

INTERSTATE COMPACTS

"Working through the Council of State Governments, Texas and the other states strive to encourage and promote cooperation in the solution of interstate problems." [MacCorkle & Smith, TEXAS GOVERNMENT, 1964].

It was during the 1920's that state officials began to realize that agreements to cooperate might help to solve their common problems. They signed a number of compacts (agreements) dealing with a wide variety of subjects, and Congress gave its formal approval. There are now over 135 interstate agreements, although only one--regulating the interstate supervision of paroled convicts and probationers--has been accepted by all the states.

In each of the states there is a commission on interstate cooperation which facilitates the finding of interstate solutions to interstate problems. In Texas the commission is composed of 18 members: the governor, lieutenant governor, and speaker of the House, plus 5 from the Senate who are the Senate Committee on Interstate Cooperation, and 5 from the House who are the House Committee on Interstate Cooperation, and 5 appointed by the governor. "The commission has the responsibility of carrying forward participation of the state as a member of the Council of State Governments. In addition, this body is empowered to encourage friendly contacts with officials of other states, the Federal government, and local governments and to encourage cooperation between Texas and other states by formulating proposals for the adoption of compacts and other forms of collaboration." [MacCorkle and Smith].

As of the beginning of the 1967 Legislature Texas was a member of 13 interstate compacts. Four of these deal with rivers Texas shares with other states--the Sabine, the Canadian, the Pecos, and

Oct. 9, 1967

the Rio Grande. The other 9 are: Southern Interstate Nuclear Compact, Vehicle Equipment Safety Compact, Interstate Oil Compact, Southern Regional Education Compact, South Central Interstate Forest Fire Prevention Compact, Parole and Probation Compact, Gulf States Marine Fisheries Compact, Interstate Compact on Civil Defense and Disaster Relief, and Civil Defense and Mutual Aid Compact.

Each compact is administered by an interstate commission or Board. Most of these have one member from Texas, who is appointed by the governor.

Of the 13 compacts MacCorkle and Smith say: "The most outstanding is the Interstate Oil Compact, initiated in 1935 for the purpose of conserving oil and gas through the prevention of physical waste. This compact has been spoken of as 'the nation's most notable example of the success and practicability of the compact method in the solution of perplexing interstate problems.' [The Book of the States, 1945-46, page 34, published by the Council of State Governments.] The Oil Compact Commission, composed of members from 30 oil-producing states and 3 nonproducing associate member states, has carried on its work with vigor and responsibility. The agreement provides that the member states shall pass and enforce certain laws relating to the production and conservation of oil and gas." There is a bit of local color about this compact, for the first agreement was signed in Dallas, in 1935. The compact has been renewed every ^{several} ~~two~~ years since, with the latest renewal as of September 1, 1967.

The Southern Regional Education Compact, which has as its purpose the establishment and operation of joint regional educational programs, is another well known interstate compact. It is interesting that last month's Southern Governors Conference "went on record for a second time

October 9, 1967

as endorsing a set of proposals by the Southern Regional Education Board [the operating body of the compact] to improve higher educational opportunities for Negroes, by a recorded vote of 11 to 2."

[Houston Chronicle Sept. 14, 1967.]

Another action of the Southern Governors Conference was "to endorse the idea of a 'mutual assistance' compact to permit interstate transfer of National Guard units during domestic crises....The call by the 13 southern governors for an interstate pact to lay the ground rules for dispatching guardsmen across state lines to help quell internal violence in a neighboring state was patterned after similar action taken by the midwestern governors last month." [Houston Chronicle, Sept. 14, 1967.]

How well do compacts solve interstate problems? There are serious disadvantages to the system. "It is slow and clumsy. State legislatures often take a long time to ratify necessary agreements, and sometimes they take even longer to approve necessary amendments. Delays in a single state can jeopardize a cooperative program involving a number of commonwealths. Sometimes, too, Congress is slow to give its consent. In many instances, therefore, less formal and less complicated methods of obtaining joint action are to be preferred." [AMERICAN STATE GOVERNMENT & ADMINISTRATION, by Austin F. Macdonald. 1961.]

Nevertheless, once a compact has been ratified and its effectuating commission established, it can be, and quite often is, an effective device for settling mutual problems of the states.