

WEST VIRGINIA CODE: §4-10-7

§4-10-7. Agency review.

(a) The committee and the joint standing committee shall conduct agency reviews, or authorize the division to conduct agency reviews as one of its duties in addition to its other duties prescribed by law, in accordance with generally accepted government auditing standards (GAGAS) as promulgated by the U.S. Government Accountability Office, on one or more of the agencies under the purview of a department, during the year in which the department is scheduled for review under the provisions of this article.

(b) The agency review may include, but is not limited to:

- (1) An identification and description of the agency under review;
- (2) The number of employees of the agency for the immediate past ten years;
- (3) The budget for the agency for the immediate past ten years;
- (4) Whether the agency is effectively and efficiently carrying out its statutory duties or legal authority;
- (5) Whether the activities of the agency duplicate or overlap with those of other agencies and, if so, how these activities could be consolidated;
- (6) A cost-benefit analysis, as described in subsection (e) of this section, on state services that are privatized or contemplated to be privatized;
- (7) An assessment of the utilization of information technology systems within the agency, including interagency and intra-agency communications;
- (8) An analysis of any issues raised by the presentation made by the department pursuant to the provisions of this article;
- (9) An analysis of any other issues as the committee or the joint standing committee may direct; and
- (10) A recommendation as to whether the agency under review should be continued, consolidated or terminated.

(c) The committee or the joint standing committee may vote on the recommendation as to whether the agency under review should be continued, consolidated or terminated. Recommendations of the committee or the joint standing committee shall be given considerable weight in determining if an agency should be continued, consolidated or terminated.

(d) An agency may be subject to a compliance review pursuant to the provisions of this article.

(e) A cost-benefit analysis authorized by this section may include:

- (1) The tangible benefits of privatizing the service;
- (2) Any legal impediments that may limit or prevent privatization of the service;
- (3) The availability of multiple qualified and competitive private vendors; and
- (4) A cost comparison, including total fixed and variable, direct and indirect, costs of the current governmental operation and the private vendor contract.