

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 1182

Short Title: Program Evaluation by Gov. Ops.

(Public)

Sponsors: Representatives Jack Hunt; Albertson, Anderson, Bowman, Church, Diamont, Ethridge, Fletcher, Fussell, Gamble, Hasty, Holt, Judy Hunt, R. Hunter, Hurley, James, Lilley, Lutz, Miller, Nesbitt, Nye, Ramsey, Redwine, Rogers, Stamey, and Thompson.

Referred to: Rules, Appointments and Calendar.

May 9, 1991

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS TO ENABLE THE JOINT LEGISLATIVE COMMISSION ON GOVERNMENTAL OPERATIONS TO CARRY OUT PERIODIC PROGRAM EVALUATION STUDIES OF STATE AGENCIES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 120-71 reads as rewritten:

"§ 120-71. Purpose.

The rapid increase in the functions and costs of State government and the complexity of agency operations deeply concern the General Assembly. Members of the General Assembly have the ultimate responsibility for making public policy decisions and deciding on appropriations of public moneys. Knowledge of the public service needs being met, having evidence as to whether previous policy and appropriations have resulted in expected program benefits, and data on how State government ~~reorganization~~ ~~has reorganizations~~ have affected agency operations are most important.

Legislative examination and review of public policies, expenditures and reorganization implementation as an integral part of legislative duties and responsibilities should be strengthened. For the purpose of performing such continuing examination and evaluation of State agencies, and their actual effectiveness in programming and in carrying out procedures under reorganization, the General Assembly herein provides for the continuing review of operations of State government."

Sec. 2. G.S. 120-72 reads as rewritten:

1 **"§ 120-72. Definition.**

2 For the purposes of this Article, 'program evaluation' is defined as: ~~an examination~~
3 ~~of the organization, programs, and administration of State government to ascertain~~
4 ~~whether such functions (i) are effective, (ii) continue to serve their intended purposes,~~
5 ~~(iii) are efficient, and (iv) require modification or elimination.~~ means an examination of
6 the programs an agency is authorized to perform. The examinations shall include:

- 7 (1) The specific purpose or goal of each program, and the specific public
8 benefit derived from it in relation to its identifiable cost;
9 (2) The development of indicators by which the success or failure of a
10 program to achieve its goals may be gauged;
11 (3) The identifiable cost of the programs;
12 (4) The effectiveness of the management and administration of the
13 programs;
14 (5) A review of whether the implementation of programs conforms with
15 legislative intent; and
16 (6) The impact of non-State funds on agency programs."

17 Sec. 3. G.S. 120-73 reads as rewritten:

18 **"§ 120-73. Commission established.**

19 There is hereby established the Joint Legislative Commission on Governmental
20 Operations, hereinafter called the Commission, which shall conduct on a periodic basis
21 evaluative studies of the programs, policies, practices and procedures of the various
22 departments, agencies, and institutions of State government."

23 Sec. 4. G.S. 120-76 reads as rewritten:

24 **"§ 120-76. Powers and duties of the Commission.**

25 The Commission shall have the following powers:

- 26 (1) To conduct program evaluation studies of the various components of
27 State agency ~~activity as they relate to:~~
28 a. ~~Service benefits of each program relative to expenditures;~~
29 b. ~~Achievement of program goals;~~
30 e. ~~Use of indicators by which the success or failure of a program~~
31 ~~may be gauged; and~~
32 d. ~~Conformity with legislative intent.~~
33 activity on a periodic basis in accordance with a schedule the
34 Commission adopts. The Commission shall begin a program
35 evaluation study of the Department of Transportation in October of
36 1991.
37 (2) To study legislation which would result in new programs with
38 statewide implications for feasibility and need. These studies may be
39 jointly conducted with the Fiscal Research Division of the Legislative
40 Services Commission.
41 (3) To study on a continuing basis the implementation of State
42 government ~~reorganization-reorganizations~~ with respect to:
43 a. Improvements in administrative structure, practices and
44 procedures;

- 1 b. The relative effectiveness of centralization and decentralization
2 of management decisions for agency operation;
3 c. Opportunities for effective citizen participation; and
4 d. Broadening of career opportunities for professional staff.
- 5 (4) To make such studies and reports of the operations and functions of
6 State government as it deems appropriate or upon petition by
7 resolution of either the Senate or the House of Representatives.
- 8 (5) To produce routine written reports of findings for general legislative
9 and public distribution. Special attention shall be given to the
10 presentation of findings to the appropriate committees of the Senate
11 and the House of Representatives. If findings arrived at during a study
12 have a potential impact on either the finance or appropriations
13 deliberations, such findings shall immediately be presented to the
14 committees. Such reports shall contain recommendations for
15 appropriate executive action and when legislation is considered
16 necessary to effect change, draft legislation for that purpose may be
17 included. Such reports as are submitted shall include but not be limited
18 to the following matters:
- 19 a. Ways in which the agencies may operate more economically
20 and efficiently;
21 b. Ways in which agencies can provide better services to the State
22 and to the people; and
23 c. Areas in which functions of State agencies are duplicative,
24 overlapping, or failing to accomplish legislative objectives, or
25 for any other reason should be redefined or redistributed.
- 26 (6) To devise a system, in cooperation with the Fiscal Research Division
27 of the Legislative Services Commission, whereby all new programs
28 authorized by the General Assembly incorporate an evaluation
29 component. The results of such evaluations may be made to the
30 Appropriations Committees at the beginning of each regular session.
- 31 (7) To evaluate and approve or deny requests from the Department of
32 Transportation regarding the funding of federally eligible construction
33 projects as provided in the fourth paragraph of G.S. 136-44.2."

34 Sec. 5. G.S. 120-79 reads as rewritten:

35 "**§ 120-79. Commission staffing.**

36 (a) The Commission shall use available secretarial employees of the General
37 Assembly, or may employ, and may remove, such professional and clerical employees
38 as the Commission deems proper. The chairmen may assign and direct the activities of
39 the employees of the Commission, subject to the advice of the Commission.

40 (b) The employees of the Commission shall receive salaries that shall be fixed by
41 the Legislative Services Commission and shall receive travel and subsistence
42 allowances fixed by G.S. 138-6 and 138-7 when such travel is approved by either
43 chairman, subject to the advice of the Commission. The employees of the Commission
44 shall not be subject to the Executive Budget Act or to the State Personnel Act.

1 (c) The Commission may use employees of the Fiscal Research Division of the
2 Legislative Services Commission.

3 The Fiscal Research Division shall establish a program evaluation team to assist the
4 Commission in carrying out its duties under G.S. 120-73 and G.S. 120-76(1). The State
5 Auditor shall also cooperate and assist the Commission in carrying out its duties under
6 G.S. 120-73 and G.S. 120-76(1).

7 (d) The Commission shall assure that sufficient funds are available within its
8 appropriations before employing professional and clerical employees."

9 Sec. 6. There is appropriated from the General Fund to the General Assembly
10 the sum of \$250,000 for the 1991-92 fiscal year and the sum of \$250,000 for the 1992-
11 93 fiscal year to enable the Fiscal Research Division to establish a program evaluation
12 team to assist the Joint Legislative Commission on Governmental Operations in
13 carrying out its duties under G.S. 120-73 and G.S. 120-76(1).

14 Sec. 7. This act becomes effective July 1, 1991.