A BILL

To establish a temporary National Commission on Intergovernmental Relations

BE IT ENACTED BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES OF AMERICA IN CONGRESS ASSEMBLED,

FINDINGS OF FACT

SECTION 1. Since the establishment of the Federal system of government, no comprehensive survey has been made by the Congress of the relationships existing among the National, State, and local governments of the United States; of the allocation of governmental functions and powers among these three governmental levels, or of the distribution of jurisdiction of governmental functions and powers exercised by two or more governmental authorities. Prior to a determination of necessity or desirability of a reallocation of functions and powers or of redistribution of jurisdiction over them among the levels of the Federal system, it is necessary that such a study and survey be made. It is the belief of the Congress that such a study and survey of past and present conditions and the determination of what legislation should be proposed can best be accomplished through the cooperative efforts of officials of government and representatives of the people.

ESTABLISHMENT OF THE NATIONAL COMMISSION ON INTERGOVERNMENTAL RELATIONS

SEC. 2. (a) There is hereby established a temporary national bipartisan commission to be known as the National Commission on Intergovernmental Relations (hereinafter referred to as the "Commission"), which shall be composed of seven members appointed by the President, all of whom shall have had experience with or knowledge of the major problems in the field of intergovernmental relations and not more than four of whom shall be from any one political party.

(b) Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

(c) The Commission shall elect a Chairman and a Vice Chairman from among its members.

(d) Four members of the Commission shall constitute a quorum.

DUTIES OF THE COMMISSION

SEC. 3. (a) It shall be the duty of the Commission to submit to the Congress specific recommendations based upon a study of -

(1) (A) the past and present relations between the National, State, and local governments of the United States, (B) the past and present allocation of governmental functions and powers among the National, State, and local governments of the United States, (C) in the case of governmental functions and powers exercised by two or more such governments, the distribution of jurisdiction over such functions exercised by each such government, and (D) the most desirable future allocation of governmental functions and powers among the National, State, and local governments of the United States and the means of effecting such allocation, and, in the case of a function or power appropriately allocated to two or more governments, the most desirable distribution of jurisdiction over such function or power among the governments;

(2) the fiscal relations among the National, State, and local governments with a view of determining the possibilities, and mechanism for achieving, on a continuous basis, consistency in the fiscal policies of the several levels of governments. In making such study the Commission shall give particular attention to (A) intergovernmental tax immunities in terms of the problems they create for governments and taxpayers, and means for resolving these problems, (B) revenue sources and means for reducing or eliminating intergovernmental tax competition, and (C) grants-in-aid, tax
sharing, and other similar measures for adjusting financial resources to the needs of State and local governments, with a view to proposing guides to the use of such devices and improvements in their operation.

(b) The Commission shall submit a final report of its activities, and the results of its studies to the Congress on or before January 1, 1952, and shall cease to exist at the end of the fiscal year during which the report is made, or at the end of the second fiscal year, which commences after the enactment of this Act, whichever is earlier.

POWERS OF THE COMMISSION

SEC. 4. (a) The Commission may, in carrying out this Act, hold such hearings, take such testimony, and sit and act at such times and places as the Commission deems advisable. Any member of the Commission may administer oaths or affirmations to witnesses appearing before the Commission. The Commission may delegate the powers conferred by this subsection to any member or to a group of members of the Commission.

(b) The Commission is authorized to secure from any department, agency, or independent instrumentality of the executive branch of the Government any information it deems necessary to carry out its functions under this Act; and each such department, agency, and instrumentality is authorized and directed to furnish such information to the Commission, upon request made by the Chairman or Vice Chairman.

(c) The Commission shall have the power, without regard to the civil-service laws, to appoint and fix the compensation of an executive secretary, who shall be the chief administrative officer of the Commission, and such other personnel as it deems advisable, but the rates of compensation of such personnel shall not exceed the rates prescribed in the Classification Act of 1923, as amended, for comparable duties.

COMPENSATION OF MEMBERS OF THE COMMISSION

SEC. 5. (a) Any member or members of the Commission who are appointed from among Members of Congress shall serve without compensation in addition to that received for their services as Members of Congress; but shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties as members of the Commission.

(b) Any member or members of the Commission appointed from the executive branch of the Government shall receive, in addition to his compensation for duties performed in the executive branch, such additional compensation, if any, as is necessary to make his aggregate annual salary $12,500; and shall be reimbursed for travel, subsistence, and other necessary expenses incurred in the performance of his duties as a member of the Commission.

(c) Members of the Commission, other than those to whom subsections (a) and (b) are applicable, shall receive compensation at the rate of $50 per day for each day they are engaged in the performance of their duties as members of the Commission and shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties as members of the Commission.

AUTHORIZATION FOR APPROPRIATIONS

SEC. 6. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.