ACIR State Legislative Program

A Guide
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Advisory Commission on Intergovernmental Relations
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This new edition of ACIR's State Legislative Program has been developed by the staff with the help of the Joint Center for Environmental and Urban Problems of Florida Atlantic University and Florida International University, Dr. John M. DeGroeve, director. Other members of the joint center's team were Robert N. Alcock, William G. Colman, Robert M. Rhodes, and James Tait.

The following persons served diligently on a panel which reviewed each proposal: Richard Carlson, director of research, Council of State Governments; Honorable Charles A. Docter, Maryland House of Delegates; Marcus Halbrook, director, Arkansas Legislative Council; David Johnston, director, Ohio Legislative Service Commission; William J. Pierce, executive director, National Conference of Commissioners on Uniform State Laws; Bonnie Reese, executive secretary, Wisconsin Joint Legislative Council; Honorable Karl Snow, Utah State Senator; and Troy R. Westmeyer, director, New York Legislative Commission on Expenditure Review.

The suggested legislation was also circulated in draft form to the following national organizations for review and comment:

Council of State Governments
International City Management Association
National Association of Counties
National Conference of State Legislatures
National Governors' Conference
National League of Cities
U.S. Conference of Mayors

The Commission acknowledges the financial assistance of the U.S. Department of Housing and Urban Development in updating and publishing this new edition of the ACIR State Legislative Program.

The Commission is grateful to all who helped to produce this volume, but the Commission alone takes responsibility for the policies expressed herein and any errors of commission or omission in the draftsmanship.

Wayne F. Anderson
Executive Director
This new edition of ACIR’s State Legislative Program is presented as a reference for state legislators, state legislative service agencies, and others interested in strengthening the legislative framework of intergovernmental relations. The State Legislative Program has been divided into ten parts, by subject matter.

Each part of the program has been published separately to facilitate both distribution and use. Each of these ten separate booklets contains, in addition to suggested legislation, a foreword which (1) briefly describes ACIR’s legislative program and how it is developed, (2) describes how to use the suggested legislation, and (3) offers ACIR assistance to its users. It is noted that:

- suggested state legislation should seldom be enacted without first being tailored to the specific state for which it is intended;

- reasoned choices should be made among the various alternatives and optional provisions in the draft bills; and

- enactment of only part of a draft bill should be undertaken cautiously to avoid omission of essential interrelated provisions.

These points are explained more fully in the foreword to each booklet.

This guide is provided as an easy reference to the full table of contents of all ten booklets — listing every item of suggested legislation. An order blank is included to facilitate the ordering of any or all booklets which may be of interest.

The Advisory Commission on Intergovernmental Relations was established by Public Law 380, passed by the first session of the 86th Congress and approved by the President September 24, 1959. Section 2 of the act sets forth the following declaration of purpose and specific responsibilities for the Commission:
Section 2. Because the complexity of modern life intensifies the need in a federal form of government for the fullest cooperation and coordination of activities between the levels of government, and because population growth and scientific developments portend an increasingly complex society in future years, it is essential that an appropriate agency be established to give continuing attention to intergovernmental problems.

It is intended that the Commission, in the performance of its duties, will

(1) bring together representatives of the Federal, state, and local governments for the consideration of common problems;

(2) provide a forum for discussing the administration and coordination of Federal grant and other programs requiring intergovernmental cooperation;

(3) give critical attention to the conditions and controls involved in the administration of Federal grant programs;

(4) make available technical assistance to the executive and legislative branches of the Federal government in the review of proposed legislation to determine its overall effect on the federal system;

(5) encourage discussion and study at an early stage of emerging public problems that are likely to require intergovernmental cooperation;

(6) recommend, within the framework of the Constitution, the most desirable allocation of governmental functions, responsibilities, and revenues among the several levels of government; and

(7) recommend methods of coordinating and simplifying tax laws and administrative practices to achieve a more orderly and less competitive fiscal relationship between the levels of government and to reduce the burden of compliance for taxpayers.
Pursuant to these responsibilities, the Commission chooses for study and recommendation particular problems which, if ameliorated, would enhance cooperation among the different levels of government and thereby improve the effectiveness of the federal system of government as established by the Constitution. The Commission has adopted a number of policy reports dealing with state and local government modernization, finances, and functional activities. The recommendations to the states on these matters have been translated into legislative language for consideration by the state legislatures. The resulting bills make up the ACIR State Legislative Program.

Robert E. Merriam
Chairman
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___ Part II — Local Government Modernization
___ Part III — State and Local Revenues
___ Part IV — Fiscal and Personnel Management
___ Part V — Environment, Land Use, and Growth Policy
___ Part VI — Housing and Community Development
___ Part VII — Transportation
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___ Part X — Criminal Justice

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what
is
acir?

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

The Commission is composed of 26 members — nine representing the Federal government, 14 representing state and local government, and three representing the public. The President appoints 20 — three private citizens and three Federal executive officials directly and four governors, three state legislators, four mayors, and three elected county officials from slates nominated by the National Governors’ Conference, the Council of State Governments, the National League of Cities/U.S. Conference of Mayors, and the National Association of Counties. The three Senators are chosen by the President of the Senate and the three Congressmen by the Speaker of the House.

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

As a continuing body, the Commission approaches its work by addressing itself to specific issues and problems, the resolution of which would produce improved cooperation among the levels of government and more effective functioning of the federal system. In addition to dealing with the all important functional and structural relationships among the various governments, the Commission has also extensively studied critical stresses currently being placed on traditional governmental taxing practices. One of the long range efforts of the Commission has been to seek ways to improve Federal, state, and local governmental taxing practices and policies to achieve equitable allocation of resources, increased efficiency in collection and administration, and reduced compliance burdens upon the taxpayers.

Studies undertaken by the Commission have dealt with subjects as diverse as transportation and as specific as state taxation of out-of-state depositories; as wide ranging as sub-state regionalism to the more specialized issue of local revenue diversification. In selecting items for the work program, the Commission considers the relative importance and urgency of the problem, its manageability from the point of view of finances and staff available to ACIR and the extent to which the Commission can make a fruitful contribution toward the solution of the problem.

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