

Significant Changes to the League's Legislative Policy Development Process

August 27, 2018

Scott Houston

TML General Counsel and Deputy Director for Policy Development

The primary function of the Texas Municipal League is lobbying on behalf of its member cities. That's the way it has been since the League's formation in 1913 because many significant decisions affecting Texas cities are made by the Texas Legislature, not by municipal officials. Now, just as they did over a century ago, newly elected mayors and councilmembers quickly realize the legislature can address virtually any aspect of city government.

This fact is vividly demonstrated during each legislative session. For example, during the 2017 session, more than 6,500 bills or significant resolutions were introduced; more than 2,000 of them would have affected Texas cities in some substantial way. In the end, over 1,200 bills or resolutions passed and were signed into law; almost 300 of them impacted cities in some way.

The number of city related bills as a percentage of total bills filed rises every year. Twenty years ago, around 17 percent of bills filed affected cities in some way. By 2017, that percentage had almost doubled to 30 percent. In other words, almost a third of the legislature's work is directed at cities, and much of that work aims to limit municipal authority.

League staff lobbies against those efforts (and also seeks to pass beneficial legislation) based on a "legislative program" that is developed by member city officials. The program is essential to the legitimacy of the League's advocacy efforts. To develop the program, city officials provide input in primarily two ways.

First, member city officials can participate in a policy committee process during each interim. The report of an interim committee takes the form of a resolution that is submitted to the annual conference in interim years. For the past three decades, the interim committee process has been the same: it was based on the recommendations of a handful of topic-specific committees (e.g., Revenue and Finance, Regulation of Development, etc.). The goal of the committee process is two-fold: (1) it allows input on the legislative program from a broad cross section of cities and city officials; and (2) it educates new city officials to the legislative issues faced by cities.

In 2018, the committee process was slightly different than in years past. In lieu of multiple committees, recommendations came from the participants in the League's "Municipal Policy Summit." As with past years' committee members, the summit participants were appointed by the TML President based on volunteers and others chosen to balance the demographics of the TML membership at large. The Summit continues to achieve the "input and education" goals mentioned above.

The Summit was an intensive, two-day workshop during which League staff briefed the participants on the myriad legislative issues faced by cities. Most were issues that arise each session, but several consisted of solicited or unsolicited issues brought to us by city officials.

After each subject-matter briefing, the participants made concise recommendations on the issues. Those recommendations are placed into resolution form and submitted to the Resolutions Committee, discussed next.

Second, a member city, TML region, or TML affiliate may submit a resolution for consideration at the League's annual conference. At the 2018 annual conference, the "resolutions committee" will consider submissions and make recommendations for the entire membership to consider at the annual business meeting. Detailed information relating to resolution submittal is provided to each member city, TML affiliate organization, and TML region well in advance of the due date.

For 2019, the resolutions committee will be eliminated in favor of a more streamlined process wherein resolutions go directly to the entire membership at the annual business meeting. The implementation of this change will require a transition year in 2018. In 2018, the Resolutions Committee and Business Meetings will take place in one room, as subsequent meetings.

In addition, they will form the basis of a "fixed" legislative program, under which – each session – modifications to the program will only be considered at a future Summit, business meeting, or TML board meeting. Even if no changes are made, which is an unlikely prospect, staff will fulfill the educational goal through continued briefing on all of the issues.

The somewhat complex policy development process is necessary to ensure that the League advocates as directed by its members. The League is nothing without the involvement and expertise of its members, and participation in the process is an invaluable part of protecting municipal authority.

Have questions or comments? Contact Scott Houston or JJ Rocha, TML Legislative Liaison, at 512-231-7400.

Guiding Principles

The TML approach to the 2019 session will undoubtedly be guided by principles that spring from a deeply rooted TML legislative philosophy:

- The League will vigorously oppose any legislation that would erode the authority of Texas city officials to govern municipal affairs.
- Cities represent the level of government closest to the people. They bear primary responsibility for the provision of capital infrastructure and for ensuring our citizens' health and safety. Thus, cities must be assured of a predictable and sufficient level of revenue and must resist efforts to diminish that revenue.
- The League will oppose the imposition of any state mandates that do not provide for a commensurate level of compensation, and resist any attempts to require cities to raise money for the state (reverse intergovernmental aid).

Schedule

The League's 2017-2018 legislative policy development schedule is roughly as follows:

October 2017 – the 2017 TML Resolutions Committee met to consider resolutions. The recommendations of the Resolutions Committee went forward for consideration by the TML membership at the 2017 Annual Conference at the annual business meeting.

April 2018 – the chair, vice-chairs, board representative, and participants of the League's Municipal Policy Summit were appointed by the TML President.

June 2018 – Municipal Policy Summit materials were distributed to the membership.

August 2018 – the Municipal Policy Summit, a two-day policy briefing at which the members made recommendations for the League's 2019-2020 legislative program, met.

October 2018 – the report of the Municipal Policy Summit, along with any other resolutions, will go forward to the 2018 TML Resolutions Committee for consideration. The recommendations of the Resolutions Committee will then go forward for consideration by the TML membership at the 2018 Annual Conference at the annual business meeting, which will be held immediately subsequent to the Resolutions Committee.

December 2018 – the TML Board will finalize the League's 2019-2020 legislative program based on resolutions passed in both 2017 and 2018.