

1 S.293

2 Introduced by Senator Snelling

3 Referred to Committee on Government Operations

4 Date: January 7, 2014

5 Subject: General Assembly and Executive; population-level outcomes and
6 indicators; Performance Measure Pilot Program; report

7 Statement of purpose of bill as introduced: This bill proposes to require the
8 Executive Branch to report on population-level outcomes and indicators for
9 different areas of State government and on the Performance Measure Pilot
10 Program in order for the General Assembly to consider data-based results in
11 decision making.

12 An act relating to reporting on population-level outcomes and indicators
13 and on program-level performance measures

14 It is hereby enacted by the General Assembly of the State of Vermont:

15 ~~Sec. 1. PURPOSE~~

16 ~~(a) This act is necessary for the General Assembly to obtain data-based~~
17 ~~information to gauge how well State government is working to achieve the~~
18 ~~population-level outcomes the General Assembly sets for Vermonters, and will~~
19 ~~assist the General Assembly in determining how best to spend taxpayer dollars~~

1 ~~(b) Evaluating the results of spending taxpayer dollars will allow the~~
2 General Assembly to be more forward-thinking, strategic, and responsive to
3 the long-term needs of Vermonters and allow the Executive Branch to consider
4 how the programs it administers could be further refined in order to produce
5 better results.

6 (c) Using the data-based information provided under this act will encourage
7 State government to continue to move steadily toward accountability and will
8 help educate the General Assembly and Executive Branch on how to be more
9 effective and accountable to Vermonters.

10 Sec. 2. CHIEF PERFORMANCE OFFICER; ANNUAL REPORT ON
11 POPULATION-LEVEL OUTCOMES AND INDICATORS

12 (a)(1) Annually, on or before July 30, the Chief Performance Officer within
13 the Agency of Administration shall report to the General Assembly on the
14 State's progress in reaching the population-level outcomes for each area of
15 State government set forth in subsection (b) of this section by providing data
16 for the population-level indicators that are requested pursuant to the process set
17 forth in subsection (c) of this section.

18 (2) The report shall be provided in the form of an Accountability Report
19 Card that shall answer the following questions for each population-level
20 outcome using its related requested population-level indicators:

1 (A) How much did we do?

2 (B) How well did we do it?

3 (C) Is anyone better off?

4 (b)(1) Human services.

5 (A) Outcome 1. Children, families, and individuals are engaged in
6 and contribute to their community's decisions and activities.

7 (B) Outcome 2. Pregnant women and children thrive.

8 (C) Outcome 3. Children are ready for school.

9 (D) Outcome 4. Children succeed in school.

10 (E) Outcome 5. Children live in safe, nurturing, stable, supported
11 families.

12 (F) Outcome 6. Youths choose healthy behaviors.

13 (G) Outcome 7. Youths successfully transition to adulthood.

14 (H) Outcome 8. Elders, people with disabilities, and individuals with
15 mental health conditions live with dignity and independence in settings they
16 prefer.

17 (I) Outcome 9. Families and individuals live in safe and supportive
18 communities.

19 (J) Outcome 10. Adults lead healthy and productive lives.

1 ~~(K) Outcome 11. Vermonters receive affordable and appropriate~~
2 ~~health care at the appropriate time, and health care costs are contained over~~
3 ~~time.~~

4 ~~(L) Outcome 12. Families and individuals move out of poverty~~
5 ~~through education and advancement in employment.~~

6 ~~(2) Corrections.~~

7 ~~(A) Outcome 1. The number of people returned to prison for~~
8 ~~technical violations of probation or parole, while ensuring public safety, shall~~
9 ~~decrease.~~

10 ~~(B) Outcome 2. The number of people coming into the corrections~~
11 ~~system shall decrease.~~

12 ~~(C) Outcome 3. The number of nonviolent offenders diverted from~~
13 ~~prison into the community, while ensuring public safety and providing~~
14 ~~effective consequences for criminal behavior, shall increase.~~

15 ~~(D) Outcome 4. Recidivism shall decrease.~~

16 ~~(E) Outcome 5. A unified crime prevention and justice system shall~~
17 ~~be established.~~

18 ~~(F) Outcome 6. Revenues realized within the corrections system~~
19 ~~from programs designed to develop skills of offenders shall increase.~~

20 ~~(G) Outcome 7. Short-term lodgings in Department of Corrections~~
21 ~~facilities shall decrease.~~

1 (3) Education.

2 (A) Outcome 1. Increase electronic and distance learning
3 opportunities that enhance learning, increase productivity, and promote
4 creativity.

5 (B) Outcome 2. Increase the secondary school graduation rates for
6 all students.

7 (C) Outcome 3. Increase the aspiration, continuation, and completion
8 rates for all students in connection with postsecondary education and training.

9 (D) Outcome 4. Increase administrative efficiencies within education
10 governance in a manner that promotes student achievement.

11 (E) Outcome 5. Increase cost-effectiveness in delivery of support
12 services for students with individualized education plans.

13 (F) Outcome 6. Increase the use of early intervention strategies that
14 enable students to be successful in the general education environment and help
15 avoid the later need for more expensive interventions.

16 (4) Regulatory.

17 (A) Outcome 1. The permitting and licensing processes achieve
18 environmental standards, and are clear, timely, predictable, and coordinated
19 between agencies and municipalities.

1 ~~(B) Outcome 2. The permitting process enables applicants to~~
2 ~~determine readily what permits and licenses are needed and what information~~
3 ~~must be submitted to apply for those permits and licenses.~~

4 ~~(C) Outcome 3. The permit and enforcement processes enable~~
5 ~~citizens and visitors to the State of Vermont to understand and comply with the~~
6 ~~laws protecting State natural and agricultural resources.~~

7 ~~(D) Outcome 4. Permitting, licensing, and environmental protective~~
8 ~~services are cost-effective and user-friendly.~~

9 ~~(E) Outcome 5. The decision-making process is transparent, and~~
10 ~~citizens understand and participate in the process.~~

11 ~~(5) Economic development.~~

12 ~~(A) Outcome 1. Vermont achieves a sustainable annual increase in~~
13 ~~nonpublic sector employment and in median household income.~~

14 ~~(B) Outcome 2. Vermont attains a statewide, state-of-the-art~~
15 ~~telecommunications infrastructure.~~

16 ~~(c) After consulting with the State agency having jurisdiction over an area~~
17 ~~of State government set forth in subsection (b) of this section, a standing~~
18 ~~committee of the General Assembly having jurisdiction over that area of State~~
19 ~~government may submit to the Government Accountability Committee a~~
20 ~~request that any population-level indicator related to that area of State~~
21 ~~government be revised. If that request is approved by the Government~~

1 ~~Accountability Committee, the President Pro Tempore of the Senate, and the~~
2 Speaker of the House, the State agency shall revise the population-level
3 indicator in accordance with the request.

4 (d) As they determine to be necessary, the standing committees of the
5 General Assembly having jurisdiction over the areas of State government set
6 forth in subsection (b) of this section and the Government Accountability
7 Committee shall review the population-level outcomes set forth in
8 subsection (b) and make any recommendations to the General Assembly as to
9 how those population-level outcomes should be revised.

10 Sec. 3. TRANSITIONAL POPULATION-LEVEL INDICATORS

11 Until any population-level indicators are requested pursuant to the
12 provisions of Sec. 2(c) of this act, each area of State government set forth in
13 Sec. 2(b) of this act and listed in this section shall have the following
14 population-level indicators:

15 (1) Human services.

16 (A) percent of children at or below 200 percent of federal poverty
17 level;

18 (B) rate of homelessness;

19 (C) rate of abuse and neglect of vulnerable adults;

20 (D) percent of individuals and families living at different poverty
21 levels;

- 1 ~~(E) percent of women receiving prenatal and natal care;~~
- 2 (F) percent of low birth weight babies or preterm births;
- 3 (G) number of assessments of child abuse and neglect and percent of
4 reports substantiated;
- 5 (H) rate of pregnant teenagers under 18 years of age;
- 6 (I) percent of students who report using alcohol, tobacco, or drugs
7 within the last 30 days;
- 8 (J) percent of adults who exceed healthy weight;
- 9 (K) rate of infant mortality;
- 10 (L) percent of adults who smoke cigarettes; and
- 11 (M) number of minors under the supervision of the Department of
12 Corrections.
- 13 (2) Corrections.
- 14 (A) rate of violent crime;
- 15 (B) number of people incarcerated; and
- 16 (C) rate of recidivism.
- 17 (3) Education.
- 18 (A) rate of high school graduation; and
- 19 (B) percent of participation in postsecondary education.
- 20 (4) Regulatory.
- 21 (A) processing time for permit applications and renewals;

- 1 ~~(B) carbon dioxide per capita;~~
- 2 (C) electricity by fuel or power type; and
- 3 (D) percent of organic farm sales.
- 4 (5) Economic development.
- 5 (A) median household income;
- 6 (B) median house price;
- 7 (C) rate of unemployment;
- 8 (D) percent of residences and businesses with broadband access;
- 9 (E) percent of structurally-deficient bridges; and
- 10 (F) percent of water, sewer, and stormwater systems that meet federal
- 11 and State standards.

12 Sec. 4. DEPARTMENT OF FINANCE AND MANAGEMENT; REPORT
13 ON PERFORMANCE MEASURE PILOT PROGRAM

14 Annually, on or before July 30, the Department of Finance and
15 Management shall submit to the General Assembly with the report set forth in
16 Sec. 2 of this act a report on its Performance Measure Pilot Program. The
17 report shall include the performance measure data collected by the pilot
18 participants.

1 ~~Sec. 5. CHIEF PERFORMANCE OFFICER; RESULTS BASED~~

2 ACCOUNTABILITY LIAISONS TO THE GENERAL ASSEMBLY

3 On or before November 15, 2014, the Chief Performance Officer within the
4 Agency of Administration shall designate an employee in each agency of State
5 government to be a results-based accountability liaison to the General
6 Assembly. A liaison designated under this section shall be responsible to
7 review with the General Assembly any of the population-level outcomes and
8 indicators for the areas of State government set forth in this act and any other
9 requests for results-based accountability information requested by the General
10 Assembly.

11 Sec. 6. QUARTERLY PROGRESS REPORTS; TEMPORARY SUSPENSION

12 (a) The report requirement set forth in 2010 Acts and Resolves No. 146,
13 Sec. H4 (Challenges for Change; quarterly reporting and implementation) is
14 temporarily suspended. The report requirement shall resume in 2017
15 beginning with the first quarterly report due for that year.

16 (b) The report required under Sec. 2 of this act (Chief Performance Officer;
17 annual report on population-level outcomes and indicators) shall no longer be
18 required upon the resumption of the report described in subsection (a) of this
19 section.

20 Sec. 7. EFFECTIVE DATE

21 This act shall take effect on passage.

Sec. 1. PURPOSE

(a) This act is necessary for the General Assembly to obtain data-based information to know how well State government is working to achieve the population-level outcomes the General Assembly sets for Vermont's quality of life, and will assist the General Assembly in determining how best to invest taxpayer dollars.

(b) Evaluating the results of spending taxpayer dollars will allow the General Assembly to be more forward-thinking, strategic, and responsive to the long-term needs of Vermonters and allow the Executive Branch to consider how the programs it administers could be further refined in order to produce better results.

(c) Using the data-based information provided under this act will encourage State government to continue to move steadily toward results-based accountability and will help educate the General Assembly and Executive Branch on how to be more effective and accountable to Vermonters and will encourage a better partnership with Vermont communities.

Sec. 2. 3 V.S.A. chapter 45 (administration), subchapter 5 is added to read:

Subchapter 5. Chief Performance Officer

§ 2311. CHIEF PERFORMANCE OFFICER; ANNUAL REPORT ON POPULATION-LEVEL OUTCOMES USING INDICATORS

(a) Report. Annually, on or before July 30, the Chief Performance Officer within the Agency of Administration shall report to the General Assembly on the State's progress in reaching the population-level outcomes for each area of Vermont's quality of life set forth in subsection (b) of this section by providing data for the population-level indicators that are requested pursuant to the process set forth in subsection (c) of this section.

(b) Vermont population-level quality of life outcomes.

(1) Vermont has a prosperous economy.

(2) Vermonters are healthy.

(3) Vermont's environment is clean and sustainable.

(4) Vermont's communities are safe and supportive.

(5) Vermont's families are safe, nurturing, stable, and supported.

(6) Vermont's children and young people achieve their potential, including:

(A) Pregnant women and young people thrive.

(B) Children are ready for school.

(C) Children succeed in school.

(D) Youths choose healthy behaviors.

(E) Youths successfully transition to adulthood.

(7) Vermont's elders and people with disabilities and people with mental conditions live with dignity and independence in settings they prefer.

(8) Vermont has open, effective, and inclusive government at the State and local levels.

(c) Requesting population-level indicators.

(1) Annually, on or before March 1, a standing committee of the General Assembly having jurisdiction over a population-level quality of life outcome set forth in subsection (b) of this section may submit to the Government Accountability Committee a request that any population-level indicator related to that outcome be revised.

(2) If that request is approved by the Government Accountability Committee, the President Pro Tempore of the Senate, and the Speaker of the House, the Chief Performance Officer shall revise and report on the population-level indicator in accordance with the request and this section.

(d) The report set forth in this section shall not be subject to the limitation on the duration of agency reports set forth in 2 V.S.A. § 20(d).

§ 2312. PERFORMANCE ACCOUNTABILITY LIAISONS TO THE
GENERAL ASSEMBLY

(a) The Chief Performance Officer shall designate an employee in each agency of State government to be a performance accountability liaison to the General Assembly. A liaison designated under this section shall be responsible for reviewing with the General Assembly any of the population-level outcomes and indicators set forth in section 2311 of this subchapter to which that agency contributes and for responding to any other requests for results-based accountability information requested by the General Assembly.

(b) The performance accountability liaisons shall report to the Chief Performance Officer on any action taken under subsection (a) of this section.

(c) Annually, on or before July 30 and as part of any other report requirement to the General Assembly set forth in this subchapter, the Chief Performance Officer shall report to the General Assembly on his or her analysis of the actions taken by the performance accountability liaisons under this section.

§ 2313. PERFORMANCE CONTRACTS AND GRANTS

(a) The Chief Performance Officer shall have oversight over the State's performance contracts and grant-making in order to:

(1) assist contractors and grantees in developing performance measures for those contracts and grants; and

(2) ensure contractors and grantees subject to those contracts and grants meet the performance requirement specified therein.

(b) Annually, on or before July 30 and as part of any other report requirement to the General Assembly set forth in this subchapter, the Chief Performance Officer shall report to the General Assembly on the progress by rate or percent of how many State contracts and grants have performance accountability requirements.

Sec. 3. INITIAL POPULATION-LEVEL INDICATORS

Until any population-level indicators are requested pursuant to the provisions of Sec. 2 of this act, 3 V.S.A. § 2311(c) (requesting population-level indicators), each population-level quality of life outcome set forth in Sec. 2 of this act, 3 V.S.A. § 2311(b) (Vermont population-level quality of life outcomes), and listed in this section shall have the following population-level indicators:

(1) Vermont has a prosperous economy.

(A) Percent or rate per 1,000 jobs of nonpublic sector employment.

(B) Median household income.

(C) Percent of Vermont covered by state-of-the-art telecommunications infrastructure.

(D) Median house price.

(E) Rate per 1,000 residents of resident unemployment.

(F) Percent of structurally-deficient bridges, as defined by the Vermont Agency of Transportation.

~~(G) Percent of local farm sales.~~

(G) Percent of food sales that come from Vermont farms.

(2) Vermonters are healthy.

(A) Percent of adults who exceed healthy weight.

(B) Percent of adults who smoke cigarettes.

(C) Rate per 1,000 adults of adults who are homeless.

(D) Percent of individuals and families living at different poverty levels.

(E) Percent of adults at or below 200 percent of federal poverty level.

(F) Percent of adults who are insured.

(3) Vermont's environment is clean and sustainable.

(A) Percent of waters that need remediation under the Clean Water Act.

(B) Percent of water, sewer, and stormwater systems that meet federal and State standards.

(C) Carbon dioxide per capita.

(D) Electricity by fuel or power type.

(4) Vermont's communities are safe and supportive.

~~(A) Rate per 1,000 adults 25 years of age or older of out-of-home placements for such adults.~~

~~(B)(A) Rate per 1,000 residents of petitions filed granted for relief from domestic abuse.~~

~~(C)(B) Rate per 1,000 crimes of violent crime.~~

~~(D)(C) Rate per 1,000 residents of sexual assault committed against residents.~~

~~(E)(D) Percent of residents living in affordable housing.~~

~~(E)(E) Percent or rate per 1,000 formerly incarcerated residents of residents returned to prison for technical violations of probation or parole.~~

~~(G)(F) Percent or rate per 1,000 nonviolent offenders of nonviolent offenders diverted from prison into the community.~~

~~(H)(G) Percent or rate per 1,000 people convicted of crimes of recidivism.~~

~~(I)(H) Rate per 1,000 crimes of violent crime.~~

~~(L)(I) Rate per 1,000 residents of residents incarcerated.~~

~~(K)(J) Percent or rate per 1,000 residents of residents entering the corrections system.~~

(5) Vermont's families are safe, nurturing, stable, and supported.

(A) Number and rate per 1,000 children of ~~confirmed~~ substantiated reports of child abuse and neglect.

(B) Percent or rate per 1,000 children of children who are homeless.

(C) Percent or rate per 1,000 families of families who are homeless.

(D) Number and rate per 1,000 children and youth of children and youth in out-of-home care.

(6) Vermont's children and young people achieve their potential, including:

(A) Pregnant women and young people thrive.

(i) Percent of pregnant women receiving prenatal care in the first trimester.

(ii) Percent of low birth weight babies or preterm births.

(iii) Rate per 1,000 infants of infant mortality.

(iv) Percent of children at or below 200 percent of federal poverty level.

(v) Percent of children who are insured.

(B) Children are ready for school.

(i) Percent of kindergarteners fully immunized.

(ii) Percent of first-graders screened for vision and hearing problems.

(iii) Percent of children ready for kindergarten in all domains.

(iv) Percent of children enrolled in high quality early childhood programs that receive at least four out of five stars under State standards.

(C) Children succeed in school.

(i) Rate per 1,000 children of children's school attendance.

(ii) Percent of children below the basic level of fourth grade reading achievement under State standards.

(iii) Rate per 1,000 high school students of high school graduation.

(D) Youths choose healthy behaviors.

(i) Rate per 1,000 female teenagers under 18 years of age of pregnancy in such teenagers.

(ii) Percent of students who report using alcohol, tobacco, or drugs within the last 30 days.

(iii) Number and rate per 1,000 minors of minors who are under the supervision of the Department of Corrections.

(E) Youths successfully transition to adulthood.

(i) Percent of high school seniors with plans for education, vocational training, or employment.

(ii) Percent of graduating high school seniors who continue their education within six months of graduation.

(iii) Percent of new families at risk (meaning there is a first birth to an unmarried woman under 20 years of age who has less than a high school diploma).

~~(iv) Rate per 1,000 teens of teen nonviolent deaths.~~

(iv) Percent of all deaths for Vermont youths 10–19 years of age.

(v) Percent of high school graduates entering postsecondary education, work, or training.

(vi) Percent of completion of postsecondary education.

(vii) Rate per 1,000 high school graduates of high school graduates entering a training program.

(7) Vermont's elders and people with disabilities and people with mental conditions live with dignity and independence in settings they prefer.

(A) Rate per 1,000 vulnerable adults of confirmed reports of abuse and neglect of vulnerable adults.

(B) Percent of elders living in institutions versus home care.

(8) Vermont has open, effective, and inclusive government at the State and local levels.

(A) Percent of youth who report parent involvement in schooling.

(B) Percent of youth who report they help decide what goes on in their school.

(C) Percent of eligible population voting in general elections.

(D) Percent of students volunteering in their community.

(E) Percent of youth who feel valued by their community.

(F) Percent of youth who have an adult who provides help and advice.

*Sec. 4. CHIEF PERFORMANCE OFFICER; REPORT ON
PERFORMANCE MEASURE PILOT PROGRAM*

(a) Annually, on or before July 30 and as part of any other report requirement to the General Assembly set forth in Sec. 2 of this act, 3 V.S.A. chapter 45, subchapter 5 (Chief Performance Officer), the Chief Performance Officer shall submit to the General Assembly a report on the Department of Finance and Management's Performance Measure Pilot Program. The report shall include:

(1) the performance measure data collected by the pilot participants; and

(2) the progress of all programs in the Executive Branch and how many of those programs have and are using performance measures.

(b) The Chief Performance Officer shall collaborate with the Joint Fiscal Office in developing new performance measures for programs.

Sec. 5. [DELETED]

~~*Sec. 5. APPROPRIATION; GOVERNMENT ACCOUNTABILITY
COMMITTEE; RESULTS-BASED ACCOUNTABILITY
TRAINING*~~

~~(a) There is appropriated from the General Fund to the General Assembly in Fiscal Year 2015 the amount of \$20,000.00 for training on results-based accountability, as determined by the Government Accountability Committee (the GAC).~~

~~(b) The GAC may use any portion of this appropriation for training legislators, Executive Branch program managers, community partners, and any other persons it determines necessary on results-based accountability in order to share knowledge, understand current trends in program results, and expand the use of results-based accountability in State government and among community partners.~~

*Sec. 6. CHIEF PERFORMANCE OFFICER; INITIAL PERFORMANCE
ACCOUNTABILITY LIAISON APPOINTMENTS*

The Chief Performance Officer within the Agency of Administration shall make his or her initial designations of the performance accountability liaisons described in Sec. 2 of this act, 3 V.S.A. § 2312, by November 15, 2014.

Sec. 7. QUARTERLY PROGRESS REPORTS; TEMPORARY SUSPENSION

The report requirement set forth in 2010 Acts and Resolves No. 146, Sec. H4 (Challenges for Change; quarterly reporting and implementation) is

temporarily suspended. The report requirement shall resume in 2017 beginning with the first quarterly report due for that year.

Sec. 8. REPEAL; ANNUAL REPORT ON POPULATION-LEVEL OUTCOMES AND INDICATORS

Sec. 2 of this act, 3 V.S.A. § 2311 (Chief Performance Officer; annual report on population-level outcomes using indicators), is repealed on January 1, 2017.

Sec. 9. 3 V.S.A. § 2312 is amended to read:

§ 2312. PERFORMANCE ACCOUNTABILITY LIAISONS TO THE GENERAL ASSEMBLY

(a) *The Chief Performance Officer shall designate an employee in each agency of State government to be a performance accountability liaison to the General Assembly. A liaison designated under this section shall be responsible for reviewing with the General Assembly any ~~of the population-level outcomes and indicators set forth in section 2311 of this subchapter to which that agency contributes and for responding to any other~~ requests for results-based accountability information requested by the General Assembly.*

(b) *The performance accountability liaisons shall report to the Chief Performance Officer on any action taken under subsection (a) of this section.*

(c) *Annually, on or before July 30 and as part of any other report requirement to the General Assembly set forth in this subchapter, the Chief Performance Officer shall report to the General Assembly on his or her analysis of the actions taken by the performance accountability liaisons under this section.*

Sec. 10. EFFECTIVE DATES

(a) This section and Secs. 1 (purpose)–7 (quarterly progress reports; temporary suspension) shall take effect on passage.

(b) Secs. 8 (repeal; annual report on population-level outcomes using indicators) and 9 (amending 3 V.S.A. § 2312 (performance accountability liaisons to the General Assembly)) shall take effect on January 1, 2017.