

AMENDED IN SENATE MAY 24, 2010

AMENDED IN SENATE APRIL 5, 2010

Senate Constitutional Amendment

No. 28

Introduced by Senator Wyland

February 11, 2010

Senate Constitutional Amendment No. 28—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 28, as amended, 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 those funds that are necessary to implement these provisions.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.

State-mandated local program: no.

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California at its 2009–10 Regular Session commencing on the first day of December 2008, two-thirds of the membership of each house concurring, hereby proposes to the people of the State of California, that the Constitution of the State be amended as follows:

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

SEC. 10. (a) Not later than January 1, 2012, and no less frequently than every two years thereafter, the State Auditor, or his or her successor, shall conduct a performance evaluation of each state government program, including the administration or oversight of that program by each department or agency that is responsible for the program, and shall submit to the Legislature a report of the results of that performance evaluation.

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

(b)

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

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

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

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

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

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

1 (6) Any related information or evaluation the State Auditor
2 deems appropriate.

3 ~~(e)~~

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

7 ~~(d)~~

8 (e) The Legislature shall appropriate to the Bureau of State
9 Audits, or any successor entity, those funds that are necessary to
10 implement this section.