMPLICATIONS

1. Encourage creation of new partnerships that expand "ownership" and/or policy making authority over commonly shared resources. For instance, the ITV system, libraries and information management systems;
2. Examine associate degree and certificate programs offered by the UMS and MTCS to ensure that they are appropriately placed and not duplicative;
3. Examine curriculum sharing between the UMS, MTCS and MMA. For example, liberal arts components of MTCS degrees could be delivered by the UMS.
4. Provide access to the ITV System for all Maine schools and provide incentives for broader use;
5. Explore the delivery of technical education programs to better integrate grades 11 and 12 with post-secondary studies and to better share resources to ensure efficiency and quality;
6. Examine regional delivery of special education services;
7. Expand the use of technology so that there is a better flow of information between schools, between the department and schools, and between the institutions of higher learning and the public schools;
8. Better integrate information technology into the K-12 academic curriculum.

Committee on Physical Resources

**Mr. Robert Cope, Co-chair
The Honorable Patrick McGowan, Co-chair
Mr. Richard Anderson**

Outline for Discussion
October 4, 1991

Background

The Committee on Physical Resources has met several times to develop a study methodology, to prioritize the issues pertaining to natural resources that it will study and to review background materials pertaining to the structure of the natural resource agencies in the State and the implementation of natural resource policy.

To date, the Committee has discussed natural resource policy and implementation issues with the Commissioners of the Department of Environmental Protection, Conservation, Inland Fisheries and Wildlife and Marine Resources. The Committee has also had discussions on those same issues with the Executive Director of the Maine Waste Management Agency, the Deputy Director of the Department of Agriculture, Food and Rural Resources and the Director of the Bureau of Health in the Department of Human Services. The Committee will continue these discussions with the Departments as it conducts its examination of the role and structure of state government in the areas of natural resource management and regulation and the administration of natural resource programs.

In October, the Committee will be holding public hearings in Bangor and Portland for the purpose of receiving testimony from the public on matters pertaining to natural resource policy and program implementation.

Some Specifics

In their memo of September 20th, the Chairs requested that we address 3 specific questions at this meeting.

Since the first 2 questions raised in that memo pertain to findings and recommendations, we will address them together.

1. What are the top substantive issues or problems your committee has identified as probable findings? What are the causes and implications of those issues or problems?

2. What possible recommendations does the committee have under consideration?

Based upon discussions and materials reviewed to date, the Committee on Physical Resources, a unit of the Special Commission on Governmental Restructuring, is discussing the following options for restructuring or consolidating programs and functions within the natural resource agencies. These options have been discussed by the

Committee and were revised at its meeting on September 20, 1991. These options are not final and may change as the Committee continues its discussions with the agencies, reviews new information and receives comments from members of the public at its public hearings scheduled for October 10th in Portland, and October 16th in Bangor.

A. A "Facilities Consolidation Commission" should be established with a specific 5-year goal of closing, leasing, selling or consolidating 20% to 40% of the facilities owned by the 5 natural resource agencies. Revenues from the sale or lease of facilities would be allocated to the "Facilities Consolidation Commission" and used to construct, repair or lease consolidated regional natural resource agency facilities. Consolidation of regional natural resource agency facilities, elimination of duplicative square footage and facility life-cycle cost would be criteria for determining the facilities to be closed, leased, sold or consolidated.

Discussion: Historically, the natural resource agencies have acquired or constructed facilities without the benefit of formal inter-departmental planning mechanisms to ensure efficiency in capital expenditures and avoid duplication. It appears likely that overall facility operation and maintenance costs can be reduced significantly through the consolidation, lease or sale of duplicative or unnecessary facilities.

B. Revenues from the sale of all other obsolete or unnecessary capital assets should be retained by the natural resource agency.

Discussion: Existing State budgeting procedures that require revenue from the sale of capital assets to revert to the General Fund may be removing incentives for efficient financial management of capital assets. Permitting the agencies to retain, and re-invest, revenues derived from the sale of capital assets may, in the short term, create direct incentives for managers to identify and sell obsolete or unnecessary capital goods, and may, in the longer term, create savings through more efficient capital planning.

C. Address fundamental issues in policy development and implementation in order to meet long-term trends of reduced funding and increased resource utilization:

- The Legislature will need to prioritize policy choices, enact only those policies that it is willing to fund and legislate in a manner that provides natural resource managers with "room" to innovate;*

- Natural resource managers must re-think the false dichotomy of the "broke" vs "ain't broke" model of program evaluation. Programs that are not necessarily "broke" may still be operating below the optimal level of effectiveness. All natural resource programs will be affected by the trends towards less funding and increased resource utilization, and managers must push for continuous improvement in all areas; and*

•Cross-training of personnel in the natural resource agencies will become increasingly important, particularly in the areas of natural resource management and law enforcement.

Discussion: The natural resource agencies face a future of reduced funding and increased resource utilization. These complex and competing trends are expected to be long-term and, as such, will require establishment of a process that provides critical review of legislative mandates imposed on the agencies as well as flexibility and innovation from management. Fewer resources will require personnel to be cross-trained, and will place substantially more importance on sharing of resources and responsibilities.

D. Amend the Administrative Procedures Act by removing language that prohibits an agency from adopting a rule unless that rule was specifically included in the agency's most recent legislative rulemaking agenda.

Discussion: The Legislature has given the natural resource agencies the responsibility of managing and protecting the State's natural resources. To fulfill that mission, those agencies must have the flexibility to respond rapidly, when necessary to protect the resource, with the full rulemaking authority granted to them by the Legislature. Restricting a legislative grant of rulemaking authority only to those events that can be anticipated months in advance may be severely limiting the ability of the natural resource agency to manage and protect the State's natural resources.

E. Transfer the responsibility for regulating pesticides from the Department of Agriculture, Food and Rural Resource to the Department of Environmental Protection.

Discussion: The mandate of the Pesticides Control Board is broad, and its decisions implicate environmental quality and public health concerns that range far beyond the agricultural sector alone. In the 1970's, Congress transferred federal pesticide regulatory authority from the Department of Agriculture to the Environmental Protection Agency in recognition of the fact that pesticide laws had shifted from a focus on protecting the farmer to broader societal issues of environmental quality and protection of the public health. That transfer appears to have been appropriate, and should be accompanied by a similar transfer of pesticide regulatory responsibility at the state level.

F. Abolish the wastewater plumbing control program in the Department of Human Services and transfer its functions as follows:

•*Locate all state plumbing functions in one agency by transferring the responsibility for the Maine State Plumbing code and responsibility for maintaining copies of all plumbing permits to the Plumbers Examining Board in Department of Business Regulation;*

•*Locate all wastewater regulatory functions in one agency by transferring responsibility for the Maine State Subsurface Wastewater Code, the responsibility for maintaining copies of all subsurface wastewater permits and the licensing of soil evaluators for subsurface wastewater systems to the DEP; and*

•*Locate all code enforcement functions in one agency by transferring the responsibility for training and certifying Local Code Enforcement Offices in court procedures (Rule 80K) to the Office of Comprehensive Planning, Department of Economic and Community Development.*

Discussion: Administrative responsibility for the State's plumbing and wastewater laws is divided among several agencies. Improvements in program coordination, reporting and enforcement can be accomplished by consolidating functions into the appropriate agencies.

G. *Abolish the Atlantic Sea Run Salmon Commission and transfer its staff and salmon fisheries management functions to the Department of Inland Fisheries and Wildlife.*

Discussion: The history of the Atlantic Sea Run Salmon Commission has been characterized as one of chronic underfunding. The funding and personnel reductions contained in the FY92 and FY93 budget appear to make it nearly impossible for the Commission to fulfill its mission of managing and protecting the State's salmon fishery. Consolidating the Commission's fisheries management functions into the Department of Inland Fisheries and Wildlife will permit the staff to fulfill the mission by drawing upon the existing resources of the department.

H. *Establish a Bureau of Recreational Vehicles within state government with sole responsibility for management and enforcement of recreational vehicle programs and laws. The Bureau would be funded using existing dedicated and other special revenue funds allocated to the departments currently responsible for those functions.*

Discussion: Program management and enforcement of recreational vehicle laws is divided among 3 natural resource agencies. The Department of Marine Resources enforces recreational boating laws in the marine environment, the Department of Conservation administers a boating facility grant program, a snowmobile program and an ATV program, and the Department of Inland Fisheries and

Wildlife is responsible for the registration of ATV's, watercraft, and snowmobiles, as well as operating an ATV education program and safety programs for snowmobile, boat and ATV operators. This division of responsibility appears to have resulted in a lack of coordination in policy development, law enforcement and site development.

I. Encourage a coordinated effort to integrate computers into the natural resource agencies.

Discussion: Thoughtful integration of computers into the workplace can increase productivity, enhance the exchange of information among agencies, improve efficiency and provide management access to current and accurate information. Acquisition of computer systems by the natural resource agencies is hindered by lack of funds and the absence of planning or benefit-cost analyses upon which to base management decisions regarding computerization.

J. Create a "Natural Areas Office" within state government by consolidating the functions of the Natural Heritage Program, currently within the Department of Economic and Community Development, and the Critical Areas Program, currently within the State Planning Office.

Discussion: Consolidation of the Natural Heritage Program and the Critical Areas Program would increase the efficiency of the programs by eliminating duplication and improving the opportunities for cooperation among the staff while retaining the integrity of each program.

K. Another area of interest to the Committee is the permitting processes of the Department of Environmental Protection and the Land Use Regulation Commission. Although the Committee has not developed options or recommendations on the environmental permitting procedures, determining what problems exist in those procedures and how to improve the efficiency and equity of the permit process is of critical importance.

3. What single issue or methodological problem is giving your committee the most trouble?

Although we feel we are successfully narrowing the scope of our study to issues that are manageable within the time allowed, we, as a Committee, are not clear as to the level of detail expected in our final recommendations. Should we focus on "broad-brush" policy recommendations in the natural resource areas, or do we limit the scope of our study sufficiently to allow time for more detailed analysis of fewer issues?

COMMITTEE ON THE PROTECTION OF PUBLIC SAFETY AND HEALTH

Report to the Special Commission on Governmental Restructuring October 4, 1991

I. Tentative Findings/Possible Recommendations

Corrections

FINDING: The physical and programmatic infrastructure of the corrections system is seriously inadequate. This creates a hazard to inmates and the general public. Lack of public support for prison construction, lack of public consensus on the importance of rehabilitation, lack of coordination of resources and punishment in the lawmaking process, and the emphasis on the most costly, traditional punishment (incarceration) cause or exacerbate this problem.

POSSIBLE RECOMMENDATIONS

- Educate the public to better understand the needs of the corrections system.
- Use alternatives to incarceration such as intensive supervision, when appropriate, to alleviate the need for physical infrastructure. Investigate the use of parole and supervised post-release programs, to alleviate the pressure on infrastructure and to increase the likelihood of successful re-entry into society.
- Examine the use of private contracts for certain infrastructure, such as pre-release centers and medical services. (The committee will hear a presentation on October 2 to elicit information on whether and how privatization can help.).
- Make sentencing policy in the Legislature with an understanding of its effect on correctional resources.
- *Review existing state facilities for use as prisons (cost-benefit analysis).*
- *Consider locating a federal/state correctional facility at Loring Air Force Base.*

FINDING: The potential for prison industry has not been fully developed. The concerns of labor and businesses who view prison industry as competition, problems with attaining upfront funding, and lack of assistance by agencies with expertise in business development and labor have lead to the underdevelopment of prison industry. *Prison industry programs could include a requirement for inmates to pay the costs of incarceration (their room and board) and to pay victim restitution. Prison industry experience would teach inmates job skills to increase their chances of success after release.*

Note: Comments in italics are those of Mr. Willey; time limitations prevented Ms. Kinnelly and Mr. Hare from reviewing the comments for inclusion in this report.

POSSIBLE RECOMMENDATIONS

- Develop public/private partnerships to expand prison industries.
- Require the Departments of Labor and Economic and Community Development to assist the Department of Corrections in finding prison industry opportunities.
- Investigate possible use of Small Business Administration, FAME, and other sources of venture capital to finance prison industries.
- Consider development of a self-sustaining prison.
- *Expand use of inmate labor on public works projects.*

FINDING: Solving the problems of the state's correctional system requires a change in viewpoint from short-term to long-term solutions, from punishment to prevention. Policymaking emphasis (and dollars) are focussed on punishment, not on prevention. More money is spent, more lives are lost or damaged because we don't emphasize prevention.

POSSIBLE RECOMMENDATIONS

- Local schools *could work to* improve efforts to recognize and seek treatment for children with problems that may lead to criminal behavior, *exercising caution to avoid undue government intrusion into the family.*
- Improve the intake/screening process of Probation & Parole to recognize the problems of persons entering the corrections system and to send them for appropriate treatment. This may occur through improvement of the intake process alone or through development of a centralized intake facility, where inmates would be evaluated for security level (minimum, medium or maximum security), educational abilities and needs, and substance abuse and other treatment needs.
- Use early intervention, including diverting sentenced persons as appropriate to non-incarceration punishment. *Involve parents in early intervention; hold parents accountable for working with children who have problems, such as truancy.*
- Recognize rehabilitation programs as part of the role of the corrections system and give them higher priority in funding. Make participation in educational programs mandatory, once sufficient resources exist to provide educational programs to all inmates.
- Require departments that provide rehabilitation services (education, substance abuse treatment, etc.) to coordinate with the corrections system, and to view clients of the corrections system as potential clients. For example, the Bureau of Rehabilitation must work with the Corrections Department to determine eligibility of inmates for federally-funded vocational rehabilitation programs.
- *Use more volunteers to provide education services.*

Law Enforcement

FINDING: There is insufficient planning, coordination and communication among the three levels of law enforcement and between law enforcement, the Judiciary and the corrections system. Innovative programs are not shared among the three levels of law enforcement. Actions in any part of the criminal justice system affect all other parts, and those effects should be considered before action is taken. *After reviewing a 1974 report recommending regional police services, the committee concluded that regionalization was not workable.*

POSSIBLE RECOMMENDATIONS

- Create a single statewide organization representing the three levels of law enforcement, the Corrections system and the Judiciary to discuss and coordinate issues.
- Set the goal of the organization to share information, not to impose statewide standards. Local control is essential for local innovation. Also, law enforcement and prevention programs work best when performed with knowledge of local conditions.

II. List of Issues on Committee Agenda; Committee Action

- | | |
|---|--|
| • Corrections system | Addressed; see findings and recommendations |
| (Department of Children and Families) | <i>Addressed briefly; committee guest recommended formation of the department; committee understands another committee is addressing the issue</i> |
| • Judicial department | Will address at October 2 meeting; plan to review efficiency study, work of the Commission on the Future of Maine's Courts, budgeting process, and relationship to law enforcement and corrections |
| • Law enforcement | Addressed; see findings and recommendations |
| (Governor's proposal to create Department of Justice) | Addressed; waiting for information from governor's office before determining whether to pursue; <i>stated advantage of Department is policy coordination, structural efficiency</i> |
| • Workplace safety and worker injury compensation | Not addressed to date due to lack of time; May address if time |
| • Regulation of professionals | Not addressed to date due to lack of time; May address if time |

- | | |
|--|---|
| • Protection of human rights | Not addressed to date due to lack of time;
May address if time |
| • Prevention of anti-competitive practices | Not addressed to date due to lack of time;
May address if time |

III. Single Most Difficult Issue

The single most difficult issue or methodological problem for the committee is the fact that improvement of the corrections system requires upfront money to achieve long-term gain, and it seems unlikely that upfront money will be available. *It should be noted, however, that a number of departments exist with expertise in labor, rehabilitation, as examples. There may be cost savings in the system by mere coordination of those existing services. Changes in federal law may be needed to expand prison industry.*

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ADDENDUM

to

THE REPORT OF THE COMMITTEE ON THE PROTECTION OF PUBLIC SAFETY AND HEALTH to the Special Commission on Governmental Restructuring October 4, 1991

On October 2nd, the Committee on the Protection of Public Safety and Health met with representatives of the Judicial Department, and with representatives of organizations offering views on various corrections issues. We would like to amend our report to the Commission to incorporate the findings and recommendations we propose to make as a result of that meeting.

I. Additional Tentative Findings/Possible Recommendations

Corrections

Add to the POSSIBLE RECOMMENDATIONS following the first FINDING under Corrections:

- Expand the law governing eligibility of offenders for the Intensive Supervision Program, to give judges more flexibility to sentence offenders to ISP.
- Give statutory authority to the Department of Corrections to enter into private contracts for the development, construction and operation of prison facilities, with appropriate limits and safeguards.

Add to the list of Corrections FINDINGS:

FINDING: The corrections system does not collect data on the prison population in a manner that would permit policy makers to make informed decisions in the area of corrections policy. Data on the demographics and criminal history of the prison population and recidivism rates of prisoners in various forms of corrections would enable policy makers to understand the needs of the corrections system and to evaluate which policies achieve the goals of the corrections system.

POSSIBLE RECOMMENDATION:

- The Department of Corrections must put its resources and staff to use to collect data that is not currently collected, and to put into usable form the data that currently exists regarding characteristics of the prison population.

Add to Part I a new subject area:

Judicial Department

FINDINGS: The Committee endorses the work and most of the recommendations of the Volunteer Business Committee to Review the Administrative and Financial Operations of the Judicial Department. Many of the recommendations are already being implemented. Of the recommendations not yet fully implemented, the Committee endorses the following:

POSSIBLE RECOMMENDATIONS

- Centralize court fee/fine receipts; centralize bail and escrow accounts;
- Create the position of Chief Operating Officer of the court system, with administrative authority over all non-judicial functions of the courts;
- Transfer to the county District Attorneys the funds and authority for payment of witness fees in the District Court;
- Repeal the statute requiring judicial expenditures to be processed by the Executive Department; establish an allocation system to permit the Department to manage its own expenditures;
- Speed the automation of the trial courts.

FINDING: The process by which the Judicial Department budget comes to the Legislature for approval, via the Executive Department budget message, violates the separation of powers doctrine of the Maine Constitution. The Judicial Department budget is weighed against Executive Department agencies within the State Budget Office, without participation of the Judicial Department. Although the judiciary has the opportunity to communicate its original wishes to the Legislature in public hearings, the Judicial Department budget formally filed with the Appropriations committee is the recommendation of the Executive Department, not that of the Judicial Department.

POSSIBLE RECOMMENDATION

- Amend Title 4, section 25 to clarify that the Executive Department must submit to the Legislature the Judicial Department budget, as submitted to the Budget Office, with the addition of any comments of the Executive. The American Bar Association has issued Standards on Court Organization, including standards for budget submission by the Judicial Department. The Committee intends to use their language as a guideline for this recommendation.

FINDING: There are significant potential savings to be achieved by closing some District Courts and restructuring the use of Superior Courts.

POSSIBLE RECOMMENDATIONS

- The Legislature's Judiciary Committee should review the utilization and costs of District Courts throughout the state and determine how many and which District Courts should be closed. Data show a wide disparity in efficiency among the courts.

- Change the venue requirements to permit persons to use underutilized Superior Courts, even if the case they are trying arises in a different county. The Judiciary Committee should review this issue, and, in light of any recommendations should review the territory of the District Attorneys serving in the various courts.

FINDING: Communication between the Judicial Department, corrections and law enforcement is critical, and would be advanced by the work of the Criminal Justice Commission, which was created last session without funding.

POSSIBLE RECOMMENDATION

- Fund the Criminal Justice Commission.

FINDING: Mandatory sentencing for specific crimes increases the number of individual sentences imposed, an outcome contrary to the adoption of the Criminal Code.

POSSIBLE RECOMMENDATIONS

- The Legislature must refocus on the Criminal Code, and avoid use of mandatory sentencing
- The Legislature should either eliminate or restructure the Criminal Law Advisory Commission to increase the effectiveness of the group at advising the Legislature on the appropriateness of criminal sanctions.

FINDING: Judges can play an important role in preventing the development of criminal behavior by participating in public activities.

POSSIBLE RECOMMENDATION

- The Code of Judicial Conduct should be amended, as necessary, to permit judges to fully participate in public service and educational activities.

COMMITTEE ON GOVERNMENTAL RELATIONS AND PROCESS

MEMORANDUM

To: Commission Members

From: Committee on Governmental Relations and Process

RE: Outline of Committee Status; For October 4th Meeting

The following is a brief outline showing the status of the work of the Committee on Governmental Relations and Process. The outline is generally organized according to the priorities of the issues. *All findings and recommendations are preliminary; the committee has not yet discussed these for the purpose of coming to any final consensus.*

A. Audit and Program Review.

Issue: Is there a need for more effective review of current programs and of tax exemptions by the Legislature? *Findings:* Concern has been raised that the present sunset review process may not often result in program eliminations. It has been suggested that the process could be improved if more ad hoc and therefor timely review and analysis occurred. It has been suggested that it may be appropriate for there to be a formal process link between the Appropriations Committee and the Audit Committee. It has also been suggested that the Audit process may be improved if it resulted in a prioritization among programs reviewed. *Recommendations:* The committee is considering restructuring the process in light of these findings but has not yet developed any particular recommendations. Certain ideas have been floated: having citizen members on the Review Committee; requiring the program review process to establish priorities among programs reviewed; allowing the Council to assign current problem issues to the committee for review; speeding up the 11-year sunset review cycle.

B. The budget process There are several sub-issues under consideration:

1. *Issue:* Should growth in expenditures be smoothed out and reserves created to avoid revenue short falls in down economies? *Finding:* There is inherent in revenue forecasting a certain degree of inaccuracy,

and this causes particular problems in fluctuating economies. *Recommendations:* The committee has discussed the possibility of using some other method for setting expenditures in the budget including the use of some sort of 10-year growth trend analysis which would be used to set spending levels and to create reserves.

2. *Issue:* Should a version of consensus forecasting be adopted? *Finding:* At present the Executive is solely responsible for State revenue forecasts. This has sometimes resulted in tension between the Executive and the Legislature when the Legislature questions those forecasts. *Recommendations:* The committee is exploring the possibility that some form of Legislative/Executive consensus forecasting may result in a better political climate for dealing with the budget. There are essentially three models: the Legislature and the Executive each produce forecasts and then meet to attempt to work out differences; a joint Legislative/Executive committee develops the forecast (this is true "consensus forecasting"); an independent commission develops the forecast and provides this to the Executive and the Legislature.

3. *Issue:* Is the form of the budget document conducive to efficient and effective Legislative review? *Findings:* The committee is seeking comments from interested parties on the form of the budget document. The document presently lists actual expenditures for the year prior to the current year, an estimate of expenditures for the current year and then the Department requests and the Governor's recommendations for each of the years of the coming biennium. *Recommendations:* Interest has been expressed in having in the document the immediately prior 12 month expenditure figure for each program.

4. *Issues:* When is it appropriate to insert statutory changes in the budget document? Should tax expenditures and policies be integrated more effectively into the budget process? What is the best method of handling program changes in relation to the budget process? *Findings and recommendations:* The committee plans to solicit comments from interested persons as to how these issues may be addressed.

5. *Issue:* Should the budget, or parts thereof, be received and passed earlier by the legislature? *Findings and recommendations:* The committee has found that at least some members of the Legislature would like to see Part 1 of the budget received and passed

earlier (perhaps passed by April 1st). Concern has been raised, however, that the earlier the budget is submitted the less finalized will be the numbers which the Executive is able to supply. On the other hand, it has been suggested that early passage would establish the priority of existing programs.

6. *Issue:* Do staffing resources need to be reorganized/increased to cause more efficient analysis of budget proposals? *Findings:* The committee has found that review of policy issues in the context of the budget is a very large and sometimes overwhelming project for the Appropriations Committee with its OFPR staff. *Recommendations:* The idea of using OPLA staff working with OFPR in analyzing policy issues in the budget has been discussed.

7. *Issue:* Should a process be instituted whereby projections of costs of current programs together with projections of revenues are developed for the future biennium? Included in this issue is the issue of whether fiscal notes should include estimates of the long-term costs of legislation. *Findings and recommendations:* The committee has discussed the fact that the provision of such long-term projections could significantly improve analysis of budgets and new legislative initiatives. A particular concern which has been raised in relation to these issues is that programs and tax policies which have low initial costs but high long-term costs do not presently appear to receive adequate review.

8. *Issues:* Does the OFPR need better access to information on future cost expectations for programs? Does the Executive Branch need improved capabilities of providing that sort of information (i.e. is the information available within the Executive departments)? Is there a need for greater integration of computer systems and for better information flow between OFPR and the Budget Office and the Executive departments? *Findings and recommendations:* The committee plans to have a panel discussion with representatives of Appropriations Committee, Finance Dept. and OFPR to see if a consensus can be reached as to how information flow can be improved.

9. *Issues:* Should cost/benefit analyses be conducted to determine the appropriateness of capital investments? Does there need to be more capital investments in certain technologies? Should the State put a greater emphasis on purchasing lands and buildings rather than renting? *Findings and*

recommendations: The committee has generally determined that the answer to each of these questions is 'yes', but it has not yet developed any specific recommendations.

10. *Issue:* Is there a need for more careful review of federally funded programs? *Findings:* The committee has found that information on the total amount of state funds spent on federally funded programs is not readily available. It has also found that federally funded programs are not as carefully reviewed as programs which are funded out of the general fund. However, federally funded programs nevertheless often require the expenditures of certain amounts of State matching funds. The question becomes: how can these State expenditures be more carefully reviewed to determine if better use of the appropriations could be made? *Recommendations:* The committee will be reviewing a February 1990 report of the Appropriations Committee which gives recommendations for enhancing Legislative review of new and expanded services in federal funds. The central recommendations are: create a Federal/Dedicated Funds Subcommittee of the Appropriations Committee which would review those funds in detail; require the Governor to present "new and expanded services" funding requests for federal funds in "Part 2" of the budget.

C. Legislative Process

1. *Issue:* Should legislative terms be extended? *Findings:* The following pros and cons of lengthening terms have emerged: Pros: Allows legislators more time to gain expertise; may attract persons who are more dedicated to the process; reduces percentage of legislator's time spent campaigning; may provide more continuity in the Legislature. Cons: May discourage potential candidates; may reduce public accountability. *Recommendations:* The committee has discussed the idea of extending legislative terms to 4 years.

2. *Issue:* Should the size of the legislature be reduced? *Findings and recommendations:* The committee has discussed the idea of reducing the size of the legislature.

D. Independent boards and commissions

1. *Issue:* Does the need for independent boards and commissions outweigh their staffing and other operational costs? *Findings:* The committee has found that the Secretary of State's "report" on boards and

commissions is in a form and of a length which makes its usefulness extremely limited. At present the Secretary of State's office merely provides the raw data which it is required by statute to collect to the central computing center where it is loaded into the existing program. The Secretary of State then acquires a copy of the print out. The committee has also found that in general attempts to eliminate individual boards and commissions have had limited success. *Recommendations:* The committee is planning to develop a set of criteria by which the continued justification of individual boards and commissions can be evaluated. The committee will be applying these criteria to a certain number of boards.

E. Executive Branch

1. *Issue:* Should the departments of Finance and Administration be merged and if so how should it be done? *Findings and recommendations:* The committee plans to review the information and proposals submitted on this issue by Finance Commissioner Sawin Millet and acting Administration Commissioner Dale Doughty.

F. Constitutional officers

1. *Issue:* Are there functions which are performed by the Secretary of State which could be as effectively and more efficiently dealt with by appropriate executive departments while preserving adequate public accountability? *Findings and recommendations:* The committee has discussed the idea of putting the functions of motor vehicles, corporations and archives into appropriate Executive departments (e.g. DOT, Dept. of Professional and Financial Regulation and the Maine State Library, respectively).

2. *Issue:* Does the state get the best return on its investments? *Findings:* It has been suggested to the committee by the State Treasurer that the State is conservative in its investments (decisions on which are made by the Treasurer's deputy) and that the State's return on investment is in the top 10 in the nation. Question has arisen whether if the State used professional money managers its return could be improved. *Recommendations:* The committee has discussed the possibility of using professional money managers in establishing its investment strategies.

G. Administration of lands and buildings

1. *Issue:* Is it appropriate for there to be greater co-location of regional offices? *Findings and recommendations:* The committee plans to review a report by the Department of Administration. Committee members are concerned that issues concerning the configuration of the various departmental regions should be examined by those committees under whose subject matter jurisdiction the departments fall.

H. Executive Department

(Are other committees dealing with issues of concern here: placement of DCS and Office of Substance Abuse?)

Though the committee has been working hard and has made considerable progress over the last 2 months, the committee is nevertheless finding the very limited time frame to be the most difficult problem it is confronting. As a result of these time constraints, the committee plans to address the above-mentioned issues in vary degrees of detail.

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Tentative Findings & Recommendations
Committee on Economic & Physical Infrastructure
Commission on Restructuring
October 4, 1991

The Economic and Physical Infrastructure Committee has examined a broad range of issues related to government's role in enhancing Maine's economic well being. Among these issues, the Committee has identified a number of areas of special concern around which a consensus has been developed.

This report is truly tentative in nature. The recommendations outlined here will receive further refinement. The Committee is also reviewing additional areas for recommendation.

Introduction: Economic growth in Maine in the 1990's will be much slower than during the 1980's. At the same time, Maine will face intensifying competition both from within the U.S. and from abroad. Among the consequences of the short-term and long-term economic dynamics facing Maine are included:

- Maine government structure has been shaped by the rapid economic growth of the 1980s. The pattern of growth expected through the 90's will not support current spending patterns of state government.
 - The cost of government must kept in relation to the ability of its citizens to support it and it's ranking relative to the other states with which Maine competes..
 - Current costs must be reduced.
- Improving the standard of living of Maine's citizens will depend upon the competitive position of Maine industry, and a business environment that is conducive to job creation in Maine. For Maine State Government this means:
 - Maintaining competitive business costs.
 - Facilitating business development opportunities.

I. Economic Development Recommendations

A. Maintaining Competitive and Affordable Government Spending.

B. Public spending and employment levels should be governed by macro-economic measures that reflect the relative capacity of the State's citizenry and economy to support and are in line with levels in comparable states.

C. Legislative proposals should include an economic impact assessment.

II. Facilitating Business Development Opportunities

A. Government support of tourism development should be a high priority, including traditional promotion efforts, ensuring a good recreation infrastructure and protection of Maine's scenic qualities.

B. The reality and perception of Workers' Compensation costs in Maine are a significant detriment to economic development in Maine.

C. Additional avenues to facilitate the generation of investment capital for Maine businesses.

III. Ensuring Adequate Infrastructure

A. Set highway spending levels and priorities in a manner that emphasizes the needs of economic development and health and safety concerns.

B. A modern telecommunications infrastructure is critical to the competitive position of Maine businesses and for Maine as a location for new business development.

IV. Maintain a competitive tax structure that encourages economic growth:

A. Allow personal and corporate income tax surcharges to sunset.

B. Increase emphasis on tax collection / auditing.

C. Identify elements of Maine's tax structure that are impediments to economic growth.

V. Reducing Government Expenditures

A. Streamline state services

1. Eliminate unnecessary/duplicative services
2. Further investigation of areas which would be suitable for privatization and/or elimination.

a. Bureau of Alcoholic Beverages

B. State employees

1. Institute a total quality management program with the commitment of the Governor, Legislature, the state employees and the public.
2. Ensure wage contracts are consistent with the state's economic growth.

C. Economic development services

1. Focus of economic development services must be on job creation.
2. Unified strategy with Executive and Legislative support.
3. Lines of coordination and distribution of service responsibilities need to be clarified.

D. Regulatory process

1. Eliminate duplicative federal, state and local environmental approval requirements.
2. Move selected areas of regulation down to local level.

E. State Finances

1. Centralized Executive Branch Fiscal and Program Review and government financing and leasing functions.
2. Establish a long-term capital budgeting plan based on an established list of priorities.

F. Boards and Commissions

1. Develop criteria for determining which boards and commissions should continue.
2. Develop criteria for establishing new advisory boards or commissions.

G. Departmental Recommendations

1. Eliminate the following functions in the Department of Labor:
 - a. licensing of bedding and stuffed toys.
 - b. monitoring JET work searches
2. Reassign the following state government functions for improved efficiency:
 - a. move licensing/approval of substance abuse testing program.
 - b. turn the regulation of the Casco Bay Transit District over to the City of Portland.
 - c. move or eliminate the responsibility of monitoring of vocational education for the WC Commission.

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STATE OF MAINE
SPECIAL COMMISSION ON GOVERNMENTAL RESTRUCTURING

September 16, 1991

Governor John R. McKernan, Jr.
Senate President Charles P. Pray
House Speaker John L. Martin

Dear Governor McKernan, President Pray and Speaker Martin:

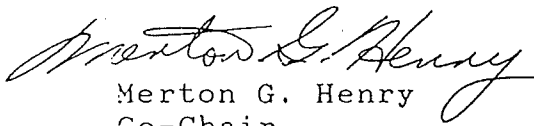
We are pleased to transmit the September 15 interim report of the Special Commission on Governmental Restructuring.


The report provides an overview of the approach the members of the Commission are taking to their assignment and the status of the work being done by the Commission and its Committees.

We continue to be impressed with the commitment Commission members are demonstrating in the time, effort and thought they are devoting to the work of the Commission. We also want to express our appreciation for the splendid support the members of the staffs of the State Planning Office and Legislative Office of Policy and Legal Analysis are giving the Commission.

The Commission has received extensive information, advice and assistance from members of the Legislative and Executive Branches of State Government and from individuals in the public and private sector. We hope this report will stimulate added contributions to our deliberations.

Sincerely,


Merton G. Henry
Co-Chair


Donald E. Nicoll
Co-Chair

cc: Members, Joint Standing Committee on Appropriations and
Financial Affairs
Members, Joint Standing Committee on State and Local
Government

MSCGR/h/n

STATE OF MAINE
SPECIAL COMMISSION ON GOVERNMENTAL RESTRUCTURING

INTERIM REPORT
September 15, 1991

INTRODUCTION

The Special Commission on Governmental Restructuring was established to advise, consult and assist the executive and legislative branches of State Government to plan for the restructuring of government. This is the Commission's interim report, mandated under the legislation that created it. The interim report includes information on the formation and responsibilities of the Commission, the general philosophy it has developed in undertaking its work, the ways in which it has organized itself, its tasks and timetable, and the status of its work.

The Commission must develop and present to the Governor and the Legislature by December 15, 1991, a final plan to maximize citizen participation in public policy making, to use public resources more effectively and to consolidate and restructure State Government in such a way that efficiency is assured and cost savings result.

The Commission was created to consolidate, restructure and realign functions of the departments of government and to streamline administration and services through functional integration of similar operations. In addition, the Commission was established to create unified and functionally integrated agencies of State government to coordinate and consolidate the effective delivery of services to affected populations.

The Commission consists of 22 members. The Co-Chairs were appointed jointly by the Governor, the President of the Senate and the Speaker of the House of Representatives. Ten members were appointed by the Governor and 10 members were appointed jointly by the President of the Senate and the Speaker of the House of Representatives. The Commission is staffed by the Legislative Office of Policy and Legal Analysis and the State Planning Office.

COMMISSION PHILOSOPHY AND APPROACH TO ITS TASKS

The Commission's general aim is to develop findings and recommendations that will enable State Government in Maine to operate more efficiently and effectively and to improve its capacity to set priorities, even within limited resources. We assume that financial resources will continue to be limited and that, for the next several years at least, there will be intense demands for public investment in education, human services, public safety, environmental protection, the development of the state's economic base and the repair and improvement of our public infrastructure. There will also be demands for significant changes in government policies where there are substantial disagreements over the effects of those policies. Responding to those challenges will require a State Government that is equipped to make public policy decisions on the basis of informed judgments, supported by an actively engaged citizenry, a State Government in which there is clarity on State responsibilities and functions, specific and measurable public policy goals related to defined public needs and appropriate levels of public resources, and a State Government in which there is clear assignment of responsibility and accountability for the achievement of public policy goals.

Such a State Government would be, by definition, efficient and effective, and it would be responsive to the needs of its citizenry. We assume, therefore, that the scope of our findings and recommendations will relate to the functions of State Government, the forms and structure that most closely match meaningful and efficient organization of those functions, and processes and procedures that support integration of related functions and organizations. We expect to address questions related to the procedures and structures State Government uses to make decisions on the size of public financial resources and priorities in their allocation. We also assume there is no perfect or permanent structure or mode of operation for State Government. We expect, therefore, to develop recommendations that will support continuing correction and improvement in State Government as a major vehicle for the achievement of our common public aims.

COMMISSION STRUCTURE AND PROCESS

The Commission decided early in its work to form committees that would address specific areas of concern in considerable depth. Those committees have been organized along functional rather than governmental structure lines. There are six committees. Their membership and staff are as follows:

Commission Co-Chairs: Merton Henry and Donald E. Nicoll

staff: Martha Freeman (OPLA) Richard Silkman (SPO)
Tim Glidden (OPLA) Carol Michel (SPO)

Committees:

Committee on Health, Social Services and Economic Security

Rosalyn S. Bernstein and Roland Caron, co-chairs
Betsy Levenson
John Rosser

staff: Paul Saucier (OPLA)
Joyce Benson (SPO)

Committee on Education and Cultural Services

Jane Amero and James A. Storer, co-chairs
Roy P. Hibyan

staff: Michael Higgins (OPLA)
Richard Sherwood (SPO)

Committee on Protection of Public Safety and Health

Charlene Kinnelly and N. Laurence Willey, co-chairs
Roger Hare

staff: Deborah Friedman (OPLA)
Mike Montagna (SPO)

Committee on Economic and Physical Infrastructure

David T. Flanagan and Jean Mattimore, co-chairs
Russell Brace

staff: Karen Hruby (OPLA)
Steve Adams (SPO)

Committee on Physical Resources

Patrick K. McGowan and Robert D. Cope, co-chairs
Richard Anderson

staff: Patrick Norton (OPLA)
Mark Dawson (SPO)

Committee on Governmental Relations and Process

Weston L. Bonney and Bonnie Post, co-chairs
Linwood M. Higgins
John Lisnik

staff: Jon Clark (OPLA)
Carol Michel (SPO)

Note: OPLA Research Assistants are Mila Dwelley, Roy Lenardson & Bret Preston.

Commission meetings are scheduled regularly on the first and third Fridays of the month, adjusted for holidays or other factors. Those meetings include general sessions and committee working sessions. All Commission and committee meetings are open to public observation and participation. Committees are arranging additional public work sessions to enable them to meet with as many public officials, community and state organization leaders and other interested parties as they can. To date there have been 6 full Commission meetings and 11 additional meetings of individual committees.

A complete listing of Commission and committee meetings (past and anticipated) is attached (Attachment A).

Committees first addressed the question of appropriate government functions within their areas of responsibilities. They also examined hypotheses and assumptions about how well government appears to be fulfilling those functions. They are now engaged in examining the major issues confronting government in their functional areas, preparing to define those issues and to develop options for responding to those issues with structural or process changes.

The Commission as a whole has been maintaining oversight of the committee work through the distribution of committee meeting minutes and through informal and formal exchange of information and discussion at Commission general sessions. The Commission has also explored general themes related to its task and has examined different ways of looking at the challenges to government and public institutions. One of the Commission's meetings was devoted to an exploration of shifting paradigms in the private and public sector. Another meeting involved an introduction to the concept of "total quality management" and its potential application in the public sector.

In all of its work, the Commission is testing perceptions, assumptions, concepts and proposals for improving the functioning of State Government. It is inviting others to join in testing its own tentative views and concepts as it proceeds to refine and focus its findings and possible recommendations. This report includes status reports from each of the Commission's six committees. We invite questions, comments and suggestions on the issues identified, areas that may need additional attention, and possible findings and recommendations for the committees to consider. We'd note that the individual committee status reports have not been reviewed or endorsed by the full Commission. We consider this report and its committee reports as integral parts of our ongoing exchange of information and ideas, all leading to the final decisions that the Commission must make. The Commission expects to release a draft of its final report in mid-November for a period of public hearings and comment prior to submission of the final report in December.

2404NRG

Attachment A
Commission and Committee Meetings

Full Commission Meetings:

May 30, 1991
June 21, 1991
July 29, 1991
August 9, 1991
August 23, 1991
September 6, 1991

Anticipated

September 20, 1991
October 4, 1991
October 18, 1991
November 1, 1991
November 15, 1991
Further meetings to be scheduled

Note: All committees typically meet during a full commission meeting

Additional Committee Meetings:

Committee on Health, Social Services and Economic Security
September 3 and 13, 1991

Committee on Education and Cultural Services
August 26 and 30, 1991; September 13, 1991

Committee on Protection of Public Safety and Health
September 9, 1991

Committee on Economic and Physical Infrastructure
September 11, 1991 (plus additional meetings with other groups)

Committee on Physical Resources
September 11, 1991

Committee on Governmental Relations and Process
August 7 and 27, 1991; September 11, 1991

COMMITTEE STATUS REPORTS

Interim Report of the Committee on Health, Social Services and Economic Security

I. FUNCTION STATEMENT

The Committee has adopted the following statement to describe the function of state government in this area:

It is the responsibility of the State to invest in an affordable system of health and social services for the care and assistance of those who cannot adequately provide for their basic health, social and economic needs. In carrying out this responsibility, the State must balance public needs with the public's ability to fund services.

In addition to basic maintenance services, the State must invest in those preventive, early intervention and innovative programs that yield long-term gains.

II. COMMITTEE PROCESS

A. Consumer Focus

The committee is striving to examine the present governmental structures from the point of view of consumers. To that end, its work has been organized around the major consumer groups that fall under its purview, rather than around existing departments or programs. Those groups are:

1. Children, Youth and Families;
2. People Who Abuse Substances;
3. People Who are Homeless or Inadequately Housed;
4. People Who are Unemployed or Underemployed;
5. Older People;
6. Abused and Neglected Adults;
7. People with Mental Illness;
8. People with Mental Disabilities;
9. People with Physical Disabilities;
10. People with Chronic Illness; and
11. Consumers of Acute Care, Public Health and Disease Prevention Services.

The Committee is attempting to identify all services that are currently offered to each consumer group, as well as gaps that exist in the service delivery systems.

B. Sources of Information

The Committee has reviewed reports issued in the past 2 years by study commissions, State agencies and standing advisory groups. The Committee has met with officials from all of the major State service delivery agencies that are involved with the identified consumer groups, including the Department of Human Services, the Department of Mental Health and Mental Retardation, the Division of Community Services, the Office of Substance Abuse, the Department of Labor, the Department of Education, and the Department of Corrections. The Committee plans to meet next with consumer groups, provider groups and the chairs of recent study commissions.

C. Strategic Issues

All information gathered will be analyzed in the context of the following strategic issues:

1. *Consumer Orientation of Services.* Is the system "user friendly" for consumers? How difficult is it for consumers to gain access to services? How responsive is the system to consumer needs? Is the structure of government compatible with client needs and services?
2. *Use of Technology to Provide Services.* Is the system using state-of-the-art technology? Could technological enhancement make the system more efficient and effective?
3. *Coordination of Services.* To what degree are services coordinated across departments? within departments? between the state and regional and local levels? among local agencies?
4. *Use of Public-Private Partnerships to Provide Services.* To what extent do private agencies provide services? Could private agencies provide some services more efficiently or effectively than government agencies? How can government collaborate with private agencies to improve efficiency and effectiveness?
5. *Impact of Economic Cycles on Services.* How are services affected by swings in the economy? What counter cyclical mechanism can be developed to provide needed resources during difficult economic periods?

III. INITIAL FINDINGS

As the Committee has gathered information, several recurring themes have emerged across consumer groups. They include:

1. *Services are fragmented.* This appears to be attributable in large part to categorical funding streams. Consumers who qualify for various categorical programs must face several agencies. This is most apparent for children, youth and families, who may be receiving services from as many as 6 major State agencies. Fragmentation has resulted in duplication or overlap of several services and functions, including:
 - case management;
 - information and referral;
 - advocacy and abuse investigations;

- advisory groups;
- licensing;
- management information systems;
- planning;
- contracting and evaluation; and
- adult protective services;

2. *Service systems have significant gaps.* Several consumer groups face gaps in the continuum of services they need. In some cases, the gap is created by inadequate inter-agency coordination; in other cases, resources are insufficient. Availability of services varies among regions of the State;

3. *Gaining access to the system is often difficult.* Maine has no single source of information or single point of entry for services. Consumers must go from one agency to another to find the services they need, and it is often unclear which agency is the most appropriate to serve a particular consumer. The large, rural nature of the State creates transportation problems for many consumers;

4. *Prevention and early intervention resources are inadequate.* More often than not, a consumer's first exposure to the system is for relatively expensive treatment of a serious problem or condition. The continuum of services for any particular consumer group generally does not include prevention and early intervention because resources are not sufficient to do so;

5. *Trained professionals are in short supply.* Several service areas are experiencing a shortage of trained professionals or expect to experience a shortage in the next several years;

6. *Mandates are inconsistent or need revision.* State and federal mandates are often at odds. State statutes need revision to clarify the State's role in some service areas, including family reunification and mental health services. Confidentiality requirements deter coordination among agencies, resulting in inefficiency;

7. *Community-based services are underdeveloped in some areas.* The State may still be overly dependent upon institutional services. In addition to mental health, the development of more community-based alternatives should be examined in the areas of long-term care and substance abuse;

8. *Technology used by many State agencies is outdated.* Although technological enhancements hold out the greatest promise of improved productivity and efficiency, inadequate investment is made in maintaining current technology.

IV. OPTIONS UNDER DISCUSSION

Based upon information collected to date, the Committee is discussing the following options. The Committee does not expect large savings to result from these or other options it may eventually recommend. While initial findings suggest that services can be delivered more efficiently and effectively, it is clear that needs will always be greater than available resources, and any savings that do result from restructuring should be applied to the many service gaps that exist.

- 1. Remove health services from the Department of Human Services. Combine all child and family social services wherever presently located into a new Department of Child and Family Services.*
- 2. Create a new Department of Physical and Mental Health combining public health, mental health and mental retardation, medicaid and all other health services.*
- 3. Move the Bureau of Rehabilitation from the Department of Human Services to the newly created Department of Physical and Mental Health.*
- 4. Eliminate the Division of Community Services and move its functions to other departments that already provide similar services.*
- 5. Unify all human service, health and related services regions into one common regional system with coterminous boundaries and share regional service delivery resources wherever possible.*
- 6. Create regional boards to plan and implement community mental health services and other services as appropriate.*
- 7. Develop a central information and intake system for all services.*
- 8. Create a unified case management system for families with primary responsibility vested in a single lead agency.*
- 9. Eliminate multiple contracting, evaluation and licensing between many state agencies and private providers. Where multiple contracts and evaluations must exist, use uniform contracts with uniform performance standards.*
- 10. Create a counter cyclical fund to finance health and social services during difficult economic periods.*
- 11. Group overlapping, duplicating, and closely related services, and locate each group in one department or agency. Examples include services for the elderly and advocacy services.*
- 12. Regardless of the configuration of State agencies, raise coordination and collaboration to priority status. Provide a strong interdepartmental coordinating mechanism with authority to mediate disagreements.*

13. *Invest in technology that will improve efficiency and planning capability. For example, a 90% federal match is available to enhance technology in the Medicaid program to eliminate paper claims and simultaneously create a data base for timely analysis.*

14. *Work with state and federal governments to modify laws and rules whose confidentiality requirements interfere with good delivery and management of services.*

15. *Work with state and federal governments to eliminate categorical funding. Create flexible funding pools oriented to consumer needs.*

16. *Use funds saved by restructuring, if any, to create a continuum of care and fill present service gaps.*

17. *Create an effective monitoring mechanism to stem the proliferation of State agencies and to assure that budgets are based on program needs rather than fiscal crises.*

18. *Encourage the expansion of prevention and early intervention efforts by providing incentives to State and private agencies.*

19. *Consolidate advisory groups where it makes sense and does not unduly hinder citizen participation.*

V. REMAINING WORK OF COMMITTEE

The committee will continue gathering information from various sources, including consumers, providers and chairs of recent study commissions. Recommendations will then be formulated and submitted to the Commission.

LHS2989

SPECIAL COMMISSION ON GOVERNMENTAL RESTRUCTURING
SUBCOMMITTEE ON EDUCATION AND CULTURAL SERVICES

The subcommittee began its deliberations by framing the preamble and goals and areas of potential study set forth at the end of this report.

Over the past several weeks, the subcommittee has met with persons knowledgeable about education to explore the issues implicit in the preamble, goals and potential study areas. Every informant has been asked three questions. Do these issues merit study? Are there other issues which the subcommittee has overlooked? What specific problems need to be addressed?

So far the informants have agreed that all the areas merit study and that they pretty well cover the important issues.

At this time, the subcommittee has met with:

1. Senator Estes and Representatives Crowley and Norton of the Legislative Committee on Education,
2. school superintendents Leo Martin, Thomas Edwards and Judith Lucarelli,
3. former Bowdoin College Professor Paul Hazelton,
4. Dean Moore of the University of Southern Maine College of Education,
5. Director Henry Bourgeois of the Maine Development Foundation,
6. Chancellor Woodbury of the University of Maine System,
7. President Fitzsimmons of the Technical College System,
8. President Curtis of the Maine Maritime Academy,
9. and Commissioner Bither of the Department of Education.

The subcommittee has scheduled six future meetings for September 13th, 20th and 27th. These will have different foci than the earlier meetings.

The subcommittee will meet with President Connick of the University of Maine at Augusta to discuss the role of Maine's community colleges and the organization of the Inter-active Television Network.

The subcommittee will meet with several educators to discuss what needs to be done to ensure every child begins school ready to learn. The presenters will be from the Departments of Education and Human Services, from the Division of Community Services in the Executive Department and from the University of Maine at Farmington.

The subcommittee will meet with several school board members to discuss with them what they perceive to be the one thing, other than more money, which will help them bring about change.

They will also be asked how the geographic organization of school districts affects school governance.

The subcommittee will meet with several high school students and recent graduates attending post-secondary schools to ask them what one thing, other than money, they think will improve schools. Those in post-secondary school will also be asked how well high school prepared them for further study.

Finally, the subcommittee will meet separately with several school principals and several elementary and high school teachers to ask them what one thing, other than money, they think will improve schools.

Several specific questions have emerged from the subcommittee's meetings with its informants. The subcommittee believes these will form the nuclei of its studies for the remainder of the fall and has organized its next six meetings around several of these questions.

The questions have been inserted into the subcommittee's study outline at the points where they seem most pertinent.

Preamble

It is the responsibility of state government to serve the citizenry of the state, its human resources, through investment in a comprehensive system of quality education and cultural opportunities that are accessible, equitable and effective.

Should education be the number 1 priority in Maine state government?

How can we educate the public about the importance of education?

How can we better educate school boards to improve their relations with local constituencies?

In an era of limited financial resources and increasing demands for quality education, it is imperative that all institutions within Maine's educational delivery system work together to more efficiently and effectively deliver education services. Although Maine is recognized as a leader in educational reform, an unprecedented commitment to education must occur if the State is to meet the six National Goals for Education adopted by the President, the nation's Governors and the Congress.

How can we ensure every child begins school ready to learn?

How can we integrate early childhood with education?

Goals

1. State investment in human capital must be adequate and educational services (broadly defined) at all levels must be rational and well-coordinated.
2. Education programs in the state must be funded from sources that are adequate and equitable.
3. The state must establish appropriate minimum levels of educational opportunity and performance.
4. Maine's workers must be adequately trained to meet the state's present and future needs for a skilled and adaptable work force.
5. All citizens must have access to and opportunities for lifelong cultural and educational opportunities.

Study Area I Coordination of Resources

There is an apparent lack of coordination in the use of resources by the state's educational delivery systems. The subcommittee wishes to explore the potential links which may be forged between the state's educational institutions so that faculty, academic programs, buildings and facilities and cultural resources may be shared.

What mechanisms can be employed to encourage more cooperation and collaboration among educational institutions?

How can we form linkages among the Department of Education, the University of Maine System, the Technical College System and the Maine Maritime Academy?

Is there adequate communication among the various educational sectors and between state government and local schools?

Study Area II Geographic Issues

The subcommittee will examine the question of whether schools in the state are efficiently organized geographically. This question concerns not just the configurations of our public schools (organized as school administrative districts, municipal schools, school unions, etc.), but also higher education. The possibility of sharing resources between geographical areas may also be explored.

Can we better organize local schools to improve quality and efficiency?

What is the relation between the Department of Education and local schools?

How can we help the Department of Education become more of a facilitator for local schools?

The subcommittee is also interested in whether geographical differences influence the educational delivery system.

Study Area III Opportunities for Expanded Use of Technological Development in Communications

To maintain a quality educational system, we must encourage the wise use of developing technologies.

Given their cost and complexity, how can we expand the use of technology for all systems both for delivery and for technical education?

How ought we to budget for the replacement of instructional capital equipment such as computers and machine tools?

Study Area IV Life-Long Learning

The subcommittee plans to study the realities of life-long learning in Maine. Attention will be focussed on adult education, worker training and retraining, and the concept of pursuing further education (formal academic, informal and cultural) for the joy of learning.

How can the state facilitate change and innovation in adult education?

What does the Oregon model for secondary education have to offer us a guide for preparing people for life-long learning?

Study Area V Coordination Between Government and Educational Institutions

The subcommittee will examine current efforts at coordination between educational institutions and government agencies dealing with labor, corrections, health and human services, and similar areas.

Who sets education policy for the state and what are the roles of the State Board of Education and the Boards of Trustees of the University of Maine System, the Technical College System and the Maine Maritime Academy?

How does educational policy integrate with economic development policy?

What is the link between Legislative appropriations for education and educational policy?

How can we ensure long-range educational planning?

How can we provide the Department of Education more flexibility in the internal allocation of staff and resources?

Certification should be addressed broadly, rather than in detail.

How can we provide local schools more flexibility in their allocation of staff and resources?

How can we encourage creative competition among schools?

Committee on Protection of Public Safety and Health Interim Report

Recognizing that time and resources will not permit investigation of every way in which the state is involved in public safety and health, the committee divided the possible areas of inquiry into two groups. The first group, which will be the focus of the committee's efforts, includes the judicial and corrections systems, and law enforcement. The second group, which will be addressed only if time permits, includes workplace safety and worker injury compensation issues, regulation of professionals, protection of human rights, and efforts to prevent anti-competitive practices.

The committee is attempting to answer the following questions. Are the judicial and corrections systems adequately administered and well coordinated? Is the physical infrastructure of the corrections system adequate? Is education an important part of the current rehabilitative efforts in the corrections system? Is public safety (law enforcement) adequate and well coordinated at the state, county and local level?

The committee has reviewed corrections reports and met with Corrections Commissioner Donald Allen to solicit his comments on issues in corrections. The Committee will invite the chairs of the Legislature's Joint Select Committee on Corrections to its next meeting to take advantage of their expertise. The committee has decided that corrections will be the focal point of its efforts and has identified several areas in which it believes structural changes may be beneficial. Those areas include efforts to expand prison industries, efforts to improve coordination among the departments providing education, treatment, training and other rehabilitative services to prisoners, and greater efforts to identify buildings to meet the infrastructure needs of the corrections system. The committee intends to meet with representatives of the departments that provide services to prisoners to discuss coordination of services.

For its initial inquiry into law enforcement issues, the committee met with representatives of municipal, county and state specialized law enforcement agencies (the Marine Patrol of the Department of Marine Resources and the Warden Service of the Department of Inland Fisheries and Wildlife). The Commissioner of Public Safety will be invited to appear at a later meeting, to discuss State Police and other law enforcement bureaus in the Department. The committee also has tentative plans to meet with a disinterested police services expert. Committee members did not feel that coordination of law enforcement was an issue they would spend a great deal of time investigating.

The Committee heard a presentation on the governor's proposal to merge several departments into a Department of Justice. After it receives additional information from the governor's office on the potential cost savings of the merger, the committee will decide whether to give further consideration to the proposal.

In its review of the judicial system, the committee will investigate the possibility of improving efficiency in the system, the effect of the judicial system on the corrections system, and options for promoting communication between the judicial system and law enforcement.