



# Office of Regulatory Assistance Sunset Review

Proposed Final Report

Joint Legislative Audit & Review Committee

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## Sunset Statutes Direct Study

- The Office of Regulatory Assistance (ORA) created in 2002 to provide a range of assistance to those seeking environmental permits or business licenses.
- Sunset statutes require JLARC to review activities of ORA. This is JLARC's 3<sup>rd</sup> sunset review of ORA.
- Without specific direction from Legislature, ORA will cease to exist on June 30, 2011.
- JLARC's review recommends continue ORA.

## ORA: Information, Assistance & Coordination, Improvement



Legislature recognized need for environmental regulation, concerned with overlap/duplication

ORA to independently:

- Make **information** available on permits and business licenses, through handbooks, a website, and operation of a service center
- Provide more active **assistance** to project proponents who request it with project scoping and **coordination** services
- Identify ways to **improve** the regulatory system

## Four Sunset Review Questions



1. Is ORA complying with legislative intent?
2. Is ORA operating in an efficient manner?
3. Is ORA meeting performance goals and targets?
4. Is ORA duplicating the services of other agencies or organizations?

## 1. Is ORA complying with legislative intent?



✓ Yes – provides information and assistance

However, ORA's statutes are **frequently** changed, with added duties: too early to evaluate compliance with recently added duties such as the Multi-Agency Permit teams.

## 2. Is ORA operating in an efficient manner?



✓ Requests for information going up and number of applicants seeking assistance going up

However, difficult to precisely measure:

- Small size of ORA's functional units
- Effort needed to assist/coordinate varies widely by project
- Frequent changes in duties

### 3. Is ORA meeting performance goals and targets?



- ✓ Qualified Yes – ORA has improved its goal and target setting since JLARC's 2007 sunset review.

However, ORA has been inconsistent on reporting whether it has met stated goals and targets over time.

### 4. Is ORA duplicating the services of other agencies or organizations?



- ✓ No – ORA's independence and its ongoing duty to improve regulatory processes distinguish ORA's role from those of other organizations, public or private

## Three JLARC Recommendations



Theme across recommendations:

- A better feedback loop than sunset reviews is needed.

## Recommendation 1: Continue ORA



***The Legislature should continue ORA and not set another sunset date.***

- Compliance with parts of statute; however many added duties are too new to evaluate.
- Another sunset review not best approach to providing Legislature with information on performance.
- ✓ Office of Governor, ORA, and OFM concur with recommendation and will offer legislation to continue ORA.

## Recommendation 2: Report on What Is and Isn't Working



***To improve information for the Legislature to evaluate ORA's performance, ORA should include in its biennial reports information on what is, and what is not, working as the Office implements the tasks defined for it by the Legislature.***

- Legislature frequently refines and adds duties; information on what is and what is not working will help this refinement process.
- ✓ Office of Governor, ORA, and OFM concur with recommendation.

## Recommendation 3: Improve Reporting on Performance Trends



***ORA should improve its reports to the Legislature so that its performance in meeting the targets stated in one year can be clearly tracked over following years.***

- Difficult to follow, from one year to the next, whether or not ORA met targets it established in previous years.
- When providing information on core services, ORA should report multiple year trends.
- ✓ Office of Governor, ORA, and OFM concur with recommendation.

## Contact Information



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