

**Introduced by Senator Wyland**

December 6, 2010

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Senate Constitutional Amendment No. 1—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 10 to Article III thereof, relating to state audits.

LEGISLATIVE COUNSEL'S DIGEST

SCA 1, as introduced, Wyland. State Auditor: duties.

Existing statutory law establishes the Bureau of State Audits, which is headed by the State Auditor and has specified statutory duties, including the performance of statutorily mandated audits. Existing law states that the Bureau of State Audits, in order to be free of organizational impairments to independence, shall be independent of the executive branch and legislative control.

This measure would require the State Auditor to biennially conduct a performance evaluation of each state program, including the administration or oversight of that program by the department or agency that is responsible for the program, and submit a report of the results of that performance evaluation to the Legislature, as prescribed. This measure would require the committee that considers the budget in each house of the Legislature to meet and consider recommendations made in each performance evaluation within 90 days of submission by the State Auditor. This measure would require the State Auditor to make each performance evaluation available to the public on an Internet Web site and in hardcopy format and require the Legislature to appropriate to the Bureau of State Audits funds as necessary to implement these provisions.

Vote:  $\frac{2}{3}$ . Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

1     *Resolved by the Senate, the Assembly concurring,* That the  
2 Legislature of the State of California at its 2011–12 Regular  
3 Session commencing on the sixth day of December 2010,  
4 two-thirds of the membership of each house concurring, hereby  
5 proposes to the people of the State of California, that the  
6 Constitution of the State be amended as follows:

7     That Section 10 is added to Article III thereof, to read:

8     SEC. 10. (a) Not later than January 1, 2013, and no less  
9 frequently than every two years thereafter, the State Auditor, or  
10 his or her successor, shall conduct a performance evaluation of  
11 each state government program, including the administration or  
12 oversight of that program by each department or agency that is  
13 responsible for the program, and shall submit to the Legislature a  
14 report of the results of that performance evaluation.

15     (b) Within 90 calendar days after the date that the State Auditor,  
16 or his or her successor, submits a report of the results of a  
17 performance evaluation to the Legislature pursuant to subdivision  
18 (a), the committee that considers the budget in each house of the  
19 Legislature shall meet and consider the recommendations made  
20 in the performance evaluation pursuant to paragraph (5) of  
21 subdivision (c).

22     (c) Each performance evaluation of a program conducted under  
23 this section shall include, but is not limited to, all of the following:

24     (1) A statement of the purposes of the program, including the  
25 intent of the Legislature pursuant to any measure enacted to  
26 establish or modify the program.

27     (2) A discussion of the history of the program.

28     (3) A description of all sources of funding for the program, and  
29 an evaluation of the cost-effectiveness of the program.

30     (4) An evaluation of the success of the program, including an  
31 explanation of the methodology used to evaluate that success.

32     (5) Recommendations as to how the program may be made more  
33 efficient and effective, or as to whether the program should be  
34 eliminated.

35     (6) Any related information or evaluation the State Auditor  
36 deems appropriate.

1 (d) The State Auditor shall make each performance evaluation  
2 prepared pursuant to this section available to the public on an  
3 Internet Web site and in a hardcopy format.

4 (e) The Legislature shall appropriate to the Bureau of State  
5 Audits, or any successor entity, funds as necessary to implement  
6 this section.