



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

RECEIVED JUN 30 2015

Paul R. LePage
GOVERNOR

June 30, 2015

Beth Ashcroft, Director
Office of Program Evaluation and
Government Accountability
Maine State Legislature
82 State House Station
Augusta, ME 04333-0082

Re: Requests for OPEGA investigation

Dear Ms. Ashcroft:

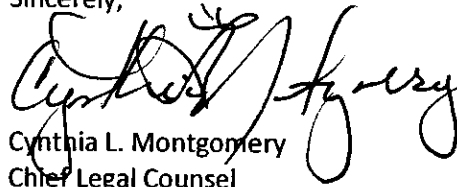
My office was copied on correspondence from Senator Saviello to Senator Katz and Representative Kruger requesting that the Office of Program Evaluation and Government Accountability (OPEGA) investigate "whether allegations of political use of state resources are justified" with regard to Good Will-Hinckley's rescission of a job offer to Speaker of the House Mark Eves. While I appreciate your obligation to act as directed by the Government Oversight Committee, I contest OPEGA's authority to investigate Governor LePage's exercise of his authority as the Chief Executive of the State of Maine.

As you are surely aware, OPEGA's enabling statute clearly provides that OPEGA's purpose is to provide "program evaluation of agencies and programs of State Government," as well as other governmental and quasi-governmental entities. Unlike such agencies, which exist via legislative enactment, the Chief Executive is a governing authority separate but equal to the Legislature itself. Me. Const. Art. III.

The Governor and the exercise of his discretionary executive power are simply not subject to OPEGA's jurisdiction and/or oversight. If members of the Legislature wish to "investigate" the Governor, they should look to the Constitution for the authority to do so.

Thank you for your time and consideration.

Sincerely,



Cynthia L. Montgomery
Chief Legal Counsel



PRINTED ON RECYCLED PAPER