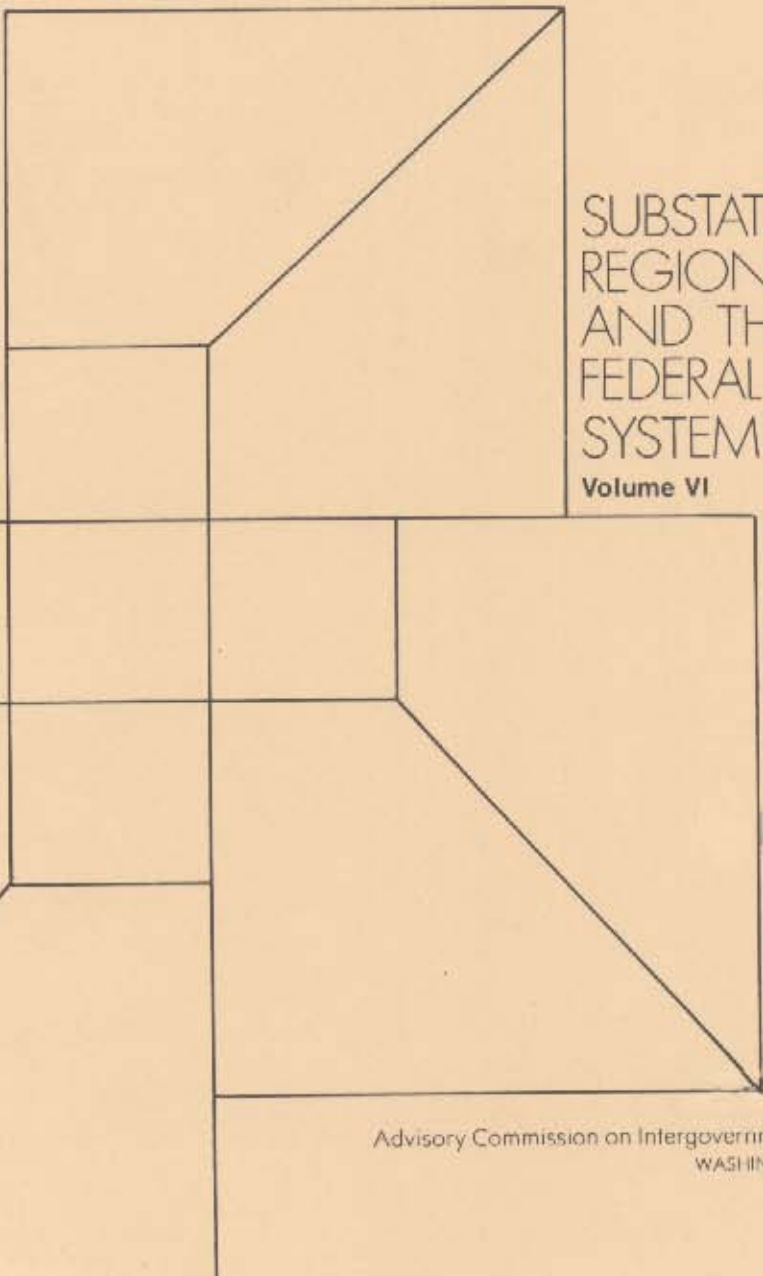


Hearings on Substate Regionalism



SUBSTATE
REGIONALISM
AND THE
FEDERAL
SYSTEM

Volume VI

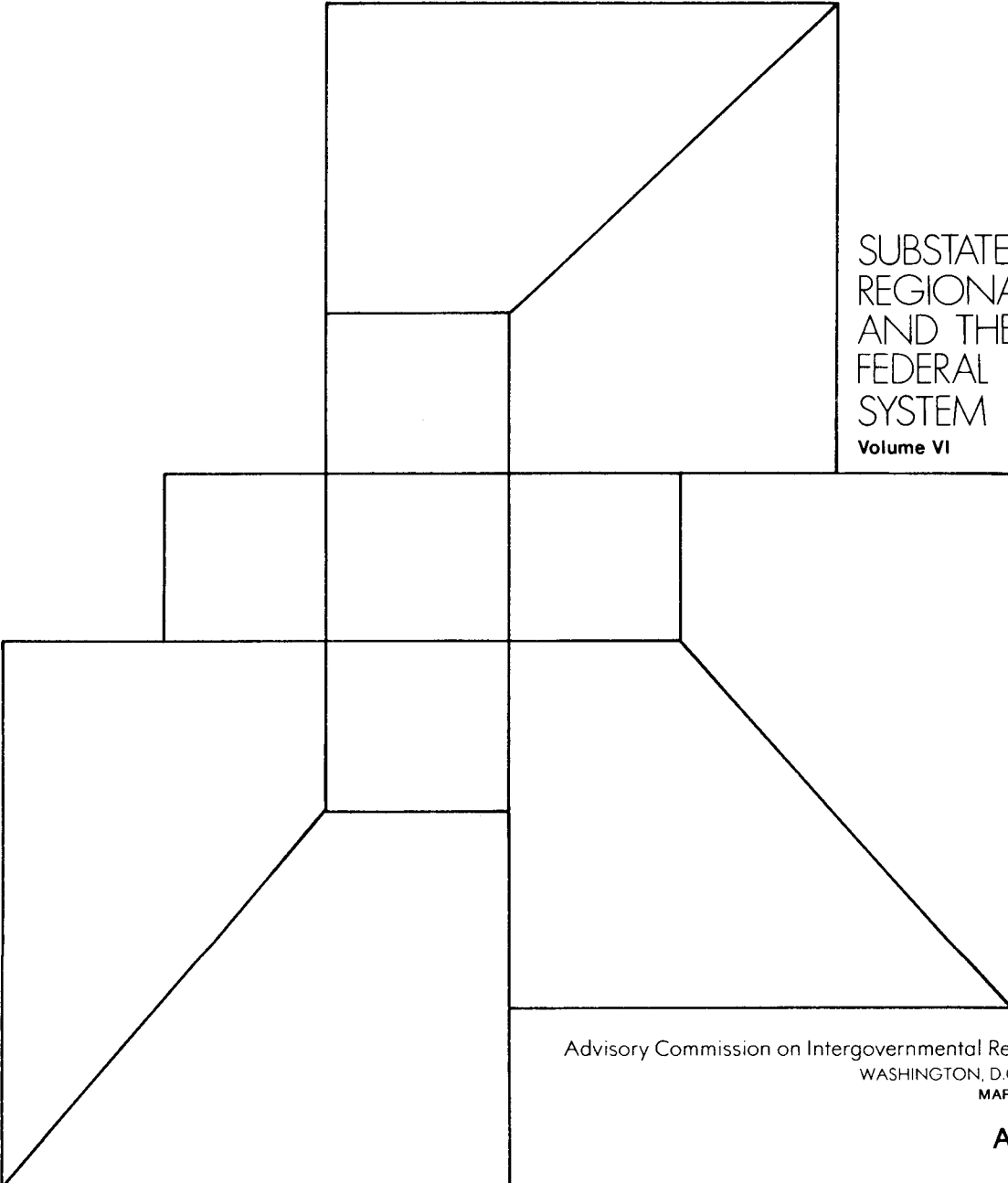
Advisory Commission on Intergovernmental Relations
WASHINGTON, D.C. 20575
MARCH 1974

A-43a



A COMMISSION REPORT

Hearings on Substate Regionalism



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PREFACE

On June 21, 1973 the Advisory Commission on Intergovernmental Relations conducted a public hearing in San Francisco to obtain the views of selected witnesses on the general subject of the intergovernmental problems associated with substate regionalism, and more specifically on a draft report on Substate Regionalism and the Federal System which the Commission considered the following days. This was the third time the Commission held a regional hearing on any subject, the first being in Chicago in connection with its draft on Urban and Rural America: Policies for Future Growth, and the second in San Francisco for the draft report of Medicaid.

Commission members present at the San Francisco hearing were Vice Chairman Mayor Richard G. Lugar, Mayor C. Beverly Briley, State Senator B. Mahlon Brown, Congressman Clarence J. Brown, Commissioner Kenneth R. Cole, Jr., Mayor John D. Driggs, Governor Daniel J. Evans, Commissioner Robert H. Finch, Judge Conrad M. Fowler, Governor Richard F. Kneip, State Senator Robert P. Knowles, State Representative Charles F. Kurfess, Mayor Jack D. Maltester, County Executive Edwin G. Michaelian, Governor Robert D. Ray, County Supervisor Lawrence K. Roos, and Secretary Caspar W. Weinberger.

The Commission was urged to conduct regional meetings by both the Senate and House Subcommittees on Intergovernmental Relations on the basis of their five-year review of the Commission's operations in 1966. They felt that such meetings would strengthen the Commission's role as a forum for discussing and hopefully resolving intergovernmental conflicts, and help bring the Commission's work to the attention of State and local officials and the general public.

The Commission adopted the report on Substate Regional Districts: A Strategy for Reform on June 23, 1973. The report reflects a number of suggestions offered by the witnesses at the hearing.

This document is a record of the statements presented by the witnesses. Their contributions are gratefully acknowledged.

Robert E. Merriam
Chairman

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**Statement Submitted by Francis B. Francois, President,
National Association of Regional Councils, and County
Councilman, Prince George's County, Maryland**

I am very pleased that you chose to hold this hearing on the Substate Regionalism report and recommendations of the ACIR, and I am also pleased to be your lead-off witness.

There are few matters which ACIR has acted upon in recent years of more importance than this report, and there are few organizations which will be more impacted upon by your recommendations than the regional councils which NARC represents. The some 600 regional councils in this nation are direct products of relationships among local governments, State governments and the Federal government, and deal every day in those issues before these three layers or tiers of government which are multi-jurisdictional in nature.

The NARC has of course been heavily involved in developing goals and policies for use by regional councils nationwide, through a grass-roots process involving hundreds of local elected officials and regional council staff persons from our over 200 member councils. Recently I sent to each of you copies of the goals and policies materials which we have developed, along with an analysis of how your ACIR report compares with our findings and conclusions. In these few minutes I will not try to repeat that information, but I do want to note that out of your 26 principal recommendations on substate regionalism, we are in disagreement only on 5 recommendations.

Because of the time limitations, it will also be impossible for me to deal with all the issues raised for us to respond to by Mr. MacDougall in his May 17 letter. I would like to offer some brief observations on two or three key issues from that letter, however, and I am certain that others here this afternoon will give additional responses:

1. Regional councils are of benefit to all three levels or tiers of government, but most particularly to local government. They are of benefit because they offer a mechanism for making decisions on multi-jurisdictional problems and for implementing those decisions, because they help local governments solve those problems they cannot solve **alone**, and because through review procedures like A-95 they produce better planning and save tax dollars. They provide a regional voice to speak for the needs of a region, a voice representative of all local governments and not just individual cities and towns.

2. Regional councils must have continuing support from the national government, if we as a nation are to achieve the national goals we have set for ourselves in such areas as land use, air and water quality, community development, housing, manpower and revenue sharing. There must be a working partnership relationship, on those matters regional in nature.

3. We recognize that the States must also be involved in this partnership, and that indeed since all local government powers flow from the States, that they are crucial partners. This is why NARC has had as its first priority this past year the creation of sound State legislation and policy on substate regionalism.

4. We recognize that the backbone of any successful regional council is the local governments that council represents, and that above all we must obtain the full commitment and participation of those local governments and their elected leaders. We are closer to achieving that goal this year than last, and we are still moving ahead. Just yesterday, here in San Francisco, the U.S. Conference of Mayors approved a resolution endorsing the regional approach to solving multi-jurisdictional problems, and my own National Association of Counties will be voting on adopting a strong regionalism plank at its convention in July. The National League of Cities, of course, is already on record. Thus, the three major organizations representing local government in America are or soon will be in full support of the solving of regional problems by the joint actions of local governments, acting through their regional councils.

The adoption of a policy by these three organizations, of course, does not mean that local elected officials everywhere will be cheering in the streets, praising regionalism. But it does mean that local governments recognize the need for cooperation, and that they are beginning to understand that regional cooperation is the one best hope for saving the concept of local government in America. We must continue to do more to get that message across, and to provide a sound and easily understood rationale for regionalism and the processes involved. It is in doing this that your work can be of such great benefit.

In general, we believe that the staff of ACIR has done a magnificent job in assembling and presenting the regional picture. It is true that we are in specific disagreement on some points, as my earlier letter pointed out. But in general, the scholarly effort by Dave Walker and the other staff members does much to support and back-up the research and policy decisions that we in NARC have been engaged in these past years. However, there is one basic matter that is of deep concern to me in the ACIR report, and which I believe must be addressed as a prime issue.

There is one thing that we frankly don't need in America, and that is yet another layer or tier of government. We already have a very complex Federal-State-local three tier governmental structure, and to add yet another layer is neither necessary nor desirable. And yet, as I read between the lines of the ACIR report, look at its recommendations, and in particular read the staff summary entitled "Authoritative Regional Councils: A Brief Analysis", I can only conclude that it is contemplated the regional council will emerge from the ACIR recommendations as such a fourth layer or tier of government. I believe this must be avoided.

Many local elected officials today are opposing regional councils precisely because they believe they will become a fourth layer of government. In some instances the reason for that opposition, in all frankness, is that some local elected officials fear they will lose power to this new fourth layer. But more enlightened local officials simply see such a fourth layer as merely further complicating the delivery of services to the citizen. For their part, citizens today are already frustrated in trying to find who is in charge, and I don't think will tolerate the need to make additional telephone calls. Regardless of the reasons for this opposition to a fourth layer of government, the hard political reality is that such opposition does exist. This fact cannot and should not be overlooked by the ACIR, for the goal should be to produce recommended solutions that can gather the political support needed for implementation.

I believe you should judge every recommendation in the ACIR report on one prime test, before all others: "Does this recommendation create a new, fourth layer of government?" If the answer is yes, then I think the recommendation should be amended to eliminate that result.

If regional councils are not a layer of government, then what are they? The answer to that question is that the regional council is an inter-governmental coordinating mechanism for making policy decisions and agreeing on the methods for implementing those decisions. It is governed by and works for local government elected officials, and deals with problems having a multi-jurisdictional or regional impact. It is not a general purpose local government, with a directly elected governing body, engaged in the direct delivery of services, and with the power to tax. And I submit it should never acquire all of these characteristics.

I believe two things are essential to solving the governmental problems of today. First, revitalized and strong local governments. I fully support your recommendations for achieving this goal. Second, a firmly rooted, rational intergovernmental process that will allow and encourage those local governments to work together in solving multi-jurisdictional problems. For the most part, your recommendations are aimed at doing exactly this, and to that extent we fully support them. But I believe that if we are all to be successful at our efforts, there must be strong evidence in the ACIR report that it is indeed an intergovernmental cooperation mechanism that is intended, and not a fourth layer of government.

Before leaving this topic, let me make note of what the future might be if we do indeed create regional councils as a fourth layer of government. If this should occur, then I am certain that several years from now another ACIR group like yourselves will be holding a hearing like this one, trying to devise a new mechanism for coordinating the activities of the *four* layers of government in the United States.

By these comments and my earlier letter, I hope that I have made our position clear. We support most of your recommendations, including those that encourage intergovernmental contracting and the creation in some instances by the regional council of limited service delivery mechanisms, but with the primary purpose of those councils being regional decision making bodies rather than governments. We hope that you will take our comments into careful consideration as you complete your work.

In closing, let me urge upon you that you do indeed complete this effort, with all deliberate speed. Representing as you do all three levels of government, and an immense depth of political and governmental knowledge, there is no better equipped body in America to come to grips with the issues here involved. We want, we need, your recommendations, and we need them soon so that they can help guide the ongoing efforts in the Congress and in the States in meeting regional challenges. But at the same time, we want you to carefully take into account our concerns, and the concerns and comments of others, so that your decisions will be made with the fullest depth of opinion and experience behind them.

We wish you Godspeed in your work. Thank you.

**Statement Submitted by Clifford R. Anderson, Jr.,
Chairman, California Council on Intergovernmental
Relations**

The California Council on Intergovernmental Relations (CIR) was established in 1969 as an advisory body to state and local government with a goal of promoting cooperation between the levels of government in California. The Council is composed of 22 members representing cities, counties, special districts, school districts, regional organizations, State government, and the general public. All of the members are appointed by the Governor for four-year terms. The Council has four primary responsibilities:

1. Provide technical assistance to local government with both staff support and financial assistance through the HUD 701 program. The Council gives highest priority to governmental management studies with particular emphasis on programs of multi-jurisdictional scope.
2. Gives policy guidance to the Office of Intergovernmental Management which is the State reception agency for all material regarding Federal grant-in-aid programs under OMB Circular A-95 and A-98.
3. Provides State agency liaison to the State's eleven model cities.
4. Carries on a continuing research program into the activities, problems and potentials of local government individually and collectively. In 1971, the Council published a study which proposed a model for reallocating public service responsibilities. This study has been the cornerstone of the Council's efforts in the area of local government reform.

The ACIR has come to an appropriate State to hold a meeting on intergovernmental problems. California is one of those intergovernmental nightmares of overlapping jurisdictions that political analysts have grown to know and love. There are 58 counties, 407 cities, 1,138 school districts, 2,365 independent special districts with the power to deliver both specialized and multi-purpose services and 2,000 dependent special districts which are established by cities and counties to deliver a particular service within a limited area within their jurisdiction. The biggest problem in bringing some reasoned judgment to this problem is the diversity of the State. At one end of the State there exists a metropolitan region with 10 million people and at the other end a county with 435 people. Obviously, the same governmental structural requirements do not exist in both cases. The problem of establishing a structure or set of structures for the Los Angeles metropolitan community is an exhausting task. In the county with 435 people you could get them all in one room and they could vote to secede without any statewide impact.

The problem of multi-jurisdictional decision making is *for the most part an urban problem*. Over 70% of California's population is located within the six counties of Southern California and the nine San Francisco Bay area counties.

California's Multi-Jurisdictional Dilemma

I would now like to focus on the current system which California uses in solving regional problems. Principally through Federal initiative, over 100 separate regional authorities have been established in the State of California.

There are 20 Councils of Governments in California of which 16 are single county, one interstate regional agency with responsibility for land use management in the Tahoe Basin, 21 Regional Criminal Justice Planning Organizations, 12 Regional Health Planning Councils, nine Regional Water Quality Control Boards, six coastal zinc commissions, one regional air pollution control district and ten air basin coordinating councils (each air basin has a coordinating council established for the purpose of coordinating air pollution control planning), 23 manpower planning boards and four resource conservation districts. All of these activities, with some exception, have independently designated planning jurisdictions and an independently designated and operated organization. In the San Francisco Bay Area there are no less than 14 overlapping regional and subregional agencies.

There are proposals before the California legislature and the U.S. Congress which would provide for the establishment of additional regional organizations. The current regional structure in California has produced a situation which is expensive and non-responsive. Over the last seven years, approximately \$100 million in Federal, State and local funds were spent on regional planning. Regional plans for water pollution control, transportation, and other issues of regional scale facing the State's urban and rural areas have been developed and often forgotten. Local government has taken the initiative to form regional Councils of Governments in our metropolitan areas to deal with problems which are common to their area. Yet, they have not been recognized or supported by the State or Federal government to use their locally initiated planning programs as mechanisms to solve regional problems. Both the ABAG in the San Francisco Bay Area and SCAG in Southern California have considerable experience identifying those issues which must

be dealt with on a regional basis. In the absence of a detailed and comprehensive policy, however, local governments have been left to finance and support separate regional organizations on their own. The Federal government has decided what are regional problems rather than permitting the local areas to do so. The HUD 701 program has been directed toward housing allocation formulas rather than the comprehensive management tool which the metropolitan areas envisioned in the late 1960's.

The major problem faced by local government is the need to have authority and incentives which can be used to resolve areawide problems by local action rather than mandates from Federal and State bureaucrats. *Rather than getting the State and Federal governments involved in local and interlocal issues, we want to support and expand upon our home rule tradition by encouraging the development of locally based regional programs and institutions capable of solving regional issues.*

Impact of Federal Policy

The major reason for the current regional structures at the metropolitan level in California is that the functional feudalists in the Federal agencies have won a battle in the war over organizational alternatives to deal with areawide and multi-jurisdictional issues. In 1964 the Highway Act required regional highway plans, later the clean air and water acts, manpower and housing legislation, criminal justice, health programs and so on, all required separate functional planning with a regional perspective. The net result has been that the various Federal incentives for multi-jurisdictional decision making have been decidedly counter-productive by creating more rather than fewer jurisdictions.

Comprehensive criminal justice plans can't be implemented because of local government jealousies. Transportation plans can't be implemented because they violate air pollution plans; housing plans can't be implemented because building moratoriums have been placed on areas which violate water quality plans which can't be implemented because they are not consistent with land use plans which are not consistent with air pollution plans for emissions of complex sources. Each plan was developed under rules set up by a Federal agency which is unresponsive and cannot pretend to represent the will of metropolitan areas.

Clearly, some of the blame must be placed on the State's inability to deal effectively with this dilemma.

CIR Recommended Policy on Regionalism

Fundamental to California's home rule tradition is the reliance by the State on local initiative to solve local problems. Our Council has adopted and recommended to the Governor a comprehensive policy to deal with regional problems which builds upon this tradition. The recommended policy would provide a method for local elected officials to deal more effectively with regional problems. An Areawide Planning Organization (APO) under the policy would be an extension of local decision making within a recognized State framework.

The objective of the policy is to reduce the cost of government by providing for a more responsive and effective local, areawide and State partnership in dealing with common problems and to provide a basis for cooperation with Federal organizations in the total decision making process. It is the further objective of the policy to provide for a more efficient and effective partnership among local agencies themselves for resolving areawide problems and issues. It is a positive effort for developing mechanisms for local solutions to areawide problems, and for providing the framework for coordination of functional and comprehensive planning by local, State and Federal agencies. The policy will also serve as a guide to State and Federal agencies for a coordinated delivery of services. It is further the objective of the policy to define the relationships of areawide planning to the local and State planning process and to develop the framework whereby local jurisdictions can participate in policy development at the areawide, State and Federal levels.

The policy as recommended by the Council would involve the certification of locally based comprehensive Areawide Planning Organizations (APO) capable of *resolving* regional issues. The APO would be an "umbrella" organization made up of locally elected officials with the responsibility for comprehensive and functional planning. Most importantly, all of the players would be involved. Cities, counties and special districts which had an impact on growth and development would be involved. Another important feature is the designation of the boundary. Regions would be identified on the basis of geographic and demographic characteristics and not necessarily by county boundaries the case in the past.

I am providing your Commission with copies of the policy for your interest and comment. I think its direction is consistent with the thinking of the ACIR.

Where Do We Go From Here

If we are to master the enormous task that lies ahead we will need to develop a close State-Federal partnership. I would propose that the Federal government redirect its past practices of “incentives” and similar devices to a less *prescriptive* approach. The Federal government should keep the pressure on the States through performance standards. The opportunity should be there for experimentation in solving multi-jurisdictional problems in order to allow for the State and local governments to establish their partnership in an effort to build effective regional decision making processes. The Federal government should only be concerned that the job gets done. The mechanisms must be left to State and local government.

**Statement submitted by Donald Dillon, President,
Association of Bay Area Governments; Councilman, City of
Fremont on Substate Regionalism.**

ABAG is most appreciative of this opportunity to appear before you on a matter of vital concern to us—substate regionalism. As one of the oldest councils of governments in the nation, ABAG has been involved with this issue since our formation twelve years ago.

ABAG represents the cities and counties in the nine county, seven-thousand square mile Bay Area. As the fifth largest urban area in the country, our region has its share of urban ills. The diversity of life styles and people found here is mirrored in a complex governmental system and, frequently, in lack of consensus in defining problems and structures for solutions.

Regional Approaches

Obviously, certain problems such as air pollution and transportation do not heed the political boundaries of cities and counties. In the Bay Area we have identified, in addition, the following issues that have regional ramifications: waste disposal, open space and parks, land use, conservation of natural resources, criminal justice planning, and housing. This, of course, does not preclude action nor responsibility for these issues by cities and counties.

The city and county interest vs. regional interest is difficult to define. Our definition of “regional” is “a matter substantially affecting the incorporated or unincorporated territory or inhabitants or property therein, of two or more counties or cities or any combination of cities and counties.”

It would be our opinion that in identifying which functions are regional, fairly broad criteria are called for. We would never have guessed a year ago that an extraordinary winter freeze would have caused a regional crisis of dead eucalyptus trees affecting at least two counties, three cities, and two major special districts. Not all issues which require areawide solutions are obvious in advance.

In the Bay Area, at least, the debate has moved far beyond acknowledgement of the fact that there are regional issues that need regional governmental solutions. Our debate, instead, centers on alternative solutions to problems and on who should make the decisions.

Meeting Regional Needs

One of ABAG’s biggest successes has been our education of local government and our citizens to regional needs. While a number of years ago ABAG was unable to gain support for implementing a moratorium on filling of San Francisco Bay, resulting in a single-purpose State agency to handle this function, more recently ABAG has been so successful at pointing out needs that the region has gained four single-purpose agencies since 1969. All of these are dedicated to addressing a single problem that local government, through ABAG, had been grappling with.

When I say that ABAG has been successful in calling these needs to the public’s attention, I do not mean to imply that we have been in agreement with the structures designed to provide solutions. We have not. The California legislature’s approach of establishing a functional special district to deal with a single issue has created a new collection of problems.

There are fourteen regional agencies, using the “regional” definition I mentioned earlier, most of which were created by the State legislature. We are in danger of having a solution to one regional problem impact negatively in another area. This lack of coordination in planning for the Bay Area’s future is our most serious problem in regards to regional organization at the present time.

Because the Bay Area is more fragmented governmentally at the regional level than any other urban area, you may be interested in the 14 agencies and their jurisdictions:

<u>agency</u>	<u>function</u>	<u>jurisdiction</u>
Association of Bay Area Governments	comprehensive planning	9 counties
Alameda Contra Costa Transit	transit	2 counties
Air Pollution Control District	air pollution	parts of 9 counties

Comprehensive Health Planning Council	health planning	9 counties
BARTD	rapid transit	3 counties
Bay Area Sewer Services Agency	waste water mgt. plan	9 counties
Bay Conservation and Development Com.	regulate bay fill	Bay shore strip, 9 counties
Central Coast Regional Commission	ocean shoreline control	1 Bay Area county plus others
East Bay Municipal Utility District	water/sewer/recreation	2 counties
East Bay Regional Park District	parks	2 counties
Golden Gate Bridge Highway and Transportation District	bridge, buses, ferries	3 Bay Area counties plus
Metropolitan Transportation Comm.	transportation planning	9 counties
North Central Coast Regional Comm.	ocean shoreline control	3 counties
San Francisco Bay Regional Water Quality Control Board	water quality control	parts of the nine counties

Lacking any legal mandate, what ABAG and other regional agencies have done in the Bay Area to attempt coordination is to enter into interagency agreements which detail planning responsibilities, and, in some cases, joint planning programs. ABAG has such agreements with agencies in health, transportation and air pollution. We have joint planning programs with the State in water resources planning, with the transportation planning agency and a two-county park district. We are negotiating currently with the new waste water planning agency.

In the absence of mandated coordination these inter-agency agreements have encouraged communication, shared resources and programs, and the beginning of a common body of planning assumptions regarding the growth and form of future development in the Bay Area.

In addition to the considerable problem of lack of coordination among regional agencies, there is the obvious inability to mediate between their conflicting objectives and programs. An umbrella agency is needed to umpire these situations and also to provide public understanding that choices exist.

An illustration of this lack would be the recent Southern Crossing Bay Bridge controversy. The bridge, the brainchild of the State Division of Bay Toll Crossings, aroused a storm of protests for aesthetic and environmental reasons and because of its impact on the nearly complete BARTD transit system.

Because there was no one agency with the power to say “yes” or “no” after considering the total transportation, economic, ecological picture, the State legislature stepped in and ordered a regional referendum on the issue.

In addition to Bay Toll Crossing, five or six other regional agencies had their oar in the pond to some extent or another. ABAG’s involvement included the Metropolitan Clearinghouse review of the environmental impact statement and comments to the responsible federal agency—in this case, the Coast Guard.

Obviously all differences in regional goals and priorities cannot be submitted to the voters, and simple “yes” or “no” choices hardly are adequate in producing an urban environment that meets the needs of all the region’s citizens.

Federal Impact on Regionalism

Undoubtedly, Federal programs have shaped and encouraged regionalism in metropolitan areas across the country. However, ABAG was founded in 1961 and nine of the 14 regional agencies in the Bay Area were founded prior to 1962 and the Federal Aid to Highways Act which required planning in metropolitan areas.

While Federal agencies have frequently espoused the concept of multi-functional regional agencies, in practice we have found each agency seems most comfortable dealing with its single-function counterpart on a regional level. DOT, for example, would not certify the Bay Area for full funding when transportation planning was being conducted by the comprehensive planning agency. Immediately upon the establishment of a statutory transportation planning agency the region received full two-thirds funding although the new single purpose agency had just inherited the previous planning efforts and had no significant accomplishments to call its own.

The 1962 Highway Act, subsequent HUD requirements and Circular A-95 all require that the systematic planning by individual functional agencies be coordinated with, and, to the extent authorized by law, made part of comprehensive local and areawide development planning. In actuality, we could point to a number of massive planning efforts in the Bay Area where this has not been the case: the \$6 million Bay Area Transportation Study Commission’s plan, the \$2.8 million Kaiser Bay-Delta Study for water quality and the \$9 million U.S. Corps of Engineers’ “In Depth” Water-Borne Commerce Study and “Triple S” water quality work. In the Corps’ program, it has been almost impossible to be assured of local input into the work, despite ABAG’s strong stand in the A-95 process that duplication of State and regional

work was planned and local inputs lacking in the Corps' proposed studies.

A-95 has provided an important communications link between applicants, affected jurisdictions and the regional agencies. It provides non-statutory councils with a tool to implement plans and provide some measure of coordination. We have considerable concern that revenue sharing, as it evolves, may weaken what is a useful, if not perfect, tool for regional councils.

ABAG meets Federal requirements in comprehensive planning and open space planning and with the Metropolitan Transportation Commission in coordinated transportation planning. Other Federal planning requirement programs in water quality, criminal justice and health have not, as a rule, gone to the general purpose regional councils. It should be noted that in these programs, the State's role is more substantial and therein lies a problem in California.

State Role in Substate Regionalism

The lack of an articulated State policy on substate districting by either the legislature or administration has led to a proliferation of districts with separate boundaries for each function. I am sure Mr. Anderson will cover this in some detail. I will give just one example to show the great problems this lack of policy can cause.

In November, Proposition 20, an initiative to establish Coastal Conservation Commissions based on past unsuccessful legislative efforts, was approved by the voters. Two regional coastal commissions were established in the Bay Area. Three counties were placed in one commission while San Mateo was placed with two counties to the South outside the Bay Area. While this was a citizen initiative measure, I am sure the drafters of the initiative would have abided by general substate district boundaries if they had existed and been widely in use by the State legislature and by existing State agencies. Now many regional agencies and interested citizens must deal with two separate staffs and commissions thus doubling the work needed to coordinate and communicate with the Coastal Commissions.

In addition, ABAG has planned for the ocean coastline since 1968. Our detailed plan element will have its first public hearing this evening, in fact, before adoption. Much of this planning work will need to be redone because of the change in boundaries as the new commissions must develop their own plans to recommend to the State. Had the boundaries corresponded to ABAG's (the generally accepted "region" for the Bay Area) all of the background studies and data and the developed plan would have been easily transferred without reworking.

In criminal justice planning, the State last year set up six "mini-regions" in our nine county area instead of using the COG for planning. In health, the State established a separate agency as the 314B agency and what coordination we have is through the voluntary inter-agency agreements.

Without belaboring the point, the legislature and the administration have been very remiss in establishing substate districting policy and even now, local government reorganization studies underway in the State seem to fall short of including regionalism as one of the issues.

Without legislative mandate, ABAG as voluntary organization has tried to coordinate the activities of 13 other regional agencies, nine counties, 91 cities and over 600 special districts. It is a tremendous task, and there is little wonder that we at ABAG often feel like the little Dutch boy with his finger in the dyke.

Recommendations

The Association of Bay Area Governments commends ACIR's efforts to encourage a national policy on regionalism. In our view, such a policy is greatly needed.

ABAG's regional home rule policy would see multi-functional regional organizations throughout the State. Each of these organizations would reflect the region in which it was located with mandatory membership and participation by all cities and counties in the region. In other words, there is no standard formula for structure or functions to be addressed. These would depend on the locality.

It would be incumbent on the State to define the regions and to use this definition with its own delivery of services. Federal agencies should be required to use the regional general purpose agencies for planning or coordination in present and future Federal assistance programs, be they categorical or block grant or some type of revenue sharing.

Some State financial contribution to regional agencies would stabilize funding, decrease the reliance on Federal monies which has resulted in the region's inability to set priorities for itself, and would be evidence of the State's acknowledgement that it shares the responsibility with local government to plan for the future.

Use of the comprehensive regional agencies by the State seems a necessity if we consider, for example, the land use

legislation that is emerging from Washington. The State has no land use planning capability at this time. No doubt it should develop one. In most metropolitan areas in California regional land use plans have been adopted. The State role should be that of coordinating these regional plans, just as the regional organization coordinates local plans. For the State to ignore these grassroots plans would be a serious mistake and would penalize California because of the time required to begin a land use planning effort at the State level.

A regional council with a governing board of local elected officials is really local government at the regional level. It represents *better* government not *more* government. It provides the participation necessary by local government in decisions that affect their future. Cities and counties have the responsibility under State law to implement many functions and mandatory plan elements. They should also have the opportunity and responsibility for an organization which will coordinate and carry out at the regional level these same functions and elements.

If local governments are not allowed to join together to develop and implement plans for the future of their areas, then most meaningful decision-making will be taking place in Sacramento or Washington.

If “New Federalism” is to mean anything, then we must strengthen the third level of government—local—which has been on the short end of the stick in power and resources. Part of this process is to give local government the tools it needs to deal with areawide problems on a coordinated, areawide basis. Without the power to effectively guide the future of the larger local communities—such as the Bay Area—cities and counties may as well close up shop. The real issues now and in the future are the issues that need regional solutions. We feel the decisions about these issues should take place in the local community not in the State Legislature nor in Congress.

Thank you for the opportunity to appear before you.

Resolution No. 1-71

REGIONAL HOME RULE: 1971

WHEREAS, the Association of Bay Area Governments is a legally constituted council of governments, organized on January 12, 1961 under the Joint Exercise of Powers Act (Government Code, Title I Div. 7, Ch. 5) and

WHEREAS, eight counties and 85 cities in nine counties are members of the Association, representing over 99% of the regional population; and

WHEREAS, the Association has approved a regional general plan; and

WHEREAS, the Association has been certified by the U.S. Department of Housing and Urban Development as the areawide planning organization for the Bay Area making the local governments of the Bay Area eligible for certain types of federal assistance; and

WHEREAS, the Association has been designated by the U.S. Office of Management and Budget as the metropolitan clearinghouse to review and comment on applications for federal assistance and on regional implication of projects initiated by federal agencies (Demonstration Cities and Metropolitan Development Act of 1966; Governmental Cooperation Act of 1968; and Environmental Policy Act of 1969); and

WHEREAS, the Association has been recognized by the California Council on Intergovernmental Relations and by the California Council on Criminal Justice; and

WHEREAS, the Association concluded as early as 1966 and again in 1969 that:

1. Attempts to solve regional problems can only be successful if all local governments, as well as the State and national governments, collaborate in the effort;
2. Regional home rule requires the formal participation of city and county governments from each county in any regional agency which may be established for the Bay Area;
3. A representative cross-section of the citizens of the Bay Area should be involved in planning, in making decisions, and in the implementation of policies and programs to meet the regional needs of the Bay Area;
4. There is a need for a limited multi-purpose regional government in the Bay Area to avoid the creation of additional special purpose districts and authorities; and
5. The objective should be to improve the effectiveness, responsibility, and responsiveness of governments in the Bay Area to meet regional needs without creating a new level of government; and

WHEREAS, the need for a limited multi-purpose regional organization has been recognized by many other private and public agencies in the Bay Area; and

WHEREAS, similar needs have been identified throughout California by the Assembly Selection Committee on the Environment, the Joint Legislative Committee on Bay Area Organization, other standing committees of the Assembly and the Senate, the Council on Intergovernmental Relations, the League of California Cities, the County Supervisors Association, councils of governments, and other interests in the several regions of the State .

THEREFORE BE IT RESOLVED by the Association of Bay Area Governments that

1. The following approaches be applied on statewide basis to all regional planning councils and other types of regional organizations;
2. The legislature should require cities and counties in each planning region of the State to create a regional planning council;
3. The regional organizations so created should reflect the varying nature of problems of regional significance and political and economic characteristics of different regions of the state;
4. Each regional organization shall prepare and adopt a regional general plan with at least the following mandatory elements;
 - a. a general waste disposal
 - b. a general open space
 - c. a regional transportation
 - d. a regional land use
 - e. conservation of natural resources
 - f. regional criminal justice
 - g. regional housing;
5. The proposed regional plan should be submitted to the CIR for review and comment before adoption by the regional organization;
6. Annual reports should be filed by each regional organization with the CIR, which should transmit the reports with its comments and recommendations to the Governor and the legislature;
7. Regional organizations should be represented on the Council of Intergovernmental Relations;
8. All special districts, cities and counties and all state agencies operating within a region should be required to submit plans, regulatory ordinances, rules and regulations, and capital improvement programs relating to mandatory elements of the general regional plan to the regional council for review, public hearing if desired, and comment, and be required to consider such comments before final action is taken;
9. Regional organizations should be authorized to assume limited powers and functions with reference to the operation of regional services;
10. Regional organizations should be granted such regulatory powers and revenue sources as necessary to carry out regional functions;
11. The statute creating the regional organizations should provide an "umbrella" relationship between the regional councils and existing regional special districts and agencies;
12. The regional organization should be empowered to establish new sub-units as the need arises, subject to legislative approval;
13. The governing body of the regional agency should be composed primarily of elected city and county officials;
14. The statute creating the regional organization should provide for the participation of interested and knowledgeable citizens in the discussion of regional goals, the development of regional plans and policies, and in the achievement of regional objectives.

AND BE IT FURTHER RESOLVED that the Executive Committee take all necessary steps to confer and cooperate with the chairman of the Assembly Committee on Local Government, the chairman of the Senate Committee on Local Government, the Southern California Association of Governments, the San Diego Comprehensive Planning Organization, the Sacramento Regional Area Planning Commission and other councils of governments, the California Council on Intergovernmental Relations, the League of California Cities, the County Supervisors

Association and other interested persons, groups and agencies in the Bay Area and the State in order to secure the enactment of legislation embodying these principles of regional home rule as adopted by the Association of Bay Area Governments.

PASSED AND ADOPTED by the General Assembly of the Association of Bay Area Governments this 18th day of February, 1971.

**Statement submitted by Ray Remy, Executive Director,
Southern California Association of Governments.**

My name is Ray Remy and I serve as the executive director of the Southern California Association of Governments. The testimony that I am presenting is basically that which was recently presented to our own State legislature by our president, Riverside County Supervisor Norton Younglove.

One of the key concerns that we have had is that it is increasingly essential that the State move now to provide some form of a comprehensive framework for areawide problems. We feel that there is general concurrence that regional problems must be effectively addressed, but invariably the solutions that have emerged have been fragmented single purpose approaches.

As you will know, a complex fabric of State and Federal legislation exists which requires that there must be some form of regional organization in metropolitan areas. Much of this legislation has been passed because of the strong demands to attempt to address the problems which transcend individual jurisdictional boundaries. Unfortunately, far too often these issues have been addressed on a single-purpose functional basis. What State and Federal laws have succeeded in doing is to create a maze of different institutions and organizations that have made government far more complex and confusing and have not really effectively developed solutions to the functional issues that they were designed to address.

The requirement for areawide cooperation first appeared in the 1954 Housing Act and subsequently has been amended in much stronger terms in the 1966 and 1970 Federal Housing Laws. Presently, HUD funds for open space and water and sewer are not available in metropolitan areas unless there is an on-going planning process which specifically includes these two functional elements. In addition, a full range of HUD programs are conditioned upon the requirement that there be an areawide planning organization that is both recognized and certified by State and Federal agencies. While the revenue sharing proposals may clearly modify some of the requirements, the basic thrust for coordination between programs still remains.

Section 134 of the Federal Aid to Highways Act requires a continuing comprehensive planning process carried on cooperatively by State and local communities. Without such a recognized organization in the Southern California area, \$65 million of interstate money, \$2,600,000 of FAS Highway money and \$10,600,000 in TOPICS money would not have been available. The Urban Mass Transit Acts of 1964 and 1970 have specifically required a coordinated urban transportation system as part of a comprehensive planning process. For Southern California, this is directly tied to a potential \$150 million bus subvention for capital costs over the next five years, and possibly as much as \$2 billion of mass transit assistance over a longer span.

Recently released water quality planning requirements from the Environmental Protection Agency have required a consistency between water basin planning and areawide water and sewer planning. Without a recognized planning agency and an acceptable plan, \$125 million in EPA funds would not have been available to be expended in our region. Last year the Administration introduced major legislation which would have required a consortium of local governments to conduct a multi-modal transportation planning effort, and one measure introduced by U.S. Senator Montoya, The Public Works Development Act of 1972 would have required multi-state development commissions to be established in all areas of the Nation. These laws, as well as new proposals, are merely examples of requirements that presently do or may exist. I could cite additional examples in the fields of health, criminal justice, housing and manpower, each having its own requirements and its own areawide planning needs.

What this has served to create throughout the United States is a variety of new regional organizations that have no necessity to coordinate with each other nor which any requirements to be visible to the citizens that they serve.

Materials we have received from your own study of regional organizations has revealed the following startling statistics:

- on a nationwide basis, there are some 400 Councils of Governments;
- 464 State Planning and Development Districts;
- 415 Federal Grant Review Clearinghouses at the substate level;
- 481 Criminal Justice Planning Regions;
- 957 Community Action Agencies;
- 419 Comprehensive Area Manpower Committees;
- 129 Regional Comprehensive Health Planning Agencies;

- 232 Air Quality Regions (that are now contemplating some land-use planning);
- 50 Local Development Districts;
- 68 Resource Conservation and Development Districts;
- 7 Interstate Water Agencies;
- 2 Federal Multi-State Compacts; and
- 6 Title V Public Works and Economic Development Act Commissions.

These figures, of course, do not take into consideration regional transportation agencies, regional water quality agencies, regional water basin agencies and, of course, all of the regional planning that may be done by educational institutions.

In a study being prepared by the Council of Intergovernmental Relations, they have determined that in our own State we have.

- 20 Councils of Governments;
- 1 Interstate Regional Agency with responsibility for land-use management in the Tahoe Basin;
- 21 Regional Criminal Justice Planning Organizations;
- 12 Regional Health Planning Councils;
- 9 Regional Water Quality Control Boards;
- 11 Air Basin Coordinating Councils (each air basin, except the San Francisco Bay Area, has a coordinating council established for the purpose of coordinating air pollution control planning).

Additionally, organizations have been formed for manpower planning, economic development planning, social planning as well as other issues of identified regional concern. All of these activities, with some exception, have independently designated planning jurisdictions and an independently designated and operated organization. Recently the State has created 23 regional agencies to address the problems of the aging. In addition to the mandated regional organizations already mentioned, there were, as of 1970, 110 independent special districts in the State which are multi-county in jurisdiction.

Our own legislature has also expressed increasing interest and concern about the governance of our metropolitan areas, and by our count, in the 1971 session of the legislature, there were close to 50 different pieces of legislation introduced which would have some direct effect upon the governing of our regions. These proposals, similar to the Federal proposals, tended to attack the question of regional decision-making on a single-purpose functional basis.

Attached to these remarks is a brief chart which indicates some of this year's proposed State and Federal legislation, which, if all were enacted, would create some six (6) new regional agencies in Southern California. It is quite possible that in addition to the existing coastal commissions, we may have separate commissions created which will be responsible for the desert, Santa Monica Mountains, regional transportation, air quality, and comprehensive planning.

In addition, legislation and guidelines have suggested that such agencies as the Local Agency Formation Commissions, Airport Land-Use Commissions, and Regional Air Pollution Districts should perform land use planning.

It is interesting to note that the following organizations, committees, or individuals all have vigorously spoken out in favor of a comprehensive areawide approach to regional problems:

- Vice President Spiro Agnew
- U.S. Senator Alan Cranston
- U.S. Senator John Tunney
- Secretary Claude Brinegar—U.S. Department of Transportation
- Los Angeles Mayor-Elect Tom Bradley
- San Diego Mayor Pete Wilson
- Governor Regan's Task Force on Transportation Planning
- National League of Cities Policy Statement on Intergovernmental Relations
- Department of Housing and Urban Development
- Council of Economic Development—U.S. Chamber of Commerce
- California Tomorrow
- International City Management Association

- Office of Management and Budget—Big 7 Policy Report
- State Transportation Board
- League of California Cities
- Advisory Commission on Intergovernmental Relations

A study published by the Institute of Governmental Studies, University of California at Berkeley, points out that in the San Francisco Bay Area there have now been created the following regional institutions:

- Bay Area Rapid Transit District
- Bay Conservation and Development Commission
- Alameda-Contra Costa Transit District
- East Bay Municipal Utility District
- East Bay Regional Park District
- The Port Authorities
- Regional Air Pollution Control District
- Metropolitan Transportation Commission
- Bay Area Sewage Service Agency
- Regional Water Quality Control Board
- Regional Criminal Justice Boards
- Regional Health Planning Agencies
- Association of Bay Area Governments.

Similar and perhaps equally dramatic examples of this regional overlap can be found in most of the metropolitan areas in the State.

Questions about how our metropolitan areas are organized and governed as well as questions about the effectiveness of the Southern California Association of Governments, gave rise to the appointment in 1970 of a top level committee of city and county officials to examine the SCAG organization and to develop a series of proposals as to what its future should be. This effort, called "SCAG Tomorrow," covered over a year of monthly meetings where questions of existing laws, governmental efficiency, the need for regionalism, and the desirability of preserving home rule were thoroughly discussed. In the Fall of 1971 a report was submitted to our entire membership outlining the Committee's suggestions as to the future of the SCAG organization.

This report was in the form of a discussion document and copies of it were sent to every elected official in the six-county SCAG area, and discussions were held on the report throughout the region. Drawing upon official positions from public agencies as well as comments from public groups and private citizens, the Executive Committee of SCAG held a full day and a half session in which they debated the future of our regional organization. The position which emanated from the meeting was once again widely circulated to all cities and counties including both member and non-member agencies. At our General Assembly meeting February 1972, a variety of viewpoints concerning the need for stronger or weaker regional agencies was presented as well as the position that there ought not to be any type of regional mechanism.

After discussion and debate our membership voted by a 2-1 majority to support the Executive Committee position and submitted the proposal to the State legislature for their consideration. This measure is a program which carries out the basic directives of that General Assembly position.

The basic elements of our proposal are contained in the brief fact sheet attached to this testimony. In essence, this measure would make our Association a statutory entity and would give us access to an independent source of revenue. The organization would not assume any additional powers, nor would it have any authority to raise or lower the suggested funding source. Our governing body would remain totally composed of locally elected officials although there would be two additional representatives from the County of Los Angeles. Last week a committee of our legislature approved the proposal but only after deleting those provisions relating to the financing of the organization. Despite this action we do feel that the basic provision of providing a necessary framework for regional decisions is of significant proportion to continue pursuing the legislation.

We believe that the establishment of an organization of this nature would provide the basic framework for the

effective solution to areawide problems and would substantially reduce the need for the continued creation of single purpose approaches to these issues.

We recognize that each section of the country has its own special conditions and the solutions of one region, may not be applicable to the conditions of another. We do feel however that certain basic principles established at the State and Federal level are essential in bringing about a more rational approach to our areawide problems. The absence of the principles and policies will only serve to encourage fragmentations and duplications.

**Statements submitted by Kenneth E. Omlid, Commissioner,
Lane County, Oregon.**

My name is Kenneth E. Omlid. I am a county commissioner, Chairman of Lane Council of Governments and President of the Association of Oregon Counties. I am also appearing here today as a representative of the National Association of Counties. With me today is Ralph Tabor, Director of Federal Affairs of the National Association of Counties.

The Advisory Commission and its staff are to be congratulated on producing this impressive report on "Substate Regionalism and the Federal System." The study is timely and much needed in order that policy makers at all levels of government can examine the data on substate regionalism and determine what policies are needed in the future towards regionalism. The data on the current status of local government reorganization and substate regional development are excellent and will certainly be helpful to all of us who are concerned about improving the intergovernmental system, especially those of use who are interested in strengthening and improving local government institutions.

Today, I would like to confine the majority of my remarks to Oregon's recent experience and then more specifically to my own county of Lane and its Council of Governments.

Four years ago the Governor's office established 14 administrative districts throughout Oregon. All State agencies would use those boundaries for their operating units throughout the State, as well as for data collection and statistical analysis. Only two districts were single counties. Lane County was one and Douglas County which borders Lane to the south. When the Governor recommended that the administrative districts be the boundaries for COG's, several counties organized to oppose this arbitrary action. Although the original position was because of the setting of boundaries without adequate local participation, it finally turned into opposition to COG's.

The opposition felt that not only was the boundary setting arbitrary but it was also a subversive method of creating another level of government. They could only see cities and counties as a buffer between the public and the regional decision-making body. Regardless of that fear, the communications problems of the multi-county COG's in the areas of large counties would be extremely difficult. Many representatives would have to travel well over 100 miles each way to attend council meetings. Broadening the area in those sparsely populated counties just to provide numbers and reduce administrative contact points was not a practical approach. The answer and compromise was single county sub-COG's. Those problems that affected other counties in the COG would have the benefit of discussions by the full COG representation. The road back has been difficult, but a greater understanding of regional problems now exist relative to the jurisdictional jungle that is local government.

Lane County's 28 year experience with the voluntary COG concept began with representation from only the central portion of the county, the population center and the area of greatest growth. The COG has always had representation from the counties, the cities, and school districts and other special purpose districts, all elected officials appointed by their boards, councils or commissions.

About three years ago we made an extra effort to inform the jurisdictions in the balance of the county and encourage their active participation and membership. The effort was successful and the by-laws and contract agreements were revised through their participation. Besides the county and its 11 cities, the Lane Council of Governments represents the school districts, the community college, municipal utilities, a court district, park districts, soil and water conservation districts and water districts. All members are elected local officials. For regular voting procedures, Lane County has two votes and the cities each have one. The school districts share four votes, the community college has one vote and the other three votes are assigned to special districts, partially by location rather than types of districts. The general purpose units—cities and the county—have an optional method if one of them so wishes. The option is for cities and the county to vote on an issue and they each have one vote for each 500 population under their jurisdiction with the county representing only the population not represented by cities. To date the option has not been called for or used.

As with most organizations, public and private, only a few members have the time or interest to become involved beyond the regular or special meetings. This necessitates strong staff leadership and participation. In order to protect against total staff domination we have found that the chairman should be an elected official who is full time. In Lane County, that would be a county commissioner. The chairman must present a leadership role throughout the community and not let misguided public opinions relegate that image to staff. The chairman must maintain a continuous and close contact with the executive director in order to be as knowledgeable if not as glib about the COG's operation and the programs and structures of our multi-leveled bureaucracies as possible. Maintaining this active relationship has given the

staff the confidence they need in dealing with State and Federal bureaucrats to bring about change. A case in point is the development of the IGA program of funding. Instead of dealing with a multitude of Federal agencies for funding, each with a different format and each with a preposterous amount of superfluous paper work only one application is made to one agency for all programs. Beneficial offshoots are one set of books, one audit team and also a letter of credit to a local bank as funding authority. The Federal treasury then gains an interest savings by not having to fund until the actual expenditures are made.

The chairman and staff relationship gives the same type of impetus to dealing with State and local problems and develops the type of form needed by local elected officials to develop policies for making regional decisions. The COG members and the staff are only part of the form. Citizen participation is highly developed through Citizen Advisory Committees, 14 in all, with 30 members on each committee. No elected officials. Staff provides technical assistance only. The chairman of each committee makes up a coordinating advisory committee to coordinate and to eliminate duplication of work.

Much constructive criticism has come out of this form relative to government and especially local government. Defining regional services and gaining a consensus on what should be the vehicle for providing, regional services has been in the discussion process for several years by LCOG's organization. As a result, the county as a provider of regional services is becoming more and more a fact. This voluntary association of local elected officials and hundreds of lay citizen committee members have caused local government to restructure and redesignate service responsibilities. The cities are saying that the county should not duplicate the urban type services they provide but should provide the regional services county-wide inside and outside the cities.

The county and cities have agreed that main arterials through cities are the county's responsibilities. The same with regional parks and open space, air facilities, mass transit, a basic level of health and social services, a regional computer and air and water quality control.

Lane County is restructured under its home rule authority in order to accept these responsibilities. The restructuring is under four broad program areas: human services; environmental services; law enforcement and judicial services; and management and governmental services. The operating departments will be: community planning and development; transportation; assessment and taxation; regional information systems; community health and social services; juvenile; public safety; district attorney; court elections and records administration; and management services. The first pooling of funds and cooperative priority setting for social services is presently underway between Lane County and its largest city, Eugene. Each has allocated funds from its general revenue sharing to be placed in this pool to be administered by the county. Publication presented to each member of this commission entitled the "Challenge of Reorganization" is the basis and criteria for priority assignments. This document was produced by LCOG upon request of its members.

Other regional programs accepted as county responsibility because of the COG form and its planning are: solid waste disposal; dog control; police protection; contracts with smaller cities; central purchasing; regional parks; senior citizens programs; manpower training and employment contracts; and computer services. The vast majority of counties throughout the nation have the same basic structure problems as Lane County and most Oregon counties. They are the only local governmental units that cover the entire State. They are existing general purpose regional governments with governing bodies directly elected by the voter. The basic structure is there, easily accessible and acceptable by the people.

Those counties that are part of a multi-county and/or multi-state metropolitan area do have a more complicated problem with regional services. But they too can provide a solution through restructuring and/or reorganizing rather than creating other levels of government. Local elected officials and State legislators must provide an aggressive and strong leadership to consolidate city and county governments, redraw county boundaries or reassign responsibilities through cooperative agreements.

The granting, taxing, implementing authority to COG's has been advocated by the COG in Oregon's largest metro area, but opposed by the rest of the State. Instead the State legislature provided a special vehicle for that area to use in developing a single metro government by consolidating cities and counties within the metro area. It can provide the solution to regional problems of the real city without transforming COG's into another level of government. COG's cannot survive as a vehicle to strengthen local government if granted taxing and implementing authority.

The issue of regionalism is not a new one to counties or NACo. NACo has long recognized the need for a multi-jurisdictional approach to coordinate and improve the delivery of services to our citizens. NACo's support of regional councils of governments which bring together elected city and county officials of general purpose local government was shown in the establishment along with the National League of Cities of the National Service to Regional Councils in 1967. This organization is now the National Association of Regional Councils.

NACo has recently completed a thorough examination of its policy on regionalism by a specially constituted Committee on the Future. In appointing NACo's Committee on the Future last year, NACo President Gladys Noon Spellman recommended that the Committee make a special study and review of NACo's policies towards regionalism. This Committee recently approved a new policy statement on regionalism which has been recommended for inclusion in the American County Platform. The policy statement will be voted on by NACo's member counties in Dallas next month and we have every expectation that the proposed policy statement will be adopted. The policy statement, which is attached to my formal statement, has four major points. The statement begins with an affirmation of the urgent need to solve regional problems through different workable approaches designed to ensure coordinated actions and to minimize the overlap of regional agencies. The policy asks county officials to be guided by four principles:

1) Counties and cities are basic building blocks for solving regional problems. Regional organizations must be based on the need to strengthen and improve the capability of local government to serve its citizens.

2) Regional issues must be dealt with on a cooperative basis among cities in counties and among several counties and cities. Local governments are urged to cooperatively develop a regional-multi-jurisdictional approach.

3) Local elected officials of counties and cities should support regional councils as a forum where they can discuss and seek solutions to regional problems. The regional council in this context is not another layer of government but a means for local governments to identify regional issues, to examine possible solutions and decide what agencies should be responsible for implementation.

4) Local elected officials need a wide range of structural and functional alternatives for solving regional problems including: governmental reorganization; interlocal agreements and contract; city/county mergers; strengthened counties; transfer of responsibility; shared facilities and staffing; and elimination or consolidation of special districts.

I believe that NACo's policy statement shows our strong support of the regional councils concept, and emphasizes the need for elected local officials to work together through regional councils to solve multi-jurisdictional problems. However, our policy is clear in its desire that regional councils should be controlled by elected officials who are politically accountable to voters and that it be a means for solving regional problems and not another layer of government inserted between existing local governments and States.

That is why we are concerned about the thrust of direction of the Commission's recommendation on substate regionalism, particularly recommendations 1 and 2. We feel that certain parts of these recommendations make clear the intent of the Commission to impose a new level of government between States and localities rather than a multi-jurisdictional organization composed of local government and supported and controlled by local governments. We wholeheartedly support the thrust of recommendations 6 and 7 in the report which we believe are consistent with past ACIR positions calling for change in local government to meet current needs. Counties and cities are changing both their organization and technique in order to meet new governmental needs. We do not feel that this is the time to give up on these existing units of government in favor of some super local government which is just another layer of bureaucracy. We still believe that reorganization should be first in the Commission's list of priorities and therefore urge that recommendations 6 and 7 be placed as recommendations 1 and 2 in order to set a proper frame of reference on the whole report. We believe the Commission should first decide what changes are needed in local government organization and structure and then to take this as a basis for consideration of other needed regional institutions.

We believe that parts of recommendations 1 and 2 are consistent with NACo's policy which supports regional councils. NACo supports enunciation of a uniform Federal and State policy toward substate regional organizations. We support the creation of umbrella multi-jurisdictional organizations; regional councils with policy boards of at least a majority of elected officials to control existing Federal and State supported regional programs. However, we object to portions of recommendations 1 and 2 which in effect make UMJO's another operating layer of government between local governments and States.

RECOMMENDATION OF NACO COMMITTEE ON THE FUTURE AMENDMENT TO AMERICAN COUNTY PLATFORM

Proposed New Section 1.6. Renumber Sections 1.6 through 1.8

REGIONAL COOPERATION

This association affirms the urgent need to solve regional problems through different workable approaches designed to insure coordinated actions and to minimize the overlap of regional agencies. County officials should be guided by four principles:

(1) **Strengthening Local Government.** Local governments – counties and cities – are basic building blocks in solving regional problems. Any consideration of a regional approach must be based on the need to strengthen and improve the capability of local government to serve people. Every effort should be made to strengthen the ability of county government to respond to the needs of the citizenry by improving the counties’ financial resources and their functional authority.

(2) **Recognition of Regional Issues.** It is crucial in strengthening local government that there be a recognition of issues which cross city and county boundaries. These issues must be dealt with on a cooperative basis, among cities in counties and among several counties and cities. Local governments must recognize and cooperatively develop a regional-multi-jurisdictional approach.

(3) **Support of a Regional Council of Local Governments** Local elected officials of counties and cities should support regional councils as the forum where they can discuss and seek solutions to regional problems. Local elected officials in each area should decide the questions of mandatory or voluntary membership and the basis for voting and funding. The regional council, in this context, is not another layer of government nor an agency having operational or service delivery responsibilities. The regional council is a means for local governments to identify regional issues, to examine possible solutions, and to decide what agencies should be responsible for implementation.

(4) **Means to Solve Regional Problems.** Local elected officials have a wide range of structural and functional alternatives to consider for solving regional problems, such as:

- Governmental reorganization
- Interlocal agreements and contracts
- City-county mergers
- Strengthened counties
- Transfer of Responsibilities
- Shared facilities and staffing
- Elimination or consolidation of special districts

In weighing these alternatives, local elected officials of each area should determine their own policies and procedures for implementing regional decisions.

This association strongly urges Federal and State governments to recognize and follow these principles in determining the organization and authority of regional structures and to support decisions made by local elected officials on regional issues. We particularly stress the need for elected county and city officials to control all regional agencies and to determine regional boundaries.

Specific Comments on ACIR Recommendations (page numbers refer to Docket Book)

Recommendation 1.

1. (F) and (G) (p. 55, 56) Federal and State authorization of UMJOs to approve and disapprove grant applications of local governments would effectively empower UMJOs to operate as a “super local” government with strong enforcement powers over local governments. We feel that current A-95 review and comment procedures are adequate safeguards to see that projects with regional implications are carefully evaluated by UMJOs. The ACIR staff analysis of components F and G states that the empowering features of these components are geared to adding to the UMJOs authority and to provide means of putting regional plans into actions. We believe local governments can achieve regional problem solving if they are given the kinds of organizational and functional flexibility called for in recommendations 6 and 7 without adding an additional layer of government.

Recommendation 2.

2. (C) (p. 79) Although NACo endorses the creation of a specific process for designation of a single UMJO in each region of a State, we strongly object to “such designation conferring in the legal status of an agency of the State . . . or of a political subdivision of the State.” This is clearly the creation of another operating layer of government. County officials believe regional councils should be an agency of local government.

2. (D) (p. 79) NACo believes that policy-making boards of regional organizations should be composed at a minimum of a majority of elected officials of units of local government, as recommended by ACIR. However, we strongly object

to mandatory membership in regional councils being imposed by States because we feel regional councils should be agencies of local government, not State mandated regional governments. 2. (E) (p. 79) NACo policy states that voting should be decided by the members of each council. While the ACIR recommendations may be workable in many areas, it begs the real question. By giving the regional council the authority and responsibility called for in the other recommendations, it will only be a matter of time before the courts decide who shall represent citizens and voting formulas to be used in the council's deliberations.

2. (N) (p. 81) NACo strongly objects to this section which calls for assumption by officially designated umbrella multi-jurisdictional organizations, of a regionwide operating responsibility with financing as provided in authorizing State legislation. This recommendation runs counter not only to recommendations 6 and 7, which call for stronger local governments, but also to other parts of Recommendations 1 and 2, which call for strong local government input into regional decision making. This recommendation would leave the decision concerning regional operations completely to State legislation and give no guarantee that local elected officials would be consulted.

Other Recommendations.

Recommendations 3 and 4 do not conflict with NACo's recently proposed policy statements concerning regionalism, and we have no major objections to the broad outlines of these recommendations.

We do not object to Recommendation 5's proposal for a Federal-State-local strategy for solving interstate regional problems. However, we also oppose the formation of another operating layer of government at the interstate level by giving UMJOs the power to approve and disapprove grant applications from local governments. (Recommendation 5. (E) (p. 126).

Finally, nowhere in the recommendations is there a statement of UMJO responsibilities and policies toward local governments, especially in terms of local reorganization, functional consolidation and interlocal agreements and contracts as called for in NACo's policy and as envisioned in Recommendations 6 and 7.

Statement Submitted by Victor Jones, University of California, Berkeley.

Mr. Chairman and members of the Commission:

Thank you for the opportunity to speak to you about what I consider to be the most critical challenge to local government of this century. I refer to the crucial involvement of the National government in land-use planning and land use controls. Of course, many National policies, such as transportation and mortgage credit policies, over a long period of time have influenced and conditioned the use of land in urban areas. Now, however, under Federal air pollution control and water quality management programs, national standards are being established for the construction and use of facilities.

The enforcement of these standards will largely remove from cities and counties the power to plan the development of their communities and to implement those plans through zoning and construction permits. Powers to plan and to control land use are being transferred to or assumed by State agencies (the California Water Resources Control Board—basin planning) and to special purpose agencies (the San Francisco Bay Area Air Pollution Control Board).

It will be said that general purpose local governments were not able or willing to make basin plans for water quality control nor to restrict land uses when necessary to protect or improve air quality. Therefore, it was necessary to turn to State agencies and to special districts. This accusation is correct.

General purpose local governments—cities and counties—as now organized by fragments of metropolitan regions cannot plan and exercise controls over the watershed and the airshed. Nor can they plan and control land use over the urbanized and urbanizing region of which they are fragments.

This is the crisis facing local government in 1973 and we can choose between two ways of meeting that crisis. The crisis, it should be emphasized, is not a one time event. The Clean Air Act and the Clean Water Act, along with EPA regulations, are part of a pattern of governmental action at all levels—National, State and local—to preserve and develop the physical and social environment in which Americans live. This direction is fully shown in the land use bills now moving through Congress.

One way to meet the crisis of local government is to do nothing to improve the capability of general purpose local governments. Our metropolitan regions would still be governed, probably more intensively than at present, but by a combination of direct State and national action and of special purpose agencies created to carry out State and national mandates.

Another way to meet the crisis of local government is to invigorate general purpose local government and give it the capability to plan and control those uses of land which affect the region. This is the only way in which local government as we have known it in the United States can be preserved.

There is no way of keeping the National and State governments out of local and metropolitan affairs. Even if it were possible under the American federal system to separate National, State and local responsibilities and authority from each other, it would not, in my opinion, be desirable. If, therefore, the governance of our urban and metropolitan regions is to be an exercise in intergovernmental relations, then general purpose local government must be strong and with jurisdiction over the problem-sheds in order to keep local matters in local hands and to participate as equal partners in planning, decision making and administration of the metropolis.

There is no general purpose regional government, even one limited to those matters which are regional in scope and concern. The immediate need is for a Federal-State-local strategy to extend local government to a regional level wherever this is necessary to meet regional problems. At the same time, counties, cities and communities should be strengthened to meet local problems and to participate in the umbrella multi-jurisdictional organization.

The Advisory Commission on Intergovernmental Relations has adopted tentatively a set of recommendations on substate regionalism in the federal system which, if formally adopted by the Commission this week, would constitute an intergovernmental strategy for the national, State and local governments to follow in the next decade. This strategy, if implemented throughout our federal system, would bring all levels of government to recognize that they must work, consult, plan and act with each other. Furthermore, it would strengthen the capability of each level of government to engage in the joint enterprise.

All parts of the proposed strategy are vital, but none is more important than those having to do with the organization, functions, and territorial jurisdiction at the regional level. Our experience during the past decade with various regional councils, especially with councils of governments, has been extremely valuable. We have learned that local officials, with Federal assistance and requirements, can cooperate with each other and that they can arise above their local loyalties to make regional decisions for the benefit of the region as a whole. In this process not only have regional consciousness and concerns developed among city and county officials but in the public as well.

However, we have also learned that a voluntary, advisory council of governments cannot implement regional plans and will not be respected, when the chips are down, by any governmental agency or other group which wants to get

something done or to keep something from being done. Action minded agencies of the State and Federal government have in the past and will continue in the future to turn to either an existent or to a new special purpose agency with authority to act.

This lesson had been learned by the Association of Bay Area Governments (ABAG) by 1966. It has been trying annually since that time to get the legislature to give it mandatory membership, statutory recognition as the regional planning agency, authority to require conformity with the regional plan, and an independent source of financial support. Assemblyman Knox's current bill, AB 2040, would replace ABAG with this kind of regional agency.

Without such a general but limited purpose regional agency, with local governments playing an organic though not necessarily an exclusive role in its governing body, State and Federal governments will continue to expand their role in metropolitan governance. With such an agency, all three levels of government can develop a genuine intergovernmental approach to metropolitan problems.

Therefore, I urge the Commission to adopt the tentative recommendations of the substate regionalism report. It is especially important that the agency recommended for regional planning, regional decision making, and regional administration:

(1) consist of all cities and counties (and I would say of regional special purpose agencies) within regions designated by the State;

(2) have authority to require conformance with regional plans and, where deemed desirable, to construct and operate regional facilities;

(3) have an independent source of financial support; and

(4) have an organizational and program linkage with State and Federal governments, and with cities, counties and regional special purpose agencies.

However, I cannot accept the position that direct election of regional officials is the only legitimate and democratic way of constituting the governing board of a regional government. It is fully within our democratic traditions for responsible officials of agencies, and of governments, to join together to make decisions about common concerns. The responsibility is heightened when those officials are elected mayors, city councilmen and county supervisors.

I have urged that the governing body of a Bay Area regional agency consist partly of elected city and county officials and partly of members directly elected for this purpose.

But whether it be a directly elected body, or one made up of local officials, or a combination of the two is a matter which should be left to the political determination of the metropolitan region and the State legislature. Therefore, I do not believe that a *regional government*, as distinguished from an "umbrella multi-jurisdictional organization," should in all circumstances be required to have a directly elected council or that a regional service corporation should in every instance have a popularly elected policy body. (see pp. xv-171 and xv-172.)

It is much more important to recognize the legitimacy of alternative ways of constituting the governing body and to encourage an open mind in choosing among alternatives. Otherwise the creation of any kind of viable regional organization will be sacrificed to the ideological purity of those who favor and those who disapprove of a directly elected regional agency. The experience of the Bay Area during the past seven years should be a sufficient warning.

Statements Submitted by Jo Hindman (Mrs.), National Secretary, SCORPA, U.S.A.

Mr. Chairman, the ACIR tells that Robert E. Merriam (yourself) is the son of the late Dr. Charles E. Merriam. Among students of Metropolitan governance, your father's memory is remembered as a former head of the Political Science Department of the University of Chicago and for his historic suggestions in setting up what is now known as the "1313 Center" – the Public Administration Clearinghouse – at 1313 E. 60th St., Chicago, on that same university campus.

Herein, I address myself to the unabridged Minutes of the 46th ACIR Meeting and to the Docket Book, approximately 365 pages, whose contents are to serve as the springboard for the activities of ACIR's present three-day meetings in San Francisco.

I list five (5) specific recommendations of the 46th Meeting (March 1973), and two (2) recommendations of the 47th Meeting to take place tomorrow and Saturday.

It appears that the Minutes of the 46th Meeting have not yet been approved. The business of that meeting was accomplished without a quorum, yet motions were seconded and voted on, pending your approval.

This then appears to be the situation. The following five items are all ACIR recommendations waiting for your approval. ACIR has *recommended* that:

1. The U.S. President and Congress "enunciate" substate region provisions.
2. The 50 sovereign states are to foster Umbrella Multi-Jurisdictional Organizations (UMJO's) designated by the Governors.
3. Cities and counties are to be asked to do likewise, since the starting point for regional councils is substate districting to outline multi-county regions.
4. If the States do not take action to form UMJO's, the States are to be bypassed; in which event, cities and counties are to be urged to take the initiative in forming UMJO's.
5. The open end pattern of regional governance then is to proceed to Interstate UMJO's where the regionalizing process is to be repeated, leading to multi-state UMJO's docking into the Federal Standard 10 Regions. You won't find lengthy reference to the ten Federal Regional Councils in your Docket Book. The phrase was dropped from recommendation 1 - component E and only brief mention is made of the deletion.

The foregoing condensed statements of the five (5) recommendations have derived from the minutes of the 46th Meeting, TAB (A) Docket Book.

There is little or no resemblance between the "Meat" of the written record of that Meeting and what is presented as "summaries of the recommendations" on pages 3 and 4 of the June 6, 1973 Memo to ACIR members by the executive director, Tab (B) of the Docket Book.

The above five recommendations waiting for your approval are said to be supported by these six (6) assumptions, Chap. XV-pages 147-56, Tab (B): (A = Assumption)

- A1. Substate regionalism is here to stay. [That presumptuous assumption will be dealt with in a moment.]
- A2. Developments will phase out politically accountable elected officials and the public.
- A3. The boundaries and mechanisms (the regional governing bodies) in their present states of confusion, dismay local governments which try to cope with the substate regional governance systems above them.
- A4. Where Federal and State districting efforts have occurred the contrived inferior effort is to be exploited as a catalyst to suggest that UMJO's won't be the ultimate answer. ACIR thereupon urges deeper penetration into the regional thicket.
- A5. [This is a verbatim quote from Recommendation Chapter XV-149]: "The raw materials for reform are already in place in most substate regions; regional councils, A-95 agencies, substate district organizations—sometimes singly, sometimes in combined form—provide generalist-dominated institutions to build upon, while the proliferation of autonomous, single purpose, old and new style districts provide the most compelling reason for seeking reform."

Paraphrased, the meaning is this: The regional movement has laid its traps. The worsening troubles of regionalism are being used as goads to herd all independent units of government into the ultimate trap of nationwide, eventually worldwide regional governance.

A6. The regional strategy described expedites in all ways the efforts of local and regional structures to annex, to merge, to consolidate.

Returning to Assumption 1, "Substate regionalism is here to stay." That assumption, in the considered opinion of Americans, is completely false in the light of recent State legislative action. On May 25, 1973 the legislature of the State

of New Hampshire killed a bill that would have divided the State into six substate regions. Other States will follow suit, undoubtedly.

The five (5) recommendations and the supporting six (6) assumptions move toward ACIR's *goal* to create generalist-dominated areawide governing bodies called "Authoritative Regional Councils" (ARC's) Tab (B), Chap. XV-pages 150-269.

After going through all the agony of proposing the UMJO's and before that concept has been officially approved by the ACIR Board, ACIR has presented for consideration during the next two days of meetings (6-22/23) recommendations 6 and 7 which lay out the roles of the States and the Federal government in reaching the "new style districts" known as ARC's. The new powers will be created by amending PL 90-577 (Intergovernmental Relations Act of 1968) and the administrative A-95 "non-law" and State statutes.

Obviously ACIR is going about the business of restructuring a type of governance *over* the American people, to conform with a structure which ACIR did not design, but which ACIR implements. The design comes from Chapter VIII of the United Nations Charter, "Regional Arrangements."

Returning to the reference to the 1313 Center—that agglomeration of agents and organizations that promote regional governance and which Dr. Charles E. Merriam helped to organize—ACIR is completely controlled by fourteen (14) members of groups which belong to that 1313 political syndicate: Council of State Governments, Governors Conference, National League of Cities, U.S. Conference of Mayors, and National Association of Counties. The Federal statutes PL 86-380 and PL 89-733 name the groups which "stack" ACIR with the exploitable viewpoint needed to implement the regionalization of the United States of America.

Take the last-named group, NACo, as an example: Based on ACIR's "regional-multi-jurisdictional approach," NACo expects next month to present the idea as a proposed change in its American County Platform at its annual convention in Dallas (Tex.) In the June 15 issue (last Friday) of the NACo tabloid "County News," the idea is hailed as though it originated in NACo through NACo's "Committee on the Future."

Quoting, "The group (Committee on the Future) was augmented by representatives of our standing committees, State association executives and others. It was particularly helpful to have the advice of Councilman (sic) Frank Francios, Prince Georges County, Md., who in addition to being a member of the Committee on the Future is also President of the National Association of Regional Councils." *County News* 6-15-73, p. 4.

Mr. Francis Francios who is a county commissioner, if ACIR is to be believed, and not a councilman as NACo has it - self listed as one of your eight witnesses on the agenda for today. Other examples of interlocking agents and agencies abound, all connected with the agglomerate 1313 Center. Time precludes elaboration to unfrock the rampant conflict-of-interests in the self-serving organizational interlock, *with* ACIR.

It is apparent that ACIR knows that there is no Federal statute that mandates regional governance.

ACIR's whole program of regionalism appears to be a fraudulent hoax.

It is apparent that ACIR is racing against time, hoping to gain approval for its unpopular alien program of regionalism.

To the Commission members who are to cast their votes at this and future ACIR meetings, please know that you are being exploited by the staff—could be willingly. Your vote can go either against ACIR's regionalization plan, or it can go against your Country and your U.S. Constitution which does not empower Congress to operate in the area of regionalism.

To the Commission members who are elected U.S. Senators and Congressmen I add this question: "Are your vote and position on the ACIR board to be held unconstitutional according to our U.S. Constitution, Art. I, Sec. 6?"

In conclusion, as the national spokesman of statewide committees of citizens who are opposing regional plan areas, I adjure ACIR to respect the Constitution of the United States of America.

Statement Submitted by K. Maureen Heaton.

“The student of the history of this country must be forcibly impressed by the evident intent of our people to preserve their democratic institutions . . . The sturdy pioneers came across the sea to escape tyranny and in search of liberty . . . That spirit has made America great . . . Unfortunately, there are those who would lend themselves, wittingly or unwittingly, sometimes foolishly or corruptly, to the destruction of those high ideals upon which our institutions must rest if they are to be maintained. Of such, the truth must be spoken unflinchingly . . . That is the patriotic duty which every self-respecting citizen owes to his country . . . ”

Those words are not mine. They were written in 1941 by John Rush, a man of impeccable “progressive” credentials. (See excerpt from Who’s Who, attached.) Rush would have been sympathetic to the stated goals of regional substate redistricting, but it is doubtful if even he would have countenanced the totality of the program of which ‘consolidation of local governments’ seems to be one part. His desires for reform were framed within the Constitutional system which made this nation the greatest ever known.

In his book, “The City/County Consolidated,” which was written to promote his concept of the solution to the problems which are stated to require this radical measure, Rush quotes liberally from court cases on the matter of inherent rights, which are at the heart of this proposal. One such quote was in the opinion of Judge Thomas Cooley, in the Michigan Hurlbut case: “The State may mold local institutions according to its views of policy expediency; but **LOCAL GOVERNMENT IS A MATTER OF ABSOLUTE RIGHT**; and *the State cannot take it away.*” Courts have held that municipalities have the same right to select their own officers as the state, without interference by the state or by the United States. Efforts such as this move toward regional redistricting constitute “interference” in a legal sense, both on the State level through the California Council on Intergovernmental Relations and the executive office, and the Federal level through the efforts of this Commission. It has also been held by the courts that before written constitutions, the people possessed full power of local self-government, and **STILL POSSESS** all such power which they have not delegated. This movement violates that concept, since it does not originate with the people, and the people have not delegated this power. Since diversity is the hallmark of freedom, and this effort is being made on a national scale, a direct attack exists on the liberties of the people, in an attempt to make local government conform to a set pattern throughout the several States.

Members of this Commission, and other advisory groups, may well be convinced that their goal for consolidation of cities and counties is the most “efficient and economical” way for local government to function. They may well have even stronger reasons for desiring redistricting. They may believe that they have a right to do this because, for the most part, they have been elected to office. But they were not elected to *this* office, nor were they selected by those who will have to live with this consolidation. Under our form of government, they are free to advocate such ideas. So is our Governor, who only recently served on this body, and who presented this concept to the press last fall. But there is no provision for machinery to be quietly started toward implementation before free and open debate by the citizens, whose liberties and future are most involved, and indications are that that such machinery already has a full head of steam. It is essential that full disclosure be made of all the facts relating to this proposed “consolidation,” before any further steps are made toward implementation. Such facts must include the relationship of this movement to such other movements as regionalization, local and Federal; the planning, programming and budgeting system; direct citizen participation in government functions, without community selection—all of which are supported by this Commission; and of economic, social and political implications as well.

As “a patriotic duty,” this Commission is urgently requested, as a priority measure, to resolve here and now to objectively receive statements of fact and opinion from the sovereign citizens as well as officials, and *without prejudice* determine the future course of this project. I make a point of saying “without prejudice,” for there is strong evidence of intent to develop this concept despite the desires of the people. It will be a tragedy beyond description if the fundamental units of the American system, which relate directly to preservation of individual liberty, are further emasculated in the name of “efficiency and economy.” It will be an even greater tragedy if the people are under any delusion as to the merits and involvement of this proposal, and are led to accept it without full knowledge of the consequences.

In closing, I submit to this Commission a study I have made of the history and background of the regional movement, and the place which “consolidation of local governments” holds within that movement. I earnestly ask you, as fellow Americans, to give both my remarks and my study your sincere consideration.

SO DESPERATE A STEP, by Maureen Heaton (emphasis added by author).

“Before entering on so grave a matter as the destruction of our national fabric, with all its memories, its benefits, its hopes, would it not be wise to ascertain WHY we do it?”

“Will you hazard SO DESPERATE A STEP, while there is any possibility that any portion of the ills you fly TO are greater than the ills you fly FROM?”

“Will you risk the commission of so fearful a mistake?” . . . A. Lincoln”

It has been said the revolution WAS. “. . . it went by in the Night of the Depression, singing songs to freedom . . .”

Patriots have always stood ready to defend their homeland, and it is so today. Witnessing ever-lengthening shadows of tyranny, Americans have been known to say, “When the time comes . . .” clearly meaning that the time of revolution will find them prepared.

These two evaluations cannot both be right. But there is yet another thesis. That this revolution is ongoing. That it is NOW, was THEN, and is yet TO BE.

Foolish, you say? Not possible? It can't happen here? Listen to the voices of some of the supporters of current events:

An educator refers to it as “The Quite Revolution.”

Radicals in the streets call it “The Open Revolution.”

Intellectuals have termed it “The Triple Revolution.”

The resident of the White House says it is the “New American Revolution.”

Listen to the voices of the people. They recognize much deeper meanings in events than appear in the surface accounts supplied by the mass media, and they are worried. They are not sure WHAT is wrong, but know that SOMETHING is.

This “new” revolution – if that is its deeper meaning – is like none the world has ever known. It is taking place by steps which were advocated many years ago. Step by step, the “destruction of our national fabric” takes this nation ever closer to the point of no return. To that point where “night begins.” That point where revolution becomes accomplished fact. But in this revolution, not a shot will be fired in resistance.

In this revolution, all levels of American government are being guided, step by step, further and further from the long-cherished goals of limited political power, and maximum individual liberty, toward totally different goals. No longer is it to be a government of balanced powers, answerable to the citizens. That government is to be replaced by one where formerly-sovereign citizens are to be reduced to the condition of “human resources,” their lives and actions planned for them by social experimenters; their children molded into “Citizens for the 21st Century” through mind-conditioning by “change agents” in the public schools, using drugs and sensitivity training to achieve the “desired” social ends; social relationships determined by an all-powerful government, under the guise of “racial equality”; business and industry controlled by the “needs of society”; labor under government dictates, with each worker fitted into the slot most beneficial to the “common good” as decided computers and “manpower development” experts; private property and personal initiative only a dim memory; even the remnant figures of representation managed and controlled by administrative bodies they, themselves, had appointed, or approved.

That carefully constructed government of balanced powers, based on consent of the governed, is rapidly being altered into one of radically different concepts – a governance of centralized control, with revolutionary goals, being developed step by step, AGAINST the will of the people. Elected representatives, tricked into compliance, blindly writhe against the invisible chains they have helped to forge. No longer a government of separate States, formed into a “more perfect union,” by “We, the people,” but an administrative, regional government, grafted, step by unwilling step, onto that prior form, which was the ultimate wonder of the world, and the envy of people, everywhere.

But it is not yet! Not while a president can be mandated by a surge of protest to reject one of his own programs; not while a restive Congress balks at executive usurpation of its Constitutional powers; not while State governments can still hold back the tide by resisting “free” money, taken from their own citizens by the Marxian progressive income tax, and tied with bureaucratic strings, before being offered back as a bribe. Above all, not while citizens can still speak out and take constructive action – not until these freedoms are no more, is it final.

No, it is not yet. But the evidence shows that this IS revolution – NOW. Recognition of that fact by ALL Americans is imperative – and by none more than those who have accepted the public trust. The words of Patrick Henry echo across the years – “We are apt to shut our eyes to a painful truth . . . is this the part of wise men . . . ?” For his part, he

was willing, whatever anguish of spirit it might cause, to know the whole truth — to know the worst, and prepare for it. “Is life so dear or peace so sweet as to be purchased at the price of chains and slavery?” Surely, the American answer to that is *still* a resounding “NO!” Surely, Americans will still courageously face the truth, and regardless of personal danger, still USE that truth to keep this country free? This is like no other revolution the world has ever known, and if it SHOULD be completed — which God forbid! — there will be no turning back. A new element has outlawed the possibility of the “pendulum syndrome.”

REGIONAL GOVERNMENT is the key to this revolution, and the new element is a SYSTEM OF MANAGEMENT AND CONTROL known as the Planning, Programming and Budgeting System (PPBS), which has the potential to remove even the WILL to be free.

That there is solid base for that statement has been demonstrated by recent events in the Soviet Union, which is the ultimate in a controlled society. With computers supplied by the United States, the Soviets have developed a “computerized information system,” as a “weapon of thought control.” A “computerized information system” has quietly been developed here in America. Available reports from Russia clearly show “. . . the power of a computerized information system, coupled with mood-creating or altering biochemical discoveries, provides a new tool for SUPPRESSING DISSENT . . .” Our own Department of Defense has funded a study which demonstrates the use of such a system in COUNTERINSURGENCY program planning. The Marxist government in Chile, which “secretly” installed a “. . . computer system designed to control an entire economy . . .,” has already used that system to suppress dissent — to bring to a halt a “truck-owners . . . protest against the government’s policies.”

The names used to describe elements of this revolution are immaterial. They change like a chameleon’s colors. REGIONAL GOVERNMENT is also called REGIONAL AUTHORITY. It is also termed METROPOLITAN GOVERNMENT, or METRO.

REGIONAL GOVERNMENT could be called technocracy.

It also could be called autocracy, and that, too, would be fitting.

It COULD be called dictatorship, and that would not be far wrong.

It can NOT be called democratic.

It certainly cannot be called republican.

It is not important WHAT it is called. What IS important is that it be recognized for what it is, and for what it will mean if it is fully implemented, for, if that occurs, the name will be of little moment. It will then be too late. Coming events already cast long shadows across the green fields of freedom, and the happy laughter of little children is being submerged in the vapid smiles of rag dolls; the idiotic grin of a symbol ‘smile’ saying endlessly “Have a nice day.”

TECHNOCRACY is government by an elite. METRO is government by experts. These are one and the same. AUTOCRACY is a form of government where the same officials make the laws, administer and enforce them. Metro is this, too. DICTATORSHIP exists when official edicts cannot be reversed by the citizens. This, too, is Metro.

The balance of powers of our American system was carefully designed, to separate the administrative, judicial and legislative departments, so that each might be a check on the other. In a democracy, the people exercise their sovereignty directly, through townhall-type activity. In a republic, through representatives. In a democratic republic, both these procedures are used. NONE of these is possible under regional government, for the officials are appointed, and not answerable to the people, because, *they do not represent them*. The citizens are no longer sovereign, and the officials cannot be reached through election, referendum or recall. Those who set up such governance can be removed (now, before the revolution is final), but not the thing they create. Only the legislatures, which hold responsibility for creating these cancerous growths on the body politic, have the power to remove them. Only the legislators, hearing from an aroused and informed public, can assure that this revolution will NOT succeed, as they dedicate themselves to retaining and strengthening those critical elements which are essential to liberty under law.

These being facts, who would knowingly accept or promote such changes in the method of our government? What ELECTED official would KNOWINGLY consent to such a usurpation? What citizen would KNOWINGLY participate in such a drastic change? Surely, there cannot be many such, even today, when the true source of our freedom has become so dim a memory. But a bill was passed by the California legislature; its twin received the nod in Nevada; each was signed by the respective governors; it received the approval of Congress; was signed into law by the President; and the regional umbrella was placed over portions of those two States. This ‘law’ erased the State boundaries at Tahoe, placed the citizens of that area under the dictates of an appointed body with more authority than any elected body, removed private rights in property, instituted taxation without representation on citizens not residing in the area, and did all this

in the face in incontrovertible evidence that the regional governance thus imposed on an unwilling populace was not only unwanted, but UNNEEDED. How could this BE? The answer seems to be that those few in this country who wish this revolution – by peaceful means, if possible, by force and violence, if necessary – have used every deceit to put over this concept. In this case – the Tahoe Regional Area Plan (TRAP!) – they have succeeded by dogged determination, by misdirection, confusion, coercion, and by outright lies.

It must be recognized that, when as many as five or six thousand bills are put in the legislative hopper (as has been the case in California in recent years), it is impossible for those elected to represent us to READ all of them, much less know all the ramifications involved in each of them. Our legislators must rely on others to tell them what the bills do. Unfortunately, citizens who would point out the dangers of such programs as this, have been labelled as “opposed to change,” and, let’s face it, are sometimes less than tactful presenting opposition, and, as a result, find it difficult to break through the curtain of resistance. It must be remembered that to be FOR our historic system of government, one must, of necessity, be AGAINST encroachments on it, and attempts to undermine it. Those who covertly promote such programs as regional government are a real danger, for they are OPPOSED to our Constitutional republic, and to the LEGAL means of changing it as well. They KNOW that open debate would result in defeat for their revolution. Nor are all who *support* some part of this program *promoters*. Many times they are simple not aware of the whole picture.

Part of the problem is directly traceable to the calculated, constant erosion of the teaching of history in our public schools, which denies to future citizens accurate knowledge of how our government was planned to function. In the process, they are also denied the essential ability to cope with the problems of government. The late, great, California Senator Nelson Dilworth, put it thus:

“... Americas have been too trusting. Believing that others acted on the same high ideals as their own, teachers, administrators, and board members have been slow to criticize, reluctant to condemn. Those who would corrupt our youth have presumed on the natural tolerance of Americans . . . The result has been that materials derogatory of our American history and achievements, and laudatory of totalitarian government have found their way into our schools . . .” (1957)

Part of the problem as surely lies in the situation whereby political discussions have become “controversial.” Friends won’t discuss the issues, lest friendships be lost in heated argument. Businessmen are afraid to take part in political activity, lest it “hurt business.” Even political parties silence debate, in the name of “unity.” It has almost been forgotten that government, by its nature, is political, and blind partisanship is detrimental to the great public issues. If our government becomes solely the concern of politicians and bureaucrats, the form is unimportant. As Daniel Webster, known in his own time as “The Defender of the Constitution,” said:

“...With the people, and the people alone, lies any remedy for the past, or any security for the future. No DELEGATED power is equal to the exigency of the present crisis. No public servants, however able or faithful, have ability to check or stop the fearful tendency of things. IT IS A CASE FOR SOVEREIGN INTERPOSITION . . . The appeal, therefore, is to the people; not to party or partisans, not to professed politicians, not to professed politicians . . .but to the people, and the WHOLE people; to those who . . .have no wish but for a good government, and who HAVE THE POWER TO ACCOMPLISH THEIR OWN WISHES . . .”

With widespread political discussion and involvement, it would not have been possible for this revolution to have continued to the point where it now threatens to remove the necessity – or *opportunity* – for citizens to involve themselves in their government. An ombudsman will be provided to absorb any lingering resistance. With full implementation of this Plan, debate will be precluded. “Participatory democracy” will have served its purpose, for it is but the route to administrative governance.

Regional government, its meaning, purpose, and the steps which lead to it, are “as Greek” to the general public, and apparently to most elected officials, as well. Had it been otherwise, this movement could never have reached the stage where it now poses an imminent threat to representative government. Most Americans still cherish the original goals and philosophy of this country, as embodied in the Constitution. Most Americans still believe the Constitution to be the law of the land. The average person finds it hard to believe that there are those who call themselves American who would be willing to turn their back on this birthright, and voluntarily give up the boon of self-government. It is even more difficult to believe that there are those among us who are so anxious to see the end of the “American experiment” that they would lie, cheat, and betray the public trust to achieve that end. It is equally incredible that so

much has been done in paving the way for this revolution, unless it was planned that way. Part of the problem lies in an evident effort to discount the suggestion that “conspiracy” might be involved. ONLY full disclosure of ALL the facts (let the chips fall where they may), can prepare the ground for valid decisions, and knowledgeable consent – or opposition.

So this is the history of the regional movement, as it relates to our own governmental system; Constitutional revisions, economic development, social control, consensus, and consent. Although this is a sincere effort to give a true overview, it is by no means comprehensive. Whole books have been written, pro and con. It has been necessary to “take out of context” much which is presented here. How could it be otherwise, unless the whole of all the available material on the subject were reprinted? This would then be a tome larger than the Encyclopedia Britannica, and then, who would read it? (Even granting there were time!) This paper is directed toward conveying the INTENT of the promoters of this scheme, toward showing their strategy and tactics, and toward knowledgeable resistance and eventual reconstruction of a structure of government which will restore the individual freedom American citizens once knew, and guarantee that future generations will have the opportunity to determine their own destiny.

Weigh those matters which are presented here against your own personal knowledge of what is now clearly visible, although not yet sharply outlined. If in doubt, check the source cited, or carry the research further on your own. Use common sense, logic and calm reason, and let your conscience be your guide. Above all, consider that what you, personally, DO – or do NOT do – about these matters is of the **UTMOST IMPORTANCE**. It is much easier to resist encroaching tyranny than to reverse entrenched power, although both these efforts are needed now, so far has this been taken toward that point approaching where power becomes absolute. With general economic planning by ‘experts’, administrative regional bureaucracies, behavioral scientists using Orwellian techniques, and the controls of the PPBS to force compliance, citizens and the elected representatives alike will be required only to do so they are told, and to pay the bills, unless—.

The planners have made no secret of the fact that **ECONOMIC PLANNING** is the reason for the regional thrust. Those words are used openly, but the implications are ignored. The true intent and purpose is hidden behind talk about beauty, preservation, conservation, “homerule,” simplification, and the like, which are the smokescreen by which the end goal is obscured from private citizen and public official alike. Ignored is the record which shows that *individual* planning has been the hallmark of the American free enterprise system. Ignored, the evidence of those few remaining areas in this country which have resisted the enticement of “free” money, in favor of a free marketplace, which shows that the arguments in favor of a controlled economy are without merit. Ignored, the sad truth that socialism is a leveller, not an uplifter.

Those who attempt to point out that these programs have been brought to the present state of implementation by a comparative few, and over an extraordinarily long period of time, are accused of having a “conspiratorial view of history.” Be that as it may, the facts are the facts. We ignore at our peril the fact that there are now, and have been in the past, those, both in office and out, who leave no stone unturned to implement this revolution. This plan was NOT the outgrowth of an evidenced need. It is NOT the result of an “*outmoded Constitution*” unsuited for the needs of the 20th century. Mankind’s needs in ANY age are basic, and among the most fundamental of those needs are human dignity and freedom. No. This IS revolution, **WITHIN THE FORM** of a treasured heritage. Deliberately planned, exquisitely orchestrated, and calculatedly executed. The ‘needs’ have been manufactured, to mandate the predetermined solution. The theory behind it is as old as recorded history.

Always there have been those who dreamed of Utopia, and, from time to time, men have tried to form ‘ideal’ societies. It is easy to point out inequities in any given human undertaking. They exist in every society. It is simple and dramatic to view with alarm man’s cruelty to man. It is child’s play to envisage a dream world, where these things do not exist, and where everyone lives happily ever after. But to compare the untried dream, and the solid reality is not only unfair, it is deceitful, for comparison implies that the dream will work, where reality fails. To be honest, the comparison must be between what exists, and the times the dream has been tried before. Whenever this particular dream has been attempted, it has failed—miserably. Whenever economic planning has been tried, it has brought suffering, discouragement, unhappiness, and has failed to achieve its stated goals. Russia, after the Soviet takeover; Germany, in the 30s; England in the 40s and 50s; each have had this experiment, to their sorrow. Now the unmistakable signs of socialist folly are again visible here, even as they were in Massachusetts colony, when the Pilgrims learned the futility of this unworkable ‘dream,’ which starts out to control things, and always ends controlling people.

But always there have been those who have felt they were more competent than others, and that, therefore, they should ‘run things,’ and it will probably always be so, as long as man exists. Only in America has this desire been

directed into constructive channels, and only here have the benefits which can accrue from it been realized. When such people go into public service, they NEED the checkrein of being answerable to their fellow citizens, which has been provided only in America, under the “chains of the Constitution.” Under other systems, unchecked save by their own desires, their programs have brought pleasure, wealth and power to the few, at the expense of all the rest. Only in America has the power remained in the hands of the general populace (till recently!) through the work of the government has been done, for the most part, by those who like to run things. This has been possible, because our officials could (and would) be replaced, if they overstepped their bounds. This was the only government ever so designed, and thus the most progressive, for it gave OPPORTUNITY for wealth and pleasure and freedom to ALL, not just the privileged few.

Naturally, the privileged few have not liked this arrangement. THEY dream of a world where they will have control over every phase of life, and unlimited wealth and power will be theirs alone to enjoy. So, over the years, they have striven ceaselessly to destroy the one system in the world which held hope for all people, everywhere — the system which, by example, showed the bankruptcy of all other forms of government. Over the years, they have used the trust the people gave them to institute changes in that system. Illegal changes. Unnoticeable changes, at first, which could be compared to putting too much sand in a cement mixture, causing a tendency to crumble under pressure. Some of these changes were not even utilized for years, but they were there, waiting the “need.”

To trace the threads which have been woven so deeply into our “national fabric,” let’s start with a master weaver of tales, the “eminent historian” of the early part of this century, H. G. Wells. Wells was a Fabian Socialist, and a prolific writer of both fiction and nonfiction. In view of the events here chronicled, the former HAD to be the lesser of his talents. A nonfiction book of his was published in 1908. Titled “New Worlds for Old,” it told what the program was to be, and exposed the machinery by which it was to be developed:

“It was left chiefly to the little group of English people who founded the Fabian Society to supply . . . the amplifying conception of Socialism, to convert Revolutionary Socialism to Administrative Socialism . . . From saying that unorganized people cannot achieve Socialism, they passed to the implication that organization ALONE, *without popular support*, might achieve Socialism . . . Socialism ceased to be an open revolution, and became A PLOT. Functions were to be shifted, quietly, unostentatiously, FROM the representative, TO the official he appointed . . . they worked like ferment in municipal politics . . . the reconstruction of our legislative and local government machinery is a *necessary preliminary* to Socialization in many directions . . . Scientific reconstruction of our methods of government constitutes a necessary part of the Socialist scheme . . . It supplies us with a vision of a great and disciplined organization of officials, A SCIENTIFIC BUREAUCRACY, appointed by representative bodies of diminishing importance, and coming at least to be the WORKING CONTROL of the Socialist state, the replacement of *individual action by public organization* . . .”

As Wells, who was an “Insider,” so boldly stated, functions HAVE been shifted, gradually, FROM the elected officials, TO their appointees. Citizens have become accustomed to “city managers,” “county administrators,” “county counsels” and appointed officials of uncounted kinds of positions, from citizens advisory committees to administrators of special districts, without stopping to consider what they do, or how these functions were formerly discharged, or why it WAS *that way*, and NOW is *this*.

The city manager now fulfills the duties formerly the responsibility of the elected city council, who now only act on the recommendation of their appointed successor. So, too, with the county administrator, who has become the appointed supervisor of the elected supervisors. The appointed county counsel has usurped the position once held by the elected district attorney, who is now reduced to little more than a prosecutor. This situation holds true in the schools, as well, where appointed superintendents whittle away at the functions of the elected boards, and “experts,” appointed by the appointed superintendent really make the decisions, which are then “rubberstamped” by the ‘representatives of the people.’ All this has come about piecemeal, and has conditioned acceptance of the idea of government by appointed officials, so that many who would once have resisted bitterly, now seem indifferent to it all.

Like regional government itself, these changes are always sold to the people under the label of “progress,” or because of “proliferating government” — “to heavy a workload” — or an “expert” is needed. In the case of regional government, the people are told that existing government is not “flexible” enough; or that a regional approach is necessary to handle the growing problems; or that there are so many overlapping areas which could be simplified under Metro. This last has some truth. Compared to a totalitarian state, our historic system is quite complicated. But do we want to pay that price for simplicity?

Regional government as we know it today is a direct descendant of the utopian dream of Robert Owen, first expounded more than a century and a half ago, and described, clarified and structured by H.G. Wells. Through his efforts, the outline of what is now being developed was thus established more than 60 years ago. The first major breakthrough in this country came in 1913, when three crucial changes were made in the American government system – the graduated income tax, direct election of Senators, and the Federal Reserve System. Without the access to the substance of the great middle sector of citizens provided by the 16th Amendment, and the ability to provide exemption for the wealthy through the Marxian scheme of progressive taxation, this revolution would still be the impossible dream . . . unfunded. Without destroying the balance of power between land area and people, administrative government such as this would have been unworkable. Without the machinery for destruction of the monetary value, the crises necessary to obtain public acceptance could not have been constructed.

In 1921; the next most important step was taken, when Congress was persuaded to abdicate its Constitutional responsibility as watchdog of the public purse, and transferred to the executive the keeping of the budget. Without that free access to the budgetary process, the Planning, Programming and Budgeting System could not have become the tool of executive power that it is today. And today's Congress is suffering from the loss inflicted by that other Congress so long ago. Although the members have now mounted a battle against a Presidential display of that power, they are fighting the right battle on the wrong front. For their efforts are directed at the symptom, and not the cause. That cause is the management and control system which is the PPBS, and it is being used to determine national priorities, and when, where, and how the funds will be budgeted - and Congress is impotent, as long as the Office of Management and Budget remains the center of that control.

During the 1920s, too, the first systematic efforts were made to test the techniques of planning. A preliminary survey was made of the Philadelphia metropolitan area in 1924, and the Tri-State District which resulted included parts of New Jersey and Delaware. By 1932, the Regional Planning Federation of the District unveiled the results of their labors, in a document of almost 600 pages which included maps, diagrams, population statistics, and socialist plans for highways, transportation, airways and airports, parks and parkways, water supply and sanitation, and architectural and aesthetic elements of planning. This document stated that 20 areas in the northeast section of the country were being planned, even then, and among these maps are those showing rudimentary regions for the greater Boston area; Connecticut, New York and New Jersey; and the Indiana, Illinois and Wisconsin regions.

But the greatest strides into this New American Revolution came in the 1930s, when

“ . . . a plague of young lawyers settled on Washington . . . These prattlers were, for the most part, employees of the government, and had taken the oath of allegiance. But they took the position that their high purposes gave them a supermorality that could not be confused with the morality the nation HAD been using. They were quite above such old-fogy, Tory, reactionary stuff as oaths of office or other religious antiquities. They owed allegiance - not to the United States - patriotism was for the nonthinking . . . THEY had allegiance to a higher cause. The end justified the means . . . ”

So said George N. Peek, first administrator of the Agriculture Adjustment Administration, who soon realized that strange things were taking place in his department. His own allegiance to this country caused him to resist this group, and he was relieved of his duties. Even then the planners had acquired that much strength – that they could remove someone who posed a threat to the plan.

One of the “braintrusters” who swarmed into Washington at that time was a professor from Columbia University, Rexford Guy Tugwell, who became Assistant Secretary of Agriculture. He also wrote books, and made speeches. He stated:

“We have a century and more of development to undo. It is, in other words, a logical impossibility to have a planned economy, and to have business operating its industries, just as it is also impossible to have one with our present Constitutional and statutory structure. Modifications in both, so serious as to mean destruction and rebeginning, are required . . . ”

Tugwell publicly supported the theory that a planned economy required three great changes in the American system: first, a breaking down of existing statutes and constitutions of government; second, destruction of private enterprise; and, third, destroying the sovereignty of the States. He categorically asserted, “All three of these wholesale changes are required by even a LIMITED acceptance of the planning idea.” Tugwell's remarks are basic to full

understanding of this subject, for actual experience of the planning operation verifies his premises. Today, all three of his postulates are well on the way to accomplishment. The first, through such steps as Constitutional revisions, and massive rewriting of statutes; the second, through the War on Poverty (which was stated in the debates in Congress to really be a war on private enterprise) and environmental “protection” moves; and the third through establishing regionals which cross State lines, and by the Executive Orders which melt States into regions.

Although the information presented here is not secret, in the usual sense, it is certainly not known to most citizens. Its existence is either hidden by inaccessibility, deliberate non-reporting, or it is forgotten or ignored because of seeming local or momentary interest. Yet it is vital to our survival as a nation. As each State is brought to face the “need” for Constitution revisions, the citizens are led to believe that it is their State alone which has developed a “bulky, unwieldy, verbose basic law” which must be whittled down. They are NEVER told, officially, that ALL States are being led to these changes, let alone that the record shows far different reasons for the “need” than those given officially. Citizens are not told officially how often the “Blue Ribbon” commissions set up to propose these changes arrive at the same recommendations, whether for New York, California, Maryland, or YOUR State. Those States which have not yet succumbed to the siren song of the revisionists are still under the gun. It seems to be a necessary element of the plan that apparent sanction of the citizenry be given, even though that approval is not based on full knowledge. Lacking that knowledge, no valid decision can be made, but THAT fact is conveniently ignored by the planners.

It has been said that man invented language to facilitate exchange of ideas, but today it is evident that language is being used for an opposite purpose – to hide the true intent. How extensively this is being done can only be surmised, and how many who are serving the cause of revolution KNOWINGLY is another area which cannot be determined. Of far greater importance right now is the question of WHICH activity, WHICH bill, WHICH executive act, serves this cause. And the language used gives some indication, if it is correctly understood. Words which mean one thing, ordinarily, take on a quiet different color, to those ‘in the know.’ Take the word “consensus.” When used in the commonly accepted sense, it has legitimate function. Certain things being so, general agreement, “consensus,” can be expected. As a revolutionary tool, however, “consensus” is used to describe what takes place when people’s IDEAS about certain things can be *directed* toward acceptance. There are many such examples.

One of the activities promoted by the “Frontier Thinkers” who lent support to this plan during the 30s, was the device of “do-democracy” or “participatory” democracy, as it was also termed. This was to be carried on through the use of “citizens advisory committees,” working with elected or administrative officials, thus taking “democracy” to its ultimate: direct participation of citizens in government, without community selection. The Hon. Paul Shafer, at the time a Congressman from Michigan, warned of this then-new threat to representative government, by protesting on the floor of the House:

“The question of how responsible public officials could thus *delegate* authority and the responsibility imposed on them by *law*, or how those committees could, in turn, *accept* the authority and responsibility is not clear.”

Perhaps the answer to the Congressman’s question lay in the passage in 1946 of the Federal Administrative Producers Act, and the similar acts passed later in the States. If so, it had to be in violation of the Constitutional delegation of powers, and guarantee of a republican form of government, and is one more example of the way Congress has emasculated itself.

In any case, the plan for total management of society is now so involved with committees, commissions, boards and intergovernmental bodies, as to be almost overwhelming. Since it goes to the root of the matter, it cannot be ignored. You ask what is wrong with citizens being involved in their government? Isn’t that what this paper is all about? The basic issue is that ours WAS a republic, NOT a democracy. The founding fathers specifically rejected democracy, which they recognized as tyranny by majority. The *Federalist Papers* provide great detail about the dangers of democratic government. Since there has been no amendment to permit this change, our Constitution still is the arbiter. Some matters which are wrong about this particular form of “do-democracy” are not so obvious. One is the development of the technique of group control which is called group dynamics, or sensitivity training, or any of a number of other names. This technique is now so perfected, and these “committees” are such fertile ground for its use, that it is hardly likely that the possibilities would be ignored. The evidence suggests that they have not been. Is there a record anywhere of such a group ever rejecting the purpose for which it was formed? Does that purpose ever run counter to the purposes of the planners? The makeup of such groups suggests an ideal setup for a competent “change-agent”!

The so-called “commissions” which are appointed to ‘formulate’ Constitution revisions are not exception. The

similarity of the various recommendations which result from their deliberations show a central direction. The philosophy which ran through the background papers for the California revisions of government organization is consistent with the philosophy expounded in other states, and negates the fundamental concept of sovereignty of the people. It is deeply concerning to find an "expert" chosen by the California commission to do that background study, saying: "... Perhaps the most obvious omission from the present Constitution is . . . the lack of clear authority . . . for the legislature to *abolish existing public entities*, and replace them with OTHER GOVERNMENTAL FORMS . . ." The man who wrote that is a law professor, teaching future lawyers. Another's section had to do with local governments being permitted to "contract with other governmental bodies for transfer of powers and performance of functions". This same recommendation was in the proposed Maryland revisions, and received high praise from the Federal Advisory Commission on Intergovernmental Relations (ACIR). Neither of these suggestions reached the voters in California. They were struck out in committee in the legislature.

Interlocking with the efforts already described, starting this nation down the road toward that New Social Order, were those of another group, which came to light as the result of an experience related to a Congressional committee by an obscure educator. Dr. William Wirt, a respected, progressive superintendent of schools in Gary, Indiana, testified under oath that he had been in the home in Washington, D.C., of a government official on a Sunday afternoon, in September, 1933. Present, in addition to Dr. Wirt and the host, were four other officials, and a seventh person. One official was head of the Bureau of Economics in the Agriculture Department; another, an educational expert in the Department of the Interior; the third was editor-in-chief of the publication of the Agriculture Adjustment Administration; the fourth was in a key position in the Public Works Administration; and the fifth was a key official in the National Recovery Administration. Dr. Wirt was the sixth, and the seventh person present was "one of the foremost propaganda agents of the Soviet government in America." From this strange assortment of people, Dr. Wirt heard an astounding set of proposals. Apparently the group took him for one of their own, for they were not at all reticent. Dr. Wirt reported that these people felt that the United States system of political, social, and economic organization was no longer adequate to ensure the well-being of the people. In its stead must be erected a planned economy, wherein the every day activity of the people would be regimented and controlled by the government, functioning through bureaus. They thought, said Dr. Wirt, that remuneration for work, and investment in property, should be under government control, **EVEN IF THE TITLE TO THE PROPERTY** remained in private hands. Dr. Wirt charged that these persons were *using their positions* in the Administration to further their ideas. He stated that they planned that it should be believed that the measures they took were temporary, to facilitate recovery from the depression, but, in fact, it would further the regimented economy plan.

All six of the people named by Dr. Wirt denied under oath that they had discussed these matters. The majority of the Committee of five members of the House of Representatives upheld the accused, but the minority members reported that not **ONLY** did they find Dr. Wirt accurate in those matters in his statement which could be checked, but the **MAJORITY MEMBERS HAD PARTICIPATED** in what "apparently a determined effort to discredit Dr. Wirt, and to **SUPPRESS THE TRUTH.**" Later, one of the majority members publicly admitted his part in this travesty:

"On the sixth anniversary of the 'purging' of Dr. Wirt, before a Congressional committee, of which I was an active member, I desire to relieve my conscience of a matter which has long burdened it . . . Dr. Wirt has asserted that there was a deliberately conceived plan among the New Deal leftists to **OVERTHROW THE ESTABLISHED ORDER**, and substitute a planned economy in our country . . . Some of his informants had boasted that President Roosevelt would be the Kerensky of the coming revolution . . . While he named names, and quoted his informants, I took a leading part as 'prosecutor and inquisitor' . . . Little did we know that most of the happenings which Dr. Wirt had said the plotters had predicted would come to pass . . . Many times privately I have apologized for my part in turning the thumbscrews, and I take this occasion to do it publicly. May Dr. Wirt's honest, patriotic soul rest in peace! His was the voice of one crying in the wilderness."

Here was a classic case of lack of understanding, which permitted participation in the plot. What a tragedy for America, as well as for Dr. Wirt, that John J. O'Connor did not see fit to admit these facts about this criminal conspiracy sooner, for his vote would have made the majority the minority, and Dr. Wirt would not have died a broken man, discredited, disgraced, for having tried to warn of the enemy within the citadel of freedom. And the covert, collectivist plan, which could have been checked easily, then, would not have spread its shadows over the length and breadth of America, and every country of the world, as well.

That was 1934. The next exhibit takes us to 1937, and a report from the Urbanism Committee of the National

Resources Planning Board, which chose the nation's cities as the appropriate frame on which to build the plan, following the lead of the planners of the 1920s. This report was an early blueprint for the reconstruction of the American system, and it was bolder than the current crop of reports, bills, and resolutions, for it made no bones about the fact that the intent was to redistribute the wealth and population of this country, and to gain control of the lives and fortunes of the citizens. It was notable for other reasons, as well. It was the first official public thrust toward the "impossible dream" of the conspirators described by Dr. Wirt. It stated that it should be public policy that Constitutional safeguards and guarantees should not impede the plan. It was compiled for the then resident of the White House, at the request of a number of national organizations: the U.S. Conference of Mayors; the American Municipal Association; the American Planning and Civic Association; and the American Society of Planning Officials. (All 1313 bodies)

Among the myriad interventions proposed in this report are many which are only too familiar today: a minimum standard of living, with the Federal government guaranteeing family income; regional police; rigid zoning and building codes (almost unknown then); use of planning as a tool for "better utilization of human and material resources"; federal requirement of local planning bodies (as a condition of grants-in-aid); consolidation of "overlapping authorities; joint service agreements; previous blanket consent of Congress for Interstate Compacts; urban renewal; revenue sharing; uniform tax policy in the states; national housing; decentralization; public and acquisition, for the purpose of placing it under control; early intervention and prevention of juvenile delinquency; redistribution of industrial centers; and it urged increased use of "State and national associations of municipalities, and municipal officers" in creating the Great Planned Society, and specifically mentioned 1313s own Public Administration Clearinghouse.

These are not all of the radical proposals, made in the board's official capacity as advisor to the President, but all of these are in some degree of implementation today, despite the fact that when the Congress learned what the NRPB was doing, that representative body not only indignantly rejected the whole set of proposals, but demanded the dissolution of the board as well, for overstepping in their own bounds, *and* the authority of Congress.

Please note that these are all proposals "for a social purpose," and the total effect, if they were to be fully implemented, would be a Socialist America. Today, the end purpose is hidden behind such phrases as "homerule," "simplifying proliferating government," "eradication of pollution," and "preserving the beauty of a lake." The purpose as originally proposed remains the same, only the stated reasons have changed. One such reason in 1937 was "the marked slowing down of the population increase." Today, the opposite reason is given for the same solution, though the facts show that, except for the "war boom," the decrease in native born Americans continues.

The record is clear that this bold plan had little support then, and less public notice. This study shows that any increase in support has been carefully engineered. It also shows how right the Fabians were, when they decided that public organization ALONE, without public support, could bring about the desired (by them) changes. That is how it has been possible to move a nation so far from its course, that a quarter of a century later not only elected representatives, but a goodly number of citizens as well were promoting what was then an "impossible dream" to some – an unthinkable nightmare to the majority. But there were SOME who knew it was not impossible, who knew the road to travel, and had the roadmap to chart the course. By studying that roadmap, the way back CAN be found.

The cartographer for this journey was again the Fabian Socialist, H. G. Wells, who had spent his lifetime, in public and private, exploring the territory, and planning the route. He wrote, in 1928, that his much-promoted "Outline of History" was the FIRST step into a threefold plan to "... pull people's minds together into a shape that *will dispose them to full participation* in the movement . . .," which he called "The Open Conspiracy." In his book of that name, he wrote:

"The form in which the Open Conspiracy will FIRST appear will certainly *not* be that of a centralized organization. Its most natural and convenient method of coming into being will be the formation of *small groups* of friends, family groups, groups of students, employees, or other sorts of (likeminded) groups of people, meeting and conversing (like Dr. Wirtz group?) in the course of their normal occupations, who will exchange views and find themselves in agreement with the general idea. Fundamentally important issues upon which unanimity MUST be achieved from the outset are, firstly, the ENTIRELY PROVISIONAL nature of ALL EXISTING GOVERNMENTS, and the entirely provisional nature, therefore, of ALL LOYALTIES associated therewith, secondly, the supreme importance of POPULATION CONTROL and human biology . . . and, thirdly, the urgent necessity of . . . resistance to *war*. People who do not grasp the VITAL SIGNIFICANCE OF THESE TEST ISSUES do not really understand the Open Conspiracy . . ."

Wells designated PHASE TWO of his threefold plan as the propaganda period, setting the stage for PHASE THREE –

the CONQUEST OF POWER -- which is now looming large on the horizon. But, of course, there is no conspiracy, is there?

The second world war was made to order as a stepping stone into the new social, political and economic order of world hegemony, and it was used fully as the excuse for throwing the machinery into gear to begin grinding out "Post-War" reconstruction plans -- not just for America, but for all the world.

The international aspects of this revolution were first publicly announced when a 'secret' meeting was held, somewhere in the Atlantic, between the then- "heads of state" of Great Britain and the United States. The result of this 1941 meeting was the proclamation of something called the "Atlantic Charter." With much fanfare, it was declaimed that this was an agreement which "united" the two governments in determination to win the war, and to uphold certain "common principles" of the two nations. This, despite the fact that the President of the United States had NO AUTHORITY to commit this nation to even the latter part of that agreement. The "Charter" did much more than was generally understood, however, for it bound the United States with Great Britain to "provide access, on EQUAL TERMS, for all states, large and small . . . to the raw material *of the world* needed for their economic prosperity." (The planners have long ago stopped recognizing nations as such. For years, their writings have referred to "nations" as "states," thus paving the way for that supergovernment.) The "Charter" also promised improved labor standards, economic adjustment, and social security, for ALL THE WORLD. And regional government provides the channels, and the PPBS provides the controls to make it all possible.

1942, and the federal Council of Churches got into the act. At a meeting in Cleveland, Ohio, that year, delegates were told that ". . . collectivism is coming, whether we like or not . . .," and they dutifully responded by calling for "a duly constituted world government of delegated powers, an international legislative body, an international court . . . international administrative bodies . . . international police forces, and provision for enforcing its economic authority."

Speakers at the church conclave in Cleveland, where some 30-odd Protestant denominations were represented, declared that the "natural wealth of the world is not evenly distributed," and called for ". . . a NEW ORDER OF ECONOMIC LIFE." They asserted that many duties then being performed by local and national governments would, in the future, HAVE to be carried out by *international authority*. There is no record showing protect from any of the churchmen there assembled, NOR any evidence that the 40-million or so souls supposedly represented there, had any part in formulating this policy, nor in joining later in implementing it.

The Atlantic Charter was followed on 2 January, 1942, by the Declaration by the United Nations. This was signed in Washington by the original 26 countries. While primary concern of the time was that of finishing the existing war, a close second was planning for that Post-War world. In July of 1942, the League of Nations Association issued a policy statement, urging an immediate plan for "postwar reconstruction." All during the war, other organizations were also beating the drum for the plan. The Institute of Pacific Relations held two major conferences, dealing with this matter, ably assisted by officials from the United States Department of State, who were paid from the public purse. The UAW-CIO issued a call for postwar planning, which included specifically Metro Regional Planning by name, and reinstatement of the National Resources Planning Board. Note, that in all these instances, it is only a few, at the top, who are involved in these efforts. It is a moot point how many MEMBERS of these various groups *even* knew what was being done in their name.

During the 1950s, the PUBLIC thrust for the "Conquest of Power" was *relatively quiescent*; but, almost unnoticed, and certainly unrecognized, another recommendation of the National Resources Board, which was deliberately omitted in the section of this study on their 1937 report because of its extreme importance, was started toward implementation, but, of course, not credited to them.

Was it by accident that President Truman chose Herbert Clark Hoover to head a Commission to reorganize the Executive branch of the Federal government? It had been *President* Hoover who first utilized the concept of commissions appointed to make studies and set policy. This was such a radical departure from precedent that Hoover's opposition in the 1932 elections used it as a campaign issue. Franklin Roosevelt scored the practice in these words:

"The doctrine of legislation and regulation by "masterminds" in whose judgement and will all the people may gladly and quietly acquiesce, has been too glaringly apparent at Washington these past two years. Were it possible to find "masterminds" so unselfish, so willing to decide unhesitatingly against their own personal interests or private prejudices, men almost Godlike in their ability to hold the scales of justice with an even hand, *such* a government might

be in the interest of the country. But there are none such on the political horizon, and we cannot expect a complete reversal of all the teachings of history.”

Could it have been by accident that the recommendations of the Hoover Commission on Reorganization (which was first appointed by a Democrat, and later reconfirmed by a Republican President) extended that doctrine into their “housecleaning” operations? Each of these Commissions had a major recommendation for budgeting and accounting procedures, and the need for “modernizing” them. Neither of them suggested that the Congress take back its Constitutional responsibility for fiscal matters, which had been seriously jeopardized by the passage of the Budget Act of 1921. That would not have fitted the plan, although it would have relieved the Executive of a major responsibility, and gone far toward “streamlining” that department, which was one of the major charges to the Commission.

The recommendation by the Hoover Commission for a “performance” budget was not followed. Apparently, to a Congress not yet conditioned to thinking in terms of a New Social Order, it seemed too radical a departure from established practice. It was not too radical, however, to be placed in high school textbooks for young minds to receive as accepted procedure, and that is where the seeds of acceptance were planted. That was 20 years ago, and some of those same youngsters who studied the Hoover recommendation may well be Members of Congress now, or serving in State legislature - or on “advisory commissions” - or working in Administrative departments. Several departments of the Federal government *were* started into accrual accounting at that time however, which was stated by the Commission to be a necessary first step in the direction of performance budget.

When the Second Hoover Commission also recommended performance or program budgeting, a bill was finally introduced (HR 8002) which went through committees for two years, before reaching the floor of the House. Interestingly, there was tremendous “popular” support for this dry-as-dust proposal. Accounting and budgeting are not normally subjects which provoke much interest, but THIS time it was different. When HR 8002 finally reached the floor, in 1958, a wondrous strange thing happened. The day before it was to be considered, it was *rewritten* as an amendment, in the form of a substitute bill, by another Congressman (not the original author); the new bill was not available to Members until the day it was voted on; the rules were lifted, which prohibited further amendment, and it was passed. This was NOT the bill on which hearings were held, although it carried the same number; it was NOT the bill which had received the “groundswell” of support. But it passed. So the door was finally opened to implementation of what has proved to be the most dangerous program ever to receive the approval of Congress.

Evidence of the potential of this part of the plan – or even that it WAS a part of the plan – was not available, then. As stated by Congressman John G Schmitz, in remarks he placed in the Congressional Record in October, 1972:

“One of the recommendations of the Hoover Commission was to institute a new method of accounting in the Federal departments, which was followed, in due course, by a bill in Congress to approve of such a move. Neither of these steps gave any indication of the potential they carried for extension to such an instrument of control as has developed in the Planning, Programming and Budgeting System.”

But there WERE those who knew, and who desperately wanted it that way. In 1937, the planners called it “Urban Reporting and Research,” and it was the major recommendation of the National Resources Board. Today it is generally known as Planning, Programming and Budgeting, or PPBS, but it has other names as well, as so many of the planners programs do. Once they become known, and resistance is evidenced, the names change. It cannot be stressed too strongly that the essential elements of these programs must be understood, so that, no matter what they are called, their very nature will expose them for what they are.

This PPBS carries within itself the seeds of total tyranny – the means for ultimate total control of all resources, including “human” resources. It is derived from Pavlovian concepts, and was brought back to this country from the Soviet Union by eager young scientists, who had rushed to that land of tragedy to see the future “work.” The Federal Data Bank, which Congress rejected only a few years ago, was recommended by the NRBB in 1937, is now partially operative, and is an essential for PPB. The extended census of 1970, was also recommended, and the data from it is already being used for planning purposes. So, too, the alarming “Cum” files, data from IRS, police records – all are grist for PPB.

The PPBS is an integral part of regional government. Both are dependent on the same philosophy, goals and objectives, long range planning, maximum information, and controls. In fact, it is difficult to see how the goals and objectives of the regional program could be achieved, without PPB, and the PPB without the regional arrangement could never be efficient. ‘Voluntary’ controls, such as have been utilized until now in Metro situations, have been only

partially successful. The 15 year battle to finalize the Southern California Association of Governments (SCAG), has shown the difficulties involved in giving an option. Until now, this has not been too important, for there was a great deal of work to be done before the world was ready for completion of the plan. As the time draws near for integration on a worldwide basis, the totality of the PPBS is essential, barring a successful resistance, ending the “impossible dream.”

It was in the education system that California citizens first became aware of an unusual and disturbing element developing in the area of “management”. It was found after some research that what began as concern about this ‘element’ in the proposed social science textbooks, had to be extended to cover not only the area of “social science,” and the children directly, but the whole state system of education, and the State GOVERNMENT as well. Since education – or, more properly, MISeducation – is at the heart of the problems we face, and is the single largest factor in redirecting the mainstream of American political, social, and economic life, it will also be the major factor in finding the way back. So what has been done in education cannot be overlooked, in searching for answers.

Columbia University has long been the fountainhead of education in this country, for it has been at Columbia that the teachers have been trained, who teach the teachers who teach the children. And it was at Columbia that the tide was first turned toward developing the plan. The dominant figure in American education in this century had been the Socialist, John Dewey, who joined the staff of Columbia in 1904, as a professor of philosophy. There is no question of his influence on educational thinking. The Dewey philosophy has permeated not only the academic world, but educational associations, and through their influence, almost every phase of American life has felt the impact.

In 1932, the National Education Association set up an ex-officio group, known as the Educational Policies Commission, which turned its hand toward changing the goals for American education. During the 30s, it printed numbers of position papers on the “function” of education, which, until then, had been fairly well understood and accepted – and successful. In 1944, this self-appointed group of ‘experts’ prepared a volume of extreme importance relating to the matters here being examined. It was titled “Education for ALL American Youth”. (Their emphasis) The Commission assumed full responsibility for this book, while giving full credit to the individuals who participated in its creation. The acknowledgement states that it “went through many careful revisions,” so it must be assumed that it says what it was meant to say. The widest possible distribution was obtained for it in educational circles. Told in fictional form, and as though it were already history, it tells how the planners solved all the problems, not just of the youth, but of two imaginary communities, a village and a city, through INVOLVING THE CITIZENS *in cooperation for the goals OF THE PLANNERS!* In this little book is the outline for Headstart, for unification, for HEW, for teacher participation in curriculum decisions, for “Federal funds without Federal control,” for youth services in the schools through the “poverty” program, for removal of local control, without seeming to do so, for replacing *elected* State superintendents with appointees of appointed boards, and all of the other programs which seem to have “just growed” like Topsy. Giving the usual either-or alternative of one highly undesirable choice, versus one less obnoxious, this was a blueprint for the participation of education in the promotion and development of the totally planned society.

Though pains were taken several times to deny that this NEA-affiliated Educational Policies Plan was intended to be used to promote the ideas expressed, proof that it not only WAS so intended, but was also so used, lies in the detail of method, and in the fact that, through the years, their program has been followed almost to the letter. As the book says,

“ . . . Our planning reaches down into the neighborhoods, and out into the surrounding region. You will find many neighborhood planning groups . . . if this seems far removed from education, wait until you get into the schools. There you will find that community planning occupies a foremost place in the program of citizenship . . . ”

Shades of the Open Conspiracy! No wonder it is difficult to get people to understand that there once was another – a better – way! For it was established that long ago that education had a definite function in the implementation of the Socialist plan. Can it be doubted that half a century of using the educational process to prepare America’s children for the New Social Order is now bearing bitter fruit?

The FORMAL signing of the United Nations declaration in 1945, and the consent of the United States Senate, only made official the existing machinery for extending regional government internationally. The evidence suggests that those who would argue that the UN is responsible for this movement have the cart before the horse. This Socialist plan requires the United Nations, or some other similar body, to coordinate the world-wide aspects.

In 1951, The Association for World Peace set up a committee to prepare a report on the ‘problem’ of world development. Two years later, the chairman of that committee used the material they had compiled to write a book,

“The War on World Poverty.” In that book, he promoted a “World Development Authority,” whose functions would include decisions for, and administration of, grants-in-aid for countries all over the world; preparation and coordination of plans for economic development; improvement of public works, and other, similar activities. *All* of these are part of regional governance. They also reflect the federal Council of Churches program. They are also part of Lyndon Johnson’s War on Poverty here. They are also dependent on ECONOMIC CONTROL. The author of the book was Harold Wilson, then a Member of Britain’s Parliament, and later Her Majesty’s Prime Minister. In that book, Wilson made clear that the United States was expected to fund the greater part of that War, just as was done, in fact.

In the early 50s, too, the first benchmark for regional governance in the United States was established officially in Florida, and Miami thus had the dubious honor of being the first community in America to lose its identity under the regional umbrella. It was during the 50s, also, that the California Commission on Interstate Cooperation began quietly moving toward an interstate compact for the Tahoe basin. State machinery was being set up to convert constitutional government into the bureaucratic autocracy which is now being “legalized” by legislation. Agencies were brought into being to expedite the change. In 1961, the first bill in California to provide a legal facade for Metro was introduced. AB 267 was titled Metropolitan Area Multipurpose Districts. It was so radical a departure from accepted procedure, that the bill was defeated, but it became obvious during the hearings on it that there was a powerful, organized effort to “destroy county government.” A member of the legislature stated:

“We were told (in the hearings) that county government was old-fashioned. hopelessly inefficient . . . They wanted the Committee to recommend changing the rules, so that nearly all county officers would be APPOINTED . . . ”

In 1962, the Department of Defense became the first governmental agency to implement the PPBS, under the direction of Robert Strange McNamara and Charles Hitch, both of whom later accepted positions of responsibility in the California education system, where the massive thrust into the PPBS finally directed attention to this revolutionary movement.

In 1963, the Department of Agriculture, still, as in 1933, the dependable arm of economic planning, issued its annual Yearbook. Title “A Place to Live,” it contained, not the expected report on farming, but full battle plans for what appeared to be the finalization of the regionalization of America, including the propaganda needed to blind those who were to serve as quislings in the approaching effort. In that year, too, the Kennedy Executive Orders were issued, paving the way for total control.

In 1963, in California, the original Plan for Tahoe started its way through committees, but died there, when Nevada defeated the companion bill. Under the Democrats an Intergovernmental Council on Urban Growth was established, and charged to “resolve the problems of the cities.” The solution? Surprise! Regionalization. Under the banner of another party, the Council continued to function, and to promote the same solution, until it was replaced with the California Commission on Intergovernmental Relations (CCIR), which carries on the work under Model Cities, with the added element of the PPBS. Under the Democrats, the State government was offered as participant in a pilot project of building a prototype PPB format, for export to other governments. Under a “conservative” leader, the Republican regime has continued the experimental program. That same “conservative” gave the support which was needed for passage of the first omnibus revision of the State Constitution. All of which *proves* that this is NOT a partisan matter.

Meanwhile, back in Washington, the movement proceeded unabated. In 1965, the Congress passed the Public Works and Economic Development Act (PWEDA), which was the enabling legislation for the 1963 Agriculture report. The President designated the Secretary of Commerce as the regional czar, mandated by the PWEDA. Under the Secretary, there is a Regional Council, composed of the heads of most of the executive departments. Since the President also mandated installation of the PPBS in ALL of those departments, the question is raised whether programs placed under direction of any of them by Congress do not AUTOMATICALLY enter the PPB system. The Republican President has continued the progress. His ordering of the ten regions is in defiance of State sovereignty, and follows a part of the plan designed in 1935. His restructuring of the Federal Executive follows the structure developed in California by CCIR, for PPB purposes, and explains the changing of the Bureau of the Budget (BOB) into the Office of MANAGEMENT and Budget (OMB), which is now the central control for all PPB. Permitted to continue, these activities will mean destruction of local government, emasculation of the States, will make puppets of legislators, concentrate all power in the executive, and make a mockery of the expressed desires of the people, of whatever Party.

In the waning days of 1972, the Congress missed a golden opportunity to take back some of the authority which is theirs by right. With the regional reins in Commerce (Executive) and the counterpart control of the PPBS in OMB (also

Executive) our representatives institutionalized that control by the Executive, through the passage of HR 4383, which not only removed the Federal Advisory Commission on Intergovernmental Relations (ACIR-1313s “intergov”) from ANY control, but placed all other federal advisory commission, committees, boards, etc., in total control of the PPBS, in the Office of Management and Budget. These APPOINTED bodies, which carry most of the responsibility for the advance of this two-pronged attack on traditional Constitutional government, are now effectively removed from Congressional overview.

It was also in the fall of 72 that yet another step was taken in California. “I call it a dream,” the governor said, “but it is not the ‘impossible dream’.” But it was. The time had come, he said, to review the entire governmental structure, to “streamline and eliminate duplication.” He envisioned “the merging of counties with other counties, cities with other cities, and counties and cities merging together,” and appointed another Blue Ribbon Commission to make the dream come true.

Constitutional revisions all over the map. Interstate compacts uncounted. PPBS in over half the States. Regionals being developed piecemeal or wholesale. Bills and more bills – State and Federal – many supportive of either PPB OR the regionals – or both. Committees and commissions quietly structuring PPB programs, and presenting them as “alternatives.” HR2519, the State and Local Government Act, not yet passed, but strongly supported, requiring every State to adopt a progressive income tax, among other provisions. Revenue sharing. (WHAT revenue? - why, the 2519 revenue, what else?) National Goals and Priorities (new ones), and the Commission on BALANCED Economic Development. And, the continuing, determined effort to install the PPBS, accompanied by extensive evidence of intent to GET IT DONE, and a pox! on the citizens, AND their representatives. Most of the PPB story is still available (see source page), and thousands of citizens - and SOME elected officials - have done the preliminary study which is essential to any effective opposition, so here we will just fill in on late developments, and trust that those who are receiving this information for the first time will research what they need for their own understanding.

In California, an Ad Hoc Committee, formed to request an investigation of PPB by the elected Attorney General of the State, waited almost a year, before learning:

“ . . . Whether a particular form of budgeting system is preferable or desirable is primarily a decision for agencies such as the State Board of Education, and Department of Finance, subject to any directive from the State Legislature . . . ”

This opinion spoke to the LEGALITY of implementing the PPBS. All other questions raised by the Committee were ignored. In a phone conversation, the career-deputy-attorney general, when specifically asked about the CONSTITUTIONALITY of such implementation, in view of the extensive evidence that the PPBS is changing our FORM of government, without the knowledge and consent of the governed, commented to the effect that, in the absence of denial by the legislature, consent is present. The rationale being that, since the legislature is elected to conduct the public business, silence lends assent. This, despite the fact that most of the legislators were also unaware of the PPB program, and had never been asked to approve it AS A PROGRAM. Since this same deputy had been informed at the start that the concern was with a TOTAL, INTEGRATED SYSTEM, the Committee wrote in answer:

“ . . . In view of the fact that, on presenting you with the material supportive of the request . . . an attempt was made to make it ‘perfectly clear’ that we were *not* referring to a ‘budgeting’ system, but to the TOTAL system embraced in the concept of the PPBS, and the additional fact that the source material we included in the file we prepared showed the inseparability of its components, it is incredible that you continue to refer to it as a ‘budgeting’ system . . . ”

In the summer of 1972, a resolution requesting the State Board of Education to defer finalizing the “accounting” portion of the PPBS until a decision was made by the legislature, passed both Houses unanimously. A hearing was held in the fall, and citizens from all over the State appeared to voice their concern. the ONLY supporters were the very ones who were promoting the PPB in their official capacities. Another hearing was held in March, 73, only days before the State Board would be free to make a final decision. This hearing, and the imminent Board decision, brought a letter from some Committee members, stating to the Board their intent to develop legislation to modify the State Code as it applied to the Manual. They were explicit.

Although only a few members signed this letter, due to the shortness of time, it seems to express the sense of the

majority in the California legislature, who are showing increased concern, as they learn more about PPB. It states, in part, that their intent was

“ . . . to make certain that the school districts using the manual recognize the limitations of any accounting manual in evaluating educational programs. We also desire to make certain that behavioral objectives cannot become a mandated part of our educational program . . . to make certain that educational content is not expressly or by implication mandated or influenced . . . The adoption of this blockcoding system (in the manual) . . . involves educational decisions . . . As long as the manual contains material of this nature, it is **NOT SEVERED AND DIVORCED FROM PPBS** . . . For the several reasons set forth, we sincerely recommend that the . . . manual . . . **NOT BE APPROVED** . . . ”

But the Board approved the manual, albeit providing that it be “reworked.” The evidence suggests that this method of accounting has no real virtue over any other, unless used in conjunction with the other elements of the PPBS. Since a number of the developers of the State PPB manual (which included the “accounting portion”) are now “consultants” to the Commission which will “rework” this one, little comfort can be taken from this decision.

This history of the plan reveals bipartisan involvement, but not knowledgeable consent. The road back requires **KNOWLEDGEABLE** bipartisan action. The immediate first step is for citizens to let their elected representatives know of their concern, and the reasons why. Failure to deny this usurpation by administrative action is not sufficient base on which to construct such a radical change. **IT MUST BE MADE CLEAR THAT THE PEOPLE DO NOT CONSENT.** The loudest voice to a legislator is from his **HOME DISTRICT**. Each citizen must let those whom they elect to office know when they approve – or disapprove – of the way the public business is being conducted. An issue such as this **AFFECTS EVERY CITIZEN**. It must be understood thoroughly, and by no one more than those who hold the public trust. They took an oath to “support and defend the Constitution . . . against **ALL** enemies, foreign **AND** domestic . . . ” They cannot keep that oath, if they do not recognize the threat. The PPBS, and its counterpart, regionalization **CONSTITUTE A CLEAR AND PRESENT DANGER**. If elected officials are not aware of that, they must be encouraged to examine it in full.

Regional governance **DOES** deny a representative form of government. **PPBS IS**, in fact, a management and control system, intended for people, as well as projects. There has been **NO MANDATE** from the people, nor, indeed, from a majority of their representatives to redirect the historic path laid out by “ . . . the greatest document ever struck off by the hand of man . . . ” but this is what is being done. Unless the proponents state that the intent is as the record shows it to be . . . **A NEW POLITICAL SOCIAL, AND ECONOMIC ORDER FOR AMERICA**, they are promoting this program under false colors, whatever specious reasons are given to obtain approval. There is no question but that this situation **CAN** be reversed, but first it must be **STOPPED WHERE IT IS**, until it is fully understood. Citizens **CAN AND MUST** work with their elected representatives to stop this usurpation. Once that is done, the ravages which complaisance has permitted can be repaired. It will take dedication equal to that shown by the proponents. It will require constant vigilance. But eternal vigilance is now and always has been the price of liberty. It will take time, and money. And, most of all, it will take courage. But this **IS** the home of the brave . . . **ISN'T IT?**

“Let us believe no man infallible or impeccable in government, any more than in religion; **TAKE NO MAN'S WORD AGAINST EVIDENCE**, nor implicitly adopt the sentiments of others who may be deceived themselves, or may be interested in deceiving us.” John Adams, in the Boston Gazette, 1763.

**Submitted Statements for the Record by Dan A. Firth,
Chairman, Santa Barbara County-Cities Area Planning
Council.**

I am submitting the following comments for inclusion in the record of the hearing:

The Santa Barbara County-Cities Area Planning Council is a multi-jurisdictional COG with five cities, 105 special districts, and one county in its area of planning jurisdiction. We are the A-95 Metropolitan Clearing House for the area, the Transportation Planning Agency for Santa Barbara County, and the Airport Land Use Commission for Santa Barbara County. Our programs are certified by HUD, CIR, and DOT.

The Santa Barbara County-Cities Area Planning Council coordinates the plans and planning of its member jurisdictions, and conducts planning studies of countywide significance. Since its inception, our COG has produced and adopted the following:

Countywide Water and Sewerage Facilities Plan;

Comprehensive Transportation Action Plan (Updated each year);

Study of Local Government entitled: "Public Services Allocation Study;" and

A Countywide Housing Element Study will be completed in the near future and plans are now in progress to conduct an Environmental Resources Management Element.

The Area Planning Council has had a long and deep local concern for the issue relevant to multi-county rather than multi-jurisdictional planning, if multi-county decisions were to be made mandatory for federal certification of our area.

On December 26, 1972, I wrote to Clifford R. Anderson, Jr., Chairman of the California Council on Intergovernmental Relations, regarding our views on establishing Santa Barbara County as a one-county, multi-city, substate district. A copy of this letter is attached. It contains strong arguments, in our opinion, to classify Santa Barbara as a single county, multi-city APC. You will note particularly that our arguments uniquely abide by the CIR criteria established at that time for guidance in district selection.

For the same reasons as pointed out in my letter to CIR, we urge the federal government *not to mandate* multi-county substate districts. We should point out that we do not oppose multi-jurisdictional planning; we believe there are many benefits to our area that stem from the efforts of our present COG. However, for the reasons that I pointed out to Mr. Anderson, we are firmly opposed to becoming a "multi-county" district. Operationally, it would be against the best interests of efficient local government in this area in spite of the fashionable trend for regionalization where, in some cases, geographical criteria for region definition supercede the governmental operational considerations which we have already specified.

It is our firm contention that the creation of artificial districts should not be forced, and it is urged that Santa Barbara County be classed as a single county, multi-city APJ, a classification that uniquely abides by the CIR criteria established for guidance in district selection.

In a report distributed on October 5, 1971, the staff of CIR recommended to the Council that until 1975, their proposed regional boundaries, now adopted, be used as a guide and that individual exceptions be allowed "where study proves clearly the value of the exception."

On page 3 of Draft E, "Policy on Substate Districting and Areawide Planning Organizations" dated October 17, 1972, the criteria for substate districting clearly proves that the Santa Barbara COG should be established by CIR as a separate planning district and not be included with District 7, as presently designated. The Santa Barbara County-Cities Area Planning Council, therefore, respectfully requests such a separate designation until 1975.

The principal reasons and arguments for the Santa Barbara COG's position on remaining an autonomous APJ are given below in the order and designation of criteria used by CIR in its Draft E of proposed policy:

1. Geographic Region

Santa Barbara County is large. It contains 2774 square miles and is approximately the size of the State of Delaware. It is well defined and has unique natural characteristics which clearly designate most of its boundaries. The south and west boundaries are the Pacific Ocean; the Santa Maria and Cuyama Rivers form the north boundary; the east boundary is located in a rugged mountain area.

Of particular significance is the pinch-off of the coastal plain in the southeast corner, which is a natural barrier to urban development and to the possibility of the continuance of the massive urban sprawl from the south. This natural barrier is reflected in significant differences in societal, commercial, and economic activities in Santa Barbara County as compared to our neighbors to the south who are deeply engaged in citrus production, light industry, and Naval defense activities which attract their commercial activities southward to the Los Angeles area rather than northward to Santa Barbara County. This separateness of interests between Santa Barbara County and its neighbors to the south holds true for our neighbors to the north. There is little in common among the societal, industrial, and governmental activities of Santa Barbara County and its closest northern neighbor, San Luis Obispo County.

Any functional problem areas between that County and ours are at best hazy and further north become indistinct. We can find no rationale that supports our expenditure of energy and funds in the involvement of planning activities with our northern neighbors, and we understand that San Luis Obispo County shares this considered judgment.

The few cases on record where multi-county planning has been a prerequisite to sound governmental management have been smoothly and effectively handled by our established local COGs and there is every reason to believe this situation will continue.

2. Urbanized and Urbanizing Areas

Urban developments within Santa Barbara County do not cross county boundaries at any point and because of their geographic locations and the calculated trends in growth rates, there is a strong indication that urban areas will not impinge upon county boundaries within the foreseeable future.

The interdependency of the Cities of Santa Barbara County is not strong, other than surface transport communication ties, which are resolved by current road and highway facilities. Little interdependency exists between our cities and our northern neighbors, especially with respect to the need to share in planning activities for which problems might arise.

Present location of the five cities within Santa Barbara County constitute a rather ideal arrangement for economic and efficient governmental operations because legislative and community bodies of government can arrange to convene in locations demanding no more than one hour's drive to any chosen center.

District No. 7, in which Santa Barbara County is included, stretches out over a length of 250 miles, which places an unwarranted and unacceptable cost burden on local management in terms of time and money.

3. Social and Economic Factors.

Geographically, Santa Barbara County is somewhat analogous to an island. In the long history of its social and economic development, the county's clearcut boundaries, its ocean perimeter, its mountains, and its coastal plain pinch-off in the southeast, have had a significant influence in shaping its present social and economic posture. Hence, this county evolved with minimal interaction among its neighbors.

A chief source of county income relates to the unique climate, ocean beaches, lakes and mountains, all of which create significant commerce in tourism and recreation. This dominant commerce plays a significant role in differentiating local planning problems from those of neighbors to the south and north. Aside from recreation, there is a minimal commuting between Santa Barbara County and other counties.

4. County Boundaries

Two important considerations regarding watershed and roads require some exposition.

Because of its unique geographic profile, the watershed of Santa Barbara County is largely contained within the County's boundaries. An exception is that of a relatively minor sharing of water which occurs at the eastern boundary area joining San Luis Obispo County. Another small exception is that of a flow of water from Ventura County into the Cuyama River, aside from which almost all of Santa Barbara County's water supply originates within its own water shed.

Few of Santa Barbara County's highways connect with neighboring counties. The only highways leading to other counties are U. S. 101 and State Highway No. 1 along the coast and State Highways 166 and 33 crossing the north county boundary; U. S. 101 and State Highways 33 and 150 cross the east boundary.

Santa Barbara County agrees with the need for multi-county districts where clearly indicated by CIR's criteria. However, it is our firm contention that the creation of artificial districts should not be forced. Therefore, it is urged that Santa Barbara County be classed as a single county, multi-city APJ, a classification which uniquely abides by the CIR criteria established for guidance in district selection.

Submitted Statement for the Record by Anne Garni, Santa Cruz.

I would like to take the Commission with me on an imaginary trip, far from the stately meeting room where you would be surrounded by a bevy of experts, to Smalltown, U.S.A., where Mr. Average Citizen becomes a victim of some of the actions taken by this Commission.

Just last week, the property owners in Santa Cruz County appeared at a public meeting to discuss an increase of \$3.50 per month in their sewage charge. The meeting room was packed long before the scheduled time of the hearing. When it became apparent that the hall was not large enough to accommodate the overflow crowds, the meeting was re-scheduled for another time and place.

Those who were able to get inside the hall learned that the public hearing would be limited to discussion on how the \$3.50 would be collected, and they also learned that the decision for spending their money had already been made, and that it had been made without the knowledge and consent of those who were being asked to pay the bills.

Here was a group of people, who, for the first time, became aware that something had happened to their government of, by, and for the people. These people were shocked to learn that they would not be a part of the decision-making process of government; that they were not even going to be given a chance to vote their approval or disapproval of the expenditure of millions of dollars. They were told bluntly, that the decision was made for them previously at a hearing that was not very public.

When the Clean Water Bond Act was being propagandized by the League of California Cities, I was a member of the City Council and had received a "Suggested Resolution" from the League which included the following "Whereases":

The pollution of our water is one of the gravest crises facing California;
Our water is being contaminated, our marine life and environment destroyed and our food supply threatened;
About two billion gallons of waste spewed into the ocean statewide each day;
A \$250 million Clean Water bond issue will provide for the construction of urgently needed water treatment facilities;

Approval will qualify our State for increases in Federal funds up to \$550 million for the eradication of water pollution, plus \$200 million more to be contributed by local districts and cities where facilities are to be built.

The voters were not told that they were approving of the government taxing them \$1 billion. They were not told that this billion dollars was going to be funneled into the State-appointed Water Resources Control Board and the nine State-appointed Regional Water Quality Control Boards, to spend as they wished, with no interference from the elected representatives of the people, nor from the people themselves.

Shortly after the passage of this deceitful piece of legislation, Kenneth Jones, the executive officer of the Regional Water Quality Control Board issued a memo to all California Municipalities in which he stated:

"We are preparing the project list for this basin. When the list has been drafted, it will be transmitted to you for *comment* before being considered by the regional board."

In a letter which was written by Chief Paul Bonderson of the State Water Resources Control Board, he said:

"The State Board will continue to support regional board efforts to achieve a regional treatment and disposal system for the North Monterey Bay area."

In other words, the elected representatives would be given the privilege of *commenting only* before the regional Board makes its decisions on how and where our money is to be spent, and the decisions of the regional board will be backed up by the State Water Resources Control Board.

The people who attended the public hearing last week in Santa Cruz are not yet aware of what is in store for them under the unlimited, all-powerful dictates of regional government. That \$3.50 monthly charge, which created such a furor that the meeting had to be postponed in order to accommodate what the newspaper described as a fist-shaking angry crowd, is just the beginning of an intolerable situation whereby the State appointees can plan, program and budget the oppressed taxpayers into bankruptcy.

\$4.5 million is going to be spent—without the approval of the people—to regionalize the three treatment plants. The State ordered the bulldozing of two of the plants, even though these modern plants have been built according to State guidelines, and the bonds for these plants have not yet been paid. Millions of dollars will be wasted in purchasing miles of pipeline, rights of way, pumping stations, etc., but the pollution of our water will continue on, as these arrogant state-appointees take over.

Chief Bonderson, in a 1970 Report, stated that an outfall line 5500' long is initially proposed to carry the effluent from the consolidated plants into the bay waters. Future plans, he said, call for the *abandonment* of this pipeline, and for reclamation and reuse of waste effluent.

\$4.5 million will be spent—not to improve the treatment of sewage—but to merge three sewer districts under the control of regional government. The taxpayers will be financially trapped into this intolerable predicament of having to pay for the rope by which they will be hanged.

The expenditure of that \$4.5 million will be for no other purpose than to establish and feed another layer of government—a layer of government completely insulated from the control of the taxpayers who are asked to support it.

Regional government is alien to the restricted, controlled government which we inherited, with the powers so diffused that no tyrant could destroy it. But something new has been added to clear the way for a dictatorship, and ACIR is the mechanism which is being used to bring about the New Federalism, whereby local, State and the Federal governments are being merged, and whereby all control is being vested in the Executive Department of the Federal government.

The 26 members of ACIR are drawn from the Governors' Conference, Council of State Governments, U.S. Conference of Mayors, National League of Cities and National Association of Counties. They also represent the U.S. Senate, the U.S. House of Representatives and the Executive Office. This composition of members violates Article I, Section 6 of the United States Constitution which states that:

“No Senator or Representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States”

The activities of ACIR in their various reports, are, in the following instances, deplorable:

The Commission devotes a major—and growing—proportion of time and resources to encouraging implementation of the recommendations it makes to the legislative and executive branches of Federal, State and local government.

Legislation to implement ACIR recommendations to Congress is usually introduced by United States Senators and Representatives who are members of the Commission.

Commission recommendations for State action are translated into draft bills and proposed Constitutional amendments which constitute ACIR's State Legislative Programs. These proposals have been made available in separate “slip bill” form. They are brought to the attention of key legislative and executive officials of all the States, as well as other interstate groups and individuals.

It is we, the people, who must be heard by the men we elected to represent us. These legislators are *our* agents, and not the tools of ACIR, to be used to restructure our form of government.

On July 4th, we shall again celebrate the Declaration of Independence. God forbid that we shall ever be forced to celebrate a Declaration of Interdependence, where all power is concentrated in the New Federalism.

Our founding fathers were pushed too far by the dictates of King George III, and the American people are again feeling that same oppression from a government which has violated our Constitution, and has repeated many of the same intolerable actions that brought about the American Revolution, such as these that are taken from the Declaration of Independence:

. . . a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute tyranny over these States.

He has called together legislative bodies at places unusual, uncomfortable, and distant . . .

He has erected a multitude of new offices, and sent hither swarms of officers to harass our people, and eat out their substance.

He has combined with others to subject us to a jurisdiction foreign to our constitution and unacknowledged by our laws; giving his assent to their acts of pretended legislation.

For imposing taxes on us without our consent.

For taking away our charters, abolishing our most valuable laws, and altering fundamentally the forms of our governments.

The above quotes from the Declaration of Independence are all too familiar today to the American people.

Government, like fire, must be controlled and contained in order to serve the people. Once government gets out of control, it can destroy the people it was created to serve.

George Washington expressed it well when he said: "Government is not reason; it is not eloquence; it is force! Like fire, it is a dangerous servant and a fearful master!"

President Nixon stated many times that the New American Revolution is truly underway. He has referred to it as a profound, a far-reaching, a peaceful revolution, as exciting as that first revolution almost 200 years ago.

President Nixon has declared war on the American people, and the revolution he describes would overthrow our government of, by and for the people and replace it with the New Federalism which would be celebrated as "Interdependence Day" on our 200th Anniversary.

The hour is late, but not too late. Once the people become informed, victory will be theirs, and with God's help, our 200th anniversary will be celebrated in freedom.

Statement in Regard to the Governor's Local Government Reform Program, by Anne Garni, Hearing Held in San Jose, May 11, 1973

The statements which I shall make are approximately the same as those I made at the public hearing, chaired by the Council on Intergovernmental Relations, on May 11th, in San Jose.

I strongly support the reform of the present system which has been imposed upon the people by deliberately misinforming them of its true purpose.

In Santa Cruz, we have a so-called "Model City Charter", drafted by the National Municipal League, the law factory which turns out "Model County Charters" and "Model State Constitutions", and which has been, in their words, responsible for most of the civic reform movement in this century in the United States.

The National Municipal League is a satellite of the Public Administration Service, more commonly known as the 1313 Center. This Center was established on the University of Chicago Campus at 1313 East 60th Street, and was financed, directed and controlled by a Rockefeller foundation.

These model charters provide for appointed, all-powerful, administrators. In Santa Cruz, we have a city manager who owes his allegiance to his organization, The International City Managers' Association, which also is a satellite of the Rockefeller-controlled 1313 Center.

The city manager is beyond the control of the people who support him. The voters cannot recall this man, and it would take five of the seven members of the council to fire him. Our charter does not even require that this man be a citizen. It states only that he become a bona fide resident of the city after his appointment.

The members of the city council—the elected representatives of the people—are forbidden, under penalty of law, from interfering with the city manager or any of his department heads. A violation would be punishable by up to six months in jail, a \$500 fine, and the loss of the council seat. In practice, the elected officials are little more than window dressing, retained merely to keep up the pretense of still having a responsive, representative government.

The city manager is an advocate of regional government and has stated that it is a "wave of the future; that political boundaries are arbitrary lines." City managers are trained to guide elected officials toward appointive, regional government which merges local, State and the Federal government under the authority of the Executive branch of the Federal government.

Local government must be reformed, but only by returning it to the people, and freeing it from State interference, and from Federal mandates. Regional authorities, joint power authorities, and all other devious schemes now used to circumvent the vote of the people, by removing their right of control over government, must be repealed.

When first elected to the city council, the new official automatically becomes a member of the League of California Cities, which is another satellite of the 1313 Center. The tentacles of the public administration system begin to fasten their grip on the new member, pulling him away from his constituents, and into the bowels of the bureaucratic machinery that has superimposed itself over our republican form of government, which is being slowly smothered by an army of public administrators who have wormed their way into our local, State and Federal governments, taking over the powers and duties previously vested in elected representatives.

The League of California Cities carries a great deal of weight with the city officials throughout the State. The League's lobby in Sacramento pressures through legislation favorable to public administration, but with antipathy toward the taxpayers.

The following are excerpts from one of the League's resolutions, passed at the annual conference in San Diego in 1970: "Whereas, the proliferation of problems which cut across the traditional boundaries of local government entities has necessitated the creation of regional governmental agencies which overlap cities and counties. The creation of regional organizations throughout the State, which also may be known as Councils of Governments, should be required by statute. The regional organizations shall be granted such regulatory and taxing powers as necessary to carry out the regional functions."

The resolution not only eliminates the established boundaries of cities and counties, but it also disfranchises the voters and removes all control of expenditures and authority from elected officials within the regions.

Governor Reagan's Reorganization Plan of 1969 authorized the Council on Intergovernmental Relations to divide our State into planning districts, which is the first step in developing substate regionalism. On February 11, 1970, the CIR adopted the nine-regional division. Governor Reagan endorsed the policy position for these regions on May 21, 1970, stating that: "We have maintained a strong tradition of home rule whereby a high degree of governmental authority has been reserved to cities and counties."

The list of tasks for these regions could hardly be considered as representative of “home rule”. They are: Federal Highway Act of 1962; Demonstration Cities and Metropolitan Act of 1966; Intergovernmental Cooperation Act of 1968; Comprehensive Health Planning and Public Health Services Act of 1966; Criminal Justice Planning—Omnibus Crime Control and Safe Streets Acts of 1968; and Regional Water Quality Control Boards.

Where does all this fit into “home rule”? Or, does home rule mean regional control by the Federal government, through the subregions, and over the people?

We quote from the 12th Annual Report of the Advisory Commission on Intergovernmental Relations: “Substate regional bodies are proliferating. Federal programs encourage their formation to meet specific Federal objectives such as metropolitan planning (HUD), resource conservation and development (USDA), community action (OEO), cooperative area manpower planning (Labor), comprehensive health planning (HEW), and law enforcement (Justice).”

The same report stated that: “The President in Reorganization Plan No. 2 of 1970, established a Domestic Council to coordinate domestic policy formulation; and an Office of Management and Budget to strengthen his managerial control. The plan was heralded as giving the President the machinery to oversee the evolution of federalism.”

In reference to the Revenue Sharing Act, signed by President Nixon on October 20, 1972, he said: “We expect great things from this program—and we are going to be watching for them. I am asking the Advisory Commission on Intergovernmental Relations to monitor and evaluate the results of revenue sharing. The enactment of General Revenue Sharing represents only the first part of our comprehensive design to reform the institutions of government.”

As he signed the bill, he said: “In my State of the Union address nearly two years ago, I outlined a program which I described as a ‘New American Revolution—a peaceful revolution in which power (is) turned back to the people—a revolution as profound, as far-reaching, as exciting as that first revolution almost 200 years ago.’ The signing today of the State and Local Assistance Act of 1972—the legislation known as General Revenue Sharing—means that this New American Revolution is truly underway.”

President Nixon’s speech was typical of the kind of double-talk and half-truths which the propagandists are using to confuse the American people. The President’s New American Revolution is very real, and his words echo those of President Johnson when he spoke before the United Nations on December 17, 1963: “I worked with him (Roosevelt) to bring about a profound but peaceful revolution.”

The dictionary defines “revolution” as sudden change in the government of a country; the overthrow of one form of government and the setting up of another. President Nixon and his army of revolutionaries are overthrowing our Constitutional Republic and are replacing it with a Socialist Dictatorship. Is that returning power back to the people, or is it forcing power on the people?

The New American Revolution is peaceful only because the people cannot see the invisible, *de facto* government that has been gradually taking over powers granted to Congress and the States by our Constitution. Just as local government appears to maintain its representative image, so too have the three branches of the Federal government and the State governments maintained their visible structure.

In their 14th Annual Report, ACIR boasted: “Federal Revenue Sharing, a landmark legislation, signed into law by President Nixon on October 20, implemented a recommendation adopted by the ACIR in 1967. This step toward tax coordination constitutes yet another element in what is gradually emerging as an integrated fiscal system of Federal, State and local government taxation and expenditure programs.”

From the Executive Office of the President, the Domestic Council issued a pamphlet entitled: “The History of Revenue Sharing” in which we quote: “The skeletal plan was developed by a committee headed by Counsellor to the President, Arthur F. Burns, who is now Chairman of the Federal Reserve Board Taxes are collected most efficiently by the highly centralized Federal tax system. Each general purpose unit would receive its proportionate share of revenue based on how much money it raises locally. These units of government will be able to serve as laboratories for modern government. Revenue Sharing is an idea whose time has clearly come.”

The Office of Revenue Sharing has been established under the jurisdiction of the Secretary of the Treasury. From their booklet, we read the following: “The Office of Revenue Sharing consists of mainly attorneys, economists, analysts, and administrative specialists who will evaluate, administer, and verify the multibillion dollar program through audit and compliance measures. In the case of a unit of local government which spends money on non-priority expenditures, the local government will pay over to the Secretary an amount equal to 110 percent of any amount expended out of its trust fund in violation of the Revenue Sharing Act.”

The 1970 ACIR Report tells us that “Revenue sharing of itself is no panacea. It is one component—albeit an important one—of a comprehensive program to restore the fiscal balance in our federal system.” The Federal deficit,

ACIR explains, “is a mechanism of economic policy—a mechanism designed to stimulate recovery of the Nation’s economy.” State and local governments, ACIR added: “have made their tax systems more buoyant, and in the aggregate fared rather well.”

While the local government officials are gleefully dreaming up new ways to spend this windfall of dollars, few are aware of the price they will pay for this criminal scheme, which was sold to them with half-truths and blatant lies. How popular would this Act have become if it had been called “The *Federal Assistance Act*”, which is what the small print says it is. The propagandists sold it on the pretense that the people were going to get something for nothing. The second half of the Act was played down—hardly mentioned at all: The Federal Collection of State Income Taxes.

As the pieces of this jig-saw fall into place, we recall the words of Congressman Wright Patman who said: “The authority to collect taxes has been quietly transferred to the Federal Reserve System and the Wall Street Bankers who operate it.”

The Federal Reserve System and the Internal Revenue Service have never been audited, but these bankers now have access to the private papers of the American people, to examine their incomes and their expenditures, violating their right of privacy. Federal Revenue Sharing now extends this power over all units of government in order to “check the compliance of such rules and directives as the Secretary of the Treasury shall prescribe to enforce the act.”

The encyclopedia describes the U.S.S.R.’s form of government as being “a Communist Dictatorship, with the government structure consisting of a federation made up of fifteen soviets (called “republics”). All industry, agriculture, education, communications, and every other phase of human life is controlled by the dictatorship.”

President Nixon divided our country into ten soviets (called “regions”). He staffed these regions with appointees who will control labor, health, education, housing, welfare, transportation, law enforcement, environmental protection, etc., “consistent with the objectives and priorities established by the President.”

The New York Times Magazine of April 21, 1955, published an article entitled: NINE GROUPS INSTEAD OF THE 48 STATES. The subheading: A Proposal for Rebuilding the Structure of Government in Order to Deal With Issues on a National Scale. A map accompanied the article showing the division of the United States, explaining: “The Map of the United States as It Might Be Redrawn by the ‘Revisionists’ – States’ Rights Would Be Abolished and the Country Would Be Divided Into Nine Departments.” In the body of the article, we read: “The most common—albeit the most startling proposal—is to abolish so-called States’ rights entirely, preserving State lines only for sentimental reasons, and reapportion the United States into eight or ten great departments. To provide for strictly local expenses, a pro rata share of the national revenue would be turned over to the departments.” Because there was no definite plan for so altering the Federal Constitution, the author asks: “Could it be brought about by a simple Constitutional amendment?”

President Nixon has brought about this division—not by a simple constitutional amendment—but by *violating* the constitution which he swore to uphold. Why has Congress not seen fit to rescind the Executive Orders that are being used to change the structure of our government? And why has Governor Reagan not defended the sovereignty of the State of California from usurpation by the Federal government? Did he not take an oath to protect, preserve and defend the Constitution of the United States and of the State of California? Where is his loyalty? Is he serving the people of the State who elected him as their leader, or is he serving the invisible, administrative government as a vassal for the Rockefeller interests?

Governor Reagan replaced Governor Rockefeller on the Advisory Commission on Intergovernmental Relations in 1970. The purpose of the ACIR is to promote and implement increased taxation and totalitarianism. ACIR is also a satellite of the 1313 Center.

ACIR is composed of 26 members, 20 of whom are appointed by the President of the United States; three of whom are appointed by the President of the Senate; and three by the Speaker of the House.

The Senators and Congressmen, by serving as members of ACIR are violating Article I, Section 6 of the United States Constitution. Governor Reagan is violating Article V, Section 2 of the California Constitution which clearly states that he cannot hold other public office.

ACIR is the heart and soul of the “New Federalism.” From the various ACIR publication, the following statements have been taken:

The Commission devotes a major—and growing—proportion of time and resources to encouraging implementation of the recommendations it makes to the legislative and executive branches of Federal, State and local government.

Legislation to implement ACIR recommendations to Congress is usually introduced by United States Senators and Representatives who are members of the Commission.

The Council of State Governments includes most ACIR bills in its annual volume of "Suggested State Legislation".

Commission recommendations for State action are translated into draft bills and proposed Constitutional amendments which constitute ACIR's State Legislative Programs. These proposals have been made available in separate "slip bill" form. They are brought to the attention of key legislative and executive officials of all the States, as well as other interstate groups and individuals.

The creative partnership between Federal, State, and local governments in responding effectively to old and new social, economic, and developmental needs in urban and rural America can only flounder *unless antiquated State Constitutional provisions are revised.*

During the year, ACIR staff maintained liaison with various national groups (1313) representing State and local governments and with the Administration's Office of Intergovernmental Relations.

The Commission met four times during the year, three times in Washington, D. C. and once at the Western White House in San Clemente, California.

Attempts by the States to modernize their basic charters and to revamp the structure and organization of their governmental branches are basic ingredients of the continuing drive to *put more muscle on federalism's frame.*

The Commission and its key staff members submitted statements and testified before House and Senate committees on legislation of vital interests to *federalism.*

The above statements taken from ACIR publications will be repeated in speeches by our legislators. The membership of this Commission is made up mostly of leaders of the various 1313 satellites to which they belong, which includes the Governors' Conference, the National League of Cities, and National Association of Counties and the National Conference of State Legislative Leaders.

Governor Reagan lost no time in carrying out his duties as a loyal member of the ACIR. He appeared before the League of California Cities and before the County Supervisors' Association of California to tell the public officials of this State that they were saddled with a "horse-and-buggy system of local government." He told them about his "dream" of reforming government into a model of efficiency and economy. "Quite likely", he said, "some constitutional amendments may be required," but he said that he did not view that as an obstacle.

Governor Reagan has appointed Lt. Governor Reinecke to head the steering committee of the Local Government Reform Project. Reagan has given the responsibility for holding public hearings throughout the State to the Council on Intergovernmental Relations. No publicity is being given these hearings. There were just six people in attendance the afternoon of May 11th at the hearing that was held for this area, in San Jose. Input by the people is not important to the decision makers. You can be assured that the governor's Local Government Reform Project will develop according to the guidelines laid out by ACIR for the regionalization of the cities and the counties within the State.

The trend toward the collection of ALL taxes by the Federal Government has been increasing, and the Revenue Sharing Act will soon complete this takeover.

Oppressive taxation, inflation, shortages of housing, food, fuel; population and pollution problems; the crime wave; deteriorating education—all these are but a few of the problems that have been created by the revolutionaries in government. The reason? To psychologically prepare the people for a dictatorship as the only answer to the problems. It is the Hegelian principle of bringing about change through a three-step process of thesis, antithesis and synthesis.

Not a shot is being fired in this peaceful, profound, New American Revolution, but make no mistake about it, Nixon's "New American Revolution is truly underway" as he has said.

It is up to each and every one of us to resist this takeover. We can vote ourselves into slavery, but we cannot vote ourselves out. The network of control over every level of government by the Rockefeller-financed 1313 Center has destroyed our representative government. The hour is late, but not too late. Once the people become informed, victory will be theirs in this New American Revolution.

**Submitted Statement for the Record by Lanier C. Greer,
Executive Director, Kern County Council of Governments.**

Application of the "Criteria for Substate Districting" on pages 2 and 3 of the final (February 28, 1973) draft of the "Policy on Substate Districting and Areawide Planning Organizations" to Kern COG's Area of Planning Jurisdiction (APJ) proves clearly that this APJ should be established by CIR as a separate and distinct planning district and not included in the six-county District 6, as it was on the district map adopted by CIR before the Substate Districting Policy was adopted.

Kern COG, hereby, respectfully requests designation of its APJ as a one-county, multi-city substate district and that it be shown as such on the new Substate District Map which your honorable body is preparing.

Resolutions, minute actions, or letters supporting Kern COG's request for establishment of its APJ as a single-county, multi-city substate planning district have been sent to CIR by: the County of Kern; the cities of Arvin, Bakersfield, McFarland, Ridgecrest, Shafter, Taft, Tehachapi, and Wasco; and the North Bakersfield Recreation and Park District. No city, district, organization, group, or individual in the APJ has expressed opposition to this request.

Some of the primary reasons for the Kern COG APJ retaining autonomy are presented below, grouped according to the CIR criteria:

1. Geographic Region.

A. Less than one-quarter of the APJ is within the San Joaquin Valley and has common concerns with valley communities to the north. The major development (and hence planning) problems are related to the south.

B. East Kern is in an air basin including California's entire east tier of counties from Imperial to Alpine. All other District 6 counties are entirely within the San Joaquin basin.

C. The Kern portion of the San Joaquin Valley is a closed basin. Normally no drainage flows out of the county to the north. The only drainage which the APJ receives from District 6 counties is that contained in the Kern River, which is controlled by Isabella Dam, and the small amounts brought in by Poso Creek. The APJ shares numerous drainage concerns with its neighboring counties to the east, west, and south.

D. East Kern is in a hydrologic study area with Mono, Inyo, and San Bernardino (no other District 6 counties are).

E. Tehachapi Pass, with its major road and rail facilities, is the only all weather east-west pass south of Donner. This provides the APJ with direct, convenient rail and vehicle access to the east, which the other District 6 jurisdictions lack. Route 178 is being reconstructed to freeway standards at this time. Upon completion, this will strengthen this APJ's unique orientation to the east.

F. State Routes 46, 58, and 166 all provide direct links to the coast. From the APJ. No other District 6 jurisdiction has any direct link to the coast. Routes 46 and 166 are in the State System for future construction to freeway standards.

2. Urbanized and Urbanizing Areas.

A. Bakersfield, which is the central city of this SMSA, can grow to its maximum size within the present APJ (it is 50 miles from the closest county boundary).

B. The mountain communities of Frazier Park, Lebec, and Lake of the Woods have close immediate ties and share development problems with adjacent Ventura County and with Gorman in Los Angeles County.

C. The desert communities of Randsburg and Johannesburg share their water problem with Red Mountain and Atolia in San Bernardino County.

D. Approximately 200 of Greater Delano's 15,400 population reside in Tulare County. No other community in the APJ has any population in or near the counties to the north of the APJ.

E. Mojave, Rosamond, Boron, California City, and several smaller communities look forward to supplemental water supply through the transmission lines of the Antelope Valley-East Kern Water Agency (AVEK). These lines will come through Los Angeles County.

3. Social and Economic Factors.

A. The APJ is a socioeconomic unit. Most of its needs are met within the APJ. Those needs which must be met outside the APJ are met almost exclusively to the south.

B. The Bakersfield *Californian's* total circulation was 54,712 in December, 1971. Of this total, 991 went outside Kern County. Only two communities outside the county received over 100 copies: Porterville in Tulare County and

Cuyama in Ventura County. Only three communities outside the county received between 25 and 100: two in Tulare County and one in Los Angeles. (Source A.B.C. Audit dated December 12, 1971.)

C. Newspaper subscriptions in the A.B.C. "City Zone" are indicative of a city's residents economic and social interest in other cities. A study prepared by Copley International for the Bakersfield *Californian* in 1971 indicated that less than 2% of the area's residents subscribe to the Fresno *Bee*, while over 13% subscribed to the L.A. papers. (99.8% of the 500 persons surveyed subscribed to the *Californian*.)

D. Valley Plaza, Bakersfield's largest shopping center, considers its trade area as extending from Delano on the north, to Gorman to the south; and from Taft to the west, to Tehachapi to the east. All of these communities are in Kern County except Gorman, which is in L.A. County.

E. Petroleum, which ranks just ahead of agriculture as the APJ's number one industry (1970 values of \$347 million and \$346 million, respectfully), has ties to the west and south—not to the north. Kern's other mineral production activities (1970 value \$115 million) are also not related to the northern counties.

F. Creation of a Southern California Economic Development District (EDD) has been proposed by Los Angeles County. The district would extend from the northern boundary of Kern County south to San Diego. While not yet approved, this proposal is being favorably considered by Kern County.

G. The Castaic Lake Regional Recreation Authority has been created by Kern, Ventura, and Los Angeles Counties to develop recreational facilities around this lake, which was created by the recently completed Castaic Dam.

H. Three of the high school districts serving Kern County students are multi-county, but only the smallest of these serves students living to the north and in the San Joaquin Valley. The three are: Antelope Valley Joint Union High School (total assessed value \$472 million) serves Kern and Los Angeles; Kern County Union High School (total assessed value \$657 million) serves Kern, Inyo, and San Bernardino; and Delano Joint Union High School (total assessed value \$59 million) serves Kern and Tulare.

I. California State College, Bakersfield, has an educational service area comprised of Kern, Inyo, and Mono Counties, and portions of Los Angeles and Tulare Counties. This area is included in the University of California at Santa Barbara's service area.

J. Driving time from Bakersfield to many of the communities in the APJ is over one hour from the central city, although most of the population is within a one hour drive. It would be impossible to provide any kind of meaningful technical assistance to communities in a larger region.

4. County Boundaries.

A. Kern as a single-county, multi-city COG is larger (8,172 sq. miles) than the nine-county ABAG (7,401 sq. miles); almost as large as the eight-county SRAPC (8,535 sq. miles); and almost twice as large as the single-county, multi-city San Diego Region (4,314 sq. miles).

B. Kern County has a common boundary with eight other counties (a ninth, Monterey, is within two miles of Kern's northwest corner). No other county in the State has as many adjacent counties with which to coordinate its planning.

C. The Kern COG APJ, while encompassing only one county, is truly multijurisdictional. It contains, in addition to 11 incorporated cities, 121 special districts (exclusive of 53 school districts and 45 county service areas). Only four counties in the State have more special districts to coordinate. Many of the jurisdictions in the APJ have written to CIR supporting its continuance as an APO. None of the jurisdictions oppose Kern COG's continuance as an APO.

The Kern COG APJ must be planned in cooperation with all adjacent counties. The APJ is a "swing" area. Its location between the major growth areas of the State, its size and its topography combine to cause it to look in different directions for different purposes. Inclusion of the APJ with the valley counties will tend to blind the area to its equal or greater cooperative planning obligations in other directions.

**Submitted Statement for the Record by A. McKay Rich,
Acting Executive Director, Columbia Region Association of
Governments.**

I am sorry that your witness schedule at the Commission's June 21 hearing in San Francisco is so crowded. However, I do appreciate the opportunity to submit the attached material which supports the basic concept of substate regionalism.

The executive board of the Columbia Region Association of Governments (CRAG) appointed a special Action and Direction Committee in April 1972. The Committee was asked to evaluate the need for a regional agency, to identify the functions or aspects of that could better be performed at a regional level, to determine on the basis of need and functions the nature of the organization and the type of governing body, to ascertain methods of financing such an agency, and, if needed, to propose ways to effectuate such an organization.

In November 1972, the Committee submitted its report to the executive board. After due consideration and several minor amendments the executive board adopted the Committee report and had prepared the legislation needed to implement the report. The draft of legislation was presented to the CRAG General Assembly where it was approved for submission to the Oregon Legislative Assembly by a vote of 18 to 7.

Senate Bill 769, which resulted from the above action and a copy of which is attached, passed the Oregon Senate 16 to 12. The House Local Government Committee approved it 6 to 5 and it is scheduled for House action about June 22.

Concurrently with the above activity, CRAG officials and personnel worked with representatives of other Councils of Governments in Oregon to strengthen the role of such councils in other parts of the State. Because regional problems do not loom as acutely in non-metropolitan areas, this legislation failed to achieve majority support primarily because of opposition from people outside the metropolitan areas or the more rural parts of the metro areas.

Another piece of legislation of considerable interest to this area is Senate Bill 891 which provides a procedure whereby the present Metropolitan Service District and the Columbia Region Association of Governments can be merged thus combining the regional planning agency and a regional multi-purpose operating agency. This legislation was introduced so late in the session that its chance for favorable action is very slim. Nevertheless it and the activities described above indicate a real interest in strengthening the ability of this region to govern itself regionally where regional solutions are required.

Thank you again for the opportunity to submit this material for the record. I am looking forward to attending the meeting to listen to the oral presentations.

ROLE OF THE COLUMBIA REGION ASSOCIATION OF GOVERNMENTS

In the past six years, the Columbia Region Association of Governments has been an important source of improved intergovernmental communication and coordination in the Portland Metropolitan Area. At this time, however, the need for attention to regional development and problems goes well beyond communication and cooperation based solely on voluntary intergovernmental compacts.

Both National and State legislation increasingly requires extensive planning on a regional basis. For the time being local governments have the chance to do that planning themselves through a regional organization in which differences can be resolved at the local level and strength can be found in numbers. Failing that, the State and Federal government will ultimately do the planning themselves leaving local governments to adapt as best they can.

Local governments within the Portland Metropolitan Area have within their grasp the ability and leadership to give strong and decisive direction to the region's development in the coming years, direction based upon the desires of local citizens and their elected officials.

To meet the present need, local governments must have a stronger organization through which to plan and give direction to regional development. In short, CRAG must make the transition from an advisory voluntary association to a planning organization. As such, its central authority should be to review plans and implementation programs developed at *any* level of government — local, State and Federal — that have been designated by the executive board as having significant regional impact on the region. Such designation should be made by a majority vote of the executive board on the basis of written justification and should be accompanied by a specific criteria for review of plans and

implementation programs. Review authority shall include the right to approve, disapprove and modify plans and programs as they affect the region.

To exercise this authority, CRAG must carry out reviews of plans and programs, develop regional plans, and aid constituent local governments in strengthening their planning. The organization will need authority beyond voluntary intergovernmental compact, and it will require a source of revenue independent of that provided by its members. The following sections elaborate upon these basic conclusions of the Action and Direction Committee.

I. Goal Establishment

Regional establishment of goals and objectives is intended to assist local governments in arriving at a balance between uniform general standards and regional coordination on the one hand, and variety through detailed local planning and implementation programs on the other.

CRAG should establish broad regional goals and objectives for the entire CRAG area.

In establishing regional goals and objectives and priorities it should be clearly understood that these goals and priorities will have to be flexible so that they can reflect changing conditions or circumstances and so they will not destroy the initiative of local governments and private capital in community development. Veto authority shall only be exercised in those instances where local planning and implementation programs are not in conformity with regional plans.

II. Fiscal Policy

CRAG's responsibility should be to prepare and advocate guidelines that will encourage fiscal policies that will compliment the regional comprehensive plan and aid in its implementation. Such guidelines will need to consider such subjects as assessment, equalization, exemptions, tax differentials, incentives, penalties, public ownerships, bonding, service or user fees, tax sharing.

III. Data Gathering

CRAG should be responsible for the preparation of regional information upon which local plans are based.

CRAG shall serve as the central depository and distribution center for data and should also be responsible for establishing guidelines for the collection and distribution of data significant to the region including, but not limited to: a) the kinds of data needed, and b) the format for the data to be collected.

IV. Plan Preparation

Upon adoption of regional goals and objectives, CRAG should prepare the regional comprehensive plan. The plan should be general in nature, setting guidelines for the region's development and for the allocation of resources to implement it.

In preparing the comprehensive plan for the region, CRAG should work closely with the local governments and state agencies who will be responsible for its implementation through detailed planning and action programs. Such coordination should facilitate CRAG's review of detailed plans and programs for conformance to the comprehensive plan and should improve and support local planning efforts and decisions.

V. Priority Setting

CRAG should develop criteria by which proposals will be evaluated to determine their compatibility with regional goals and objectives, and plans. On the basis of the criteria, priorities will be established regarding the type and timing of developments and the allocation of resources.

VI. Review for Plan Conformance

Under the A-95 review process, CRAG has the responsibility of reviewing applications for federal money, to determine if the proposed project is compatible with regional plans. This review process should be extended to any planning, improvement, or development project, without respect to funding source, that has been designated by the executive board as having significant regional impact on the region.

VII. Citizen Participation and Procedure

CRAG should establish procedures which insure timely acceptance of a regional plan. There should be assurance of

input in the process of plan formulation by local government and by the citizen. A reasonable schedule should be set for plan drafting, for comment by constituent governments, for citizen participation at all stages, and for final approval by the CRAG Executive Board and General Assembly. The procedure should provide for public meetings and hearings, for coordination, for negotiation and communication among planning agencies, government officials, and citizen advisory groups.

Adopted for a Guide in Drafting Legislation by the executive board, January 24, 1973.

FUNDING OF CRAG

In recommending a strengthening of CRAG, one of the tools that will be needed to guarantee success will be adequate and stable funding. At the present time, CRAG is funded by contributions from the cities and counties along with Federal grants.

The figures indicate:

1. CRAG is almost totally dependent on Federal programs.
2. Federal funding is an uncertain and an unstable source of revenue because all of the Federal grants except the HUD 701 planning funds, are categorical in nature. They can be spent for only special programs and not general funding, and secondly, they come and go at the discretion of Congress and the Federal agencies.
3. The State's contribution to date has been negligible, and largely dependent on the Governor's interest in regional concepts.
4. The cities and counties have responded to their responsibility of funding CRAG. In 1967 the per capita assessment was 8¢. This was raised to 12¢ in 1970 and 16¢ in 1971. However, in spite of their willingness to finance CRAG, the cities and counties may, due to their financial difficulties, find it difficult to increase their dues by an appreciable amount.

In order to put CRAG on a sound financial base, we should:

1. Reduce CRAG's dependency on the Federal agencies.
2. Look to the cities and counties for continued basic support, aided and assisted by State funds. To assure stability, local dues should be mandatory.
3. Look to the legislature for a source or revenue that can serve as a companion to the city and county membership dues. This source should not be a grant by a state department, but rather a source for CRAG fixed by law, thus giving it the quality of endurance. Local and state funds should together support basic CRAG administrative and planning functions.
4. Look to Federal grants that can assist in program financing that will support the region's goals and objectives.

COLUMBIA REGION ASSOCIATION OF GOVERNMENTS VOTING STRUCTURE FOR THE NEW "ROLE" OF CRAG

Clackamas County	2 votes	Multnomah County	3 votes
Combined Cities	1 vote	Combined Cities	1 vote
		City of Portland	7 votes
Clark County	2 votes	Washington County	2 votes
Combined Cities	1 vote	Combined Cities	1 vote
Columbia County	1 vote		
Combined Cities	1 vote	TOTAL	22 votes

The City of Portland should have the option to have one or more than one member of its commission represented on the board and casting the City's votes. The decision would be determined by the Portland City Commission at the time of their member or members being appointed to the CRAG Board and said decision would remain in affect for one year.

RE-ENGROSSED
Senate Bill 769
Ordered by the Senate May 9
(Including Amendments by Senate April 25 and May 9)
Sponsored by
COMMITTEE ON LOCAL GOVERNMENT AND URBAN AFFAIRS
SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Authorizes formation of regional planning district in metropolitan area for purpose of providing coordinated regional planning. Defines "metropolitan area." Prescribes procedure for formation of district.

Provides for management of district by _____ Region Association of Governments. Prescribes membership of district and association. Establishes specified initial board of directors of district to organize district. Dissolves initial board of directors of district upon organization of district and appointment of permanent board of directors. Prescribes duties and powers of district, general assembly, association and board of directors of district.

Creates general assembly for district to direct function of district, consisting of members and associate members of district. Authorizes general assembly to assess members and associate members of district for funds for operation of district. Provides for fiscal management of district.

Declares emergency. Takes effect July 1, 1973.

A BILL FOR AN ACT

Relating to regional planning; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. (1) The Legislative Assembly finds that it is necessary and a matter of state-wide concern to provide for properly coordinated regional planning in metropolitan areas and to provide a method of organizing and managing representative regional planning districts in such areas.

(2) The Legislative Assembly finds that it is a matter of state-wide concern to establish a representative regional planning agency to prepare and administer a regional plan for the lands described in subsection (1) of this section.

SECTION 2. (1) ORS chapter 198 does not apply to any district formed under this Act.

(2) This Act shall be liberally construed to accomplish its purposes as specified in section 1 of this Act.

SECTION 2a. For the purposes of section 19 of chapter —, Oregon Laws 1973 (Enrolled Senate Bill 100), a district formed under this Act shall exercise within the region the review, advisory and coordinative functions assigned under subsection (1) of section 19 of chapter —, Oregon Laws 1973 (Enrolled Senate Bill 100) to each county and city that is a member of the district.

SECTION 3. As used in this Act, unless the context requires otherwise:

(1) "Associate member" means an associate member of the district as provided by a rule adopted pursuant to section 8 of this Act.

(2) "District" means a regional planning district formed under this Act.

(3) "Goals and objectives" mean the regional land use goals and objectives adopted pursuant to subsection (1) of section 9 of this Act.

(4) "Governing body" means, in the case of a county, the county court or board of county commissioners of the county or, in the case of the city, the city council or other legislative body of the city.

(5) "Member" means a member of the district as specified under section 7 of this Act.

(6) "Metropolitan area" means a geographical area which is within the boundaries of Clackamas, Multnomah and Washington Counties.

(7) "Plan" means a generalized, coordinated plan for the orderly management and development of the lands within the region that interrelates all functional and natural systems and activities relating to all the use of the land, air and water within such region, including but not limited to sewer and water systems, transportation systems, recreational

facilities, air and water quality management programs, residential, commercial and industrial developments and the provision of public services.

(8) "Planning" means preparing a plan, modifying and amending the plan as necessary, and administering the plan as provided by this Act and the rules of the district.

(9) "Region" or "regional" means all the geographic area included within the boundaries of a district.

(10) "Special district" means any unit of local government, other than a city or county, that is authorized and regulated by law, including but not limited to water control districts, irrigation districts, port districts, air pollution control districts, fire districts, school districts, hospital districts, mass transit districts and sanitary districts.

SECTION 4. (1) As provided by this Act, a district may be formed in a metropolitan area for the purpose of providing coordinated regional planning. The jurisdiction of the district shall include all territory within the metropolitan area.

(2) The governing body of any county, or of the most populous city within a county, in a metropolitan area may by resolution propose formation of a district if the city or county has a planning authority and finds that regional planning needs cannot be met by its local planning authority.

(3) The resolution of the governing body shall:

(a) Be considered at a public hearing after notice as required by charter or ordinance for consideration of other resolutions;

(b) Include findings of need for formation of a district in the metropolitan area and specify the metropolitan area; and

(c) Be addressed to the Governor and submitted to him for filing.

(4) Within 30 days after the resolution is received by the Governor, he shall review it and determine if it meets the requirements of subsections (2) and (3) of this section. If it is sufficient, he shall file the resolution and the district shall be considered established as of the 30th day after the resolution is so filed. If the Governor finds that the resolution does not meet the requirements of subsections (2) and (3) of this section, he shall return it to the initiating governing body with a statement of his reasons therefor.

SECTION 5. (1) A district shall constitute a municipal corporation of this state, and a public body, corporate and politic, exercising public power. It shall be considered a unit of local government for the purposes of ORS 190.003 to 190.110, and a public employer for the purposes of ORS 236.610 to 236.650. It shall be entitled to tax refunds as allowed under ORS 319.350 and 319.831 to cities. It shall have full power to carry out the objects of its formation and to that end may:

(a) Sue and be sued in its own name.

(b) Adopt an official seal.

(c) Establish a budget and assess its members and associate members for the support of its lawful activities as provided in section 13 of this Act.

(d) Contract with any of its members or any other state or local governmental agency for the performance of services or the exchange of employees or services in carrying out its functions as provided by law.

(e) Enter into contracts or other agreements with any agency of the Federal Government, of this state or of any local or regional governmental agency in this state having jurisdiction over contiguous or nearby lands; and, subject to the prior approval of the Legislative Assembly, enter into any compact with another state having jurisdiction over contiguous or nearby lands.

(f) Perform any other functions that the board of directors for the district considers necessary in carrying out this Act.

(2) The district may not levy taxes for the purpose of financing its functions pursuant to law, but shall finance its operations as provided in this Act.

SECTION 6. (1) Members of the district shall be each county located within the district and each city located within such counties.

(2) The business affairs of the district shall be managed by an association consisting of the members of the district and such associate members as may be appointed. The association shall be known as _____ Region Association of Governments.

(3) The governing body filing the resolution with the Governor shall notify each of the other members of the formation of the district and call the first meeting of the district not later than 45 days after the date the district is formed.

(4) The first meeting of the association shall be attended by the initial board of directors who shall be appointed as follows:

(a) One member appointed by the governing body of each member county.

(b) One member appointed by the governing body of each member city having more than 300,000 population on the effective date of this Act.

(c) One member, representing all of the cities each having a population of less than 300,000 on the effective date of this Act and situated within each member county in the district, selected by joint action of a majority of the mayors of such cities.

(5) Each member of the initial board of directors specified in subsection (4) of this section must be appointed prior to the expiration of 30 days after the effective date of this Act. If any such member has not been appointed by the date of the first meeting, the Governor within 10 days after such meeting shall appoint an initial director to fill the vacancy.

SECTION 7. (1) Not later than the expiration of 120 days after the first meeting, the initial board of directors for the district, in accordance with ORS 183.355, shall provide by rule for the organization of the association and the conduct of the business of the district. Such rules shall provide for the representation of all members in a general assembly of the district and shall provide for the establishment and duties and powers of a board of directors for the district to manage the business affairs of the district as provided by law. The rules shall take into account the relative population of the members and provide a procedure whereby the interests of smaller members will be adequately represented.

(2) Immediately following the adoption of such rules by the initial board of directors for the district, the association for the district shall be organized in accordance with such rules. Upon the organization of the association of the district and the establishment of a board of directors for the district, the initial board of directors of the district shall be dissolved and the terms of each member of such board shall cease.

(3) Any rule of the district relating to the organization of the association or the representative status of association members may be amended or revised, from time to time, only by a majority vote of the members of the general assembly of the district. Each such vote shall be recorded in the records of the district.

(4) Except as otherwise provided by subsection (3) of this section, the board of directors of the district, from time to time, may adopt such other rules and revise or amend existing rules as they consider necessary for the district in carrying out its functions as provided by law. Unless otherwise provided by rule, a majority of the members of the board of directors constitutes a quorum for the transaction of business.

SECTION 8. The association may provide by rule for one or more categories of associate membership in the district to enable special districts, political subdivisions of this state, agencies of this state or the Federal Government and any other interested and affected public bodies to participate in the conduct of the activities of the district. Any such rule may provide for the representation of associate members on the board of directors and may require a financial contribution to the district as a condition of associate membership in the district.

SECTION 9. The district shall:

(1) Adopt by rule regional land use planning goals and objectives;

(2) Prepare, maintain and modify as necessary a plan for the region in accordance with the goals and objectives;

(3) Designate areas and activities having significant impact upon the orderly and responsible development of the region and establish rules and regulations for the development, use and control of such areas and activities;

(4) Review the comprehensive land use plans in effect on the effective date of this Act in or subsequently adopted by the members and associate members of the district and recommend or require, as it considers necessary, changes in any such plan to assure that the plan conforms to the goals and objectives;

(5) Coordinate the land use planning activities of its members and associate members;

(6) In the discretion of the board of directors, review the zoning, subdivision and other similar ordinances and regulations of its members and associate members and all actions taken pursuant thereto to assure conformity with the goals and objectives; and

(7) Coordinate its activities and the related activities of its members and associate members with the land use planning and development activities of the Federal Government, other local governmental bodies situated within this state or within any other state and any agency of this state or another state.

SECTION 9a. If a district requires a change in a plan of a member or associate member of the district under subsection (4) of section 9 of this Act, the member or associate member may seek review of such required change as provided under paragraph (c) of subsection (1) of section 51 of chapter —, Oregon Laws 1973 (Enrolled Senate Bill 100).

SECTION 10. The district may apply for, accept, receive and expend appropriations, grants, loans, gifts, bequests and devises in carrying out its functions as provided by law.

SECTION 11. The board of directors may employ such clerical and other staff, agents and independent contractors and provide for the compensation of such staff, agents and independent contractors and provide for the compensation of such staff, agents and contractors as it considers necessary in carrying out the functions of the district as provided by law.

SECTION 12. All meetings of the general assembly and the board of directors for the district, except meetings on matters involving the management of employes of the district and other labor matters, shall be open to the public. All decisions of or actions by the general assembly or the board of directors of the district shall be recorded in the records of the district. The records of the district shall be open for public inspection, during business hours, in the main office of the district.

SECTION 13. (1) The fiscal year of the district shall commence on July 1 of each year and end on June 30 of the following year.

(2) Prior to the beginning of each fiscal year, the district shall prepare and adopt, and may revise from time to time, a budget itemizing expenditures planned for such ensuing fiscal year and estimating the amount and sources of income available to pay such proposed expenditures. ORS 294.305 to 294.555 shall not apply to the preparation, adoption or revision of the budgets of the district.

(3) The general assembly for the district, in its sole discretion, may determine that it is necessary for the members of the district to contribute funds to support the activities of the district during any fiscal year. If the general assembly determines that it is necessary to require contribution from the members of the district for any fiscal year, it shall determine the total amount to be contributed by the members of the district and shall assess each member of the district such portion of the total amount to be contributed as the population of the member city or member county bears to the total population of the region. For the purposes of this subsection the population of a member county does not include the population of any city situated within the boundaries of the member county. The population of each member city and each member county shall be determined in the manner prescribed by the general assembly of the district.

(4) The decision of the general assembly to assess the members of the district and the amount of the assessment upon each member of the district shall be binding upon the members of the district. Members shall pay such assessments on or before October 1 of the fiscal year for which the assessment has been made.

SECTION 14. Notwithstanding subsection (1) of section 13 of this Act, the first fiscal year for the district shall commence on a date fixed therefor by the initial board of directors of the district.

SECTION 15. This Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this Act takes effect on July 1, 1973.

**Submitted Statement for the Record by Angelo J.
Siracusa, Executive Director, San Francisco Bay Area
Council.**

I have received a notice of the tentative schedule and witness list of the ACIR commission meeting in San Francisco June 21-23.

The San Francisco Bay Area Council, a regional nonprofit business-sponsored organization, has had an interest in the question of substate regionalism since 1958. We are currently attempting to promote the passage of legislation to create a multi-purpose regional agency for the San Francisco Bay Area. I am enclosing some information on the Bay Area Council and on our position of regionalism.

I would like to appear on behalf of the Council before your Commission at the public hearing starting at 1:00 p.m. on June 21.

May I hear from you confirming that I will be allowed to testify and with any other instructions in connection with the hearing?

SAN FRANCISCO BAY AREA COUNCIL

The San Francisco Bay Area Council is a private, non-profit organization dedicated to the environmental, economic, social and civic enhancement of the nine-County Bay Region. Established in 1945, the Council is supported primarily by business, but with added participation from government, education, labor and civic interests. The organization is a research-based, action-oriented body developed and articulating the responsible business viewpoint on important regional issues.

NEW DIRECTIONS

In 1972 the Council embarked on a new course to become a more dynamic force in shaping the future of the Bay Area. There are several principles which underlie this new direction:

Research. Council policies are based on indepth study and analysis. They attempt to balance economic, environmental and social considerations.

Initiative and Positive Action. The Council asserts that it can and should be a positive and constructive influence in regional affairs. As such, the Council attempts to be instrumental in initiating—not merely reacting to—public policy.

Cooperation. The Council involves itself on a partnership basis with other elements of the regional society involved in shaping public policy. The Council invites participation in the development of Council policy by non-business interests and also participates with other agencies and organizations toward reaching regional goals.

Project Feasibility. The decision on Council involvement in project areas is based, not only upon the regional importance of the issue, but also upon the determination that the Council can make an effective contribution.

Action. It is not enough for the Council to merely adopt policy positions. The organization must also develop and implement a strategy to bring those positions to fruition.

PROGRAM

The 1973-74 program revolves around four principal areas:

Coordination of Regional Decision Making. The Council believes that there needs to be reorganization of the regional governmental process. Therefore, the Council advocates the establishment of a multi-purpose regional agency to: (a) consolidate the existing structure of single-purpose agencies; (b) preclude the necessity for other single-purpose regional districts to be formed; and (c) provide a mechanism to develop and implement a comprehensive approach to regional decisions.

Environmental Enhancement. It is in the business interest to protect the unique physical and environmental amenities of the Bay Area. The Council is committed to programs dealing with environmental preservation and enhancement—regional land use planning, open space preservation, improvement of the quality of our air and water, management of solid waste, and the protection of San Francisco Bay and the Pacific coastline.

Transportation. The Council is actively working toward the development of a comprehensive regional transportation

network with coordination and balance among the various transportation modes and operations in the region.

Economic Growth. The Council is involved in various programs dealing with balanced economic development. Additionally, the governmental, environmental and transportation programs listed above are conducted within the frame-work of reconciliation with economic goals.

STRUCTURE

Policy Bodies. The board of trustees is the final policy body of the Council and is made up of approximately 60 senior executives of major Bay Area firms. The executive committee is delegated certain policy authority by the board. The committee is composed of eleven members of the board.

Project and Action Committee (PACOM). The managing committee of the Council is PACOM which evaluates the many programs and project possibilities; establishes priorities; selects specific project areas; decides on the scope, time and elements of the project; and selects members to serve on the project task forces. PACOM is made up of 15 persons, nine of whom represent Council business firms and six from the non-business community.

Task Forces. Projects will be undertaken on an ad hoc basis with project task forces. Normally, projects are quite specific and short-term. When the project is completed, the task force is disbanded. Task force membership includes non-business participation. Members are selected because of a demonstrated interest, technical expertise and other qualifications which will help achieve a thorough and balanced study and analysis of each issue.

Membership. Invitation to Council membership is extended to firms which subscribe to the principles of progressive business involvement in regional issues. Since the Council is a public foundation under IRS code (501) (c) (3), membership subscriptions are tax exempt.

Staff. The Council has a small staff of organizational professionals who not only perform administrative and organizational tasks, but also represent the Council in the public sector by participating in governmental, organizational and public activities on behalf of the Council.

BAY AREA COUNCIL POLICY POSITION ON REGIONAL GOVERNMENT REORGANIZATION FOR THE BAY AREA

The Bay Area Council advocates the enactment of legislation to create a multi-purpose, limited-function regional agency for the San Francisco Bay Area. The Council's position is premised on three main principles:

1. The need for comprehensive regional planning and appropriate powers of implementation;
2. The existence of a number of single-purpose regional agencies and the need to coordinate the interrelated issues and solutions to regional issues presently under the jurisdiction of those agencies; and
3. The ability to preclude the necessity for the establishment of any new single-purpose regional governmental agencies.

The Council is recommending that an agency be formed in two phases, beginning with a four-year interim operation, but automatically becoming a permanent governmental body at the end of that four-year period.

The following is an outline of the major issues to which the Council policy position addresses itself. The Council's policy on the issue will usually be described as the Council proposed the agency in both its *permanent* state as well as in the *interim* period.

1. ISSUE - ANOTHER LAYER OF GOVERNMENT

Council Policy: The Council contends that the regional layer of government already exists in the form of a number of single-purpose regional districts. The Council's policy is that, wherever possible, regional regulatory and planning agencies should be consolidated into a single multi-purpose agency. Where such consolidation is not possible and with operating agencies, these bodies would retain their organizational integrity, but would be subject to review authority of the regional agency.

Permanent. The regional agency would consolidate the functions of the Metropolitan Transportation Commission, the Bay Area Sewer Services Agency, the Bay Conservation and Development Commission, the Bay Area Air Pollution Control District.

Interim. Within the first four-year period, each of these agencies would remain in existence, but would operate within the framework of regional policies and plans established by the multi-purpose agency.

2. ISSUE - PROLIFERATION OF SINGLE-PURPOSE DISTRICTS

Council Policy: The Council recommends that no new single-purpose regional districts be established. If a problem needs to be solved on a regional basis, it would be planned and regulated by the multi-purpose agency.

Two regional issues which the Council considers to be of prime importance are regional land use planning and control and regional solid waste management. Therefore, the Council recommends that these functions be incorporated into the agency, both in its interim and permanent states.

3. ISSUE - AUTHORITY

Council Policy:

Permanent. The agency would have the authority to develop regional policies and plans, including a regional land use plan. It would also have the power to review applications for Federal and State grants and loans and would have the permit powers presently held by any of the four regional agencies who themselves hold such powers.

Interim. Besides the regional policies, plans, financial review and permit powers mentioned above—during the interim period, the agency would also have the power to review the budget of the four agencies to be consolidated and would establish a system for permit and procedural coordination among the four agencies.

4. ISSUE - LAND-USE PLANNING, REGIONAL VS. LOCAL

Council Policy: While supporting the concept of regional administration, the Council is concerned that local government be protected. The Council is not advocating that the regional agency be a stepping stone for the consolidation of local government or that the agency encroach upon the proper jurisdiction of local government. In some functions the regional issue is clear. e.g., air pollution control. However, in others, there exists a problem of interpretation as to whether the issue is regional or local. One of the more sensitive areas is that of land-use planning and control. The Council is advocating that the regional land-use plan address itself only to land uses which have an obvious regional impact and that the agency not involve itself in local zoning. While the Council was unable to offer specific language on how the distinction would be made between regional vs. local land uses, the Council's policy position recommends that during the interim period, the agency draw up such specific plans and policies to insure the protection of local government in the land use planning enforcement area.

5. ISSUE - RELATIONSHIP WITH OPERATING AGENCIES

Council Policy: The Council does not advocate the consolidation of operating districts, including BART, Golden Gate Bridge, Highway, and Transportation District, etc., or airports or seaports. The Council advocates that these should be operated under their present jurisdictions. However, since certain of their decisions have regional impact and impinge upon other regional issues, the Council recommends that these would have to operate within the authority which the agency would have in connection with regional policies, regional land-use planning and controls, and financial review.

6. ISSUE - GOVERNING BODY

Council Policy: The Council feels that the region would be served best if the agency's governing body was made up of persons directly elected from regional districts and representing regional rather than local issues. However, acknowledging the politics of this issue, the Council's position is that the legislation should be written to allow for this issue to be voted on by the voters of the Bay Area when the agency is becoming permanent.

Permanent. The Council prefers a directly elected board of relatively small size (between twenty and thirty).

Interim. During the first four years, the Council recommends that the board be made up of 27 persons; three each from the five counties with populations of 500,000 or more, two each from the four counties with populations of less than 500,000, all selected by boards of supervisors and city selection committees. Also there would be one representative from each of the four agencies to be consolidated—MTC, BASSA, BCDC and BAAPCD.

7. ISSUE - THE DEVELOPMENT OF THE PLAN FOR THE PERMANENT AGENCY

Council Policy: During the four-year interim period, the agency would develop a final plan which would include procedures for the consolidation of the four single-purpose regional districts, a plan for permanent financing, and the procedures for a mandatory plebiscite to determine whether the governing board should be directly elected. Additionally, the interim period would also be used to develop a regional land-use plan and a regional solid waste management plan.

8. ISSUE - FINANCING

Council Policy:

Permanent—to be determined by the agency during the interim period.

Interim—a property transfer tax.

SUMMARY OF A POLICY POSITION ON A MULTI-PURPOSE REGIONAL AGENCY FOR THE SAN FRANCISCO BAY AREA

In a complex metropolitan environment like the San Francisco Bay Area, there are regional issues and problems whose solutions require regional action and whose interrelationship demands solution by an authority which can coordinate efforts and prevent duplication.

The Bay Area Council advocates the enactment of legislation to create a multi-purpose, limited-function regional Agency for the San Francisco Bay Area.

The Council recommends that the agency be formed in two phases beginning with a four-year interim operation. The Council's position first addresses itself to the permanent agency, and secondly to the agency during the interim period.

A. THE PERMANENT AGENCY

1. Authority. The agency would have the authority to implement *regional* policies, priorities and a regional land use plan. Implementation powers would include cease and desist powers, review authority over Federal and State grants and other appropriate powers to insure compliance with *regional* policies.

2. Functional Responsibility. The agency should consolidate certain governmental functions now under the jurisdiction of single-purpose districts—*regional transportation* currently under the jurisdiction of Metropolitan Transportation Commission; *regional sewer services planning and development*, under the jurisdiction of the Bay Area Sewer Services Agency; *conservation and development of San Francisco Bay and its shoreline*, under the jurisdiction of the Bay Conservation and Development Commission; and *air pollution control*, under the jurisdiction of the Bay Area Air Pollution Control District. Two additional functions not now under regional jurisdiction—*regional land use planning control* and the *development of a plan and the power to implement a regional solid waste management system*—would also be included in the permanent powers of the agency.

Therefore, the Agency would lessen the number of governmental districts in the region and would preclude the necessity to establish any new single-purpose regional districts.

The Agency would not assume the operational and functional activities of existing operating agencies.

3. Governing Body. The Council concludes that the governing body should be directly elected, but defers the decision to the voters of the region.

B. AGENCY DURING INTERIM PERIOD (first four years)

1. Interim Authority and Responsibility

a. The agency during the interim period would have the responsibility of developing the final consolidation plan.

b. The agency would have the responsibility of developing regional policies and priorities and a regional land use plan, and after having done so, will have the authority to implement the policies and plans. Such authority will include review over Federal and State grant applications.

c. During the four-year period, MTC, BASSA, BCDC and BAAPCD would continue to operate. The agency would have authority over these agencies as follows: regional policy, regional land-use planning and control, grant application and budget review, and permit and procedures coordination.

d. Operating agencies, e.g., BARTD, would retain their operational and functional authority. The agency would have regional policy, land use, and financial review authority over these operating entities.

2. Governing Body. The governing board would be made up of 27 members selected by boards of supervisors and councils of mayors in each county, as well as representatives from MTC, BASSA, BCDC and BAAPCD.

3. Financing. During the interim period, the agency would be financed by a property transfer tax.

**Statement Submitted by William H. Mahan, President
Puget Sound Governmental Conference**

Mr. Chairman and members of the Commission, I am grateful for this opportunity to comment on your proposed recommendations concerning substate districting. Given the rapid change and development in our federal system over the past 15 years, your deliberations are obviously both timely and significant. Hopefully our experience and perspective in intergovernmental relations in the Central Puget Sound Region will be helpful to you.

As long ago as 1957, local elected officials in our four-county region recognized the need for planning and coordination to deal with areawide problems. More than half of Washington's population is concentrated in our area. These people are linked by economic activity, living and commuting patterns, transportation networks, recreational pursuits and, above all, by common problems of rapid urban development in a unique natural environment.

Dealing with areawide problems is part of our job as local officials. We do so primarily through our council of governments, the Puget Sound Governmental Conference.

What are some of the problems I've been alluding to? Let me tell you some of the things we are dealing with right now in our region:

- Overconsumption of land, stimulated by speculation and local competition for tax revenues;
- The consequent loss of rich agricultural land from production, regardless of long term needs of our area;
- Insufficient regard in developing homes and businesses in natural hazard areas;
- Integrating public transportation where municipalities, countywide authorities, the State highway department and the ferry authority must be brought together;
- Tailoring utility services to real needs and setting priorities for these;
- Coordinating human resource programs to make sure real needs are met and overlaps are reduced;
- Channeling new growth and development into areas that can support it without disrupting existing communities;
- Making sure that adequate housing, with a choice of environments, is available for everyone.

The list could go on, but I believe the point is clear: there are complex areawide problems that require a cooperative, comprehensive approach.

We find that the pattern of intergovernmental relations that has evolved in the last 15 years gives us some needed tools to take this approach. But the rapid and piecemeal development of intergovernmental strategies has also left us frustrated in many ways.

Generally, the Commission's tentative recommendations both recognize the positive aspects of the emerging pattern and, at the same time, address the principal frustrations.

To some extent, burgeoning Federal grant-in-aid programs have recognized the need for such areawide policy direction and have made use of councils of government, like ours, to achieve overview, coordination and planning. The A-95 review process has played a key role here. However, due to the piecemeal way in which Federal programs have developed, a number of them have imposed different definitions of areas to be served and have created parallel multi-jurisdictional bodies.

Efforts by local elected general purpose officials to achieve an overview are therefore frustrated. For instance, my county, Kitsap, is considered part of the four-county region for transportation planning purposes. This certainly makes sense, given the large amount of cross-Sound commuting, either by ferry or by the Narrows Bridge linking us to Tacoma. But jobs for commuters are treated differently. Manpower programs are planned separately in Seattle-Everett and in Tacoma, while our county is joined to much less populous and developed counties on the Olympic Peninsula.

Even where the area covered is the same, parallel structures frustrate efforts at overall planning and coordination. I am one of three commissioners. I work extensively with the governmental conference. Another commissioner is active in the air pollution control agency, the third in the economic development district. Among the three of us, we may gain some impression of regional activity, but no one in our region really can assess relative needs and priorities. Local fragmentation reappears at the regional level.

Another difficulty here is that the State has not always been consulted or involved by local or Federal governments in identifying areawide problems and devising structures to deal with them. Where the State has been involved, this has usually happened in conjunction with specific functional issues, again on a piecemeal basis, providing little chance for the State to consider how it can work with local officials to take a comprehensive look at areawide issues.

The effect of the latter situation is two-sided. The State has no capacity to convey its plans and policies in an integrated way to local governments; nor does it have the benefit of a coordinated planning input from the local level.

All this tends to reinforce the fragmentation local governments face, both internally and in a council of governments, with regard to special purpose districts. The same kind of fragmentation, by the way, is found in the functional divisions plaguing overall policy direction within the State government. Again, the problem presented by such fragmentation is the inability for elected, responsible public officials to set overall direction for public responses to the needs of their constituents.

Five items dealt with in your recommendations strike me as particularly important in light of our experience. These are: the umbrella concept, the importance of general purpose government, the need for much closer relations with State government, the need for assessing representativeness in areawide policy-making and the need for stable support for integrated comprehensive planning.

1. We need one areawide agency for planning and coordination that provides an overview for elected officials of all the Federal, State and local activities occurring within a clearly defined area. This is the umbrella agency concept. Right now, we have too much fragmentation at the regional level. Local officials are pulled this way and that to meetings of essentially parallel, inter-jurisdictional, functional organizations, and local jurisdictions are shunted into different geographic districts or zones for different purposes.

Sub-area planning or cooperation may be perfectly appropriate for certain functions; there is often a need for specialized bodies dealing with particular issues or problems. We do not see the need for an umbrella agency to do *all* the functional planning or to provide services. But let's get the umbrella agency, the overview, established so that local elected officials have a means to grasp the whole picture. The thrust of the "New Federalism" is to remove the burden for achieving that kind of overview from the Federal level. That is a sensible direction, but only if a more meaningful comprehensive overview emerges at the State and regional levels. The umbrella concept provides the answer.

2. General purpose elected officials are the ones who need to set overall policies concerning growth, development, land use, public safety and human services. Special purpose districts are a necessary and accepted part of our political system, both within single jurisdictions and involving several cities and counties. But, by their very nature they are responsible for and advocates of single purposes. Just as overall policy direction at the State level must come from the Governor and legislature, local general purpose officials must provide that direction at the local and areawide levels. An umbrella organization of general purpose officials can guide and implement overall policy through comprehensive planning and review of special district activities.

3. Areawide comprehensive planning and coordination, conducted by local elected officials, would provide a sound basis for advising and assisting the State in carrying out its growing responsibilities. At the same time, State policies and programs should be integrated into areawide activities. This will require recognition by the State of the boundaries and roles of umbrella agencies; it will also require that State agencies work closely with and communicate their plans and policies to such areawide bodies. The Commission's tentative recommendations address these needs in particular, and provide a sound basis for this heretofore weak link in the Federal-State-local partnership.

4. If areawide plans and policies are to have legitimacy for the public and to constitute sound input to the State, they must be broadly representative. Among other things, this means that voting in areawide bodies must reflect relative population. Recognizing this, the Puget Sound Governmental Conference adopted a weighted system of voting, in which two-thirds of the voting strength of our members is based strictly on population, while all participating jurisdictions have at least one vote within our structure. We believe this to be a sound approach to balancing the needs and principles of the participants in our conference. As a representative of one of our relatively small jurisdictions, I certainly welcome our new voting structure. It strengthens our cooperative efforts. I commend the Commission for addressing this issue.

5. Finally, areawide comprehensive planning and coordination cannot work effectively as long as its basis

of funding is fragmented and highly uncertain. With the cooperation of the Federal Regional Council for Region X, our governmental conference pioneered an integrated grant administration approach to funding area-wide planning from Federal sources. However, we still find our efforts at integration are hampered by various Federal requirements and by somewhat disjointed and specific needs of Federal agencies. Nor is there much assurance of a continuing funding level to maintain our programs. Moreover, the State has been able only to fund certain functional activities, not comprehensive planning and coordination.

Last year, our members accepted a substantially increased financial commitment to fund an integrated program. This must now be matched by Federal and State funds directed to the same end — funds that we can count on. At the present time, a very disproportionate share of the time of our staff and members is spent in trying to overcome the fragmented requirements attached to our funding and in scrambling for funding. That time could be much better spent dealing with our substantive regional problems.

To sum up, we welcome vigorous and productive partnership with the State and Federal governments. Local elected officials can do a more responsible job for their constituents in such a partnership. Implementation of the Commission's tentative recommendations would cement that partnership. Our experience indicates the wisdom of and the need for carrying through those recommendations, particularly in the areas I have mentioned.

Again, thank you Mr. Chairman, for providing this opportunity to express the conference's views to the Commission.

commission members 1973

PRIVATE CITIZENS

Robert E. Merriam, Chairman, Chicago, Illinois

Robert H. Finch, Los Angeles, California¹

Vacancy²

MEMBERS OF THE UNITED STATES SENATE

Ernest F. Hollings, South Carolina³

Edmund S. Muskie, Maine

Charles H. Percy, Illinois

MEMBERS OF THE U.S. HOUSE OF REPRESENTATIVES

L. H. Fountain, North Carolina

Al Ullman, Oregon

Clarence J. Brown, Jr., Ohio⁴

OFFICERS OF THE EXECUTIVE BRANCH, FEDERAL GOVERNMENT

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George P. Shultz, Secretary of the Treasury

Caspar W. Weinberger, Secretary of Health, Education and Welfare⁵

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Richard G. Lugar, Vice Chairman, Indianapolis, Indiana

Jack D. Maltester, San Leandro, California

John D. Driggs, Phoenix, Arizona

STATE LEGISLATIVE LEADERS

B. Mahlon Brown, Senator, Nevada

Robert P. Knowles, Senator, Wisconsin

Charles F. Kurfess, Minority Leader, Ohio House of Representatives⁸

ELECTED COUNTY OFFICIALS

Conrad M. Fowler, Shelby County, Alabama

Edwin G. Michaelian, Westchester County, New York

Lawrence K. Roos, St. Louis County, Missouri

¹ Appointed 5/29/73 to replace Edward C. Banfield, U. of Pennsylvania.

² Vacancy created by resignation of Howard H. Callaway, Pine Mountain, Georgia.

³ Appointed 2/20/73 to replace Senator Sam J. Ervin, North Carolina.

⁴ Replaced Congresswoman Florence P. Dwyer, New Jersey.

⁵ Replaced George H. Romney, former Secretary of HUD.

⁶ Replaced Ronald Reagan, Governor of California.

⁷ Replaced Richard B. Ogilvie, former Governor of Illinois.

⁸ Replaced Russell W. Arrington, former State Senator, Illinois.

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The Advisory Commission on Intergovernmental Relations (ACIR) was created by Congress in 1959 to monitor the operation of the American federal system and to recommend improvements. ACIR is a permanent national bipartisan body representing the executive and legislative branches of Federal, State and local government and the public.

Of the 26 Commission members, nine represent the Federal government, 14 represent State and local governments and three represent the general public. Twenty members are appointed by the President. He names three private citizens and three Federal executive officials directly and selects four governors, three State legislators, four mayors and three elected county officials from slates nominated, respectively, by the National Governors' Conference, the Council of State Governments, the National League of Cities/U.S. Conference of Mayors, and the National Association of Counties. The other six are Members of Congress — three Senators appointed by the President of the Senate and three Representatives appointed by the Speaker of the House. Commission members serve two-year terms and may be reappointed. The Commission names an Executive Director who heads the small professional staff.

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