

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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HOUSE BILL 212

Short Title: Create North Carolina Accountability Report. (Public)

Sponsors: Representative R. Brawley (Primary Sponsor).

For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.

Referred to: Appropriations.

March 6, 2013

1 A BILL TO BE ENTITLED
2 AN ACT TO CREATE THE NORTH CAROLINA ACCOUNTABILITY REPORT, TO BE
3 OPERATED BY THE PROGRAM EVALUATION DIVISION.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 120-36.12 is amended by adding a new subdivision to read as
6 follows:

7 "**§ 120-36.12. Duties of Program Evaluation Division.**

8 The Program Evaluation Division of the Legislative Services Commission has the
9 following powers and duties:

10 ...

11 (11) To create and maintain the North Carolina Accountability Report, as
12 required by G.S. 120-36.19."

13 **SECTION 2.** Article 7C of Chapter 120 of the General Statutes is amended by
14 adding a new section to read as follows:

15 "**§ 120-36.19. North Carolina Accountability Report.**

16 (a) The Program Evaluation Division shall create and maintain the North Carolina
17 Accountability Report. The report shall be published in a publically available Web-based
18 format and shall profile State departments and programs within each department. The profile
19 for each department or program shall (i) describe why it exists, how it is funded, and what
20 current issues exist and (ii) include references to pertinent information, including technical
21 studies, audit reports, Program Evaluation Division reports, and similar research. The report
22 shall be easily searchable and shall be indexed by categories defined by the Program Evaluation
23 Division.

24 (b) Each program profile shall contain a Program Evaluation Division rating. The rating
25 shall be based upon the following criteria and questions:

26 (1) Program purpose and design:

27 a. Is the program's purpose and design explicit and sound?

28 b. What public problem is the program seeking to remedy or what
29 public service is the program seeking to provide?

30 c. Is the program duplicative or redundant?

31 d. Are there any impediments to the program's success? How is the
32 program identifying and addressing such impediments?

33 (2) Strategic planning:

34 a. Does the program have a strategic plan?



- 1 b. Does the plan assess strengths, weaknesses, opportunities, and threats
2 or challenges?
- 3 c. Does the plan contain strategies for maintaining or enhancing
4 strengths, addressing weaknesses, taking advantage of opportunities,
5 and minimizing or containing threats or challenges?
- 6 d. Does the plan contain a method for measuring the success of
7 strategies?
- 8 e. How are results reported?
- 9 f. Is the plan periodically reviewed and revised?
- 10 (3) Program management:
- 11 a. How are employees organized and supervised?
- 12 b. Are there organizational charts?
- 13 c. Are work processes documented or flow-charted?
- 14 d. How are resources allocated among activities or work units?
- 15 e. Are managers held accountable for the cost, quantity, and quality of
16 results?
- 17 f. Is the program subject to internal audits?
- 18 g. Are expensive assets such as real property, motor vehicles, and
19 computer equipment subject to management controls and safeguards?
- 20 h. Are financial management practices free of material weaknesses or
21 repeat audit findings?
- 22 (4) Program Results:
- 23 a. How does the program measure outputs or units of service?
- 24 b. How does the program measure outcomes or the results of outputs?
- 25 c. How does the program establish standards for the quality and
26 quantity of outputs and outcomes?
- 27 d. Based upon independent evaluation, is there non-anecdotal proof that
28 the program results are attributable to the program and did not come
29 about by chance or other factors?
- 30 e. Does the program use evaluation results in strategic planning and
31 management for continuous improvement?

32 The Program Evaluation Division shall develop a scale by which to measure the answers to the
33 questions in this subsection, as well as when low performance would require an improvement
34 plan from program managers.

35 (c) The Office of Budget and Management shall assist the Program Evaluation Division
36 to identify programs and their costs. When identifying programs, the Division may define a
37 "program" more narrowly than the program is defined by the State department, such as by
38 identifying a portion of a larger program as a "program." Additionally, when identifying
39 programs, the Division may define a "program" more broadly than the program is defined by
40 the State department, such as by identifying coordinated programs or closely related programs
41 as a single "program."

42 (d) State departments shall provide information for the Accountability Report to the
43 Program Evaluation Division upon the request of the Division and shall answer all questions
44 from the Division within 30 days of request. Upon the request of the department or institution,
45 the Division may extend this 30-day time limit once by an additional 15 days. If the Division
46 does not receive a response for a program within the allowed time, the Division may rate the
47 program "Not Accountable for Failure to Respond."

48 (e) As used in this section, the term "department" shall be interpreted broadly to include
49 any State department, agency, commission, or institution."

50 **SECTION 3.** G.S. 120-131.1 reads as rewritten:

1 "§ 120-131.1. Requests from legislative employees for assistance in the preparation of
 2 fiscal notes and evaluation reports, notes, evaluation reports, or North
 3 Carolina Accountability Report.

4 ...

5 (a1) A request, and any accompanying documents, made to an agency employee by a
 6 legislative employee of the Program Evaluation Division for assistance in the preparation of an
 7 evaluation ~~report~~ report, or in the preparation of the North Carolina Accountability Report, is
 8 confidential. The request and any accompanying documents are not "public records" as defined
 9 by G.S. 132-1. An agency employee who receives a request under this subsection or who learns
 10 of such a request made to another agency employee of his or her agency may reveal the
 11 existence of the request to other agency employees to the extent that it is necessary to respond
 12 to the request and to the agency employee's supervisor. All documents prepared by the agency
 13 employee in response to the request of a legislative employee of the Program Evaluation
 14 Division are confidential, shall be kept confidential in the same manner as the original request,
 15 and are not "public records" as defined in G.S. 132-1.

16"

17 **SECTION 3.** Recognizing that scoring all State programs will take several years,
 18 the Program Evaluation Division shall first catalogue and profile state programs, as described
 19 in G.S. 120-36.19(a), as created by Section 2 of this act. The Division shall prioritize the order
 20 in which to rate State programs using the criteria in G.S. 120-36.19(b), as created by Section 2
 21 of this act, and shall develop a schedule by which State programs will periodically be reviewed
 22 and regraded by the Division.

23 **SECTION 4.** Effective July 1, 2013, the sum of eight hundred thirty-nine thousand
 24 seven hundred fourteen dollars (\$839,714) is appropriated from the General Fund to the
 25 Legislative Services Commission, Program Evaluation Division, for fiscal year 2013-2014,
 26 recurring, for the purpose of implementing and maintaining the North Carolina Accountability
 27 Report, as created by this act. That sum shall be allocated to the following positions, which are
 28 hereby created, as well as for equipment and other costs:

	Number of	Salaries &				
Position Description	Positions	Benefits	Equipment	Other	Total	
Web Specialist/Evaluator	1	\$68,455	\$1,500	\$1,000	\$70,955	
Program Evaluator I	4	\$273,820	\$6,000	\$4,000	\$283,820	
Research Assistant	9	\$484,939	\$13,000	\$9,000	\$484,939	

34 **SECTION 5.** Except as otherwise provided, this act is effective when it becomes
 35 law.