

Department of Finance and Administration

Legislative Impact Statement

Bill: HB2015

Bill Subtitle: TO ENCOURAGE OVERSIGHT OF STATE AGENCIES; TO REQUIRE PERIODIC REVIEW OF ALL STATE AGENCIES; AND TO PROVIDE RECOMMENDATIONS TO STATE AGENCIES TO PREVENT WASTE.

Basic Change :

Rep. Leding,

HB2015 creates a legislative subcommittee that will review all state agencies and subdivisions for cost savings over a twelve year period (between June 30, 2013 and June 30, 2025). The cost savings are supposed to occur through consolidation, streamlining, and repealing of state agencies and associated regulations. The review will also ensure that all agencies are accomplishing legislative objectives and operating within their statutory authority.

The Director of DFA is a nonvoting member of the subcommittee and must be consulted on the drafting of report on state agencies. The report on DFA's operation will be issued on June 30, 2019. On October 30, 2017, DFA must provide a report with the subcommittee containing information necessary for the subcommittee to complete its report.

This bill lists every state agency and subdivisions thereof and creates a date for the subcommittee to complete its review of groupings of the state agencies. Agencies are required by October 30 of the odd numbered year before the agency's review is completed (June 30, 2019 is the completion date of DFA's review) to file a report with the subcommittee containing information regarding the following criteria:

- Efficiency of the state agency's operation,
- The intended objectives of the agency, the extent to which those objectives are achieved, a listing of any additional activities of the state agency not granted by statute, and the authority for performing those activities,
- If a less restrictive or alternate method of performing any regulations by the state agency exist that could still adequately protect the public,
- Extent to which the state agency is needed and used,
- Extent to which the state agency's activities overlap the activities performed by other state agencies and can be consolidated,
- Agency recommendations of statutory changes that benefit the public rather than an occupation, business, or institution that the agency regulates,
- Promptness and effectiveness of the agency in disposing of complaints concerning persons affected by the agency,
- Extent to which the agency encourages public participation in the agency's rule making process and decisions as opposed to participation solely by those the agency regulates and the extent the rules are compatible with the agency's objectives,
- Extent the agency has complied with the applicable requirements of:
 - o State or federal agencies regarding equality of employment opportunity and the rights and privacy of individuals, and
 - o State law and rules regarding purchasing goals and programs for historically underutilized businesses,
- Extent that the enabling statutes should be changed to allow the state agency to comply with above criteria,
- Extent to which state agency issues and enforces conflict of interest rules on its employees,
- Extent to which the state agency follows record management practices to efficiently respond to

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public information requests, and

- Effect of federal intervention or loss of federal funds if the agency is abolished

The subcommittee must issue reports on these agency reviews at each regular session of the General Assembly. The report is considered a public record. The report must provide specific findings on each of the criteria, the recommendations, and other information the subcommittee considers necessary to a complete evaluation of the state agency.

The subcommittee is required to comment on each bill filed in the General Assembly that would create a new state agency having regulatory authority regarding whether the agency could be combined with an existing agency and other issues regarding the regulatory functions of the agency.

The subcommittee may exempt agencies from review but only if the agencies have been inactive for two years preceding the date that agency is scheduled for review. The subcommittee will have subpoena power that can be enforced by attachment. Confidential records received by the subcommittee remain confidential and are not subject to FOIA. The subcommittee is expressly authorized to accept gifts, grants, and donations from 501(c)(3) organizations in open meeting by a majority of the voting members. These donations must be used to fund the subcommittee's activities and be recorded in a public record with the donor name and the donation's purpose.

Revenue Impact :

None

Taxpayer Impact :

None

Resources Required :

None

Time Required :

Adequate time provided

Procedural Changes :

None

Legal Analysis :

The bill becomes effective 90 days after adjournment.

Line 16 on page 3 should be amended to delete "Education" and substitute "Administration."