

**ACIR:  
THE YEAR IN REVIEW  
34th Annual Report**

**January 1993**

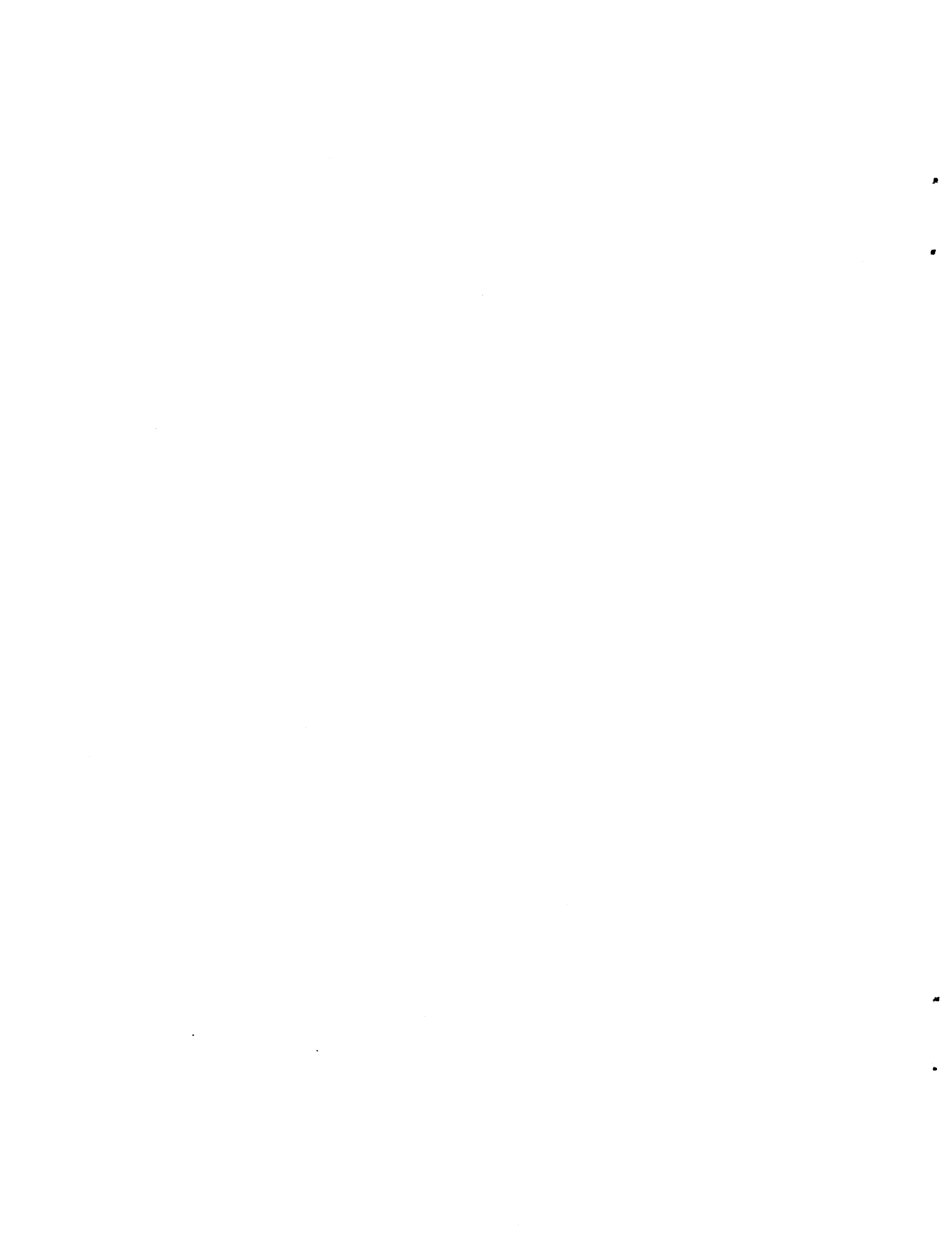
Advisory  
Commission on  
Intergovernmental  
Relations  
Washington, D.C.

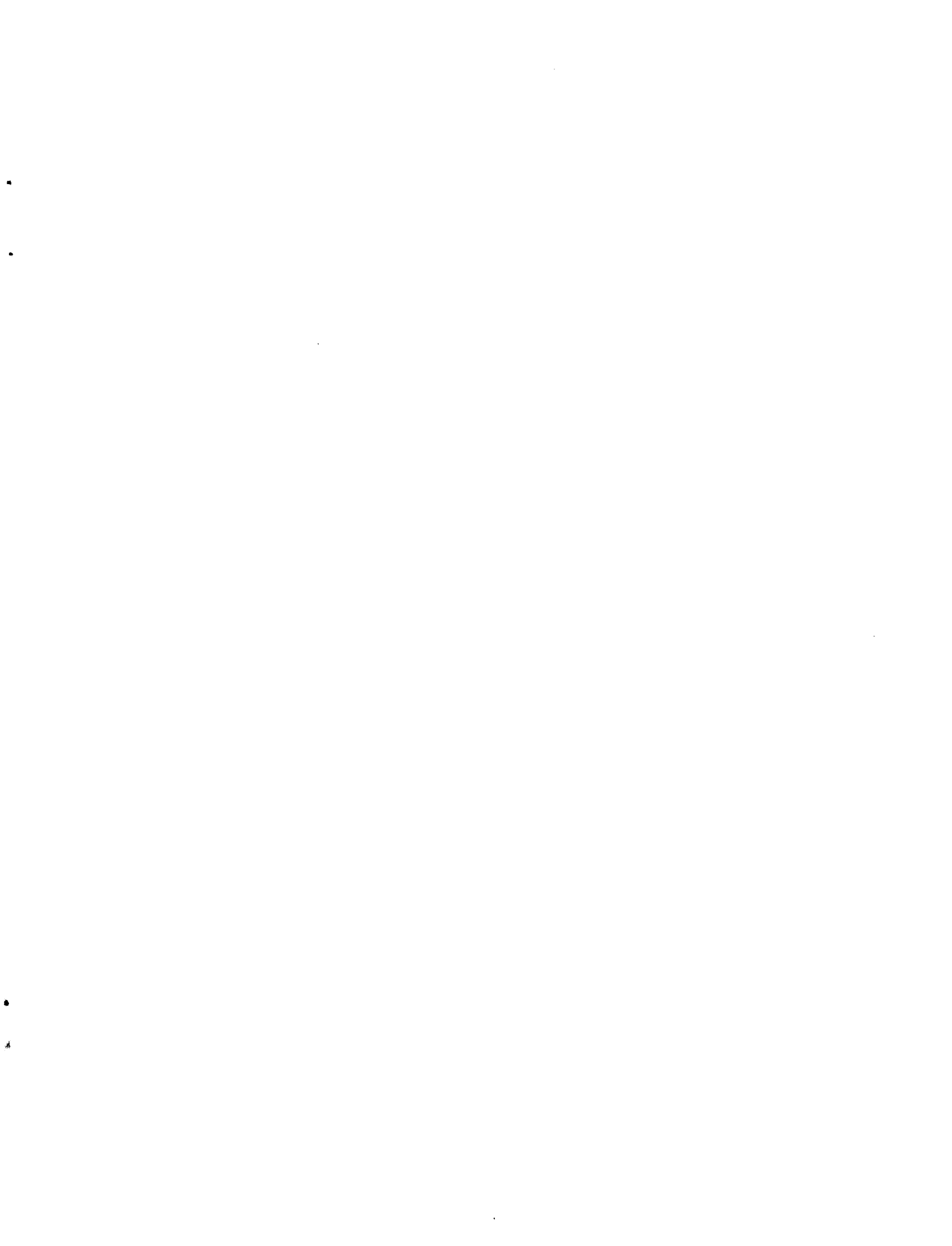


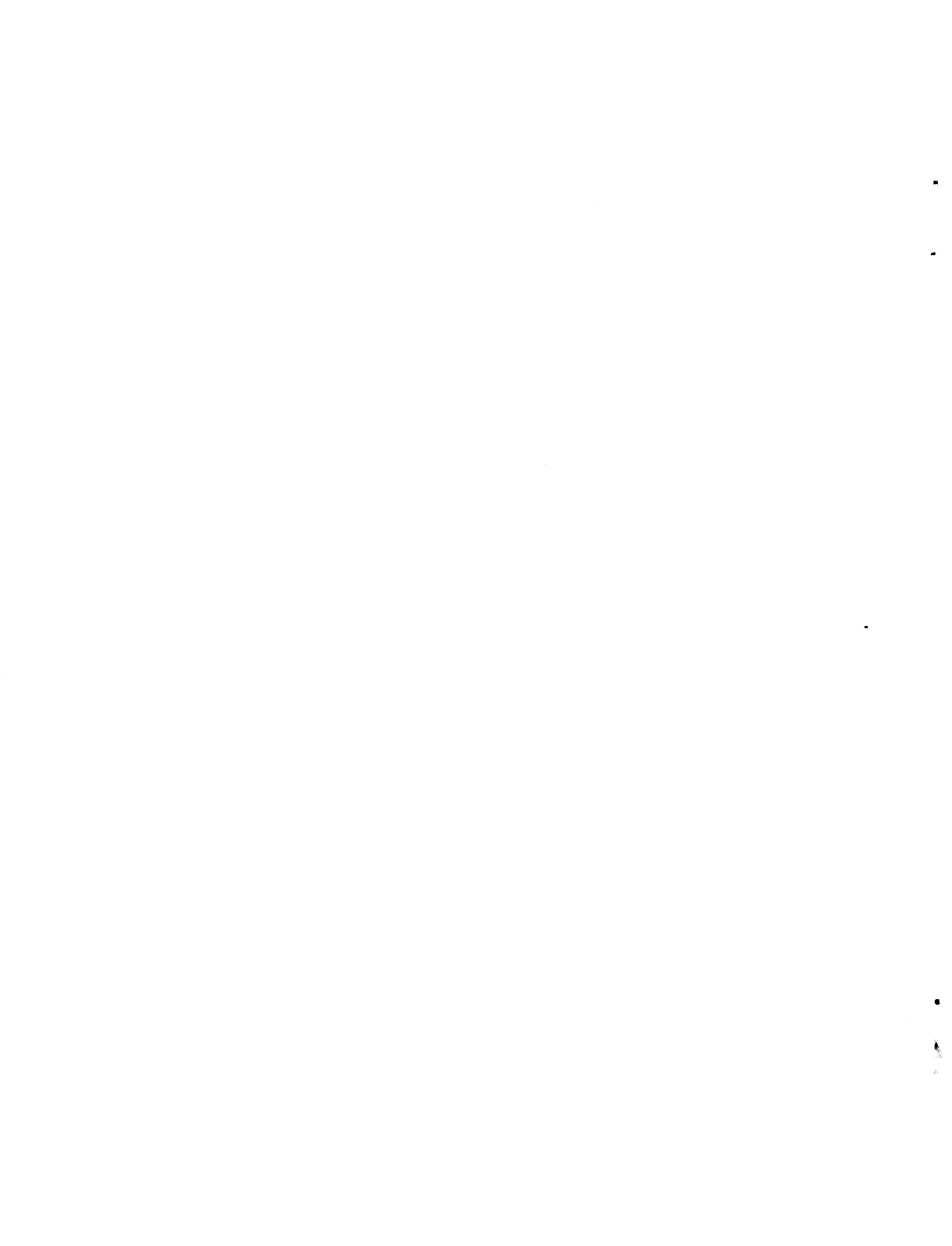


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In 1992, the U.S. Advisory Commission on Intergovernmental Relations (ACIR) met four times to devise recommendations for improving federal-state-local relationships in many areas, but especially:

- o **Rebuilding the nation's infrastructure and protecting the environment,**
- o **Repairing the nation's social fabric,**
- o **Strengthening the federal system,**
- o **Assisting local governments,**
- o **Balancing public finances, and**
- o **Promoting federal democracy abroad.**

The Commission also used its quarterly magazine, *Intergovernmental Perspective*, to promote intergovernmental dialogues among an audience of more than 17,000 readers. As the year ended, a new three-year work program was being developed.

This Annual Report reviews the Commission's purposes, composition, operating procedures, activities, budget, publications, and other details.

A summary of 1992 activities follows.

## HIGHLIGHTS

### **Rebuilding the Nation's Infrastructure and Protecting the Environment**

***Federal Infrastructure Strategy.*** For the second year, ACIR assisted the U.S. Army Corps of Engineers in developing a federal infrastructure strategy. The Commission recommended 11 ways in which the federal, state, and local governments can cooperate more effectively to improve the nation's infrastructure. This work continues, focusing on performance-based investment budgeting; improving benefit-cost analysis; reducing deferred maintenance; streamlining environmental decisionmaking; reducing federal regulation on state and local governments; and diversifying revenue sources for financing infrastructure.

In ACIR's 1992 poll, the public rated roads and bridges, water supply, and solid waste facilities slightly better than in 1988 and again preferred user fees and dedicated taxes to finance additional infrastructure improvements.

Streamlining environmental decisionmaking for public works was encouraged by ACIR in *Intergovernmental Decisionmaking for Environmental Protection and Public Works*.

***Water Governance.*** A Senior Advisory Group on Federal-State-Local Cooperation in Water Governance, convened by ACIR, recommended sorting out the roles of the federal, state, local, and tribal governments, and using more successful means of dealing with interstate water issues. This was a follow-up to ACIR's 1991 report *Coordinating Water Resources in the Federal System: The Groundwater-Surface Water Connection*.

***Drought Planning.*** The Commission continued providing advice to the Corps of Engineers on the institutional, political, and public involvement aspects of the National Drought Plan. ACIR is helping with specific issues in two river basins, and is preparing instructional materials for the Corps' forthcoming drought planning manual.

***GIS.*** The Commission is assisting the U.S. Geological Survey in developing a state and local partnership with the Federal Geographic Data Committee to enhance cooperation and save money in installing new geographic information technologies.

#### ***Other infrastructure activities included:***

- o Assisting federal, state, and local governments in implementing the *Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA)*.
- o Assisting the Infrastructure Sub-Council of the Competitiveness Policy Council in developing materials for CPC's second annual report.



- o Providing information to the Infrastructure Investment Commission.
- o Assisting the Federal Highway Administration in preparing a report to the Congress on the "level of effort" factor used in allocating grant funds.
- o Assisting EPA to establish a clearinghouse of technical information for state and local governments.

### **Repairing the Nation's Social Fabric**

**Medicaid.** This intergovernmental program imposes substantial costs on state and local governments. The Commission's report calls for increased state/local policymaking and program flexibility, a respite in federal imposition of increased costs and regulations, and an overhaul of the health care system.

**Criminal Justice.** ACIR adopted, and will publish in 1993, a comprehensive study of the role of general government elected officials in criminal justice. The report recommends action to get these officials more involved to establish a better balance between crime prevention and law enforcement; between enforcement, adjudication, and corrections; and between local, state, and federal roles.

This project was co-funded by the U.S. Department of Justice.

**Child Care.** ACIR research on the growing role of government in providing and regulating child care, has found inconsistencies among the multiple federal-aid programs and the diverse federal, state, and local regulations.

### **Strengthening the Federal System**

**Federal Regulation of State and Local Governments.** In *Federal Statutory Preemption of State and Local Authority*, the Commission published a 200-year inventory of federal preemption statutes, more than half of which were enacted in the past two decades. ACIR-supported bills to slow this trend were introduced in both houses of the Congress. The Commission is following up with an examination of unfunded federal mandates and other federally induced costs of state and local government.

ACIR also cosponsored an evening dialogue on federalism with the Woodrow Wilson Center for International Scholars. The main speakers were Justice Sandra Day O'Connor, Senator Charles S. Robb, and Mayor Victor H. Ashe.

A Commission report on federal regulation of state and local governments was adopted and will be published in 1993. It found that the congressional fiscal notes process has not slowed the enactment of new fiscal and regulatory requirements for state and local governments. Likewise, the Federalism Executive Order (E.O. 12612) has not

slowed the pace of federal executive development of new regulations and legislative proposals. The report recommends that these tools be used more effectively in the future.

The Commission took the opportunity in its 1992 poll to ask Americans their opinions about these and other issues of government. ACIR found that:

- o The public recognizes that some federal preemptions are appropriate, while others are not.
- o Most respondents believe either that the federal government has too much power (39 percent) or should use its power more vigorously (41 percent).
- o The federal government is perceived as giving citizens the least for their money compared with the state and local governments.
- o Trust and confidence in the federal government have dropped more than for state and local governments since 1987.

***Regulation of Insurance.*** The Commission issued a report that recommends the federal government limit its intervention in state regulation of insurance companies, while the states take steps to improve their regulatory performance, including entering into interstate compacts for certain purposes.

***Grant Reform.*** The Commission published its biennial report *Characteristics of Federal Grant-in-Aid Programs to State and Local Governments: Grants Funded FY 1991*, showing an all-time high of 557 federal grant programs. Medicaid accounts for about 30 percent of all the federal grant dollars.

***National Guard.*** The Commission adopted, and will publish in 1993, a report on the role of the National Guard. The report recommends that a National Guard member be added to the Joint Chiefs of Staff to give the states greater input into the Pentagon's planning processes.

#### **Assisting Local Governments**

***Inventory of State Laws.*** A 1978 inventory of state laws in all 50 states that govern local government structure and administration has been updated and will be published in 1993. There are now tighter restrictions on local financial management and auditing, and more state-mandated local budget procedures and purchasing standards. Numerous changes also were made by states in local collective bargaining, employee benefits, and training requirements. Fewer changes were made in state laws regarding local elections, forms of government, and boundary changes.

***Alternative Means of Delivering Local Services.*** A study of local police, fire, roads, and education services in metropolitan Allegheny County (Pittsburgh) found that many small local governments team up to provide services in cost-effective ways. A comparison of this case with the earlier St. Louis County study is being prepared.

***Local Boundary Commissions.*** A review of proposals for altering local boundaries operate in 12 states. ACIR found that most of these organizations are small and work mostly on annexation cases and mediation of interjurisdictional disputes.

***State ACIRs.*** During 1992, three state ACIRs were lost to state budget cuts, another was reestablished, and a new one was created. At the end of 1992, 25 states had such organizations.

### **Balancing Public Finances**

***Significant Features of Fiscal Federalism.*** ACIR published its popular, annual two-volume compendium of basic federal, state, and local finance data. ACIR's 1992 public opinion poll found that the local property tax and the federal income tax were in a dead heat as least fair. State sales and income taxes fared better.

***Interstate Mail-Order Sales Tax.*** Due to the interest generated by *Quill Corporation v. North Dakota*, ACIR updated its estimates of the revenue potential from state and local taxation of interstate mail-order sales for 1990-1992. States could have collected as much as \$3.9 billion additional revenue in 1992.

### **Promoting Federal Democracy Abroad**

***Foreign Visitors.*** ACIR continued regular briefings for large numbers of foreign visitors seeking to learn about American federalism.

***Freedom Support Act.*** ACIR and the major national associations of state and local officials have proposed federal support for a program of exchange visits between Russian and American officials to promote democracy in Russia. The Congress cited this proposal in the conference report on the *Freedom Support Act of 1992*.

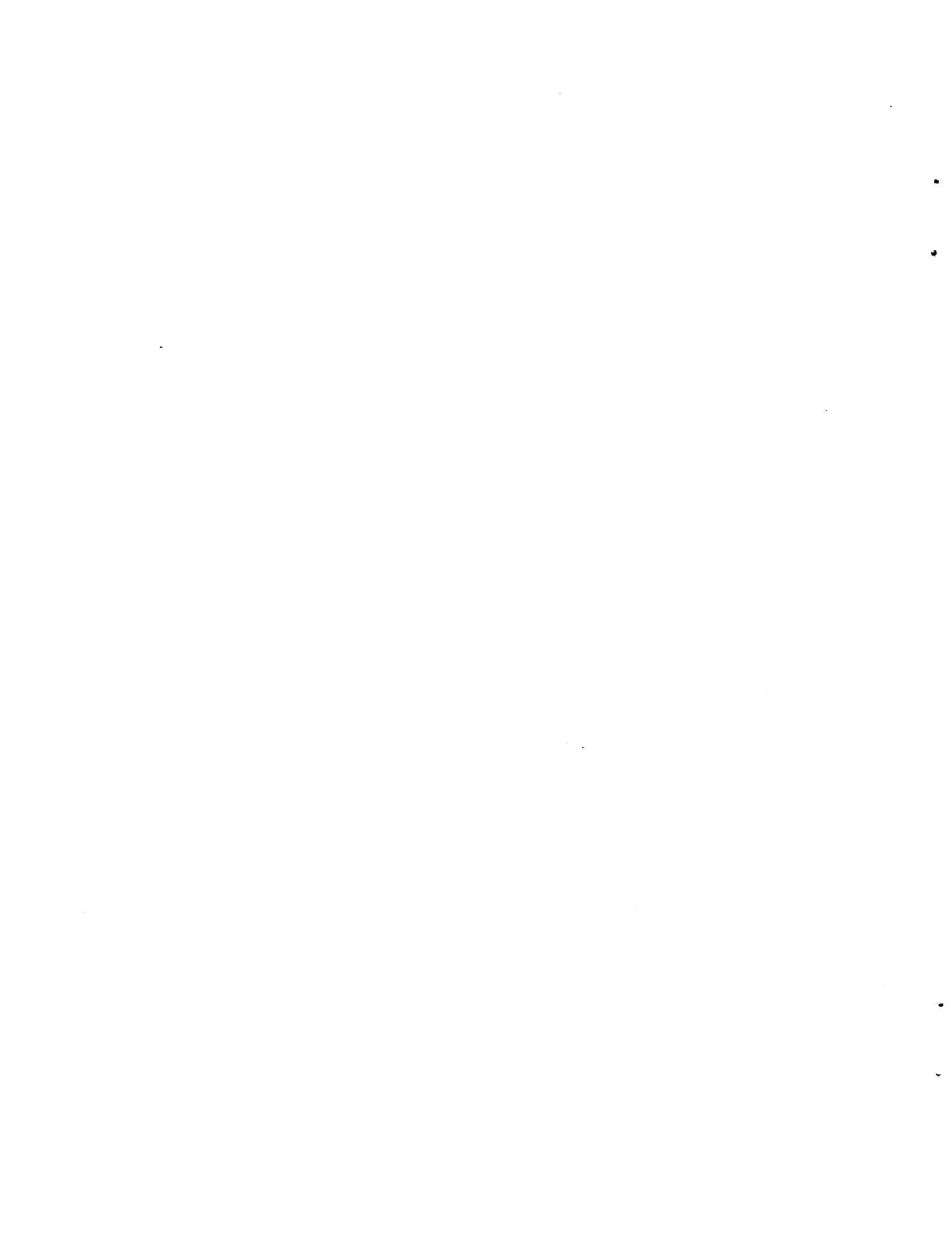
***Global.*** With ACIR encouragement, Nigeria has set up a National Council on Inter-Governmental Relations. ACIR hosted the director-general and sent materials to help establish a research library at the new council. ACIR also participated in a review of

local government administration in Ukraine and a conference on economic integration in Australia.

#### **A New Work Program for ACIR**

During 1992, a special committee of Commission members met with federal, state, local, university, and other officials and groups to find out how the Commission can serve its constituents better. One result was to begin developing a new work program with a greater emphasis on assistance in legislative and rulemaking processes. Specific suggestions for new research studies and services to constituents have been solicited. Development of the work program is under way.

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# **1992 Annual Report**

## **GENERAL INFORMATION**

The U.S. Advisory Commission on Intergovernmental Relations (ACIR) completed its Thirty-Third full year of operation in 1992.

The Commission plays a unique role in analyzing the federal system and American intergovernmental relations as a whole; in spotting problems and highlighting emerging issues; and in regularly convening top officials of the federal, state, and local governments to consider means of making the system work better. As the successor to the temporary Kestnbaum Commission, ACIR has continued this role for over three decades. The remainder of the 1990s is expected to pose new fiscal and regulatory challenges to intergovernmental cooperation and comity.

ACIR's work has prompted a growing number of academic and non-academic analysts to undertake similar studies, and temporary study groups join in from time to time. Intergovernmental units in the White House and the executive departments continue to provide liaisons with state and local governments. The Commission has renewed its recommendation that the executive and legislative branches of the federal government measure their new legislative and regulatory initiatives against a set of federalism principles that respect the traditional prerogatives of state and local governments. The General Accounting Office and the Congressional Research Service devote specialized talent to studies of federalism and intergovernmental relations, often using concepts pioneered by ACIR. The nonprofit State and Local Legal Center, established with ACIR encouragement nine years ago, gives state and local governments a stronger voice in U.S. Supreme Court cases involving federalism.

ACIR also has highlighted the growing importance of state-local relations and has worked cooperatively with its state counterparts--the state ACIRs. With support and encouragement from the Commission, state ACIRs continue to facilitate intergovernmental cooperation in the 25 states. Several additional states are considering the establishment of such organizations.

The Commission works closely with federal, state, and local government officials to identify ways in which it can improve the effectiveness of the federal system, develop solutions to intergovernmental problems, and bring about a better intergovernmental balance to our federal system.

This annual report describes how the Commission is constituted and conducts its research: how it advised on policy and disseminated information during calendar year 1992; and how it is positioning itself to continue these functions in future years.

For FY 1993, for the fourth consecutive year, ACIR received a modest appropriation increase from the Congress and the President. This year, however, the increase was earmarked for a special study to be carried out through the National Association of Counties. For calendar year 1992, ACIR continued to rely on a diversity of revenue sources--federal appropriations, publication sales, state contributions, research contracts with federal agencies, foundation grants, and honoraria. ACIR received substantial financial support from the states in FY 1992, although there were significant decreases in both the dollar amount and the number of states contributing because of state fiscal problems. This funding mix, together with the intergovernmental composition of the Commission, helps maintain the multi-government, multi-branch, bipartisan nature of ACIR. For the fourth year in a row, however, funds other than appropriated monies were expended to meet essential operating expenses.

### **ACIR: Purposes and Composition**

The Advisory Commission on Intergovernmental Relations (ACIR) is a permanent, independent, bipartisan commission established by P.L. 86-380 in September 1959, amended in November 1966 under P.L. 89-733. The statutory purposes of ACIR are to:

- 1) Bring together representatives of the federal, state, and local governments for the consideration of common problems;
- 2) Provide a forum for discussing the administration and coordination of federal grant and other programs requiring intergovernmental cooperation;
- 3) Give critical attention to the conditions and controls involved in the administration of federal grant programs;
- 4) Make available technical assistance to the executive and legislative branches of the federal government in the review of proposed legislation to determine its overall effect on the federal system;
- 5) Encourage discussion and study at an early stage of emerging public problems that are likely to require intergovernmental cooperation;
- 6) Recommend, within the framework of the Constitution, the most desirable allocation of governmental functions, responsibilities, and revenues among the several levels of government; and
- 7) Recommend methods of coordinating and simplifying tax laws and administrative practices to achieve a more orderly and less competitive fiscal relationship between the levels of government and to reduce the burden of compliance for taxpayers.



The Commission is composed of 26 members: three private citizens and three members of the executive branch of the United States government appointed by the President without respect to political affiliation; three members of the United States Senate and three members of the United States House of Representatives appointed on a bipartisan basis by the presiding officer of each chamber; and four governors, four mayors, three state legislators, and three elected county officials appointed by the President on a bipartisan basis from panels of nominees submitted by the respective national associations of state and local officials. The members of the Commission serve two-year terms and may be reappointed. The Chairman and Vice Chairman of the Commission are designated by the President from among the membership. The Commission customarily meets quarterly, but may meet more or less frequently as necessary. See Appendix A for a list of members, and Appendix B for a list of the Commission's 1992 meetings.

### **Operating Procedures**

As a permanent, independent, bipartisan commission consisting of private citizens and federal, state, and local officials, the Commission is able to develop consistent, long-term analyses and recommendations that reflect the diversity in the federal system as well as points of similarity and agreement.

The principal work of the Commission flows through three basic stages: (1) research undertaken at the direction of the Commission; (2) policy recommendations made by the Commission; and (3) communication of those policy recommendations to relevant federal, state, and local officials, as well as to the general public.

The Commission determines its own agenda, basing its choices on (1) the members' wide-ranging experiences, observations, and contacts; (2) suggestions from public officials, citizen groups, and others; and (3) staff evaluations of current and latent issues in intergovernmental relations. Occasionally, the Congress, the President, federal agencies, and state and local governments request that ACIR prepare specific studies. Four studies with financial support from other federal agencies were under way in 1992.

Once a topic is selected for research, the staff and consultants gather information by a variety of methods, including reviewing the literature, consulting with relevant public officials and other experts, holding hearings, conducting special surveys, and undertaking field studies. The purpose of this research is to provide a solid foundation for Commission policy recommendations.

To assure that all relevant aspects of each subject are reflected in the findings and background sections of a report, the staff conducts "thinkers' sessions" at the beginning of a research project to help define the project's scope and approach, and to identify

other recent and current research that could be of help. "Critics' sessions" are convened near the completion of a project to critique the information and conclusions, as well as any policy recommendations, contained in the draft report prepared for Commission consideration. Participants in these sessions usually include congressional staff members, representatives of appropriate government agencies and public interest groups, members of the academic community, specialists in the substantive area of the report, and representatives of civic, labor, research, and business organizations. In the course of its work in 1992, the Commission sponsored two conferences and nine roundtable discussions involving participants with diverse points of view and areas of expertise. The Commission held six thinkers' sessions and eight critics' sessions on its current research.

Background information and findings are presented to the Commission, along with an appropriate range of alternative policy options. The Commission debates the report in public session and votes on policy recommendations. Subsequently, the report and its recommendations are published and disseminated. The Commission also issues many information reports that do not require or contain policy recommendations.

In addition to preparing and publishing reports, the Commission holds public hearings and forums, organizes national conferences on key intergovernmental issues, provides speakers for public and academic forums, and supplies direct assistance and information to individual agencies, public officials, and citizens. In 1992, for example, a one-day national conference was held as part of the project to help develop a federal infrastructure strategy and was attended by over 80 members of the infrastructure community. Roundtable discussions were convened on:

- o Infrastructure
- o Environmental Protection (2)
- o Metropolitan Transportation Planning and Coordination
- o Federal Regulation of State and Local Government
- o Principles of Federalism
- o State Regulation of Insurance Companies
- o Intergovernmental Geographic Data
- o Criminal Justice

## **The ACIR Work Program**

ACIR continues to generate timely policy and information reports and recommendations that address the major intergovernmental challenges facing our nation today. During calendar year 1992, the Commission met four times to pursue federal-state-local dialogues and make recommendations on:

- o Rebuilding the nation's infrastructure and protecting the environment,
- o Repairing the nation's social fabric,
- o Strengthening the federal system,
- o Assisting local governments,
- o Balancing public finances, and
- o Promoting federal democracy abroad.

The Commission also published five policy reports, five information reports, one survey, and four issues of its quarterly magazine, *Intergovernmental Perspective*. Three other policy reports were adopted and are expected to be published in early 1993. A chronological list of 1992 publications may be found in Appendix D.

As the year ended, several studies remained under way, and a new long-range work program was being developed.

A summary of 1992 program results follows.

### **Rebuilding the Nation's Infrastructure and Protecting the Environment**

*Federal Infrastructure Strategy.* For the second year, ACIR assisted the U.S. Army Corps of Engineers in developing a federal infrastructure strategy. As a result of a year-long series of consultations with federal, state, and local officials, plus representatives of the private sector, the Commission adopted and published a report recommending 11 ways in which the federal, state, and local governments, and the private sector could work together more effectively to improve the nation's infrastructure. This work continues on this Corps-funded project with particular focus on six areas of cooperation: (1) promoting performance-based investment budgeting techniques, (2) broadening and improving the practice of benefit-cost analysis, (3) finding means of reducing deferred maintenance, (4) streamlining the environmental permitting process, (5) reducing the burdens of federal regulation of state and local governments, and (6) diversifying revenue sources for financing infrastructure. The goal is to develop interagency agreement in each of these areas to promote best practices in federal infrastructure agencies and federally assisted organizations.

To reinforce this work, the Commission included two infrastructure questions in its 1992 public opinion poll. Asked to grade roads and bridges, water supply, and solid waste facilities, the respondents saw slight improvements in all three categories compared with 1988. When asked what sources of funding they would prefer to cover the costs

of added infrastructure investments, if they were necessary, user fees and dedicated taxes remained the top choices. Twice as many respondents as in 1988 (13 percent) said no additional spending was preferable

***Environmental Decisionmaking.*** The work on streamlining environmental decisionmaking for public works projects was bolstered by publication of the Commission report *Intergovernmental Decisionmaking for Environmental Protection and Public Works*. This new report recommends integrating environmental decisionmaking under the umbrella of the *National Environmental Policy Act* (NEPA), making greater use of administrative dispute-resolution techniques, and pursuing other measures.

***Public Works Perspectives.*** Also relating to infrastructure, ACIR continues to distribute more than 50 working papers prepared for the National Council on Public Works Improvement. Although many of them are quite good, their photocopy format and length make them less attractive and accessible than they should be. ACIR is identifying the best of these papers to edit and publish as an easily accessible ACIR information report to enhance their accessibility.

***Water Governance.*** Follow-up work on the Commission's 1991 report *Coordinating Water Resources in the Federal System: The Groundwater-Surface Water Connection* was pursued by a Senior Advisory Group on Federal-State-Local Cooperation in Water Governance convened by the Commission. This group of eminent Americans produced a set of principles, findings, and recommendations for sorting out the relative roles of the federal, state, local, and tribal governments, and for dealing more successfully with interstate water issues. The Commission endorsed this work and transmitted it to the congressional committees working on water resources legislation. It also was published in the Commission's quarterly magazine, *Intergovernmental Perspective*.

***Drought Planning.*** The Commission is also assisting the Corps of Engineers for the second year in preparing the National Drought Plan. The Commission's responsibility for this Corps-funded project is to provide advice on the institutional, political, and public involvement aspects of this planning. The Commission is actively assisting with specific issues in two of the four case-study areas where drought plans are being developed for individual river basins, and is preparing instructional materials for the Corps' forthcoming drought planning manual.

***GIS.*** A new project initiated in 1992 is assisting the U.S. Geological Survey (USGS) in developing a state and local partnership with the Federal Geographic Data

Committee. This federal committee, established by OMB Circular A-16, consists of 14 federal agencies. It is chaired and staffed by USGS, and is required to work with the state and local governments and the private sector. This project is funded by USGS.

***Other Infrastructure-Related Activities:***

- o Monitoring the implementation of and rulemaking under the *Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA)*, publishing materials on these highly significant intergovernmental activities in *Intergovernmental Perspective*, and participating in several DOT-sponsored conferences to help develop intergovernmentally sensitive regulations.
- o Assisting the Infrastructure Sub-Council of the Competitiveness Policy Council in developing materials for CPC's second annual report.
- o Providing information to the Infrastructure Investment Commission to assist in its congressionally mandated work.
- o Assisting the Federal Highway Administration in preparing a required report to the Congress on alternative ways to define "level of effort," a factor used in allocating grant funds.
- o Providing information to EPA about establishing a clearinghouse to help make technical information more readily available to state and local governments, based on work done in 1989-90 to assist the Department of Commerce with a similar task.

**Repairing the Nation's Social Fabric**

***Medicaid.*** This federal-state program imposes substantial costs on state and local governments. The Commission's 1992 report calls for increased flexibility to state and local governments, a respite in federal imposition of increased burdens, and an overhaul of the nation's health care system.

***Criminal Justice.*** The Commission adopted, and will publish in 1993, a comprehensive study of the criminal justice roles of elected officials of general government. The Commission found that the roles of elected officials are crucial in establishing crimes and punishments, funding the many different law enforcement, judicial, and corrections agencies, holding all these agencies responsible for operating efficiently and effectively, and keeping the system balanced. The states, cities, and counties play the largest roles in the system, but federal influence is growing faster than its financial and operating roles. Lack of coordination has allowed the system to get out of balance. Urgent action is needed to get the elected officials of general government more involved in reviewing the whole system and establishing a better balance between

crime prevention and enforcement; between enforcement, adjudication, and corrections programs; and between local, state, and federal roles. Greater communication is needed between governments and between the three branches of government.

*Child Care.* Research has been completed on a study of the growing role of government in providing and regulating child care. The study found that this function of government also is becoming more intergovernmental. In the process, the several federal-aid programs have become inconsistent with each other, federal requirements frequently conflict with state regulations, local regulations sometimes conflict with state regulations, services are not uniformly available, and the quality of services is not assured. The Commission is considering recommendations.

*Americans with Disabilities.* An article prepared for *Intergovernmental Perspective* assesses the impact of changes in federal law since the Commission's 1989 report on *Disabilities Rights Mandates* was published. That report compared federal and state approaches to this topic, and found that state action frequently was more comprehensive. The Commission's report also faulted the Congress for exempting itself from these mandates. In 1990, a new *Americans with Disabilities Act* (ADA) became law, and key regulations under that law went into effect in 1992. The new law greatly expands the reach of the federal program into the private sector and into the Congress. The federal program now is more comparable to state practices.

*Other "Social Fabric" Studies.* The Commission is studying the intergovernmental aspects of immigration programs and K-12 education programs. The Pforzheimer Foundation and the U.S. Department of Education have contributed to the funding of the education project.

### **Strengthening the Federal System**

*Federal Regulation of State and Local Governments.* In *Federal Statutory Preemption of State and Local Authority*, the Commission found that the supremacy, interstate commerce, and spending clauses of the U.S. Constitution have overwhelmed the Tenth Amendment guarantee that all the general powers of government not specifically granted to the federal government are reserved to the states or to the people. This report includes a 200-year inventory of federal preemption statutes, indicating that more than half of all such laws have been enacted in the past two decades. The U.S. Supreme Court has said that the remedy lies with the Congress and the political process, rather than with the Constitution and the courts. In 1992, the Commission encouraged legislation, introduced in both houses of Congress, designed to dampen this trend.

***Federally Induced Costs.*** Intergovernmental mandates continue to be one of the greatest sources of friction in relationships between the federal, state, and local governments. ACIR is preparing a report on *Federally Induced State and Local Government Costs*. This report focuses on, federal reimbursement programs, a little-studied aspect of the intergovernmental relationship. It will describe the types of reimbursement programs that have been employed by the federal government, present an inventory of reimbursement programs, and examine criteria for deciding which costs should be reimbursed. The report also will examine the strengths and weaknesses of each approach and will contain recommendations to federal policymakers.

***Regulatory Federalism.*** Previous attempts to dampen the growth of federal regulation of state and local governments have been ineffective. The Commission report *Federal Regulation of State and Local Governments* (to be published in 1993) found that the congressional fiscal notes process has not slowed the enactment of new fiscal and regulatory burdens. Likewise, the Federalism Executive Order (E.O. 12612) has not slowed the rush of federal executive departments and agencies to develop new regulations and legislative proposals.

***Regulation of Insurance.*** The Commission adopted and published a report recommending that the federal government limit its intervention in state regulation of insurance companies, while the states take further steps to improve their performance in this field, including entering into interstate compacts for certain purposes.

***Grant Reform.*** The Commission published its biennial report on the *Characteristics of Federal Grant-in-Aid Programs to State and Local Governments: Grants Funded FY 1991*. This report showed that the number of federal grant programs rebounded to an all-time high of 557 following a significant drop in the mid-1980s. The number of block grants rose from 5 to 14 over the past 25 years, but this more flexible form of aid still accounts for only a small part of the dollar value of all grants. One categorical program--Medicaid--accounts for about 30 percent of all the federal grant dollars.

The previous edition of this report was used extensively by state and local officials responding to President George Bush's \$20 billion block grant proposal in 1991, and the latest edition was requested by President Bill Clinton's transition team working on block grant proposals.

***National Guard.*** The Commission adopted a report on the National Guard, that will be published in 1993. The report notes that the U.S. Constitution specifically provides for the National Guard as a dual state and national institution, performing both

civil and military functions for the governors and the President. It found that a number of issues need attention. The Commission recommended, among other things, that a National Guard member be added to the Joint Chiefs of Staff to give the states greater input into the Pentagon's planning process. This could be of special importance in the next few years as the total defense forces of the nation are reduced, because the National Guard is a large part of that force.

***Federalism and Rights.*** In conjunction with the Center for the Study of Federalism at Temple University, ACIR co-hosted a conference, funded by the National Endowment for the Humanities, to explore the relationship between federalism and rights in the United States and in other federal systems. Underlying all the conference's deliberations was a fundamental question: Does federalism, the division of power among general and constituent governments, promote or undermine the security of rights?

To answer this question, the conference undertook a major systematic investigation that served five objectives: (1) clarified the theoretical relationship between federalism, diversity, and rights; (2) elucidated the tension between group rights and individual rights in a federal system; (3) traced the historical interplay between federalism and rights in the United States; (4) surveyed the ways that various federal systems understand the sometimes competing claims for diversity and for the protection of rights and seek to reconcile these claims; and (5) explored current issues involving federalism and rights.

The Commission in its 1992 public opinion poll asked four questions relating to federalism.

- o With respect to federal preemption, 75 percent of respondents agreed that the federal government was right to preempt food labeling; 50 percent agreed for interstate banking regulation; 37 percent agreed for regulating insurance companies and the use of pesticides on home lawns and public grounds; and 20 percent agreed for regulating the location of low-income housing. The implication is that some federal preemptions are appropriate, while others are not.
- o With respect to the power of the federal government, 80 percent thought it was not using the right amount—divided about equally between those who thought it is being used too much (39 percent) and those who thought it is not being used vigorously enough (41 percent). Those who thought the federal government was using about the right amount of power dropped from 24 percent in 1986 to 12 percent in 1992.



- o When asked which government gives them least for their money, 49 percent of respondents picked the federal government, up from 36 percent in 1989 and 41 percent in 1990. State and local governments fared out better.
- o Americans had less trust and confidence in all governments than in 1987, but trust and confidence in the federal government dropped the most and was lower in 1992 than for state and local governments.

### **Assisting Local Governments**

***State Laws Governing Local Governments.*** A 1978 inventory of state laws that provide for the structures, functions, and administration of local governments has been updated and authorized to be printed. These laws are changing constantly, although the shifts have been relatively modest over the past dozen years. Among the most numerous changes noted between 1978 and 1990 are tightening restrictions on local financial management and auditing, establishing local budget procedures, and setting local purchasing standards. In the personnel field, numerous state laws were changed in local collective bargaining, employee benefits, and training requirements. Fewer changes were made in laws governing local elections, forms of government, and boundaries. The most active states were Montana, North Dakota, Kentucky, Oklahoma, and Louisiana.

***Alternative Means of Delivering Local Services.*** A case study was published of police, fire, roads, and education services in metropolitan Allegheny County, Pennsylvania (Pittsburgh). It was found that many small local governments team up with other local governments in the county to provide services in cost-effective ways. A comparison of this case with an earlier study of Saint Louis County, Missouri, is being prepared.

An article also was prepared for *Intergovernmental Perspective* evaluating trends in the use of contracting-out and other "innovative" service delivery techniques in recent years. The article is based on surveys of local governments over the past decade by the International City Management Association. This review found that about 40 percent of municipal services are provided, at least in part, by organizations other than the municipality—including other governments, contractors, neighborhood associations, tax incentives, or subsidies.

***Local Boundary Commissions.*** The latest ACIR study of commissions that review proposals for changing the boundaries of local governments was published in 1992. It found such commissions in 12 states. Two-thirds of them were established between 1959 and 1969. ACIR began studying the review commissions in the early 1970s. Most of

these organizations are quite small, and annexation and mediation of interjurisdictional boundary disputes top their agendas.

**State ACIRs.** The Commission promotes the creation of state ACIRs, exchanges information with them regularly to encourage their work, and maintains a directory of these and other organizations of intergovernmental significance. During 1992, three state ACIRs went out of business because of state budget cuts; one that had been shut down was reestablished; and another was created for the first time. At the end of 1992, 25 states—exactly half—had state-local relations organizations similar to the U.S. ACIR.

**Local Autonomy.** A study of how the concept of local home rule has developed in state constitutions and laws, and how the courts in several states have treated these provisions, is under way. The research has found that the historical roots of local autonomy run deep, but many limitations remain on local governments.

**Areawide Organizations.** A new study of metropolitan planning organizations, substate districts, and similar city-county or multicounty organizations (called by many different names) is nearly complete. These organizations became quite common in urban and rural areas during the 1960s and 1970s. ACIR prepared a multivolume study in the early 1970s, and updated that work in 1978 and 1982. The new study has found that major changes occurred in the 1980s. Federal support, which had been the driving force behind the creation of many such organizations, declined markedly. State support, which always was uneven from state to state, remained about the same. Local government support of areawide organizations increased. About 80 percent of the areawide organizations remain in existence, but their agendas have shifted from planning and the evaluation of regional issues toward the provision of services to individual local governments.

### **Balancing Public Finances**

**Fiscal Federalism.** Again in 1992, ACIR published its annual two-volume *Significant Features of Fiscal Federalism*. This compendium of basic data for the public finance community is the Commission's best seller. It provides (1) information about federal and state budget processes and tax rates; (2) current and historical data on federal, state, and local revenue and expenditures; (3) state fiscal capacity and effort indexes, (4) rankings of state-local revenues and expenditures; and (5) fiscal profiles of each state. The revenue and expenditure data also are available in computer format.

***Perceptions of Taxes.*** In its 1992 public opinion poll, ACIR again asked the public which tax was worst or least fair. This question has been asked since 1972, and the results have swung back and forth between the local property tax and the federal income tax. In 1992, these two taxes were in a dead heat as least fair. State sales and income taxes have always fared better with the public.

***Revenue Diversification.*** The Commission's series of studies on local revenue diversification continued in 1992 with preparation of a study on the use of local taxes levied on tourists. This study is expected to be completed and published in 1993. Other studies in this series have included local income and sales taxes, and user fees.

The Commission also updated its estimates of the potential amount of sales tax revenues state and local governments could collect if federal restrictions on taxing interstate mail-order sales were lifted. This issue continues to be considered in the federal courts and the Congress. ACIR's latest estimate indicates that the states may have lost as much as \$3.9 billion in 1992 from this source.

***Property Tax.*** Despite taxpayer revolts and limitations on taxing and spending, the property tax is still the source for three of every four local tax dollars. The Commission has a study under way to investigate how technological and other changes are affecting the property tax, including computer-assisted mass appraisals (CAMA) and geographical information systems (GIS); the implications of recent court challenges to the constitutionality of California's Proposition 13 and court rulings on the use of property taxes to finance primary and secondary education; the impact of the current economic cycle on local property values and the resulting tax burdens; and the policy impacts of voter/taxpayer attitudes toward property taxes.

### **Promoting Democracy Abroad**

***Foreign Visitors.*** ACIR continued regular briefings for large numbers of foreign visitors seeking to learn about the American federal system of government--so many, in fact, that it has become necessary to limit the number. These visitors came from all parts of the globe in 1992, including Argentina, Bulgaria, Chile, Croatia, Czechoslovakia, France, Gambia, Germany, Hungary, Israel, Italy, Japan, Netherlands, Nepal, Nigeria, People's Republic of China, Philippines, Portugal, Romania, Russia, South Africa, Spain, Swaziland, Taiwan, Thailand, Turkey, and Ukraine. Recently, the number of visitors from Eastern Europe and the former Soviet Union has increased markedly.

***Freedom Support Act.*** ACIR and the major national associations of state and local officials have proposed federal support for a program of exchange visits between Russian and American officials to promote democracy in Russia. The Congress cited this proposal in the conference report on the *Freedom Support Act of 1992*.

***Global.*** With ACIR encouragement, Nigeria has set up a National Council on Inter-Governmental Relations. ACIR hosted the director-general and sent materials to help establish a research library at the new council. ACIR also participated in a review of local government administration in Ukraine and a conference on economic integration in Australia.

#### **A New Work Program for ACIR**

During 1992, a special committee of commission members met with many federal, state, local, university, and other officials and groups who work with ACIR and use its products, to find out how the Commission can serve its constituents better. One result was to begin developing a new work program with a greater emphasis on technical assistance in the legislative and rulemaking processes. Specific suggestions for new research studies and services to constituents have been solicited, and the development of a new work program is under way.

## OUTSIDE INCOME

Under congressional direction, ACIR is making every effort to increase its revenue from three sources in addition to federal appropriations: state contributions, contract research, and publications sales. The contract research has been discussed throughout this report. State contributions and publication marketing activities are discussed in the following paragraphs.

### State Contributions

ACIR has requested contributions from the states since the early 1970s and has been permitted to keep the proceeds in a special account. Annual requests are based on state population and range from \$5,000 to \$13,000. During FY 1992, ACIR received \$162,919.00 from 27 states. A monitoring system tracks the inclusion of ACIR's contribution requests in state executive budgets and legislative appropriation bills, identifies key state contact points during the budget and appropriation processes, and coordinates the issuance of ACIR invoices with state payment cycles.

### Marketing of Publications

Pursuant to a congressional directive, ACIR continued to increase its income substantially from publications sales in FY 1992. Publications sales generated \$57,540 in income, sales of diskettes \$4,125, and subscription sales \$6,090. These proceeds--like those from state contributions--are used to supplement ACIR's budget. Several techniques are used to promote sales of ACIR publications and diskettes:

- o Omnibus catalogs, issued every four or five months, list available ACIR publications and microcomputer diskettes. These catalogs are used both for displays at meetings and for mailings.
- o Special brochures on individual products are mailed to targeted lists.
- o Special "personalized" mailings are sent periodically to selected groups of individuals (e.g., political science professors and financial institutions) where there is a potential market.
- o Constituent mailings announce publications to media outlets and periodicals of specialized organizations. In addition, these go to state ACIRs, state municipal leagues and associations of counties, state legislative reference libraries, media representatives, contributors, and others interested in the work of ACIR.
- o ACIR's quarterly magazine, *Intergovernmental Perspective*, which is sent free to approximately 17,000 individuals, promotes various publications, both in advertisements and feature articles.

- o ACIR displays its publications and diskettes at meetings and conferences. Often, this takes the form of full displays of targeted publications. In addition, brochures are sent to smaller meetings and regional meetings of public interest groups for display at the registration desk.
- o Issuance of a publication frequently is accompanied by a press release or announcement. The release is sent to mass media outlets and to specialized and targeted periodicals. If a report contains policy recommendations, the publication will have been announced previously in a press release reporting the Commission's actions.
- o Complimentary copies of selected ACIR publications are sent to selected periodicals for review or other notice.
- o ACIR offers a \$100 annual publication subscription package that includes all publications.
- o The Chairman and the staff have continued to be active with a variety of groups across the country through speaking engagements that promote ACIR publications and diskettes, and occasionally bring in honoraria to supplement the ACIR budget. A list of speaking engagements is provided in Appendix E.

## Appendices

<i>Appendix A</i>	Members of the Advisory Commission on Intergovernmental Relations
<i>Appendix B</i>	Commission Meetings: 1992
<i>Appendix C</i>	ACIR Staff Organization
<i>Appendix D</i>	ACIR Publications Issued in 1992
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H5:	ACIR Office and Warehouse Space History, FY 1979-92

*Appendix A*  
**Members of the Advisory Commission on Intergovernmental Relations**  
**December 31, 1992**

**Private Citizens**

Daniel J. Elazar, Philadelphia, Pennsylvania  
Robert B. Hawkins, Jr., *Chairman*, San Francisco, California  
Mary Ellen Joyce, Arlington, Virginia

**Members of the United States Senate**

Daniel K. Akaka, Hawaii  
David Durenberger, Minnesota  
Charles S. Robb, Virginia

**Members of the U.S. House of Representatives**

Donald M. Payne, New Jersey  
Craig Thomas, Wyoming  
(Vacancy)

**Officers of the Executive Branch, Federal Government**

Lamar Alexander, Secretary, U.S. Department of Education  
Andrew H. Card, Jr., Secretary, U.S. Department of Transportation  
Bobbie Kilberg, Deputy Assistant to the President and Director of Intergovernmental Affairs

**Governors**

John Ashcroft, Missouri  
Stan Stephens, Montana  
(Vacancy)  
(Vacancy)

**Mayors**

Victor H. Ashe, Knoxville, Tennessee  
Robert M. Isaac, Colorado Springs, Colorado  
Bruce M. Todd, Austin, Texas  
(Vacancy)

**State Legislators**

David E. Nething, North Dakota Senate  
Samuel B. Nunez, Jr., Louisiana Senate  
Ted L. Strickland, Colorado Senate

**Elected County Officials**

Ann Klinger, Supervisor, Merced County, California  
D. Michael Stewart, Commissioner, Salt Lake County, Utah  
Barbara Sheen Todd, Commissioner, Pinellas County, Florida



*Appendix B*  
**Commission Meetings: 1992**

<b>Date</b>	<b>Place</b>
<b>March 20</b>	<b>Washington, DC</b>
<b>June 11-12</b>	<b>Washington, DC</b>
<b>September 17-18</b>	<b>San Francisco, CA</b>
<b>December 17-18</b>	<b>Washington, DC</b>

*Appendix C*  
**ACIR STAFF ORGANIZATION CHART**  
1/28/93

**Executive Director's Office**

*John Kincaid, Executive Director*  
*Ruthamae J. Phillips, Administrative Assistant*  
to the Executive Director

**Research**

**Government Finance**

*Brenda S. Avoletta, Analyst*  
*John O. Behrens, Visiting Fellow*  
*Jennifer Bing, Intern*  
*Elliott J. Dubin, Analyst*  
*Marcia A. Howard, Senior Finance Analyst*  
*Cheryl Cabral, Administrative Secretary*

**Government Policy**

*Bruce D. McDowell, Director,*  
Government Policy Research  
*Seth B. Benjamin, Senior Analyst*  
*Jeffrey S. Fitzpatrick, Analyst*  
*Cameron Gordon, Analyst*  
*Charles Griffiths, Senior Policy Analyst*  
*Vivian E. Watts, Criminal Justice Project Director*  
*Suzanne T. Spence, Administrative Secretary*

**Publications & Marketing**

*Joan A. Casey, Information Officer*  
*Betty Smith, Marketing Assistant*  
*MacArthur C. Jones, Publications Assistant*

**Administration**

*Franklin A. Steinko, Budget & Management Officer*  
*Pamela L. Reynolds, Personnel Officer*  
*Thomas D. Hahn, Accountant*  
*Ronald L. Ross, Mail Room Supervisor*

*Appendix D*  
**ACIR Publications Issued in 1992**

**Reports Containing Commission Recommendations**

- A-119 *Medicaid: Intergovernmental Trends and Options*
- A-120 *Toward a Federal Infrastructure Strategy: Issues and Options*
- A-121 *Federal Statutory Preemption of State and Local Authority: History, Inventory, and Issues*
- A-122 *Intergovernmental Decisionmaking for Environmental Protection and Public Works*
- A-123 *State Regulation of the Insurance Industry*

**Information Reports**

- M-180 *Significant Features of Fiscal Federalism, 1992 Edition, Volume I*
- M-180 II *Significant Features of Fiscal Federalism, 1992 Edition, Volume II*
- M-181 *Metropolitan Organization: The Allegheny Case*
- M-182 *Characteristics of Federal Grant-in-Aid Programs to State and Local Governments: Grants Funded FY 1991*
- M-183 *Local Boundary Commissions: Status and Roles in Forming, Adjusting, and Dissolving Local Government Boundaries*

**Survey Reports**

- S-21 *Changing Public Attitudes on Governments and Taxes: 1992*

**Diskettes**

*State-Local Government Finance Data, FY 1983-1990*  
*State Government Tax Revenue FY 1980-1990*

**Intergovernmental Perspective**

- (Winter 1992) *Reinventing Surface Transportation: New Intergovernmental Challenges*
- (Spring 1992) *Intergovernmental Focus on Health Care*
- (Summer 1992) *Environment and Public Works*
- (Fall 1992) *Regulatory Federalism*

*Appendix E*  
**Staff Speaking Engagements and External Publications**

**STAFF SPEAKING ENGAGEMENTS**

Bruce D. McDowell, "Regionalism and the Surface Transportation Act of 1991," (Session 139A,) 71st Annual Meeting of the Transportation Research Board, Washington, DC, January 14, 1992.

John Kincaid, "Alternate Modes of Service Delivery Organization," Briefing for the Baltimore City Council, Institute for Policy Studies, Johns Hopkins University, January 17, 1992.

Vivian E. Watts, "How Can County Officials Advocate Change in the Justice System Without Losing the Election?" National Association of Counties, Justice and Public Safety Committee, Charleston, SC, January 17, 1992.

John Kincaid, "Alternate Modes of Service Delivery," Testimony before Environmental Matters Committee, Maryland House of Delegates, Annapolis, February 4, 1992.

Bruce D. McDowell, participant, Expert Seminar on Good Practices in Water Governance, U.S. Army Corps of Engineers, Boulder, CO, February 11, 1992.

John Kincaid, "Federalism and Pluralism as Methods of Power Sharing," Conference on Aboriginal Governments and Power Sharing in Canada, Queen's University, Kingston, Canada, February 17, 1992.

Bruce D. McDowell, "Innovative Financing of Water Resources," Joint Annual Symposium of the National Capital Chapters of the American Society of Civil Engineers and the American Water Resources Association, Washington, DC, February 24, 1992.

John Kincaid, "Issues in Fiscal Federalism and Privatization," Japan Local Government Center, New York, NY, February 20, 1992.

Bruce D. McDowell, participant, Expert Panel on Innovative Alternatives for Preserving Civil War Battlefields, National Park Service, Washington, DC, March 4, 1992.

John O. Behrens, "Enforcement of Uniformity," Symposium on Business Property Taxation, National Tax Association, Institute of Property Taxation, Lincoln Institute of Land Policy, Memphis, TN, March 5-6, 1992.

Brenda S. Kemper and Henry A. Coleman, presentations on state finances to the National Institute of Former Governors, Washington, DC, March 10, 1992.

**John Kincaid, "Consumership v. Citizenship: Is There Wiggle Room for Local Regulation in the Global Economy?" Conference on Managing Foreign Relations in Federal States, Australia House, London, March 11-12, 1992.**

**Sharon A. Lawrence, participant, meeting of the Virginia Governors' Advisory Commission on the Dillon Rule, Richmond, VA, March 17, 1992.**

**Bruce D. McDowell, presentation on the ACIR federal infrastructure strategy project, Civil Engineering Research Foundation, Washington, DC, March 18, 1992.**

**John Kincaid, "Trends and Issues in Federal Preemption of State and Local Authority," Annual Meeting of National Institute of Municipal Law Officers, Washington, DC, March 30, 1992.**

**Bruce D. McDowell, participant, national conference on New Principles, New Programs, New Partnerships, Surface Transportation Policy Project to help implement the *Intermodal Surface Transportation Efficiency Act of 1991*, Washington, DC, March 30-31, 1992.**

**Henry A. Coleman, "Gauging the Size of the Problem that States Confront," Conference on the Fiscal Crisis in the Northeast: Causes, Consequences, and Lessons, Boston, MA, April 8, 1992.**

**Henry A. Coleman, "Changing Fiscal Pressures from the Federal to State and Local Governments," The Ecofin Group (The Economic and Financial Minister Counselors of the European Community Member States), Washington, DC, April 9, 1992.**

**Sharon A. Lawrence, participant, panel discussion on mandates, National Conference of the American Society for Public Administration, Chicago, IL, April 13, 1992.**

**Bruce McDowell, "State Leadership in Regional Organizations," National Conference of the American Society of Public Administration, Chicago, IL, April 13, 1992.**

**Bruce D. McDowell, participant, "Park City III: A Conference on Principles to Govern Western Water," Park City, UT, April 30-May 2, 1992.**

**Henry A. Coleman, "Current Fiscal Condition of the States and What May Lie Ahead," New Mexico Town Hall, Angel Fire, NM, May 2, 1992.**

**Bruce D. McDowell, member of the organizing committee for a national conference on "Moving Urban America," a conference to spur implementation of the *Intermodal Surface Transportation Efficiency Act of 1991*, Washington, DC, March 16-17, 1992. The conference was held on May 6-8, 1992, in Charlotte, NC.**

**John Kincaid, "Comparative Federalism," National Conference of State Legislatures State-Federal Assembly, Washington, DC, May 8, 1992.**

**Bruce D. McDowell, participant, Expert Panel on Infrastructure, Competitiveness Policy Council, Washington, DC, May 12, 1992.**

**Sharon A. Lawrence, "Mandates: Impacts and Prescriptions," seminar of government officials, Institute of Politics, University of Pittsburgh, Pittsburgh, PA, May 20, 1992.**

**John Kincaid, "Issues in Local Government Reform," Tennessee Advisory Commission on Intergovernmental Relations, Nashville, TN, May 21, 1992.**

**Bruce D. McDowell, moderator and speaker, panel on "Reinventing Federal Grants: The Surface Transportation Act Example," Annual Conference of the National Grants Management Association, Arlington, VA, May 22, 1992.**

**Bruce D. McDowell, interviewed on Voice of America about intergovernmental relations and public/private partnerships for broadcast to the republics of the former USSR, May 27, 1992, Washington, D.C.**

**Bruce D. McDowell, briefing to the Building Futures Council on ACIR's infrastructure activities, Alexandria, VA, May 28, 1992.**

**John Kincaid, "Dividing the Job: The Intergovernmental Dimension," Annual Meeting of the National Academy of Public Administration, Carter Presidential Center, Atlanta, GA, June 5, 1992.**

**John Kincaid, "Intergovernmental Reform," Confab Honoring Donald Stone, Carnegie Mellon University and University of Pittsburgh, Pittsburgh, PA, June 13, 1992.**

**John Kincaid, "The Problem of Mandates," U.S. Conference of Mayors, Houston, TX, June 22, 1992.**

**John Kincaid, "Secession, State Proliferation, and Shared Sovereignty in a Federating World," Annual Meeting of World History Association, Philadelphia, PA, June 27, 1992.**

**Bruce D. McDowell, panel participant on Innovative Alternatives for Preserving Civil War Battlefields, Civil War Sites Advisory Commission, Washington, D.C., June 30, 1992.**

**Bruce D. McDowell, presentation of ACIR report on water governance to the Washington Intergovernmental Roundtable, Washington, D.C., June 30, 1992.**

**Bruce D. McDowell, briefing on intergovernmental issues raised by ISTEA, to the Commission on the Future, Southern Growth Policies Board, Washington, D.C., July 7, 1992.**

**Elliott J. Dubin, moderator and panel discussant on "The Size and Scope of Government Activity" and discussant on panel on "Influence of Taxes on Investment," Annual Meeting of Western Economic Association, San Francisco, CA, July 11-13.**

**John O. Behrens, "Issues of Cadastral Constancy and Change in Our Global Village," Annual Conference of Urban and Regional Information Systems Association, Washington, D.C., July 12-16, 1992.**

**Bruce D. McDowell, "Reinventing Metropolitan and State Institutions for Surface Transportation Planning," Transportation Research Board Conference on "Transportation Planning, Programming, and Finance," Seattle, WA, July 22, 1992.**

**Henry A. Coleman, moderator and panel discussant on "The Marshall Plan for America," Annual Conference of the National Urban League, San Diego, CA, July 27, 1992.**

**Bruce D. McDowell, briefing on current ACIR activities to the State-Local Relations Committee of National Conference of State Legislatures, Cincinnati, OH, July 29, 1992.**

**John O. Behrens, "Life Along the Accessibility Spectrum, Where Cost of Spatial Information, Public or Private May or May Not Equal Its Value--When You Can Get It!" at the American Society for Photogrammetry and Remote Sensing (American Congress on Surveying and Mapping/Resource Management), Mapping and Monitoring Global Change Conference, Washington, D.C., August 3-8, 1992.**

**John O. Behrens, moderator and discussant, "Nordlinger and Beyond," State and Local Tax Committee, A.B.A. Real Property, Probate, and Trust Section, San Francisco, CA, August 7-10, 1992.**

**Henry A. Coleman, participant, seminar on "Welfare Reform," Economic Policy Institute, Washington, D.C., August 7, 1992.**

**John Kincaid, "Key Issues in Federal-State Relations," Southern Legislative Conference, Miami Beach, Fl, August 9, 1992.**

**Henry Coleman, "External Limits on State Taxation of Business Activities," Annual Meeting of International Association of Centers for Federal Studies, University of Melbourne, Australia, August 12-14, 1992.**

**John Kincaid, "Economic Union and Federal Diversity: Should a Coca-Cola Bottle Carry 62 Health Warnings and, If So, in What Language?" Annual Meeting of International Association of Centers for Federal Studies, University of Melbourne, Australia, August 12-14, 1992.**

**Sharon A. Lawrence, "Mandates," Annual Conference of North Carolina Association of County Commissioners, August 15, 1992.**

**John Kincaid, "Rise and Fall of the Federal Government's Intergovernmental Institutions," Annual Meeting of American Political Science Association, Chicago, IL, September 5, 1992.**

**John O. Behrens, "Ten Million Sales Prices and the Policies They Will Affect Before the Year 2000!" International Association of Assessing Officers, St. Louis, MO, September 13-16, 1992.**

**Bruce D. McDowell, "Political, Institutional, and Decision-Making Elements of Drought Planning," Annual Meeting of Drought Planning Study Managers, Boulder, CO, September 22, 1992.**

**Bruce D. McDowell, "ACIR and Intergovernmental Relations," graduate seminar at the Maxwell School, Syracuse University, Syracuse, NY, September 30, 1992.**

**Bruce D. McDowell, "Increasing Productivity and Competitiveness through Public Works," Rebuild America Roundtable, Washington, DC, October 9, 1992.**

**John O. Behrens, chair, Property Tax Committee session at Annual Conference of National Tax Association, Salt Lake City, UT, October 11-14, 1992.**

**John Kincaid, "Local Government Administration and Authority," Workshop on Local Administration, Duma, Kiev, Ukraine, October 13-15, 1992.**

**Elliott J. Dubin, "Mandates as a Budgetary Constraint," American Society for Public Administration, Section on Budgeting and Financial Management, Arlington, VA, October 16, 1992.**

**John Kincaid, "Current Developments in Federalism and Intergovernmental Relations," IBM Seminar, University of Kansas, Lawrence, KS, October 27, 1992.**

**Bruce D. McDowell, "Infrastructure Innovations," Mid-Year Meeting of the Building Futures Council, Washington, DC, November 4, 1992.**

**John O. Behrens, "Tomorrow's Goal: Each Role in An Integral Whole," GIS/LIS Conference, San Jose, CA, November 9-12, 1992.**

**Sharon A. Lawrence, "Federal Preemption," Joint Committee on Federal Relations, Maryland Legislature, Annapolis, MD, November 10, 1992.**

**Elliott J. Dubin, participant in Roundtable Discussion on Fiscal Capacity of Independent School Districts, Washington Finance Group, National Center for Education Statistics, U.S. Department of Education, Washington, DC, November 11, 1992.**



**John Kincaid, "The State Agenda," fall meeting of National Academy of Public Administration, Washington, DC, November 12, 1992.**

**Bruce D. McDowell, "New Partners for Surface Transportation," University of Minnesota, Center for Transportation Studies, Minneapolis, MN, November 12, 1992.**

**Elliott J. Dubin, "Financing State Governments: Impact on Industry," Community and Government Relations Council, Siemens Corporation, Washington, DC, November 13, 1992.**

**Brenda S. Avoletta, "The State of Spending and Implications for the Future," New Mexico Town Hall, Gallup, MN, November 13, 1992.**

**Sharon A. Lawrence, participant in panel discussion on State ACIRs before the State-Local Relations Committee of the National Conference of State Legislatures, Raleigh/Durham, NC, November 14, 1992.**

**John Kincaid, "Comment on Corrective Federalism," Conference on Federalism and Rights, Center for the Study of Federalism, Temple University, Philadelphia, PA, November 15, 1992.**

**Elliott J. Dubin, "Trends in Role of Property Taxes in Local Finance" Society of Government Economists/American Society for Public Administration, State and Local Government Luncheon, Washington, D.C., December 2, 1992.**

**Elliott J. Dubin, "Role of State-Local Government Fiscal Capacity as an Element in New Grant Formulas," Task Force on Grants, U.S. Department of Housing and Urban Development, Washington, D.C., December 14, 1992.**

## STAFF EXTERNAL PUBLICATIONS

John Kincaid, "Developments in Federal-State Relations, 1990-91," *The Book of the States* (Lexington, KY: Council of State Governments, 1992), pp. 600-618.

John Kincaid, "Federalism and Pluralism as Methods of Power Sharing," *Aboriginal Governments and Power Sharing in Canada*, ed., Douglas Brown (Kingston: Institute of Intergovernmental Relations, Queen's University, 1992), pp. 9-11.

John Kincaid, "Federalism and State and Local Government," *The United States: Handbooks to the Modern World*, ed., Godfrey Hodgson (New York: Facts on File, 1992), Vol. 2, pp. 1031-1059.

John Kincaid, "Implications of Constituent Diplomacy for the Future of Federalism and the Nation-State," *North American and Comparative Federalism*, ed., Harry N. Scheiber (Berkeley: University of California, Institute of Governmental Studies Press, 1992), pp. 27-46.

John Kincaid, "Intergovernmental Tensions Between State and Local Economic Development Goals and National Environmental Protection," *International Perspectives on the Environment*, ed. Ian Marsh (Melbourne: Committee for Economic Development of Australia, 1992), pp. 66-95.

John Kincaid and Robert F. Williams, "The New Judicial Federalism: The States' Lead in Rights Protection," *Journal of State Government* 65 (April-June 1992): 50-52.

Bruce D. McDowell, "Comparison of Intergovernmental Cooperation Between Poland and the United States," *Assistance Management Journal*, Vol. 6, No. 4, Spring 1992, pp. 9-27

Bruce D. McDowell, "Public Works: An Agenda for the 90s," *PA Times* 15 (August 1, 1992): 7, 13.

Henry A. Coleman, "Interagency and Intergovernmental Coordination: New Demands for Domestic Policy Initiatives," *The State of Black America 1992*, ed., B. J. Tidwell (New York: The National Urban League, 1992), pp. 249-263.

John O. Behrens, *The ABA Sales and Use Tax Desk Book*: 1991-92 Edition, District of Columbia Chapter.

John O. Behrens, "Life Along the Accessibility Spectrum, Where Cost of Spatial Information, Public or Private, May or May not Equal Its Value--When You Can Get It!," Global Change Conference, August 3-8, 1992.

John O. Behrens, "District of Columbia Sales and Use Taxes," *Sales and Use Tax Desk Book* (Washington, DC: American Bar Association, 1992-93).

John O. Behrens, "Life Along the Accessibility Spectrum, Where Cost of Spatial Information, Public or Private, May or May not Equal Its Value--When You Can Get It!" *ASPRS/ACSM/RT '92 Technical Papers, Volume 3* (ASPRS/ACSM, Bethesda, MD, 1992), pp. 214-226.

John O. Behrens, "Nationwide Real Estate Sales Database Has Numerous Uses," *GIS World* 5 (March 1992): 68, 69.

John O. Behrens, "Ten Millions Sales Prices and Policies They Will Affect Before the Year 2000!" *Proceedings of 58th Annual Conference* (International Association of Assessing Officers, Chicago, IL, 1992), pp. 263-276.

John O. Behrens, "Tomorrow's Goal: Each Role in An Integral Whole," *GIS/LIS '92 Proceedings, Volume 2* (Washington, DC, ASPRS, ACSM, AAG, URISA, and Am/FM International, 1992).

*Appendix F*

**Salaries and Expenses**

(in thousands, from appropriated funds and offsetting collections)

	<b>FY 1992</b>
<b>Object Classification</b>	<b>Actual</b>
Personnel compensation	925
Civilian personnel benefits	212
Travel and transportation of persons:	46
Commission travel	27
Invitational travel	19
Transportation of miscellaneous items	6
Rental payments to GSA	145
Other services	21
Supplies and materials	38
Equipment	4
 Subtotal, direct obligations	 1,397
 Subtotal, reimbursable obligations	 322
 <b>Total obligations</b>	 <b>1,719</b>

## *Appendix G*

### **Financial Support**

#### **ACIR's Productivity**

Our FY 1992 goal was to maintain the level of productivity that characterized FY 1990. ACIR achieved this goal. For the sixth year in a row, ACIR had one of the highest levels of productivity per employee in its 33 year history.

With the close of FY 1992, ACIR finally was able to concentrate more effectively on its mission. The 1992 appropriation was \$1,330,000, just below the minimum base the Commission has sought from the Congress. Productivity increases should inure with the stabilization of appropriated funding and can accelerate with the receipt of additional outside funds from contracts, sales, and contributions.

#### **ACIR's FY 1993 Budget**

ACIR's budget for FY 1993 is \$1,821,000. ACIR's appropriation for FY 1993 includes \$500,000 to perform a congressionally mandated task. Included in the \$500,000 is an administrative management fee of \$103,000 which is retained by ACIR. The base appropriation of \$1,320,000 is \$10,000 below the amount appropriated ACIR for FY 1992. However, when the administrative management amount (\$103,000) is added back in, the appropriated funds available to ACIR for FY 1993 are \$1,423,000.

#### **Product Sales and State Contributions**

ACIR has made a major effort to increase revenues from product sales and state contributions. Combined revenues increased in FY 1992. Contributions of \$163,000 were received from 27 states in FY 1992. Additional increases in revenue from this source will continue to be sought by the Commission, although soliciting such contributions is a difficult and time consuming process, especially in view of the current fiscal environment among the states.

#### **Space-Cost Reduction Measures**

During the past seven years, ACIR has regularly reduced its rental space and associated charges:

In compliance with Reform 88 initiatives (to reduce overall federal office space utilization) and coincident with the reduction in permanent staff and funding, ACIR again reduced its office and warehouse space in FY 1992, this time by eliminating the last of its external storage space.

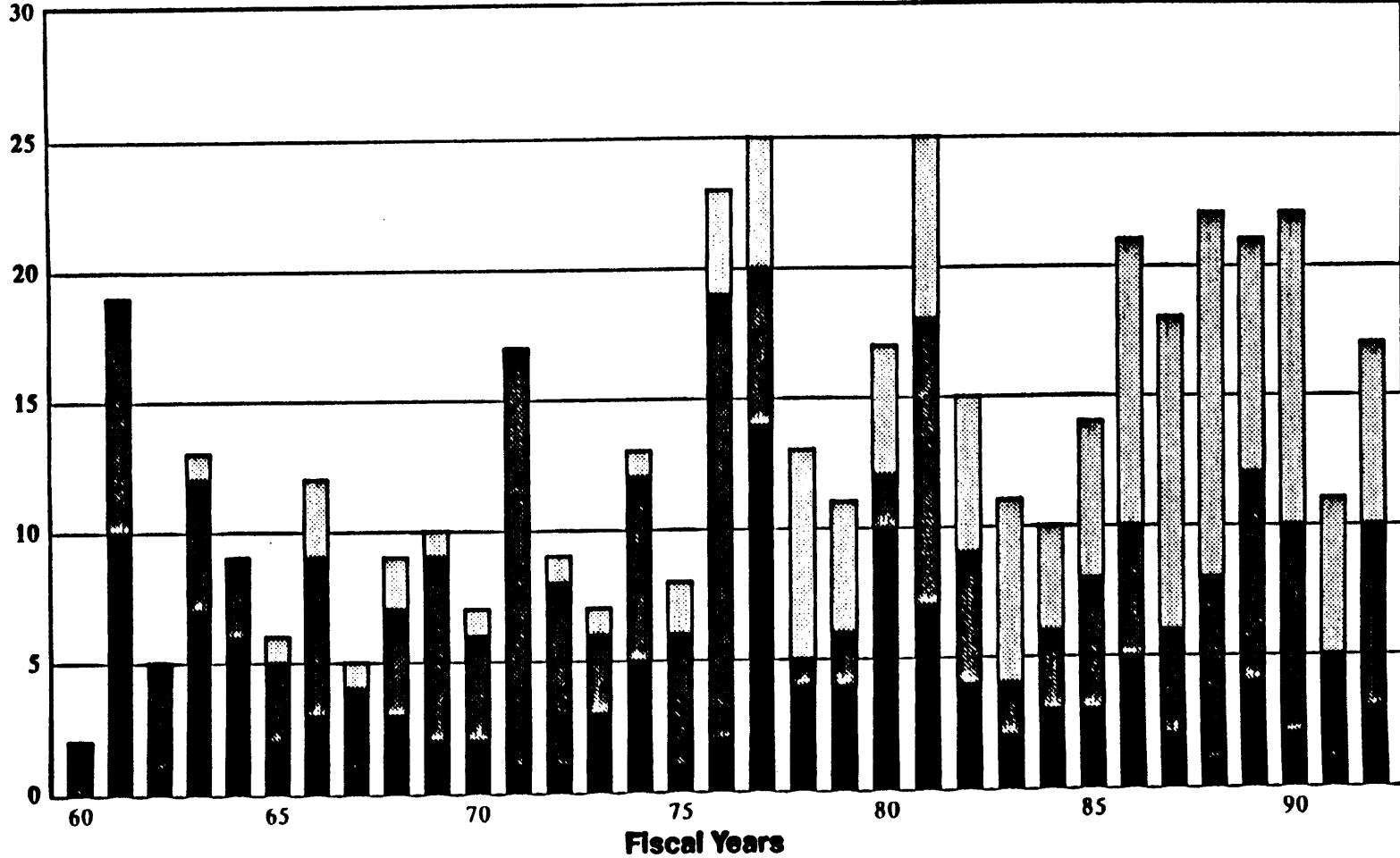
It is anticipated that these and other savings and ACIR's ability to retain revenues from the sale of goods and services will allow the Commission to continue operating within the Office of Management and Budget's Long-Range Guidelines through FY 1993. However, the Commission is no longer in a position to reduce staff, space, or other aspects of its operation without also reducing productivity significantly. The Commission's 33-year record of remaining small and frugal while maintaining its vitality and high productivity will continue to be tested in the years ahead.

Appendix H1

# ACIR Publication and Product Production, FY 1960-92

(by date of release)

Number



Policy Reports



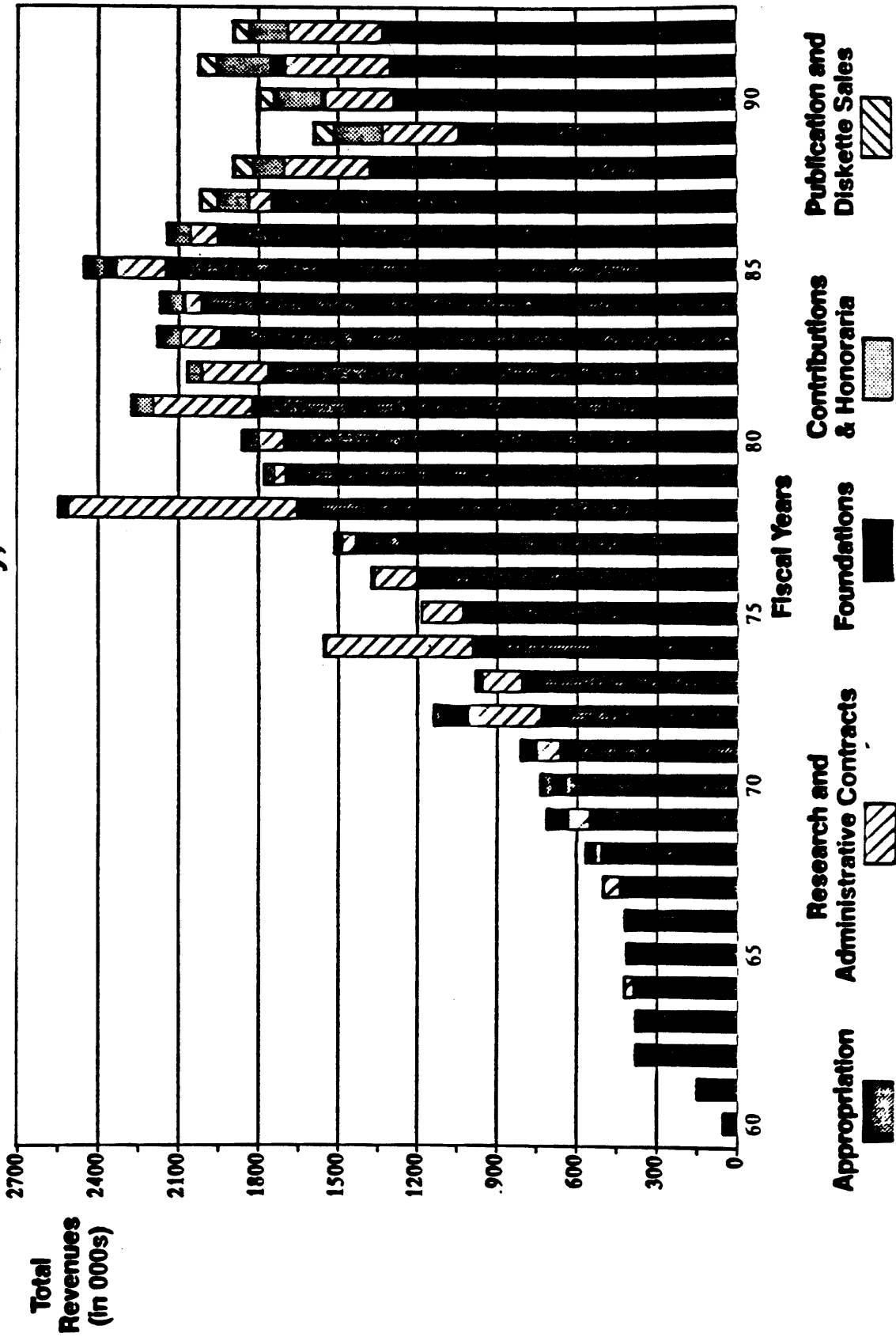
Information Reports



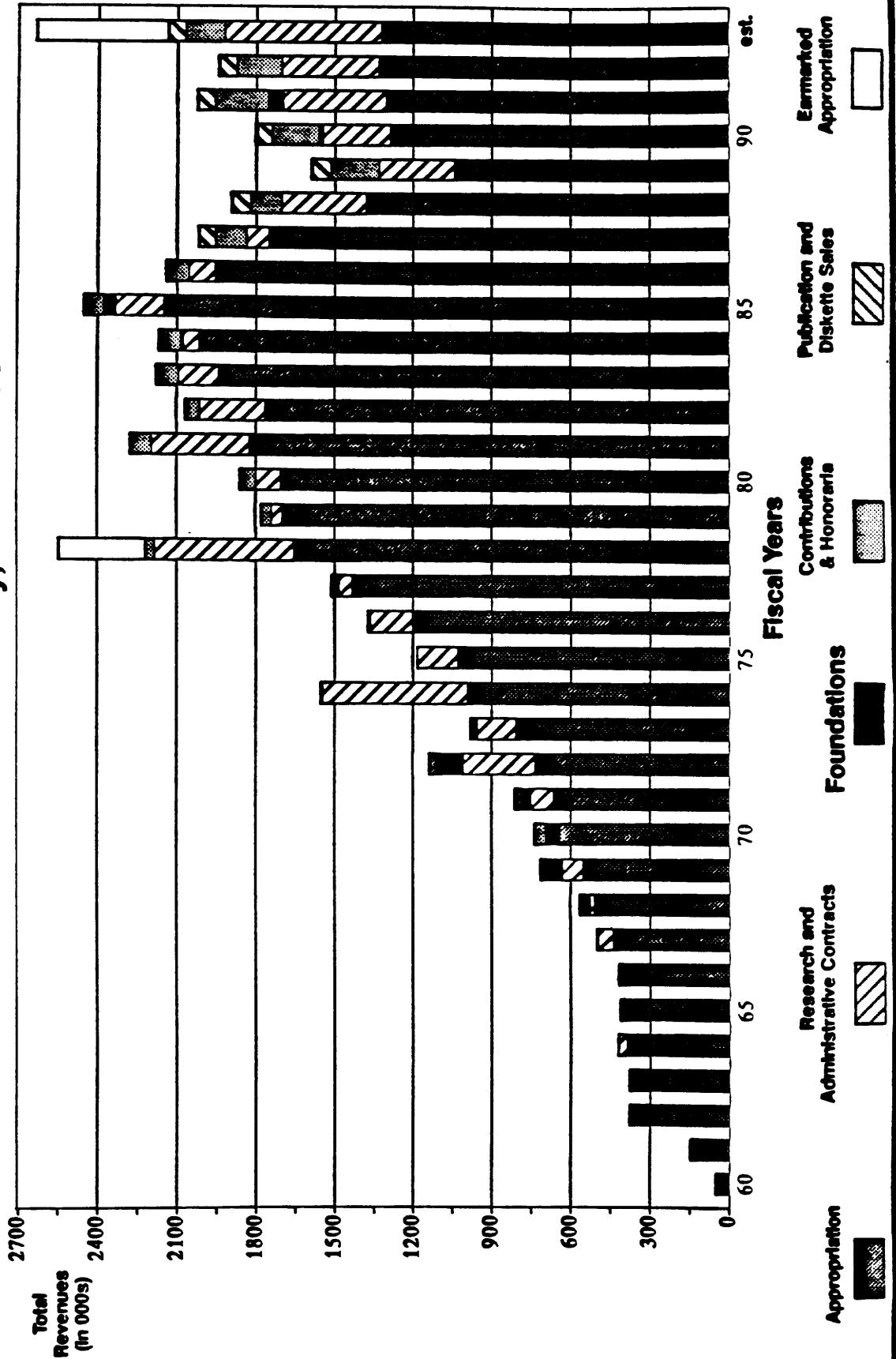
Other Products



Appendix H2  
**ACIR Revenue History, FY 1960-92**

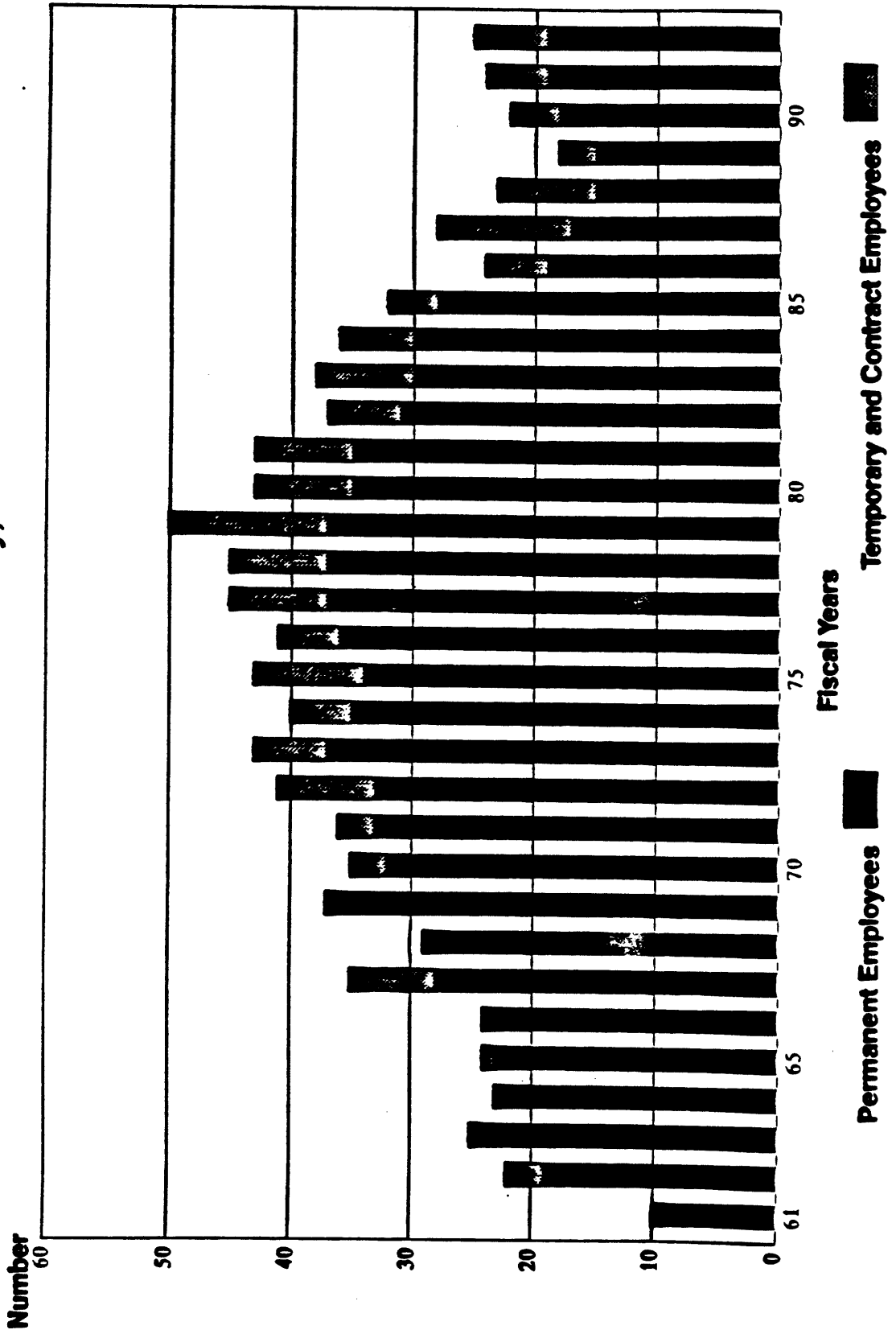


Appendix H3  
**ACIR Revenue History, FY 1960-93**





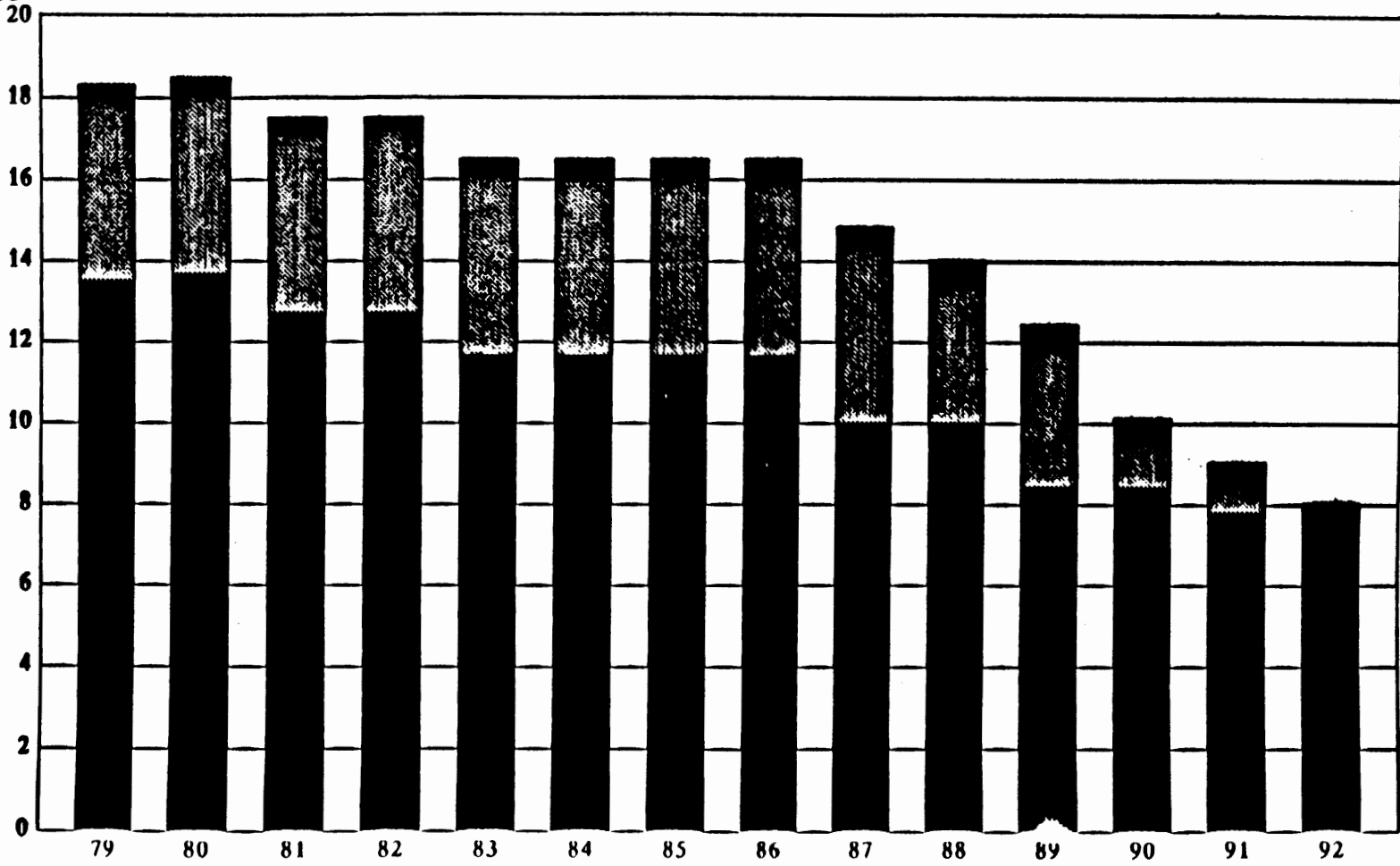
*Appendix H4*  
**ACIR Personnel History, FY 1961-92**



Appendix H5

# ACIR Office and Warehouse Space History, FY 1979-92

Space



Office Space

Warehouse Space



