



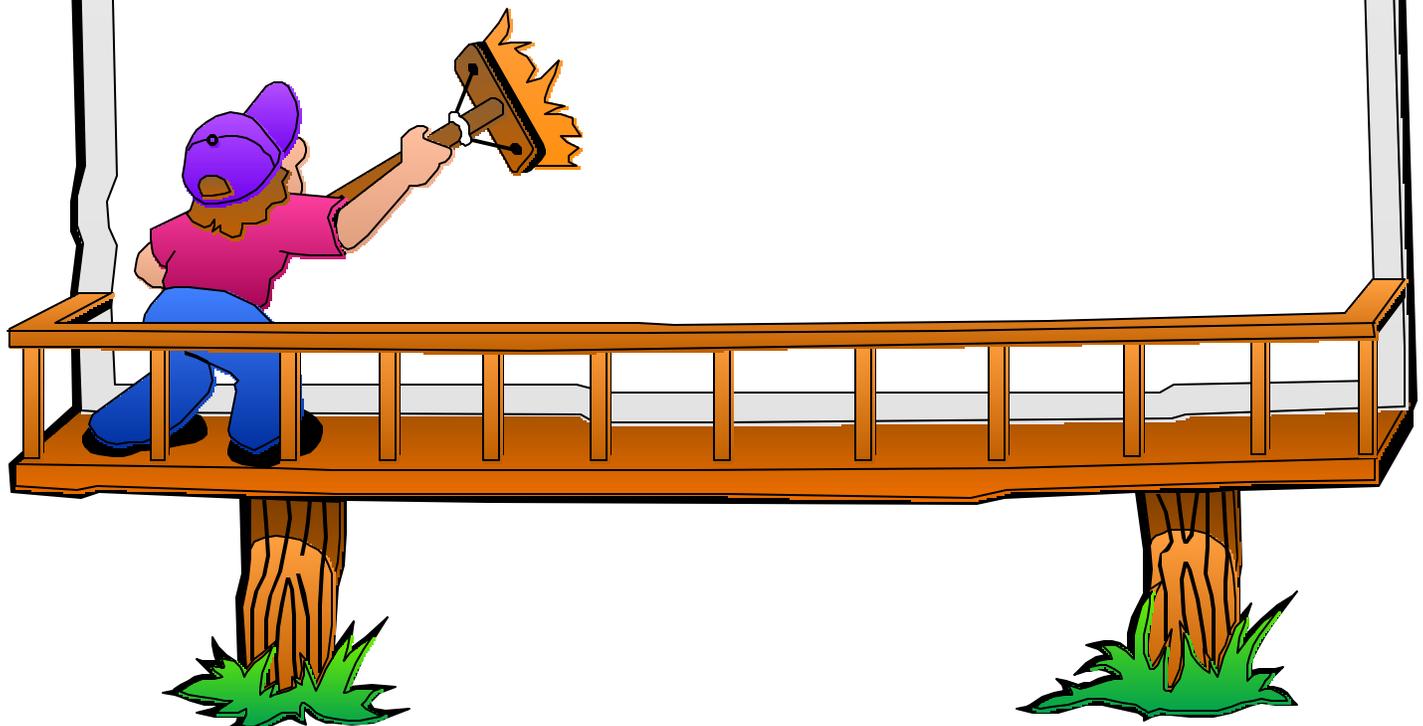
Strategic Planning Session Summary

Legislative Council

Strategic Planning Retreat

**University of Montana Biological Station
Yellow Bay, Montana**

August 26, 27, 1999



I. Retreat Overview

The Legislative Council met August 26 and 27, 1999 at the University of Montana Biological Station at Yellow Bay on Flathead Lake far away from the workaday life of the Capital City to allow the Council to identify important long-range matters that represent strengths or weaknesses of, opportunities for, or threats to the Legislative Council in an atmosphere free of pressing immediate business and to identify directions for formulating strategies responding to those matters. These strategic matters may become the core of the Council's self identified workload for the balance of the interim.

To do this, the Legislative Council, followed some of the steps of strategic planning.¹ For the Council, it meant working in a disciplined way to understand fundamental decisions and actions that have made the Legislative Council what it is and what it may become, what it does and what it may do, and why it does it.

1. Initial Agreement -- To begin, the Council reviewed the proposed session and agreed to continue.
2. Mandates established by law and Policies adopted by the Council.
3. Mission -- The Council reviewed missions previously adopted as a third step.

Environmental scanning steps, the bulk of the session:

- 4. External environment -- Identify stakeholders, opportunities, and threats*
- 5. Internal environment -- Identify stakeholders, strengths, and weaknesses*
- 6. Strategic issues -- The Council identified the important issues and critical challenges identified through the environmental scanning steps? What are the consequences of failing to address these issues?*

¹See John M. Bryson, *Strategic Planning for Public and Nonprofit Organizations: A Guide to Strengthening and Sustaining Organizational Achievement*, Jossey-Bass, San Francisco, 1995.

7. Strategies -- Future steps then involve identifying the practical alternatives, major proposals, actions, and work programs that should be undertaken to respond to the strategic issues.

8. Description of the Organization in the Future -- This step involves drawing a "Vision of Success." In Bob Person's opinion, this is an optional step he doubted is necessary to the Council, but it could be a valuable tool to consider.

In presenting this approach to the Council, Bob Person asked, "Why do this now?" First, he suggested he thought it long overdue. The Council's two previous retreats at Yellow Bay were opportunities overcome by more immediate issues. At the time of this session, no pressing immediate issues demand attention. There were, however, issues of major significance upcoming:

The makeup of the state's leadership structure -- all constitutional executive officers -- the chief justice in the judiciary -- most leaders and many rank and file members in the legislature are changing due to personal decisions and term limits.

The Council will face a decision in placing a person in the executive director position that may have a great deal of significance to the legislative branch.

These circumstances and others challenge the Council more than ever to understand the laws and policies under which it operates, the mission previous Councils have adopted, the nature of the environment in which the Council operates including who it is that has a stake in what the Council does and how it does it, and identification of important matters for future work.

The Council agreed that this was the time and place to do this. Having undertaken this work, the Council will be better able to think and act in a meaningful long-range context, make better decisions with which the members may feel more comfortable, and lay a foundation for a better future.

II. Review of the current situation

The Council reviewed its mission and mandates.

Legislative Council Mission

The Legislative Council's mission is

to provide ongoing leadership, direction, and foresight for the efficient operation and improvement of the Legislative Branch;

to establish personnel and pay policies in order to maintain professional and highly motivated employees;

to educate the public about the Legislature and foster public participation in the legislative process; and

to preserve the integrity of the Legislature as an equal branch of government.

The Council compared this mission, adopted by the Council in 1996 following extensive subcommittee work on the statement with these of the Legislature, Legislative Branch, and Legislative Services Division found in Appendix G of *A Member's Guide to the Legislative Council* a newly published document presented at this session:

The mission of the **Legislature** is to exercise the legislative power of state government vested in the Legislature by The Constitution of the State of Montana. The mission of the **Legislative Branch**, i.e., the consolidated legislative agency, is to provide the administrative structure to support accomplishment of the mission of the Legislature and the other entities included in the consolidated agency.

The mission of the **Legislative Services Division** is to provide research, reference, legal, technical, information technology, and administrative support services to the House, Senate, and other divisions of the Legislative Branch in support of effective and efficient operation of the Legislative Branch and to support the mission of the Legislative Council.

Council goals and objectives

The Council has not adopted specific goals and objectives. These duties, which are assigned by law, may stand in, (although they do not have the qualitative aspects that goals and objectives might bring to them, they say what to do but give no indication how well to do it):

Legislative Council -- Statutory Duties and Responsibilities (Mandates)

1. employ and set the salary of the Executive Director of the Legislative Services Division (5-11-105);
2. adopt rules for classification and pay of Legislative Branch employees (5-11-105);
3. adopt rules governing personnel management of Legislative Branch employees (5-11-105);

4. adopt procedures to administer legislator claims for reimbursements authorized by law for interim activity (5-11-105);
5. establish time schedules and deadlines for the interim committees of the legislature, including dates for requesting bills and completing interim work;
6. assign to an appropriate interim committee a question of statewide importance that arises between sessions and for which there is no legislative committee already assigned to address the question (5-11-105);
7. support statutory and interim committee investigations through the issue of subpoenas and the like (5-11-107);
8. establish a functional organization within the Legislative Services Division in order to effectively and efficiently carry out all of the responsibilities delegated to the Division (5-11-112);
9. consult with and advise the Department of Administration concerning the assignment of space in the Capitol (2-17-805);
10. consult with and advise the Montana Historical Society on the placement of busts, statues, memorials, or art displays of a permanent nature within public areas of the Capitol (2-17-805);
11. serve as a long-range building committee to recommend to the Legislature and the Department of Administration construction and remodeling priorities for the Capitol;
12. set fees for proceedings of the Legislature (5-11-212);
13. serve as the agency of interstate and international cooperation (5-11-301);
14. approve and adopt a Legislative Branch computer system plan developed by the Legislative Branch Computer Systems Planning Council (5-11-405);
15. provide general supervision and policy for the Code Commissioner (1-11-203);
16. with the advice of the Code Commissioner, decide on the quantity, quality, style, format, and grade of all Code Commissioner publications (1-11-301);
17. fix the sales price of the Montana Code Annotated and ancillary publications (1-11-301);
18. appoint members to serve on the Montana Commission for Uniform State Laws (1-12-101);
19. serve as approving authority (or delegator of that authority) with respect to Legislative Services Division programs as provided in 17-7-102, MCA; and

20. operate the Legislative Intern Program (Title 5, chapter 6, part 1).

III. Looking at what's happening -- environmental scanning

This part of this exercise was designed to help the Council document observations as to what is happening, perhaps especially, but not necessarily, as a result of changes, in and around the Legislative Council which you can identify as:

- Strengths or Weaknesses inside the committee or its internal rules, procedures, or structures, etc.

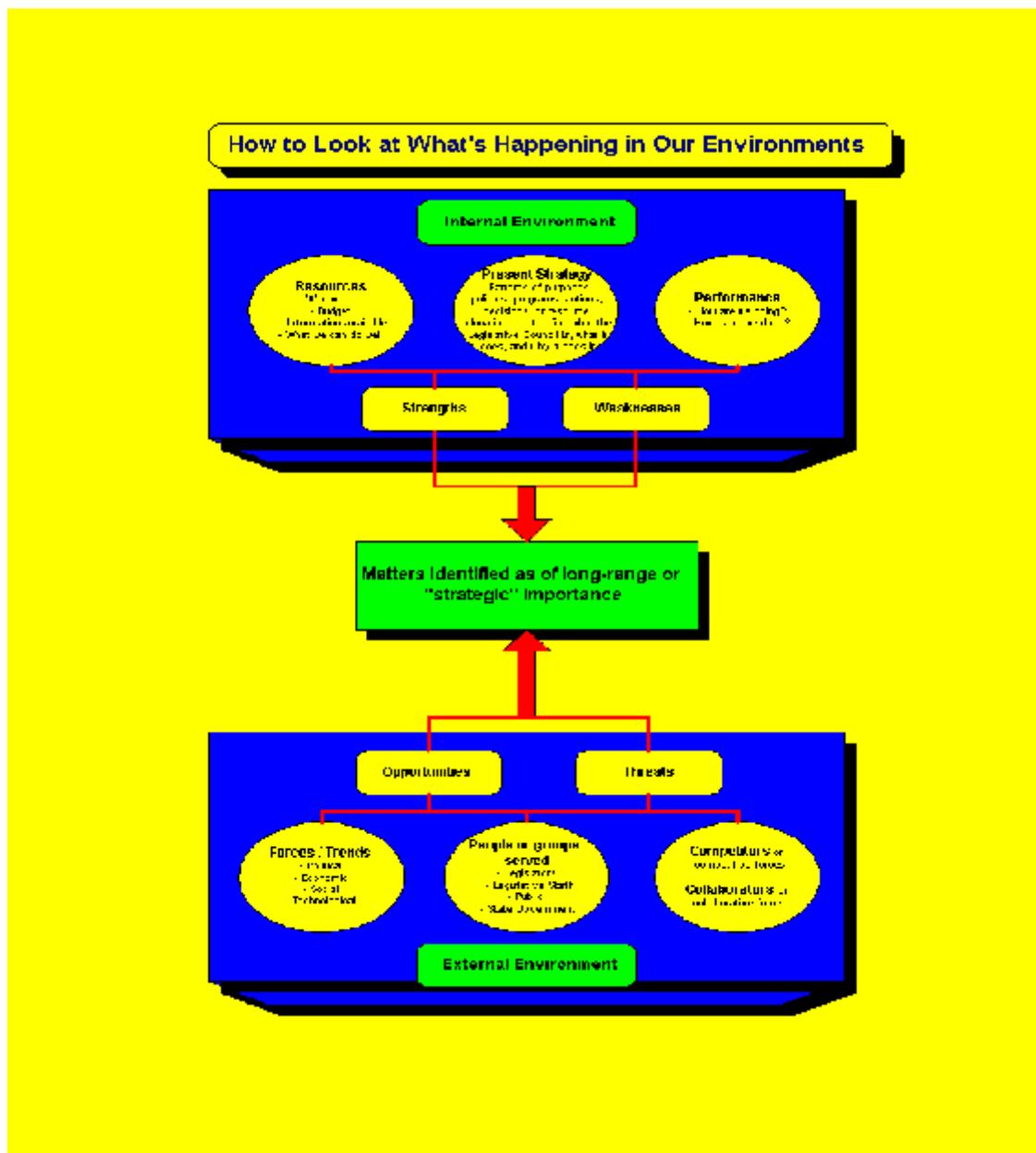
- Opportunities for the Council to provide stronger leadership, better services, etc. in its served community and also conditions that may threaten the existence, credibility, or authority, etc. of the Council if not handled.

The buzzword for this is SWOT analysis. People like to think of it as sort of an analogy to sending scouts ahead to see what the environment ahead has in store. So it is often called environmental scanning. The thinking is if we know more about who we are and what we can do well and perhaps not so well, we can make better decisions about how to deal with issues that impinge on us from the outside.

To do this, the Council first reviewed a Stakeholder Analysis Worksheet (attached), which was roughed out in advance as a head start on this portion of the analysis. Then, members were asked to break into two groups to identify internal **strengths** and **weaknesses** of the Council and external **opportunities** for and **threats** to the Council.

As a guide, the Council used the chart illustrated on the previous page, which depicts a scheme for the environmental scan.

The results are shown on the next page.



Strengths:	Weaknesses:
<p>Council initiated legislative improvements committee to improve the structure of the legislature.</p> <p>Institutional knowledge provides perspective on legislative process.</p> <p>Legislative rules have benefitted public participation</p> <p>Implementation of merit pay will equalize pay among legislative branch employees.</p> <p>Council has been frugal and kept government spending under its control and in check.</p> <p>Nonpartisan</p> <p>Duties specific in Code</p> <p>Leadership involvement</p> <p>Capable staff</p>	<p>Council doesn't educate public. Public doesn't understand process.</p> <p>Lack of regular performance review.</p> <p>Insufficient money resources to participate in national organization</p> <p>Dependency on key staff.</p> <p>With term limits, lack of leadership</p> <p>No authority over Legislative Audit, Legislative Finance regarding pay.</p> <p>Executive Director is only branch manager; lack of real power</p>

Opportunities:	Threats:
Technology can improve legislative access to information.	Competition between interim committees
Fed involvement gives state chance to give authority to local government.	Initiative process can remove legislative authority
Term limits open new philosophies and procedures	Media's ability to distort information threatens public process
Bob's retirement offers opportunity to restructure legislative branch	Term limits turn power toward bureaucrats and lobbyists
Assist work with legislators in interim.	Term limits cause loss of institutional knowledge
Public awareness in electronic information	Term limits
Training of new legislators; Council as guide	Lack of security in Capitol, especially during session
Develop relationships with other legislators and organizations	Protection of turf –audit division

IV. Identification of Strategic Issues

At this stage, Bob challenged the Council to identify how the strengths, weaknesses, opportunities, and threats interact with each other and with the mission, mandates, and stakeholder information reviewed earlier to define strategic issues for the Council?

To identify issues that are strategic for the Legislative Council, the Council was to consider the following:

Strategic issues **are:**

- potentially destructive to the Council if not satisfactorily resolved
- fundamental policy questions derived from a relationship between mission, mandates, services, and strengths, weaknesses, opportunities, and threats and stakeholder satisfaction
- tend toward being complex

Strategic issues **are not:**

- current problems or crises
- easily or simply resolved

Strategic issues for the Legislative Council **arise when:**

- events beyond control of individual Council members make it difficult or impossible for the Council to meet basic objectives
- important staff, cost, technical, or political choices determining basic objectives change or are expected to change in the foreseeable future
- opportunities exist to, for example:
 - make significant improvements to quality or quantity of Council services
 - improve internal operation of the Council
 - improve relationships to other Legislative Branch entities

Every important issue involves **conflicts over:**

- What -- ends
- Why -- philosophy
- How -- means
- When -- timing
- Where -- location
- Who -- advantage

Bob asked the Council members, while thinking back on the analyses that had been done, to each identify several matters thought to be of major importance to the Legislative Council and write down the following about those:

What is the issue?

What factors make it a strategic issue?

What are the consequences of failing to address the issue?

With regard to each issue, Council members were asked to state it as a challenge for the Council or as a question the Council needs to address:

How can the Council . . . ?

What can the Council do to . . . ?

The Council then summarized the work on 5 by 7 cards and discussed them at some length.

The following summarizes the work. The issue statement is in all cases the work of the Council. Insofar as Council member descriptions of factors that make the issue strategic and statements of consequences of failure were available in Council member's words, those are incorporated in the summaries. In other cases, Bob Person completed statements based on his understanding of the issue. These are subject, therefore, to further review.

1. *What is the issue?*

How can the council promote more interaction with legislators from other states?

2. *Why is this an issue?*

In our fast changing world, we as a state need to be more involved. The lack of resources to participate in national organizations has limited opportunities.

3. *What are the consequences of not addressing this issue?*

Isolation from national and global ideas and abilities.

1. ***What is the issue?***

How can the council educate the public about the legislative process?

2. ***Why is this an issue?***

The public doesn't understand how budgeting process works, what term limits mean, don't trust government or their legislature. Term limits offers timing that creates an impetus to make more effort in this area. It is one of the specific mission statements, but one which is not performed.

3. ***What are the consequences of not addressing this issue?***

Further distrust of government; less understanding of and support for government; system doesn't work because fewer people want to serve and don't get supported when they do serve.

A less informed public, misunderstanding about the process, resulting in less public confidence and perhaps less legislative implementation of the public interest.

1. ***What is the issue?***

How can technology better serve the legislative process?

2. ***Why is this an issue?***

Legislators need better ability to access information flow in an efficient way and to cut paper trail.

3. ***What are the consequences of not addressing this issue?***

Information overload leading to ineffective use of information.

1. ***What is the issue?***

Can the council develop a training program for new legislators to prepare for session? Because of term limits, how can new members be educated?

2. ***Why is this an issue?***

There is a need to get legislators on board as fast as possible, especially with term limits.

3. ***What are the consequences of not addressing this issue?***

Legislators not trained and knowledgeable about system. Balance between the 3 branches of government. [Note: in discussing this issue, the Boys' State training model was mentioned and could be a part of a strategy to address this issue.]

1. *What is the issue?*

How can the council facilitate training of legislators in constituent services?

2. *Why is this an issue?*

The Council's leadership mission aimed at efficient operation and improvement of the branch combines with threats of expanding power in executive and lobbying areas.

3. *What are the consequences of not addressing this issue?*

Loss of an opportunity for Council effectiveness and erosion of legislator effectiveness in the constituent service (representational) aspects of the legislator's role.

1. *What is the issue?*

What must we do to facilitate merit pay system in LSD?

2. *Why is this an issue?*

In exercising its duty to establish pay policy in the Legislative Branch, the Council has adopted a policy that was identified as a strength in that implementation of merit pay will equalize pay among legislative branch employees while discussion indicated how policy established by the Legislature through the appropriation process operates as a counter force to full implementation.

3. *What are the consequences of not addressing this issue?*

Failure to achieve the perceived benefits of the adopted policy as stated in the NCSL recommendations in favor of the merit pay proposal; lack of consistency or equity in the Branch.

1. *What is the issue?*

How can the council make a smooth transition when key staff leave?

2. *Why is this an issue?*

While the Council recognized a strength deriving from the strong nonpartisan, capable staff, it also recognized a corollary weakness in its strong dependence on key staff. The potential loss of key staff would thus jeopardize accomplishment of the Council mission in a number of ways.

3. *What are the consequences of not addressing this issue?*

Inability of the Council or Legislative Services to accomplish their missions effectively and efficiently.

1. *What is the issue?*

Do we need a top down organizational structure within the branch? Do we need an interim body with legislative authority with respect to internal management?

2. *Why is this an issue?*

Efficient operation and improvement of the Branch is key to the Council mission and the complex organizational matrix of the Legislative Branch causes recurring concern with respect to its apparent inefficiency -- a matter not routinely seen in more traditional organizational structures.

3. *What are the consequences of not addressing this issue?*

A legislative branch less efficient and less able to respond to change than would otherwise be possible.

1. *What is the issue?*

How can the council promote sound management in the senate and house yet recognize the political nature of these bodies?

2. *Why is this an issue?*

With term limits, there is a recognition that legislative leaders will have less background and experience on average than has been true in the past. There is a great amount of administrative work done on behalf of the legislature by people traditionally in patronage positions that really is substantively the same -- and has the same effect, positive or negative, on the legislature regardless which party is in the majority. Still, there is close liaison between the key staff people and legislative leadership that implies trust or even support on a political level.

3. *What are the consequences of not addressing this issue?*

Possible inefficiency or failure of the legislative process at a policy level due to deficiencies in internal management of information management, document flow management, and personnel management due to inexperience or lack of training among key House and Senate staff.

1. ***What is the issue?***

How can the Council take a more active role in budget development and adoption to support council priorities?

2. ***Why is this an issue?***

While the Council recognizes a strength in its traditional frugality, there is also a recognition that lack of funding resources has limited its ability to fulfill its mission and mandates fully in a number of areas including interstate and international cooperation, legislator education, and the like. The Council must assume its full leadership role in relation to budget development and support to address this issue.

3. ***What are the consequences of not addressing this issue?***

Continued weakness and lack of full accomplishment of Council mission and mandates.

1. ***What is the issue?***

How can the council prepare for better security in the Capitol?

2. ***Why is this an issue?***

The Council has a leadership role with respect to planning and space allocation in the Capitol as well as an inherent interest in the safety of the public, employees, and elected officials using the Capitol. Capitol remodeling offers an opportunity to address this issue, which seems to be growing in importance as the disaffected few have with growing frequency threatened, and in some cases taken, direct action in support of their claims of disaffection.

3. ***What are the consequences of not addressing this issue?***

Potential loss of life and property at the Capitol accompanied by critical notice of prior inaction.

IV. Develop strategies:

Strategy development is the next step to be begun at next council meeting. For each of the above issues determined to be of significant enough portent, the Council will identify the practical alternatives, major proposals, actions, and work programs that should be undertaken in response.

Legislative Council Stakeholder Analysis Worksheet

A stakeholder of the Legislative Council is any person, group, or other organization that can make a claim on the Council's attention, resources or output, or is affected by the Council's output. Stakeholders may be internal or external to the Council, but Council members are the only people who are internal, thus no distinction of internal/external is made below.

Stakeholder	Nature of the stake	Criteria or expectations used to assess the Council's performance	How are we doing against the criteria/expectations?	Other comments?
Council members	Investment of time and effort against an expectation of accomplishment or recognition	<ul style="list-style-type: none"> -- Sense time was spent wisely -- Service was interesting -- Service was rewarding 		
Executive Director	Benefits from appropriate direction, policy leadership, feedback, performance and salary administration	<ul style="list-style-type: none"> -- Members are attentive to the mission, goals, and objectives of the Council and the Branch -- Members achieve an appropriate balance between reliance on staff and exercise of independent imagination -- Members understand roles and respond appropriately -- Insightful supervisory control is exercised -- Responsibility is taken for appropriate salary management for the Executive Director 		

Stakeholder	Nature of the stake	Criteria or expectations used to assess the Council's performance	How are we doing against the criteria/expectations?	Other comments?
LSD Office Directors	Benefit from strong leadership teamwork between Council and Executive Director; maintenance of competency in Executive Director position; appropriate level of policy leadership			
Code Commissioner	Requires appropriate level of general supervision and policy from the Council; requires responsiveness in setting prices.			
Legislative Auditor	Relies on effective exercise of Council policy leadership role for the Branch	-- Timely, thoughtful, and effective leadership and response to Branch initiatives is accomplished -- Confidence exists in Council as an effective leadership entity		
Legislative Fiscal Analyst	Relies on effective exercise of Council policy leadership role for the Branch	-- Timely, thoughtful, and effective leadership and response to Branch initiatives is accomplished -- Confidence exists in Council as an effective leadership entity		

Stakeholder	Nature of the stake	Criteria or expectations used to assess the Council's performance	How are we doing against the criteria/expectations?	Other comments?
Legislative Environmental Analyst	Requires understanding of the position's unique status as part of the division with a stake in both the EQC and the Legislative Council for policy direction.			
LSD Staff	Wise policy leadership; thoughtful support of personnel and pay policy within Council jurisdiction; value well-functioning leadership between Council and Executive Director.			
Audit Committee	Partner with Council in matters of Branch policy development and director level salary management	-- Council provides thoughtful, timely policy proposals and leadership for the committee partnership		
Finance Committee	Partner with Council in matters of Branch policy development and director level salary management	-- Council provides thoughtful, timely policy proposals and leadership for the committee partnership		
Environmental Quality Council	Requires general support in allocation of staff resources; requires responsiveness in validating selection of LEA as needed; depends on support of budget proposal.	-- Budget support meets expectations -- Policy supports staff needs within reasonable expectations		

Stakeholder	Nature of the stake	Criteria or expectations used to assess the Council's performance	How are we doing against the criteria/expectations?	Other comments?
LFD / LAD Staff	Look to Council for effective, cooperative leadership in partnership with LFC and LAC	-- Council gives thoughtful, courteous consideration to policy proposals and policy leadership needs in the Branch		
House of Representatives	Legislative improvement role in Council mission; public education role in Council mission; leadership role for the Branch	-- Timely, thoughtful improvements result from Council generated proposals		
Senate	Legislative improvement role in Council mission; public education role in Council mission; leadership role for the Branch	-- Timely, thoughtful improvements result from Council generated proposals		
Senate / House Staff	Policy leadership in pay administration; effective leadership relationships among Council leadership / Executive Director and session leadership	-- Effective pay administration policies are established -- Effective leadership is such that it is not really noticed by most staff		
MCA Customers	Provision of needed information through effective general supervision and policy	-- Good information at a good price in a good format delivered on time		
Legislative Proceedings Customers	Timely establishment of pricing; general support of effective alternative formats	-- Good information at a good price in a good format delivered on time		

Stakeholder	Nature of the stake	Criteria or expectations used to assess the Council's performance	How are we doing against the criteria/expectations?	Other comments?
Legislative Information Clientele	Support of effective services including technological alternatives	-- Good information at a good price in a good format delivered on time		
Interim Committees	Effective selection of studies; provision of adequate resources including budgets and staff support; responsiveness to appropriate proposals for subcommittees; effective policy leadership	-- Needs are supported such that Council role is hardly noticed		
National Conference of State Legislatures	Understanding and support of the NCSL program; budget support; leadership for Montana delegations	-- Council as a representative of legislative leadership is responsive to conference participation proposals and active in support of conference directions		
Council of State Governments	Understanding and support of the CSG program; budget support; leadership for Montana delegations	-- Council as a representative of legislative leadership is responsive to conference participation proposals and active in support of conference directions		

Stakeholder	Nature of the stake	Criteria or expectations used to assess the Council's performance	How are we doing against the criteria/expectations?	Other comments?
Sister States (Kumamoto, Taiwan, Guangxi)	Representation of Montana's legislative branch of government in official exchanges	-- Responsive representations showing a vital interest in the sister state relationship and support of its purposes		
Board of Land Commissioners	Responsiveness to land transfer proposals	-- Thoughtful, timely response in fulfillment of statutory role		
Capitol Tenants / Managers	Leadership on legislative issues relating to Capitol space allocation and placement of memorials, etc.	-- Thoughtful involvement in decisions requiring Council engagement or Legislative Branch decisions		

Stakeholder	Nature of the stake	Criteria or expectations used to assess the Council's performance	How are we doing against the criteria/expectations?	Other comments?