



Testimony

Legislative Transparency

Regarding Charge #3: Review opportunities for increasing the transparency of government operations and make recommendations for enhancing public access to government.

by The Honorable
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Director, Center for
Fiscal Policy

*Testimony before the
Senate Committee
on Government
Organization*

Chairman Ellis and Members of the committee,

My name is Talmadge Heflin and I am the director of the Center for Fiscal Policy at the Texas Public Policy Foundation. Thank you for the opportunity to testify today and share our thoughts on promoting greater government transparency in the legislative process.

As it exists today, the Texas Legislature is a relatively transparent body, allowing users to access a wide array of public records and information through various online portals. Yet as commendable as these efforts have been up to this point, the Foundation believes there are still several opportunities to improve the system.

Specifically, the legislature should consider the following recommendations:

- **Make budget “markup” documents available online.** These documents are critical in assisting lawmakers to reach a decision on an agency’s appropriation level; however, no online access is currently afforded to the public or to other legislators not serving on the Senate Finance and House Appropriations committees.
- **Structure performance measures to focus on outcomes rather than outputs.** The state’s performance measures should be better defined to focus more on outcomes. This will enable members and the public to gain more insight into the value and performance of each agency.
- **Reformat the appropriations bill to include specific programs rather than strategies.** The General Appropriations Act should be written in understandable terms so the public and members have a better grasp of how appropriated money is actually being spent. For example, instead of listing “Museums and Centers - \$4,375,000” in the bill, members and the public would benefit more if the items were clearly listed as the “Ellis Museum - \$2,500,000 and the Hegar Cultural Center - \$1,875,000.” I am not suggesting this is a simple project to undertake, but I think it will be worth the effort.
- **“Tag” the minutes of all committee hearing broadcasts to match witness lists.** While committee hearings are currently videotaped and archived, this system proves cumbersome when trying to locate specific witness testimony. The public and members could benefit from the “tagging” of minutes to more easily navigate through the archived hearings.
- **Require that the appropriations bill be made available online 48 hours prior to the final committee vote.** This will provide the public greater insight and, potentially, more input on the state’s budget process. This should also apply to the budget conference committee report and other major bills.

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- **For invited testimony, provide online access to written documents submitted to the committee.** All documents provided in advance of the hearing that members will have, should be placed online to provide the public with greater insight into the type and quality of information presented to committee members and to allow them to have a better understanding of the issues being discussed. Written testimony provided in committee, whether invited or public, should be online within 12 to 24 hours of their submission. Fiscal notes available to the committee should go online prior to the beginning of the hearing.
- **Committee substitutes and major amendments should be placed online.** When major amendments and bill substitutes are introduced in committee, they should be placed online. As you know, many, if not most, of the introduced version of bills will be substantially changed by substitutes or major amendments when heard in committee. This makes it very difficult to follow committee debate from the introduced version.
- **Provide online access to committee votes and Calendar meetings.** Have all committee votes, including amendments, posted on the Texas Legislature Online website within 24 hours of the meeting. A major change, but one that will improve transparency tremendously is to have Calendars and Local and Consent Calendar hearings viewable online. All votes should be recorded and posted as well.

To conclude, the Foundation recognizes the considerable effort already put forth by the Texas Legislature to implement open government reforms throughout the legislative process. These reforms have provided the public with greater access to important information and also helped to increase confidence in our state government. By adopting a small number of additional reforms, the legislature can further improve Texas state government transparency to a degree found in few other states around the nation.

Thank you for your time and I look forward to answering any questions you may have. ★

