

LEGISLATIVE COUNCIL
STRATEGIC PLANNING
September 6, 2017
Barrister's Bed and Breakfast
Helena, Montana

Marc Scow opened the meeting and the members and staff introduced themselves.

Ms. Fox discussed the document "Suggested Meeting Dates" and explained that in the left column were proposed meeting dates and there are three meetings to take the ideas from the strategic planning and work on them. In the right column, with proposed Agenda Items, the August 2018 meeting is to finalize the Legislative Branch budget and complete session preparations prior to caucuses in November.

Ms. Fox discussed the document "Cumulative Summary of Strategic Planning Session Topics" and presented two charts, one on legislator ideas and a second on staff ideas. Throughout the discussion, additional notes were added.

LEGISLATOR IDEAS

E-mail – texts/electronics

- IT - platform, storage, access
- Legal – record keeping protocol

Legislator Compensation

- 3rd party commission

Handbook (e.g., Wyoming)

- Rules and statutes
- Best practices - legislation, conflicts of interest

House Survey-Leadership

- Schedule ½ day with parties (ideas and strategies for session, priorities, areas of opposition)
 - Related to Con-Con, Open Caucus, open meeting law
 - Session Calendar (Saturdays), orientation and training
 - Split sessions, research available
- Guidelines for decorum

DISCUSSION

Email/Electronic Communication Discussion

- Mechanics derived from what we want to accomplish, goals
 - gmail parameters - default to archive or delete
 - blocking junk/spam and multi-group emails
- Protocol: training, brochure
- Records management
- Legislative and/or Executive Branch – consistency, exceptions
- Public records requests – how to respond to requests – search capabilities
- Facebook – ability to block – find court ruling from other state
- Instruct on use of mt.gov, write knowing emails are public information

Email Discussion for December agenda

The group held a discussion on the current system (Outlook – leg.mt.gov) and potential future systems. Staff has a challenge to support multiple email systems. The protocols need to include more than email, all electronic communications generally. One focus is on mechanics and storage, and also protocol on use, including what you put in your email.

Todd discussed the email presentation that he will make for the December 2017 agenda. Council has directed staff on training for public records and implementation of that training. Staff developed a brochure and provided training to legislators during orientation. He intends to present that training, 45 minutes, and provide that for Council. He was directed to draft legal opinions on electronic communications, yet more work needs to be done. Staff and legislators are receiving more public information requests that take up staff time, etc., and anticipate that they will keep on coming.

There was comment to emphasize the ability to respond to requests in that training. There needs to be a discussion regarding if there is some way to protect legislators from bogus requests. The two are linked and there is a need to think about what protocol is and what can help with that protocol. In the past gmail account pilot, archiving was a problem. If switching systems, look at all the systems that exist and make sure that there is an ease of archiving between systems.

The Executive Branch recently spoke on an effort to have an up-to-date email policy and it may be beneficial to keep up with what they is working on. The litigation that the branch is dealing with will provide information. Legislators have the right to privacy and are a citizen legislature, so there may be differences from the Executive Branch. For any new system or policy, junk and spam principles must apply.

A protocol must be based on what we want to accomplish. Current Email protocol is outdated. Email protocols may be different for different departments and some legislators would like to get something just for our members. There needs to be guidance to legislators: be careful what you write; for legislative business, use mt.gov account and not personal account. Some want to embrace a policy just for legislators. Others said we need to lead the state in something that hasn't been addressed for 20 years for all state business email.

Legislator Compensation for December agenda

- 3rd party compensation commission
- Tie to reducing size of legislature training, smaller groups (one package)

There was a discussion of interest in a 3rd party compensation commission to set legislative salaries. Historical and legal information was discussed. There was the idea that the concept of reducing the size of the legislature is related and the council would like a package of information to consider, including historical, legal, budgetary, and transition.

Handbook (e.g., Wyoming)

No discussion – will be a future agenda item.

House Survey – Leadership

An item from a survey of House legislators directed to leadership was a desire for a ½ day party session to discuss ideas and strategies for session, priorities, and areas of opposition. The discussion revolved

around how this relates to open caucuses and may not be practical. There was a discussion about the Con Con's intent regarding caucuses.

The session calendar topic of meeting on Saturdays was raised and staff was asked to look at last 10 sessions and see how things went and look at the last 3 sessions Saturdays' schedule so that the council can review what they liked and didn't like about Saturdays. A discussion on the merits of not having the first 5 or so Saturdays was held. The frustration experienced by some was more that the schedule was not established in a timely manner. Council will discuss having the information for the next leadership so they understand why the Council adopts the session calendar that they do. There was a brief mention of changing the schedule of sessions within and between the two years.

STAFF IDEAS

Outreach – to public, travel

- Open forum or Topic based - annual sessions, term limits, budget, civil discourse

Provide staff advice on:

- How to best communicate with legislators
- How to improve providing nonpartisan research and legal services
 - Innovation, relevance, shorter, faster, format-wise
 - 15 minute staff presentation outside of committee area of expertise
 - Policy to finance and vice versa
 - Staff resources
 - Idea for presentations to bipartisan group of legislators in communities (menu of topics)

DISCUSSION

Outreach

Meeting out of Helena

- Not open forum
- Interim committee travel
 - Groups of members in same town
 - Small towns have cheaper hotels
 - Every interim committee at least once
- Has a generational impact, maintain status of legislature among younger citizens
- See civil discourse in action
- Hosting regional legislators to be there
- Exposure to citizens who may not get to Helena
- Try live broadcast; other social media

Staff provided examples from EQC, Water Policy, and when the committees go out of Helena, how public likes to see members and interact. Legislators are more humble about their position and don't realize that it is valued when legislators go outside of Helena around the state. The members of committees like to go out and it is good for the image of legislators and committees. There was agreement that the most effective interim committee is not necessarily most effective in Helena. Committees should go out of Helena. It also makes a difference with legislators working together. The open forum concept doesn't work, but legislators like to have their meetings where they get to go out to the public. There was an idea that TVMT is great, but if there is a way to have things live and broadcast on different social media it would reach more people.

Communication with staff

- Staff reports - to expand on written reports, expand meeting
- Orientation, drill information to legislators that staff goes to training and have information for them
- Emphasis on teaching legislators on what is available
 - Legislators have to learn to take advantage of staff – let legislators know what staff has
- Provide a warehouse of past research information on the website (i.e. publication database)
- Provide bill information from past session
 - SB 294 is a step in right direction
- Staff copper book
 - Background, subject area, family person, home town
 - Pronunciation guide in Staff Guide
- Encourage relationships with staff outside of session (especially if not on interim committee)
- Let legislators know what other committees are researching
- Outreach by staff to legislators in their communities
 - menu of options for local meetings with staff
 - podcasts, feature stories in Interim Newsletter; interim email
- Use other social media such as YouTube channel

Provide advice to staff on communication

From a nonpartisan staff's perspective, we would like advice on how to get the communication going, how to be more innovative in presenting information, and where can we improve, format-wise. Legislators wanted staff to report their participation on NCSL conferences and teach legislators that staff is available.

Legislators want a warehouse of information that is online for legislators on the issues that have already been hashed out, by subject matter, based on questions that have already been asked. This would help legislators know if bill ideas that are brought up have already been proposed and could prevent a waste of time. (SB 294)

Legislators wanted a staff "copper book" with more personal information on staff. Staff let legislators know that they want legislators to stop in when they are in town just to touch base. Staff can always introduce them to other staff in other policy or budget areas as the legislators have questions. Legislators don't necessarily know that and don't want to bother staff.

Staff discussed researchers giving presentations outside of an interim committee's topic area at their meetings. There could be a menu of topics that staff are offering. There are other ways of presenting too, such as EQC staff tried podcasts of upcoming agenda and topics to provide information. In terms of types of presentation, there could be a video and a link to materials. It was mentioned that legislators appreciated the "featured story" at end of The Interim Newsletter and that could be highlighted in the email reminder at the beginning of each month.

OTHER TOPICS DISCUSSED

- Legislators would like a method to "request to speak in committees"
- More presiding officer training is needed on agenda, manual, concentrate on House-Senate, more experience, rules protocols

A legislator asked if there was a way to have a similar structure like the floor where there is a button to push if they want to speak. They wondered if the majority leader ever meets with chairs of the committees as they heard that certain committees were difficult. Meeting with the chairs may make them more consistent on how chairs operate on a day-to-day basis. It was suggested that we beef up training for chairs, including how to handle public comment, with more discussion and training on what to do and what not to do. Training for chair really starts in the House and it seems that the House has gotten more chaotic in last couple of sessions. Leadership role is to observe those things. Vice chairs provide a chain of command for members. If there is a rule violation, staff will bring that up. Some said a lot of it is partisan.

The agenda for the next day included discussing agenda items to flesh out pay, calendar, and other issues. There was a request to talk about integration of standing committees, the concept of having house and senate "like" committees meet once in a while during session as they usually know what the central issues are going to be. Get topics ahead of time and ask staff for some information and issues, if any. Use the first month of session in a constructive way. It should be built into the calendar in the first week or two and formalized. It was discussed whether they want to do that at the beginning of session or at transmittal. Another topic is the need to tighten up revenue bill descriptions. Legislators were interested in knowing how staff feels.

Session

First month

- Combined committees
- Senate and House Tax
- Senate Finance Committee and House Appropriations

Leadership and chairs

- Assign bills
- Topics – staff informative presentations
- House and Senate Education met jointly in 2017
- Earlier before most bills are out/later is hard for people to show up
- Right after transmittal (subject reports)

Rules

- Tighten up revenue bills (description/deadlines)
- Bill request limits/flexibility for leadership)

The session recessed at 4:19 p.m.

September 7, 2017
2nd day of strategic planning session

The major topic is agenda items for meetings and location.

Interim schedule:

December 13, 2017. Agenda items: email, Legislator Compensation, Handbook, training, caucus dates
(Nov 14-16)

March 15, 2018

May 23-24, 2018

August 2018 date: Conference call

September 19, 2018

Outreach

Sonja asked about timing of going to different communities. It was discussed how a delegation could schedule and staff agreed that they could deal with them as they get delegations who express interest. It was suggested to do a pilot in Great Falls. Staff could prepare a menu of what staff can offer. Staff wants to do a better job about understanding what legislators want to do. It would be helpful to get everyone together and talk about interim committees before they start. It was asked when it is best to get the information out to legislators about interim committees. It was also mentioned that the NCSL conferences are very valuable and legislators need to get information about those conferences, like what type of conferences there are and when they are held. Near end of session is when they really talk about interim committees. We could do a presentation in each committee in April and send a letter to all legislators about information on each committee in the next month. New legislators don't really know what to do with the interim so we need to explain what resources there are in different areas and that would help strengthen the institution.

As staff members, what would you like to see more or less of

One staffer asked that when legislators talk about state employees, legislators are not always aware that legislative staff are state employees and take the comments to heart. Also, when staff sends out surveys for legislator feedback, the feedback is important. One example is performance surveys of staff. Phone calls are more illuminating than paper surveys. Staff wants to hear from legislators on both good or bad and appreciates phone calls.

Staff likes it when legislators are in town and they come in and visit. Staff also needs to get out of their office and introduce themselves to legislators, however, legislators can go to their staffers and introduce themselves. If they have need for information, they can ask any of the staff who they can go to.

Many legislators just get to Helena, get the work done and leave. Visiting with staff is a good thing and would be helpful. Rep. Schreiner said that the comment: legislators are humble. Legislators should understand that they are important. Staff said that legislative employees are not there for a paycheck. Their work is their passion and it takes a special type of person to work for the legislature.

There was a discussion about having a hard and fast limit on bill draft requests or a threshold to get bill drafts in, deadlines, and number of bill drafts. There has been work in Rules Subcommittee about number of bills for leadership and how we are lucky to not have drawer vetoes.

It was agreed that there has to be some release for leadership to have a way for a bill, and having some generally revise bills is a good idea, which relates to the rule for number of bills each leadership has. There is a need for deadlines and a need to make them more open.

The group discussed the survey on staff. When checking 5, the legislator means that. Staff is extraordinary, drop everything and help them. Difficult to tell staff how to improve. Secondly, there is a need for outreach, a couple of instances last session legislators would ask, 'what do I do here?' Talk to staff, they have it all.

Review

Outreach was covered. Susan will work with managers on ideas and report later.

Communications with staff. Copper book for staff. Number of staff meetings.

LC Open Forum:

Legislator Ideas:

Email/Electronic Communication

Legislator Compensation

Combined committees

Rules: tighten up revenue bill definition

Interim committee travel

Meeting adjourned at 10:15 a.m.