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COMPTROLLER GENERAL OF THE UNITED STATES
WASHINGTON, D.C. 20548

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B-170612

January 5, 1979

The Honorable James Macdonell
Auditor General of Canada
240 Sparks Street
Ottawa, Ontario, Canada K1A 0G6

DLG 00532

Dear Jim:

While visiting with Mr. Clark during my recent trip to Ottawa, I promised to respond through you to his questions about the status of sunset legislation in the various States and to include additional information on this legislation at the Federal level and

Mr. Clark had asked which of the States might be an appropriate starting point for discussion of the subject in Canada. Colorado, which passed the Nation's first sunset legislation, might be a good one although limited to regulatory activities. They have had a generally positive experience, but have also recognized some mistakes in their process and are working to correct them. A less sanguine example, but one that is instructive in terms of mistakes to avoid, appears to be the Alabama experience. There it seems that the State Legislature overwhelmed itself with the required review of State agencies; there simply was not the capability to do any serious review or evaluation for even a small percentage of the agencies on which a termination vote was required. These cases and the experiences of 27 other States that have enacted some form of sunset legislation are discussed in the enclosure Making Government Work: A Common Cause Report on State Sunset Activity. This document includes an overview of sunset considerations and brief descriptions of each State's experience. In addition an individual is identified in each State from whom additional information may be requested. The diversity of State sunset experience should certainly be of benefit to those who are now contemplating its introduction to either State or Federal spheres.

Another fine source of information is the report prepared by the State Bar of Texas titled Sunset Legislation in the United States. This report provides an in-depth view of the problems and issues considered by the Texas Legislature in its

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adoption of sunset legislation that is primarily oriented toward the agency termination issue.

Last October the "Sunset Act of 1978", also known as "S.2", passed the United States Senate. In addition to a copy of the Act, I am also enclosing a copy of the Hearings held in 1977 and 1978 that preceded its passage. Included in the Hearings is our testimony on the legislation in which we have proposed the need for flexibility in determining the issues, programs, and agencies upon which reviews should be focused. However, we have recognized the benefit of a requirement that periodically, every 10 years in the Sunset Act of 1978, there is a need to reconsider even minor programs and activities which in total may be absorbing substantial resources.

I trust that these materials will give Mr. Clark a firm starting point from which to learn more about experience with sunset in various forms. Mr. Clark is welcome to contact us for additional information. I hope that I have been of some assistance.

With warmest regards.

Sincerely yours,



Comptroller General
of the United States

Enclosures