ACCOUNTABILITY REPORT
OF THE LEGISLATIVE COUNCIL
OF THE SOUTH CAROLINA GENERAL ASSEMBLY
FISCAL YEAR 2011 - 2012

Accountability Report Transmittal Form

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SECTION I. EXECUTIVE SUMMARY

1. Organization's stated purpose, mission, vision, and values

(a) The Legislative Council's fourfold purpose and mission is to:

(1) provide research, reference, and bill drafting services to the General Assembly;

(2) codify the statutory laws of this State into various publications mandated by state law;

(3) establish and implement all procedures for carrying out the provisions of the Administrative Procedures Act relating to the General Assembly review of regulations and the publication of the State Register; and

(4) maintain a legislative library that distributes over one thousand annual supplements to the Code of Laws to various public sector subscribers, and preserves copies of the United States Code, Acts and Joint Resolutions, Senate and House Journals, and various other books, publications, and documents.

(b) The mission statement of the Legislative Council is: "To provide high quality bill drafting and legal services to the General Assembly and others on a timely basis in compliance with the highest ethical standards and to accurately publish enactments of the General Assembly in codified form for use by government, the courts, and general public."

(c) The values of the Legislative Council include:

(1) compliance with the highest ethical standards required by rule and by law and the performance of our duties with integrity and confidentiality;

(2) use of the highest degree of legal skill and professionalism combined with innovative ideas and solutions to members' requests and problems;

(3) respect for all employees in our office, and the members and staffs we serve, and respect for the institutions of which we are a part;

(4) performance of our work with pride where employees are justly rewarded for their efforts through material and nonmaterial means.

2. Major achievements from past year

Major achievements by the Legislative Council from the past year include:

(a) completion of major drafting assignments involving the State Retirement System, the creation of a Department of Administration, and other matters that were the basis of proposals debated during the 2012 session of the General Assembly;

(b) coordination and provision of documents requested for litigation pertaining to South Carolina Voter ID laws;

(c) completion of all work assignments for the 2012 session of the General Assembly after having to reduce staff due to state agency budget cuts;

(d) continuation of the project began nine years ago to annually replace two volumes of the South Carolina Code of Laws, 1976, with new volumes to reduce the lengthy cumulative supplements of those volumes, resulting in a reduction in the annual code supplement cost; and

(e) a substantial redirection of and training in areas of specialty for the professional staff of the Legislative Council to compensate for state budget cuts and personnel layoffs, such as giving staff members larger responsibilities to help meet bill drafting requirements and doubling up of some staff assignments to keep production output on schedule;

(f) engaging in joint efforts with other legislative entities serving the General Assembly in an effort to streamline procedures and maximize use of increasingly limited resources, including sharing scarce statehouse office space, providing additional assistance of Legislative Council staff attorneys to committees not staffed by a committee attorney; and

(g) conducting joint staff training with the staffs of the Senate and House of Representatives.

3. <u>Key strategic goals for the present and future years</u>

Key strategic goals of the Legislative Council for the present and future include:

(a) timely providing quality research and bill drafting services to the members of the General Assembly and its standing committees;

(b) timely compiling and causing to have published and distributed the public statutes of the State of South Carolina including the South Carolina Code of Laws, annual cumulative supplements to the Code, revised volumes of the Code, annual advance sheets of statutes, and the annual Acts and Joint Resolutions of the General Assembly; and

(c) timely and accurately receiving, printing, and distributing the regulations of state agencies required to be submitted to the General Assembly for its review under the Administrative Procedures Act and incorporating them in the State Register and the Code of State Regulations after they are adopted or take effect.

4. <u>Key strategic challenges</u>

The seven key strategic challenges for present and future years are:

(a) expanding the use of technology to offset personnel losses;

(b) ensuring complete accuracy in all print publications and legislative drafting;

(c) timely responding to all legislative requests;

(d) attaining higher visibility in the community, consistent with confidentiality rules;

(e) effectively coordinating work with other parties with whom we work, especially committee staffs;

(f) engaging in the comprehensive development of younger staff; and

(g) achieving sufficient funding for the mission of the agency.

5. <u>How the accountability report is used to improve organizational performance</u>

The accountability report is used to improve organizational performance in a number of ways. For example, it is distributed or made available to all employees whose input is solicited regarding all duties and functions of the agency. A number of worthwhile suggestions have resulted from this practice. Secondly, the accountability report and especially the strategic goals stated in it are compared by the senior leaders of the agency against actual performance to determine where the agency succeeded or did not in all cases meet stated expectations. Improvements or corrective action are then made. Lastly, through the use of the Baldridge Criteria, input from our customers and stakeholders has been solicited, most recently resulting in the decision to expand availability of The State Register by providing it online at no charge.

SECTION II. ORGANIZATIONAL PROFILE

1. Organization's main products and services and the primary methods by which these are delivered

Pursuant to statutory mandate, The Legislative Council provides:

(a) research, reference, library, and bill drafting services to the General Assembly and related public entities;

(b) codifies the statutory laws of this State into various publications mandated by state law and distributes these publications where required; and

(c) receives, prints, distributes, and publishes regulations of state agencies.

2. Key customers groups and their key requirements/expectations

The key customer groups and their key requirements and expectations include:

(a) members and staffs of the General Assembly and other agencies of state government in the executive and judicial branches requiring bill drafting services upon referral by members of the General Assembly; and

(b) state agencies seeking to promulgate regulations; and

(c) public sector and private sector recipients of the 1976 Code and State Register publications.

3. Key stakeholder groups

None other than customers referred to in item (2).

4. Key suppliers and partners

(a) Thomson West Publishing Company
(b) Xerox and Lanier Corporations
(c) State Budget and Control Board
(d) Legislative Printing, Information and Technology Systems (LPITS)

5. Operation locations

Suite 434 Dennis Building,
1000 Assembly Street
Columbia, South Carolina 29201
and
First and Second Floor, State House
Columbia, South Carolina 29201

6. Number of Employees

32 (all unclassified)

7. Regulatory environment

Not applicable

8. Performance improvement systems

Performance improvement systems of the Legislative Council include:

(a) continuously improvement of our bill drafting procedures to allocate more responsibility to support staff including law clerks, thereby maximizing the efficient use of staff attorneys who are increasing their legal workload to compensate for not having a full staff of attorneys;

(b) working with other legislative agencies to consolidate certain functions we do jointly with them;

(c) replacing volumes of the South Carolina Code of Regulations in a less costly and more user-friendly format; and

(d) conducting joint staff training and continuing education projects with the staffs of the Senate and House of Representatives.

9. Organizational Structure

See page 25

10. Appropriations/Expenditures Chart

See page 26

11. Major Program Area Chart

See page 27

SECTION III. ELEMENTS OF MALCOM BALDRIDGE AWARD CRITERIA

Category 1. Senior Leadership, Governance, and Social Responsibility:

The Leadership Category examines how your organization's senior leaders guide and sustain your organization. It also examines your organizations governance and how your organization addresses its ethical, legal, and community responsibilities.

1. How do senior leaders set, deploy, and ensure two-way communication throughout the organization and with customers and stakeholders, as appropriate for: a) short and long term organizational direction and organizational priorities, b) performance expectations, c) organizational values, and d) ethical behavior?

The direction of this agency is set by its five person governing board which consists of the Speaker of the House of Representatives, the Lieutenant Governor, the Secretary of State, and the Chairmen of the Senate and House Judiciary Committees. The Director of the Legislative Council executes the policies of the governing board in addition to supervising those functions required to be performed by state law. On a day-to-day basis during the legislative session, the agency rotates into its State House offices on weekly basis alternate teams headed by the director and chief counsel, respectively, the chief counseling being empowered to make all necessary decision as would the director. The agency also has adopted a number of different procedures to ensure the timeliness and accuracy of its legislative drafting work product. These procedures reinforce the understanding of each employee as it relates to his role in this process. Each employee is authorized and expected to take whatever actions may be necessary on his own to correct any problems identified. As a small agency, communication is done through e-mails following through on the direction set.

2. How do senior leaders establish and promote a focus on customers and other stakeholders?

Senior leaders meet weekly on Monday during the legislative session to establish goals and work requirements for that week taking into account the needs and requests of the General Assembly to date. These are then reduced to writing and communicated to each employee on that Monday by e-mail.

3. How does the organization address the current and potential impact on the public of its products, programs, services, facilities, and operations, including associated risks?

Under our mandate we work only for the General Assembly and do not directly serve the general public.

4. How do senior leaders maintain fiscal, legal, and regulatory accountability?

Fiscal accountability is maintained through weekly and monthly reviews of expenditures and receipts to ensure accuracy and compliance with existing appropriations. Also, strong internal fiscal controls have been put into place to ensure proper accountability. Legal responsibility is met both by following and implementing outside communications received from the Human Resources Division of the Budget and Control Board and from other entities such as the standing committees and the Attorney General. We also develop our own procedures as required. For example, we modified a number of internal documents to reflect the new at-will employment provisions. This office does not have regulatory responsibilities.

5. What performance measures do senior leaders regularly review to inform them on needed actions?

Weekly bill introductions, internal work assignments per attorney and the age of each assignment, and weekly act ratifications. In the Code codification area, the number of errata sheets necessary per year to correct acts or printing mistakes. We also monitor the number and length of acts forwarded to the print publisher of the code since the annual Code supplement cost is determined in part by the number of pages in the supplement.

6. How do senior leaders use organizational performance review findings and employee feedback to improve their own leadership effectiveness, the effectiveness of management throughout the organization including the head of the organization, and the governance board/policy making body? How do their personal actions reflect a commitment to the organizational values?

We get a lot of employee feedback and outside suggestions. Responses are given immediately and implemented where possible. These are then communicated throughout the agency. Hopefully senior leaders by their actions embody the organization’s values.

7. How do senior leaders promote and personally participate in succession planning and the development of future organizational leaders?

Succession planning is not a matter for this agency but is a prerogative of the governing body of the Legislative Council consisting of five elected public officials. Development of future organizational leaders is a function of the agency and this development is done by identifying those future leaders and providing them with training and responsibilities suitable for their present assignments which will benefit them in future assignments.

8. How do senior leaders create an environment for performance improvement and the accomplishment of strategic objectives?

Through employee communications and communications to our legislative leaders through procedures outlined above.

9. How do senior leaders create an environment for organizational and workforce learning?

Senior leaders communicate with, engage, and motivate our workforce in a number of ways. First, senior leaders lead by example. All senior leaders perform the same functions within their assigned areas as do other similarly situated employees. An example of this is senior leaders/attorneys perform daily and sessional bill drafting assignments as do other drafting attorneys. Secondly, through hands-on training and coordination sessions with all staff on a weekly basis during the annual sessions of the General Assembly and at other times when needed, an environment for workforce learning is achieved. Lastly, because of the joint participation in training and continuing education with the employees and staff of the Senate and House of Representatives, workforce learning with our employees and for other employees is achieved.

10. How do senior leaders engage, empower, and motivate the entire workforce throughout the organization? How do senior leaders take an active role in reward and recognition processes to reinforce high performance throughout the organization?

See answer to Question 9 above. In addition, senior leaders take an active role in reward and recognition processes to reinforce high performance.

11. How do senior leaders actively support and strengthen the communities in which your organization operates?

We are active in the community in a number of ways. By attendance of senior leaders at annual bar meetings, we have identified a desire on the part of a number of members of the bar for a new Code of Laws. Also, senior leaders participate in local and state meetings and conferences through service on panels, etc., where a lot of feedback is obtained. We have attorneys participating with joint committees of the House and Senate, and this assists in the development of new proposals. This is how we determine areas of emphasis.

Category 2. ***Strategic Planning***

The Strategic Planning Category examines how your organization develops strategic objectives and action plans. It also examines how your strategic objectives and action plans are deployed, changed if circumstances require, and how progress is measured.

1. What is your Strategic Planning process, including key participants, and how does it address:

(a) your organization's strengths, weaknesses, opportunities and threats?

Our strategic planning process is developed annually by the Director and key staff and is submitted annually to the Chairman of the Legislative Council for his review and approval. It accounts for customer needs and expectations through oral and written interaction with and visits to members of the General Assembly and the staffs of the standing committees of the General Assembly. It addresses strengths and weaknesses identified by them.

(b) financial, regulatory, societal and other potential risks?

Financial areas are monitored through close review of the monthly reports of the Board of Economic Advisors and what guidance is given to state agencies from the Budget Division of the State Budget and Control Board as well as other applicable entities. Societal concerns are monitored by the Director and senior leaders and communicated to staff. We have no regulatory responsibilities.

(c) shifts in technology and customer preferences?

The regulatory environment is not applicable to this agency and shifts in technology are the responsibility of the agency providing our computer and information technology needs; specifically LPITS.

(d) workforce capabilities and needs?

Human resource capabilities and needs are planned annually by the Director and key staff within the needs of the agency and within the appropriations made to the agency by the General Assembly.

(e) organizational continuity in emergencies?

As a staff support agency to the General Assembly our business continuity in emergencies is a part of the overall emergency planning done by the General Assembly which we follow.

(f) ability to execute the strategic plan?

Our strategic planning process affects the agency's ability to execute our strategic plan by allocating resources and management attention to the relevant data and information identified as important in the strategic plan.

2. How do your strategic objectives address the strategic challenges identified in your Executive Summary:

Our strategic objectives address our strategic challenges in a number of ways. First, we are constantly coordinating with Legislative Printing, Information and Technology Systems (LPITS) to coordinate and upgrade our technology capabilities. For example, in the fall our computer system software will be upgraded to another system to improve efficiency and capability. Accuracy in our drafting and publication work continues to be improved through constant contact with our print vendors and with colleagues in other states to identify best practices. Timely responses to drafting requests are maintained through constant modifications of our BRASS system, which is our database of all drafting requests. We keep high visibility in our areas of operation through the involvement or membership of various senior staff in organizations such as the Uniform Law Commission, the Deferred Compensation Commission, and the Constitutional Ballot Commission. Development of younger staff is ongoing but somewhat slowed by difficulties with the slowdown in state revenue collections; however, ongoing efforts to hire and train younger staff are being made.

3. How do you develop and track action plans that address your key strategic objectives and how do you allocate resources to ensure the accomplishment of your action plans?

We develop plans to address our strategic objectives by a tracking system where we know at any one time how many bill requests we have pending for members of the General Assembly and then on a weekly basis we reallocate drafting assignments to meet these requests. In our code codification responsibilities, we determine on an annual basis the code subscriptions we have and our cost of providing these subscriptions and adjust our inventory accordingly and our pricing to meet this demand within the funds we have available.

4. How do you communicate and deploy your strategic objectives, action plans, and related performance measures?

Our strategic objectives, action plans, and related performance measures are communicated within the agency to employees in a series of weekly and monthly meetings to review this progress and make necessary adjustments. Externally, the agency's strategic objectives and plans are available through the General Assembly's Internet homepage at www.scstatehouse.gov/council.php.

5. How do you measure progress on your action plans?

Progress is measured on the action plans by the number of days it takes to process bill requests and whether or not we have sufficient staff to meet these requests. If we do not have sufficient staff during a particular session or for a particular request (like creation of the Department of Administration), we attempt internally through reallocation of funds or externally through requesting additional appropriations to generate additional resources the next session to handle these problems.

6. How do you evaluate and improve your strategic planning process?

As stated in Question 5 above, our strategic planning process is evaluated and improved by senior management during and after the legislative session to meet the difficulties encountered during that session. In addition, the five members of the Legislative Council provide valuable input as to the process and procedures we need to follow to meet these challenges.

7. If the agency's strategic plan is available to the public through the agency's Internet homepage, please provide a website address for that plan.

The agency's strategic plans are not on the Internet but are shown here as follows:

<u>Strategic Objective (1)</u>

Provide qualify research, reference, and bill drafting services to the General Assembly.

<u>Action Plan</u>

(1) In November of each year, including those years in which a new General Assembly is elected in even-numbered years, prepare files for each member and solicit their bill drafting requests.

(2) Prepare and prefile if requested bill requests of members of the General Assembly until January.

(3) Begin annual legislative session on second Tuesday in January of each year.

(4) Perform research, reference, and bill drafting services for General Assembly until its sine die adjournment date which generally occurs in June of that year.

(5) After the end of the fiscal year on June 30, determine staffing and financial needs to accomplish this strategic objective for the next annual session.

(6) Submit beginning in August next budget and other requests and reports based on needs for the next annual session and fiscal year.

(7) Perform research and bill drafting requests as required during the legislative interim until the next prefiling period beginning November.

(8) Begin prefiling process again in November for the next session's bill requirements (the General Assembly at this point is a continuing body with no intervening elections if it is an odd-numbered year).

(9) Begin next legislative session the following January.

<u>Strategic Objective (2)</u>

Timely edit, publish, and distribute annual supplement to the Code of laws of South Carolina, 1976, and related publications.

<u>Action Plan</u>

(1) Annually negotiate and renew printing contract for code supplement with the third party publisher of the code supplement, Thomson-West Publishing Company, by December thirty-first of each year.

(2) Transmit to Thomson-West beginning in January of each year on an approximately monthly or bimonthly basis advance sheets (copies) of acts enacted by the General Assembly during that legislative session.

(3) The code supplement team of our office headed by the code codification editor coordinates with her counterpart editor at Thomson-West (also an attorney) to resolve all editorial conflicts in the acts of the General Assembly for that session by September of each year.

(4) Receive CD in December of each year from Thomson-West containing all acts since 1976 merged into one tape from which Legislative Printing, Information and Technology Systems (LPITS) prepares the computer database of the current version of

the Code of Laws for placement on the legislative website and for use by the legislative branch during the next session of the General Assembly.

(5) Receive and distribute annual code supplements to public sector recipients entitled to or requesting them from the agency librarian beginning in January of the following year.

(6) Billing by librarian of those public sector recipients receiving supplements of their cost of the supplements based on contractual charges to Thomson-West required to be paid.

(7) Deposit billing receipts in special restricted account which together with appropriated state general funds will be used to pay Thomson-West the required contractual price.

(8) Begin process again for the next year's acts and code supplement.

Strategic Objective (3)

Timely and accurately prepare the monthly edition of the State Register and monitor and submit regulations to the General Assembly as required by the Administrative Procedures Act.

Action Plan

(1) Publish the State Register on a monthly basis on the fourth Friday of each month.

(2) Changes in regulations, whether by adoption, amendment, repeal or an emergency action must be published in the State Register pursuant to the provisions of the Administrative Procedures Act. All documents published in the State Register are drafted by state agencies.

(3) Publishing the State Register includes compiling, editing and formatting the following documents:

(a) Notices are considered by the agency to have general public interest.

(b) Notices of drafting regulations allow the public an opportunity to comment on agency proposals during the initial drafting period before regulations are submitted as proposed. These regulations must include a statutory authority, notice of drafting, and synopsis.

(c) Proposed regulations are those regulations pending permanent adoption by an agency. These regulations must include a statutory authority, preamble, notice of public hearing and opportunity for public comment, preliminary fiscal impact statement, statement of need and reasonableness, statement of rationale, summary of preliminary assessment report (only if an assessment report was requested by two members of the General Assembly during the drafting comment period), and full text.

(d) Pending regulations submitted to the General Assembly are regulations adopted by the agency pending approval by the General Assembly. These regulations must include a statutory authority, synopsis, instructions, full text, fiscal impact statement, statement of rationale, and a final assessment summary report (only if an assessment report was requested by two members of the General Assembly during the drafting comment period).

(e) Final regulations are regulations adopted by the agency and approved by the General Assembly, or by the one hundred-twenty day automatic approval process. These regulations must include the same items as the pending regulations submitted to the General Assembly.

(f) Final regulations exempt from General Assembly review are adopted by the agency to comply with federal law and are exempt from legislative review. These regulations must include a statutory authority, synopsis, instructions, and full text.

(g) Emergency regulations are adopted on an emergency basis by the agency and effective upon filing for ninety days. They are renewable for an additional ninety days if the original filing begins and ends during the legislative interim. These regulations must include a statutory authority, emergency situation and full text. If the agency refiles a regulation for an additional ninety days, it must include a statutory authority, emergency situation, final assessment report summary (only if an assessment report was requested by two members of the General Assembly), full text, and a statement of need and reasonableness.

(h) Executive Orders are actions issued and taken by the Governor.

(4) After monthly publication, State Register file copies must be prepared for South Carolina Department of Archives and History and South Carolina Legislative Council.

(5) During the General Assembly's legislative session, the following actions must also be taken as required:

(a) Maintaining the pending list for regulations submitted to the general assembly and the committee list of regulations submitted to the General Assembly;

(b) Preparing joint resolutions to approve and disapprove a regulation.

(6) Lastly, preparing the billing for State Register subscriptions and maintaining and updating the subscription database is required to be performed as needed, generally on a quarterly basis.

Category 3. <u>Customer Focus</u>

The Customer Focus Category examines how your organization identifies its customers, their requirements and the continued relevance of these requirements. It also examines how your organization builds relationships with customers and determines the key factors that lead to their satisfaction.

1. How do you determine who your customers are and what their key requirements are?

Our customers are determined by the statutory provisions of law and our customers' key requirements are determined through daily and session interaction with them.

2. How do you keep your listening and learning methods current with changing customer/business needs and expectations?

Our listening and learning methods are kept current with changing customer and business needs through a monitoring of these needs through electronic, written correspondence, and face-to-face means. With respect to members of the General Assembly, this usually happens face-to-face.

3. What are your key customer access mechanisms, and how do these access mechanisms enable customers to seek information, conduct business, and make complaints?

Our customers are members of the General Assembly and their staffs and we are readily available to them in person at the State House, by phone, and also electronically. The provision of information to them and feedback and occasional complaints from them is not a problem because we get this feedback daily during the legislative session.

4. How do you measure customer/stakeholder satisfaction and dissatisfaction, and use this information to improve?

Customer/stakeholder satisfaction and dissatisfaction is measured through solicited comments and surveys and is gauged accordingly.

5. How do you use information and feedback from customers/stakeholders to keep services or programs relevant and provide for continuous improvement?

Information to customers and stakeholders to improve services or programs is incorporated into the agency's procedures, products, or services to provide the best possible legal products and services. We communicate almost weekly with the Thomson West representative for South Carolina to go over needs, requirements, and results.

Additionally, we receive a number of inquiries from the bench and bar and constituent groups regarding various questions about the provisions of South Carolina law. As a result of some of these inquiries, we developed and made available on the Internet the Code of Laws of South Carolina, 1976, for general public use. Finally, we interact daily with members of the General Assembly and their staffs, which helps us keep in touch with their needs.

6. How do you build positive relationships with customers and stakeholders to meet and exceed their expectations? Indicate any key distinctions between different customer groups.

Positive relationships with customers and stakeholders are built through daily and session interaction with them in the case of the General Assembly, and by written and electronic correspondence with public sector and private sector publication recipients. The agency has two state customer groups broadly grouped as the General Assembly and secondly public sector publication recipients.

Category 4. <u>Measurement, Analysis, and Knowledge Management</u>

The Measurement, Analysis, and Knowledge Management Category describes your organization's performance measurement system and how your organization selects, aggregates, analyzes, and reviews performance data and information, and

how it manages its information technology. It examines how your organization reviews and uses reviews to improve its performance. It also describes how the organization manages, transfers, and maintains the accumulated knowledge possessed by its workforce in the form of information, ideas, learning and understanding, memory, insights, work skills, and capabilities.

1. How do you decide which operations, processes and systems to measure for tracking financial and operational performance, including progress relative to strategic objectives and action plans?

As agency operations, processes, and systems are limited to providing legal and research services for the General Assembly and the dissemination of publications, all operations, processes, and systems are measured, and it is not necessary to decide which to measure.

2. How do you select, collect, align, and integrate data/information for analysis to provide effective support for decision and innovation throughout your organization?

Data/information analysis is used to provide effective support for decision-making primarily in the areas of business and finance management through comparative analysis with internal and external sources. Data is generally not relevant in bill drafting other than for staffing needs. We are the lawyers for the General Assembly along with others and not basically managers of data or programs.

3. What are your key measures, how do you review them, and how do you keep them current with organizational needs and direction?

Our key measures are:

- (a) number of bills drafted and introduced;
- (b) backlog of requests;
- (c) corrections required;
- (d) staff required to produce bills;
- (e) ratifications enacted
- (f) length of publications required containing laws enacted.

They are revised daily and at the end of the session to ensure timeliness.

4. How do you select and use key comparative data and information to support operational and strategic decision making and innovation?

Comparative data and information are selected and used essentially through the acquisition of comparative data and information from other sources in the agency's bill drafting operations (from what other states have done or model legislation) and then used to develop appropriate legislative proposals for South Carolina.

5. How do you ensure data integrity, reliability, timeliness, accuracy, security, and availability for decision making?

Data integrity, reliability, completeness, and availability for decision-making is ensured through development of trained personnel, review by supervisory personnel, and through checks against outside sources. Our computer system may only be accessed through special procedures and all our records and files are secured.

6. How do you translate organizational performance review findings into priorities for continuous improvement?

This is accomplished through after session or after project analysis to determine what worked and what did not.

7. How do you collect, transfer, and maintain organizational and workforce knowledge (knowledge assets)? How do you identify, share and implement best practices?

This is done through systems in place to preserve and commit to paper organizational knowledge of our staff. For example, we recently committed to paper a legislative process training and instructional manual which contains substantial institutional knowledge developed by this office over the years and which is used not only by us but by legislative leaders, committees, and the courts. We also do continuing education training sessions within and without the agency to improve employee knowledge.

Category 5. <u>Workforce Focus</u>

The Workforce Focus Category describes how your organization engages, manages and develops your workforce to utilize their full potential in alignment with your organization's mission, objectives, strategies, and action plans. It also examines your ability to assess workforce capability and capacity needs to build a workforce environment conducive to high performance.

1. How does management organize and measure work to enable employees to: (1) develop to their full potential, aligned with the organization's objectives, strategies, and action plans; and (2) promote cooperation, initiative, empowerment, teamwork, innovation, and your organizational culture?

This agency is a small agency that provides legal services and research to the General Assembly. Employees are encouraged and motivated through annual reviews and compensation increases based on individual performances and through formal and informal recognition for their performances. Drafting work is assigned by and monitored by senior leaders to ensure an even workload to be performed by employees knowledgeable in that area.

2. How do you achieve effective communication and knowledge/skill/best practice sharing across departments, jobs, and locations? Give examples.

We do not have departments because we're a very small agency but we do work both in the State House and the Dennis Building during the session. We're a small enough agency that when we need to communicate to the staff one email can be sent to all employees or a meeting will include all employees. Knowledge, skills, and best practices are shared this way.

3. How does management recruit, hire, place, and retain new employees? Describe any barriers that you may encounter.

We hire and recruit both through standard means (the state employment website, etc.) as well as word of mouth and recommendations from both within and without the agency. Retention is accomplished through training, recognition, and pay for performance. The greatest barrier we face is twofold. First, during the legislative session the workload is fast with a number of bill requests going on at the same time. An employee must be able to multitask intensely. Some employees can't or don't like to do this. Secondly, as legislative branch employees, all our employees are unclassified and we have tried to recruit several employees over the years who wanted the protection of being classified.

4. How do you assess your workforce capability and capacity needs, including skills, competencies, and staffing levels?

All employees when hired are assigned a mentor to whom they can go to on a daily basis with any problems. We also check on an employee's technical skills (the ability to operate our computers with our software) very thoroughly during the interview process. We require writing samples from all prospective attorneys. All employees are also told that their first year (session) is a probationary time after which we will evaluate their performance to see if it meets our standards.

Sometimes it does not and at that point they will be asked to make other arrangements. (We are all unclassified). We very seldom have the money to be at full staffing levels but we staff up with session and permanent employees as best we can.

5. How does your workforce performance management system, including feedback to and from individual members of the workforce, support high performance work and contribute to the achievement of your action plans?

We have one employee who functions as a combination business manager, account and payroll clerk, and human resource coordinator. Therefore, as a small agency, it is possible and encouraged for all individual employees to provide immediate feedback to this business manager or to the Director in order to support high performance.

6. How does your development and learning system for leaders address:

(a) development of personal leadership attributes?

We develop personal leadership attributes by putting employees in leadership positions on a trial basis to see how they perform. We also take advantage of leadership programs offered by the state to develop our leaders.

(b) development of organizational knowledge?

With a number of very senior people still employed by our agency, we are fortunate to have a lot of institutional and organizational knowledge on our staff. To preserve this, we have tried to reduce this information to paper through our training manual and in other ways like CLE programs to preserve and pass down this knowledge.

(c) ethical practices?

Our attorneys and other staff are subject to the rules of both houses and the laws of this State in regard to ethical conduct and our attorneys in addition must comply with the codes of professional conduct for lawyers required by the canons of ethics. We also reinforce this once a year with written instructions at a joint meeting regarding such things as sexual harassment. Our employees in this regard are top drawer.

(d) your core competencies, strategic challenges, and accomplishment of action plans?

Our core competency in one sentence is to be able to produce legislative drafting requests for members of the General Assembly that are acceptable to them and in addition which meets constitutional, statutory, and precedents and rules of the General Assembly. To do this requires a team of skilled lawyers and support staff and we constantly work to train, track, and fund this mission. Although the subjects of bills and their emphasis do change every year the process we follow from year to year is basically the same and we construct our action plans accordingly.

7. How do you identify and address key developmental training needs, including job skills training, performance excellence training, diversity training, management/leadership development, new employee orientation and safety training?

This agency has invested considerable resources, effort, and expense to develop a training and drafting manual developed by our training coordinator that is used by us and which has been requested by many outside agencies including standing committees of the General Assembly and members of the court system. A strong effort to achieve diversity has been undertaken in hiring and new employees are given a sponsor to whom they may go to with questions or problems. Lastly, safety training is accomplished through an annual review of safety inspections including procedures and routes required in the case of fire or other evacuation.

In addition, due to the expected retirement over the next two to four years of several senior level attorneys and other personnel, we have actively recruited and phased-in younger attorneys and other staff to train with them and take their place as their time with the state comes to a close.

8. How do you encourage on the job use of new knowledge and skills?

If an employee has new knowledge or skills we try to put them in a job position to use them. We also encourage all employees to share tips on better ideas about how to do something and we get many during each week of the legislative session. Collaboration is a real key for us.

9. How does employee training contribute to the achievement of your action plan?

Employee training contributes to the achievement of our action plan by bringing all employees information about the contents of the action plan and through training the tools to accomplish it. This employee training includes individual training to new employees each fall (this is when we bring in new employees) as well as continuing legal education training to our lawyers and other lawyers in the General Assembly at continuing education seminars we put on in the fall.

10. How do you evaluate the effectiveness of your workforce and leader training and development systems?

Evaluation of the effectiveness of our workforce and leader training is done by our senior leadership together with key members of the General Assembly including those on the Legislative Council.

11. How do you motivate your workforce to develop and utilize their full potential?

Our employees are motivated to develop their full potential through merit based compensation adjustments, nonmonetary recognition, and reviews done at least annually to identify the employees strengths in those areas which need improvement.

12. What formal and/or informal assessment methods and measures do you use to obtain information on workforce well-being, satisfaction, and motivation? How do you use other measures such as employee retention and grievances?

A number of formal and informal assessments and measures are used to ensure employee well-being, satisfaction, and motivation. These include a procedure for employee suggestions as well as a procedure for appropriate supervisors to brief all employees on key activities of the agency. For example, as a result of an employee's suggestion that a way be found to become more familiar with local government issues since we work primarily with state government, a plan was developed to bring local officials before the entire agency to share the requirements of their office. We have had various local government and state officials address our staff describing their duties and functions.

13. How do you manage effective career progression and effective succession planning for your entire workforce throughout the organization?

This agency again performs legislative drafting and legal work for the General Assembly and what is required to do this is a skilled group of lawyers and support staff. We really don't have any "managers" or "programs". However, the principles are the same and we try to identify and promote these employees to supervisory positions who have shown excellent talents and abilities and also reward them financially for accepting added responsibility.

14. How do you maintain a safe, secure, and healthy work environment? (Include your workplace preparedness for emergencies and disasters.)

We maintain a safe and healthy work environment through constant inspections and improvements to ensure employee safety in many areas. In regard to employee physical safety, mechanisms have been developed in consultation with House and Senate Security to ensure the safety of all employees and their property while working at any hour. A healthy work environment is ensured through similar procedures including the monitoring of radon levels in the State House in areas where employees are located in spaces with large granite blocks. Preparedness for emergencies and disasters is accomplished through such things as fire drills and emergency procedures to ensure employees are knowledgeable in these areas.

Category 6. Process Management

The Process Management Category examines how you organization determines its core competencies and work systems, and how it designs, manages, and improves its key processes for implementing those work systems to deliver customer value and achieve organizational success and sustainability.

1. How do you determine and what are your organization's core competencies, and how do they relate to your mission, competitive environment, and action plans?

We don't determine our core competencies; rather they are determined for us by the requirements of state law setting out what we must do. See also answer to Category 5, Question (6)(d).

2. How do you determine and what are your key work processes that produce, create or add value for your customers and your organization and how do they relate to your core competencies? How do you ensure these processes are used?

We have designed our bill drafting procedures to ensure timeliness and accuracy. First, an attorney takes the request and develops a draft. It is then checked by a supervising attorney and then edited for grammar and content. After a bill has gone through the General Assembly, the review process is again completed before ratification.

3. How do you incorporate organizational knowledge, new technology, cost controls, and other efficiency and effectiveness factors, such as cycle time, into process design and delivery?

Our mission does not generally change because it is set by statute and not by policy determinations of a decision-maker. With this said, some requirements of our mission may have modified by the General Assembly by law. For example, new requirements for impact statements were recently added to the process under which state agency regulations are approved. Using our institutional knowledge, we incorporated these changes into the drafting manual for regulations that we publish and disseminated this to our subscribers electronically so that it could be used by them most effectively.

We also from time to time are required to modify some policies or processes as a result of court decisions. These decisions are incorporated into our processes as required.

The technology of this agency is provided not by the agency but by a separate agency known as Legislative Printing and Information Technology Systems (LPITS). Therefore, the improvements to the technology delivery system of this agency are handled by LPITS.

4. How does your day-to-day operation of these processes ensure meeting key performance requirements?

The day-to-day operation of key production/delivery processes ensuring the meeting key performances requirements are essentially monitored through the bill introduction sheets of both the House and the Senate to ensure accuracy and correctness of all documents produced not only by this agency but by both the House and Senate as well. Indexing is done on a daily basis by our indexing department and provided to LPITS which prints the Legislative Digest as an aid to drafting legislation.

5. How do you systematically evaluate and improve your key product and service related work processes?

The products and services this agency produces are bill drafting services for the General Assembly and related matters and these are evaluated by internally and externally through peer review and by review of appropriate members of the General Assembly.

6. What are your key support processes, and how do you evaluate, improve and update these processes to achieve better performance?

Key support processes to achieve and ensure better performance are updated daily and periodically through such things as constant updating of House and Senate rosters and addresses, constant updating and modification of publication recipients, and close review of applicable court decisions.

We have several key support processes in our bill drafting procedures. We developed and use a computer tracking system for all our bills keyed to the names of individual members of the General Assembly so we can access this information immediately. Secondly, we maintain cross-indexed files to provide accurate references to all work products. Also, we have at least three different checks that a bill goes through in our system to ensure accuracy and correctness.

Key supplier interactions to improve performance are managed through constant verbal, electronic, and written contact through the personnel in this agency assigned such duties and the supplier involved in the performance of those duties.

Each fall after the General Assembly has adjourned, the print publisher of the 1976 Code transmits to us computer data known as grid sheets from which we with them make editorial decisions determining the content of the annual cumulative supplement to be distributed that December. This also helps ensure the accuracy and correctness of our publication.

7. How does your organization determine the resources needed to meet current and projected budget and financial obligations?

These needs are determined by the senior leadership annually (See Category 2(7); Strategic Objective Action Plan #1 Item (5)). Thereafter, these fiscal needs are communicated to our governing body members in the General Assembly and to the Governor and appropriate committees through the requisite procedures.

Category 7. <u>Results</u>

The Results Category examines your organization's performance and improvement in all key areas: product and service results, customer focused results, financial and market results, workforce-focused results, process effectiveness and leadership and

social responsibility results. Performance levels are examined relative to those of competitors and other organizations providing similar programs and services. Information is typically displayed by the use of performance measures.

Quantitative measures may be supplemented by a discussion of qualitative measures where appropriate; however, every effort should be made to use appropriate quantitative measures that can be charted to show trends and comparisons to benchmarks.

1. What are your performance levels and trends for your key measures of mission accomplishment/product and service performance that are important to your customers? How do your results compare to those of comparable organizations?

Performance levels and trends for customer satisfaction are difficult to quantitatively measure because of the nature of what we do and whom we serve (the General Assembly and not the general public). We receive many letters of thanks from General Assembly members each year and from time to time do get a complaint or concern which we handle immediately. Each year we go over our operations with our chairman, the director or senior leaders call on each committee chairman to go over future intentions and comments, and each of our attorneys calls on his/her counterparts at the various standing committees for coordination. Finally, we of course each year communicate with the members of the General Assembly to solicit their work and ideas for the upcoming session.

In our code codification work, we have written the public sector recipients of the code identifying their code publication needs and this has resulted in substantial savings in code supplement costs as evidenced by chart contained in 2(B)(2) of Category 7.

There are no comparable organizations in this State but we constantly compare our systems and procedures at summer meetings and by direct contact throughout the year to ensure we are using best practices.

2. What are your performance levels and trends for your key measures on customer satisfaction and dissatisfaction (a customer is defined as an actual or potential user of your organization's products or services)? How do your results compare to those of comparable organizations?

The performance levels, trends, and results for each mission as enumerated in Section I, Item (1) are as follows:

(A) <u>Research, Reference, and Bill Drafting</u>

(1) This office during fiscal year 2011-2012, including the 2012 Session of the General Assembly, produced several thousand documents, including bills, amendments, and resolutions, which resulted in approximately 1,336 bills and resolutions being introduced and 185 acts being ratified and enrolled during the 2012 session.

(2) The legislative research section during fiscal year 2011-2012 handled approximately 1,365 research requests. These requests came from members, their staffs, agencies with whom they were working, and constituents and were questions concerning

the laws of this State or what the General Assembly has done in the past on certain issues. These requests were responded to both verbally and in writing on a timely basis.

(3) The Index Supervisor in the research section also prepares an index of the bills and resolutions introduced during a particular session of the General Assembly. This index is updated daily during the session to reflect introductions of the previous day. This index is the basis for the Legislative Digest prepared by LPITS as well as all other indices reflecting the legislative actions of the General Assembly during a particular session. The index for the 2012 session of the General Assembly contained in the latest 2012 Legislative Digest consists of 949 pages.

(B) Code Codification

(1) Quantifiable performance measures of this mission include the timely meeting of all deadlines set by contract and by statute, high editorial quality of the compilation of the public statutes, and a low cost of accomplishing this objective. For example, beginning several years ago and continuing into the current fiscal year, the Council in conjunction with the print publisher of the 1976 Code began a process to provide replacement volumes for the largest volumes in the Code with a goal of reducing the cost of the annual cumulative supplements. As noted under the Legislative Library, this year over one thousand copies of the annual cumulative Code supplement are distributed to the public sector recipients.

(2) The following chart indicates the agency's expenses with regard to the preparation of the annual code supplement over the past five years. We have reduced these expenses substantially during this period.

Code Supplement Expense	
2012	$183,016
2011	$252,128
2010	$279,096
2009	$293,341
2008	$309,353

(C) *The State Register:*

(1) (a) The State Register was established in 1977 when the Administrative Procedures Act was enacted.

(b) The work of this office involves the establishment and implementation of procedures for carrying out the provisions of the Administrative Procedures Act relating to the publication and distribution of the *State Register*. Twelve issues and an annual index are published each fiscal year. The total number of pages published for FY 2011-2012 was 1056. Electronic on-line subscriptions are available free of charge beginning in September, 2012, having previously only been available free of charge to clerks of court, county libraries, state agencies, members of the General Assembly, and state libraries. The annual subscription fee for a hardcopy subscription is $100. There are

354 total subscribers to the *State Register*, of whom 97 are non-government subscribers and 257 are government subscribers.

(c) The work of this office also involves the establishment and implementation of procedures for carrying out the provisions of the Administrative Procedures Act relating to the submission of regulations to the General Assembly. The State Register editor prepares indices of approved regulations of the Acts and Joint Resolutions; edits the Standards Manual for Drafting and Filing Regulations, and maintains a database.

(d) The number of documents processed by the State Register during fiscal year 2011-2012 is:

Proposed regulations		87
Emergency regulations		8
General Assembly review		93
Approved	56	
Disapproved	4	
Withdrawn	7	
Pending	26	
Total		188

(e) In an effort to reduce the costs of paper, printing, and postage to the State, the State Register is no longer available to members of the General Assembly, officers, and employees of the State or state agencies, clerks of court, and county libraries in a hard copy printed format. These nonpaying subscribers are given on-line access via an access code to the State Register through the South Carolina Legislature Online website. In addition, paying subscribers are offered electronic subscriptions in addition to, or in lieu of, the printed format.

(2) The following chart indicates the number of state agency regulations filed and approved by the General Assembly over the past five years. Excluded from this are emergency regulations and regulations required for federal compliance which do not follow the normal approval process. The number of state agency regulations from year to year remains fairly constant.

	Regulations Introduced	**Regulations Ratified**
2012	87	56
2011	37	19
2010	44	39
2009	72	55
2008	77	57

(D) Legislative Library:

(1) The Legislative Library maintains a comprehensive legislative library for use by the General Assembly. In addition, the Acts and Joint Resolutions, the House and

Senate Journals, legislative digests, and other historic and legislative publications for each session of the General Assembly dating back to the early 1800's are maintained. The United States Code Annotated as well as other state and federal publications also are maintained.

(2) This year the Legislative Library distributed over one thousand copies of the annual cumulative supplement to the public sector recipients.

(3) There are no comparable organizations in this State but we constantly compare our systems and procedures at summer meetings and by direct contact throughout the year to ensure we are using best practices.

3. What are your performance levels for your key measures on financial performance, including measures of cost containment, as appropriate?

If the agency can perform its assigned missions within the funds the General Assembly provides each year in the general appropriations act, the financial performance of this agency in any year should be considered successful. This agency has been able to do this even with fewer personnel than five years ago. The general fund appropriation level for fiscal year 2012-2013 is $3,300,481, which is an improvement over prior years.

4. What are your performance levels and trends for the key measures of workforce engagement, workforce satisfaction, the development of your workforce, including leaders, workforce retention, workforce climate including workplace health, safety, and security?

Performance levels and trends for the key measures of workforce engagement, satisfaction, involvement and development are measured through increases in employee compensation and in employee retention. Employee compensation trends based on a review of the July 2003 compensation manual published by the Office of Human Resources of the State Budget and Control Board and the opinions of our employees indicate that they are comparably compensated with employees of other agencies.

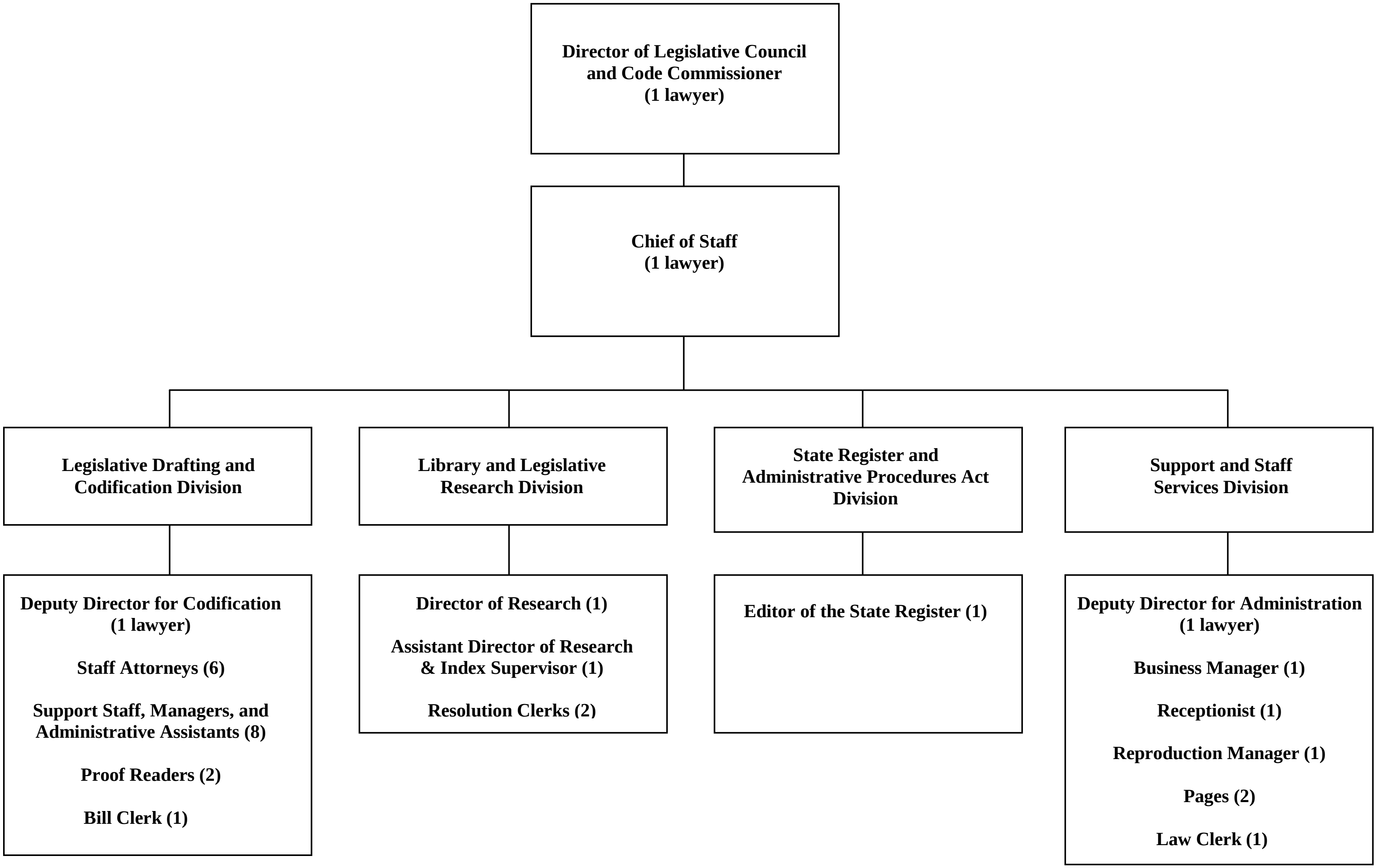
Employee retention is also good as evidenced by the fact that several retired employees have applied to continue to work for the agency after retirement. The recent fiscal downturn in state revenue collection has naturally concerned agency employees but with a process to involve them in all decision concerning employee matters has somewhat softened this concern. Workplace health, safety, and security are provided by the sergeant at arms and nurse's staff of the General Assembly.

5. What are your performance levels and trends for your key measures of organizational effectiveness/operational efficiency, and work system performance (these could include measures related to the following: product, service, and work system innovation rates and improvement results; improvements to cycle time; supplier and partner performance; and results related to emergency drills or exercises)?

See answers to questions in Categories 4(3), 6(6), and 7(1). However, regarding specific points of the question not otherwise covered we do have periodic fire drills where the response time has been decreased, our supplier performance in the area of copying requirements has been reduced to a period not exceeding twenty-four hours but our legislative and publication outputs each year remain fairly constant because the timeframes and services are set by the General Assembly or by law which we are expected to comply with.

6. What are your performance levels and trends for the key measures of regulatory/legal compliance and community support?

This agency has little regulatory or legal compliance issues. Community support is at a good performance level and is rising as previously explained in Category 5.



All positions in the above organization chart are unclassified, so no salary ranges apply because the salary for each position is shown as a line item in our section of the appropriations bill. The source of funding for each of these positions is from state appropriated funds.

Major Program Areas

Program Number and Title	Major Program Area Purpose (Brief)	FY 10-11 Budget Expenditures		FY 11-12 Budget Expenditures		Key Cross References for Financial Results*
1	Legislative Bill Drafting	**State:**	2,374,391.00	**State:**	2,486,416.00	Category 7(3)
		Federal:		**Federal:**		
		Other:		**Other:**		
		Total:	2,374,391.00	**Total:**	2,486,416.00	
		85% of Total Budget:		**87% of Total Budget:**		
		State:		**State:**		
		Federal:		**Federal:**		
		Other:		**Other:**		
		Total:		**Total:**		
		% of Total Budget:		**% of Total Budget:**		
		State:		**State:**		
		Federal:		**Federal:**		
		Other:		**Other:**		
		Total:		**Total:**		
		% of Total Budget:		**% of Total Budget:**		
		State:		**State:**		
		Federal:		**Federal:**		
		Other:		**Other:**		
		Total:		**Total:**		
		% of Total Budget:		**% of Total Budget:**		
		State:		**State:**		
		Federal:		**Federal:**		
		Other:		**Other:**		
		Total:		**Total:**		
		% of Total Budget:		**% of Total Budget:**		

Below: List any programs not included above and show the remainder of expenditures by source of funds.

	FY 10-11		FY 11-12	
Remainder of Expenditures:	**State:**	6,646.00	**State:**	72,000.00
Code Codification #2	**Federal:**		**Federal:**	
	Other:	245,482.00	**Other:**	183,015.00
	Total:	252,128.00	**Total:**	255,015.00
	9% of Total Budget:		**9% of Total Budget:**	

	FY 10-11		FY 11-12	
Remainder of Expenditures:	**State:**	93,677.00	**State:**	123,432.00
State Register #3	**Federal:**		**Federal:**	
	Other:		**Other:**	
	Total:	93,677.00	**Total:**	123,432.00
	4% of Total Budget:		**4% of Total Budget:**	

* Key Cross-References are a link to the Category 7 - Business Results. These References provide a Chart number that is included in the 7th section of this document.

Strategic Planning			
Program Number and Title	**Supported Agency Strategic Planning Goal/Objective**	**<u>Related FY 10-11 and beyond</u> Key Agency Action Plan/ Plan/Initiative(s) and Timeline for Accomplishing the Plan (s)**	**Key Cross References for Performance Measures**
1	Legislative Bill Drafting	Action Plan/Initiative(s) (a) employ resolution writers to prepare resolutions at less cost with less attorney time; (b) use technology improvement developed by agency and LPITS to speed up drafting process; (c) share duties of preparing conference and free conference reports with committee staffs; (d) conduct training during legislative interim across agency lines	Category 7(2)(A)
2	Code Codification	Action Plan/Initiative(s) (a) renegotiate code supplement printing contract with third party vendor to reduce cost; (b) delete sending code supplements to public sector recipients not desiring them; (c) designate one attorney as codification editor to supervise all editorial decisions with code supplement publisher	Category 7(2)(B)
3	*State Register*	. Action Plan/Initiative(s) (a) prepare new *State Register* manual and train agency representatives on requirements of new Administrative Procedures Act legislation; (b) distribute *State Register* by electronic means only to reduce costs	Category 7(2)(C)