

REPORT OF THE
IOWA INTERSTATE COOPERATION COMMISSION
SUBMITTED TO THE SIXTY-FOURTH GENERAL ASSEMBLY
OF THE STATE OF IOWA

REPORT ON THE INTERSTATE COOPERATION COMMISSION

Purpose

Section 28B.2, Iowa Code 1971, states that the functions of the Interstate Cooperation Commission are:

- "1. To carry forward the participation of this state as a member of the council of state governments.
2. To encourage and assist the legislative, executive, administrative and judicial officials and employees of this state to develop and maintain friendly contact by correspondence, by conference, and otherwise, with officials and employees of the other states, of the federal government, and of local units of government.
3. To encourage co-operation between this state and other units of government in the adoption of compacts and uniform laws and in working relationships with officials of other states."

Membership

Section 28B.1, Iowa Code 1971, establishes the Commission's membership at thirteen:

- "1. Five members of the senate to be appointed by the president thereof;
2. Five members of the house of representatives to be appointed by the speaker of the house;
3. Three administrative officers to be appointed by the governor.

The governor, the president of the senate and the speaker of the house of representatives shall be ex officio honorary nonvoting members of the commission.

The director of the legislative service bureau shall serve as secretary of the commission."

To date, members appointed to serve two year terms beginning May 1, 1971, are:

Marvin R. Selden, Jr., State Comptroller
Maurice E. Baringer, State Treasurer
Clayton Ringgenberg, University of Iowa
Institute of Public Affairs
Senator Vernon H. Kyhl
Senator James F. Schaben
Senator John M. Walsh
Senator James A. Potgeter
Senator James W. Griffin, Sr.

House members are yet to be appointed for the 1971-73 interim period. Members of the Iowa Interstate Cooperation Commission during the 1969-1971 interim period were:

Governor Robert D. Ray, ex officio
Lt. Governor Roger W. Jepsen, ex officio
Speaker William H. Harbor, ex officio
Senator Vernon H. Kyhl, Chairman
Representative John Camp, Vice Chairman
Senator James A. Potgeter
Senator Robert R. Rigler
Senator James F. Schaben
Senator John M. Walsh
*Representative James T. Caffrey
Representative Harold O. Fischer
Representative Edgar J. Koch
Representative Dale L. Tieden
Maurice E. Baringer, State Treasurer
Marvin R. Selden, Jr., State Comptroller
**Max Milo Mills, Aide to Governor

*Representative Vernon Bennett (replacement)
**Mr. Clayton Ringgenberg (replacement)

Committees

Section 28B.3, Iowa Code 1971, provides for the utilization of committees:

"The commission shall establish such committees as it deems advisable, in order that they may confer and formulate proposals concerning effective means to secure intergovernmental harmony, and may perform other functions for the commission in obedience to its decision."

The following is a list of Iowans appointed by the Commission to and presently serving on the Midwestern Conference on the Council of State Governments' committees:

Advisory Committee on Higher Education

John W. Bachman, President, Wartburg College
Robert F. Ray, Dean, State University of Iowa
Extension and University Services
R. Wayne Richey, Executive Secretary
State Board of Regents

Education Committee

Representative Dale Tieden
Representative James Caffrey
Marvin R. Selden, Jr., State Comptroller--Alternate

Transportation and Highway Safety Committee

Representative Harold O. Fischer
Senator John M. Walsh

Agriculture and Natural Resources Committee

Senator James A. Potgeter
Senator James F. Schaben

Executive Committee

Senator Vernon H. Kyhl

Justice and Law Enforcement Committee

Representative Robert M. Creamer
Senator Harold A. Thordsen

Taxation Committee

Representative John Camp
Senator Robert Rigler

Suggested State Legislation

Representative John Camp
Senator Robert Rigler

Welfare Committee

Representative James Caffrey
Representative Edgar Koch (resigned)

Four State Medical Education Committee

Representative Dale Tieden
Senator John M. Walsh

The above noted persons served on the committees noted with representatives of the other twelve states of the Midwestern Conference.

Commission

The Iowa Interstate Cooperation Commission met twice in 1970--on June 29 and July 29. Highlights of these meetings provide an insight into the Commission's local activity.

At the June 29 meeting, Representative Camp reported on the research being done by the firm of Ernst and Ernst for the Midwestern Conference of the Council of State Governments. This research, for which Iowa has contributed \$3,000 as its share of expense, proposes to determine if a large accounting firm can effectively conduct an audit of interstate trucking firms. Such an audit would be available to all states in which the trucking firm operates and would aid in avoiding a multitude of audits, while at the same time saving each participating state the full cost of an audit by each state. As of the July 29 meeting, Ernst and Ernst had conducted one audit and was planning on making two more audits. In addition, Mr. Wayne Fullmer, Director of the Division of Motor Fuel Taxation, was asked to prepare a report on Iowa's motor fuel taxation and refunding problems that could be presented to the Council's Taxation Committee.

Commission members are generally of the opinion that Iowa is not fully involved with the Council of State Government's efforts. Problems facing the states appear more and more to transcend state boundaries. Each state operating on its own cannot control or regulate environmental problems, law enforcement problems, transportation problems, taxation problems, welfare problems, and other similar problems. As the populace becomes more mobile and residency requirements practically nonexistent through judicial decree, the need for more interstate cooperation through uniform laws and cooperative endeavors becomes more apparent. This trend is expected to increase. Thus the need for interstate cooperation becomes more apparent each day and meetings and agreements between representatives of states, whether they be legislative, executive, or judicial representatives increases.

Senator Walsh suggested that the Commission become more active in the area of coordinating state and federal legislation.

He noted a problem the General Assembly had encountered in determining the availability of retroactive federal funds for environmental pollution control. The commission itself was not even certain in regards to what requirements it needed to meet to obtain a federal grant.

The Commission started an investigation on the possibility of reaching an agreement with the state of Illinois to recognize an Iowa driver's license held by an Iowan under the age of eighteen.

A letter from Mr. Ronald G. Schmidt, Director of the South Dakota Legislative Research Council, expressing an interest in developing a four-year program or entering an interstate compact for the provision of a four-year program for South Dakota resident students of medicine, was discussed. Three meetings with South Dakota, North Dakota, and Minnesota representatives were held which resulted in legislation being introduced in the four states which would provide for joint meetings to improve medical education and encourage the practice of family medicine. As of the date of this report Iowa has failed to enact such legislation.

Council

A major reason for the establishment of interstate cooperation commissions from state to state is to create an agency to represent the state on the Council of State Governments. A brief view of the Council's June 28-July 1 meeting further illuminates Commission activities.

A keynote to much of the discussion was the subject of federal/state coordination. Speaker Harold V. Froehlich, member of the Wisconsin Legislature and Chairman of the Midwestern Executive Committee, argued that the commissions on interstate cooperation are the most logical instrument to deal with the federal government, stated that:

"An active Commission would provide a vehicle to alert the states to common issues and coordinate state action on these issues. An active commission could lead to cooperation among the various state organizations. It may even lead to a merger of the various legislative organizations that have developed over the years such

as the NLC (National Legislative Conference), NCLL (National Conference of State Legislative Leaders), NSSL (National Society of State Legislators) and regional councils of the Council of State Governments."¹

Speaker Froehlich also pointed to the need for more research staff.

Asserting that the states must assume leadership in the 1970's, Senator Charles L. Delaney, Vermont Legislature and Chairman of the Executive Board of the CSG, took an even firmer stand:

"The problems to be faced are too complex to be handled from Washington alone. He reviewed past action taken by the states to build a foundation for the 70's. Legislative reorganization, longer legislative sessions, increased legislative pay and greater responsibility in federal-state programs, such as the 1968 Omnibus Crime Control and Safe Streets Act block grant were mentioned.

Senator Delaney asserted that the Council of State Governments provides the only truly representative view of the gamut of state government. The Council is founded upon statute in every state, through laws that set up the Commissions on Interstate Cooperation; it is funded by all the states through state appropriations; and its structure incorporates into its decision making process representatives of all branches of state government.

The Council of State Governments is the best potential vehicle for asserting state authority in the federal system. The Council's Washington office provides a wealth of information on federal developments. It asks views and comments on significant issues. To insure reliable identifiable contact between the state legislature and the Council of State Governments' Washington operation, a federal-state coordinator has been designated in 42 states.

The (Governing) Board faced up to the fact that if we want a more effective Council of State Governments, the states have to pay for it. The Council's Governing Board increased the budget and raised state payments by a very modest amount. The Council needs more staff capacity for study, planning and analysis to develop strategies for positive state action. It needs to keep the generalists it has and build up a substantive capacity. It will need to provide this staff with the tools they need to do the job. All this will cost money. But in the 70's, it must either pay up or let the federal government take over, he said."²

¹"Summary of the Proceedings of the Midwestern Conference of the Council of State Governments", 1970.

²Ibid.

The advisory Committee on Higher Education reported that the Western Interstate Commission has developed a pilot management information system project that may greatly aid universities in supplying information for a 1972 information survey to be conducted by the U.S. Office of Education.

Conferences were held concerning the various approaches different states take in regards to state aid to sectarian schools and to strikes and collective bargaining of public employees.

A report from HUD asked state legislatures to consider revised housing codes pursuant to their "Operation Breakthrough", a new approach to industrialized (factory built) housing designed to meet the growing needs for residential construction in the coming decade.

Two panels were presented--"The Who and Why of Pollution Control Legislation" and "Federal Welfare Proposals".

Twenty previously-studied and prepared resolutions, ranging from rural development to federal revenue sharing, were unanimously passed and sent to the appropriate people and agencies.

Reciprocity Subcommittee of
the Midwestern Conference on
Transportation and Highway Safety

On September 15, 1970, the Reciprocity Subcommittee of the Midwestern Conference on Transportation and Highway Safety met in Des Moines, Iowa. Representative Harold O. Fischer of Iowa, Chairman, presided. Assemblyman Joseph E. Tregoning of Wisconsin was in attendance. Also attending the meeting were reciprocity officials from several of the states in the Midwestern Conference of the Council of State Governments and representatives of the trucking industry.

The meeting focused on the problems of proration and reciprocity. The need for greater cooperation among the states in this field became apparent during the committee discussions. Representatives of the trucking industry expressed their concern that

failure of the states to cooperate in this field may lead to federal preemption in the registration of interstate and intrastate motor carriers.

The need for interstate cooperation becomes more apparent each day, and the need for meetings and agreements between representatives of the several states, whether they be legislative or executive, increases. Failure of the states to take action leads to many administrative problems.

In spite of the fact that legislative attendance at the reciprocity meeting was disappointing, the value of having administrators and experts in the field of transportation was apparent. Although many states belong to prorate compacts, the methods used within the structure of the compact for calculating mileage, the fact that other tax structures are also imposed by some states on the transportation industry, and the fact that other varying facets of administration are used by the states, results in and sometimes destroys the ultimate object of uniformity. Only through the method of personal communication, such as regional meetings of people involved in the total enactment and administration of reciprocity laws, can the goal of uniformity be accomplished. The meeting of September 15, 1970 certainly demonstrated this fact.

Summary

The increasing complexities between states and between the state governments and federal government demand that the states, at the minimum, exchange information, and, at the maximum, cooperate and coordinate in state compacts and consolidate efforts in dealing with the federal government. Increasing overlap in relation to transportation, taxation, pollution control, federal aid, and various forms of reciprocity emphasize the states' difficulties. Iowa's Interstate Cooperation Commission appears to be meeting at least a minimum level, primarily through participation in the Midwestern Council of State Governments.