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SENATE BILL 5311

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State of Washington

58th Legislature

2003 Regular Session

By Senators Kastama, Eide, Hale, Kline, Rasmussen and Shin

Read first time 01/22/2003. Referred to Committee on Government Operations & Elections.

1 AN ACT Relating to government accountability; adding new sections  
2 to chapter 43.41 RCW; adding a new section to chapter 43.09 RCW; and  
3 creating a new section.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** The legislature finds that:

6 (1) Public confidence in government is essential and programs to  
7 continuously improve quality, efficiency, and effectiveness of public  
8 functions must be enhanced in order to restore public trust;

9 (2) Washington state government and other entities that receive tax  
10 dollars must transform the way it operates and delivers services in  
11 order to respond to severe, ongoing budget shortfalls and declining  
12 revenues, and ensure citizens receive value for their tax dollars;

13 (3) A strong, objective, and independent board is necessary to help  
14 develop, oversee, and monitor accountability systems for all government  
15 to ensure that public entities accomplish intended goals and outcomes,  
16 and that management systems, customer satisfaction, and efficiency are  
17 world class in performance; and

18 (4) Fair, independent, professional performance audits of

1 government systems by the state auditor are essential to improving the  
2 efficiency and effectiveness of government entities.

3 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.41 RCW  
4 to read as follows:

5 The citizen accountability and progress board is created to guide  
6 and assist agencies in developing data-driven, valid, and reliable  
7 performance standards, measures, outcomes, and goals, designed to  
8 manage the money agencies spend, the services they provide, the  
9 employees and processes they control, and the businesses, people, and  
10 resources they regulate. The board shall seek, review, and recommend  
11 best practices for all agencies.

12 (1) The board shall consist of nine members appointed by the  
13 governor. Individuals appointed to the board shall be from a diverse  
14 range of backgrounds and be able to demonstrate knowledge and expertise  
15 in performance management, quality management, strategic planning, or  
16 closely related fields. The board shall elect a chair and a vice-  
17 chair. The governor, the president of the senate, the speaker of the  
18 house of representatives, the chief justice of the Washington supreme  
19 court, and the state auditor, or their designees, shall serve as ex  
20 officio nonvoting members of the board.

21 (2) Appointed members shall serve for terms of four years, with the  
22 terms expiring on June 30th on the fourth year of the term. However,  
23 in the case of the initial members, four members shall serve four-year  
24 terms, three members shall serve three-year terms, and two members  
25 shall serve two-year terms, with each of the terms expiring on June  
26 30th of the applicable year. Appointees may be reappointed to serve  
27 more than one term.

28 (3) The department of community, trade, and economic development,  
29 office of community development, shall provide clerical, technical, and  
30 management personnel to the board to serve as the board's staff. Staff  
31 from the office of financial management and the state auditor's office  
32 shall assist the board as needed.

33 (4) The board shall meet together as a board as the board  
34 determines necessary at times and places specified by the call of the  
35 chair or a majority of the members of the board.

36 (5) The members of the board shall be compensated in accordance

1 with RCW 43.03.220 and reimbursed for travel expenses in accordance  
2 with RCW 43.03.050 and 43.03.060.

3 (6) The board may adopt rules in accordance with chapter 34.05 RCW.

4 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.41 RCW  
5 to read as follows:

6 The citizen accountability and progress board shall:

7 (1) Review the various government performance measurement, audit,  
8 and accountability systems currently in place and develop  
9 recommendations to integrate into one performance measurement system  
10 for all governments by December 15, 2004, and continually review and  
11 provide recommendations for improvement every two years;

12 (2) Establish a program and strategic plan for the conduct of a  
13 phased-in independent performance audit and yearly performance scoring  
14 of state agencies and other government entities and their programs and  
15 functions. As part of this program, the board shall:

16 (a) Consult with and seek input from elected officials and  
17 professionals with a background in performance management. Performance  
18 audit criteria shall be distributed before an audit and scoring. The  
19 board shall consider already developed best practices and audit  
20 criteria used by government or nongovernment organizations;

21 (b) Submit the results and advise the governor and the legislature  
22 on the conduct of the performance audit and scoring program by December  
23 15th of each year; and

24 (c) Contract or partner with public or private entities that have  
25 expertise in the conduct of public sector reviews to perform the audits  
26 and performance scoring of all government agencies. Initial areas to  
27 be audited and scored shall be quality management, productivity and  
28 fiscal efficiency, program effectiveness, contract management and  
29 oversight, internal audit, internal and external customer satisfaction,  
30 and statutory and regulatory compliance;

31 (3) Assist in the development of criteria for performance audits  
32 conducted by the state auditor and advise in the implementation plan  
33 for performance audits for all state agencies. As part of this effort:

34 (a) Submit the results of the state auditor's performance audit and  
35 performance scoring to the governor and the legislature by December  
36 15th of each year; and

1 (b) Release the state auditor's audit results and performance  
2 scoring to the public and provide public recognition for outstanding  
3 effort;

4 (4) Identify and evaluate best practices, audit findings, and  
5 performance scoring in order to identify opportunities to develop  
6 government partnerships and eliminate program duplications and  
7 redundancies resulting in increased quality, effectiveness, and  
8 efficiency of state agencies; and

9 (5) Collect, disseminate, and share appropriate best practices with  
10 all state agencies.

11 NEW SECTION. **Sec. 4.** A new section is added to chapter 43.41 RCW  
12 to read as follows:

13 The definitions in this section apply to sections 2 through 4 of  
14 this act, unless the context clearly requires otherwise.

15 (1) "Performance audit" means an objective systematic assessment,  
16 survey, or directed self-assessment of state agencies, programs,  
17 functions, or activities to provide for public accountability. Initial  
18 performance audits and performance scoring shall include, but are not  
19 limited to:

- 20 (a) Quality and process management practices;
- 21 (b) Independent and internal audit functions;
- 22 (c) Internal and external customer satisfaction;
- 23 (d) Program effectiveness;
- 24 (e) Fiscal productivity and efficiency;
- 25 (f) Regulatory and procedural compliance; and
- 26 (g) Any other areas as appropriate.

27 (2) "State agency" means elective officers and offices, and every  
28 other office, officer, department, board, council, committee,  
29 commission, or authority of the state government now existing or  
30 hereafter created, and their vendors or subcontractors, supported,  
31 wholly or in part, by appropriations from the state treasury or funds  
32 under its control, or by the levy, assessment, collection, or receipt  
33 of fines, penalties, fees, licenses, sales of commodities, service  
34 charges, rentals, grants-in-aid, or other income provided by law, and  
35 all state educational, penal, reformatory, charitable, eleemosynary, or  
36 other institutions, supported, wholly or in part, by appropriations  
37 from the state treasury or funds under its control.

1        NEW SECTION.    **Sec. 5.**    A new section is added to chapter 43.09 RCW  
2 to read as follows:

3        (1) The state auditor, with advice from the citizen accountability  
4 and progress board, shall develop and implement a plan for conducting  
5 recurring performance audits of government systems and operations.

6        (2) With advice from the board, the state auditor shall develop an  
7 implementation plan for a phased-in audit schedule for auditing all  
8 state government agencies and local governments and schools. All  
9 audits shall be designed to be completed within a six-month period.

10       (3) The state auditor shall assist the board in the collection,  
11 dissemination, tracking, and sharing of appropriate best practices with  
12 all state agencies, schools, and local governments.

13       (4) The state auditor shall submit a report of findings for the  
14 performance audits to the board December 1st of each year.

15       (5) The state auditor may conduct performance audits.

16       (6) The definitions in section 4 of this act apply to this section.

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