

State-Local Relations Organizations: The ACIR Counterparts



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PREFACE

This report presents the Advisory Commission on Intergovernmental Relations' (ACIR) latest survey of its counterpart organizations in the states. The Commission has recommended the creation of state ACIRs since it first studied them in 1974. Only four were recognized at that time. Today, there are 26 operating state organizations. In 1983, ACIR sponsored the first national meeting of these organizations. Since then, they have met regularly and have continued to gather strength.

Because the federal government's role in domestic affairs has changed in many ways since the mid-1970s, greater attention needs to be given to state-local relations in the 1990s. Federal financial aid to state and local governments is proportionately less than in recent decades. Federal research and technical assistance programs also have receded. Furthermore, a larger proportion of federal aid is passed through the states, tying federal dollars for local governments more closely to state decisionmaking processes. At the same time, federal preemptions and mandates have become more numerous-and more demanding. Increasingly, state and local governments need to rely on their own reve-

nues to finance public services, and they need to work together more closely to meet this challenge.

ACIR's 1990 survey of the state organizations shows that most of them are rising to the challenge. In this report, the Commission renews its call for each state to create and sustain an ACIR and recommends that the national associations representing state and local governments, as well as the state chapters of local government associations, encourage their constituents to support the state ACIR concept. The dialogues that a state ACIR can initiate and maintain among state executive and legislative agencies and local governments are important to the health and vitality of American federalism. The Commission is committed to cooperating with state ACIRs throughout the nation.

This report contains suggested state legislation that can be used as a basis for establishing an ACIR and a directory of state ACIRs, including their organization, functions, staff, budgets, and work programs.

Robert B. Hawkins, Jr.
Chairman

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At **ACIR**, Lori Coffel provided secretarial assistance, and Joan A. Casey did the final editing and preparation of the report for publication.

As always, full responsibility for the content and accuracy of this report rests with the staff of the Commission.

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FINDINGS

1. In 1990, 26 states have state-local relations bodies operating as counterparts of the U.S. ACIR.

The present number of state counterparts is a substantial increase over the four that existed in 1974 when ACIR first recommended that each state establish an ACIR to help improve state-local relations.

2. The present state-local relations bodies are of three types: ACIRs based on the U.S. ACIR model, joint legislative commissions, and local advisory panels serving the governor.

Twenty of the 26 bodies are ACIRs, and the proportion in this category has been growing. The advantage of this model is that it provides a neutral meeting ground for representatives of the executive and legislative branches of both state and local governments. Generally, ACIR staffs and budgets are independent of any other unit of government. In contrast, the other two forms of state-local relations bodies are identified with a single branch of state government and lack balanced representation and independence.

3. State-local relations bodies have been established by statute, executive order, nonprofit incorporation, and informal agreement.

Twenty of the organizations have been established by statute—the preferred method. Statutory establishment tends to be more permanent and to give the organization greater stature. Four of the organizations have been established by executive order, and one each by the other two methods. If statutory establishment is not possible, there are other alternatives for creating a state-local relations body.

4. State-local relations bodies perform one or more functions, such as: forum for discussing intergovernmental issues, research, policy recommendations, information clearinghouse, constituent services, newsletters, and published reports.

The scope and depth of these activities depend on the size of staff and budget available, or on the availability of loaned staff and resources from other sources. The essential core activity is the forum for discussing intergovernmental issues.

5. The resources available to state-local relations bodies range from no staff to 19, and from no independent budget to over \$1 million.

Seventeen of these organizations receive a direct state appropriation. One also receives regular funding from local governments in the state. The organizations without direct appropriations use a variety of other sources of funding. One has relied on a grant from the state municipal league. Another relies primarily on contracts from state agencies and the sale of its services.

6. Recent accomplishments of the state-local relations bodies have been in such fields as local fiscal stress, state mandates, solid waste, special districts, human service delivery, emergency preparedness, and statewide data banks.

The scope of issues and services continues to expand along with the effectiveness of many state-local relations bodies. Although some previously active state-local relations organizations have fallen into disuse or been abolished, the 26 surveyed for this report are active. In addition, others may be starting up or restarting.

RECOMMENDATION

The Commission finds that the need for state-local relations bodies in the states continues to grow in the 1990s. Changes in the federal system are shifting fiscal and policy responsibilities back to state and local governments following a period of greater fiscal reliance on the federal government. This shift is creating new tensions between state and local governments, some of which are unique to each state. The accumulating record of state ACIRs shows these organizations to be creative and effective mechanisms for addressing state-local relations issues with-

in the context of the legal framework and political traditions of individual states.

The Commission therefore reaffirms its long-standing recommendation that each state establish an ACIR on a permanent basis and support it with independent staff and funding. The Commission also recommends that the national associations representing state and local governments, as well as their state chapters, endorse the creation of state ACIRs and support their continuing activities.

INTRODUCTION

Recognizing the need for intergovernmental responses by states to the problems created by urbanization, technological change, and economic uncertainty, the U.S. Advisory Commission on Intergovernmental Relations (ACIR) recommended in 1974 that states act "to ensure that coordination rather than conflict will characterize state-local relationships." As one way to accomplish this goal, ACIR recommended that each state create a permanent, bipartisan advisory commission on intergovernmental relations to serve as a neutral forum for discussing mutual interests and problems. ACIR suggested that such commissions consist of four elected county officials, four elected city officials, two executive branch officials, three state senators, three state representatives, and four private citizens.

The purpose of these organizations is to provide the states, their political subdivisions, and their citizens with an institutional mechanism that can probe and propose solutions to intergovernmental problems within-and in some cases between-the states. These commissions also can help bridge the communications gaps between and among governments and their constituents.²

As noted in the Commission's call for the creation of these panels:

The States and their localities after all are linked fiscally, functionally, jurisdictionally, constitutionally, and politically. But these linkages, derived from the prime legal position accorded to the states by the U.S. Constitution, have produced as much conflict as collaboration.

At this point, the need to treat systematically the tension points in state-local relations is more urgent than ever before. The shifting pattern of servicing assignments, the greater discretion accorded to states and their localities by General Revenue Sharing and block grants, the stronger fiscal position of most states, the growing state initiatives in a number of current and controversial program areas-as well as the challenge that both of these traditional governments confront at

the substate level-are but a few of the more recent developments that argue strongly for establishing state advisory commissions on intergovernmental relations.³

Since that recommendation was made in 1974, the state of intergovernmental relations has changed considerably and accentuated the need for state ACIRs. The need for more cooperative state-local relations has increased noticeably since 1978 as federal aid has declined as a proportion of state and local revenues and as many direct federal-local fiscal relationships have been terminated or reduced in various ways. At the same time, the rise of regulatory federalism,⁴ the increase in state mandates on local governments,⁵ and the need for state and local governments to rely more on their own revenues to finance public services have contributed to tensions in state-local relations. The National Conference of State Legislatures recently cited the reduction in federal assistance to local governments, state and local stakes in increasing economic development and providing human services effectively, and the need for economic efficiency by all governments as reasons for supporting state ACIRs.⁶

When the Commission offered its recommendation on state ACIRs in 1974, there were four full-fledged functioning commissions that met the membership or research capability criteria-Arizona, California, Kansas, and Texas. By early 1975, the Kansas body had been terminated and the California and Arizona ACIRs existed in name only. That trend has been reversed in recent years, however, as state and local officials have become more sensitive to intergovernmental relationships, issues, and problems. By 1980, there were 18 functioning state-local commissions; today, there are 26.⁷

ACIRs, of course, are not the only types of organizations that states can use to improve their capacity to recognize, discuss, and assess intergovernmental issues. In fact, the states have experimented with several mechanisms to achieve these objectives.

When the U.S. ACIR offered its recommendation, most states had at least one organization that performed some of the functions included in the proposal. Yet, absence of local representation, a relatively narrow focus, or a predominantly operational

thrust made most of these units unsuitable for the broad-gauged role contemplated for a state ACIR.

ACIR reviewed the variety of approaches being used in 1980 and found that:

- At least 11 states had created statutorily based advisory panels, the majority of which were patterned after ACIR. For the most part, these organizations had state legislative and executive representatives, local government officials, and private citizens, and provided a truly intergovernmental forum.
- Governors in about a half dozen other states, by executive order, had created an ACIR or other advisory body.
- Municipal and county government associations in at least two states had joined together to create their own advisory body on intergovernmental relations.
- A number of states had strengthened or created permanent legislative commissions or committees on local government to serve as interim research agencies for the legislature. These panels sometimes included and sometimes excluded local officials and/or representatives of the executive branch of state government.
- Nearly every state had authorized legislative interim studies on some aspect of state-local relations during the 1970s.
- Every state had a state department of community affairs (DCA) or an office designated to perform DCA functions. Nearly half of these agencies had an advisory or administrative board of local government officials.
- A handful of states had transformed their dormant interstate cooperation commissions (initially created as state affiliates of the Council of State Governments) into active, well financed and staffed agencies.
- During the preceding 15 years, the vast majority of states had created temporary commissions or committees to study state-local relations and to make recommendations to the governor and the legislature.
- Thirty governors, various state departments, and several state legislatures had established an office in Washington, DC, to participate more effectively in intergovernmental decisionmaking in the federal government.

The emergence of intergovernmental issues, such as state and federal aid, mandates, home rule, regional-

ism, jurisdictional or annexation controversies, and the need to develop or implement new constitutional provisions affecting local governments have been principal factors in the creation of most of these organizations. Other factors have included efforts of new governors to improve communications with local officials, recognition by a department of community affairs or a state legislature that its work would be facilitated by closer consultation with local officials, or efforts by organizations of local officials to increase or coordinate their own influence on intergovernmental policies.

ACIR has recommended that the states create broadly representative intergovernmental commissions by statute, and has drafted suggested legislation to facilitate such efforts (see Appendix A). Similar legislation has been drafted and promoted by the National Conference of State Legislatures (see Appendix R). These draft bills are designed to be tailored to the needs of individual states. The state ACIR concept also has been supported by the National Association of Counties and the Committee for Economic Development.

ACIR believes that a statutory base provides the permanence and independence that an intergovernmental body needs to work effectively for improvements in relationships. State experiences have revealed, however, that other, more informal approaches may be used—particularly (1) where a legislature cannot be persuaded to create an ACIR by statute or (2) where some experience is seen as desirable before creating a permanent intergovernmental advisory unit.

This report summarizes the findings of a 1990 survey of the 26 state-local relations bodies currently recognized as counterparts of the U.S. ACIR. There has been no attempt to update the information about local government study commissions, interstate cooperation commissions, local advisory boards attached to state departments of community affairs, or other mechanisms used by states to address issues of state-local relations.

Notes

- ¹ U.S. Advisory Commission on Intergovernmental Relations, *The Challenge of Local Governmental Reorganization*, Vol. III of *Substate Regionalism and the Federal System* (Washington, DC, 1974).
- ² See Deborah D. Roberts, "Carving Out Their Niche: State Advisory Commissions on Intergovernmental Relations," *Public Administration Review* (November/December 1989): 576-80.
- ³ *Ibid.*, pp. 170-71.
- ⁴ U.S. Advisory Commission on Intergovernmental Relations, *Regulatory Federalism: Policy, Process, Impact and Reform* (Washington, DC, 1984).
- ⁵ *Mandates: Cases in State-Local Relations* (Washington, DC, 1990).
- ⁶ Steven D. Gold, *Reforming State-Local Relations: A Practical Guide* (Denver: National Conference of State Legislatures, 1989).
- ⁷ U.S. Advisory Commission on Intergovernmental Relations, *State-Local Relations Bodies: State ACIRs and Other Approaches* (Washington, DC, 1981).

1. STATE-LOCAL RELATIONS BODIES: ORIGINS, GROWTH, TYPES, AND CHARACTERISTICS

Since 1974, when ACIR first recommended that states establish permanent, broad-based advisory commissions on intergovernmental relations, the number of states having such organizations has increased from four to 26. Twenty of these units are patterned after the national ACIR model (see Figure 1). Over the same time period, six states have discontinued their ACIRs.

Types

Twenty states have created broad-based ACIRs—Colorado, Connecticut, Florida, Louisiana, Massachusetts, Michigan, Minnesota, Missouri, New Jersey, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Utah, Virginia, and Washington. Four states have legislative committees (Illinois, Maryland, New York, and South Dakota), and two states have local advisory panels attached to the governor's office (Indiana and Maine), see Figure 2. Figure 1 shows that the number of legislative organizations has remained constant, while the general trend has been in the direction of fewer local advisory panels and more state ACIRs.

The main structural difference among the three categories lies in the composition of the membership. State ACIRs include representatives from the legislative and executive branches of state government, elected officials from a wide variety of local governments, and members of the public. Legislative committees consist mostly of legislators. Local advisory panels usually include mostly local officials plus some state executives, and they advise only the governor (see Table 1).

Figure 3 depicts the variation in composition. While local officials (municipal, county, towns or townships, regional, and special districts) make up 87.5 percent of the two advisory panels, and state legislators comprise 84.5 percent of the legislative organizations, the 20 state ACIRs have a more balanced mixture of local officials (44.7 percent), legislators (30.3 percent), and state executives (14.0 percent).

Although legislative and gubernatorial bodies are well positioned to give advice to their respective branches of state government, they lack independence in setting their own agenda and budget and directing an impartial staff, and cannot provide a neutral forum where state and local executive and legislative parties can come together on an equal footing. These factors may inhibit full and impartial exploration of many issues. State-local relations bodies modeled on the U.S. ACIR avoid these limitations.

The type of intergovernmental body that a state creates depends on many factors. States may opt to create a governor's advisory panel or a legislative committee when a legislature cannot be persuaded to

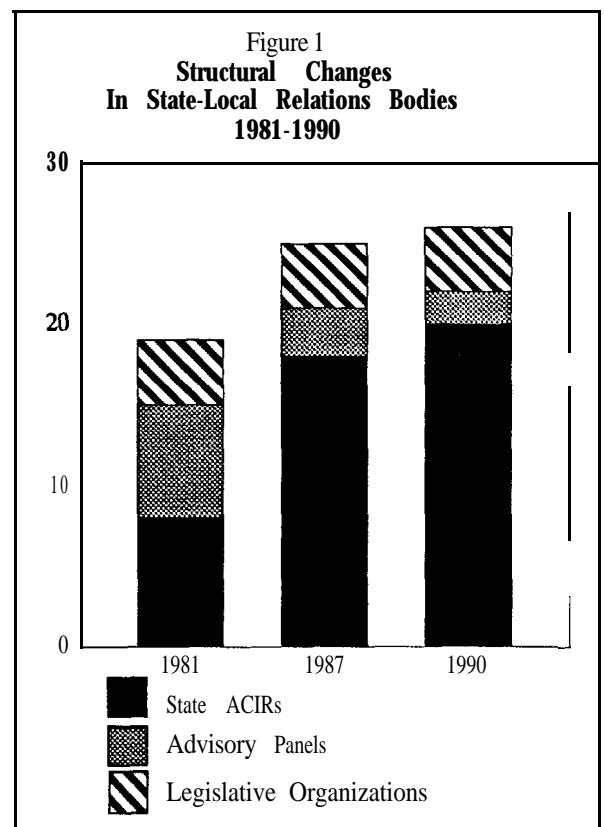
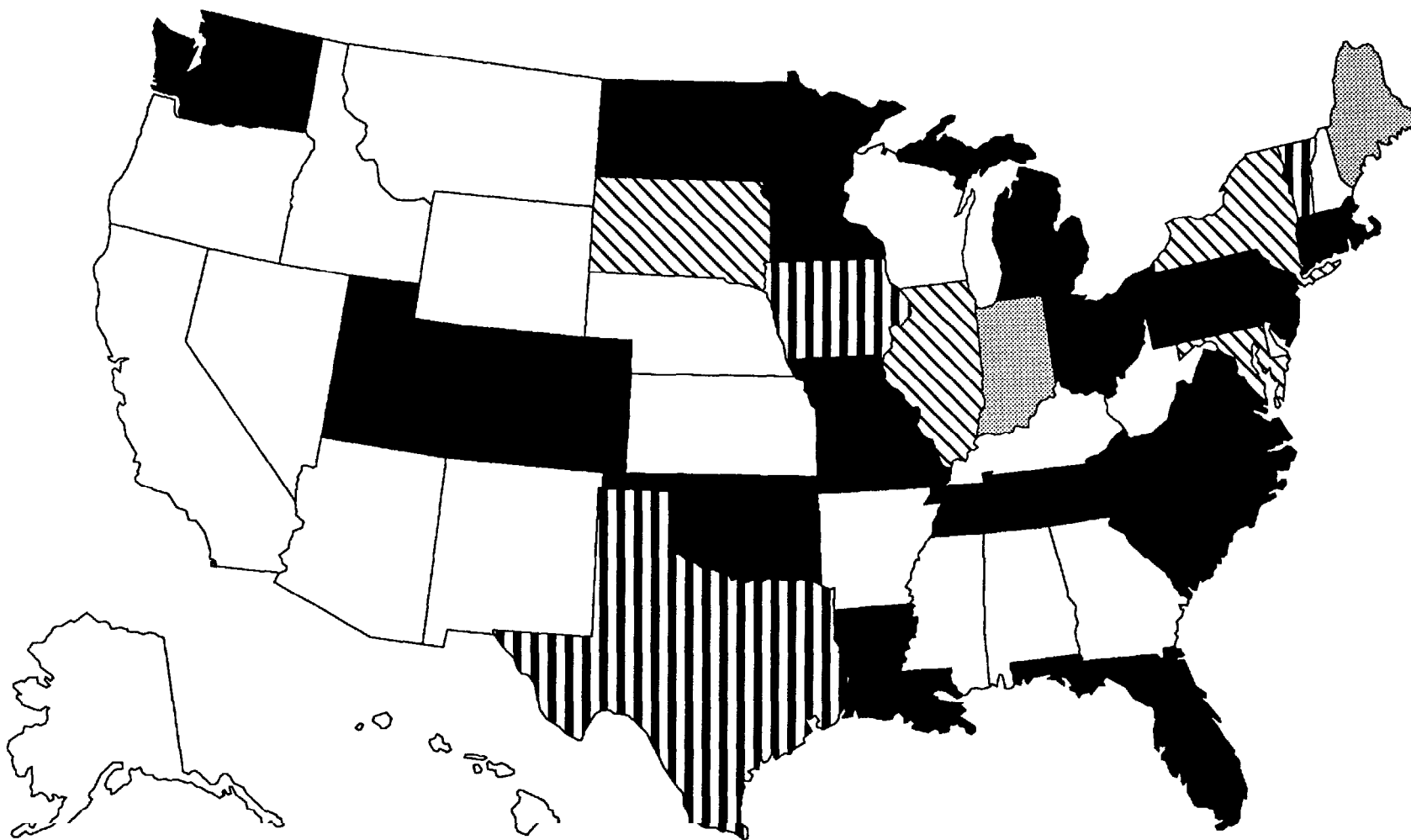


Figure 2
State ACIR Counterpart Organizations, 1990



State ACIRs:

Colorado, Connecticut, Florida, Louisiana, Massachusetts, Michigan, Minnesota, Missouri, New Jersey, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Utah, Virginia, Washington. (20)

Local Advisory Panels: Indiana, Maine. (2)

Legislative Committees: Illinois, Maryland, New York, South Dakota. (4)

Inactive State ACIRs: Iowa, Texas, Vermont. (3)

Figure 3
Composition of State-Local Relations Bodies

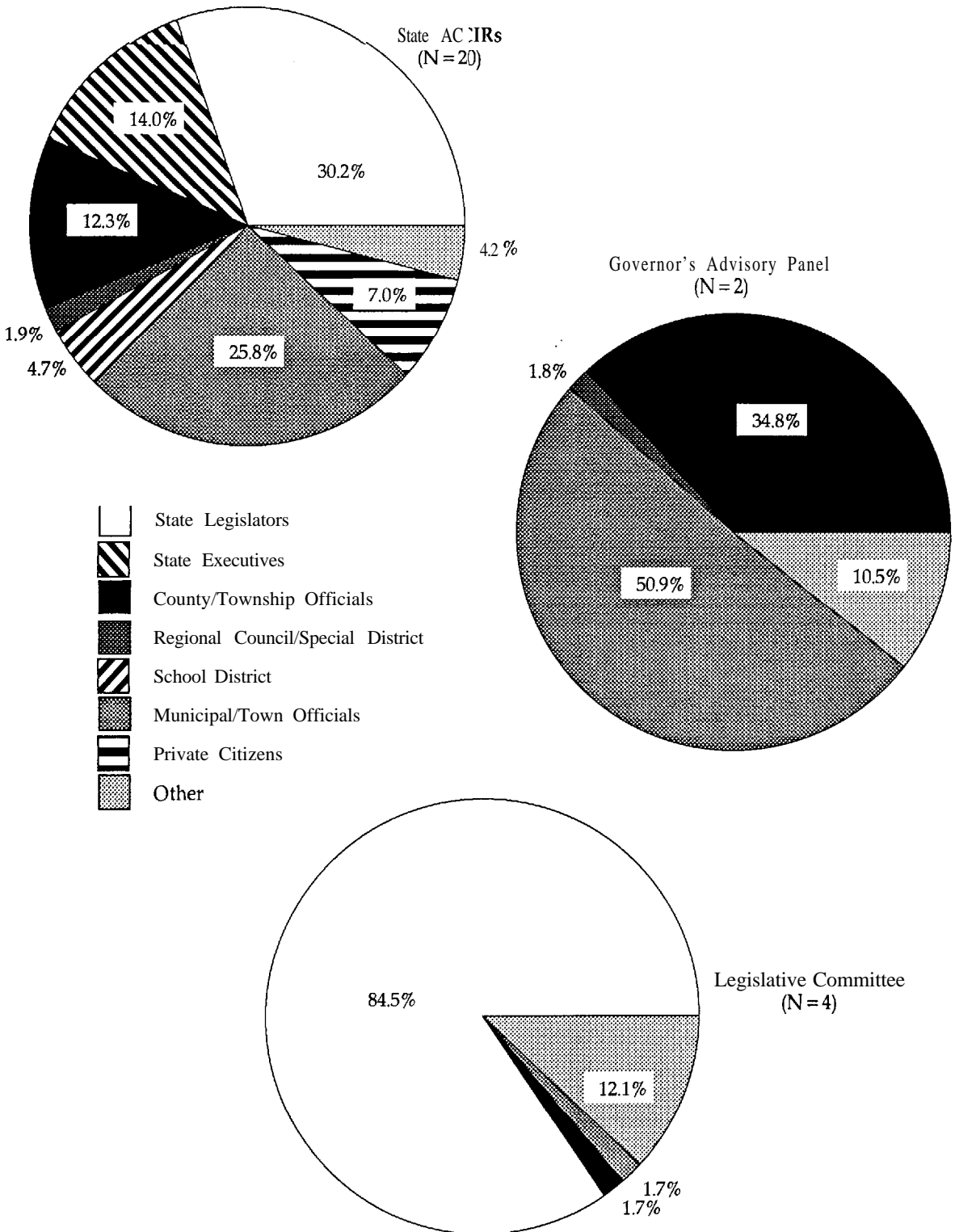


Table 1
Membership Characteristics of State Organizations, 1990

Commission	State Legislators	State Executives	County/ Township Officials	Regional Council/ Special District	School District Officials	Municipal/ Town Officials	Private Citizens	Other	Total
Colorado	14	5	3	1	3	4			30
Connecticut	6	3		1	2	8	5		25
Florida	8		1 ¹		2 ¹	1 ¹		9 ²	21
Illinois	12								12
Indiana			21			24			45
Louisiana	4	4	3		3	3			17
Maine				1		5		6 ³	12
Maryland	16							5 ¹	21
Massachusetts	6	1			4	29			40
Michigan	14							7 ⁴	21
Minnesota	4	6		1	2	7			20
Missouri	4	5	3	1		7	10		30
New Jersey	6		3			3	3		15
New York	10								10
North Carolina	4		6			6	3		19
North Dakota	4	25	2			3			11
Ohio	4	1	4			2	2		13
Oklahoma	8	3 ⁶	4		1	5		1 ¹	22
Pennsylvania	5	5	4			4			18
Rhode Island	8	4			2	6			17
South Carolina	8		3	2	1	3	4		21
South Dakota	11		1			1		2 ⁸	15
Tennessee	10	5	5			4	5		29
Utah	6	4	4	1		4	1		20
Virginia	6	2	4	1		4	1		18
Washington	4	6 ⁶	6			6			22
Totals	179	56	77	9	20	139	34	30	544

¹ Ex officio Members

¹ Appointed by the Governor (includes city and county officials, state department heads, and private citizens)

³ Appointed by the Governor

⁴ 5 Members Appointed by the Governor, 2 Appointed by the Supreme Court

⁵ The Governor and One Member of the Parks and Recreation Association Are on the Commission

⁶ The Governor Is on the Committee

⁷ 1 Member of Congress Is on the Committee

⁸ 2 Additional Local Government Officials Appointed by the Executive Board of the Local Government Commission

create an ACIR or where some experience with an alternative form is seen as desirable before creating a broad-based commission.

Creation and Functions

Beyond differences in membership, state intergovernmental relations organizations vary in method of creation and in function. Twenty bodies have been created by statute, and four by executive order. One is a private nonprofit corporation established outside of

state government to serve the state, while another operates informally (see Table 2).

The organizations perform varying functions, depending on financial support and the guidelines in the enabling legislation, executive order, or charter. These functions can be classified into seven basic categories: (1) a forum for the discussion of intergovernmental issues; (2) research on state-local issues and policies; (3) a data center and information clearinghouse; (4) constituent services, technical assistance, and case work; (5) policy recommendations designed to improve state-local relations; (6) confer-

Table 2
1990 Legal Basis and Year Established

State	Legal Basis		Year Created
	Executive Statute	Incorporated Order	
Colorado			X 1987
Connecticut	X		1985
Florida	X		1977
Illinois	X		1937 ¹
Indiana		X	1989
Louisiana	X		1986
Maine		X	1979 ²
Maryland	X		1937 ³
Massachusetts	X		1976 ⁴
Michigan	X		1975 ⁵
Minnesota		X	1985 ⁶
Missouri		X	1985
New Jersey	X		1966 ⁷
New York	X		1981 ⁸

¹ Amended 1984

*Amended 1987

³ Amended 1983, 1987, 1988, 1990

⁴ Executive Order (1976), Statute (1981)

⁵ Contractual Agreement (1975), Statute (1988)

⁶ Executive Order (1985), Amended (1985)

⁷ Statute (1966), Amended (1966)

*Statute (1981), Reauthorized (1990)

state	Legal Basis		Year Created
	Executive Statute	Incorporated Order	
North Carolina	X		1978 ⁹
North Dakota	X		1976 ¹⁰
Ohio	X		1978
Oklahoma	X		1987
Pennsylvania		X	1975 ¹¹
Rhode Island	X		1978 ¹²
South Carolina	X		1979 ¹³
South Dakota	X		1968
Tennessee	X		1978 ¹⁴
Utah	X		1987
Virginia	X		1977 ¹⁵
Washington	X		1982 ¹⁶
Totals	20	4	1 1

⁹ Executive Order (1978), Statute (1979)

¹⁰ Executive Order (1976), Statute (1989)

¹¹ Agreement (1975), Incorporated (1978)

¹² Statute (1978), Amended (1988)

¹³ Executive Order (1979), Statute (1984)

¹⁴ Statute (1978), Amended (1981)

¹⁵ Executive Order (1977), Statute (1978), Restructured and Reorganized (1989)

¹⁶ Executive Order (1982), Amended (1984)

ences and seminars; (7) publication of a newsletter (see Figure 4 for descriptions).

The cornerstone activity for all these organizations is to provide a forum for discussing and exchanging ideas. (This function is written into the enabling legislation or executive order of a number of ACIRs.) Twenty-five of the 26 organizations conduct some research; 21 make recommendations on legislation to the governor or the legislature, or both; 19 provide constituent services and technical assistance; 13 hold conferences and seminars; 6 publish a newsletter; 5 represent local governments on other commissions; and 5 offer data base services (see Table 3).

Budget and Staff

The budgets of these organizations tend to limit the size of their staffs and shape the scope of their activities. Nevertheless, some states are able to perform more extensive activities than their limited funding and staff would suggest by borrowing staff from other agencies and making other arrangements.

The budgets of state-local relations organizations range from zero (seven states) to more than \$1 million (see Table 4). The sources of funds also vary (see Table 5). Seventeen states receive a state appro-

priation. The Tennessee ACIR receives a mixture of state and local funds. The Louisiana Municipal Association provided a grant of \$10,000 in 1989 to launch the state ACIR.

The staffs of state-local relations organizations range from none (or loaned staff only) to a complement of 19 full-time employees (see Table 6). Thirteen commissions have at least one full-time professional staff member, while four have only part-time help. The remainder rely on staff and administrative support from other agencies. For example, the Minnesota commission's staff support, printing, and mailing costs are paid by the state planning agency, and the executive director of Utah's council is loaned by the governor's office. Virginia's committee staff is provided by the Commission on Local Government (a boundary review commission). The Michigan council's staff is under the authority of the Legislative Council. The Pennsylvania council supports a staff of 11 on a FY 1990 budget of \$525,000, of which 99 percent is derived from contract work. The other 1 percent is generated from data request fees, survey work, and computer hookup fees paid by private interest groups and public agencies.

The range in funding levels for the legislative organizations is the greatest of the three types of state-local relations bodies. The Illinois commission

Figure 4
Roles of State ACIRs

Forum for discussion of long-range state-local issues. A place where state executives, administrators, legislators, and local government officials can be heard and can engage in focused dialogue. Includes review of existing and proposed state and federal policies and programs and mediation of conflicts between and among agencies and governments.

Conduct research on intergovernmental issues. This research leads to the development of recommendations for consideration by all governments, where appropriate. Examples of ACIR research include: earthquake mitigation in Utah and Missouri; municipal solid waste in Connecticut, Michigan, Missouri, and Utah; special districts legislation in Florida, South Carolina, and Utah; health care costs in Tennessee; corrections in Florida, Iowa, and Tennessee; and state mandates in Florida, Louisiana, Ohio, and South Carolina.

Data center and clearinghouse for information on intergovernmental issues. This includes providing information for constituents, as well as developing computer data bases on intergovernmental issues. New York has a computer-based description and model of all state and federal aid programs. Michigan, Pennsylvania, and Florida are working on similar data bases. The Florida ACIR publishes an annual compilation of state mandates to local governments. The Michigan Commission will serve as a clearinghouse for local government case studies.

Provide constituent services and technical assistance. Constituent services include acting as congressional liaison or as intermediary between state agencies, local governments, and COGs. It also in-

volves acting as ombudsman for local governments that have grievances with state actions or proposed actions. Several state ACIRs serve as representatives of local government on other commissions. Some ACIRs provide technical assistance to state and local agencies and governments in a broad range of programs and policy areas. The state ACIR can coordinate and target this assistance to local governments and also can provide technical training. Local tax studies are an example of technical assistance, as is Washington's program to assist local governments with infrastructure problems.

Develop and advocate policy recommendations as suggested solutions to state-local problems. These recommendations target emerging issues as well as those well established on the political agenda. A number of state ACIRs make recommendations on legislation, either pending or not yet proposed. Others provide a local voice in the state regulatory process. Missouri's proposal to create a local government risk management fund, a state-administered self-insurance program, is an example of ACIR recommendations that subsequently were adopted and implemented.

Hold conferences and seminars on issues of interest to state and local officials. Connecticut's conference on solid waste is an example.

Publish a newsletter to inform constituent governments and citizens of issues and events affecting them. These could include publicizing what other state ACIRs are doing. Currently, five states publish a newsletter, and there are others in the planning process.

receives more than \$1.1 million, and the New York commission collects more than \$425,700 in state appropriations. On the other hand, South Dakota's commission receives only \$5,000-\$6,000, and the Maryland committee has no specific state appropriation. Staff sizes are reflected in budgets. The Illinois commission is able to support 19 full-time staff members (including 6 in Washington, DC). The New York commission has a staff of nine full-time employees, including six research analysts. South Dakota, on the other hand, has two part-time staff members, while Maryland receives staff support from the General Assembly's Department of Fiscal Services.

Neither local advisory panel receives a state appropriation or any other direct funding; hence, both

staffs are modest. Maine's panel is administered by the state's commissioner of transportation, and any necessary expenditures incurred by commission members are paid by their respective organizations or agencies. Indiana's council has one executive assistant who operates out of the governor's office.

Inactive and Emerging State ACIRs

Arizona. The ACIR, established by an executive order that still stands, became inactive when interest waned and the governor's office decided not to staff it. Previously, it had operated on borrowed money and staff—a situation that works in some states but apparently was not sufficient in Arizona.

Table 3
Functions Performed by State Organizations, 1990

State	Research	Conferences/ Seminars	Constituent Services/ Technical Assistance ⁷	Represent Governments on Other Commissions	Local	Newsletter	Recommendations on Legislation	Data Base	Other
Colorado	X		X				X		
Connecticut	X	X	X				X		
Florida	X	X	X			X	X	X	2
Illinois	X	X	X			X	X		3
Indiana			X	X			X		4
Louisiana	X						X		
Maine	X		X				X		
Maryland	X	X	X				X		5
Massachusetts	X			X			X		6
Michigan	X	X	X			X	X	X	
Minnesota	X		X				X		
Missouri	X	X	X	X			X		
New Jersey	X		X				X		
New York	X	X	X			X		X	7
North Carolina	X		X				X		8
North Dakota	X		X				X		
Ohio	X	X	X	X		X	X		9
Oklahoma	X	X	X						
Pennsylvania	X	X						X	10
Rhode Island	X						X		
South Carolina	X	11					X		
South Dakota	X						X		
Tennessee	X	X	X			X	X	X	
Utah	X	X	X	X		12	X		13
Virginia	X								
Washington	X		X						
Totals	25	13	19	5		7	21	5	15

⁷This includes a variety of services, from filling simple information requests to providing ombudsman services.

*Estimate state shared revenues, calculate constitutional officer salaries.

³Office through which a state presence in Washington, DC is maintained, liaison (General Assembly With congressional delegation, NCSL, CSG, ACIR).

⁴Advice to Governor.

⁵Liaison, congressional delegation; review all interstate compacts each four-year term.

⁶Input into the regulatory process.

⁸computer modeling.

⁹Liaison between state agencies, local governments, and COGS; advocate for local governments.

¹⁰Intergovernmental coordination during disasters.

¹¹Information services, federal-aid application review process.

¹²Participate in leadership development/continuing education program for public officials.

¹³*Newsletter in planning stage.

¹⁴Draft legislation.

Table 4
Funding Levels for State Organizations, 1990

State	\$0	\$1- \$49,999	\$50,000- \$99,999	\$100,000- \$199,999	Over \$200K	State	\$0	\$1- \$49,999	\$50,000- \$99,999	\$100,000- \$199,999	Over \$200K
Colorado	X					North Carolina		5,397			
Connecticut				131,500		North Dakota		4,100			
Florida					623,411	Ohio					212,000
Illinois					1,110,700	Oklahoma				150,000	
Indiana			75,000			Pennsylvania					525,000
Louisiana		10,000				Rhode Island	X				
Maine	X					South Carolina					235,000
Maryland	X					South Dakota		5-6,000			
Massachusetts	X					Tennessee					375,900
Michigan				135,000		Utah	X				
Minnesota	X					Virginia		13,000			
Missouri			84,500			Washington Total	7	5	3	3	8
New Jersey					425,700						
New York					235,000						

Table 5
Sources of Funds, 1990

State	State Appropriation	Contracts	Grants	Local support	No Funds Of Own	In-Kind Services
Colorado					X	
Connecticut	X					
Florida	X					
Illinois	X					
Indiana	X					
Louisiana			X			
Maine					X	
Maryland					X	X
Massachusetts					X	
Michigan	X		X			
Minnesota					X	
Missouri	X					
New Jersey	X					
New York	X					
North Carolina	X					
North Dakota	X					
Ohio	X					
Oklahoma	X					
Pennsylvania		X				
Rhode Island					X	X
South Carolina	X					
South Dakota	X					
Tennessee	X			X		
Utah					X	X
Virginia	X					
Washington	X					
Totals	17	1	2	1	7	3

California. The legislature, with the concurrence of the governor, abolished the Council on Intergovernmental Relations (CIR) in a move designed to whittle down the size of government. CIR's original proponent also sponsored the bill to repeal it.

Iowa. The ACIR was allowed to "sunset" June 30, 1990, with its future to be determined by an interim committee.

Kansas. The legislature and the governor approved the repeal of the state ACIR statute because of "a tendency to proliferate governmental effort by establishing innumerable boards and commissions. . . ." and the necessity for increased funding from time to time. Efforts to revive the KACIR are continuing.

Texas. The ACIR, established by statute and still on the books, discontinued operation on August 31, 1989, when the governor vetoed the FY 1990-91 state appropriation to keep it going.

Vermont. The ACIR, established by executive order in

1985, "fell into disuse." Legislation was introduced in 1990, but not passed, to make it statutory.

Several of these state ACIRs became inactive at about the time they could have been most useful-in times of financial stress. It appears that a primary factor in the demise of state ACIRs is a change in administration and the political climate. A new governor not supportive of the ACIR concept or a legislature faced with a budgetary crisis may view the state's ACIR as expendable. Support or lack of support from the state municipal league, the county association, the legislative leadership, and the governor can have a determinant impact on the viability of a state-local relations body.

But, even as some of these organizations cease operation, others come into existence. For example, Wyoming has a new Local Government Coordinating Committee operating out of the governor's office, and Wisconsin has a new Bureau of Intergovernmental Relations in the governor's office. In Idaho, legislation has been introduced in recent years to establish a state ACIR.

Table 6
Professional Staff of State Organizations, 1990

State	Director	Association Director	Researcher/Analyst	Administrative Staff	Other	Total
Colorado						0
Connecticut	1		1			2
Florida	1		6	1	2 ¹	10
Illinois	2	1	11	3	2 ²	19
Indiana	1					1
Louisiana			1	1	1 ³	3
Maine						0
Maryland					4	0
Massachusetts						0
Michigan	1 ¹⁷			1	1 ⁵	3
Minnesota					6	0
Missouri	1			1		2
New Jersey	1		4	1		6
New York	1	1	6	1	1 ⁷	10
North Carolina	1 ⁸			1 ⁸		2
North Dakota					9	0
Ohio	1		1	1	1 ¹⁰	4
Oklahoma					1 ¹¹	1
Pennsylvania	1	1		4	5 ¹²	11
Rhode Island						1
South Carolina	1 ¹³		2	1		4
South Dakota				2 ¹⁴		2
Tennessee	1		4	2	1 ¹⁵	8
Utah	1 ¹⁶					0
Virginia	1 ¹⁸					1
Washington					1 ¹⁴	1

¹One part-time secretary and one intern

*Editor, federal aid coordinator

³All staff provided by legislature, auditor, and participating organizations

⁴Staff support provided by department of fiscal services

⁵One clerk/intern, part-time

⁶State planning agency provides administrative staff

⁷Part-time secretary

⁸Not 100% LGAC, not funded from LGAC budget

¹Part-time staff services provided by legislative council

¹⁰Public information officer

¹¹Project director

¹²Information specialist, IRP coordinator, IRP assistant, EDP manager, and programmer

¹³Part-time director

¹⁴Part-time employee

¹⁵Publications assistant

¹⁶Governor's office provides executive director

¹⁷Under direction of legislative council

¹⁸Official title is secretary

Table7
Activities and Accomplishments of State ACIRs, 1990

State	Fiscal Issues	State Mandates	Solid Waste	Special Districts	Human Services	Emergency Preparedness	Infra-structure	Functional Responsibility	Statutory/Constitutional Revisions
Colorado	X	X							
Connecticut	X	X	X	X					X
Florida	X	X		X			X		X
Illinois		X			X				X
Indiana	X						X		
Louisiana		X							
Maine	X		X		X				
Maryland	X	X							
Massachusetts	X	X			X				
Michigan	X		X						
Minnesota	X	X			X			X	
Missouri	X		X		X	X			
New Jersey	X			X	X			X	
New York	X	X							
North Carolina			X						
North Dakota									
Ohio	X	X				X			
Oklahoma									
Pennsylvania					X				
Rhode Island	X	X							
South Carolina	X	X		X					
South Dakota	X				X				
Tennessee	X				X				
Utah	X					X			
Virginia									
Washington			X				X		

2. THE ACCOMPLISHMENTS OF STATE-LOCAL RELATIONS BODIES

The range of activities and accomplishments of state-local relations bodies is great and expanding. A brief look at some areas of common activity demonstrates the contributions that these organizations have made to improving state-local relations (see Table 7).

Fiscal Issues

State and local fiscal issues are receiving a great deal of attention. Michigan and South Carolina have prepared comprehensive studies of the fiscal health of local governments, and Minnesota and New York have studied the service delivery responsibilities of local governments. The Tennessee ACIR developed a fiscal impact model to study the effects of a major new development and to estimate required new services and their cost. TACIR also studied school district fiscal capacities and finances. In Minnesota, the council identified all public services provided jointly by the state and one or more types of local government. The Massachusetts advisory committee participated in a governor's task force that analyzed local financing needs and recommended restructuring state aid to local governments. Maryland and Ohio have studied revenue sharing and tax base sharing.

A South Carolina priority is strengthening organizational and fiscal resources for local governments, including alternative revenue sources. The Florida ACIR issued a study profiling municipal and county revenues. New Jersey targeted for study the flow of funds between the federal, state, county, municipal, and special district governments. New York is continuing its issue brief series with reports on reserve funds and auditing by local governments. Missouri held a symposium to help local officials understand the implications of federal funding cuts and to look for ways to enhance existing revenues through better cash management. The Indiana council is developing a plan to utilize state resources for local training and technical assistance.

Another fiscal issue is the effect of municipal liability insurance costs on local governments. Maryland recently studied the matter, and the Missouri commission achieved one of its top legislative priori-

ties in 1985 when the state legislature established a state-administered, shared-liability insurance pool for local governments. The Minnesota council proposed legislation that would limit the liabilities of local governments.

Taxes, property taxes in particular, receive attention from several organizations. For example, Maine and Tennessee are studying the effects of general property tax relief, and Florida is evaluating the effects of such relief on elderly homeowners. Maryland's committee is looking at state aid to local communities and its relation to the local property tax. The Utah council was credited with avoiding a revenue-reducing tax cut after providing independent impact information to the legislature that showed the probable effects of the proposed cut. The Rhode Island commission is looking at the relationship between state aid to local communities and local property taxes.

Sales taxes also are an issue of interest in several states. For example, the South Carolina ACIR developed state legislation permitting a local option sales tax for cities and counties that was passed by the legislature. Colorado's ACIR summarized and quantified exemptions from the state sales tax, and the Tennessee ACIR promoted legislation to tax out-of-state mail-order sales.

On other fiscal issues, South Carolina's ACIR developed a new uniform financial reporting form, which has been implemented statewide, and trains local government finance officials in its proper completion. The Tennessee ACIR devised a uniform method for determining tax equivalent payments for publicly owned electric systems in the state. The South Dakota council drafted laws repealing many antiquated performance bonds required of individuals and businesses. The Ohio commission conducted a comprehensive study of the local government fund, the state's chief means of sharing revenue with local governments, and also drafted the law that allows local governments to "piggyback" on state contracts for the purchase of goods and services. Florida's ACIR studied impact fee use, and Michigan's commission is making a film on privatization. The Connecticut ACIR surveyed the state's 169 municipalities and the 17 regional school districts for their experiences in adopting their 1990-91 budgets.

State Mandates

The issue of state mandates to local governments is one of the hottest in state-local relations.¹ Several states are studying or recently have studied the matter (Colorado, Connecticut, Florida, Illinois, Louisiana, Maryland, Massachusetts, Minnesota, Ohio, New York, Rhode Island, and South Carolina). Louisiana's commission is studying state mandates involving the financing of state district courts. The Minnesota council helped reform the state's mandate process. The ACIRs in Florida, New York, and South Carolina issued studies of state mandates affecting local governments. The Rhode Island commission studied state mandates, including their costs and fiscal notes. The Ohio commission created a subcommittee to study state mandates in two phases. This effort produced a published policy report, followed by a detailed catalog. The Colorado committee is summarizing and quantifying federal and state mandates on local governments in social services, education, corrections, and the environment.

Solid Waste

Several states have considered the difficult problem of solid waste management. In 1988, for example, Connecticut convened two working forums that led to the development of a data base on local government solid waste management practices. The Missouri commission also held a conference on solid waste; its recommendations resulted in the establishment of solid waste districts and a solid waste management fund. The Michigan council is preparing a handbook on municipal solid waste, and the North Carolina commission requested and received administrative and legislative action to deal with the short- and long-term problems of solid waste management. In Maine, where the legislature recently passed a landmark solid waste law, the council is advising the governor on implementing the law and on other related issues. Washington's commission was a major player in developing the state's policy regarding hazardous waste disposal sites.

Special Districts

Four states sought to reform or restructure special districts, and the commissions provided useful and timely assistance.

New Jersey's commission helped pass revised city, town, borough, village, and township laws, absorbing all elected special districts other than fire districts.

Florida's ACIR developed a major reform of state policy toward special districts that has been enacted into law.

Connecticut's ACIR produced a major study of how taxing districts are created and terminated, and their accountability to the public and other entities. The study led to the introduction of a bill to overhaul the state statute governing special districts.

South Carolina's ACIR established and maintains a data base on special purpose districts.

Human Services

State ACIR responses to a variety of human services issues highlight the versatility of the organizations. The issues include child care, health care, education, housing, and substance abuse.

From 1986 through 1989, the Illinois commission hosted a series of conferences on child-support payments. The conferees' final recommendations were submitted to the legislature, which passed a number of bills strengthening the collection process. The South Dakota council examined the regulation of day care facilities and drafted laws that required criminal record background checks on employees, residents, and family members of day care providers. The Minnesota council analyzed the state's child development services programs and proposed ways to improve their coordination.

The Tennessee commission prepared a comprehensive study on hospital financing and a study on indigent health care and its impact on government-owned hospitals. The Illinois commission published a study of health care in rural areas.

Education issues also have been analyzed by several state-local relations bodies. The Illinois commission recently completed phase one of a two-phase study on the governance of higher education and is studying the pros and cons of membership in a Midwest Higher Education Compact. Spurred by recent court cases in Texas and Kentucky, the commission also has been assessing inequities in state funding of primary and secondary education.

The Massachusetts committee participated in a task force that examined special education and submitted suggested regulatory changes to the Department of Education. The task force recommendations resulted in a number of bills being introduced in the legislature. Maine's council also has been advising the governor on education funding.

In 1989, the Tennessee ACIR held a two-day symposium on education reform issues. The commis-

¹ U.S. Advisory Commission on Intergovernmental Relations, *Mandates: Cases in State-Local Relations* (Washington, DC, 1990).

sion continues to contribute research on education financing and performance issues.

State ACIRs also provide technical assistance in various areas of human services. For example, New Jersey's commission soon will issue a report recommending a massive governmental transfer of \$230 million in county and municipal human services costs to the state. The Pennsylvania council offers training and technical assistance to nonprofit organizations that furnish low-income housing to physically disabled and mentally ill people. The Missouri commission recently formed a committee on substance abuse to design treatment programs for cities and counties.

Emergency Preparedness

Disaster planning has received a great deal of state-local attention, especially in the central region of the country near the New Madrid fault. The Missouri and Ohio commissions play coordinating roles for state and local governments preparing to respond to earthquakes and other disaster situations. Utah's council also is working on state and local earthquake mitigation legislation. In its active days, the Texas ACIR conducted seminars and briefings for local officials and citizens, developed training materials and programs, and provided staff support for the state 911 Commission until it became financially self-sufficient.

Information Services

Several state-local relations bodies are finding a receptive audience for their role as data base managers and information clearinghouses. By establishing a central location for data crucial to careful **intergovernmental decisionmaking**, they fill a vital niche in the political process. This function is becoming more widespread as states realize its importance and marketability.

Pennsylvania's council has developed and made available a computer data base with a wide range of intergovernmental data compiled from a variety of federal and state sources, from which the council derives a significant percentage of its contract income.

Florida's ACIR maintains an extensive state-local computer data base containing revenue and expenditure information and local demographic records, and has issued a user's handbook for state and local agencies.

Michigan's commission has received funds to complete and maintain a Michigan State University data base of local government fiscal and statistical information. It plans to establish a clearinghouse on local government issues, and has developed a cross reference of taxing authorities (statutes, litigation, and minimum and maximum taxes) for local governments.

New **York's** commission maintains and continues to

refine its local government and aid data base. The New York data base is designed to be used by individuals without programming skills for access to information on aid flows or other local government information.

In addition, three states produce statistical abstracts and related reports detailing state-local services and fiscal information (Minnesota, Ohio, and Oklahoma). The growing number of states performing this clearinghouse function reflects the ability of state-local relations bodies to identify and develop roles well suited to their intergovernmental mandate.

Infrastructure

Several state ACIRs have been concerned with parts of the nation's infrastructure. The Washington ACIR played a key role in identifying the stntc's infrastructure problems. The Florida council developed a report on urban in-fill and infrastructure. Indiana's council is building a strategic plan to address state-local concerns on infrastructure, the environment, taxation and finance, public safety, and economic development.

Functional Responsibility

Responsibility for courts is another issue studied by state-local relations bodies. For example, the Minnesota council conducted research on transferring the trial court system to the state, and New Jersey's commission is working on a proposal to transfer 4,000 court employees from county government to the state.

Statutory and Constitutional Revisions

Several state ACIRs are considering revisions to state statutes and constitutions. The Connecticut ACIR surveyed municipal officials and legal counsel on problems with the state statute indexes. The commission also joined with the office of the state Law Revision Commissioner to review local government statutes in an attempt to make them more accessible. The Florida ACIR is promoting a constitutional amendment and legislation affecting the referendum and initiative process. The Illinois commission staffed a year-long project exploring the need for a state constitutional convention.

Conclusion

State-local relations bodies fill an important niche in intergovernmental relations. The depth and breadth of their activities are considerable. Whether an ACIR, a legislative committee, or a governor's advisory panel, each has a role in fostering intergovernmental cooperation. As federal financial aid to state and local governments has declined, the need for easing state-local tension points has increased. State-local relations bodies are helping to meet that need in many creative ways.

3. A NETWORK OF STATE-LOCAL RELATIONS BODIES

Although the U.S. Advisory Commission on Intergovernmental Relations has no formal legal ties to its state counterparts, the commission supports those organizations and helps promote the creation of new ones in states where they do not currently exist.

In 1983, the U.S. ACIR helped establish the state ACIRs network by sponsoring the first national meeting of state advisory commissions in Charleston, South Carolina. The success of that meeting has led to additional meetings once or twice a year. Some of these meetings, including the first one, have been held in conjunction with regular meetings of the U.S. ACIR.

Following the August 1989 meeting in Columbus, Ohio, the state ACIRs established a steering committee to plan future conferences and encourage communication to strengthen the network. The 1990 meeting took place in Newport, Rhode Island, and the committee is making arrangements for the 1991 conference in New Orleans, Louisiana.

Most recently, to promote communications, the U.S. ACIR prepared a directory containing a brief summary of each state organization's structure, functions, funding, staff, and accomplishments (see Appendix C). The directory will be available to existing and prospective state ACIRs and to others interested in these organizations.

The U.S. ACIR assists state ACIRs in their re-

search projects, primarily by providing published reports and consultations. The U.S. ACIR also does contract research for or with the state ACIRs, by special arrangement, as was the case for the 1990 South Carolina tax study. The Commission also works through the state ACIRs when doing research in their state.

Another element of the U.S. ACIR's support of the state organizations is the "Spotlight" series published periodically in *Intergovernmental Perspective*. **Twelve** state ACIRs have been profiled over the last few years,¹ and the series will continue in the 1990s.

When requested, ACIR has provided testimony, materials, and technical assistance to states interested in establishing state ACIRs and similar organizations. Information packets, putting new ACIRs in touch with established ones nearby, telephone consultations, and other techniques are used as appropriate and as requested. The best advice for new state ACIRs, however, comes from established ones. Suggestions are being considered to facilitate these contacts.

¹The states and the issues in which they were profiled are as follows: Connecticut, Winter 1988; Florida, Summer/Fall 1987; Minnesota, Winter 1989; Missouri, Winter 1987; New Jersey, Summer 1988; New York, Fall 1985; Ohio, Spring 1989; South Carolina, Spring/Summer 1985; Tennessee, Winter/Spring 1986; Texas, Summer 1986; Virginia, Summer 1989; and Washington, Summer 1987.

Appendix A. STATE ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

Published as suggested legislation in *ACIR State Legislative Program, Structure and Processes*, November 1975.

1.303 State Advisory Commission on Intergovernmental Relations*

Intergovernmental relations has changed in many ways since the mid-1970s. As the federal government's role in domestic affairs has shifted, the need for state-local cooperation has increased. Many programs of federal financial aid to state and local governments have decreased or been discontinued, and federal research and technical assistance programs have receded. A larger proportion of federal aid is passed through the states, tying federal dollars for local governments more closely to state decisionmaking processes. Furthermore, state mandated costs of local government continue to rise while limits on local revenue raising continue or intensify. The federal government also is relying more heavily on preemptions and mandates. As a result of these considerations, state and local governments increasingly have to rely on their own revenues to finance public services, and they need to work together more closely to meet the challenges of the 1990s.

The states in particular have a major role in meeting these challenges, either directly or in concert with their political subdivisions. While many states have begun to take remedial action or have provided local governments with the fiscal, functional, structural, and personnel authority to do so, much more needs to be done to ensure that coordination rather than conflict will characterize state-local relationships. One way in which this objective can be achieved is through the creation of a state advisory commission on intergovernmental relations.

The attached suggested legislation provides for the establishment of a permanent state advisory commission on intergovernmental relations to study structure, finances, functional performance, and relationships for local, regional, and state governments, and interstate relationships. It establishes a framework for the formulation of recommended solutions to intergovernmental problems.

Through a broad-based, bipartisan membership structure, diverse viewpoints can be applied to the difficult challenges facing state and local governments, and workable approaches to resolving them can be developed. Such commission representation is achieved

through a balanced mix of members coming from the general public, the executive and legislative branches of state government, and all of the basic local units within the state—counties, cities, and other political subdivisions. While the latter could include school districts or special districts, the basic thrust of the commission's work should be oriented to general purpose government units. Depending on the nature of state and local elections, members might be appointed without regard to political affiliation or in such a way as to achieve an even or nearly even partisan balance.

Even though the state advisory commission on intergovernmental relations is essentially a state-local body, the significant impact of federal assistance and policy decisions on state and local operations suggests consideration of representation for the federal government. Members of Congress and federal agency representatives have been included among the members of certain state ACIRs.

The permanence of the state advisory commission on intergovernmental relations is underscored by the assignment of an ongoing mandate to the commission, the procedures for readily filling vacancies, and avoidance of a termination date. Professionalism is ensured by authorizations for an executive director and staff. Finally, conducting hearings; submitting reports; and drafting and disseminating statutes, constitutional amendments, and model local ordinances are means for calling the recommendations of the commission to the attention of decisionmakers and enhancing implementation prospects.

This suggested legislation is geared toward overcoming the shortcomings of more limited approaches to state-local cooperation—for example, federal-state coordination bodies, interstate cooperation commissions, departments or other agencies for community affairs, and councils of local affairs. The suggested legislation is based on a recommendation in Volume III of the Commission's report on *Substate Regionalism and the Federal System* and on experience with state ACIRs.

Section 1 sets out the need and purpose for a state advisory commission on intergovernmental relations.

Section 2 creates the commission; *Section 3* establishes its membership; and *Section 4* outlines the commission's functions and duties.

Section 5 makes provisions for the commission to hold meetings, conduct hearings, and establish committees. *Section 6* authorizes the employment of appropriate support staff; *Section 7* deals with finances; and *Section 8* requires that the commission issue reports on its findings, recommendations, and performance.

Sections 9 and 10 provide for separability and effective date clauses.

* Derived from: Advisory Commission on Intergovernmental Relations, *The Challenge of Local Governmental Reorganization, Volume III of Substate Regionalism and the Federal System* (Washington, DC, February, 1974).

[AN ACT TO ESTABLISH
A STATE ADVISORY COMMISSION
ON INTERGOVERNMENTAL RELATIONS]

SECTION 1. Findings and Purpose.

- (a) The [legislature] finds and declares that there is a need for a permanent intergovernmental body to study and report on:
- (1) the current pattern of local governmental structure and its viability;
 - (2) the powers and functions of local governments, including their fiscal powers;
 - (3) the existing, necessary, and desirable relationships between and among local governments and the state;
 - (4) the existing, necessary, and desirable allocation of state and local fiscal resources;
 - (5) the existing, necessary, and desirable roles of the state as the creator of the local governmental systems;
 - (6) the special problems in interstate areas facing local governments, intrastate regional units, and **areawide** bodies, such studies where possible to be conducted in conjunction with those of a pertinent sister state commission(s); and
 - (7) any constitutional amendments and statutory enactments required to implement appropriate commission recommendations.

SECTION 2. Commission Created. There is hereby created a [insert state] [Advisory Commission on Intergovernmental Relations].

SECTION 3. Membership.

- (a) The commission shall be composed of 20 members, as follows:
- (1) four elected county officials, four elected city officials, two state executive branch officials, and four private citizens, all of whom shall be appointed by the governor, except that the county and city members shall be appointed from lists of at least eight nominees submitted by their respective state associations;
 - (2) three state senators appointed by the [president pro tern of the **senate**];² and
 - (3) three state representatives appointed by the [speaker of the house of representatives].:!
- (b) The chairperson and vice chairperson of the commission shall be [elected by the members] [designated by the governor from among the members] and shall **serve** in these respective capacities at the pleasure of the [electing] [appointing] **authority**.³ In the event of the absence or disability of both the chairperson and vice chairperson, the members of the commission shall elect a temporary chairperson by a majority vote of those present and voting.
- (c) Of the first members appointed by the governor after the effective date of this act, two of the elected county officials, two of the elected city officials, one of the officials of other political subdivisions, one of the state executive branch officials, two of the private citizens, and three of the state legislators shall hold office for a term of two years. The remaining members, and members subsequently appointed, shall be appointed for a period of four years; provided that a member appointed to succeed another member whose term has not expired shall be appointed for the period of the unexpired term, and may be subsequently appointed for a four-year **term**.⁴ Should any member cease to be an officer or employee of the unit or agency he or she is appointed to represent, membership on the commission shall terminate immediately and a new member shall be appointed in the same manner as the predecessor to fill the unexpired term.

[Alternative 1.]

- [(d) The members appointed from private life under subsection (a) shall be appointed without regard to political affiliation. Of each class of local government members appointed by the governor, not more than half shall be

from any one political party. Of each class of state members appointed by the [president pro tem of the senate and the speaker of the house of representatives], two shall be from the majority party of their respective houses.

[OR]

[Alternative 2.]

[(d) Members of the commission shall be appointed without regard to political affiliation.]

(e) Twelve members of the commission shall constitute a quorum.

SECTION 4. Functions and Duties.

(a) The commission shall carry out the following functions and duties:

- (1) serve as a forum for the discussion and resolution of intergovernmental problems;
- (2) engage in such activities and make such studies and investigations as are necessary or desirable in the accomplishment of the purposes set forth in Section 1 of this act;
- (3) consider, on its own initiative, ways and means of fostering better relations among local governments and between local governments and the state government;
- (4) draft and disseminate legislative bills, constitutional amendments, and model local ordinances necessary to implement recommendations of the commission;
- (5) encourage, and where appropriate, coordinate studies relating to intergovernmental relations conducted by universities, state, local, and federal agencies, and research and consulting organizations; and
- (6) review the recommendations of national commissions studying federal, state, and local government relationships and problems and assess their possible application to [insert state].

SECTION 5. Meetings, Hearings, Committees.

- (a) The commission shall hold meetings quarterly and at such other times as it deems necessary. The commission may hold public hearings from time-to-time on matters within its purview. [By its subpoena the commission may compel the attendance of witnesses and the production of books, papers, and records of any agency of the state or any of its political subdivisions.]
- (b) Each officer, board, commission, council, department, or agency of state government, and each political subdivision of the state, shall make available all facts, records, information, and data requested by the commission and in all ways cooperate with the commission in carrying out the functions and duties imposed by this act.
- (c) The commission may establish committees as it deems advisable and feasible, whose membership shall include at least one member of the commission, but only the commission itself may set policy or take other official action.
- (d) The commission shall promulgate rules of procedure governing its operations, provided they are in accordance with the provisions of [insert state administrative procedures act].
- (e) All meetings of the commission, or any committee thereof, at which public business is discussed or formal action is taken shall conform to [insert state open meetings act].

SECTION 6. Staff.

- (a) The commission shall employ and set the compensation of an [executive director], who shall serve at **its pleasure**. The [executive director] may employ professional, technical, legal, clerical or other staff, as necessary and authorized, and may remove such staff.
- (b) The staff of the commission shall be within the unclassified service of the [insert state civil service act]. and then- compensation shall be determined by the commission within the limitations of appropriations for commission staff purposes.

SECTION 7. Finances.

- (a) A member of the commission is not entitled to a salary for duties performed as a member of the commission. Members who are not full-time salaried government officers shall receive per diem at a rate equal to the amount available to [members of the legislature] [civil service **employees**].⁵ Each member is entitled to reimbursement for travel and other necessary expenses incurred in the performance of official duties.
- (b) The commission is authorized to apply for, **contract** for, receive, and expend for its purposes any appropriations or grants from the state, its political subdivisions, the federal government, or any other source, public or private.
- (c) Political subdivisions of the state are authorized to appropriate funds to the commission to share in the cost of its operations.
- (d) To assist financially with the exercise of the functions and duties provided in Section 4, state appropriations are hereby authorized in such amounts as may be necessary.

SECTION 8. Reports. The commission shall issue reports of its findings and recommendations from time to time, and shall issue annually a public report on **its work**. Copies of the annual report shall be submitted to the governor, presiding **officer[s]** of the [legislature], each county, city, regional unit and other political subdivisions of the state, and appropriate state departments and agencies. Reports of the commission shall be available to the public.

SECTION 9. Separability. [Insert separability clause.]

SECTION 10. Effective Date. [Insert effective date.]

Notes

¹ Suggested short title: State Advisory Commission on Intergovernmental Relations.

*Individual states should insert the appropriate names of the upper and lower houses of the legislature and titles of their presiding officers.

³ Other, more restrictive methods of choosing the chairperson and vice chairperson might be considered, but may prove to have disadvantages. It could be specified that the chairperson and vice chairperson be from different membership categories and that they be confirmed by the **legislature**. In practice, the chairman of the U.S. ACIR has generally **been** a private citizen member (to **preserve** governmental neutrality); the vice-chairman has generally been an **elected** official (to highlight the need to be practical)

In some states, the chairperson is the person filling a particular membership role (such as lieutenant governor). Some negative reactions to this perceived "capturing" of leadership by a particular type of official suggest the possibility of rotating the chair among membership categories. However, rotation may arbitrarily unseat a successful chairperson who should be continued.

⁴ States having two-year terms for either house or senate members may wish to adjust the terms for members of the commission.

⁵ A specific dollar amount could be inserted here, but might quickly become outdated and be left unamended. The alternatives offered here are intended to raise the issue of equitable treatment of ACIR members compared **to other** officials in the state having comparable political stature.

Appendix B. ESTABLISHING A STATE INTERGOVERNMENTAL RELATIONS COMMISSION: MODEL LEGISLATION

State-Local Task Force National Conference of State Legislatures March 1987

This model legislation is a modification of suggested legislation recommended by the U.S. Advisory Commission on Intergovernmental Relations (ACIR). While NCSL's State-Local Task Force generally approves of ACIR's recommendations, it believes that revision of numerous details can strengthen state intergovernmental relations commissions.

Creation of a state commission on intergovernmental relations is one of the fundamental recommendations of NCSL's Task Force on State-Local Relations. This document consists of two parts—a discussion of the need for and structure of such organizations and draft legislation for creating one.

Background

We are on the brink of a long period of significant change in the way that state and local governments interact. As states in recent years have been moving to address new problems facing their citizens, relationships with local governments have been broadening. State municipal leagues, county associations, and other local governments have become more active, professionally sophisticated, and effective in presenting local problems to the state government and in interpreting state policies and programs to their constituent units of local government. Local governments are having to confront new and increasingly difficult technical and fiscal problems, and many of these are inextricably tied to the state as a whole. State departments of community affairs, housing finance, environmental protection, and economic development have been established, and new legal, administrative and financial linkages between state and local governments have evolved.

Another major impetus for change in state-local relationships has been the federal government's withdrawal of financial support for state and local governments. Federal aid has decreased substantially, and further large reductions appear likely. These changes create a vacuum that forces states to reassess their traditional policies and postures vis-a-vis local units of government.

In recognition of the growing importance and complexity of state-local linkages, the National Conference of State Legislatures (NCSL) established a Task Force on State-Local Relations to assess these

relationships and develop recommendations for improvement.

The Task Force adopted a report on August 5, 1986, calling for:

new approaches and processes for developing state-local policies: and

strengthening and improving particular state policies toward local governments, including:

state enabling legislation for sounder and more diversified local revenue systems;

review of state mandates upon local government and measures to better gauge their cost prior to enactment, assisting in local compliance costs, and modifying or eliminating other mandates;

sorting out financial and functional responsibilities between state and local levels: and

increasing state technical assistance to local governments, especially smaller units.

This document deals with one of the NCSL Task Force proposals in the "policy development process" area—namely, the need in every state to establish or strengthen a permanent state organization for state-local and other intergovernmental relationships. The Task Force report states:

A specific organization dedicated to state-local issues is needed because the profound changes in this area require ongoing study. States have research organizations and standing legislative committees capable of studying a particular problem and developing new policies to deal with it, but those existing entities have many other responsibilities and cannot continuously devote the attention that is required to state-local issues. Other reasons . . . are the complexity of the issues and the rapidity with which they are changing. The various local governments within a state differ significantly, local revenue systems are complicated, and solutions to problems must consider both revenue and spending ramifications. An organization that specializes in state-local issues is best able to study the nature of problems in this area to suggest alternative policies. . . .

The Task Force report goes on to point out that no single model can or should be developed for such an organization because of differences in traditions

and governmental structure among states. The Task Force sets forth the following guidelines, based on state experiences so far:

- It should be permanent, not interim or temporary, and be created by statute; creation by executive order is entirely unsatisfactory on two grounds—transitory nature and lack of sufficient legislative involvement.
- It should be either a legislative commission or a state Advisory Commission on Intergovernmental Relations (ACIR); it should be either part of the legislature or an independent entity, not a regular executive agency under the domination of the governor.
- It should have an adequate budget and qualified staff (e.g., for states having sufficient resources, a minimum budget of \$200,000 and four staff members), with local government participation in financing the organization.

Finally, the Task Force notes that in the approximately 25 states already having intergovernmental relations commissions, most have too little scope and influence, inadequate budgets, and an insufficient role for state legislators.

Considerations Flowing from the NCSL Task Force Guidelines

Following is a range of factors that need to be taken into account in framing legislation to establish a state organization to deal with state-local and other intergovernmental relations, using the Task Force guidelines as a base. Three basic conditions are necessary for maximum effectiveness of the organization: (1) adequate statutory scope for advisory and research role; (2) balanced legislative-executive roles in the organization's structure and operation; and (3) continuity in professional competence, usable output of good quality, budgetary support and bipartisan political support. Optional ways to fulfill these three conditions in the legislative creation or overhaul process are dictated by the situation existing in the particular state. Obviously, state government is strongest when, after deliberation and accommodation, executive and legislative branches can pull together in an equitably balanced structure. There are other factors to be considered, however.

The legislative commission approach is most clearly called for in two types of situations: (1) In a "clean slate" condition where no executive, legislative, or joint organizations are in existence and where

the governor will not agree to creation of an agency that includes substantial and equitable membership allocation and other participation by the legislative branch. (2) In a condition where an executive-dominated agency exists, but in either a dormant or highly unsatisfactory status; in this condition, a substantive and structural overhaul to bring about a strong and balanced agency is the most desired outcome; if this is not possible, the legislative commission approach should be taken.

The "state ACIR" approach is most warranted (1) where a well performing executive-oriented agency exists and there is opportunity to achieve the necessary structural amendments to ensure the kind of legislative membership and other participation called for in the task force report; and (2) where there is already in existence a state ACTR with balanced legislative branch membership and participation. In this situation, strengthening amendments regarding scope, budget, and other aspects should, of course, be sought if needed.

The draft bill that follows contains the elements considered essential in the Task Force report, and in most structural, membership, and financing areas, alternative language possibilities are presented. The major issue and problem areas in addition to the legislative commission vs. state ACIR question discussed above include:

- **The question of further categorization of membership requirements, especially size of local jurisdiction, mayor/county executive vs. council member.** Relevant factors include the extent to which populous jurisdiction officials may be discriminated against in the nominating process, where a league or association operates on a one unit, one vote basis; whether county commissions and city councils are on a strong- or weak-executive basis; and whether a league or association is inclined always to nominate hierarchy officers in the organization, regardless of qualifications, or if the organization boards have shown a tendency to use care in this regard. The Task Force modified the US. ACIR's recommendation by granting to state associations of local officials the power to appoint members to the commission. The U.S. ACIR had suggested allowing the governor to make these appointments from lists of at least eight nominees submitted by the respective associations.
- **The question of political affiliation of commission members.** State tradition, relative strength of party versus philosophical divisions in state and local affairs, and presence or absence of a two-party system are all relevant factors.

Among the other changes made in **ACIR's** model legislation by the **Task Force** are: adding to the prescribed duties the preparation of an annual report on the state of local governments; eliminating subpoena power, which is an optional feature of **ACIR's** model legislation; and requiring that local governments contribute financial support to the state body.

The **Task Force** discussed but did not change several other provisions, such as increasing the number of legislators on the commission, changing the requirement that employees be part of the civil service,

and giving the legislature rather than the governor the power to appoint the chair and vice chair.

The question of which specific classes of local governments should be represented on the commission was also discussed, with recognition that the appropriate membership would vary according to the local government structure in a particular state. While school districts are important local **governments**, it was not recommended that they be included because their interests and concerns tend to be different from other categories of local governments.

[AN ACT TO ESTABLISH A STATE INTERGOVERNMENTAL RELATIONS COMMISSION]1

(Be it enacted, etc.)

SECTION 1. Findings and Purpose.

- (a) **The** [legislature] finds and declares that there is a need for a permanent intergovernmental body to **be** concerned with how to strengthen and facilitate relationships between the state government and the **cities**, counties, and other local governments in the state, including but not limited to the following:
- (1) perform the functions and roles of:
 - (i) providing a forum for discussion of long-range state-local issues;
 - (ii) promoting experimentation in intergovernmental processes, both state-local and **inter-local**; and
 - (iii) developing possible solutions or remediations of state-local problems.
 - (2) study and report on such issues as:
 - (i) the existing, necessary, and desirable relationships between and among local **governments** and the state;
 - (ii) the powers and functions of local governments, especially the adequacy of their fiscal resources and powers;
 - (iii) the existing, necessary, and desirable allocation of state and local responsibilities and fiscal resources;
 - (iv) emerging local problems and the role of the state government concerning them;
 - (v) impact of federal or state judicial decisions or of existing or proposed state legislative or executive policies upon the capacities and effectiveness of local government;
 - (vi) the special problems in interstate areas facing the local governments, intrastate regional units and **areawide** bodies, such studies where possible to be conducted in conjunction with those of a pertinent sister state commission(s); and
 - (vii) any constitutional amendments and statutory enactments required to implement proposals of the commission.
 - (3) prepare an annual report on the state of local governments, describing and interpreting changes in their tax rates, taxbases, expenditures, non-taxrevenue, and related fiscal indicators, including measures of fiscal capacity, fiscal effort, and fiscal stress.

SECTION 2. Commission Created. There is hereby created a [state name] [State Commission on State-Local Relations] [Advisory Commission on Intergovernmental Relations] [other], hereinafter referred to as “the **commission**.”²

SECTION 3. Membership.

- (a) The commission shall be composed of **[19]** members, as follows:
- (1) [four] elected county officials, [four] elected city officials, [two] state executive officials designated by the governor; the county and city officials shall be selected by their respective state **associations**;
 - (2) [three] state senators appointed by the president pro tern of the **senate**;³
 - (3) [three] state representatives appointed by the speaker of the house of **representatives**;³
 - (4) [three] private citizens, one of whom shall be appointed by the governor and two by joint action of the [president pro tern of the] state senate and the [speaker of the] state house of representatives.

- (b) The chairman and vice chairman of the commission shall be appointed by the governor, subject to confirmation by [the state senate] [each house of the legislature]. In the event of the absence or disability of both the chairman and vice chairman, the members of the commission shall elect a temporary chairman by a majority vote of those present and voting.
- (c) Of the first members appointed by the governor after the effective date of this act, two of the elected county officials, two of the elected city officials, one of the state executive branch officials, one of the private citizens, and three of the state legislators, shall hold office for a term of two years. The remaining members, and members subsequently appointed shall hold office for a four year term. Should any member cease to be an elected official, officer or employee of the unit or agency he or she is appointed to represent, membership on the commission shall terminate immediately and a new member shall be appointed in the same manner as the predecessor to fill the unexpired term.

[Alternative 1.]

- [(d) The members appointed from private life under subsection (a) shall be appointed without regard to political affiliation. Of each class of local government members not more than half shall be from any one political party. Of each class of state legislative members appointed by the [president pro tern of the **senate** and the speaker of the house of representatives] no more **than half** shall be of the same political party.

[OR]

[Alternative 2.]

- [(d) Members of the commission shall be appointed without regard to political affiliation.]
- (e) [eleven] members of the commission shall constitute a quorum.

SECTION 4. Functions and Duties.

- (a) In addition to the activities listed in Section 1, the commission shall **carry** out these further functions and duties:
 - (1) encourage, and where appropriate coordinate, studies relating to intergovernmental relations conducted by universities, state, local, and federal agencies, and research and consulting organizations;
 - (2) review the recommendations of national commissions studying federal, state, and local government relationships and problems and assess their possible application to [insert state]; and
 - (3) engage in such other activities and make such studies and investigations as are necessary or desirable in the accomplishment of the purposes set forth in Section 1 of **this** act;
 - (4) in the conduct of its work rely, to the extent appropriate, on research data, studies, and other resources of public and private educational and research organizations in the state and elsewhere.

SECTION 5. Meetings, Hearings, Committees.

- (a) The commission shall hold meetings at least quarterly and at such other times as it deems necessary. The commission may hold public hearings from time to time on matters within its purview.
- (b) Each **officer**, board, commission, council, department, or agency of state government, and each political subdivision of the state, shall make available all facts, records, information, and data requested by the commission and in all ways cooperate with the commission in carrying out the functions and duties imposed by this act.
- (c) The commission may establish committees as it deems advisable and feasible, whose membership shall include at least one member of the commission, but only the commission as a whole may take official commission action.
- (d) The commission shall promulgate rules of procedure governing its operations, provided they are in accordance with the provisions of [insert state administrative procedures act].
- (e) All meetings of the commission, or any committee thereof, at which public business is **discussed** or formal action is taken shall conform to [insert state open meeting act].

SECTION 6. Staff.

- (a) The commission shall employ and set the compensation of an [executive director], who shall serve at its pleasure. The [executive director] may employ professional, technical, legal, clerical, or other staff, as necessary and authorized, and may remove such staff.⁴
- (b) The staff of the commission shall be within the unclassified service of the [insert state civil service act], and their compensation shall be determined by the commission within the limitations of appropriations for commission staff purposes.⁵

SECTION 7. Finances.

- (a) A member of the commission is not entitled to a salary for duties performed as a member of the commission. Members who are not salaried government officers or not otherwise compensated on a per diem or other basis shall receive [\$50] per diem. Each member is entitled to reimbursement for travel and other necessary expenses incurred in performance of official duties.
- (b) The commission is authorized to apply for, contract for, receive, and expend for its purposes any appropriations or grants from the state, its political subdivisions, the federal government, or any other source, public or private.
- (c) Political subdivisions of the state are authorized and encouraged to appropriate funds to the commission to share in the cost of its operations. State funds in the support of the commission may not exceed [80] percent of total funds in its annual budget from all sources; annual total local government support, in cash or in kind, shall comprise at least [amount in dollars] [20 percent of the total commission budget from all sources].
- (d) To assist financially with the exercise of the functions and duties provided in sections 1 and 4, state appropriations are hereby authorized in such amounts as may be necessary.

SECTION 8. Reports. The commission shall issue reports of its findings and recommendations from time to time, and shall issue annually a public report on its work. Copies of the annual report shall be submitted to the governor, presiding officer(s) of the [legislature], each county, city, regional unit, and other political subdivisions of the state, and appropriate state departments and agencies. Reports of the commission shall be available to the public.

SECTION 9. Separability. [Insert separability clause]

SECTION 10. Effective Date. [Insert effective date]

Notes

¹This draft is intended only as a point of departure for state legislators and staff setting about to draft legislation to establish an organizational structure in the state government for state-local relations. This draft is a modification of a 1975 draft issued by the U.S. Advisory Commission on Intergovernmental Relations.

² See preceding discussion of alternative organizational arrangements.

³ Proper designations of the upper and lower houses of the legislature and of their presiding officers should be sub-

stituted where appropriate for the terms and titles used here.

⁴ Committee reports, floor debate, or other recorded deliberations surrounding the enactment of legislation creating the commission should reflect a legislative intent that a nucleus professional staff serve the commission on a continuing basis and that appropriations be sufficient to ensure such continuity.

⁵This depends on the adequacy of state civil service and other personnel policies and procedures to provide necessary levels of competence and compensation.

Appendix C. A DIRECTORY OF STATE-LOCAL RELATIONS ORGANIZATIONS

This **directory** of the intergovernmental organizations-counterparts of the U.S. Advisory Commission on Intergovernmental Relations-that are active in **26** states includes type of organization, legal basis, membership size and composition, budget, staff, functions, current activities and recent accomplishments, and a contact. Entries may **vary** in detail, based on the information provided by the organizations in response to a 1989 survey.

The ACIR counterpart organizations, **collectively** called "state ACIRs," are classified into three types based on the composition of their membership: ACIRs, legislative committees, or local advisory panels. ACIRs generally follow the model of U.S. ACIR, with members drawn from the executive and legislative branches of state government, from local **governments**, and from the public. The **20** state ACIRs draw their membership from state government, counties, municipalities, towns, townships, special districts, school districts, statewide organizations, and private citizens. The four legislative committees are made up predominantly of legislators. Each of the two local advisory panels is located in the governor's office. These panels are made up largely of local officials who advise the governor on state-local relations.

The organizational function information is based on a 1990 **survey** and is not listed in order of importance. Functions include research, sponsorship of conferences/seminars, constituent work/providing information,

representing local governments on other commissions, acting as ombudsman (for local governments that have grievances with state actions or proposed actions), issuing a newsletter, and making recommendations on legislation (either writing legislation or recommending a position). Respondents occasionally added a few functions, which are listed accordingly.

For five other states, current contacts familiar with intergovernmental **affairs** are listed. There also are listings for the U.S. Advisory Commission on Intergovernmental Relations and for the federal departmental directors of intergovernmental affairs.

The organizational function information is based on a 1990 survey and is not listed in order of importance. Functions include research, sponsorship of conferences/seminars, constituent work/providing information, representing local governments on other commissions, acting as ombudsman (for local governments that have grievances with state actions or proposed actions), issuing a newsletter, and making recommendations on legislation (either writing legislation or recommending a position). Respondents occasionally added a few functions, which are listed accordingly.

For five other states, current contacts familiar with intergovernmental affairs are listed. There also are listings for the U.S. Advisory Commission on Intergovernmental Relations and for the federal departmental directors of intergovernmental affairs.

State-Local Relations Bodies in the States, 1990 (Recognized Counterparts to U.S. ACIR)

State	Type of Organization	Legal Basis	Governing Body Size	Composition	Approximate Budget FY1990	Staff: Full/Part-Time	FUNCTIONS					
							Conferences/Seminars	Recommend Policy/Legislation	Constituent Work ¹⁴	News-letter	Other	
Colorado	ACIR	Informal	30	SL,SE,L,A	—	—	X		X	X		
Connecticut	ACIR	Statute	25	SL,SE,R,L,A,P	\$131,500 ¹	2/0	X	X	X	X		
Florida	ACIR	Statute	21	SL,SE,L,A,P	\$623,411 ¹	8/1	X	X	X	X		13
Illinois	Legislative	Statute	12	SL	\$1,110,700 ¹	19/0	X	X	X	X	x	5
Indiana	LAP	Executive Order	45	L	\$75,000 ¹	1/0			X	X		
Louisiana	ACIR	Statute	17	SL,SE,L	\$10,000 ²	3/0	X	X	X			
Maine	LAP	Executive Order	12	R,L,A ¹⁶	—	—	X		X	X		
Maryland	Legislative	Statute	16	SL ¹⁵	—	0/1 ¹⁵	X	X	X	X		6
Massachusetts	ACIR	Statute	40	SL,SE,L	—	—	X		X			7,8
Michigan	ACIR	Statute	21	SL ¹⁶	\$135,000 ¹	2/1	X	X				13
Minnesota	ACIR	Executive Order	20	SL,SE,R,L,A	—	0/2	X		X	X		
Missouri	ACIR	Executive Order	30	SL,SE,L,A,P	\$84,500 ¹	2/0	X	X	X	X		8
New Jersey	ACIR	Statute	15	SL,L,P	\$235,000	6/0	X		X	X		
New York	Legislative	Statute	10	SL	\$425,700 ¹	9/1	X	X		X	x	13
North Carolina	ACIR	Statute	19	SL,L ¹⁶	\$5,397 ¹	0/2	X		X	X		9
North Dakota	ACIR	Statute	11	SL,SE,A	\$4,100 ¹	—	X		X	X		
Ohio	ACIR	Statute	14	SL,SE,L,P	\$212,000 ¹	4/0	X	X	X	X	x	8
Oklahoma	ACIR	Statute	22	SL,SE,L,A,C	\$150,000 ¹	3/0	X	X	X	X		
Pennsylvania	ACIR	Incorporated	18	SL,SE,L	\$525,000 ³	11/0	X	X			X	10,13
Rhode Island	ACIR	Statute	17	SL,SE,L,A	⁴	0/1	X		X			
South Carolina	ACIR	Statute	21	SL,R,L,P	\$235,000 ¹	4/0	X	X	X			11
South Dakota	Legislative	Statute	15	SL	\$5-6,000 ¹	0/2	X		X			
Tennessee	ACIR	Statute	29	SL,SE,L,P	\$375,900 ¹	8/0	X	X	X	X	x	13
Utah	ACIR	Statute	20	SL,SE,L,P	—	0/1	X	X	X	X		a
Virginia	ACIR	Statute	18	SL,SE,L,A,P	\$13,000 ¹	1/0	X					12
Washington	ACIR	Executive Order	22	SL,SE,L	\$50,000 ¹	0/1	X			X		

Legend and Notes

A = Association (e.g., of officials or governments)

C = Member of U.S. Congress

L = Local government

LAP = Local Advisory Panel

P = private citizen

R = Regional council of governments

SE = State government, executive branch

SL = State government, legislative branch

¹State Appropriation

²Municipal Association Grant

³99 percent contracts

⁴State funds administrative expenses, while private sources provide in-kind services.

⁵State representation in Washington, DC

⁶Liaison, congressional delegation

⁷Input into the regulatory process

⁸Represent local governments on other commissions

⁹Liaison between state agencies, local governments, and COGs

¹⁰Provides technical assistance

¹¹Participates in leadership development/continuing education program for public officials

¹²Newsletter in planning stage

¹³Data base services

¹⁴This includes a variety of services, from filling simple information requests to providing complex ombudsman services.

¹⁵In addition, there are several nonvoting, ex officio members who represent the executive branch of state government as well as local governments.

¹⁶Maine—6 at large members appointed by governor; Michigan—5 at large members appointed by governor; 2 by supreme court; North Carolina—3 at large members appointed by governor

Colorado -Advisory Committee on Intergovernmental Relations

Legal Basis

Informal (1987), adopted voluntary structure, 1989

Size and Composition of Governing Body

24 members-8 state, 12 local, 4 undetermined

8 legislators appointed by legislative leadership (4 House, 4 Senate)

4 appointed by Governor

12 appointed by local government (3 school district, 3 special district, 3 county, 3 municipal)

Legislators serve while in office; all others serve indeterminate terms.

Budget

None

Staff

1-part time, supplied by the Department of Local Affairs

Functions

Ombudsman

Recommendations on legislation

Research

Recent Accomplishments/Current Activities

Summarized and quantified exemptions from the state sales tax statutes.

Summarizing and quantifying federal and state mandates on Colorado local governments in social services, education, corrections, and environment.

Contact

Geoff Withers

Advisory Committee on Intergovernmental Relations

Department of Local Affairs

1313 Sherman Street, Room 521

Denver, CO 80203

(303) 866-4660

Connecticut — Advisory Commission on Intergovernmental Relations

Legal Basis

Statute (1985)

Size and Composition of Governing Body

25 members-9 state, 11 local, 5 other

Secretary, Office of Policy and Management

6 legislators (Senate President Pro Tem, Senate Minority Leader, Speaker of the House, House Minority Leader, and 1 each appointed by the Senate President and House Speaker)

11 appointed by Governor (2 from municipalities over 60,000 population; 2 from municipalities between 20,000 and 60,000; 2 from municipalities less than 20,000; 1 from Association of Boards of Education, 1 from Superintendents of Schools Association, 1 from Regional Planning Association, 2 state executive employees)

5 private citizens (1 appointed each by the Governor, Speaker of the House, Senate President, House Minority Leader, and Senate Minority Leader)

1 appointed by the Connecticut Conference of Municipalities

1 appointed by the Council of Small Towns

Appointees serve 2 years; all others serve while in office.

Budget

FY 1990—\$131,500 (state appropriation)

Staff

2-executive director, research associate

Functions

Conferences/seminars

Constituent work

Recommendations on legislation

Research

Recent Accomplishments/Current Activities

Solid Waste: Convened two “working forums” in 1988. Developed a data base on local government solid waste management practices, creating the first comprehensive compilation of efforts in recycling, basic trash disposal, bulky waste, and composting.

Home Rule: Developed a major report, ***Home Rule in Connecticut: Its History, Status and Recommendations for Change***. Followed with a 1989 supplement and a constitutional provision supplement, ***Defining Statewide vs. Local Concerns: Can It Be Done and Is It Necessary?***

Revisions to State Statute Indexes: Surveyed municipal officials and legal counsel for specific problems. Joined with the Connecticut Law Revision Commissioner’s Office to review statutes dealing with local government in an attempt to make them more accessible to citizens.

Major Study of Taxing Districts: Studied district creation and termination mechanisms and accountability to the public and other entities. Introduced a bill that overhauled the state statutes governing special districts.

Contact

David W. Russell
Executive Director
Advisory Commission on Intergovernmental Relations
80 Washington Street
Hartford, CT 06106
(203) 566-1393 FAX (203) 566-6295

Florida -Advisory Council on Intergovernmental Relations

Legal Basis

Statute (1977)

Size and Composition of Governing Body

- 21 members-8 state legislators, 4 local, 9 not specified by law
- 8 legislators (4 Senate, 4 House)
- 9 appointed by Governor (from elected and appointed state and local officials and other interested citizens-generally city and county officials, state department heads, private citizens)
- 4 ex officio, nonvoting (directors of Florida League of Cities, Association of County Commissioners, Association of School Administrators, and School Boards Association)

Gubernatorial appointees serve 4 years; legislators serve 2 years.

Budget

FY 1990—\$623,411 (state appropriation)

Staff

11-9 full time, 2 part time (executive director, 7 legislative analysts, 1 administrative assistant, 1 part-time secretary, 1 intern)

Functions

Calculate county constitutional officer salaries
Compile estimated state-shared revenues and local option revenues
Conferences/seminars
Constituent work
Data bases
Recommendations on legislation
Research

Recent Accomplishments/Current Activities

Major reform of state policy on special districts.

Constitutional amendment and legislation affecting initiative and referendum process.

Legislation altering policy toward criminal justice funding.

Maintain local government data bases.

Reports, including: 1988 *Catalogue of State Mandates*; 1989 *Report on Mandates and Measures Affecting Local Government Fiscal Capacity*; *Elderly Homeowners and the Property Tax: An Examination of the Issues*; *A Profile of Florida Municipal and County Revenues*; *Urban Infill and Infrastructure Capacity: Orlando Case Study*; *Impact Fee Use in Florida: An Update*; *County Jail Expenditures in Florida: A Fiscal Impact and Explanatory Analysis*.

Contact

Mary Kay Falconer
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Advisory Council on Intergovernmental Relations
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Illinois – Commission on Intergovernmental Cooperation

Legal Basis

Statute (1937, amended 1984)

Size and Composition of Governing Body

12 members- 12 state

12 legislators appointed by legislative leadership (6 Senate, 6 House)

Members serve 2 years.

Budget

FY 1990—\$1,110,700 (state appropriation)

Staff

19—**Springfield Office (13)**: director, associate director, editor, office manager, 5 research associates, federal aid coordinator, 2 research assistants, receptionist/ secretary

Washington Office (6): director, 4 research associates, 1 administrative assistant

Functions

Conferences/seminars

Constituent work

Liaison (General Assembly with congressional delegation, NCSL, CSG, and ACIR)

Newsletter/policy reports

Ombudsman

Recommendations on legislation

Research

Recent Accomplishments/Current Activities

Committee of 50 to Re-examine the Illinois Constitution. Staffed a year-long project exploring the need for a constitutional convention.

Conducted preliminary hearings on governance of the state's institutions of higher education. Currently planning next phase of project.

Studied the costs of immediate income withholding to employers and employees and the appropriateness of current withholding charges allowed to employers,

Published ***The Financial Impact of Immediate Income Withholding Orders for Child Support: A Report to the Illinois General Assembly pursuant to HR 1513.***

Studied the state of health care in rural Illinois.

Analyzed the potential impact of the integration of European markets in 1992 on the Illinois economy.

Analyzes potential impact on state budget of proposed school aid funding formulas.

Exploring possible benefits and disadvantages of membership in a Midwest Higher Education Compact.

Studying the state's education for employment system with the goal of making recommendations for improvements and for statewide policy.

Contact

Kevin Noone, Executive Director

David Griffith, Assistant Director

Commission on Intergovernmental Cooperation

707 Stratton Building

Springfield, IL 62706

(217) 782-6924

FAX: (217) 782-3513

Indiana — Governor's Local Government Advisory Council

Legal Basis

Executive Order (1989)

Size and Composition of Governing Body

45 members-45 local

45 appointed by governor (15 county officials, 9 mayors, 4 city council, 2 city/county council, 6 township, 8 town, 1 common council)

Members serve one year.

Budget

FY 1990—about \$75,000 (state appropriation)

Staff

1-executive assistant

Functions

Advice to Governor

Constituent work

Local government representation on other commissions

Ombudsman

Recommendations on legislation

Recent Accomplishments/Current Activities

Expanding network of communications between the Governor and local government officials.

Developing a plan to utilize state resources for local training and technical assistance.

Building a strategic plan to address state-local concerns on the environment, infrastructure, taxation-finance, public safety, and economic development.

Contact

William Shrewsberry, Jr.

Executive Assistant for Local Government
Governor's Local Government Advisory
Council

Office of the Governor

Statehouse, Room 206

Indianapolis, IN 46204

(317) 232-1053

FAX: (317) 232-3443

Louisiana -Advisory Commission on Intergovernmental Relations

Legal Basis

Statute (1986)

Size and Composition of Governing Body

17 members-8 state, 9 local

Secretary, Economic Development

Secretary, Transportation and Development

Secretary, Revenue and Taxation

Superintendent of Education

4 legislators, appointed by legislative leadership (2 Senate, 2 House)

9 appointed by statewide organizations (3 municipal, Louisiana Municipal Association; 3 parish, Police Jury Association; 3 school board, School Boards Association)

Legislative members serve at the pleasure of majority leadership; others serve 1 year by informal agreement.

Budget

FY 1990—\$10,000 private sources (municipal association grant)

Staff

3-1 attorney, 1 researcher, 1 administrative person provided by legislature, auditor, and participating associations

Functions

Forum for discussion

Recommendations on legislation

Research

Recent Accomplishments/Current Activities

Began meeting in 1989. Currently conducting a study of state mandates involving state district court financing.

Contact

Cathy Wells

Advisory Commission on Intergovernmental Relations

Senate Local and Municipal Affairs

Committee

P.O. Box 94183

Baton Rouge, LA 70804

(504) 342-6181 or 342-8896

FAX: (504) 342-0617

Maine – Governor’s Municipal Advisory Council

Legal Basis

Executive Order (1979, amended 1987)

Size and Composition of Governing Body

- 12 members-at least 6 local
 - 1 Conference of Mayors
 - 1 Association of Assessing Officers
 - 1 Municipal Association
 - 1 Town and City Clerks Association
 - 1 Town and City Managers Association
 - 1 Association of Regional Councils
 - 6 “at large” members appointed by Governor
- (Executive Director of Municipal Association participates in advisory capacity)
- Members serve 2 years.

Budget

None-necessary expenditures incurred by members paid by respective organization or agency.

Staff

None-necessary staff services donated.

Functions

Provide information to the Governor
Recommendations on legislation
Research

Recent Accomplishments/Current Activities

Advising the Governor on measures to address property tax relief and the funding of education. Advising the Governor on issues related to Maine’s landmark solid waste law.

Contact

Hon. Dana Connors
Commissioner of Transportation
Governor’s Municipal Advisory Council
Statehouse Station #16
Augusta, ME 04333
(207) 289-2551 FAX: (207) 289-2896

Maryland -Joint Committee on Federal Relations

Legal Basis

Statute (1937, amended 1983, 1987, 1988, 1990)

Size and Composition of Governing Body

16 members-16 state

16 legislators appointed by the legislative leadership (8 Senate, 8 House of Delegates)

Members serve 4 years. Several nonvoting ex officio members meet with the Committee to represent the executive branch of state government and local governments.

Budget

None

Staff

1-Provided by legislative Department of Fiscal Services as needed.

Functions

Conferences/seminars
Constituent work
Liaison with congressional delegation
Recommendations on legislation
Research
Review of all interstate compacts each four-year term

Recent Accomplishments/Current Activities

Studied Maryland revenue sharing program, state mandates, interstate compacts, impacts of impending changes to child welfare and clean air acts, and local government audit reports.

Examining state code to determine the number of local government mandates.

Contact

John Donaldson
Staff Director

Department of Fiscal Services
Joint Committee on Federal Relations

90 State Circle

Annapolis, MD 21401-1991

(301) 841-3742

FAX: (301) 841-3722

Massachusetts -Local Government Advisory Committee

Legal Basis

Statute (1981), superseded 1976 Executive Order

Size and Composition of Governing Body

- 40 members-7 state, 33 local
- 6 legislators appointed by legislative leadership (3 Senate, 3 House)
- 34 appointed by Governor (1 state executive, 8 selectmen, 8 mayors, 8 city or town managers, 4 city or town councillors, 1 town finance commissioner, 4 Association of School Committees)

Members serve for one year.

Budget

None

Staff

None-necessary staff services supplied by the Executive Office of Communities and Development.

Functions

- Advocate local government interests
- Input into the regulatory process
- Local government representation on other commissions
- Recommendations on legislation
- Research

Recent Accomplishments/Current Activities

Participated in two Governor's task forces: (1) analyzed local financing needs and recommended restructuring state-local aid (submitted to the legislature): (2) examined special education and submitted suggested regulatory changes to the Department of Education. Various bills were introduced in the legislature.

Contact

Marilyn Contreas
Senior Program and Policy Analyst
Local Government Advisory Committee
Executive Office of Communities and Development
100 Cambridge Street, Room 1803
Boston, MA 02202
(617) 727-3253

Michigan -Michigan Commission on Intergovernmental Relations

Legal Basis

Statute (1988)

Size and Composition of Governing Body

21 members-6 state, 12 local, 3 other

7 appointed by Senate Majority Leader

7 appointed by House Speaker

5 appointed by Governor

2 appointed by Supreme Court

Members serve 4 years.

Budget

FY 1990—\$135,000 (state appropriation)
plus \$50,000
grant for data base

Staff

3-executive director, 1 administrative as-
sistant, 1 clerk/intern (part time)

Legislative Council controls budget and
staff.

Functions

Assistance to legislature

Conferences/seminars

Data Base

Newsletter

Ombudsman

Recommendations on legislation

Research

Recent Accomplishments/Current Activities

Secured funds to complete and maintain a
Michigan State University data base on
local government fiscal and statistical
matters, called the Center for Reindus-
trialized States (CRIS).

Conducted a self-contained, cross reference of
all taxing authorities for all local units of
government referenced by statute, litiga-
tion, and minimum and maximum taxes.

Conducting comprehensive study of fiscal
health of local units of government and
how other states are dealing with local
government bankruptcy.

Preparing a "handbook" on municipal solid
waste for local governments.

Studying the impact of tort claims on local
policymaking.

Establishing a clearinghouse on local govern-
ment issues-Intergovernmental Clear-
inghouse Information System (ICIS).

Making a film on privatization.

Contact

C. Grady (Bud) Drago

Executive Director

Michigan Commission on Intergovernmental
Relations

502 Hollister Building

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Lansing, MI 48933

(517) 373-5991

FAX: (517) 373-0171

Minnesota – Governor’s Advisory Council on State-Local Relations

Legal Basis

Executive Order (1985, amended 1985)

Size and Composition of Governing Body

20 members-10 state, 10 local

State-6 executive (commissioners of Revenue, Finance, Energy and Economic Development, Education, and Human Services; director of State Planning)

4 legislators appointed by legislative leadership (2 Senate, 2 House)

Local-2 appointed by League of Cities; 2 by Association of Counties; 2 by Association of Townships; 2 by School Boards Association; 1 by Association of Regional Councils; Metropolitan Council Chairman

Members serve at the discretion of the appointing authorities.

Budget

State planning agency provides funding for printing and mailing; member expenses paid by respective organization or agency.

Staff

2-state planning agency provides administrative staff. Director of state planning serves as executive director; agency assistant director serves as administrator and staff coordinator. Agency staff assigned to projects as needed; staff assistance also provided by local government organizations and the legislature.

Functions

Constituent work
Ombudsman
Recommendations on legislation
Research

Recent Accomplishments/Current Activities

Reformed local land use policies and state mandate process.

Analyzed child development services (proposed ways to improve the coordination of these services).

Conducted research on transferring the trial court system from the counties to the state (passed by the legislature).

Studying state and local service-fiscal responsibilities, including a systematic identification of all public services provided jointly by the state and one or more types of local government.

Contact

Roger Williams
Executive Director
Governor’s Advisory Council on State-Local Relations
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St. Paul, MN 55155
(612) 296-2633 FAX: (612) 296-3698

Missouri – Commission on Intergovernmental Cooperation

Legal Basis

Executive Order (1985)

Size and Composition of Governing Body

- 30 members-9 state (5 executive, 4 legislative), 11 local, 10 other
- 4 legislators appointed by legislative leadership (2 Senate, 2 House)
- 15 appointed by Governor (10 private citizens, 5 state officials)
- 11 appointed by statewide organizations (4 elected municipal, Municipal League; 2 elected county, Association of Counties; 2 local government administrators, City Management Association; 1 regional planning commission director, Association of Councils of Governments; director, Municipal League; director, Association of Counties)

Members serve open-ended terms.

Budget

FY 1990—\$84,500 (state appropriation)

Staff

2-director, administrative assistant

Functions

Conferences/seminars
Constituent work
Local government representation on other commissions
Ombudsman
Recommendations on legislation
Research

Recent Accomplishments/Current Activities

- Established MoPerm—Missouri Public Entity Risk Management Pool for Liability Insurance
- Conducted symposium on Impact of Reduction of Federal Funds
- Staff Ad Hoc Committee on Solid Waste Management held a conference on solid waste that led to legislation establishing solid waste districts and a solid waste management fund.
- Formed new committee on substance abuse to design treatment programs for cities and counties.
- Coordinating state and local agencies in preparation for earthquakes and subsequent mitigation.

Contact

Lois Pohl
Director
Missouri Commission on
Intergovernmental Cooperation
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Jefferson City, MO 65102
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New Jersey-County and Municipal Government Study Commission

Legal Basis

Statute (1966, amended 1986)

Size and Composition of Governing Body

15 members-6 state, 6 local, 3 others

6 legislators appointed by legislative leadership (3 Senate; 3 Assembly)

9 appointed by Governor (3 county, nominated by Association of Counties; 3 city, nominated by League of Municipalities; 3 private citizens)

Senators serve for 4 years, members of the Assembly for 2 years; others have indefinite terms.

Budget

FY 1990—\$235,000 (state appropriation)

Staff

6-executive director, 3 research associates,
1 research assistant, 1 office manager

Functions

Information
Recommendations on legislation
Research

Recent Accomplishments/Current Activities

Revised city, town, borough, village and township laws, absorbing all elected special districts other than fire districts; laws were reenacted.

Recommended enactment of the Optional County Charter Law.

Continuing work on proposal to transfer 4,000 court employees from county government to the state.

Contact

David C. Mattek
Executive Director
County and Municipal Government
Study Commission
142 West State Street
Trenton, NJ 08625
(609) 292-6226

New York-Legislative Commission on State-Local Relations

Legal Basis

Statute (1981, reauthorized 1990)

Size and Composition of Governing Body

10 members- 10 state

10 legislators appointed by legislative leadership (3 senators by the Majority Leader, 3 members of the Assembly by the Speaker; 2 senators and 2 members of the Assembly by the Minority Leader of each chamber)

Members serve 2 years.

Budget

FY 89-90—\$433,200 (state appropriation)

FY 90-91—\$425,700 (state appropriation)

Staff

10-director, deputy director, 6 research analysts, administrative assistant, secretary (part time)

Functions

Computer modeling and data base development
Conferences/seminars
Constituent work
Ombudsman
Newsletter
Research

Recent Accomplishments/Current Activities

Produced, in conjunction with Cornell University, comprehensive listing of services being performed by counties, cities, towns, villages, and school districts.

Continued refinement of the Local Government and Aid Database.

Studied police consolidation.

Issued a major study on industrial development agencies.

Released issue briefs, including *Categorical Aid or Block Grants? Block Grant Approaches in Education Aid*, and another focusing on mandate reimbursement.

Continuing issue brief series with reports on reserve funds and auditing by local governments.

Contact

Margaret Sherman
Director

Legislative Commission on State-Local Relations

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Empire State Plaza

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North Carolina -Local Government Advocacy Council

Legal Basis

Statute (1979), replaced 1978 Executive Order

Size and Composition of Governing Body

- 19 members-4 state, 12 local, 3 other
 - 4 legislators appointed by legislative leadership (2 Senate, 2 House)
 - 6 county (executive committee and executive director of Association of County Commissioners)
 - 6 municipal (executive committee and executive director of League of Municipalities)
 - 3 at large appointed by Governor
- Members serve 2 years.

Budget

FY 1990—\$5,397 (state appropriation)

Staff

2 part time—staff director, secretary; staff supplied by state Department of Administration.

Functions

Advocate for local government
Constituent work
Liaison between state agencies and local governments,
including arbitration of disputes between state agencies and COGs
Ombudsman
Recommendations on legislation
Research

Recent Accomplishments/Current Activities

- Developed state policy on regionalism (regional councils/COGs).
- Requested and received administrative and legislative action to deal with short-term and long-term problems of solid waste management.
- Surveyed local governments on cooperative/coordinated activities dealing with drug abuse prevention.

Contact

Sara Stuckey
Chief of Local and Regional Affairs
Local Government Advocacy Council
Office of Intergovernmental Relations
Department of Administration
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Raleigh, NC 27603-8003
(919) 733-0499 FAX: (919) 733-9571

North Dakota -Advisory Commission on Intergovernmental Relations

Legal Basis

Statute (1989)

Size and Composition of Governing Body

11 members-5 state, 6 local

Governor

- 4 legislators appointed by legislative leadership (2 Senate, 2 House)
- 6 nominated by statewide organizations (2 by Association of Counties; 2 by League of Cities; 1 by Township Officers Association; 1 by Parks and Recreation Association)

Members serve 2 years. All terms expire on June 30 of odd-numbered years.

Budget

FY 1990—\$4,100 (state appropriation)

Staff

None-Legislative Council provides staff services.

Functions

Constituent work
Ombudsman
Recommendations on legislation
Research

Recent Accomplishments/Current Activities

Held two organizational/informational meetings; surveyed representatives of political subdivisions to ascertain issues they would like the Commission to study. Because of budget cuts, the Commission will meet only once more before July 1991.

Contact

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Advisory Commission on Intergovernmental Relations
Office of the Legislative Council
State Capitol
Bismarck, ND 58505
(701) 224-2916

Ohio -State and Local Government Commission

Legal Basis

Statute (1978)

Size and Composition of Governing Body

13 members-5 state, 6 local, 2 other

Lieutenant Governor, chairman

4 legislators appointed by legislative leadership (2 Senate, 2 House)

6 appointed by the Governor (2 nominated by County Commissioners Association; 2 by Municipal League; 2 by Township Association)

2 public representatives appointed by Lieutenant Governor

Legislators serve for 2 years; others, 4 years.

Budget

FY 1990—\$212,000 (state appropriation), 95 percent state funding, 5 percent private sources

Staff

4-executive director, researcher, public information officer, office manager

Functions

Conferences/seminars
Constituent work
Forum for discussion
Local government representation on other commissions
Newsletter
Ombudsman
Recommendations on legislation
Research

Recent Accomplishments/Current Activities

Sponsored conference on Local Government Leadership.

Published *An Overview of the Mandate Problem and Recommendations for Ohio*. Introduced mandate legislation to require the state to provide funds for mandates issued to local governments.

Sponsored orientation seminar for newly elected officials.

Issued a report on *Tax Base Sharing: An Evaluation of Its Use and Potential in the State of Ohio*. First phase of a larger project.

Published a *Directory of State Services to Local Government*.

Functions as a liaison between state government and local elected officials in time of natural disasters.

Developing a Technological Information Network for local jurisdictions on solid waste management information and resources.

Contact

Craig L. Zimmers
Executive Director
State and Local Government Commission
77 South High Street, Room 714
Columbus, OH 43266-0535
(614) 466-2108 FAX: (614) 466-9150

Oklahoma -Advisory Committee on Intergovernmental Relations

Legal Basis

Statute (1987)

Size and Composition of Governing Body

22 members-1 federal, 11 state, 10 local
Governor

Director, Department of Transportation

14-appointed by legislative leadership (4
elected municipal, 2 elected county, 4
House, 4 Senate)

6-appointed by statewide organizations (1
each by County Officers Association,
Association of County Commissioners,
Municipal League, Tax Commission,
School Boards Association, Oklahoma
Congressional delegation)

Appointees serve at pleasure of appointing
authority; others serve while in office.

Budget

FY 1990—\$150,000 (state appropriation)

Staff

3-(2 vacant)

Functions

Conferences/seminars

Constituent work

Research

Recent Accomplishments/Current Activities

Assembling first publication, ***Selected Cultural and Economic Data of Oklahoma Counties***, which contains audited expenditures and revenues for 1984-1988 as well as other statistical and cultural information on all 77 counties.

Contact

Peggy Wilhoit

Project Manager

Advisory Committee on Intergovernmental
Relations

307 State Capitol

Oklahoma City, OK 73105

(405) 523-3525 or 523-3533

Pennsylvania — Pennsylvania Intergovernmental Council

Legal Basis

Incorporated (1978) private, nonprofit; formalized original 1975 agreement

Size and Composition of Governing Body

- 18 members-10 state, 8 local
- 4 legislators appointed by legislative leadership (2 Senate, 2 House)
- 5 appointed by Governor (executive branch)
- 8 appointed by the general-purpose local government associations (2 each from counties, cities, townships, boroughs)
- 1 appointed by Local Government Commission

Members serve at the pleasure of the appointing authority. Voting membership automatically ceases on termination of office or membership with the appointing body.

Budget

FY 1990—\$525,000 (contracts 99 percent)
FY 1991—\$552,000

Staff

11-director, deputy director, 2 staff associates, 1 information specialist, IRP coordinator, IRP assistant, EDP manager, programmer, administrative assistant, secretary (currently, the deputy director, IRP assistant, and programmer positions are vacant).

Functions

Computer data base and information services
Conferences/seminars
Federal aid application review process
Forum for discussion
Newsletter
Research
Training and technical assistance

Recent Accomplishments/Current Activities

Developed computerized intergovernmental data base to support contract research services. The data are from a variety of federal and state sources.

Under the Community Services Block Grant program, provides training and technical information services related to low-income housing with emphasis on physically disabled and mentally ill populations (and the role of nonprofit organizations).

Administers the Intergovernmental Review Process (IRP) under contract to the state; involves state review and coordination of state and local views on federal assistance applications.

Assisting Pennsylvania Department of Transportation with promoting various local government programs through workshops, publications, and survey work.

Contact

Charles D. Griffiths
Executive Director
Pennsylvania Intergovernmental Council
P.O. Box 11880
407A Finance Building
Harrisburg, PA 17108-1880
(717) 783-3700

Rhode Island – State-Local Relations Commission

Legal Basis

Statute (1987, amended 1988)

Size and Composition of Governing Body

- 17 members-9 state, 8 local
 - 3 state officials, including the chief of the Office of Municipal Affairs in the Department of Administration and 2 others, appointed by the Governor
 - 7 appointed by the legislative leadership (3 House, 2 Senate, 1 appointed by Speaker of the House to represent local school committees, and 1 appointed by Majority Leader of the Senate to represent local school superintendents)
 - 5 municipal officials appointed by the League of Cities and Towns
 - Executive Director, League of Cities and Towns
 - Executive Director, Public Expenditure Council
- Members serve while in office or while members of appointing group.

Budget

The state funds administrative expenses; private sources provide in-kind services.

Staff

1 part time

Functions

Recommendations on legislation
Research

Recent Accomplishments/Current Activities

Studied state mandates, including their costs and fiscal notes.
Currently looking at state aid to local communities and its relation to local property taxes.

Contacts

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State-Local Relations Commission
Office of the Speaker
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Providence, RI 02903
(401) 277-2466

Gary S. Sasse
Executive Director
Rhode Island Public Expenditure Council
300 Richmond Street
Providence, RI 02903
(401) 521-6320 **FAX:** (401) 278-4491

South Carolina – Advisory Commission on Intergovernmental Relations

Legal Basis

Statute (1984), replaced 1979 Executive Order

Size and Composition of Governing Body

21 *members*—8 state, 9 local, 4 private citizens

8 legislators (4 Senate, 4 House)

Local members (3 municipal, 3 county, 1 regional council, 1 school board, 1 special purpose district)

4 private citizens

Members serve 2 years; all appointments made by Governor.

Budget

FY 1990—\$235,000 (state appropriation)

Staff

4—executive director, legislative analyst, fiscal analyst, administrative assistant

Functions

Clearinghouse for information
Conferences/seminars
Develop and advocate policy recommendations
Leadership development programs and continuing education for public officials
Liaison among governments
Recommendations on legislation
Research

Recent Accomplishments/Current Activities

Developed state legislation permitting a local option sales tax for cities and counties (passed by legislature).

Issued a comprehensive study of state mandates to local government.

Prepared an analysis of how local government debt is treated, including recommendations for improvements.

Issued a study on planning and a call for the establishment of a statewide **comprehensive** planning process.

Conducted a state tax policy study with U.S. ACIR.

Studying various options for annexation reform. Recent court decisions have brought into question two of the state's three methods of annexation.

Contact

Dan B. Mackey
Executive Director
Advisory Commission on Intergovernmental Relations
P.O. Box 12395
Columbia, SC 29211
(803) 737-1705 FAX: (803) 737-1707

South Dakota-Local Government Study Commission

Legal Basis

Statute (1968)

Size and Composition of Governing Body

15 members-11 state, 4 local

11 legislators appointed by legislative leadership (7 House Standing Committee on Local Government, 4 Senate Standing Committee on Local Government)

4 appointed by executive board of Legislative Research Council (local elected officials, including 1 municipal and 1 county)

Legislators appointed for 2 years; others 4 years.

Budget

FY 1990—\$5-6,000 (state appropriation)

Staff

2 part time-1 professional, 1 secretary

Functions

Recommendations on legislation
Research

Recent Accomplishments/Current Activities

Studied the issue of surety bonds required of individuals and businesses, Drafted legislation to repeal many antiquated bond requirements. Most passed the 1989 Legislative Assembly.

Addressed the issue of child day care regulation.

Studying hunting preserve issues, construction expenditure limits that require the use of an architect or engineer, and the issuance of tax deeds.

Contact

Mark Zickrick
Fiscal Analyst
Legislative Research Council
Local Government Study Commission
500 East Capitol
Pierre, SD 57501-5070
(605) 773-3251

Tennessee -Advisory Commission on Intergovernmental Relations

Legal Basis

Statute (1978, amended 1981)

Size and Composition of Governing Body

29 members- 14 state, 10 local, 5 private citizens

10 legislators appointed by legislative leadership (5 Senate, 5 House)

16 appointed by Governor (4 city, nominated by Municipal League; 5 county, nominated by County Services Association; 5 private citizens; 2 executive branch)

Commissioner, Finance and Administration

Comptroller of the Treasury

President, State Development Districts Association

Members serve 2 years.

Budget

FY 1990—\$375,900 (88 percent state appropriation; 12 percent local governments)

FY 1991—\$366,600 (75 percent state appropriation, 25 percent local governments)

Staff

S-executive director, research analyst, 3 research associates, publications assistant, office manager, secretary

Functions

Computer modeling and data base development
Conferences/seminars
Constituent work
Newsletter in planning stages
Recommendations on legislation
Research

Recent Accomplishments/Current Activities

Initiated and sponsored laws (1) extending the sales tax to mail-order items, (2) changing the property tax assessment procedure to perpetual current value indexing, and (3) changing the formula for tax-equivalent payments from municipal electric companies.

Prepared a study of public school fiscal capacity and financing in Tennessee.

Developed Tennessee Industrial Location Impact PC model to assist local officials in estimating the impact of new economic development in their areas.

Developed comprehensive local government fiscal data base.

Produced comprehensive study on hospital financial data for state and local policymakers.

Appointed to Governor's Cabinet Council on Indigent Health Care.

Prepared at least 30 documents on intergovernmental issues, available to all city and county governments.

Published: *Fiscal Effort, Fiscal Capacity, and Fiscal Disparity among Local Governments in Tennessee; Population Growth in Tennessee; Preparing for Economic Change in Lawrence County; Preparing for Economic Change in Giles County, Preparing for Economic Change in Lewis County, Preparing for Economic Change in Dickson County.*

Contact

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Executive Director
Advisory Commission on Intergovernmental Relations
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Nashville, TN 37219
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Utah -Advisory Council on Intergovernmental Relations

Legal Basis

Statute (1987)

Size and Composition of Governing Body

20 members-11 state, 8 local, 1 private citizen

6 legislators appointed by legislative leadership (2 Senate, 4 House)

9 appointed by Governor (4 municipal, 4 county, 1 private citizen)

Chairman, State Tax Commission

Director, Department of Social Services

State Planning Coordinator

State Superintendent of Public Instruction

Director, Department of Health

Legislators serve 2 years; others, 4 years.

Budget

None

Staff

3-Governor's office provides executive director.

Functions

Conferences/seminars

Constituent work

Draft legislation

Local government representation on other commissions

Newsletter (planning stage)

Ombudsman

Recommendations on legislation

Research

Recent Accomplishments/Current Activities

Avoided a tax cut in June 1988 by providing correct impact information.

Working on state and local earthquake legislation.

Planning to coordinate a plan for solid waste management with federal government.

Contact

Mike Christensen

Executive Director

Advisory Council on Intergovernmental Relations

Office of Planning and Budget

State Capitol Building, Room 116

Salt Lake City, UT 84114

(801) 538-1560

Virginia -Local Government Advisory Council

Legal Basis

Statute (1977), restructured and reorganized,
1989

Size and Composition of Governing Body

- 18 members-8 state, 9 local, 1 private citizen
- 6 legislators appointed by legislative leadership (3 Senate, 3 House)
- 12 appointed by Governor (4 county, 4 municipal, 1 Association of Planning District Commissions, 2 state executive, 1 private citizen)

Members serve 4 years.

Budget

FY 1990—\$13,000 (state appropriation)

Staff

- 1 full time-provided by the Commission on Local Government.

Functions

Forum for discussion between state and local officials
Research

Recent Accomplishments/Current Activities

Restructured and reorganized as of January 1, 1990. In the past, the Council served primarily as a forum for discussion between state and local government officials. Along with this function, the Council plans to promote understanding of state-local interrelationships and policies; facilitate sorting out state-local responsibilities in shared programs and administrative undertakings; and encourage academic institutions to undertake studies of state- local situations and relations.

Contact

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Local Government Advisory Council
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Richmond, VA 23219
(804) 786-6508 FAX: (804) 371-7999

Washington – Advisory Commission on Intergovernmental Relations

Legal Basis

Executive Order (1982, amended 1984)

Size and Composition of Governing Body

22 members-10 state, 12 local

Governor

Director, Office of Financial Management

Director, Community Development

Director, Revenue

Secretary, Social and Health Services

Director, Office of Indian Affairs

16 appointed by Governor (6 elected city, 6 elected county, 4 legislators)

Members serve at the pleasure of the Governor.

Budget

FY 1990—\$50,000 (state appropriation)

Staff

1 part time-Department of Community Development provides administrative support to the Commission and coordinates staff support for the Commission with the Office of Financial Management and other relevant state agencies.

Functions

Constituent work

Forum for ongoing discussion of common problems

between the Governor and other state and local officials

Ombudsman

Research

Recent Accomplishments/Current Activities

Major player in developing state policy regarding hazardous waste disposal sites.

Played key role in identifying state's infrastructure problems. Subsequently, the legislature established a \$45 million state public works trust fund to provide low- interest loans to local governments.

Contact

Ken Back

Special Assistant

Department of Community Development

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Additional State-Local Relations Contacts

IOWA

Advisory Commission on Intergovernmental Relations

Contact

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TEXAS

Advisory Commission on Intergovernmental Relations

Contact

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VERMONT

Advisory Commission on Intergovernmental Relations

Contact

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WISCONSIN

Bureau of Intergovernmental Relations

Contact

Dan Theno
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WYO-MING

Local Government Coordinating Committee

Contact

Dan Perdue
State Capitol
Governor's Office
Cheyenne, WY 82002
(307) 777-7434 FAX: (307) 777-6869

The U.S. Advisory Commission on Intergovernmental Relations

Legal Basis

Statute (1959)

Size and Composition of Governing Body

26 members-9 federal, 7 state, 7 local, 3 private citizens

6 appointed by the President (3 executive branch and 3 private citizens)

3 appointed by the President of the Senate (3 senators)

3 appointed by the Speaker of the House (3 representatives)

4 appointed by the President from a panel of governors submitted by the National Governors' Association

3 appointed by the President from a panel of state legislators submitted by the National Conference of State Legislatures

4 appointed by the President from a panel of mayors submitted jointly by the National League of Cities and the United States Conference of Mayors

3 appointed by the President from a panel of elected county officers submitted by the National Association of Counties

Members serve 2 years, while in office or until replaced; members may be reappointed.

Budget

FY 1990—\$1,300,000 (federal appropriation)

Staff

19 permanent-executive director, director of government finance research, director of government policy research, senior fellow, 5 analysts, information officer, accountant, budget and management officer, personnel officer, administrative assistant, marketing assistant, 2 administrative secretaries, publications assistant, mail room supervisor

3 contract-Criminal Justice Project Director, research associate, intern

Functions

Conferences/seminars

Constituent work

Forum for discussion

Monitoring the federal system

Policy recommendations

Research

Recent Accomplishments

Significant Features of Fiscal Federalism 1990, Vols. 1 & II

South Carolina Tax Study

1988 State Fiscal Capacity and Effort

State Constitutional Law: Cases and Materials with 1990-91 Supplement

State and Local Initiatives on Productivity, Technology, and Innovation: Enhancing a National Resource for International Competitiveness

Representative Expenditures: Addressing the Neglected Dimension of Fiscal Capacity

Mandates: Cases in State-Local Relations

State Regulation and Taxation of Telecommunications

Intergovernmental Regulation of Telecommunications

The Volume Cap on Tax-Exempt Private Activity Bonds: State and Local Experience in 1989

1990 Changing Public Attitudes on Governments and Taxes

Current Activities

American Federalism: Concept and History
Federal Preemption and Mandate Reimbursement

State School Aid Programs

Interjurisdictional Tax and Policy
Competition

Local Governments in International Affairs

State Governments in International Affairs

Federal Infrastructure Strategy

Setting Agendas for Intergovernmental
Decentralization: The International
Experience

Congress, the States, and Federalism
Boundary Review Commissions

The U.S. Advisory Commission on Intergovernmental Relations -- (cont.)

How Local Public Economies Work
intergovernmental Coordination and
Assignment of Functions in Poland
Shifting Functions
Water Management in the Federal System
Local Revenue Diversification: Tourist
Taxation
The States and Local Autonomy
Medicaid
Chicago Area Local Fiscal Capacity
Federalism in Transition (Decade of Change)
Property Tax Study
State Laws Affecting Local Government
Environmental Decisionmaking
Criminal Justice: The Role of General Pur-
pose Governments
Regulatory Federalism Update
Local Self-Reliance: Alternative Approaches
to Providing Local Public Services
Educational Outcomes
Immigration
National Guard

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*Adminisfra five Secretary
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Behrens, John O. 653-5544
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Property Tax

Casey, Joan A. 653-5536
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Editor/Librarian

*These are not complete job descriptions. They are general indicators of interests and responsibilities.

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Recent Publications of the U.S. Advisory Commission on Intergovernmental Relations

Significant Features of Fiscal Federalism, 1991 Edition, Volume I, M-176, 1991, 180 pp.	\$20.00
The Structure of State Aid to Elementary and Secondary Education, M-175, 1990, 72 pp.	\$10.00
Representative Expenditures: Addressing the Neglected Dimension of Fiscal Capacity, M-174, 1990, 128 pp.	\$20.00
Mandates: Cases in State-Local Relations, M-173, 1990, 64 pp.	\$10.00
Changing Public Attitudes on Governments and Taxes: 1990, S-19, 1990, 40 pp.	\$10.00
1988 Fiscal Capacity and Effort, M-170, 1990, 160 pp.	\$20.00
State Constitutional Law: Cases and Materials, 1990-91 Supplement, M-172, 1990, 56 pp.	\$7.00
Intergovernmental Regulation of Telecommunications, A-115, 1990, 48 pp.	\$10.00
The Volume Cap for Tax-Exempt Private-Activity Bonds: State and Local Experience in 1989, M-171, 1990, 36 pp.	\$7.50
Significant Features of Fiscal Federalism, 1990 Edition, Volume I, M-169, 1990, 152 pp.	\$17.50
Volume II, M-169-11, 1990, 280 pp.	\$17.513
State and Local Initiatives on Productivity, Technology, and Innovation, A-114, 1990, 180 pp.	\$25.00
Local Revenue Diversification: Rural Economies, SR-13, 1990, 60 pp.	\$8.00
State Taxation of Banks: Issues and Options, M-168, 1989, 48 pp.	\$10.00
A Catalog of Federal Grant-in-Aid Programs to State and Local Governments: Grants Funded FY 1989, M-167, 1989, 40 pp.	\$10.00
Local Revenue Diversification: Local Sales Taxes, SR-12, 1989, 56 pp.	\$8.00
State Constitutions in the Federal System: Selected Issues and Opportunities for State Initiatives, A-113, 1989, 128 pp.	\$15.00
Residential Community Associations: Questions and Answers for Public Officials, M-166, 1989, 40 pp.	\$5.00
Residential Community Associations: Private Governments in the Intergovernmental System? A-112, 1989, 128 pp.	\$10.00
Readings in Federalism-Perspectives on a Decade of Change, SR-11, 1989, 128 pp.	\$10.00
Disability Rights Mandates: Federal and State Compliance with Employment Protections and Architectural Barrier Removal, A-111, 1989, 136 pp.	\$10.00
Hearings on Constitutional Reform of Federalism: Statements by State and Local Government Association Representatives, M-164, 1989, 60 pp.	\$5.00
State and Federal Regulation of Banking: A Roundtable Discussion, M-162, 1988, 36 pp.	\$5.00
Assisting the Homeless: State and Local Responses in an Era of Limited Resources, M-161, 1988, 160 pp.	\$10.00
Devolution of Federal Aid Highway Programs: Cases in State-Local Relations and Issues in State Law, M-160, 1988, 60 pp.	\$5.00
State Regulations of Banks in an Era of Deregulation, A-110, 1988, 36 pp.	\$10.00
State Constitutional Law: Cases and Materials, M-159, 1988, 480 pp.	\$25.00
Local Revenue Diversification: Local Income Taxes, SR-10, 1988, 52 pp.	\$5.00
Metropolitan Organization: The St. Louis Case, M-158, 1988, 176 pp.	\$10.00
Interjurisdictional Competition in the Federal System: A Roundtable Discussion, M-157, 1988, 32 pp.	\$5.00
State-Local Highway Consultation and Cooperation: The Perspective of State Legislators, SR-9, 1988, 54 pp.	5.00
The Organization of Local Public Economies, A-109, 1987, 64 pp.	\$5.00
Is Constitutional Reform Necessary to Reinvigorate Federalism? A Roundtable Discussion, M-154, 1987, 39 pp.	\$5.00
Local Revenue Diversification: User Charges, SR-6, 1987, 64 pp.	\$5.00
Devolving Selected Federal-Aid Highway Programs and Revenue Bases: A Critical Appraisal, A-108, 1987, 56 pp.	\$10.00
Federalism and the Constitution: A Symposium on <i>Garcia</i> , M-152, 1987, 88 pp.	\$10.00

What is ACIR?

The **U.S. Advisory Commission on Intergovernmental Relations (ACIR)** was created by the Congress in 1959 to monitor the operation of the American federal system and to recommend improvements. ACIR is an independent, bipartisan commission composed of 26 members—nine representing the federal government, 14 representing state and local government, and three representing the general public.

The President appoints 20 members—three private citizens and three federal executive officials directly, and four governors, three state legislators, four mayors, and three elected county officials from slates nominated by the National Governors' Association, the National Conference of State Legislatures, the National League of Cities, U.S. Conference of Mayors, and the National Association of Counties. The three Senators are chosen by the President of the Senate and the three Representatives by the Speaker of the House of Representatives.

Each Commission member serves a two-year term and may be reappointed.

As a continuing body, the Commission addresses specific issues and problems the resolution of which would produce improved cooperation among federal, state, and local governments and more effective functioning of the federal system. In addition to examining important functional and policy relationships among the various governments, the Commission extensively studies critical governmental finance issues. One of the long-range efforts of the Commission has been to seek ways to improve federal, state, and local governmental practices and policies to achieve equitable allocation of resources, increased efficiency and equity, and better coordination and cooperation.

In selecting items for research, the Commission considers the relative importance and urgency of the problem, its manageability from the point of view of finances and staff available to ACIR, and the extent to which the Commission can make a fruitful contribution toward the solution of the problem.

After selecting intergovernmental issues for investigation, ACIR follows a multistep procedure that assures review and comment by representatives of all points of view, all affected governments, technical experts, and interested groups. The Commission then debates each issue and formulates its policy position. Commission findings and recommendations are published and draft bills and executive orders developed to assist in implementing ACIR policy recommendations.

