

REPORT OF THE
JOINT COMMITTEE ON REGIONAL GOVERNMENT



Submitted To
The Illinois General Assembly
And
Governor James R. Thompson

February 1979

2009 Update

To the Illinois Report

In 1979 this report passed out of the two houses in the State of Illinois. It is still a good model by which today's legislators can follow, and perhaps, even include a complaint against the federal government for trying to disarm the people of their own state and strip them of their liberty. This report was a valiant attempt, but proves how essential it is to elect a proper constitutional person as governor.

Unfortunately, however, the Illinois governor, James R. Thompson, vetoed the report and it never became an official state enactment.

Since that time, the federal government has advanced the regional system so that the federal government works directly with the states. All power has been dangerously consolidated on the federal level.

The word "regional" is synonymous with the word "international". The United States is being prepared for international management under a unified world-wide military command and control system run by the United Nations.

Bernadine Smith



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

JOINT COMMITTEE ON REGIONAL GOVERNMENT

2033 Stratton Building
Springfield, Ill. 62706

February, 1979

TO: The Honorable Members of the
Illinois General Assembly

I wish to express my gratitude to those Committee members and witnesses who gave so generously of their time, talents and energies to make this study possible. We are especially indebted to the hundreds of citizens who travelled from all parts of the state and country to share their concerns about regional governance with the Committee. We appreciate also the public officials who appeared to present their views and testimony.

This study was the direct result of a broad-based concern on behalf of those citizens who view with increasing alarm what they consider to be the dangers of federal regionalism to the sovereignty of state government, and to the integrity of our Constitutional Republic. Adding impetus were state, county and local officials, distressed by what they believe to be federal usurpation of local government's constitutional powers and prerogatives.

The responsibility has been an awesome one. Indeed, the work of this Committee, and future efforts of similar purpose, may well be of a significance which outstrips even our own current assessments.

It is my devout hope that this Committee, now concluding its work, will have discharged its full responsibility, pursuant to HJR 8, to the people of the State of Illinois and to the members of the Illinois General Assembly.

Again, I thank all of those who have shared in the completion of this arduous and complex task.

Sincerely,

A handwritten signature in black ink, appearing to read "George Ray Hudson".

George Ray Hudson
Chairman

This report has been approved by the following members
of the Joint Committee on Regional Government:

Rep. George Ray Hudson, Chairman

Sen. Karl Berning

Rep. Charles M. Campbell

Sen. John E. Grotberg

Rep. Richard F. Kelly, Jr.

Rep. Henry J. Klosak

Rep. Joe E. Lucco

Sen. James H. Rupp

The following members of the Joint Committee on Regional
Government do not approve this report:

Sen. Howard W. Carroll, Vice Chairman

Sen. Richard S. Clewis

Sen. Richard Guidice

Rep. Lawrence Murphy

PREFACE

The Joint Committee on Regional Government was formed in 1977 by a vote of both Houses of the Illinois General Assembly. House Joint Resolution 8 (See Appendix A) created the bi-partisan Committee and gave the six Senators and six Representatives who composed the Committee the responsibility of investigating regional government as it affects the State of Illinois.

During 1978, the Committee held three public hearings on the subject of "regional government" in the cities of Springfield, Chicago and Edwardsville. In those hearings, dozens of witnesses appeared before the Committee to present testimony. Among those who testified were local government officials, officials associated with regional planning agencies, Federal and State government officials, members of private organizations and private citizens. As a result of the hearings and the interest and participation of many people, hundreds of pages of written and oral testimony and a mass of articles, pamphlets and books were collected and considered by the Committee and its staff. All of this information has been turned over to the Illinois State Library in Springfield, where it may be examined by the public.

As with any complex subject, it was not an easy task for the Committee to wade through the mass of information it gathered and reach a consensus on the subject of "regionalism". The Committee realizes that its findings will undoubtedly be objected to by persons on both sides of the issue as either being too

critical or not critical enough. Yet, the purpose and function of the Committee was not to issue a report which would please any one faction, but rather to make an independent, critical study of the subject and to reach its own conclusions. The Committee intentionally took a critical approach in its study because the tone of the creating resolution calls for it, and because the Committee found that the trend toward regionalism has escaped serious examination by any legislative body of the State of Illinois.

With the issuance of this report, the work of the Committee on Regional Government is concluded. The Committee has fulfilled its legislated mandate to act as a special investigating committee of the Illinois General Assembly. It is from its authority as representatives of the people, and as the governmental body which has oversight responsibilities into the actions of State and local government units that the General Assembly empowered the Joint Committee to undertake its study and to issue this report.

The following composed the Committee and its staff:

Representative George Ray Hudson, Chairman
Senator Howard W. Carroll, Vice Chairman
Senator Karl Berning
Representative Charles M. Campbell
Senator Richard S. Clewis
Senator John E. Grotberg
Senator Richard Guidice
Representative Richard F. Kelly, Jr.
Representative Henry J. Klosak
Representative Joe E. Lucco
Representative Lawrence Murphy
Senator James H. Rupp

Don Etchison, Staff writer and assistant
Barbara Brey, Committee secretary and clerk

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INTRODUCTION TO REGIONALISM

What is Regionalism?

A precise definition of "regionalism" is not easy to give, for it is a general term which is defined in different ways by different people. This fact was very apparent in the Committee hearings where the Committee members heard a wide range of definitions of "regionalism". At one end of the spectrum were those adamantly opposed to regionalism, who described it as a Communist conspiracy designed to abolish traditional constitutional units of American government and replace them with regional governments. Opposite of this definition were those strong proponents of regionalism who viewed it as a progressive way of assisting and modernizing local and State governments. Besides this great disparity in how supporters and opponents view regionalism, the task of objectively defining the meaning of the word is further complicated because there are several levels of government at which regionalism is practiced in the United States, and a great variety in the announced purposes and structures of the existing regional units.

Without embracing either of the opposing definitions mentioned above, for the purposes of this report the term "regionalism" generally refers to the existing regional agencies, regional units or structures which have been established by the federal government, the States and local governmental units. Such regional entities may be units of government, quasi-governments, areawide planning agencies, or administrative units of the Federal and State governments. In addition to this practical description of what

"regionalism" is, as used in this report "regionalism" may also refer to the concept of "regionalizing" or "regionalization". When used in this manner, "regionalism" pertains to the ideal or body of thought, developed and promoted by the federal government, which is concerned with the consolidation, merger or establishment of multi-state, multi-county and multi-local governmental units; i.e., "regional governance".

Federal Involvement in Regionalism

The establishment and functioning of regional organizations are not altogether new. In the United States, regional planning for metropolitan areas has its origins as far back as the 1920's. However, it has only been in the last two decades that regional organizations have begun to appear in increasing numbers throughout the United States. This trend toward regional government has been enthusiastically promoted and mandated by the federal government.

The federal government has been involved in regionalization of government at all levels. It has mandated the establishment of regional organizations through a variety of federal aid programs, regulations and requirements. For instance, between the mid-1960's and 1977, federal programs requiring state and local governments to institute an areawide (regional) approach to administration, planning and development grew from only a few to thirty-three. (Appendix B is a list of such federal programs.) The federal promotion of regional organizations is freely acknowledged by federal officials. In his written testimony, Robert

Merriam, former Chairman of the Federal Advisory Commission on Intergovernmental Relations, specifically told the Committee that the federal government "undoubtedly" has been the "main force" in establishing the nationwide network of the some 2000 substate regional planning and development organizations which presently exist in the United States.¹

Federal Regional Councils: Multi-State Regionalism

By means of an executive order, in 1969 President Nixon created ten Federal Regions. These regional units of the federal government were created by grouping several states together to form a multi-state region, with the consequence that the 50 States have now been divided into ten Federal Regions. (Appendix C shows the regions.) Illinois was grouped along with Indiana, Ohio, Wisconsin and Michigan into Federal Region V. The headquarters, or "capital", of this region is Chicago.

Governing these ten multi-state regions are ten Federal Regional Councils, each to be composed of regional representatives of the major federal agencies; i.e., Departments of Transportation and Labor, Environmental Protection Agency, etc. Under the Nixonian policy of "new federalism", these regional offices are given the authority to approve grants and make policy decisions. The announced purpose of transferring authority to the regional councils was to "decentralize" federal decision-making and program administration.

Although their purpose and usefulness have been subjected to

¹Robert E. Merriam, written testimony to the Joint Committee on Regional Government, July 10, 1978.

questioning since their inception, the Federal Regional Councils continue to exist after ten years. Upon taking office in January, 1977, President Carter had an assessment of the Federal Regional Councils made. While the results of that study suggested that there was a need for some form of regional "presence", the duties and purposes of the Federal Councils were still seen to be vague and ill-defined. Nevertheless, the Councils were given an additional "probationary" year in which to prove themselves. Yet, a few of the Secretaries of federal agencies, not waiting for a final decision to be made on the status of the Federal Regional Councils, decided to terminate the offices of their regional representatives. Among those who chose this course of action were the Secretaries of HEW, HUD and Labor.² At the end of the "trial" period in the Fall of 1978, the Carter Administration once again reviewed the performance of the Federal Regional Councils, and concluded that they should not be abolished. Consequently, the Councils were given another extension of up to one year.³

During its hearings, this Committee on Regional Government heard much criticism of the Federal Regional Councils. Members of a private organization called the Committee to Restore the Constitution vehemently objected to the very existence of the Federal Regional Councils. In claiming that the Federal Councils

² Intergovernmental Perspectives, Advisory Commission on Intergovernmental Relations, Winter 1978, Vol. 4, No. 1, p. 6.

³ Correspondence from Loren A. Wittner, Chairperson, Federal Regional Council V to Don Etchison, Committee Staff, September 19, 1978; Telephone conversation between Mr. Horwitz, Staff Director of the Federal Regional Council V and Don Etchison, November 27, 1978.

are illegal and unconstitutional, members of the Committee to Restore the Constitution cited Article IV, Section 3 of the United States Constitution, which says that a "State" is not to be formed by the "Junction of two or more States" without the consent of the Legislatures of the States concerned and the Congress. Although the Federal Government has denied the allegation, the Committee to Restore the Constitution has charged that the ultimate plan of the Federal Government is to abolish the States and replace them with regional governments which will be controlled by appointed officials. This is what the Committee to Restore the Constitution calls the "Quiet Revolution".⁴

Regionalism in Illinois: State Districting

In Illinois, regional units or districts have long been utilized by State agencies and departments for administrative purposes. During the early 1960's, an effort was made to have the various departments establish a unified framework of regional units for administering programs and delivering services. Yet, that initiative failed, and over a period of years, each agency developed its own separate regions or districts. As a result of the independent action of each State agency, by 1970 there existed a wide variety of regional units with each having different boundaries.

⁴The position of the Committee to Restore the Constitution can be found in the transcripts of the following testimonies: David Horton, Springfield, April 11, 1978; Archibald Roberts, Chicago, July 10, 1978; Adeline Dropka, Edwardsville, September 26, 1978.

In response to Federal requirements promoting substate districting, and as a result of the hodgepodge or overlapping and uncoordinated array of regional administrative units of the State, in 1970 Governor Ogilvie created a special Task Force on Regionalization to study the possibility of establishing uniform State regions and to make recommendations for achieving that goal. The report which was completed and given to the Governor in January, 1971, suggested that a system of two levels or "tiers" of regions be established in Illinois, with the "first tier" being composed of five to seven large multi-county regions. Those regions would be used by State agencies for their own administrative purposes. The "second tier" was to be composed of smaller multi-county regions which would coordinate the activities of the State and local governments in dealing with the Federal Government and its assistance programs.⁵

On June 22, 1971, Governor Ogilvie followed the recommendation of the Task Force and through an Executive Order created the "first tier" of regions, and directed each State Agency under his control to adopt the designated boundaries. This, however, was as far as the Ogilvie administration proceeded in implementing the recommendations of the Task Force, for in the Fall of 1972, Ogilvie was defeated in his bid for a second term by Dan Walker.

Under the Walker administration, efforts were made to establish the "second tier" of regional districts. Frank Kirk, appointed by Walker as the Director of the Department of Local Government Affairs,

⁵"A Regionalization Program for Illinois," Office of the Governor, State of Illinois, January 1971.

was the driving force behind this movement. Soon after Kirk became the Director, the Department of Local Government Affairs began working on a comprehensive regionalization plan for the State. By early 1974, a tentative proposal for establishing the "second tier" of regions had been developed. That plan suggested that the State be divided into 19 multi-county districts. In the Spring of 1974, a series of 17 public hearings were held throughout the State in order to expose the plan to the public and to obtain public reaction to it. As one would expect, the view of the public was quite varied, ranging from a positive reaction to negative. The proposal had trouble in areas of the State which were not then involved in areawide planning activities, but it did better in those parts of the State which were involved in areawide planning.⁶

Although State officials involved in the project stressed that there was no intention of using the proposed districting system to promote the formulation of "new regional agencies" or "regional government structure",⁷ critics of the plan expressed concern over the eventual loss of local governmental control to the proposed regional districts or "super-counties", as some called them.⁸ Those fears had been further increased by legislation proposed by the Association of Illinois Regional Planning Directors. Their plan called for the establishment of a Statewide

⁶"A Substate Districting System for the State of Illinois", Department of Local Government Affairs, September, 1974.

⁷ Ibid, p. 1.

⁸ Dennis Glaser, "Cooperation vs. Consolidation", County and Township Official, April 1974, pp. 24-26; "Is It 'Thumbs Up' or 'Thumbs Down' on the DLGA's Regional Plan?" County and Township Official, July-August 1974, pp. 26-29.

network of new multi-county regions which would possibly supersede existing planning commissions.⁹

By the time the Department of Local Government Affairs' proposal was revised and completed, opposition to it had become substantial. The plan was opposed by numerous local government officials, the legislature and private citizens. In the General Assembly, the House and Senate passed Joint Resolution 62, which said:

We call upon the Governor of the State of Illinois, the Honorable Daniel Walker, and upon the Director of the Department of Local Government Affairs, the Honorable Frank A. Kirk, to defer any executive action which would alter the boundaries of any operational or planning district, area, region or other geographical subdivision of any state agency, other than normal individual alterations needed for reasons of economy or operating efficiency, until the General Assembly has had an opportunity to consider the proposals for substate districts which will so vitally affect the governments, and people within the legislative districts which the Members represent....¹⁰

Consequently, by late 1974, the attempt of the Executive Branch of the State to establish a set of unified substate regional districts was shelved. The passage of the Joint Resolution by the Legislature put the matter to rest. In addition to the defeat of the plan to create the "second tier" districts, by late 1974 it had also become apparent that the "first tier" of regional

⁹"Regionalism in Illinois: A Background Paper For the Proposed Area Planning and Management Act", Association of Regional Planning Directors, November, 1973.

¹⁰ John Rehfuss and Michael Husby, "Substate Districting in Illinois: Good Intentions Aren't Enough", Policy Issues, Summer 1977.

districts had proven to be a failure and actually existed only on paper. While some of the State agencies had attempted to follow Governor Ogilvie's directive and adjust their activities to the established districts, many others recognized that those districts were simply too large and inflexible to be effectively utilized.¹¹

Since the failure of the Ogilvie and Walker attempt to create a statewide, two-tiered system of unified regional units, little if nothing has been done to change the existing system of substate regional units in Illinois. At the present, there are over fifty regional administrative units used by the agencies of the State. (Appendix D shows the region boundaries of five State agencies.)

Multi-County and Single-County Planning Commissions

Presently, there are seventeen multi-county and twenty-five single-county regional planning agencies or commissions in Illinois. All but a few of them are sanctioned under State law by provisions of The Regional Planning Enabling Act (Chapter 34, Section 300 of the Illinois Revised Statutes). That Act, which originated in 1929, gives the County Board of each county the authority to establish a single-county planning agency, or to jointly establish a multi-county planning agency with other neighboring counties. When organized, such commissions are authorized to employ a staff, make plans for the "development of the region",

¹¹Lee Ahlswede, County and Township Official, April, 1974, p. 21.

gather information and assist local governments within the region. Also, the agencies are given the responsibility of preparing zoning plans and building codes, and of submitting them to governing bodies for their approval. Such plans are only advisory, unless they are adopted by the elected officials of the unit of local government to which they are presented.

The number of members which are on a regional planning commission board and their method of appointment are determined by the county board officials. Generally, however, at least 60% of the board commissioners are officials who have been elected to other local offices within the region; i.e. mayors, county board members. A regional planning commission must have the local officials on its board if it is to be eligible to receive and use Federal funds.

Most substate regional planning commissions in Illinois are financed by a combination of local money, state grants and federal assistance. However, in many cases the amount of revenue deriving from state and local sources is small in comparison to the amount contributed by the federal government. While only a few of the single-county planning agencies in Illinois were 100% locally funded in 1977, most of the single-county agencies received a majority of their funds from federal agencies. As a group, the multi-county planning commissions had even a higher degree of dependency on federal funds than did the single-county planning commissions. In 1977, several of the multi-county planning commissions received over 70% of their money from the federal government.¹²

¹² Further information on the activities, composition of the board members, staffing and financing of regional planning commissions in Illinois can be found in Illinois Regional Planning Agency Directory, 1977, Illinois Department of Local Government Affairs.

(Appendix E lists planning commissions in Illinois.)

Perhaps the most important function of many of the regional planning agencies in Illinois is to administer the A-95 Review and Comment process which the federal government requires before its agencies give financial assistance to local governments. The purpose of the A-95 program is to give the State, designated regional planning agencies and units of local government the chance to review and comment upon an application for federal aid which may affect them. In Illinois, the A-95 process is implemented by the Bureau of the Budget within the Executive Branch of the State. Certain regional planning agencies are designated by the Executive Branch as A-95 clearinghouses for the area in which they function. However, regional agencies in areas which qualify as metropolitan areas are automatically A-95 clearinghouses. For example, in the six-county Chicago area, the Northeastern Illinois Planning Commission is the A-95 clearinghouse.

When a regional planning agency is an A-95 clearinghouse, it has the authority to give positive or negative recommendations on applications for federal funds made by local governments under its jurisdiction. Although the recommendations the regional planning agencies make to the federal government are only supposed to be "advisory" in nature, they nevertheless are an important consideration in the decision of whether or not financial assistance is granted to the applicant. As testimony given to this Committee confirmed, some local government officials and private citizens

resent regional planning commissions having this power.¹³

While criticized for their authority over local governments in the federal grant process, defenders of regional planning agencies pointed out during the hearings of this Committee that the professional staffs of those agencies are often instrumental in helping local governments obtain federal funds. This was said to be especially true in rural areas of the State where a single small local government does not have the resources or expertise to research and apply for federal funds.¹⁴

The two most significant multi-county regional planning organizations in Illinois are located in the Chicago metropolitan area. They are the Northeastern Illinois Planning Commission and the Regional Transportation Authority. Both were created by special legislation and have somewhat different powers than most other regional agencies in the State. Although the Northeastern Illinois Regional Planning Commission has much the same powers and duties as other downstate planning commissions, the Regional Transportation Authority came into existence in 1975 when a majority of those voting approved of it in a referendum. Undoubtedly, both of these agencies are the most controversial regional organizations

¹³ Statement of Nicholas B. Blase, Mayor, Village of Niles, Chicago, July 10, 1978; Statement of Stephen E. Aradas, Director of McHenry County Regional Planning Commission in regard to the A-95 authority the Northeastern Illinois Planning Commission has over his Commission, Chicago, July 10, 1978.

¹⁴ Statement of Michael A. Steele, President, Greater Illinois Section, Illinois Chapter, American Institute of Planners, Edwardsville, September 26, 1978; Statement of Dale McLaren, Executive Director, Greater Wabash Regional Planning Commission, Edwardsville, September 26, 1978; Statement of Dr. Edward J. Goetzman, Mayor, City of Kewanee, Edwardsville, September 26, 1978; Fred Lloyd, Chairman, Southeastern Illinois Regional Planning and Development Commission, Edwardsville, September 26, 1978.

in the State. Although they are controversial for many reasons, a simple fact is that the decisions those agencies make affect millions of people in the Chicago area, and an unpopular action obviously creates a lot of criticism.

During the hearings, the members of the Committee heard a considerable amount of criticism directed toward those two organizations and the powers they possess over local governments within their jurisdiction. Although officials from both agencies contended that they merely carry out the duties and responsibilities the Legislature granted them,¹⁵ their opponents repeatedly stressed that those two regional organizations, and others like them, are run by appointed directors and staff members who are not subject to voter approval. Furthermore, critics objected to those organizations having any power over duly-elected local governments.¹⁶

In other testimony presented to this Committee, some witnesses pointed out the questionable nature of having regional planning commission boards predominately composed of persons who become members by virtue of their having been elected to a specific local government position. The problem arises because the people who elected them did so to fill a specific post, and not to be a member of the board of a planning commission. This question concerns the transfer of authority and responsibility of an official who is

¹⁵ Statement of Cyril C. Wagner, President of the Northeastern Illinois Planning Commission, Chicago, July 10, 1978; Written Statement of Milton Pikarsky, Chairman of Regional Transportation Authority, Chicago, July 10, 1978.

¹⁶ Statement of Peter G. Malone, Vice President and Trustee, Citizens for a Greater Park Ridge, Chicago, July 10, 1978; Statement of Adeline Dropka, Concerned Citizens of Cicero/Berwyn, Edwardsville, September 26, 1978.

elected to represent and guard the interest of a specific locality, but whose power is spread to another position to which he was not elected. In their testimonies to this Committee, both Archibald Roberts and Paul A. Lenz, Mayor of Alton, stated that they did not believe this transfer of authority to be proper.¹⁷

Finally, in regard to the duties, powers and functions given to regional planning agencies from the Federal and State governments, during the Committee hearings defenders of those agencies pointed out that those organizations are not and should not be thought of as "regional governments". Strictly speaking, they maintained that regional planning commissions are not "governments" per se because they do not have the power to tax, make laws or enforce them. Planning commissions, they contend, are merely voluntary associations of local governments which have been established to serve those governments, and their only purpose is to advise and make recommendations. Some of the officials involved in regional organizations stressed to the Committee that they are for "regional planning" and "regional cooperation", but are against "regional government".¹⁸

¹⁷ Statement of Paul A. Lenz, Mayor of Alton, Edwardsville, September 26, 1978; Statement of Archibald Roberts, Chicago, July 10, 1978.

¹⁸ Statements of: Joan Severns, Champaign City Council and Champaign Regional Planning Commission, Springfield, April 10, 1978; Nelson Hagnauer, Chairman of the Madison County Board, Edwardsville, September 26, 1978; Don Melhorn, Mayor of Village of Swansea and President of the Southwestern Illinois Council of Mayors, Edwardsville, September 26, 1978; Fred W. Walker, Executive Director, South Central Illinois Regional Planning and Development Commission, Edwardsville, September 26, 1978.

While critics of regional planning commissions acknowledge these points, they maintain that the line of distinction in this matter is very thin. Regardless of whether or not the substate regional planning agencies are, in fact, "governments" in the strict sense does not actually matter to them. For the very existence and functioning of these regional units, supported primarily by Federal funds, operated by appointed people and having authority over traditional local governments, is what they oppose. Besides this, instead of aiding the local governments, opponents of regional planning agencies contend that the ultimate purpose of those agencies, as envisioned by the federal government, is to take over traditional units of local government, by-pass the state government and deal directly with the federal government. In short, in many cases, critics of regional planning agencies see those agencies not as units which serve local government, but as future replacements for those governments. Moreover, they see them to be agents of the federal government which are working for the restructuring of traditional local governments and bring the demise of the counties, townships and municipalities as they now exist.¹⁹

¹⁹ Statement of Lee Ahlswede, County and Township Official, Springfield, April 11, 1978.

THE VIEW OF THE COMMITTEE

After investigating and studying "regional government" in Illinois, the Committee concludes that there is a substantial body of evidence which indicates that by promoting regional planning agencies, the Federal Government has and is encroaching upon the traditional rights, powers and duties of the State of Illinois and its units of local government.

The Committee finds that this intrusion of the Federal Government into State and local affairs has not been accidental, but has been carried out as part of a deliberate policy to increase federal power at the expense of the states and local units of government. This conclusion is no subjective judgment, but is well-documented.

The trend toward "regionalism" is just one aspect of a larger trend of increased federal involvement in state and local matters. The growth of this "federalism" can be seen by the increase in the number of federal programs for state and local governments. For example, twenty years ago there were less than 100 Federal Aid programs for local and state governments. Those programs added up to 2.2 billion dollars, or 10.4 percent of all state and local government funds. By 1978, the number of federal grant, loan and subsidy programs had increased to over a thousand. Moreover, federal aid to state and local governments now amounts to more than 85 billion dollars, or 26.2 percent of their revenues.²⁰ In Illinois alone, the total federal infusion of money in fiscal year

²⁰ U. S. News and World Report, September 4, 1978, p. 39

1976 was 15 billion dollars. Of that amount, slightly less than 3 billion went to the state and local governments.²¹

There is no doubt that the federal government has indeed expanded its policymaking dominance through various laws, regulations and programs. In a "carrot and stick" approach, the laws and regulations promulgated by the Federal Government represent the "stick", and the billions of dollars of available funds represent the "carrot". In analyzing this approach, David Walker, Assistant Director of the U. S. Advisory Commission on Intergovernmental Relations, has said that the Congress is using the flow of federal money as a leverage to obtain "a whole series of national social and moral objectives".²²

Likewise in regard to its promotion of regionalism, this Committee believes the Federal Government is using money, laws, programs, requirements and regulations to alter the structure of local and state governments. The Committee found that the Federal Government has used the "carrot and stick" approach to promote the formulation of the substate regional districts in Illinois, as well as other states. By offering to finance local projects through federal assistance programs, the Federal Government has induced many units of government to establish the required regional structure to apply for and review grant applications for federal funds. Thus, in many cases, for units of local government to receive federal money, they must belong to

²¹"Federal Aid to Illinois State Agencies, FY 1976-77," Research Memorandum 56 prepared by the Illinois Commission on Intergovernmental Cooperation, July 1977, p. 23.

²²U. S. News and World Report, June 12, 1978, p. 42.

regional planning commissions. Once they belong to a regional commission, all federal guidelines must be met in order to receive the federal funds, and it is the planning commissions who determine if the guidelines have been met. Within a short time, the units of local government become dependent upon the federal funds and are under pressure to meet all federal requirements continually, or else have the funding cut off.

It should be pointed out that this Committee is not against planning or areawide cooperation among governments in activities which are the result of local initiative and carried out by constitutional units of government with accountable elected officials making the decisions. However, the Committee is very much opposed to the method employed by the Federal Government which encourages and/or mandates the establishment of regional planning agencies, headed by appointed directors not directly accountable to the public and dependent upon federal funds for their existence. When this happens, these planning agencies, which supposedly exist to serve local governments, in effect, become agents of the Federal Government.

The Committee believes that the State Government and the local units of government in Illinois should become more aware of the increasing amount of intrusion of the Federal Government into state and local affairs via the vehicle of "regional government".

In several areas in the past, the Illinois General Assembly and the Governor have passed legislation establishing regional planning agencies in order that federal money could be accepted and utilized by such agencies. This Committee believes that the

General Assembly and the Governor must now start to consider seriously the long-range implications of such actions, and refuse to sanction the creation of any new regional agency as a conduit for federal funds to local governments.

The investigation of this Committee discovered that there is a definite movement toward "regional government" which has accelerated across the country during the last decade. The Federal Government has been and continues to be the prime instigator behind this trend. It is up to the elected officials of the state to start guarding the rights and sovereignty of the people of the State of Illinois against the Federal Government's usurping the State's sovereignty by continually expanding federal authority into areas traditionally belonging to local and state governments.

This Committee recognizes that from the numerous planning officials who took the time to tell us their side of the story, most of them are intelligent and competent professionals. Many of these people are well-meaning and, obviously, often give valuable assistance to the communities which they serve. Nonetheless, it appears to this Committee that they are, in widely varying degrees, being used as agents of the Federal Government.

The Committee understands that, in many instances, areawide planning is a necessary and beneficial action. In today's highly developed American society, political, economic and environmental problems often cross the boundaries of traditional political units which might necessitate areawide agreements to solve various problems. Yet, what this Committee rejects is the Federal Government's promoting the establishment of regional agencies. By

promoting a specific governmental structure for regional planning agencies, the Federal Government by-passes the State Government and deals directly with the regional planning agencies. Local units of government are supposed to be creatures of the State, not creatures of the Federal Government. This Committee views the establishment of regional planning agencies as governmental structures which usurp both the authority of the traditional governing units--the townships, cities, counties--and the state, while increasing the authority of the Federal Government to intervene in local affairs through the aforementioned planning agencies.

At the multi-state level of regionalism, the Committee is concerned about the establishment and continued existence of the ten Federal Regional Councils into which Illinois and the other forty-nine States have been divided. The reason given by the Federal Government for the establishment of the regional councils is to "decentralize" the administration of the Federal Government in order to be closer to the people. While this Committee notes this rationale, it seriously questions the utility, functioning and constitutionality of federal multi-state regional governance.

Evidence has shown that after ten years of existence, the purpose of the Federal Regional Councils is still ill-defined. The Committee contacted the Federal Regional Council V in Chicago three times to solicit testimony concerning its role and duties, but was refused each time. Thus, if the avowed purpose of the Federal Regional Council is to present federal policies and programs to state and local units of government, it seems to this

Committee that the Federal Council in Chicago has failed in this duty.

The Committee views the very existence of the Federal Regional Councils as threats to the sovereignty of the fifty States. The Federal Government denies that it has any intention of replacing the fifty States with the ten Federal Regional Councils. Yet, while the possibility of this happening may seem remote, it is not beyond the realm of possibility when viewed in the full light of day and the Federal Government's previous performance.

Regardless of conjecture, the fact remains that ten Federal Regional Councils do exist, that a new structure has been established providing for the merger of the fifty States into ten Federal Regional units of governance. Combining the fifty States into ten units, or into new "superstates", is expressly prohibited by Article IV of the United States Constitution, unless the consent of the Legislatures of the various States involved and the Congress grant such permission. Yet, while the States were combined into the ten Federal Regional units, neither Congress nor any of the States had a vote in the matter. Only by an Executive Order from the President were these regions established.

It is the view of this Committee that, if the State of Illinois or any other state is to be placed into a multi-state Federal Region, the Legislature of the State has the constitutional right and duty to approve or disapprove of such federal action.. The elected Legislature of Illinois was not given that opportunity, and Illinois was placed into Federal Regional Council V through the solitary action of the Executive Branch of the Federal Government. Hence, the Committee's view is that the Federal Government's regional

councils are unconstitutional and must be abolished. For the ten years of their existence, those Councils have not only been a waste of taxpayers' money, but continue to threaten the sovereignty of the State of Illinois.

Finally, in concluding this report, the Joint Committee would like to make two recommendations to the General Assembly. First of all, the Committee recommends that legislation be introduced in the 81st General Assembly, creating a special Joint Committee on State Sovereignty. The purpose of such a Committee would be to continue the work begun by this Committee, and to examine all aspects of federal activities and programs as they relate to the State of Illinois. Whereas this Committee was given the responsibility of investigating "regionalism" by public hearings and of reporting its findings to the General Assembly, the Committee on State Sovereignty would be given the duties of investigating and making specific recommendations on ways the General Assembly can guard the sovereign rights, powers and duties of the State of Illinois and its people.

In making such a recommendation, the Joint Committee would like to point out that there are many agencies and commissions which work to facilitate better relations between the State and the Federal Government, but none to preserve and guard the integrity of the State and local governments from encroachments by the Federal Government.

Because this Committee is very much alarmed at the increasing intrusion of the Federal Government into State and local affairs, it also recommends that a Resolution be introduced in the General Assembly which would express this concern to the Illinois

delegation in Congress. It is recommended that such a Resolution strongly emphasize that the General Assembly is concerned about the proliferation of "regional governments" and the role that the Federal Government has played in promoting them. Moreover, the Resolution would call on the Illinois delegation to introduce legislation at the federal level, abolishing the ten Federal Regional Councils. Such a Resolution would put the Illinois General Assembly on record as opposing the Federal Government's attempt to restructure State and local government through regionalization.