

# Intergovernmental cooperation a necessary tool for efficiency

The federal and state forms of government are not often cited as efficient modes for delivery of public services. Whereas the expressed definition and purpose of a county is: "A political subdivision of the state for the more convenient administration of justice and the exercise of local legislative authority related to county affairs" (ACA 14-14-102). It is by design that county officials are assigned on-the-ground responsibility for delivery of many essential public services. County officials are close to the public, aware of their constituents' needs and accountable to the electorate. Department or agency officials and employees administer state and federal governments, and they are more removed from the public and often make decisions by virtue of slow bureaucratic processes.

County officials are further expressly empowered by the people under the Arkansas Constitution to act cooperatively with other counties and other governmental agencies. Amendment 55, §1(c) provides that: "A County may, for any public purpose, contract, cooperate, join with any other county, or with any political subdivisions of the State, or any other states or their political subdivisions, or with the United States." The

areas of services and opportunities for counties to cooperate or join with other counties, cities or the state are many. The justice system, the assessment, collection and distribution of property taxes and the provision of emergency services represent in-depth partnerships with the state. Law enforcement, fire, water, sewer and roads, among others, are county services affirmatively authorized by ACA 14-14-802 and not expressly prohibited by the Arkansas Constitution or by law. Also, cooperative purchasing or piggyback procurement can be used to take advantage of the competitive bid process and avoid altogether the costs and time of bidding. Coordination of software research and development for collectors, assessors and treasurers has greatly benefited counties.

The successes of intergovernmental cooperation are many. However, there are many areas where cooperation has not been

explored or is underutilized. It is evident that economic development works best as a regional undertaking. Economic development may flourish in a cooperative environment, but where state and local officials work at cross purposes, success is met with unnecessary headwinds. It's understood that citizens have deep rivalries with neighboring communities in sports and other areas, but when a tornado or disaster strikes, neighboring communities are the first to arrive to help.

Children, neighbors and citizens should not suffer the consequences of personality differences or an uncooperative history. A true leader and public steward will explore opportunities for intergovernmental cooperation when the outcome will better serve the citizenry and generally consider the use of the tools of cooperation/joint endeavors wisely confided to them by the people under Amendment 55.

## Cooperation Borne of Necessity

The recent and unprecedented jail and prison overcrowding of more than 2,900 state prisoners in county jails statewide has caused some state, city, county and district officials to contemplate regional jails. The exploration in some areas is limited to a couple of counties and cities. In other areas, the exploration is regional. Regional jails are utilized successfully in other states to fulfill the local and state obligations to incarcerate prisoners for their truthful sentences — and to mutually address growth in needs for bed space. Regional jails are proactive and counter corrections management by reactionary emergency powers. Amendment 55 and several laws such as the Cooperative Endeavors Act, ACA 12-50-101 et seq., authorize this tool. Despite sustained growth in corrections for decades, to date the cooperative undertaking of a regional jail in Arkansas has not been able to overcome the barrier known as "the county line."

The continued lack of regional jails in Arkansas will not be due to legal obstacles. It will be from simple math. The state of Arkansas could greatly facilitate the creation of one or more regional jails

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