



# MONTANA LEGISLATIVE BRANCH

## Legislative Fiscal Division

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Legislative Fiscal Analyst  
CLAYTON SCHENCK

DATE: September 14, 2009

TO: LFC Performance Measurement Subcommittee Members

FROM: Kris Wilkinson, Fiscal Analyst II

RE: Meeting with Budget Director Ewer

Legislative Fiscal Division staff met with Budget Director Ewer (director) at the direction of the Legislative Finance Committee (LFC) Performance Measurement Subcommittee to discuss the performance measurement process and the desire of the LFC members to work collaboratively with the executive branch on the performance measurement process during the 2011 biennium, and that he respond to the questions outlined in the staff report, Performance Measurement Process. The following summarizes the meeting.

While recognizing the legislature's right to request information on programs within the executive branch, and the right of the legislature to monitor goals and related performance measurements for the Legislative Branch, Director Ewer declined to make recommendations or suggestions on which goals and performance measurements from the listings compiled for the subcommittee should be included in the LFC 2011 interim performance measurement process. He stated the executive does not wish to provide leadership on this process as it is a legislative initiative.

The director reiterated concerns he has previously discussed with the LFC including that while the legislative branch is entitled to data, the information on goals and performance measurements could be used as a "gotcha" against the agency and Governor. The director used an instance from the 2009 legislative session as an example. Reference was made to the one-time-only designation of the entire Department of Fish, Wildlife, and Parks (FWP) 2011 biennial appropriation.\*

During the discussion of the possibility of developing a collaborative process between the two branches, staff from both offices agreed that at this time the executive and legislative branches are on two different roads in relation to performance measurement and the executive and legislative branches may not be able to reach a collaborative agreement on the process.

\* Staff note: the designation of FWP's budget as one-time-only was made when legislatively requested data and statutorily required goals and objectives were not provided to the Joint Appropriations Subcommittee on Natural Resources. It was not related to performance evaluation.