

MARK FINCHEM FOR SPEAKER

House Leadership Plan

HOUSE LEADERSHIP 2021 Action, Action, Action

Major Priorities for the 55th Term of the Arizona House of Representatives

Regardless of who the Speaker of the House has been, the position has never been all things to all Members. A Speaker is asked to accommodate a wide range of Members asks, but there are many more tasks that, in my humble opinion, a Speaker must execute well. In this **Member Briefing** I want to share my view of the five fundamentals of stewardship of the Office of the Speaker of the House; they may differ from your expectations, but therein lies the opportunity for us all to close the gap between understandings and expectations. Our primary objective? **Hold the House.**

MARK
FINCHEM
— STATE REPRESENTATIVE —

PROSPECTUS

From decorum on the floor and the stature of the House as a co-equal center of authority and power, to protection of the interests of our constituents and due process for Members, the House has experienced a rough time over the 6-years that I have been here. As I enter my "senior" year, and recognize that my term limit is rapidly approaching, I reflect on whether we will leave this place better than I found it? Some of you have expressed feelings of neglect, disrespect, and marginalization. For current Members, if you don't feel you have been effective, and question why you are even here, shouldn't we change that? My plan is designed to meet three high level key objectives.

Action, Action, Action

Promote the institution of the House... The House has traditionally been a place for meaningful debate, but over the last 6-years it has become a center for everything from tasteless protesting and civil disobedience more appropriate for the plaza, to one of outright rancor and disorder. **Decorum and Respect** have sunken to their lowest point that I could ever imagine. While our opposition colleagues demand respect, they often times refuse to show it, but from time-to-time, we have been just as responsible. **Acquiescence** through a lack of healthy tension between to House and Executive's Office, has damaged the perception of effectiveness, which undermines our ability to execute effectively. Silence promotes the narrative of absence. Restoration of respect can only happen through adoption of a **Code of Ethics** and establishment of **Due Process**, actions that are long overdue.

Strategic Plan

High performing teams begin with Assessment of Strengths and Weaknesses (SWOT Analysis) and Skills

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Development Plan and Work Plan Discipline. In my humble opinion, far too little attention has been paid to developing Member's skills needed for debate, leadership, committee management, and effective communications. For Members who seek to achieve a position of caucus leadership:

- **SWOT Analysis** helps teams focus on assessments of Strengths, Weaknesses, Opportunities and Threats; the exercise is an action step for improvement from the individual level to the organizational level. We lose Members with institutional knowledge every election, but we gain members with different skills that are useful to the new body.
- **Skills Development Plans** build team capabilities and durable structure that promotes bench depth, which ultimately strengthens leadership from within the body. When we are done in 2 years, let us leave this pace better than when we arrived.
- **Work Plan Discipline** and not falling for shiny object distractions is incredibly important. "Plan your work, and work your plan," is an execution strategy with a proven track record of execution even in tough times. Separation of Power [SOP] is a major role of the House, we have fallen silent on our oversight role.
- **Opposition Response Planning** is something that we have some experience with. Hubris abounds when bills are introduced with the belief that they won't be heard. When they are, scrutiny reveals the motives and resulting shame. Think infanticide bill of 2019. Putting the learning of that experience to work in our messaging operations is key to winning on the battlefield of ideas with our constituents.

PRIORITY 1

Seize the narrative before the media does. Advance management of narrative requires change.

PRIORITY 2

Skills development from debate & messaging to leading committees. Every Leadership Team Member will lead skills development with their replacement(s).

PRIORITY 3

Restoration of proper role & meaningful oversight. The leadership team must be SOP tough.



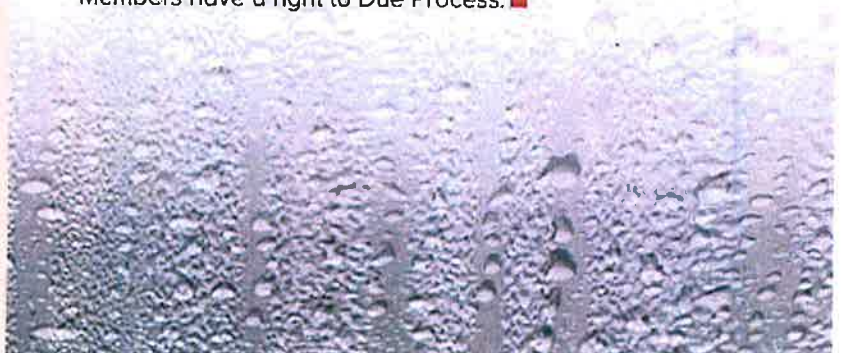
TRANSPARENCY

My Plan to improve transparency includes weekly 1-on-1 time with each member. Such interaction gives each member the space to speak freely. Whether the conversation turns to a call for help, or a safe space to give feedback on House operations, Members deserve the attention of their Speaker.

Daily updates on what to expect from committee action, to floor activity, efficiency generally begins with communication. Frustration over a lack of directional information is unacceptable. We should never be looking through glass darkly.

Budget conversations have not always had a sense of openness, and while public disclosure of a budget that is in negotiation with the Senate or the Governors Office, undercuts the leverage that our Body would otherwise have, trusting that Members will hold embargoed information confidential is the hallmark of professionalism.

Addressing internal affairs frankly and in closed caucus is one element of transparency that we must improve. Members have a right to Due Process. ■



DEVELOPMENT

Our body has lost many experienced, senior Members through term-limits and chamber shifting. Our bench depth of future leaders must be attended to by the Speaker. Working with the Leadership Team, my plan is to invest in skills development for every Member who wants to receive leadership training. Such training begins with and the application of them, Mason's most used sections, sitting Committee of the Whole Chair, wingman assignments for the Speaker Pro Tempore, and more.

I work from John Maxwell's "21 Irrefutable Laws of Leadership", two such laws are:

1. Law of E.F. Hutton: When the real leader speaks, people listen.
2. Law of Connection: Leaders touch a heart before they ask for a hand.

Building "bench depth" is critical to development of a highly performing organization. Who better to teach tomorrow's leaders than those who have "experiential knowledge" that will be lost when experienced members finally depart for good. Stewardship focused leaders implement this virtuous teaching cycle to build competency. ■



SERVICE

I've heard Members say often they have experienced a lack of responsiveness from House Staff. House staff will be expected to serve Members policy advice and research needs as a top priority.

By the time we go into session, our strategic goals should be set, and bills that support the **Majority Plan** should be past the planning queue, and on their way to execution. This means that the policy research bandwidth ought to be opened up for rapid response to necessary adjustments. The Majority Leader will own the Majority Plan.

Bills that support the Majority Plan are of course the highest priority, but that plan must originate from Member feedback.

Bills that lie outside of the elements of the Majority Plan are by their nature, lower priority and will be resourced accordingly. When the caucus finds that a low priority bill has merit to be elevated to higher priority, Members should have the resources they need to move these bills. I pray that when Members have the votes to discharge a bill, that we would come together to debate the merits and proceed as the caucus decides. Staff is in the House to serve Members, not to be served and not to interfere with the work of Members to bring their ideas, motions and bill to the floor.

A revision of protocols may be in order to help with facilitating a service oriented policy research culture. ■

COMMUNICATIONS

Our body has struggled with communications both internally and externally for the three-terms that I have been in office, so clearly this is not an easily solved challenge. But, I believe there is a logical division of work that we can all benefit from. We have two needs, one internal and one external.

Internal communications ought to include a daily briefing during sessions that cover what events occurred overnight that will affect the day before us. This is a 21-year habit from my time as a law enforcement officer, and I have first hand experience that it is an effective means of putting out information that is relevant, timely and actionable. The three components that are generally contained in every such briefing include what happened in the news-cycle that may present an opportunity to promote our agenda (the event), what steps are a logical response (the mission) and who is best equipped to take the lead for our response (the resource).

Highly performing organizations have messaging teams with specialized scopes of responsibility. We have solid messaging performers who are Members in our body, let's leverage their skills. For example, one team might become especially conversant on the Second Amendment, another on Civil Asset Forfeiture. We do some of this naturally, but we should become even more powerful with our message delivery.

External communications is a natural outlet for the work we do on the floor. Members, especially incoming freshmen, must remember, we do not owe the media an answer to any question. Owning your message is a developed trade-craft, it is truly a coached skill.

Use of mime's is an emerging means of harnessing rhetoric and sarcasm with a purpose. The regular use of mime's to build brand identity and establish solid differentiation will serve us well. I propose a new leadership position, Majority Messenger to deliver our message, not leaving it to an adversarial media. We have the capability to produce and broadcast our own "news" programing, so let us seize the opportunity to deliver our message, and not leave it to the media. ■

AND JUST LIKE THAT...



RESTORATION

Decorum on the floor, as mentioned previously, has reached an all-time low. Recommendations on how to manage Members who insist on engaging in inappropriate activities on the floor is welcome. Working with opposition leadership and our messaging team, there will be consequences for bad actors.

The House is a co-equal chamber to the Senate, and together with the Senate, the Legislature is a co-equal branch of government. Please forgive a restating of the obvious, but a regular reminder that we [The House] are a body that possess power and authority to act on more than legislative matters. We possess the power, authority, and responsibility as a check against unrestrained power, authority and responsibility of the Executive. Recent events [CCP Virus and Curfew] have highlighted just how far we have drifted away from maintaining a healthy tension between the House and elected branches of government. Our constituents have demanded action to limit the actions of the Governor, and through the process of advice and consent, we have a tool to do that. I am less worried about the lame-duck governor we have, and very concerned about one that might turn out to be more like the governor Michigan has today.

Constitutional response to long-term executive orders is a matter long overdue, but never more pressing than in today's environment. Executive orders that continually move the "goal posts" that define success, such as "flattening the curve" ought to be the subject of close scrutiny of the Members of the Legislature. Emergency response to the unknown is one thing, but an on-going, never-ending movement of the definitions of need and success is unacceptable in a civil society.

Negotiation from strength In such things as budget priority management is a journey that was begun in the 54th Legislature. For too long, the House accepted "the Governor's budget." Over the last two years the House has begun to reassert its power and authority over appropriations and the budget process. I plan to continue the move back to control of the appropriations process. While limiting the size and scope of government, we can still provide necessary services to our constituents. Agency heads do not set policy, but they are important stakeholders to policy formulation. An understanding of their proper role is the next area of opportunity for House policy control.

My objective is to have a House Budget

proposal ready for release by Dec. 15, 2020.

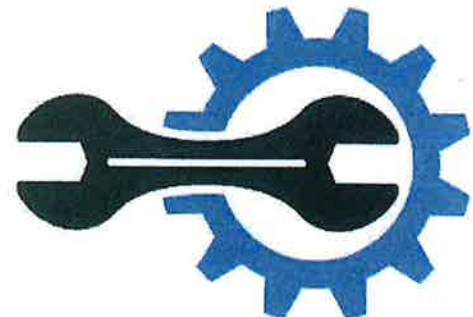
Protect the interests of the Members who travel to the Capitol from both near and far is important. I will advocate for an **alteration of per diem**, and will provide an **opt-out mechanism** for those who wish to decline the adjustment. Whether by statute or rule, members will no longer be relegated to living conditions that threaten their ability to attend regular session and needful meetings when out of session.

Establishing Clear Due Process is an urgent matter. As the 9th Circuit has recently pointed out that we must provide meaningful, timely and effective due process for members accused of wrongful deeds.

Office and Meeting Space Expansion into the area that has recently been used by the House membership for closed caucus meetings is a viable solution to cramped space in the House proper. Recommendations from Members on how to occupy that space and its best use will commence as soon as possible.

Moderate opposition outreach is a notion that I have entertained, a strategic move to bring more moderate opposition members even closer to the middle. When the State Democratic Party seeks to dictate how members will vote "or else," it is time to stand up and challenge those who are not elected. Threats to members and use of hostile quid pro quo will be addressed. Use of subcommittee vice-chair assignments is an option.

Access to leadership will become a focus on the Office of the Speaker if you elect me. As I have mentioned, I see the leadership role focused on the development strategy for future leaders, and operations of the House. Preparing individuals who seek to lead in future legislatures is incredibly important. ■



LEGISLATIVE PRIORITIES CAUCUS DRIVEN AGENDA

Property rights protection across the nation there is a growing trend toward a more powerful Hamiltonian government, namely a national government that controls all land possession and use.

The Army Corps of Engineers for example has become the defect regulators of land use based on political labeling of "wetlands" and "waters of the united states" essentially controlling land use regardless of possessor rights.

Federalism is on the decline and I propose a renewed emphasis on attaining the equal footing, and equal sovereignty for Arizona that other states enjoy. Arizonan's do not have the same access to property tax revenue that other states do and that is a direct impact on education, infrastructure and public safety, the core responsibilities of State and Local government. The "thing" that makes us a partner in the Federal System is land, and while much of Arizona's land mass has been signed over to native American tribes, there is still much area that we are entitled to receive the benefits from, just another states. Asserting Legislative authority under Article I, Sec. 8, Cls. 17 of the U.S. Constitution is an imperative to end the erosion of property tax base.

PILT Funding has grown into a massive problem in western states. Originally Payment In Lieu of Taxes was a promise by Congress to pay lost property tax revenue to States arising from a change in the Federal land management plan FLPMA. Arizona has been underpaid by hundreds of millions by the Federal government. It is time to assert our right to property calculated PILT payment or the release of lands to the State in

exchange. To accomplish equitable funding, we must obtain factual analysis just as Utah has done, which in their case revealed a 10X+ under payment annually.

Improved revenue generation through new revenue streams that may result in additional personal income tax reductions while maintaining essential State services and refilling of the Emergency Contingency Fund (ECF) (aka rainy day fund).

Education choice and accountability from civic instruction and a classroom code of ethics, to district consolidation and backpack funding, the event of 2020 have taught us one thing for sure, our education system must adapt and become more friendly to innovation. The Espinoza v. Montana Dept. of Revenue has eliminated the barrier of education that the Blain Amendment carried with it.

Criminal justice reform has been a passion for many members, and there is still much work to do.

Public safety infrastructure and personnel enhancements have been a subject for review for as long as I have benign the legislature. From rapid DNA testing, radio system replacement and interoperability enhancement to adequate staffing, we have the opportunity to introduce efficiencies into our public safety operations. ■

Property Rights Should Drive and Constrain State Conservation of Wetlands/Small Streams

If State Legislation is Necessary to Regulate Features Not Currently Regulated by the Army, Follow These Four Principles

- Be Clear about Purpose: Functionality, Conservation, or Stopping Development
 - **Recommendation One:** DO NOT legislate to stop development
- Be Clear About Scale and Public Benefits.
 - **Recommendation Two:** DO NOT regulate everything, only the important things
- Be Clear About Public Benefits and Private Burdens
 - **Recommendation Three:** Compensate for What is Conserved
 - **Recommendation Four:** Use Judicial Process, Not Agency Regulation
- Be Clear that Existing Private Remedies Can Take Care of the Rest

PHILOSOPHICAL POSITION: DEVOLVE POWER TO MEMBERS

The information from OpenBooks for the House contains more than 5,300 separate expenditure listings, so it's detailed, but we [JLBC] can't vouch for how it matches up with the House's own budget system. The reported \$14.8 million in actual FY 2019 expenditures is allocated as follows:

EXPENDITURE CATEGORY	FY 2019 TOTAL
Personal Services	\$8,787,900
Employee Related Expenditures (benefits)	4,171,300
Professional and Outside Services	422,100
Travel In-State	704,100
Travel Out-of-State	56,700
Other Operation Expenditures	558,800
Equipment	72,500
Total	\$14,773,400

Chairman Management Account: \$250,000
 (+ 10% Members outside of a 60-mile radius from the capitol)

Incumbent Management Account: \$180,000
 (+ 10% Members outside of a 60-mile radius from the capitol)

Freshman Management Account: \$150,000
 (+ 10% Members outside of a 60-mile radius from the capitol)

Under this plan Members would be responsible for filling their expense record each week, by 5:00 p.m. on the following Monday, every week (both in session and out). Safeguards against nepotism and self-dealing would have to be a significant component of such a plan.

Empowering Members to run their own office, hire their own assistants and policy advisors, and manage their own travel will not be an easy move. It will require greater hands-on skills, and presents more risk for scrutiny of Member actions. With that said, I believe in the end, it will put more control in the hands of Members and result in greater accountability to constituents.

House operations will require sufficient funds for utilities, the Office of the House Clerk, the Office of the Rules Attorney, House Security and Grounds Maintenance.

Member Centric Management Plan

This plan is built upon a \$14,142,100 2020/21 Session Budget. It is fashioned on the Texas Legislative Member Office Management Plan. Each Member will have an account that includes funds for administrative assistant pay & benefits, mileage, in-session lodging, meals, and statutory member compensation. The fact is an evenly distributed budget among members is roughly \$239,696. Members might have the option of using an assigned Administrative Assistant through the existing employment program. The big question for Membership is how to equitably distribute the budget, and with what restraints?

Notes

Priority 1 Our singular Constitutional duty is to pass a budget, the rest is not unimportant, but preparing a responsible budget is the key to all other bills. Therefore, I ask that Members prepare their budget requests by December 1, 2020 and submit them to the Appropriations Chair. I will solicit the Democrat Budget at the same time, and on the same timeline. Setting an expectation like this eliminates the opportunity to make a claim that, "our budget wasn't considered." It also gives us an anchor-point to hold the opposition to.

Priority 2 is skills development. I will ask the Speaker Pro Tempore to have an individual sitting second chair as often as possible. While in Committee of the Whole, I will ask that, in the first session, a Sophomore sit second chair, and in the second session a freshman sit second chair on every instance. I will also ask that every Member cycle through leadership meetings when possible for input and exposure.

Priority 3 is a daily briefing on what occurred in the previous 24 hour news cycle, what the mission of the day is, what resources will be decked against the plan, and who will take lead on the plan(s). Getting ahead of the message that media seeks to promote, then delivering on our commitments for the day will drive confidence.