**VoteKISS VT Bill #1: State Government Accountability & Transparency**

**House / Senate Bill #(s) &Title:** State Government Accountability & Transparency

**Constitutional Authority:**

Article 6 “*That all power being originally inherent in and co[n]sequently derived from the people, therefore, all officers of government, whether legislative or executive, are their trustees and servants; and at all times, in a legal way, accountable to them.”*

Article 7 “… *that the community hath an indubitable, unalienable, and indefeasible right, to reform or alter government, in such manner as shall be, by that community, judged most conducive to the public weal.”*

* **Purpose:** The purpose of this law is to codify the recommendations of the grassroots organization, Campaign for Vermont, in their position paper entitled Achieving Accountability: Transforming State Government into a Modern, Transparent 21st Century System. It also includes requirements to clarify state processes using a single mapping tool and regular review of all major state processes, tied to state employee performance evaluations using the format provided in this bill. Finally, Vermont’s Statutes Annotated (V.S.A.) on-line presence shall be updated using the easy-to-use and understand “Wikipedia” format, providing links to the actual statutes, referenced V.S.A. chapters and sections, as well as explanations and historical summaries in conversational English.

In this bill, *Accountability*is defined as an obligation by Vermont state government to explain its actions to Vermonters. *Transparency* is defined as an obligation by state government to publish and make available critical data about its various branches to the public in an understandable and timely manner. (300 words)

* **Specific Problem(s) Addressed & Outcomes Required**:

This bill shall require all future bills to use a specific format provided in this bill that includes clearly defined and prominently displayed metrics for measuring results, tracking government progress, and calculating the public’s return on investment.

The bill also requires all branches of state government to identify their major processes, map them using Graham Process Mapping Software and keep them organized in a process chart library. All state government entities must use a single format provided in this bill for required annual employee performance evaluations that lists all mapped sub processes the employee routinely uses and makes them responsible for keeping process charts for their section up-to-date on an annual basis.

Finally, the bill creates an independent Transparency and Accountability Board (TAB) comprised of members inside and outside of government. It will be an authority with clear powers to compel state government to reform its management and reporting systems. It will have staff paid the first two years from appropriations but subsequently from savings, as it too will have outcome metrics to achieve.

1. The first task of the TAB shall be to address the biggest, and most important, challenges—beginning with the Agency of Human Services. As a first step, the TAB will develop a “shared-view-of-the-client” – a modern and transparent management system that groups each state benefit and service (regardless of agency or department) by client.
2. Another task of the TAB shall address the second biggest part of the budget: education. It shall work to organize existing data on spending, activities, and outcomes into a “dashboard” capable of providing more timely data.
3. At the same time these tasks are being worked on the TAB shall oversee a “WikiVSA” project. Modeled after Wikipedia in both format and authorship, the “WikiVSA” project shall be the work of volunteer civics/law students, civic-minded organizations and individuals. (500 words)

**Problem:** Revenue\_\_0\_ Social\* 50 % (social services/education reforms) Economic\*\*\_0\_\_\_Environmental\_\_0\_\_ Other 50% (government reforms)

\*Includes education, healthcare, & social safety net.

\*\*Includes commerce, regulation & economic development.

**Specific Metrics for Measuring Success:**

1. Future bills:
   1. Website(s) where introduced bills are made public shall monitor traffic increases or decreases monthly within the first two years of the new bill format. A 10% increase biennially in traffic shall be considered a metric of success for the new format.
   2. The website(s) shall also include a comment section and “like” icon on the new format for the first two years, but any feedback shall be considered subjective and not a direct measure of success.
2. Existing laws:
   1. Website(s) where passed laws keep their metrics publicly displayed shall monitor traffic increases or decreases monthly within the first two years the law is in force. A 10% increase biennially in traffic shall be considered a metric of success for the new accountability requirement.
   2. The website(s) shall also include a comment section and “like” icon on the specific metrics measured and how they are displayed for the first two years, but any feedback shall be considered subjective advice/opinion and not a direct measure of success.
3. Process mapping & employee performance reporting
   1. Year 1 (anniversary of bill passage): each major section of state government shall report to the legislature on the progress of mapping major processes within their organization using Graham Process Mapping Software. The Department of Information and Innovation (DII) shall report on inter agency/branch major processes. Success shall be measured by having identified and mapped all major processes (those processes which include 90% of inter-employee activities and public interactions) at the highest level, with progress being made at tying sub processes into them. A website that allows the public to view the processes as they develop shall be 50% complete.

Human Resources Department shall report to legislature on the status of the use of the new employee performance report form. Success shall be measured by supervisors using the new form (without sub processes listed yet) to rate the performance of 100% of state employees requiring a performance evaluation beginning July 1 after this bill becomes law.

* 1. Year 2: all major processes and their sub processes down to the unit level (2 or more units sharing a process) shall be mapped and 100% of state employee evaluations shall have been conducted using the new format as a measure of success. The website for reporting processes as their updates occur shall be 100% complete and live on the internet.
  2. Year 3: the major processes shall have been reviewed at the granular level by state employees as noted on their performance evaluation at least once as a measure of success.

DII shall report annually to the General Assembly and post summaries to the process reporting website any significant process changes within state government. It shall calculate financial gains/losses caused by those changes using the procedure described in Section \_\_. A report of at least 5% financial gain in 1 year of every 3 shall be considered a measure of success for this law requirement.

1. Transparency and Accountability Board (TAB)
   1. Year 1: the Board shall have met at least 10 times in the first year, hired staff and developed a plan for implementing a shared-view-of-the-client (SVC) management system as well as a website/page to display their progress as a measure of success. It shall also have drafted an outline of the “WikiVSA.” project.
   2. Year 2: the Board shall have implemented the SVC system and calculated enough savings in real dollars to fund their staffing requirements for the next two to five years as a measure of success. It shall also have an on-line presence for the “WikiVSA” project with volunteers working on the various chapters.
   3. Year 3: the Board shall organize existing educational data into a “dashboard” capable of providing more timely data to the public and legislators. It shall continue to guide the “WikiVSA” project.
   4. Year 4+: the Board shall continue to find efficiencies in state government processes and suggested program consolidations to at least fund their staffing needs each year as their measure of success. It shall continue to guide the “WikiVSA” project.

**Data Collection & Public Reporting:** Weekly\_\_\_ Monthly\_XX\_ Annually\_XX\_

**Website(s) for Reporting Data:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Legislative Review Frequency:** Quarterly: \_\_\_ 1 yr:\_XX\_(process/evaluation reporting metrics, TAB metrics) 2 yrs:\_XX\_(bill format/website metrics) 3 yrs:\_\_\_\_5 yrs:\_\_\_\_

**Sunset date:** All requirements of this bill shall terminate six years after passage unless renewed by a majority vote in both houses.

**Bill text:**

Executive sections (what shall be accomplished)

Section 1: NEW BILL FORMAT

All new bills submitted after the date this bill becomes law must follow the format displayed in Section 7.1; after review and number assignment by the Legislative Council they must be submitted electronically to the Clerk of the House/Secretary of the Senate and uploaded to the website [www.xxx](http://www.xxx) within 24 hours of submission. New bills shall NOT be routinely printed.

Section 2: EXISTING LAW PERFORMANCE REPORTING

All laws passed using the new format displayed in Section 7.1 that have reporting requirements as part of their outcomes and measures of success must have these reports posted in an easy to understand format on a website set up specifically for this purpose, which is linked to major state websites where it is prominently advertised.

Section 3: MAPPING STATE GOVERNMENT PROCESSES to STATE EMPLOYEE PERFORMANCE REPORTS

1. All major state processes (those processes which include 90% of inter-employee activities and public interactions) shall be identified and charted using Graham Process Mapping Software.
2. The charts shall be housed in an online library available to employees and the public and annually updated by the state employees using them.
3. All state employees that are not elected shall have an annual performance evaluation using the format displayed in Section 7.2; supervisors must list the duties and sub processes each employee is responsible for performing on a regular basis in clear and detailed language.
4. Employees are responsible for documenting the meeting of minimum measures of success listed in their performance report for the following year or face disciplinary action up to and including dismissal from state employment.

Section 4: TRANSPARENCY and ACCOUNTABILITY BOARD (TAB)

* + 1. The TAB shall consist of:
       - 1. Three members appointed jointly by the Vermont Broadcasters Association and Vermont Press Association;
         2. Three members appointed jointly by watchdog groups Public Assets Institute and Ethan Allen Institute;
         3. Three members of the business community recommended by the governor.

The appointment process shall be similar to that of the Judicial Nominating Board (described in V.S.A.Chapter \_\_Section \_\_).

* 1. The TAB will not be a commission or study group, but an authority with clear powers to compel state government to reform its management and reporting systems.
  2. The TAB shall have an advisory committee composed of the senior, non-exempt civil servants from the Joint Fiscal Office, Auditors Office, Department of Finance and Management, and Department of Information and Innovation (IT) to offer the TAB practical guidance on transforming state government.
  3. The TAB shall meet at least each January with the joint legislative Government Accountability Committee to discuss any legislative acts that the TAB recommends.
  4. The TAB shall be tasked to first address the biggest, and most important, challenge--the Agency of Human Services. Since 2008, human service spending has increased 29%. During this period, Vermont’s population has grown by less than one-half of one percent per year. Despite these expenditures outcomes for low income Vermonters have not improved.

The TAB shall develop and implement a “shared-view-of-the-client” solution to the many silos in human services – a modern and transparent management system that groups each state benefit and service (regardless of agency or department) by client. Such a system shall create a singular, and far more efficient, plan for each client; eliminate benefit cliffs; and chart a clear and realistic path to financial security and economic independence.

* 1. Education is the state’s second largest budget area. Most of the necessary data sets for education spending activities and outcomes are available to measure progress within Vermont and compare Vermont to other states. The TAB shall organize these data sets into a systematized management “dash board” capable of providing more timely data. It will also align the data to more specific outcome metrics understandable by the public for informed decision making.
  2. The average number of bills submitted to the General Assembly each year averages around 1,000; of those around 200 become law each session. If Vermonters are to keep up with the changes and additions to the laws they must abide by, there must be a mechanism for easily finding and understanding the latest versions of these laws. Vermont’s Statutes Annotated (V.S.A.) on-line presence shall be updated using the easy-to-use and understand “Wikipedia” format, providing links to the actual statutes, referenced V.S.A. chapters and sections, as well as explanations and historical summaries in conversational English. The “WikiVSA” project shall be the work of volunteer civics/law students, civic-minded organizations and individuals, supervised and directed by the TAB.

Administrative sections (how it shall be accomplished)

Section 5: FUNDING:

1. New bill format: there shall be no cost associated with following the new bill format.
2. Existing law metrics website: the cost of setting up and maintaining this website shall be included in the TAB budget.
3. Process mapping/employee evaluations: in the fiscal year following the passage of this bill and for the following 5 years every branch, agency, and department in state government will set aside $10.00 per employee from their budget for process mapping software and training expenses. By using their own employees to map the processes and keep them updated no further outside costs will be incurred.

DII will purchase the Graham Process Mapping Software at the rate of 1 license for every 10 employees, and distribute the licenses to the various sub-sections of state government, receiving reimbursement for the cost of the software. DII will work with those sub-sections that ask for training using the standard reimbursement procedure.

Cost of setting up and maintaining the process charting website shall be included in the TAB budget.

1. TAB: staffing for the first two years of operation for the TAB shall be set aside in the \_\_\_\_ account for a total of $XXXXX.00. Thereafter the TAB must document savings from efficiencies equal to or greater than their staffing requirements and costs of required changes. If these savings do not materialize TAB activities shall be suspended until legislative action determines its fate.

Section 6: LEGISLATIVE LANGUAGE: the actions described above shall be annotated into existing law using the following language.

1. New bill format:
2. Existing law metrics reporting:
3. Process mapping/employee evaluations:
4. TAB:

Section 7: NEW REQUIRED FORMS AND PROCEDURES:

1. New bill format (form):
   1. House/Senate bill #s and title
   2. Constitutional authority
   3. Purpose (300 words maximum)
   4. Specific problems addressed and outcomes required (500 words max)
   5. Problem type: revenue, social, economic, environmental, other
   6. Specific metrics for measuring success
   7. Data collection and public reporting periods: weekly, monthly, yearly
   8. Website(s) for reporting data
   9. Legislative review frequency: quarterly, 1 year, 2 years, 3 years, 5 years
   10. Sunset date
   11. Bill text:
       1. Executive sections (what will be accomplished)
       2. Administrative sections (how it will be accomplished)
          1. Funding
          2. Legislative language (how it is added to V.S.A.)
          3. New forms and/or procedures
          4. Miscellaneous administrative details
2. New state employee evaluation (form):
3. Determination of cost savings for process changes (procedure):
4. Determination of cost savings for TAB recommendations (procedure):

Section 8: MISCELLANEOUS ADMINISTRATIVE DETAILS:

1. New bill format:
2. Existing law metrics reporting:
3. Process mapping/employee evaluations:
4. TAB: