

By Mr. Chase, petition (accompanied by bill, Senate, No. 1227) of Arthur E. Chase and Matthew J. Amorello for legislation to require that all newly established agencies, boards and commissions be subject, every six years, to a "sunset review" and to delay their further funding until the completion of the review. State Administration.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety-Three.

AN ACT REQUIRING THAT ALL NEWLY ESTABLISHED AGENCIES, BOARDS, AND COMMISSIONS BE SUBJECT EVERY SIX YEARS, TO A "SUNSET REVIEW", AND DELAYING THEIR FURTHER FUNDING UNTIL THE COMPLETION OF THE REVIEW.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 3 of the General Laws is hereby
2 amended by adding the following new sections: —
3 Section 63A. The Senate Committee on Post Audit and
4 Oversight shall compile an audit and performance evaluation,
5 based in part on audit information supplied by the state auditor,
6 within six years of the establishment of any agency, board,
7 department, division, office, commission, institution, or authority
8 created by the general court after the first day of January in
9 nineteen hundred and ninety-three, and every six years thereafter,
10 to be known as the "Sunset review." For the purpose of said review
11 the Committee shall have access at reasonable times to the records
12 of such agencies, and may require the production of books,
13 documents and vouchers, relating to any matter within the scope
14 of the audit and performance evaluation. The committee may
15 further require a written response to critical questions it has of
16 any agency. Such response shall be forwarded to the committee
17 within 30 days of notification. The "Sunset review" shall be for
18 the purpose of providing the General Court with the financial and
19 performance information necessary to evaluate the need for the
20 agency's continued operation, and shall furnish information

21 sufficient to evaluate the extent to which the benefits provided
22 by the agency, considered in relation to its costs, justify the
23 agency's continued existence and levels of operation and funding.

24 Said review shall include, but not be limited to: — (a) an
25 examination of the extent to which the agency has achieved its
26 original objectives, (b) a description of the benefits provided and
27 beneficiaries serviced by such agency, (c) an outline of the
28 operating and personnel costs of the agency, (d) an evaluation of
29 the extent to which the agency has come to overlap, duplicate,
30 or conflict with other existing agencies, and (e) a description of
31 the revenue sources supporting such agency.

32 Section 63B. The Senate Committee on Post Audit and
33 Oversight shall submit the reports required by section 63A of this
34 chapter to the Clerk of the Senate within 60 days of the expiration
35 of any agency's six-year sunset review period. The Clerk of the
36 Senate shall refer the report to the Senate Committee on Ways
37 and Means which shall conduct such public hearings as may be
38 necessary to evaluate the need for the agency's continued
39 operation, and to evaluate the extent to which the benefits
40 provided by the agency, when considered in relation to its costs,
41 justify the continued existence and level of operation and funding.
42 The Committee shall, within 60 days, submit a report
43 recommending either the continuance, abolition, or streamlining
44 of the agency, and a draft of any legislation necessary to carry
45 its recommendations into effect. The agency, board, department,
46 commission, division, office, institution, or authority which is the
47 subject of the committee's recommendations shall be ineligible for
48 any further appropriation until the report of the committee has
49 been accepted or rejected by the majority vote of the full House
50 and Senate.

1 SECTION 2. Chapter 11 of the General Laws is hereby
2 amended by adding the following new section: —

3 Section 12A. The department of the state auditor shall conduct
4 any audits and supply any information required by the Senate
5 Committee on Post Audit and Oversight in connection with the
6 Committee's responsibilities under Section 63A of Chapter 3.

1 SECTION 3. This act shall take effect upon passage.