



CITY OF KEENE

R-98-6

In the Year of Our Lord One Thousand Nine Hundred and Ninety-eight

A RESOLUTION A Resolution Relating to The Legislative Process.

Resolved by the City Council of the City of Keene, as follows:

WHEREAS: Legislation adopted by the General Court of the State of New Hampshire can impact the administration of City Departments and could significantly affect City revenues and expenditures; and

WHEREAS: The City of Keene's effectiveness in influencing legislative initiatives is dependent upon identifying which issues are important, identifying procedures to communicate accurate and timely information and creating opportunities to share perspectives; and

WHEREAS: The City of Keene has long viewed the New Hampshire Municipal Association as the single, most important resource to learn about legislative initiatives and to represent the City's interests in Concord; and

WHEREAS: There is growing awareness that the City of Keene's administrative staff and legislative body should be taking an even more active role in the legislative process; and

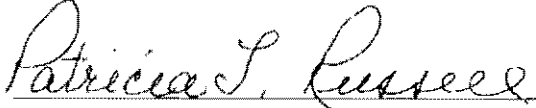
WHEREAS: The City administration is in its second year in coordinating a program that utilizes technology in identifying legislative initiatives while encouraging staff involvement at legislative hearings; and

WHEREAS: There is also a role for the Keene City Council in affecting legislation for the benefit of the City.

NOW THEREFORE BE IT RESOLVED that participation in the New Hampshire Municipal Association's legislative policy committees will be encouraged for City Councilors and City staff; and that those initiatives which are adopted by NHMA will be submitted to the Keene City Council for their endorsement

BE IT FURTHER RESOLVED that the City Manager, with the assistance of the City staff, will identify any other legislative initiatives that have not been incorporated into the NHMA legislative policies and will communicate those initiatives to the respective Standing Committee of the Keene City Council for official endorsement.

BE IT FURTHER RESOLVED that the Mayor will be encouraged to host periodic meetings of the Keene City Council and the Legislative Delegation to discuss and advance the City's positions on important legislative issues.

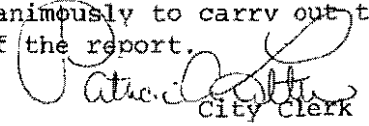

Patricia T. Russell, Mayor

City of Keene
New Hampshire

3A5

16 December 1997

In City Council December 18, 1997.
Voted unanimously to carry out the
intent of the report.

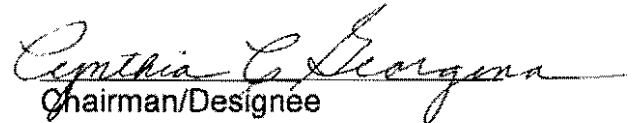

City Clerk

TO: Mayor and Council

FROM: Finance & Organization Committee

RE: REPORT – CITY CLERK – LEGISLATIVE MONITORING – 1997
SESSION

On a vote of 5 – 0, the Committee accepted the report as informational and recommended that the Committee Chairs meet with the Mayor and City Clerk to identify the role and expectations of the City Council in the legislative process.


Chairman/Designee

Background Notes:

The City Clerk addressed the Committee and reviewed the memorandum relative to legislative monitoring for the 1997 session. She explained that the report contains an overview of the specific legislation of interest to City officials for the 1997 legislative session as well as an appraisal of the effectiveness of this first year of the legislative monitoring program. She explained that the community effectiveness in the legislative arena was a result of knowing what resources to use, identifying what issues were important, identifying procedures to communicate accurate and timely information, and creating opportunities to share different perspectives. She explained that Richard Clough & Associates assisted the City last year in a program of this type. She explained that his services began in February 1997 and from that point to the end of the legislative session, nearly 300 electronic messages were sent to specific department heads who had expressed interest in particular pieces of legislation. She explained that to maintain a master list of all the legislative items, each of those electronic communications were also sent to the City Clerk's attention. She reviewed with the Committee the specific tables of information indicating the frequency in House Bills which are monitored by City staff. The City Clerk explained that the Manager's Ad-Hoc Legislative Committee was assembled in January of 1997 to review and develop guidelines for legislative monitoring.

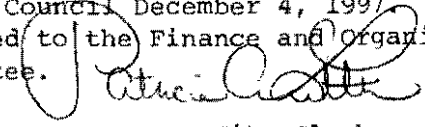
She reviewed with the Committee the specific recommendations and solutions that have been developed by the Ad-Hoc Committee. She also identified the fact that administrative rules many times are also an important component for communities to understand and track and have had a greater importance in recent years. She further explained that again this year the City will be using the services of Richard Clough & Associates to assist the City in monitoring legislative issues. She said that last year there was some concern on the part of NHMA that initiative undertaken last year by Keene would result in the City taking a direction to move away from the services provided by the NHMA. She pointed out that certainly was not the intent of the program. She pointed out the fact that NHMA does not completely monitor legislative issues that affect the City. For example, legislation affecting the Youth Services Department is not monitored by NHMA. She said that again this year Richard Clough & Associates will assist the City in monitoring legislative issues to include the monitoring of proposed State agency rules and regulations, which is not a service provided by NHMA. She said that other improvements were suggested as well to include a way to provide greater involvement of the City Council in the process which would allow the standing committees the opportunity to formulate positions on legislative initiatives and to communicate those positions to our legislative delegation. She explained that to insure that Keene has a comprehensive understanding of legislative changes, it is important to view the City's legislative monitoring program as a complement to the significant efforts of the NHMA. In conclusion, she explained that the legislative monitoring program has met the objectives outlined by the Ad-Hoc Legislative Committee.

She explained that she would ask the Committee to charge themselves to have the Committee chairs of each of the standing committees play a greater role in identifying and developing specific positions on legislative issues. The Mayor addressed the Committee stating that former Senator, Mary Nelson, has offered her services as a lobbyist to the City of Keene. She said that she would forward this information to the Councilors. The Mayor went on to explain how important it is that the City knows what is going on in Concord and the need for the City to stay in touch with the current legislative issues. She explained that this year there are 800 new bills and in January, hopefully, we will have contact with the people and bills that affect Keene – especially financial related issues. The Mayor explained that she would like to recognize Patty Little and her efforts for this legislative monitoring process last year and commended her for her work on the program.

City of Keene
New Hampshire

3B2

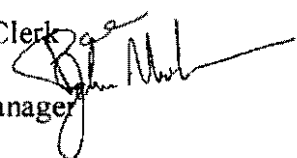
In City Council December 4, 1997
Referred to the Finance and Organization
Committee.



City Clerk

October 26, 1997

TO: The Honorable Mayor and City Council
FROM: Patricia A. Little, City Clerk
THROUGH: John MacLean, City Manager
SUBJECT: Legislative Monitoring - 1997 Session - INFORMATIONAL



At the Manager's request, this report contains an overview of specific legislation of interest to City Department Heads for the 1997 legislative season, as well as an appraisal of the effectiveness of the 1st year of the legislative monitoring program. The report also contains the observations from Department Heads on what worked well and where additional emphasis needs to be placed to further increase the effectiveness of the program.

To facilitate this review, the final report of the Manager's ad hoc Legislative Committee, appointed in the January of 1997, was used as a benchmark. That Committee's overall conclusion was that any communities effectiveness in the legislative arena was a result of knowing what resources to use, identifying what issues were important, establishing procedures to communicate accurate and timely information and creating opportunities to share perspectives. The implementation of each of the Committee's recommendations has been critiqued in this report.

The legislative monitoring program, with the assistance of Richard Clough and Associates, began in February of 1997. From that point until the end of the legislative session, nearly 300 electronic messages were sent to specific Department Heads who had expressed interest in a particular piece of legislation. To maintain the master listing of all legislative items, each of those nearly 300 electronic messages was also sent to my attention, as the City's legislative liaison. The following listing identifies the number of electronic messages sent to Department Heads and Supervisory Administrative Unit #29:

Youth Services Director	8	Finance Director	20
Public Works Director	22	Airport Director	5
IMS Director	15	Health Director	18
Code Enforcement	28	Tax Collector	3
Human Resources Director	6	Human Services Director	23
Planning Director	11	City Assessor	28
City Clerk	69	SAU #29 Business Manager	15
City Manager	12		

Specific Legislative Initiatives

City Department Heads influenced the following House and Senate bills either through personal or written testimony at Committee hearings:

HB 178	Limiting Property Tax Increases
HB 187	Ground Water Monitoring
HB 201	Property Tax Abatement Refunds
HB 255	Dental Care for Low Income
HB 351	Tax Deferral Limitation
HB 351	Limited Amount of Deferred Taxes
HB 405	Septage Design Standards
HB 505	Smoking in Public Places
HB 543	Valuation of Aeronautical Facilities
HB 563	Property tax on Telecommunication Easements
HB 566	Taxation of Utility Property
HB 597	Tax Exemption on Real Estate Used by Non-Profits
HB 602	Repealing the Franchise Tax on Electric Utilities
HB 604	Access to Juvenile Records and Proceedings
HB 605	Delinquent Children
HB 606	Children in Need of Services
HB 638	Random Testing of Bio Solids
HB 697	Homeless Prevention Fund
HB 701	Refusing to Accept a Tax Deed
HB 801	Property Tax Interest Rate
HB 803	Current Use Tax
SB 16	Drinking Water Rules for Public Water Supplies
SB 73	Taxation of Telephone Poles
SB 143	Elderly Exemption Filing Dates
SB 180	Rehab of Local, Rural Air Service

Of those items, the following House and Senate bills have been adopted and will have a direct impact on City operations:

HB 351	Tax Deferral Limitation Formula
HB 201	Property Tax Abatement Refunds
SB 143	Elderly Exemption Filing Dates
HB 187	Ground Water Monitoring
HB 638	Random Testing of Bio Solids
SB 16	Drinking Water Rules for Public Water Supplies
HB 277	Absentee Ballots
HB 567	Issuance of Copies of Vital Records

Several pieces of legislation were referred for further study during the summer of 1997. Recommendations from several study committees is expected by November 1.

HB 405	Septage Design Standards
HB 505	Smoking in Public Places
HB 543	Valuation of Aeronautical Facilities
HB 604	Access to Juvenile Records and Proceedings
HB 605	Delinquent Children
HB 606	Children in Need of Services
SB 73	Taxation of Telephone Poles

Legislative Monitoring Program

This section of the report identifies those specific problems and recommendations identified by the ad hoc Legislative Committee. Following each problem and recommended solution, a comment is included which gauges the effectiveness of the implemented solution.

Identified Problem #1. There are varying degrees of knowledge among Department Heads of the resources that are available.

Recommended Solution. Develop a web page to serve as a resource to City departments. In addition to general information about the legislative process, the page should contain several links to access other sources of information that support the legislative process.

Comment. To date, 152 separate users have connected to the legislative web page. Although it can not be determined whether those connections were from City users or the general public; it is clear that there is value in all the information on the legislative process being located in a central place. There is a high probability that when someone needs to find out a specific piece of information on the legislative process, they will find the needed information on the web page. Perhaps the most frequently sought after component of the web page by Department Heads is the master listing of all initiatives being tracked by the City. This listing was arranged by subject and included data that identified the most recent information on a hearing date, a committee recommendation, the date that full action by the House or Senate was expected, and the Department Head monitoring the legislation. Because of the significant number of issues and related fields of data, this page was particularly time consuming to maintain and was probably not in the best format for ease of use.

Identified Problem #2: Legislation which could impact on more than one department is often not recognized or coordinated as an organizational-wide issue.

Recommended Solution. Identify and communicate legislative issues that impact more than a single department. Provide an opportunity at the weekly staff meetings to update each other on intra-departmental legislation.

Comment. Although there was seldom a focused discussion at staff meetings to identify legislative items that crossed departmental lines, several collaborative efforts between Department Heads took place. Legislation that crossed departmental lines should be focused upon because they represent a high probability for organizational change. Collaborative efforts took place on the following legislative initiatives:

HB 543	Valuation of Aeronautical Property
HB 803	Property Valuations
SB 73	Taxation of Telephone Poles
HB 201	Abatements Applied to Back Taxes
SB 56	Redemption of Property Tax

Identified Problem #3. There is no formal process to obtain official endorsement or testimony by the City Manager and/or Mayor and City Council.

Recommended Solution. Establish a process whereby significant legislative initiatives are referred to a Council Committee for their recommendation and active involvement.

Comment. Except in the instance of HB 543 (valuation of aeronautical property), the City Council did not take an official position on any specific piece of legislation. This may have more to do with the fact that the staff did not identify, from an organizational perspective, those legislative initiatives that warranted Council endorsement.

Identified Problem #4. Although the periodic meetings with the Keene Legislative Delegation are seen as vital in maintaining good communications and developing long term relationships between the City staff, the City Council and the Legislative Delegation, the meetings are not as effective as they could be.

Recommended Solution. Have the Mayor and City Council consider and identify the role they would like to take in the legislative process. Obtain input from the Mayor and City Council, the City staff and the Legislative Delegation as to what they expect or need from the Delegation meetings. Present a balanced agenda that addresses the needs of all parties. Expand the membership to include representation from outside of the City.

Comment. The members of the City Council attended four legislative meetings hosted by the Mayor. The Legislative Delegation was expanded to include the Cheshire County Delegation. In addition, participation was expanded to include the Keene School Board, the Cheshire County Commissioners, area Selectmen, and Keene State College. Although there was occasional political grandstanding, there was certainly value in bringing together all of the parties. The process could have been more effective for the City Council if they had been updated on specific items of discussion and had had the opportunity to formulate a position to communicate to the Delegation.

Identified Problem #5. Although the NHMA provides good support on a majority of legislation affecting towns and cities, the Association is unable to provide coverage on every piece of legislation that the City staff may have an interest in, nor is their current method of providing notice timely enough to adequately prepare. In addition, NHMA does not monitor proposed administrative rules from Stage Agencies.

Recommended Solution. Contract with the Richard H. Clough Company to perform monitoring and reporting services for the 1997 legislative session as well as proposed Stage Agency administrative rules for the calendar year. The service would provide information over the Internet directly to designated departments and would upon request provide copies of the bills and proposed amendments.

Comment. As stated earlier in this report, nearly 300 electronic messages were sent to City Department Heads. Those electronic messages automatically notified Department Heads on their desktops of a pending hearing or proposed Committee recommendation. In addition, over 100 separate bills were monitored on the City's behalf. Of those 100 bills, Department Heads actively monitored or testified on one-quarter of the bills. Although the New Hampshire Municipal Association covered a majority of those bills; the Association did not monitor all of the City's issues, and in particular they did not monitor any legislation affecting juveniles and the court system.

Although NHMA did release a web page toward the end of the legislative cycle, the normal method of communicating legislative issues was through their weekly legislative bulletin or periodic legislative alerts. Although some Department Heads have subscriptions to the Legislative Bulletin and typically receive their copy of the bulletin on Tuesdays of the following week, the majority of Department Heads receive the bulletin on that Wednesday or whenever the staff has had an opportunity to copy and distribute the publication.

In contrast, Clough Associates relied on electronic communication to notify Department Heads. With the weekly House or Senate Journals and Calendars published and released on Thursdays of each week, Mr. Clough's primary focus was to read through those publications and identify items of interest. Typically Clough Associates would notify Department Heads by electronic mail generated late in the day on Friday or Saturday morning. Prior to electronic communication, Department Heads were fortunate if they became aware of a proposed hearing the day before the actual date.

In addition, Clough Associates assisted in obtaining the full text of proposed State Agency rules and regulations. Monitoring State Agency rules and regulations is not a service of the New Hampshire Municipal Association, even though agency rule changes can have more of a direct impact on a Department's operations than a statute change. A weekly subscription to the New Hampshire Rule Making Register was obtained on behalf of the City. Electronic messages covering 264 specific Agency rules were generated by the City Clerk's Office to all Department Heads. Specific inquires were directed to Clough Associates who personally contacted the particular Agency to obtain the full text of the proposed change.

Observations of the Department Heads

An informal survey showed that all Department Heads agreed that legislation had a direct impact on their Departmental operations. In addition, the survey showed that most Department Heads felt that the program was an improvement over previous year's efforts and that the monitoring service was a good investment. . Although many thought that the electronic messaging process was great, it was also seen as overwhelming at the same time. It was noted that the timeliness of the information allowed several Department Heads to keep regional groups informed of the status of legislative initiatives as well. Criticisms of the program resulted from a tracking standpoint, where the interests of two individuals were not communicated to Clough Associates.

Future Improvements

To coordinate the City's legislative program, the City Clerk, as the City's legislative liaison, should routinely receive copies of all written correspondence on specific pieces of legislation and should be brought into the discussions with the City Manager and Mayor when a legislative alert bulletin is received.

To improve the legislative monitoring process even further, additional emphasis should be placed on reducing the number of legislative initiatives that are tracked upon by the Clough Associates. With Department Heads only actively testifying on 25 bills out of the 100 being tracked – the focus of the organization and Department Heads was spread too thinly. If a more focused listing was initially agreed upon, there could be more opportunity to regularly discuss legislation at staff meetings. A more focused approach would also be helpful in terms of facilitating Council involvement.

To involve the City Council more, a process should be developed which would allow the Standing Committees an opportunity to formulate positions on legislative initiatives and to communicate those positions to our Legislative Delegation. Because of the rapid pace of committee hearings, it may become necessary to schedule meetings with the Committees outside of their normal schedule.

To ensure that the City of Keene has a comprehensive understanding of legislative changes, it is important to view the City's legislative monitoring program as a compliment to the significant efforts of NHMA. NHMA has full time staff whose primary focus is monitoring legislation. The City should not be trying to recreate this effort, but should focus its attention on areas not adequately covered and areas of specific concern. The staff should routinely review the legislative bulletin to identify legislation that was overlooked.

Conclusion

The Legislative Monitoring Program met the objectives outlined by the ad hoc Legislative Committee. Resources to learn about and interact with the legislative process were developed; efforts were made to identify legislative issues of importance to the City; procedures were established to communicate accurate and timely information and opportunities were created to share perspectives. A good effort for our 1st year!