

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

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HOUSE DRH35022-LK-6A (12/16)

Short Title: Independent Gov't Review Comm. (Public)

Sponsors: Representatives Baker, J. Crawford, McMahan, and Owens.

Referred to:

A BILL TO BE ENTITLED

AN ACT CREATING THE INDEPENDENT GOVERNMENT REVIEW
COMMISSION.

The General Assembly of North Carolina enacts:

SECTION 1. There is created the Independent Government Review Commission ("Commission"). The purpose of the Commission is to review all activities of State government including, but not limited to, the current funding and appropriateness of government activities.

Further, the Commission shall:

- (1) Review the current organization, budgets, and activities of each State agency or major segment of any agency.
- (2) Review the current organization, budgets, and activities of all boards and commissions that are administered or funded by the State.
- (3) Review the appropriateness of the State's participation in, and funding of, non-State entities receiving State funds.
- (4) Review all State property holdings to determine any unused or unnecessary assets.
- (5) Recommend to the General Assembly any changes in the current organization, funding, or activities of any area of State government.

SECTION 2.(a) The Commission shall consist of eight teams, one for each area of investigation. The Governor shall organize the Commission teams, and all appointments shall be made by October 1, 2003.

Each team shall include:

- (1) Two members of the General Assembly, including one legislator who is a member of the majority party and one legislator who is a member of the party with the next largest number of members.

1 (2) One employee of the Fiscal Research Division staff, who shall serve as
2 a nonvoting member.

3 (3) Three persons from the private sector.

4 **SECTION 2.(b)** At least one of the members of the General Assembly shall
5 serve on the Appropriations subcommittee appropriate to the area of review. The Fiscal
6 Research staff person shall also serve the appropriate Appropriations subcommittee.
7 The private sector members shall be recognized leaders and have in-depth knowledge of
8 the specific areas of study. The North Carolina Citizens for Business and Industry will
9 appoint two private sector members for each team and the Governor will appoint one
10 private sector member for each team. The Speaker of the House of Representatives and
11 the President Pro Tempore of the Senate shall each appoint a legislative member to
12 serve pursuant to subdivision (a)(1) of this section.

13 **SECTION 2.(c)** The members of the Commission shall elect cochairs of the
14 Commission from among their members. The cochairs shall serve on the Commission's
15 Executive Committee. Other members of the Executive Committee shall include a
16 representative of each team chosen by the members of the respective teams, the Director
17 of the Fiscal Research Division or the Director's designee, and the Director of the Office
18 of State Budget and Management or the Director's designee.

19 **SECTION 2.(d)** A majority of the Commission members shall constitute a
20 quorum. Commission members shall receive subsistence, per diem, and travel
21 allowances as provided by G.S. 138-5.

22 **SECTION 2.(e)** The respective appointing authorities shall fill any
23 vacancies. The Commission may contract for consultation services.

24 **SECTION 2.(f)** The Commission may meet in the Legislative Building or
25 the Legislative Office Building upon approval of the Legislative Services Commission.

26 **SECTION 2.(g)** The Commission, while in the discharge of its official
27 duties, may exercise all of the powers provided under the provisions of G.S. 120-19
28 through G.S. 120-19.4, including the power to request all officers, agents, agencies, and
29 departments of the State to provide any information, data, or documents within their
30 possession, ascertainable from their records, or otherwise available to them, and the
31 power to subpoena witnesses.

32 **SECTION 2.(h)** The Commission may apply for, accept, and expend gifts,
33 grants, or donations from governmental sources, private entities, or private nonprofit
34 foundations organized for taxation purposes under section 501(c)(3) of the Internal
35 Revenue Code.

36 **SECTION 2.(i)** Notwithstanding G.S. 120-32.02, the Commission is
37 authorized to expend, at its discretion, the funds appropriated by this act to carry out the
38 purposes of the Commission. The Executive Committee shall allocate appropriated
39 funds, and any other available funds, among the various teams.

40 **SECTION 3.** Commission teams established under Section 2(a) of this act
41 will be assigned to review each of the following areas:

42 (1) Team A:

43 a. Office of the Governor.

44 b. Office of the Lieutenant Governor.

- 1 c. Office of Information Technology Services.
- 2 d. Office of State Budget and Management.
- 3 e. Office of the State Controller.
- 4 f. Office of the State Treasurer.
- 5 g. Office of the State Auditor.
- 6 h. Department of Administration.
- 7 i. Department of Insurance.
- 8 j. Office of the Secretary of State.
- 9 k. Department of Cultural Resources.
- 10 l. Department of Revenue.
- 11 (2) Team B:
 - 12 a. Department of Agriculture and Consumer Services.
 - 13 b. Department of Commerce.
 - 14 c. Department of Labor.
 - 15 d. Department of Environment and Natural Resources, specifically
 - 16 including the Division of Forestry.
- 17 (3) Team C:
 - 18 a. Administrative Office of the Courts.
 - 19 b. Department of Crime Control and Public Safety.
 - 20 c. Department of Correction.
 - 21 d. Department of Justice.
- 22 (4) Team D:
 - 23 a. Department of Transportation, specifically including the
 - 24 Division of Motor Vehicles.
- 25 (5) Team E:
 - 26 a. Department of Public Instruction.
 - 27 b. State Board of Education.
 - 28 c. Community College System Office.
 - 29 d. The University of North Carolina.
- 30 (6) Team F:
 - 31 a. Department of Health and Human Services, specifically
 - 32 including each major division.
- 33 (7) Team G:
 - 34 a. Non-State entities.
 - 35 b. State Boards and Commissions.
- 36 (8) Team H:
 - 37 a. State Property.

38 **SECTION 4.** The Commission shall issue a report of its findings,
39 recommendations, and legislative proposals to the 2005 General Assembly. Interim
40 reports may be made at any time. The Commission shall terminate upon filing its final
41 report.

42 **SECTION 5.** This act becomes effective July 1, 2003.