

Hall of the House of Representatives
88th General Assembly - Regular Session, 2011
Amendment Form

**

Subtitle of House Bill No. 1039

PROVIDING FOR THE REVIEW OF STATE AGENCY PERFORMANCE BY THE JOINT
PERFORMANCE REVIEW COMMITTEE TO ENSURE EFFICIENT AGENCY
OPERATIONS.

Amendment No. 1 to House Bill No. 1039

Amend House Bill No. 1039 as originally introduced:

Page 1, line 11, delete "EFFICIENT" and substitute "EFFICIENT AND EFFECTIVE"

AND

Delete the subtitle and substitute the following:
"PROVIDING FOR THE REVIEW OF STATE AGENCY PERFORMANCE BY THE JOINT
PERFORMANCE REVIEW COMMITTEE TO ENSURE EFFICIENT AND EFFECTIVE AGENCY
OPERATIONS."

AND

Delete everything following the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 10-3-901(a), concerning the membership of
the Joint Performance Review Committee, is amended to read as follows:

(a)(1) There is ~~hereby~~ created the "Joint Performance
Review Committee", which shall consist of twenty (20) members of
the House of Representatives ~~to be selected as prescribed by
House Rules~~ and ten (10) members of the Senate to be appointed
~~pursuant to Senate Rules~~ as follows:

(A) Four (4) members appointed by the majority
party leader of the House of Representatives;

(B) Four (4) members appointed by the minority
party leader of the House of Representatives;

(C) Four (4) members appointed by the majority
party leader of the Senate;

(D) Four (4) members appointed by the minority
party leader of the Senate;



(E) Twelve (12) members appointed by the Speaker of the House of Representatives; and

(F) Two (2) members appointed by the President Pro Tempore of the Senate.

(2)(A) There shall be a Senate cochair and a House cochair and a Senate vice chair and a House vice chair of the committee.

(B)(i) The House cochair and House vice chair shall be selected according to House Rules.

(ii) The Senate cochair and Senate vice chair shall be selected according to Senate Rules.

SECTION 2. Arkansas Code Title 25 is amended to add an additional chapter to read as follows:

CHAPTER 42 REVIEW OF STATE AGENCY PERFORMANCE

25-42-101. Legislative intent.

(a) The General Assembly finds that:

(1) Arkansas state government is the state's largest employer, with over fifty thousand (50,000) employees serving a number of state agencies and implementing a variety of programs;

(2) State government, like any significant business operation, should operate as efficiently and effectively as possible;

(3) Part of efficient operation includes an assurance that state government is achieving its purposes and every division of state government is accountable for its performance and outcomes;

(4) All revenue that funds government comes from the people, and it is the responsibility of every elected official to carefully guard against misuse of this revenue; and

(5) A system of reviewing and analyzing state agency performance and outcomes would enhance agency performance, prevent the duplication of services, provide for more accurate budgeting, and ultimately improve the efficiency of state government operations.

(b) The intent of this chapter is to develop a method to examine various aspects of state agency performance and outcomes to ensure that each agency operates in a reasonably transparent, efficient, and effective manner to achieve its statutory purposes.

25-42-102. Definitions.

As used in this chapter:

(1) "Dashboard" means a visual display of the most important information needed to achieve one (1) or more objectives, consolidated and arranged on a single screen so the information may be monitored at a glance;

(2) "Program" means an aggregation of similar activities performed by a state agency, not necessarily along organizational lines, that may logically be considered an entity for budgeting, accounting, and reporting purposes and that contributes to common goals;

(3)(A) "State agency" means any agency, department,

authority, board, commission, bureau, council, or other agency of the state, including without limitation state-supported institutions of higher education.

(B) "State agency" includes without limitation:

(i) The offices of the Governor, Lieutenant Governor, Attorney General, Secretary of State, Treasurer of State, Auditor of State and Commissioner of State Lands;

(ii) Legislative commissions, bureaus, and offices;

(iii) Judicial offices;

(iv) Constitutional offices, commissions, and departments that receive a state appropriation for the expenditure of state funds, special revenues, or federal funds; and

(v) The Arkansas Lottery Commission;

(4) "Success" means the:

(A) Achievement of something required, planned, or attempted; and

(B) Meeting of established goals.

25-42-103. Disclosure of programs to Joint Performance Review Committee.

(a)(1) Each state agency shall file with the Joint Performance Review Committee by November 1, 2011, an electronic report with a description of each program administered by the state agency that expends state or federal funds.

(2) The Joint Performance Review Committee shall make a form available to state agencies to provide a description of each program.

(3) A state agency shall complete a form for each program administered by the state agency.

(4) The information submitted under this subsection shall comply with state enterprise architecture.

(b) The description for each program shall contain without limitation:

(1) The name of the agency;

(2) The name of the fund from which state revenue is expended to administer the program;

(3) The amount of state or federal funds expended;

(4) The source of the state or federal funds;

(5) The purpose of the program;

(6) The services provided by the program;

(7) The number of customers served by the program; and

(8) A program assessment considering the following issues:

(A) How citizens of the State of Arkansas would know if the program was successful or making progress;

(B) Statutory or operational barriers, if any, that prevent exceptional program performance;

(C) Whether another state agency or other organization would provide the services offered by the program if the program were not in existence;

(D) Whether opportunities exist to improve program results through alternative service delivery;

(E) The identity of public or private sector program partners that are critical to program success;

(F) An identification of the most significant opportunities to improve program results; and

(G) A list of state agency contracts with date, length, amount, and service or product provided.

(c) The Joint Performance Review Committee shall provide information received under this section to the Department of Information Systems for inclusion in a state dashboard.

25-42-104. Evaluation of programs.

(a)(1) The Joint Performance Review Committee shall thoroughly review select programs to assess the overall functions of state agencies for the purpose of finding inefficiencies that might yield significant cost savings.

(2) The Joint Performance Review Committee shall:

(A) Select programs for review that the Joint Performance Review Committee feels will provide a fair representation of the state agency's overall performance and outcomes;

(B) Develop a schedule for the review of programs; and

(C) Complete its review of programs on or before November 1, 2016.

(b) When reviewing a program, the Joint Performance Review Committee shall consider the following issues:

(1) Program purpose and design, for which the Joint Performance Review Committee shall consider without limitation whether the:

(A) Program's purpose is clear;

(B) Program addresses a specific and existing problem, interest, or need;

(C) Program is designed so that it is not redundant or duplicative of other state, federal, local, or private efforts;

(D) Program is free of design flaws or other obstacles that limit its effectiveness or efficiency; and

(E) Program is effectively designed and targeted so that resources will reach intended beneficiaries and address the program's purpose;

(2) Program planning, for which the Joint Performance Review Committee shall consider without limitation whether the:

(A) Program has specific long-term, results-based performance measures that are linked to the program's purpose;

(B) Program has ambitious targets and timeframes for its long-term measures that reasonably compare with peer group activities;

(C) Program's purpose, goals, and measures have been communicated throughout the state agency and across program partners; and

(D) State agency responsible for the program has taken meaningful steps or developed a plan to address any deficiencies indicated when analyzing program planning;

(3) Program management, for which the Joint Performance Review Committee shall consider without limitation whether:

(A) The state agency regularly collects timely and credible performance information, including without limitation information

from key partners, and uses it to manage the program and improve performance and outcomes;

(B) Managers, key personnel, and program partners are held accountable for cost, schedule, efficiency, performance, and outcome results; and

(C) The program has procedures to measure and achieve efficiencies and cost effectiveness in program execution and service delivery, including without limitation:

(i) Competitive sourcing;

(ii) Cost comparisons;

(iii) Information technology improvements; and

(iv) Incentives; and

(4) Program results, for which the Joint Performance Review Committee shall consider without limitation whether the:

(A) Program demonstrates adequate progress in achieving its long-term performance goals;

(B) Program demonstrates improved efficiencies or cost effectiveness in achieving program goals each year;

(C) Performance of the program at issue compares favorably to other programs with similar purposes, including without limitation governmental and private programs; and

(D)(i) State agency seeks, gathers, and reviews input to address any:

(a) Deficiencies in customer service;

(b) Changes in programmatic circumstances;

(c) Cost savings; and

(d) Elimination of unsuccessful programs.

(ii) If deficiencies in customer service and changes in programmatic circumstances are identified, a state agency shall make a report to the Joint Performance Review Committee that addresses the deficiencies.

25-42-105. Reports of program reviews.

(a)(1) The Joint Performance Review Committee shall prepare a report regarding its review of programs under § 25-42-104 and its level of success, including without limitation the results of its study of each reviewed program, and shall make any recommendations for improvement.

(2) The Joint Performance Review Committee shall adopt its report at a meeting of the Joint Performance Review Committee.

(3)(A) The Joint Performance Review Committee may prepare its report as a series of two (2) or more reports addressing specific groupings of state agencies.

(B) If the Joint Performance Review Committee elects to prepare a series of reports, it may elect to adopt each portion of the report separately under a schedule developed by the Joint Performance Review Committee.

(b)(1) The report shall be filed with the:

(A) Governor;

(B) President Pro Tempore of the Senate;

(C) Speaker of the House of Representatives;

(D) Chief Fiscal Officer of the State; and

(E) Director of the Department of Information Systems.

(2) If the report is prepared as a series of two (2) or more reports, each portion of the report shall be filed with the Governor, the President Pro Tempore of the Senate, and the Speaker of the House of Representatives upon its adoption by the Joint Performance Review Committee.

25-42-106. Joint Performance Review Committee -- Subcommittees -- Staff support -- Evaluation dates and deadlines.

(a) The Joint Performance Review Committee may establish one (1) or more subcommittees for the purpose of performing its duties under this chapter.

(b) The Bureau of Legislative Research shall provide staff support for the Joint Performance Review Committee as it performs its duties under this chapter.

(c) At the first meeting of the Joint Performance Review Committee following a regular session of the General Assembly, the Joint Performance Review Committee shall establish relevant dates and deadlines for evaluations under this chapter."

The Amendment was read _____
By: Representative English
MBM/BGS - 03/15/11 03:14
MBM368

Chief Clerk