

JOINT LEGISLATIVE COMMISSION ON GOVERNMENTAL OPERATIONS

2022-2024 Commission Procedures

- **Purpose:** The Joint Legislative Commission on Governmental Operations was created in 1975 (G.S. 120-71 through 120-79) to provide ongoing legislative examination and review of public policies, expenditures and reorganization implementation. The Commission's oversight function includes, but is not limited to, evaluation of program costs and benefits, managerial effectiveness, internal control, and compliance. Various general statutes and session laws also require State agencies and other entities to consult with the Governmental Operations Commission before taking action on a particular issue or to submit reports for its review.
- **Meeting Dates and Times:** The Commission will meet at the call of the Speaker of the House of Representatives and the President Pro Tempore of the Senate. All meetings will be noticed on the General Assembly's calendar at <http://www.ncleg.net/LegislativeCalendar/>.
- **Agenda:** Every effort will be made to publish the Commission's agenda on the General Assembly's website prior to the meeting. After the agenda has been posted, items may be added or deleted only with the joint approval of the Office of the Speaker of the House and the Office of the President Pro Tempore of the Senate.
- **Agency Deadline for Agenda Development is the Fifth Business Day of the Month:** State agencies and other entities that wish to have items considered for an agenda must submit their requests and all necessary documents to the Commission email address no later than 5:00 pm the fifth business day of the month of the scheduled meeting. After consulting with the Chairs of the Governmental Operations Commission, staff will notify State agencies and other entities scheduled to appear before the Commission.

General Procedures

- **Responsibility for Reports and Consultations:** State agencies, institutions, boards, commissions, and other entities are solely responsible for complying with all reporting and consultation requirements mandated by State law.

- **Submission of Reports and Consultation Documents:** All reports and consultation documents must be submitted electronically to the Governmental Operations Commission email address (ncgagovops@ncleg.gov) by the required date or within the appropriate timeframe specified in statutes and session laws.
- **Notice of Receipt of Consultation Requests:** All consultation requests submitted to the Commission e-mail address will receive an electronic response acknowledging receipt of the required report. When necessary, this response can be shared with the Codifier of the Rules to acknowledge compliance with the law.
- **Distribution of Submitted Documents:** Reports and consultation documents submitted to the Governmental Operations Commission e-mail address will be distributed to the Chairs of the Commission (i.e., Speaker of the House and President Pro Tempore of the Senate), and Commission staff. Reports and consultations submitted to the Governmental Operations Commission email address will be available through the Legislative Library.
- **Copies for Meetings:** Commission staff will be responsible for making copies of reports and consultation documents for Commission meetings. However, based on the type and length of the report, a reporting or consulting entity may be required to submit hard copies for distribution. In these instances, reporting or consulting entities will be notified of the number of copies required and the deadline for submission. Otherwise, it is not necessary to submit hard copies.
- **Communication with Staff:** The email address of the Commission is for receiving submissions and confirming receipt of those submissions only. Please do not reply to this email address. If you have questions or require assistance, please contact

Consultations

- **Definition of Consultation:** The requirements of a consultation can be found in G.S. 12-3.(15):
 - “(15) Requirement to consult with a committee or commission of the General Assembly. – All words purporting to require an individual or other entity to consult with a committee or commission of the General Assembly before taking an action shall be construed to require the entity to do all of the following:
 - a. Submit a report of the action under consideration to the chairs and staff of the committee or commission. The report shall include all information required by statute and the rules of that committee or commission. The staff of the committee or commission shall make the report available electronically to the members of the committee or commission and to the public.
 - b. Appear at a meeting of the committee or commission at which the matter is heard. Unless another period of time is specified by statute, the requirement to appear is

satisfied if the committee or commission does not have a meeting at which the matter is heard within 90 days of receiving the required submission."

- **Satisfying a Consultation Requirement (Except Fees and Charges):** A consulting entity must submit a detailed report to the Chairs of the Commission, and Commission staff at (ncgagovops@ncleg.gov). If the Governmental Operations Commission does not meet to hear the consultation within 90 days after receiving the detailed report and staff determines that the report is complete, then the consultation requirement is deemed satisfied. If the Commission does meet within 90 days, staff will contact the consulting entity about appearing before the Commission.
- **Consultations Regarding Fees and Charges:** A consulting entity that adopts a rule to establish or increase a fee or charge must submit a request for consultation to all members of the Commission, and Commission staff at (ncgagovops@ncleg.gov) on the same date the notice of the text of the rule is published. This request must contain a written report stating 1) the amount of the current fee or charge, if applicable, 2) the amount of the proposed new or increased fee or charge, 3) the statutory authority for the fee or charge, and 4) a detailed explanation of the need for the establishment or increase of the fee or charge. If the Commission does not meet to hear the consultation within 90 days after the text of the rule has been published and the consultation request has been submitted and determined to be complete by staff, the consultation requirement is deemed satisfied. If the Commission does meet within 90 days, staff will contact the consulting entity about appearing before the Commission.
- **Budget Deviations:** G.S. 143C-6-4 of the State Budget Act sets forth the limited circumstances under which an agency may spend more than was appropriated in the certified budget for a purpose or program. Prior consultation with the Commission is required when the over-expenditure results in the total requirements for a fund to exceed the agency's certified budget for the fiscal year by more than three percent (3%). The Director of the Budget must report all other over-expenditures allowed under G.S. 143C-6-4 accordingly.

Contact Information

- **Joint Legislative Commission on Governmental Operations Email (ncgagovops@ncleg.gov):** This email address is for the submission of reports, consultation documents, and inquiries.
- **Commission Website:**
sites/ncleg.gov/govops/