

Legislative Council Strategic Planning Session Summary
September 20, 2021
1:00 p.m.

MEMBERS PRESENT:

Galt
Smith
Abbott
Flowers
Harvey
Cohenour
Blasdel
R. Knudsen
Bishop
Pomnichowski
Ellsworth – not present
C. Knudsen (Zoom)

STAFF PRESENT:

Fox
Carter
DaSilva
Everts
Kolman
Kyle Schmauch, Senate Aide to Majority Leadership
Katie Wenetta, House Aide to Majority Leadership

Ms. Fox opened the meeting at 1:00 p.m. Susan and Todd would like to focus on goals for next session. After ideas are shared, we could also cover "What did we do last session that will work for the next session?"

Introductions and goals and expectations for the strategic planning by members and staff

JP Pomnichowski: Strengthen the Legislative Branch. Would like it on equal footing with other branches. Have concrete steps to take; i.e., IT devices for legislators.

Kelly DaSilva: look forward to these sessions. Helps give her direction.

Jill Cohenour: Awesome that leadership gets together and have discussion. Continue to provide ways for everyone to engage with the legislative process. Interested in planning for staff and what next steps are.

Steve Larson, Reporter for IR

Angie Carter: Glad to be able to participate in the session.

Kim Abbott: A lot of institutional knowledge is lost because of term limits.

Derek Harvey: ways to improve efficiency, continue remote testimony. More efficiency to process, less stress.

Kyle Schmauch: staff, here to help strengthen the branch, move things forward

Laurie Bishop: present ways for public to have more input in the legislative process.

Pat Flowers: talk about hopes for future. Read news and see acrimony on national level and partisan bickering has risen to level that is destructive. Has lots of respect for MT legislature, we are productive but maintain level of respect that is incredible. Easy to lose, hard to get back. Hope going into next session, keep honoring institutions that we stay respectful.

Cary Smith: Like to go along with JP and strengthen legislative branch. We have power of purse and we should be the strongest branch in government. Need to make sure Executive branch and judicial branch is not stronger than the legislative branch. Need to gain strength in state legislature to help us nationally.

Todd Everts: Attended many strategic planning sessions. Same issues comes back time after time, draft same legal opinion. Wants to see today is listening to thoughts and ideas, institutional succession planning.

Katie Wenetta, Staff to Rep. Galt

Fong Hom, Secretary

Joe Kolman: been with branch for 18 years. You are the branch that is most accountable to the people. As researcher, get information to legislators. Been looking at a lot of different ways to get information to the branch.

Rhonda Knudsen: Wants to discuss annual session topic. She is here for people, why aren't you there all the time? Better keep open mind, the time is coming, why aren't you there, things going on, you should be in session.

Wylie Galt: Interest in this session, talk about orientation and remote last time.

Casey Knudsen: First time on Legislative Council. Streamline the public participation and figure out better ways for legislators coming into this process.

Mark Blasdel: Piggy back off Sen. Smith, fiscal notes, dynamic fiscal notes -- How do we know past bills and the fiscal notes worked and was it successful? Be respectful to leadership next session. Gave options and helped staff know avenues of what works and could work...try to get everyone for orientation to help freshmen.

Susan Fox: appreciate time to allow management staff to talk and work with leadership. Bring knowledge forward for new people.

SUCCESSION PLANNING

Susan discussed the LSD Organizational Chart. Todd gave his long-term plan. He's had 30 years in with legislature. Three years plus is the date he is looking at in terms of retirement. Thinking about this in terms of setting the institution up to allow whomever comes into his position to be prepared. His plan is

to have people in his office, for example, who are thoroughly trained in all aspects of his job to step in or support whomever steps in. He is creating a deputy style position that he can offer to staff and select one or two people for that position and have them and have the training ground in place so when he departs, the institution will have that knowledge base when he leaves. He wants their ideas of where the succession planning will be.

Susan said that in the past for succession planning, back when Greg Petesch, Lee Heiman, and Jim Gordon were retiring, we attempted to institutionalize all that knowledge. One element of succession planning was how do you institutionalize knowledge into systems and not have to rely on knowledge solely held by individuals. We are holding more management team meetings to understand each other's jobs better. Susan's plan is to retire next spring and she presented a proposal based on a great one by Bob Person back in 1999. Mr. Person recommended a Council subcommittee which would do 360-degree interviews with various legislators and permanent and House and Senate staff. The interviews could determine what the stakeholders expect out of legal director and executive director.

The members broke into groups by chamber caucus to discuss succession planning

2:02 p.m. resumed full group discussion about how to proceed to fill the Executive Director position.

Galt: Four-person subcommittee, one from each house and senate caucus meet. Appointment sooner than later.

Bishop: Run subcommittee as well. Do the 360 piece and contract out.

Jill: If you have the deputy thought process to get people in pipeline, also have post-retirement consulting, if person retiring will be around to answer questions, that would be something in place and have option for person stay longer to help train.

Flowers: have a retainer for two years and it would be so that when the "new" Susan comes in, they can call the "old" Susan if have questions.

Galt: Feels subcommittee has to take it from here.

Jill: If contracting out, questions if someone who has that knowledge in branch.

Susan: We do have a consultant that can help. Kelly can do a lot of that. We will explore that further.

Inquired regarding if Council was interested in having a conference call to appoint subcommittee.

Kelly: have been a part of that subcommittee, has history on how that works out, will help.

Susan: Will figure that out and have information to schedule a time for a conference call tomorrow morning. Will close this session out.

Harvey, Bishop, Flowers, Smith, Knudsen, Galt: all supported the idea of a subcommittee

Todd: The Legislative Council hires the Executive Director, Executive Director hires legal director, but he hires the Deputy Legal Directors.

Kyle: Asked for timeline.

Susan: Thought the Council should hire someone by spring to allow them to complete IT project plan and develop the draft biennium budget and prepare for next session. Subcommittee can talk about what areas of training or timing to overlap.

Jill: She added that if have someone in pipeline, that person should automatically be in training.

Kelly: Important to provide new Executive Director some support as Susan did not have much from the previous Executive Director when she started.

JP: Thanks to Susan for offering help. Include planning for the need to deepen the deputy's position. Ask that throughout whole process, Susan stay close.

Flowers: Caution formalizing deputy position, seen that in other places. What happens, person makes into that position, realizes that they are not right for that position, that employee is disenfranchised.

JP: Said go 3 deep with information sharing.

Susan: Instead of only grooming one individual, we could hold some Management 101-type trainings or presentations and invite individual staff for input into topics.

Bishop: Take opportunity bringing forward to Council what Susan's transition plan is.

Summary for subcommittee consideration:

- Appoint subcommittee sooner than later.
- Do 360-degree interviews – contract out facilitation if necessary.
- Before retirement – train staff in pipeline, share knowledge
- After retirement – consider training overlap, part-time availability
- Consider different needs for onboarding for internal vs. external candidates.

The next portion of the strategic planning is dedicated to member issues.

MEMBER ISSUES

Listed topics: annual session, implement legal, legislative week, calendar, lessons learned of pandemic

The Council broke into two groups to discuss topics of interest.

Group I: Blasdel, Cohenour, Abbott, C. Knudsen, Flower, Todd, Kelly

Group II: Smith, Pom, Harvey, R. Knudsen, Galt, Bishop, Joe, Angie

Group I Report

- Bill prioritization, Top 5 bill draft -- issues came up where holdover senator put in top 5 and some were constituent bills, come into session, they said they don't wasn't those as top bills. System isn't flexible. Our group wanted flexibility in back end, can we do that, can the system that we built accommodate that and from a resource point of view?
- Bill limits/no limits – based on which sideboards?
- Bill titles/open leadership placeholders
- Remote for legislators – limited?
- Remote for public – timing for registration
- Paper vs digital copies of MCA as official/most complete publication – blockchain?
- Calendar – what happens in saving days, Saturdays, institutionalizing that schedule for future sessions

Group II Report

- Legislative Week – people liked, have a number of committees mtg in January and incorporate Leg Week. NCSL has training on how to craft an argument, use Leg Week in even number year to talk about session prep
- Orientation – Mentor groups, basics, training caucus members ahead of caucus elections with senior members talking about what majority and minority whip/leaders do, bill path tour, bill priority (first 5)
- Share what interim committees have done – get information out
- Online public testimony, how to continue to deal with out-of-state testimony (separate from invited expert testimony)
- Bill management and scheduling
- Train on process
- Status reports – increase transparency in upgrading system

- Early deadlines and getting bills in and off bill drafter's desk
- Working on Saturdays – no Saturdays
- Use of place holders vs more requests later

Susan: that will be easy to group. Tomorrow we will flesh groupings out a little bit more, will separate out items good for future Council agendas and work plan, i.e. remote, interesting to hear from IT perspective, public comment, email, zoom. Recessed at 3:34 p.m.

Legislative Council Strategic Planning Session Summary

September 21, 2021

8 a.m.

MEMBERS PRESENT:

Ellsworth
Smith
Blasdel
Flowers
Cohenour
Harvey
Bishop
R. Knudsen
C. Knudsen (Not present)
Pomnichowski
Abbott
Galt (not present)
Kyle Schmauch
Katie W. (Zoom)

STAFF PRESENT:

DaSilva
Carter
Fox
Everts
Hom
Kolman
Lindsey K.

Sen. Ellsworth gave introduction
Lindsey K. introduced herself

Susan opened the session by discussing the Member Topics and Agenda Items.

AGENDA ITEMS – for Legislative Council work plan for future meetings

- MCA – paper vs. digital, Uniform Act
- Legislative Calendar
- Legislator Benefits and Exec Branch Topics (health care, PERS, etc.)

- Legislator email and common messaging platform
- IT Presentation – OLIS and ITSD

Susan asked the groups to work on the Member Topics. There were three groups composed of members and staff and each group worked on a topic. Each group was asked to discuss what worked, what doesn't work, and next steps. The group ideas will be the foundation for the Council work plan.

MEMBER TOPICS

BILLS

- Top 5
- Limits/Sideboards
- Titles/Placeholders
- Rules Subcommittee

REMOTE PARTICIPATION

- Public
- Legislators

TRAINING

- Legislative Week
- Leadership/Caucus/Aides
- Presiding Officers
- Orientation

The full group reconvened at 9:37 a.m.

Todd reported for the group

"Bills"

1. Limits

- other states
- bill draft deadlines
- eliminate placeholders
- each legislator gets 15 bill draft requests (150 x 15 = 2,250 total)
- Leadership: 50 bill draft requests (50 x 4 = 200)

2. Top 5 bill priority drafts

- Provide options

Lindsey reported for the group

"Remote Participation"

1. Legislators:

Keep:

- Remote voting
- Remote participation in committee
- Training & practice for all members

- RMC's

Improve:

- Present & voting in Rules – remote participation should be more of an exception than a rule; allow/not encourage.
- How can we improve connectivity for rural legislators?
- Training for chairs – include process for expert witnesses to join as participant, (discuss photo/video from public)

Change

- Common device or platform
- Need better email (no MindCentric – no way to clean out emails)

2. Public:

Keep:

- Remote testimony submission
- Remote participation via Zoom
- Keep 2 options of RSA
- Keep Legislative autonomy over IT

Improve:

- Easier to sign-up to participate
- Location of remote participants (i.e. home address/county/zip code – do not require) for use of chair to help prioritize testimony
- RMC's train together more

Joe reported for the group

Training

- Freshman need more training, individual contact.
- Options to explore: dedicated staffer (mentor groups), have one staffer whose job is training.
- Discussed more Zoom& Remote training.
- Better visibility of resources and videos -- Do better at selling what we have.
- More leadership training on process of running a committee, tools to help presiding officer, bill flow.
- Legislative Week is something people want to do. Good place for legislators to make contact. Allow follow-up for freshman. Good time to do a course on Ethics.
- Overall, Council should look at different ways of training.

Susan: That gives us a lot to work on. There are some options that we have that we can work on right away -- we are continually trying to improve website and we can use The Gavel newsletter/blog to get information out.

Closing discussion:

R. Knudsen: like discussion about strengthen legislature. Asked to come up with time to discuss subcommittee.

Members agreed upon Sept 27 at 8 a.m., conference call on subcommittee.

Cary Smith: Find it interesting when talk about separation of powers and strengthening Legislative Branch. Talked about paying enough for remote people. Ideas on more dollars on IT, make that part of budget.

Kyle S.: Using staff as tool to strengthen legislative branch. His job is to help that process. Ways to do that especially bi-partisan, think about not working against each other on policy but on institutional level.

Ellsworth: Sees three things: assignment of priority bills, addressing number of bills and referencing what session they were in to better communicate. On training, we all benefit individual caucuses. When here, there is opportunity to help freshman moving on to address issues that have come up and work on them together and not split up as party issues.

Todd: Attended 17 strategic planning sessions, this is most efficient and specific session he's attended. You have achievable goals and results will take place. Appreciate that.

Angie: Echo what Todd has said.

Harvey: Have good work ahead of us. Good topics discussed last two days. Look forward to seeing results.

Flowers: Pleased on what came out of remote participation. Good for our citizens and bring them into our business. His goal is thinking about a shift to an odd year election and that to him, that could solve lots of issues. Curious to see how that could happen and focus on that as agenda item.

Blasdel: Echo what Todd said. Give leadership tools and not force them into doing what previous leaders did. If can put these topics on the schedule and give tools for next session good for Legislative Council.

Pomnichowski: Likes concrete work plan and recommendations go forward to Rules Committee and influence deadline and bills. We can only recommend to next leadership and Rules Committee.

Bishop: Appreciates the process. Like opportunity to continue strengthening and going forward.

Abbott: Like the approach and keeping bigger issues on agenda.

Cohenour: Agrees with that. Keep legislator autonomy on IT. Look at legislator benefits. Council should stay on top of how that works.

Kelly: appreciates being here.

Lindsey: Look forward to hearing how to keep it flying in right direction.

Joe: Concern about members understanding the non-partisan nature of permanent staff. He hopes that members can appreciate that we have non-partisan staff and understand that staff works for the institution which strengthens the legislature.

Susan: Thanks for letting us be a part of this. We respect you. Gave us good ideas and direction. Close at 10:13 a.m.