The Current Status and Roles of State Advisory Commissions on Intergovernmental Relations in the U.S. Federal System

During the 1970s and 1980s, a number of states created entities commonly called advisory commissions on intergovernmental relations (ACIRs). Although as many as half the states at one time or another supported an ACIR, only about 10 do so today. Relying on face-to-face and telephone interviews, e-mail correspondence, website analysis, and mailed surveys of directors and other staff members of active and terminated ACIRs, this study reports on the organization and structure, staffing and finances, and activities and performance characteristics of the state ACIRs still viable today. The study attempts to identify factors that seem most related to successful performance of these agencies, as well as to the termination of the agencies. In conclusion, it speculates on the continued role of state ACIRs.

During the 1970s and 1980s, a number of states created entities commonly termed advisory commissions on intergovernmental relations (ACIRs). These commissions were created in response to the increasing complexity of the U.S. federal system and to the perception of a growing need for greater cooperation and dialogue between and among the various units of state and local government, and between state and local governments and the federal government. Patterned after the U.S. Advisory Commission on Intergovernmental Relations (ACIR), created in 1959, these commissions generally were bipartisan in makeup; they included broad representation from each state's local governments, executive and legislative branches, and citizenry; and they had permanent and professional staffs to carry out their work. (A good summary of the various criteria that some deem essential to the ACIR model was provided by Brammer 1995).

Although the various state ACIRs differed somewhat in terms of size and resources, they all had fairly similar missions and objectives. Most state ACIRs evaluated relationships among local, state, and federal government agencies; prepared reports and studies to improve those relationships; served as data centers and clearinghouses for information on intergovernmental issues (such as the availability and conditions of various grants-in-aid); functioned as forums for discussing and resolving intergovernmental problems; provided technical assistance in some areas; and occasionally acted as policy advocates.


Focus of This Study
This study focuses primarily on the 10 state ACIRs active in 2009. Just a few comprehensive studies of state ACIRs have been conducted. A 1989 essay examined what the author called “a new organizational phenomenon at the state level—the creation of state intergovernmental relations commissions.” The essay noted that these “new phenomena” were “charged with the noble but enormous task of improving relations between a state and its localities” (Roberts 1989, 576). In the early 1990s, the U.S. ACIR published directories of state ACIRs, listing for each state the contact information, nature of its governing body, size of staff, and some recent activities of each ACIR. The last was issued...
in 1995. In 1996, a report was prepared by Indiana University's School of Public and Environmental Affairs based on a survey of several state ACIRs (Williams 1996). For each, it listed goals, issues, accomplishments, and so forth.

This study looks at the organizational, structural, financial, and staffing aspects of existing state ACIRs and speculates on their future. The basis of the study is twofold: (1) interviews conducted in the spring of 2009 with the directors of every state ACIR active at that time and with as many directors of expired state ACIRs as possible, and (2) a mail survey conducted during the spring of 2009 of all then-active state ACIRs. The survey was developed with the help of a panel of “experts” that included scholars of U.S. federal relations, previous directors and assistant directors of the U.S. ACIR, previous directors of state ACIRs, and state and local practitioners. With this panel’s help, the survey was designed to gather information on organization and structure, staffing and finances, and activities and performance. Each of the 10 extant ACIRs completed the survey.

Organization and Structure

The 10 ACIRs reported an average commission size of just about 20, with a range of 12 to 28, consisting primarily of representatives of local governments and members of the state legislative branch. Just about half said that their commissions are required by law to maintain bipartisan membership, and most (70 percent) said that their commissions “sometimes” operate in a genuinely bipartisan manner. One respondent noted that the statute that created the ACIR requires “an even split between the majority and minority memberships of the House and Senate.” Another commented on the difficulty of achieving bipartisanship: “The goal is to have legislators from both sides of the political aisle but [our state] is heavily Republican, so this is hard to achieve.”

Most reported that they “always” or “usually” maintain a mix of members from the executive and legislative branches, local governments, and the general public. Four of the agencies reported having no official commission positions for members of the public, and some of those that officially have public members reported difficulty in achieving active participation from this group. One respondent commented that “general public involvement has been limited.” Another said, “the mix of participants has been good except for the general public.” Still another volunteered the comment, “never [have we had good participation] from the general public.”

Staffing and Finances

Responses to questions related to staffing and finances revealed a number of commonalities among these agencies, but also many significant differences. These are all relatively small, and 90 percent said their staff had remained the same size in recent years. The average number of full-time professional staff was 3.1 (with a range of 0–12); the average number of part-time professional staff was 2.1 (with a range of 0–6); and clerical staff averaged 0.5 (with a range of 0–1). The largest ACIR reported a total staff size of 18 full-time and part-time professional and clerical personnel, and all reported that their budgets come entirely from state general funds. None indicated receiving any significant funding from other sources, such as contract work with cities, counties, state agencies, or other organizations. One ACIR indicated occasionally receiving some funds from a local foundation. Almost all said that the size of their staff has remained fairly constant in recent years, and most (80 percent) said that the recent economic downturn probably will not affect their staffing, finances, or programs. However, one respondent said, “[Our state] is facing substantial financial difficulties, and it’s likely that every agency will be impacted.” Another said, “travel has been restricted so that participation [with other state agencies] has been limited.”

Beyond this, significant financial and staffing differences are evident. Although small, the range of staffing varies considerably (from 0 to 12 full-time professional staff). Some of those reporting small staffs, though, receive some support from other agencies. One respondent stated, “Our ACIR is provided staff as necessary by the Office of Policy and Management.” The size of operating budgets, averaging $534,000, varies even more—from a reported annual level of zero to almost $3 million. Some of those reporting zero budgets said they receive some budget support elsewhere. One of these reported that the state’s ACIR “receives minimal funding as a line item in OPM’s expense budget,” and one of the university-connected ACIRs that reported a zero budget said that it receives some budget assistance from its school’s departmental operating budget. When the agencies reporting zero budgets are separated from the analysis, the average annual budget for the agencies remaining is just over $700,000.

Activities and Performance

Respondents were asked to estimate the total amount of time devoted to each of several performance activities. As can be seen in figure 1, the time and work effort reported by these ACIRs for the most part consists of conducting research and publishing the results of that research (54 percent), preparing legislative policy proposals (18 percent), and hosting various conferences and seminars (16 percent). All other tasks garner very little attention.

Respondents also reported that their agency’s work is utilized mainly by state agencies (54.2 percent) and municipal governments (37.5 percent). Very little ACIR work was said to be utilized by special-district governments or regional councils. Considering just state agencies, the legislative bodies were said to utilize the bulk of ACIR

Figure 1 Percent of Time Devoted to Performance Activities
work (75.8 percent); very little (11.7 percent) was said to be utilized by governors. When asked whether they viewed their role as being a strong advocate for various policy positions, most indicated that they take advocacy positions only "occasionally" or "never."

Respondents were asked the extent of ACIR engagement in various programmatic activities. The results are shown in table 1.

A pretty clear picture of agency activity is revealed by table 1. For the most part, these ACIRs are engaged in "providing advice to state legislative committees," "reviewing proposed state legislation for intergovernmental implications and/or impact," "monitoring various intrastate grants, contracts, and other relationships," and "maintaining intergovernmental data bases (such as state-local finances and census data)." Considerably less attention is paid to such activities as "monitoring intergovernmental agreements," "providing cost estimates of unfunded state mandates," and "monitoring interstate relationships." Apparently no, or at least only minimal, attention is paid to such potential functions as "boundary commission duties" and "assistance to regional councils."

Taken together, the information provided in figure 1 and in table 1 shows that, for the most part, these agencies take as their dominant mission the provision of nonpartisan information and services for their state governments, especially the legislative branch. As one respondent put it, they strive to "limit partisan rhetoric and stay focused on the main goal." Generally, they do not see themselves as being "policy advocates." The bulk of their activities were reported as either providing advice to legislative committees (85.0 percent) or reviewing proposed legislation for intergovernmental implications and/or impact (75 percent). To a lesser extent, these agencies see their mission as providing assistance to units of local government. Just over one-third of their work, they said, is utilized by municipal governments, and only insignificant proportions of their work are seen to be utilized by other public agencies such as county governments, special-district governments, and regional councils. Not one of these agencies, in fact, reported either "regularly" or even "occasionally" being engaged in providing assistance to regional councils.

**Evaluations of Success**

The survey asked respondents to evaluate, on a scale of from 1 (least successful) to 10 (most successful), how they believed the various constituents who utilize their work would rate their success in achieving their objectives most of the time. Although this is a very subjective measure of success, it should at least provide an indication of the relative extent to which these agencies view their activities as successful. The results are shown in figure 2.

Figure 2 reveals some expected information, but also some surprises. Given the foregoing discussion, it is not surprising that these agencies said they probably would receive their lowest evaluations from special districts and the office of governor. Very few of these respondents reported their work being utilized by special districts or governors' offices. Similarly, it is not surprising to find that respondents perceived that their highest ratings would come from legislators and legislative committees and executive agencies. Again, these are the agencies that respondents said most utilize their work, and also where they reported most of their activities to be focused. On the other hand, the relatively strong evaluation potentially attributable to regional councils is somewhat surprising given the infrequency of ACIR interaction with these agencies and the low utilization of their work by these councils. Perhaps it is the case that, sharing reasonably similar missions, the regional councils are assumed have a sympathetic view of ACIR efforts and accomplishments, in spite of the fact that they are not viewed by the ACIRs as particularly important clients or constituents.

**Factors Related to ACIR Terminations**

In his reflections on the 1996 termination of the national ACIR, McDowell (1997) identified several factors associated with that agency’s demise. Among the factors he lists are budget issues (the federal deficit), reduced support from the various associations representing state and local governments (e.g., the National League of Cities and U.S. Conference of Mayors), partisan squabbles, the growing availability of alternative sources of information, the increased availability of alternative forums for negotiation, and
the decreasing quality of and commitment by various commission members. Interviews with former directors of many terminated state ACIRs (through the process described earlier) indicate that virtually all of the factors contributing to the U.S. ACIR's termination contributed to the demise of the state counterparts as well, except, of course, in varying combinations in differing circumstances.

Partisanship played a factor in some state terminations. As one director said, “When the Democrats controlled the legislature, we were very effective. At least then, about half of what we recommended was approved. In our state, though, Republicans ran on a ‘we hate government’ campaign, and after they took control, none of our recommendations ever saw the light of day.” Another director said, “The complexion of our legislature changed from Democratic to Republican. Republicans came in and disregarded all ACIR recommendations.” In other states, it was the Democratic perspective that led to the ACIR’s demise. One former director said, “The governor [a Democrat] viewed us with great suspicion. He saw us as too much of an advocate for the state’s metropolitan areas, as opposed to county governments and rural areas.” In another state, it was the Democratic-controlled legislature that “did not like any options [on tax reform] that we recommended, and that ultimately led to our going out of business.”

One former director said, “There’s not much of a constituency for the sort of information that [our] ACIR provided. People don’t necessarily want unbiased knowledge.” Another former director said bluntly, “Those interested in particular outcomes want to control information; most elected officials [regardless of party affiliation] want information that supports their position.”

Alternative sources of available information, as well as competing sources of information, were identified by some former directors as contributing to the demise of their ACIR. One director said, “Our state legislature developed its own research council,” which did much of the work that might have gone to the ACIR. Another said, “In our state, the Comptroller, the Legislature, and the Governor all developed very sophisticated information gathering and policy analysis capabilities that ACIR simply could not compete with.” Another pointed to that state’s “legislative council and various departmental research units as providing the sort of information that ACIR otherwise would.” One former director mentioned competition with one of the state’s associations of local governments as a contributing factor. As he put it, “Our state’s [municipal government association] did not like us. They are a well financed and strong organization, and they want to take care of their cities. They wanted no interference from ACIR and saw us as infringing on their territory.”

However, the most frequently cited reason for ACIR terminations as identified by the directors interviewed for this study was what might be described as the failure of legislative and executive bodies and other state policy-making agencies—as well as commission members themselves—to take seriously the ACIR, its mission, its recommendations, and its body of work. “We just faded away, we fell into disrepair, no one took us seriously,” opined one former director. “We were a sad, and when we finished [the two tasks that had been assigned by the legislature], it just made sense to get rid of us.” Another said, “We had difficulty finding times that were convenient and topics that were of sufficient interest to persuade many of our members to drive for hours to [the state’s capital]. Thus, we had problems even getting a quorum much of the time. Many of the issues brought to us simply died for lack of interest.”

Another director said, “We’d submit our work to the legislature and nothing would happen.” Still another said, “We presented great things; there was never any criticism of the validity of our recommendations, but none were ever accepted.” We were a victim of “benign neglect,” complained another former director: “We were never asked to do much; we were not very high on anyone’s priority list.” Two of the former directors interviewed said that they had recommended the ACIR termination themselves. In these legislative initiatives, at least, these directors found success.

Another factor closely related both to the ACIR’s creation and demise is leadership or, more specifically, the presence of one or a few advocates—politically influential individuals with an extraordinary commitment to ACIR goals and objectives who played critical roles in an ACIR’s creation but, for whatever reason, did not help the agency when it was threatened. Describing his commission’s failure, one previous director said, “We were created by executive order of a governor best described as a ‘young Turk.’ He was very ‘statesman-like,’ had been a member of the U.S. ACIR, and was very excited about bringing that perspective to [our state]. For three years, during that governor’s term, we had a great commission. He was replaced by a weak governor offering no support.” Similarly, another former director said, “The key to weathering a temporary storm, change in leadership, budget crisis, etc., is really to have powerful advocates in either the governor’s office or the legislature, or both.” Another former director stated, “Seems to me that to have a viable ACIR, a state must have leaders who want answers to systemic problems, want alternative solutions to complex problems, want to include leaders from the public and private groups to help understand why and what needs to be done in the best interest of the state . . . and be willing to champion the cause for the ACIR. None of this exists presently in my state.”

Issues of partisanship, competition with other state associations, and alternative sources of information all played a role in the demise of many state ACIRs, but overall, if interviews with this sample of former directors are representative, most state ACIRs that failed did so because of a lack of commitment to their missions and a failure by many parties, sometimes including the commission and staff members themselves, to value the sort of nonpartisan policy analysis that the ACIRs sought to provide. In these states, the ACIRs and the work they did came to be viewed as irrelevant to the policy process and policy makers. In short, they became expendable.
Is There a Continued Role for State ACIRs?

Most state ACIRs no longer exist, and just one state ACIR has been created in the past decade. The U.S. ACIR is gone, too, as is a significant intergovernmental relations presence in the Office of Management and Budget, the Government Accountability Office, the White House, and the U.S. House and Senate committees (Kincaid 2008a). It is possible that the ACIRs belong to a bygone era. Is there, then, a continued role for ACIR-type agencies in the federal system?

In thinking about possible future roles, it is helpful to recall when most of the expired ACIRs were created and to compare the significant intergovernmental relations issues of those times with now. The 1960s, 1970s, and 1980s saw an explosion of intergovernmental activity. The number of federal aid programs rose from 132 to more than 500 from 1960 to 1980, and federal aid rose from about $7.0 billion to more than $91.4 billion (current dollars). The federal government during this period experimented with a mix of categorical, block, and general and special revenue-sharing programs. Most significant, perhaps, was the growing provision of direct assistance to virtually all local governments, bypassing state governments in many cases, and the increased reliance of local governments on federal aid for their operating budgets. This period was described as one of “galloping intergovernmentalization” (Reeves 1981), and it brought significant new management and administrative challenges to state and local governments.

The important intergovernmental issues then facing those governments were the sorts of problems that the ACIRs—with their emphasis on research, technical assistance, management advice, agenda setting, and policy coordination, all carried out with the participation of a bipartisan mix of state, local, and private citizen representatives—were best prepared to address.

Today, the important intergovernmental issues have changed significantly. Although the dollar amounts of federal grants have continued to rise, the percentage of federal assistance going to all units of state and local government for nonwelfare purposes has declined. Today, just over 35 percent of federal grants to state and local governments are dedicated for capital investment and general government purposes; the bulk of such aid is dedicated for payments to individuals.

Equally important is the dramatic increase in federal rules, regulations, mandates, preemptions, and conditions placed on the use of federal funds by recipient state and local governments, and, in turn, on local governments by their respective states, giving rise to what has been termed “coercive federalism” (Kincaid 1990).

In short, the important intergovernmental issues facing state and local governments today are vastly different from those of the 1960s to the 1980s (Cole, Stenberg, and Weissert 1983, 1996; Weissert 2009). The dynamics of intergovernmental relations today, especially for states and localities, have shifted from what might be described as coordination and cooperation to competition and opposition. Today’s intergovernmental landscape is more of a “zero-sum” game. Local governments compete with each other and with their states for a dwindling share of federal resources, and local governments in particular must work to minimize the impact of the increasing costs of both federal and state mandates. Incentives for cooperative behaviors are less. State–federal relations today, one scholar argues, can be described as “dueling policies” (Kincaid 2008b). In such a climate, the value of the sorts of perspectives that ACIRs contribute to the intergovernmental arena is diminished greatly.

The state ACIRs are a product and, to a great extent, a reflection of intergovernmental events and issues of the 1960s, 1970s, and 1980s.

That a few are still active is a testament to the commitment of their states to the sorts of bipartisan consideration of intergovernmental issues that such commissions offer and to the consistently high level of work produced by these agencies.

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That a few are still active is a testament to the commitment of their states to the sorts of bipartisan consideration of intergovernmental issues that such commissions offer and to the consistently high level of work produced by these agencies. But times have changed. Realistically, the chances for a successful renewal of state ACIRs, or for the U.S. ACIR, do not appear great.

Nevertheless, in many ways, the intergovernmental issues, budget crises, and economic conditions now facing state and local governments are every bit as complex and as challenging as those faced by cities, states, and the federal government during the 1960–80 period. The states and their local governments will respond to these challenges in many ways. Maybe not all, and perhaps not any, will look to ACIR-type agencies for assistance with these challenges, but it seems reasonable to suggest that they would be wise to consider doing so.

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Notes

1. Less frequently, some states have used such terms as “Advisory Council on Intergovernmental Relations” or “Advisory Commission on Intergovernmental Cooperation.”

2. Utah’s ACIR was removed from state statutes in 2003, but its activities continue under the Utah Intergovernmental Roundtable, housed at the Center for Public Policy and Administration at the University of Utah. The center’s director confirmed that the roundtable functions as Utah’s ACIR. The Florida ACIR (known as the Florida Legislative Committee on Intergovernmental
Relations) was not funded in that state’s 2010–11 General Appropriations Act, but its activities will be continued by the legislature’s Office of Economic and Demographic Research.

3. Many, perhaps most, states support intergovernmental “contacts.” Although they are not ACIRs in the strict sense, they may consult with and provide advice to state and local officials on intergovernmental matters. Some of these are organized as joint legislative committees, some as legislative research units, and some as advisory units within the executive branch. In some states, similar activities are carried on by private nonprofit research organizations and/or university centers.

4. Contact was made with former directors or officials from eight terminated ACIRs. Hour-long interviews were held with most of these people, either face to face or over the phone. In other cases, information was exchanged via e-mail. A special note of thanks is due Terrell Blodgett for his help in locating these former directors and arranging interviews.

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