

TO: Senator Dole
FR: Kerry

RE: National Association of Counties
Monday, March 6
Hilton Towers

*Audience of 2,000 + county officials attendning annual legislative conference.

*President Clinton will speak to convention on Tuesday.

*Focus of conference is on "Federalism--Forging a New Partnership between Federal, State, and Local Governments.

*Their top concern is that cost of budget and tax cuts are not shifted to state and local governments.

SPEAK

Mon, March 6

NACO

Washington D.C. Hilton
National Association of Counties



November 17, 1994

morning or
lunch.

(Kerry)

Pres Clinton is
speaking

The Honorable Bob Dole
United States Senate
SH-141 Hart Senate Office Building
Washington, D.C. 20510-1601

Dear Senator Dole:

On behalf of the National Association of Counties, I am pleased to invite you to speak at our 1995 Annual Legislative Conference scheduled for March 4-7 at the Washington, D.C. Hilton and Towers Hotel. With all the changes resulting from the November 8 elections, we are expecting a record number of county officials from all regions of our nation.

The focus of one of our general sessions on Monday, March 6 (at either the morning or noon luncheon session), will be on Federalism: Forging a New Partnership Between the Federal, State and Local Governments. We would be delighted to have you discuss the Senate leadership's view of the problems in our federalist system and the changes needed to improve the intergovernmental partnership. White House Chief of Staff Leon Panetta, the House Majority Leader, U.S. Conference of Mayors President Victor Ashe and Governor George Voinovich will also be invited to speak at this session.

We are excited about the opportunity to work with a new Congress and new leadership. As we look ahead, a number of issues will be debated that will significantly impact the relationship between different levels of governments. A balanced budget amendment, a tax cut for middle income individuals and cuts in many federal programs are just a few of the proposals that could have serious implications for state and local governments. In enacting any new legislation, Congress must be careful to ensure that the cost of these proposals are not shifted to state and local governments.

Thank you for your consideration and we look forward to having you participate. Larry Jones of the NACo staff will contact your office soon to follow up and further assist you in making plans to attend.

Sincerely,

Randall Franke
Randall Franke
NACo President
Commissioner
Marion County, OR

11-29 Interview letter

440 First Street, NW
Washington, DC 20001-2080
202/393-6226
Fax 202/393-2630

Ⓜ listed 11-28

7. National Association of Counties Annual Legislative Conference. [March 6 -- flexible on time.]

- Recommendation: YES.

Memo: 3/2/95

To: Sen. Dole

From: JT Young, BAF

Synopsis: 3/1 Policy Meeting on State/Local Priorities for the 104th Congress

The meeting's purpose was to demonstrate the coincidence of priorities in the Senator's and state and local governments' agendas and establish an on-going dialogue with the "Big 5" state/local organizations (all their Executive Directors attended).

The overall message from the state/locals (S/Ls) centered on: responsibility, flexibility, and predictability. They were willing to take on what has been up to now Washington's responsibility, but had to have the flexibility to do so and the predictability that the rules would not be changed later. *The common thread in responsibility, flexibility, and predictability is "ability;" the question is where does it most likely lie: With unelected bureaucrats in Washington or with people who live in the community, are elected by the communities in which they live, and run the programs that serve those communities?*

S/Ls were eager for the Senate to play a moderating role to what they saw as the House's rushed and ill-conceived efforts on a wide range of issues. They were receptive to the devolution of government away from Washington but stressed the earlier "they're in the discussions, the likelier they'll be on." They appear to form a very willing audience for Senator Dole -- many have national meetings shortly (Dole will address the Nat'l Ass'n of Counties next week; Nat'l League of Cities is pressing hard on a 3/13 request).

The S/L priorities are outlined below. In response, the comprehensive regulatory reform bill (S 343) and his emphasis on the unfunded mandates bill (S 1) were underscored.

Unfunded Mandates: Continues to be top priority. Protection against these still needs to be guaranteed with BBA in some form.

Drinking Water Reform: Would like to see a smaller bill that addresses primary concern of contaminants than the wider bill Chafee seems inclined toward.

Storm Water: Want the current permit system to be discarded for cities under 100,000 and ideally altogether.

Solid Waste: This has the least unanimity of their priorities. Some states see this as only a local issue and not a state one. Contentious issue within debate is where the line will be drawn on the "grandfathering" of existing waste facilities.

Regulatory Reform: Reassurance is still needed that S/L regulations will be unaffected.

Fair Labor Standards Act: S/Ls want this discarded as one of the worst unfunded mandates. Unanimously want 1994's Ninth Circuit decision upheld and Administration's request to rehear dropped.

FY 1995 Reductions -- Appropriations Recissions & Crime Bill: Recognize need for reductions but want these done in orderly manner -- House proposals seen as "radical" and especially fear losing money that is already being spent -- summer youth money, etc. The big fear is not the particular cuts however, but the cumulative effects, which may be overlooked by Congress.

- **Nat'l Ass'n of Counties stated that a Dole statement that offsetting cuts would be rational and well-thought out would be very helpful and very well-received.**

Block Grants: Expect to have a new S/L proposal out soon but have no problem with theory and want no fight within their coalition.

Telecommunications: S/Ls raised this as another area in which they would be interested in working together with us.

BETTER AMERICA FOUNDATION

SENATOR BOB DOLE
HONORARY CHAIRMAN



★ ★ ★ ★ ★

Policy Agenda: State/Local Priorities for 104th Congress
3/1/94 -- Wednesday
1 PM

I. State/Local priorities -- the NGA list

- A. Priorities within the priorities
- B. Additions
 - Clean Air -- RFG, emissions, etc.
 - Private property rights

II. Response and timing in Congress

III. Dole initiatives

- A. Unfunded mandates: S. 1
- B. Comprehensive Regulatory Reform Act of 1995 -- S. 343
- C. Superfund

IV. Suggestions for Dole initiatives

V. Invitees: Don Borut (Nat'l League of Cities), Tom Cochran (U.S. Conference of Mayors), Paul Hatch (Republican Governors' Ass'n), Ted Hollingsworth (State of Ohio), Kyle McSlarrow (Senate Majority Leader's office), Larry Naake (Nat'l Ass'n of Counties), Tom Needles (Governor Voinovich), Ray Scheppach (Nat'l Governors' Ass'n), Janet Sena (Sen. Dole), Mary Sheehy (Governor Thompson), Phil Smith (Governor Branstad), Carl Tubbesing (Nat'l Conference of State Legislatures), Jim Whittinghill (Better America Foundation), JT Young (Better America Foundation).

* Attendees are underlined.

**GOOD MORNING. I'VE HAD THE
PRIVILEGE OF SPEAKING TO THE
NATIONAL ASSOCIATION OF
COUNTIES JUST ABOUT EVERY
YEAR YOU'VE COME TO
WASHINGTON.**

**BUT TODAY IS DIFFERENT.
BECAUSE TODAY IS THE FIRST
TIME IN FORTY YEARS YOU'VE**

**COME TO A WASHINGTON WHERE
CAPITOL HILL IS CONTROLLED BY
REPUBLICANS.**

**NOW, I KNOW THIS IS A BI-
PARTISAN GROUP, AND SOME OF
YOU ARE REPUBLICANS AND ARE
EXCITED ABOUT THE NEW
REPUBLICAN MAJORITY.**

**AND SOME OF YOU ARE
DEMOCRATS, AND MAY NOT BE AS
EXCITED.**

**AND IN A GROUP THIS SIZE,
SOME OF YOU PROBABLY JUST
WANDERED INTO THE WRONG
MEETING, AND DON'T KNOW WHAT
I'M TALKING ABOUT.**

**BUT, ALL PARTISANSHIP ASIDE,
THERE IS A NEW ATMOSPHERE ON
CAPITOL HILL. THERE IS A REAL
DESIRE TO SHIFT POWER TO THE
STATE COUNTY AND LOCAL
LEVELS. THERE IS--AS YOUR THEME**

**SUGGESTS--A "NEW PARTNERSHIP"
BETWEEN THE FEDERAL, STATE,
AND LOCAL GOVERNMENTS.**

**I HAVE A LITTLE CARD WITH ME
THAT'S MY VERSION OF THE
"AMERICAN EXPRESS" CARD. I
"DON'T LEAVE HOME WITHOUT IT."**

**AND ON THIS CARD IS THE 10TH
AMENDMENT-WHICH BASICALLY
SAYS THAT ANY POWERS NOT
SPECIFICALLY DELEGATED TO THE**

**FEDERAL GOVERNMENT ARE
RESERVED TO THE STATES AND TO
THE PEOPLE.**

**MY MANDATE AS SENATE
MAJORITY LEADER IS TO DUST OFF
THE 10TH AMENDMENT, AND
RESTORE IT TO ITS RIGHTFUL PLACE
IN THE CONSTITUTION.**

**BECAUSE, NO DOUBT ABOUT IT,
THE 10TH AMENDMENT HAS
COLLECTED A FEW COBWEBS OVER**

**THE YEARS, AS THE FEDERAL
GOVERNMENT GRABBED MORE AND
MORE POWER, AND IMPOSED MORE
AND MORE MANDATES ON LOCAL
GOVERNMENTS, AND ON BUSINESS.**

**THAT WASN'T THE CASE DURING
MY YEARS AS RUSSELL COUNTY
ATTORNEY.**

**BACK THEN, THE JOB PAID \$248
A MONTH--WHICH WAS FOUR**

**DOLLARS LESS THAN THE SALARY
OF THE COURTHOUSE CUSTODIAN.**

**DESPITE THE PAY, SERVING AS
COUNTY ATTORNEY PROVIDED ME
WITH A PRICELESS EDUCATION
ABOUT HOW GOVERNMENT WORKS.
AND WHAT I LEARNED WAS THAT
IT WORKS BEST AT THE LOCAL
LEVELS--WHERE PEOPLE KNOW
WHERE YOU LIVE...WHAT YOUR
PHONE NUMBER IS...AND WHERE**

**YOU SHOP FOR GROCERIES. AND
THEY CAN KNOCK ON YOUR DOOR
OR CALL YOU UP ANY HOUR OF THE
DAY OR NIGHT, AND LET YOU
KNOW THEIR CONCERNS.**

**AND AS A RESULT, OFFICIALS AT
THE GRASS ROOTS LEVEL KNOW
BEST WHAT THE NEEDS OF THE
PEOPLE ARE, AND HOW TO MEET
THOSE NEEDS.**

**UNFORTUNATELY, THERE'S A
LOT OF PEOPLE AROUND
WASHINGTON--A FEW LESS THIS
YEAR THAN THERE USED TO BE--
WHO HAVEN'T AGREED WITH THAT.
THEY THINK ONLY THE FEDERAL
GOVERNMENT CAN PROVIDE THE
ANSWERS AND THE PROGRAMS TO
AMERICA'S PROBLEMS.**

**WE'RE TRYING TO TURN THAT
ATTITUDE AROUND NOW. WE
STARTED WITH S.1--THE UNFUNDED
MANDATES LEGISLATION--WHICH
HAS BEEN PASSED BY THE HOUSE
AND SENATE.**

**THE CONFERENCE COMMITTEE
WILL SOON IRON OUT THE MINOR
DIFFERENCES BETWEEN THE BILLS,
AND I EXPECT THAT WE WILL SEND**

**IT TO THE PRESIDENT IN A MATTER
OF WEEKS.**

**AND LET ME SAY THANK YOU TO
THE NATIONAL ASSOCIATION OF
COUNTIES FOR YOUR STRONG
SUPPORT OF THIS LEGISLATION.**

**AND FROM CRIME TO WELFARE
REFORM TO EDUCATION, WE HOPE
TO REMOVE FEDERAL STRINGS,
AND TO GIVE STATES, COUNTIES,**

**AND CITIES MORE RESPONSIBILITY
AND MORE AUTHORITY.**

**ANOTHER WAY WE WANTED TO
RETURN POWER TO THE PEOPLE
WAS TO GIVE ALL 50 STATE
LEGISLATURES A CHANCE TO
DEBATE AND VOTE ON A BALANCED
BUDGET AMENDMENT TO THE
CONSTITUTION.**

**WHEN ALL THE CHARGES AND
COUNTER CHARGES WERE DONE,**

**THE BALANCED BUDGET
AMENDMENT CAME DOWN TO ONE
QUESTION. DID THE UNITED
STATES SENATE TRUST THE
AMERICAN PEOPLE TO MAKE THE
RIGHT DECISION?**

**AND WE ENDED UP JUST ONE
VOTE SHORT OF TRUSTING THE
PEOPLE.**

**WHEN IT WAS CLEAR WE WERE
ONE VOTE SHORT, I CHANGED MY**

**VOTE, TO GUARANTEE ME THE
RIGHT TO MOVE FOR
RECONSIDERATION SOMETIME
LATER THIS SESSION. AND BELIEVE
ME, WE WILL BRING IT UP AGAIN.**

**EVEN THOUGH THE AMENDMENT
FAILED, REPUBLICANS WILL MOVE
AHEAD LATER THIS YEAR AND
OUTLINE A PLAN TO MOVE
AMERICA TOWARDS A BALANCED
BUDGET--WITHOUT INCREASING**

**TAXES, AND WITHOUT TOUCHING
SOCIAL SECURITY.**

**BUT LET ME BE CLEAR IN SAYING
THAT EVERY OTHER FEDERAL
PROGRAM--FROM A TO Z--
AGRICULTURE TO ZOOLOGICAL
STUDIES--WILL BE EXAMINED VERY
CLOSELY.**

**CUTS WILL BE MADE--AND WHEN
THEY ARE MADE, WE WILL MAKE
SURE THEY ARE RATIONAL AND**

**WELL-THOUGHT OUT, AND THAT
ATTENTION IS PAID TO EFFECTS ON
LOCAL GOVERNMENTS.**

**THE BOTTOM LINE IS THAT LAST
NOVEMBER, AMERICANS VOTED
FOR LESS GOVERNMENT AND MORE
FREEDOM. AND WE CAN
ACCOMPLISH THIS BY TAKING A
LOOK AT EVERY GOVERNMENT
AGENCY AND PROGRAM, AND
ASKING A SIMPLE QUESTION:**

**IS THIS A BASIC FUNCTION OF
LIMITED GOVERNMENT? OR IS IT
AN EXAMPLE OF HOW
GOVERNMENT HAS LOST FAITH IN
THE JUDGMENT OF OUR PEOPLE
AND THE FREEDOM OF OUR
MARKETS?**

**AND WE ALSO WANT TO MAKE
SURE THAT THE FEDERAL
GOVERNMENT ASKS A FEW
QUESTIONS BEFORE IT ADOPTS A**

**REGULATION. QUESTIONS LIKE: IS
THERE A NEED FOR THIS
REGULATION? DO THE COSTS
OUTWEIGH THE BENEFITS? AND
DOES THIS REGULATION MAKE
COMMON SENSE?**

**YOU KNOW AS WELL AS I THAT
A LOT OF FEDERAL REGULATIONS
CAN'T PASS THAT TEST.**

**LET ME GIVE YOU AN EXAMPLE:
AN OSHA INSPECTOR VISITING A
BRICK FACTORY IN READING,
PENNSYLVANIA NOTED THAT THE
DUSTMASK WORN BY A WORKER
WITH A BEARD WAS VIOLATING
THE RULE THAT REQUIRES A CLOSE
FIT BETWEEN FACE AND MASK.**

**THE DUST WAS NOT HEAVY OR
OF HAZARDOUS CONTENT. AND
THE MASK, EVEN WORN OVER A**

**BEARD, FILTERED OUT MOST OF
WHAT THERE WAS. BUT THE RULE
WAS CLEAR. THE WORKER WAS
GIVEN THE OPTION OF SHAVING HIS
BEARD OR QUITTING. GIVEN THE
FACT THAT HE WAS AMISH, AND
SHAVING WOULD VIOLATE HIS
RELIGIOUS CONVICTION, HE QUIT.**

**MY POINT IS THIS. OUR
REGULATORY SYSTEM HAS BECOME
AN INSTRUCTION MANUAL. IT**

**TELLS LOCAL GOVERNMENTS AND
BUSINESSES EXACTLY WHAT TO DO
AND HOW TO DO IT. DETAILED
RULE AFTER DETAILED RULE
ADDRESSES EVERY EVENTUALITY,
OR AT LEAST EVERY SITUATION
THAT LAWMAKERS AND
BUREAUCRATS CAN THINK OF. WE
HAVE LEFT NO ROOM FOR
INDIVIDUAL RESPONSIBILITY. AND
NO ROOM FOR COMMON SENSE.**

**SO, JOINED BY SEVENTEEN OF
MY COLLEAGUES, I RECENTLY
INTRODUCED THE "COMPREHENSIVE
REGULATORY REFORM ACT OF
1995."**

**THIS LEGISLATION WOULD
ENACT WHAT I CALL THE
"COMMON SENSE TEST" OF
REGULATIONS.**

**FIRST, MAJOR REGULATIONS--
THOSE WITH A \$50 MILLION**

**IMPACT ON THE ECONOMY--WOULD
UNDERGO A COST-BENEFIT
ANALYSIS. THIS IS NOT JUST A
PAPER EXERCISE. AGENCIES
WOULD HAVE TO DEMONSTRATE
THAT THE CHOICES THEY MAKE
WILL ENSURE THAT BENEFITS
EXCEED COSTS.**

**SECOND, WE WOULD STOP
USING VERY IMPROBABLE AND
EXTREMELY COSTLY SCENARIOS**

**WHEN EVALUATING RISKS TO
HUMAN HEALTH AND SAFETY.
AND, IN CERTAIN
CIRCUMSTANCES, THIS
LEGISLATION WOULD ALLOW THE
"COMMON SENSE TEST" TO BE
APPLIED TO EXISTING
REGULATIONS. REAL REFORM IS
NOT JUST ABOUT PREVENTING
MISTAKES IN THE FUTURE--WE**

**INTEND TO REIN IN THE BIG
GOVERNMENT WE HAVE TODAY.**

**I WANT TO ASK FOR YOUR HELP
HERE. I'M SURE ALL OF YOU KNOW
OF A FEDERAL REGULATION THAT
IS PARTICULARLY HARSH ON THE
COUNTIES, THAT IS COUNTER
PRODUCTIVE, OR THAT DOESN'T
MAKE SENSE.**

**MY FRIEND, DAVID LETTERMAN,
IS FAMOUS FOR SHOWING "STUPID
PET TRICKS." WELL, I'M DECIDED
THAT MY OFFICE SHOULD BE A
CLEARINGHOUSE FOR "STUPID
REGULATIONS."**

**SO JUST WRITE THEM DOWN,
AND SEND THEM TO BOB DOLE,
CARE OF THE UNITED STATES
CAPITOL.**

**I THANK YOU FOR THE WORK
YOU ARE DOING AT THE GRASS
ROOTS LEVEL, AND I LOOK
FORWARD TO WORKING WITH YOU
IN FORGING A NEW PARTNERSHIP
BETWEEN FEDERAL AND LOCAL
GOVERNMENTS.**

**AND LET ME JUST CONCLUDE BY
SAYING THAT HARRY TRUMAN WAS
THE LAST PRESIDENT WHO HAD
EXPERIENCE AS AN ELECTED**

**COUNTY OFFICIAL--AND I'M HOPING
THAT AMERICA THINKS ITS TIME
WE HAD ANOTHER ONE.**