

Senate Bill 1099

Sponsored by Senators MORSE, WALKER; Senators FERRIOLI, G GEORGE, JOHNSON, NELSON, SCHRADER, STARR, WINTERS, Representatives FLORES, HANNA, KOMP, THATCHER, WHISNANT (Presession filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Establishes Committee on Performance Excellence. Authorizes committee to assist state agencies in reaching performance excellence. Directs committee to recommend Legislative Assembly approval of grants for continuous improvement projects. Requires committee to make periodic public reports on achievement of performance excellence.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to state agency performance excellence; and declaring an emergency.

3 Whereas the state cannot legislate excellence, but can expect it, support it and acknowledge it
4 when it occurs; and

5 Whereas excellence is a passion, and when it exists the Legislative Assembly should support it
6 fully; and

7 Whereas innovation involves calculated risk taking that should be supported when it occurs; and

8 Whereas the purpose of this legislation is to create a process that will oversee the journey to
9 excellence and will encourage the most vital aspects of Oregon state government to be managed at
10 a world-class level; now, therefore,

11 **Be It Enacted by the People of the State of Oregon:**

12 **SECTION 1. (1) The Committee on Performance Excellence is established. The committee**
13 **shall consist of seven members, appointed as follows:**

14 **(a) The Speaker of the House of Representatives shall appoint one member of the House**
15 **of Representatives;**

16 **(b) The President of the Senate shall appoint one member of the Senate;**

17 **(c) The Governor shall appoint two employees of the executive department, as defined in**
18 **ORS 174.112; and**

19 **(d) The Governor shall appoint three public members who have demonstrated experience**
20 **in the practice of continuous improvement in business.**

21 **(2)(a) Except as otherwise provided in paragraph (b) of this subsection, the term of office**
22 **of each member is two years, but a member serves at the pleasure of the appointing au-**
23 **thority. Before the expiration of the term of a member, the appointing authority shall ap-**
24 **point a successor whose term begins on July 1 next following. A member is eligible for**
25 **reappointment. If there is a vacancy for any cause, the appointing authority shall make an**
26 **appointment to become immediately effective for the unexpired term.**

27 **(b) If a legislative member of the committee ceases to be a legislator, the legislator's**
28 **position on the committee becomes vacant. If an executive department member of the com-**
29 **mittee ceases to be an employee of the executive department, the member's position on the**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 committee becomes vacant.

2 (3) The committee shall select one of its members as chairperson and another as vice
3 chairperson. The committee may determine the duties and powers of the officers, as well as
4 the terms of office of the officers.

5 (4) A majority of the members of the committee constitutes a quorum for the transaction
6 of business.

7 (5) The committee shall meet at times and places specified by the call of the chairperson
8 or of a majority of the members of the committee.

9 (6) Except as provided in ORS 171.072 for members of the Legislative Assembly, members
10 of the committee are not entitled to compensation or reimbursement for expenses and serve
11 as volunteers on the committee.

12 **SECTION 2.** (1) The mission of the Committee on Performance Excellence is to assist
13 state agencies in reaching performance excellence by providing policy review, recognition and
14 recommendations for funding of proposals that advance performance excellence in state
15 government.

16 (2)(a) The committee shall focus on the following areas that define performance:

17 (A) Customer and market focus.

18 (B) Human resources.

19 (C) Leadership.

20 (D) Measurement, analysis and knowledge management.

21 (E) Process management.

22 (F) Results.

23 (G) Strategic planning.

24 (b) The committee may focus on other areas that define performance and may give dif-
25 ferent weights to different areas described in this subsection, according to the needs of a
26 particular state agency.

27 (c) The committee may advise state agencies with respect to:

28 (A) Statewide performance management improvement efforts;

29 (B) Statewide performance measurement processes;

30 (C) Training designed to enhance the performance management and continuous im-
31 provement abilities of state agency managers;

32 (D) Coordination efforts that advance state agency access to external resources, includ-
33 ing universities and performance consultants;

34 (E) Recognition programs for continuous improvement efforts; and

35 (F) Other performance or continuous improvement efforts suggested by state agencies
36 for review and feedback.

37 (3)(a) As part of any performance excellence effort, the committee shall support state
38 agency efforts to acquire the methods, tools and skills to achieve performance improvement
39 by recommending that the Legislative Assembly or Emergency Board approve grants for
40 continuous improvement projects.

41 (b) The committee shall:

42 (A) Establish criteria for submission and review of continuous improvement projects; and

43 (B) Work with the Legislative Fiscal Office to establish a process for submitting recom-
44 mendations to the Legislative Assembly or Emergency Board for grant funding consider-
45 ation, including maximum grant award amounts and reporting requirements.

1 (c) The Legislative Assembly may appropriate moneys to the Emergency Board to fund
2 continuous improvement projects.

3 (4) The committee shall make periodic public reports on achievement of performance
4 excellence. The reports shall be in a form and manner determined by the committee and may
5 include, but need not be limited to, press releases. The reports shall be delivered to the
6 Governor and to each member of the Legislative Assembly and made available to the general
7 public.

8 **SECTION 3.** (1) The Oregon Department of Administrative Services shall provide admin-
9 istrative support to the Committee on Performance Excellence.

10 (2) The Legislative Fiscal Office and the Budget and Management Division of the Oregon
11 Department of Administrative Services shall jointly provide professional support to the
12 committee and provide periodic public reports on state agency continuous improvement
13 projects and performance improvements.

14 **SECTION 4.** As used in sections 1 to 4 of this 2008 Act:

15 (1) "Continuous improvement" means a set of actions designed to permanently improve
16 state agency performance, either in a specific targeted area or across all levels of an agency,
17 through the use of structured process analysis and problem solving.

18 (2) "Performance management" means a formal, comprehensive set of business pro-
19 cesses, including strategic planning, performance measurement, leadership, process man-
20 agement and human resources, that help ensure more efficient and effective management
21 operations and practices.

22 (3) "State agency" or "agency" means every state officer, board, commission, depart-
23 ment, institution, branch or agency of the state government, as defined in ORS 174.111.

24 **SECTION 5.** (1) Notwithstanding the term of office specified by section 1 of this 2008 Act,
25 of the members first appointed to the Committee on Performance Excellence:

26 (a) One executive department member and two public members shall each serve for a
27 term ending July 1, 2009.

28 (b) The House member, Senate member, one executive department member and one
29 public member shall each serve for a term ending July 1, 2010.

30 (2) The terms of office for members first appointed under this section shall begin on July
31 1, 2008.

32 **SECTION 6.** This 2008 Act being necessary for the immediate preservation of the public
33 peace, health and safety, an emergency is declared to exist, and this 2008 Act takes effect
34 on its passage.