

§12024. Proposed quasi-independent state entities

A joint standing committee of the Legislature that considers proposed legislation establishing a quasi-independent state entity after January 1, 2013 shall: [PL 2011, c. 616, Pt. A, §1 (NEW).]

1. Additions to reporting entities. Evaluate whether the proposed quasi-independent state entity should be added to the list of reporting entities in section 12021, subsection 6. The joint standing committee shall consider:

- A. Whether the governmental purpose for which the proposed quasi-independent state entity is being established is funded with revenues that are derived, in whole or part, from federal or state taxes or fees; [PL 2011, c. 616, Pt. A, §1 (NEW).]
- B. Whether the powers and duties of the proposed quasi-independent state entity are more than advisory as described in section 12004-I; [PL 2011, c. 616, Pt. A, §1 (NEW).]
- C. Whether the proposed quasi-independent state entity's organizational and accountability structure allows the quasi-independent state entity to make significant policy and financial decisions independent of the Legislature and executive branch; [PL 2011, c. 616, Pt. A, §1 (NEW).]
- D. Whether the proposed quasi-independent state entity is considered a component unit of State Government for financial reporting purposes under the standards and pronouncements issued by a governmental accounting standards board or for any purposes under Part 4; and [PL 2011, c. 616, Pt. A, §1 (NEW).]
- E. Whether the proposed quasi-independent state entity will be subject to review under the State Government Evaluation Act. [PL 2011, c. 616, Pt. A, §1 (NEW).]

If the committee determines that the proposed quasi-independent state entity should be added to the list of reporting entities under section 12021, subsection 6, the committee shall include that determination in any report on the legislation; and [PL 2011, c. 616, Pt. A, §1 (NEW).]

2. Legislative standards. Ensure that proposed legislation that establishes a new quasi-independent state entity:

- A. Provides, if applicable, for staggered terms of office for members of the governing body, with terms not to exceed 5 years; [PL 2011, c. 616, Pt. A, §1 (NEW).]
- B. Requires that the governing body must be responsible for:
 - (1) Appointment, performance review and termination of the managing director;
 - (2) Establishing and ensuring compliance with organizational policies and procedures, including those required by section 12022; and
 - (3) Ensuring adherence to all requirements of this chapter; [PL 2011, c. 616, Pt. A, §1 (NEW).]
- C. Specifies qualifications required or desired of the managing director; [PL 2011, c. 616, Pt. A, §1 (NEW).]
- D. Provides conditions under which members of the governing body and the managing director may be removed from office and establishes the process for removal; [PL 2011, c. 616, Pt. A, §1 (NEW).]
- E. Identifies the joint standing committee of the Legislature with oversight over the entity and any matters that must be reviewed by that committee; and [PL 2011, c. 616, Pt. A, §1 (NEW).]
- F. Contains audit and reporting requirements. [PL 2011, c. 616, Pt. A, §1 (NEW).]

[PL 2011, c. 616, Pt. A, §1 (NEW).]

SECTION HISTORY

PL 2011, c. 616, Pt. A, §1 (NEW).

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