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# Discussion following the Remarks of Mr. Dobell and Rep. Buehrer

Discussion

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## DISCUSSION FOLLOWING THE REMARKS OF MR. DOBELL AND REP. BUEHRER

MR. KING: Good. Very good. I wanted to throw the group open for questions. I had two, a couple of questions to start. I want to ask Steve Buehrer about the situation in the United States where you have term limits, and also more limited powers on the part of the legislature to pursue their own, they have less strength in Canada, because of our Constitution.

Does that limit the future pretty much of these contacts between legislators on this side of the border? You're an active participant.

MR. BUEHRER: Well, I think it certainly has that potential, but I hope that's not the reality of it. In Ohio, we do have eight-year term limits, both in the House and the Senate. You have the ability to go from one body to the other, and back and forth in perpetuity, but it does have potential to limit these sorts of exchanges.

In fact, I'm alarmed to report that as we started this session, I was going to be the Co-Chair with the speaker from Saskatchewan of the Midwest Canada Relations Committee. My Speaker, as we were sort of divvying up these assignments, told me why on earth would you want to go do that. Why would you want to waste your time, the second part of that, when you could be at home raising campaign money or working on other things that would have more relevance to your future?

And so I think that's kind of the attitude that's certainly out there. We're going to have to deal with it. I think that's why these kinds of exchanges where people can reach out to other legislators who aren't presently here can be helpful.

I would also say, and I meant to get to it in my remarks, and didn't get there, that some of the balance of power in our states and how we actually make these decisions, I spoke today quite a bit about the independence of the legislative branch, and how much of our work comes through our legislative leadership, with some degree of deference to our governor, the administrative arm, but not a whole lot, that balance is shifting in a term limited world.

One reason for that is, especially in the Ohio Senate where people are more senior, they've spent the time in the legislature, they are looking to go into the Administration or into a cabinet level type position. And very, very often the Governor is using his ability to make those types of appointments to influence the decisions that are getting made in the legislative process.

People are very unlikely; in fact, we're at a point where it is almost impossible to use the Constitutional check and balance of the Governor's veto power, which can be overridden by two-thirds legislature. We have almost

completely lost that power because of the Governor's ability to appoint Senators into the Administration later in their political careers.

And, therefore, our balance of power is shifting. The Governor on the Administrator side is getting more powerful simply because of the term limit environment in ways that wouldn't have been necessarily predicted.

MR. KING: Now, were there other questions? Chi Carmody.

MR. CARMODY: Chi Carmody, University of Western Ontario.

My question is for both Steve and Mr. Dobell. I did not know if either of you would feel qualified to speak to this, but I'm curious in a comparative sense whether any of you have any idea of legislative exchange and links between the United States and Mexico, and perhaps Canada and Mexico, and how that might compare to our bilateral relationship, the one that we've been examining in this session?

MR. KING: Do you have any comment?

MR. BUEHRER: I have no experience with the Mexican relationship. I think some of that maybe is a function of geography. I mean, we're closer to Canada; we're more involved in a mutual exchange, especially with Ontario. And, therefore, there are national ties there.

If we were in Texas, Arizona, do they have that kind of exchange? I would guess they do. But, again, I did not - I've never heard that it is at the level of sophistication that we have with our Canadian brethren.

MR. KING: Did you have a comment on that, Peter?

MR. DOBELL: Yeah. This has been a perennial subject of discussion at the U.S./Canada Interparliamentary Group, particularly coming from U.S. legislators from the south who already have relations with Mexico. We've always had ambivalent feelings.

On the one hand, there's a feeling that it would be great. Canadians and Mexicans can gang up against the United States. On the other hand, we recognize that their problems and our problems are quite different. And by coming together, you dilute your capacity to influence.

So up till now, we have been resistant, but there are a number of organizations where this is coming together. And my guess is that over time it is likely to come. Although, right now, for instance, Canada is involved in developing a parliamentary relationship with Latin America.

MR. KING: I had another question if nobody else has one. One of the things I wanted to ask Steve Buehrer is the question of staffing. In other words, Peter Dobell, who is always there, is an institutional memory of what has happened. The achievements are very wonderful to hear from Peter.

Would it be desirable to have some of this institutionalized? It seems as though - there seems to be an opportunity for good understanding between these two huge trading partners. And it may be dependant on a heartbeat. And so I wondered if you had any comments on staffing to try to make it more permanent.

MR. BUEHRER: Well, again, I think many of my constituents, certainly, and for the Ohioans who are in the room, Ohio has always prided itself that we're about forty-eighth of the fifty states in our per capita spending on legislative staffing. So we're saving you a lot of dollars.

I'm not sure that's always to the good, because I think there were people who thought that in an era of term limits, staff would, in fact, carry the day in terms of continuity on all types of issues; Canadian relations, certainly, amongst them. I did not think that reality, however, is panning out.

Those of us who serve in the General Assembly in Ohio have one staff person. And, again, I think many people think we're the congressional model, where you have a large staff who can respond quickly to a variety of issues. We are doing good to answer the phone and keep the lights on with one staff person that serves the hundred and, again, twenty thousand people that I represent in Columbus. It is just not very efficient.

And those people tend to transition very quickly in and out, as do the caucus staff that we have for policy matters. They transition over a very short period. And so I think the continuity is not going to be there.

I think the best hope is perhaps through what is our legislative service commission. It is the bill drafting arm. Those folks have been able to maintain some stability in terms of our relationships with the organizations that we are part of, CSG, NCSL, and ALEC to a lesser degree. There has been some relationship there, but I would like to think that the staffing continuity could be the answer. I fear it is not going to be.

And I think it is just a matter of those of us, even though we only get eight years, sort of coming in and selling and attempting to mentor some of the younger legislators to get them involved in these types of issues, so that the continuity there can be handed along generation to generation.

MR. KING: Yeah, David Crane.

MR. CRANE: First of all, I wanted, on behalf of Canadian taxpayers, to thank Peter for his initiative in taking legislators from Canada down to Washington to learn about the folly of mortgage interest deductibility.

I had a personal experience in that in getting a phone call from Joe Clark shortly before he made this announcement. And I was the editorial page editor of the Toronto Star at the time, and I'd known Joe since University days. And he said, "We have got a program we're coming out with that is just going to delight the Toronto Star, and you'll have tremendous enthusiasm, and it will enable you to support our party in the next election."

So I said, "That's very interesting. What is it?"

He said, "We're going to allow mortgage deductibility."

And I said, I didn't use exactly this language, but I said, "That's one of the dumbest ideas I've ever heard, and we would oppose it very strongly." And I said "why on earth are you advocating this, because the level of private homeownership in Canada and the United States is almost identical. So,

obviously, it isn't a barrier to people buying houses, and it is a huge cost to the public treasury, a cost incidentally which he had never calculated."

And he said, "But it would be very popular, and so forth." So that was a very important initiative.

And I also want to congratulate Steve for resisting the temptation, the pressure, to be inward-looking, and to actually spending part of his legislative time looking beyond the borders of Ohio.

I have a question for Steve. And, that is, do you have in the Ohio legislature a committee that deals with international issues at all, that looks at even trade investment initiatives of Ohio that would link to other parts of the world?

Secondly, do you have any experience in dealing with the Great Lakes Governors Council, or what its status might be? I do note that some Great Lakes states maintain trade and investment offices in Toronto, a handful of them do.

MR. BUEHRER: Concerning your first question about a legislative committee, there is no formal committee that deals with international relations or any sort of cross border thing. I would think the closest area that we would even have any touch might be in the economic development area.

The relations that Ohio, as a state, has with Canada are coordinated through our office of development, Department of Development. And they do, in fact, have several trade offices around the world; one, I believe, in Toronto. I didn't visit it when I was up there, but I believe that office still exists.

And, therefore, I think that what remote contact the legislature would have with international relations or Canadian relations in this case would be through the committees that oversee economic development incentives and those types of things. The legislative branch has very little, if almost no contact with the Great Lake Governors Association. I do believe that our governor has Chaired it. And, in fact, early when I learned that he had Chaired it I sent him a letter describing my relationships and work at the Midwest CSG, but he and I have never interacted on the issues that are going on there. And I'm only very mildly aware of their interactions.

So you're right, that certainly could be a hole that we have in our continuity of maintaining this relationship and maintaining thoughtful discussions. Again, I do think it is part of the U.S. system in that states are not necessarily encouraged to engage in a lot of formal dialogue about trade, but I do think that we probably miss the opportunity for some real partnerships.

MR. KING: Yeah, Jim Phillips.

MR. de BOER: Yeah, I would echo David's compliments to both of you. I think it is very critical in the case of –

MR. KING: Can you hear, Jim?

MR. de BOER: - in the case of Mr. Dobell, the Interparliamentary Group work, I work closely with Joe Komosy and Jerry Grafstein who is the Senate and Parliamentary Representatives on that side. And, for instance, after 9/11, Jerry Grafstein organized the visit of thousands of Canadians to New York City as an official we understand, we share your pain, and we stand with you.

And so out of these relationships, John LaFalce, when I formed the Canadian Border Trade Alliance in '92, one of the commitments was that John would form the Northern Border Caucus in the House, which we now have 4 Co-Chairs from the U.S. House, that focus solely on the U.S.-Canada border. It is the biggest caucus in the House. It operates very quietly.

And, again, it had the relationship with John LaFalce in that organization. And it was, Steve, we worked very closely with the Council of State Governments. Ilene Grossman is a real leader. And she does a great job for the Midwest and the east. They've joined together on things like Section 110, the resolutions back in the mid '90's.

So there's a lot going on from these formal organizations, really you have a real flow of a lot of things happening. And I want to commend you both for your activities in both of those arenas. It is really an effective arena.

MR. DOBELL: I'd like, if I could, just to make a reference to this activity which is taking place right now from Michigan to Ontario, because I think I'm right that this is the first time where it isn't done through an association. The Michigan legislature recently passed a Bill saying that there should be inspection of waste being brought into the state. And as some of you may know, Toronto ships hundreds of truckloads per day of waste to Michigan. When they started to look into this, however, they discovered there were two problems. One of them is if you start to inspect a truck full of garbage, how the hell do you do it? And just imagine the effect on the border of trying to inspect every one of these trucks that are coming in.

The second problem they discovered is that a certain amount of hazardous waste from Michigan is being exported to Ontario. They hadn't been aware of that.

So what happened is the legislature decided that was important to send a committee to Toronto to talk to the Ontario legislators, and also to talk to private sector and government people.

Now, as I said, Canadians will readily go south any time. You can always get them to go. But to get Americans to go up for a specific purpose, not just a general discussion, but to pursue a specific purpose, I think this may be the first time. And I think it is something to be encouraged.

MR. de BOER: Yeah, Peter, I would just comment, the reason for the garbage, one of the reasons for this garbage focus, you may or may not be aware, is that the entrepreneurs of Ontario who are growing hydroponic marijuana decided that it was a great way to get the marijuana into the United States by putting it in garbage trucks. So the baggage machines actually

found large quantities of marijuana in the garbage trucks. So that sort of made it the focus.

MR. KING: Well, one thing we could agree that it is sort of a smelly deal.

MR. de BOER: I would absolutely agree with that position on the initiative. Quebec and New York have the same kind of relationship, and so does Ontario and New York. Pataki, Governor Pataki, went to Ontario last summer to sign the Perimeter Security Agreement between Ontario and New York. And May 13th, you have the Summit between the Premier of Quebec and the Governor of New York.

So you're very right, these kinds of things are really beginning to happen. And they are good, I think.

MR. DOBELL: But they are usually at the level of the executive. And what I think is important is to open up legislative relationships.

MR. de BOER: Sure, agreed.

MR. KING: Yeah, Tom Silvia.

MR. SILVIA: I'm Tom Silvia. I'm from the State Bar of Michigan. And I guess I needed to note that both the Governor of Michigan and the President of my County Bar Association were born in Canada. That's one of the things that's influencing this. And in that context, it occurred to me when you're talking about institutionalizing these cross border exchanges, how we're only a heartbeat away from losing people like Henry and yourself, who have this experience, or Mr. Phillips, you know there are youth groups, the Niagara Competition is the one that involved me in this area, where there are cross border exchanges between Canadian Law Schools and U.S. Law Schools.

My daughter participated in a youth group training taking her to Washington and showing her the different parts of the government. And it just occurred to me that a very popular thing for a representative, say, from The State of Ohio would be to use - we used to call it Boys State, the probably have something different, boys and girls version of it now. And I did not know if there is a similar thing on the Canadian side, but it seems to me that young people would be a very good way to deal with this.

I mean, we've seen President Clinton, because of his experience in this kind of thing, met JFK. And that's part of how he became President. And, you know, I just suggest this as a long range solution, and one that is relatively inexpensive to do and starts people thinking that way.

MR. KING: Well, we're trying to do that now through our exchange program, which I do on my side, and Chi does on his.

MR. GELFAND: Hi, Marty Gelfand, Congressman Kucinich's office.

First, I wanted to address something to Dr. Dobell, and also to address Tom's question, I think, now the United States does have a lot of exchange, parliamentary or congressional exchange programs with various countries,

but with has a staff exchange, a congressional parliamentary congress point to stock staff exchange. And I was privileged to participate in that two years ago. And it is a very good program.

I did not know if we have anything like that with Canada. We also do? Great. I'll have to look into that.

And the other question I have, and this is for Representative Buehrer, you mentioned, you know, sometimes you'll pass some kind of legislation and you send it to Congress, but you did not really know what happens with it there. I know there are a number of instances, I think, in my experience working in Congress, that we take very seriously resolutions or laws that are passed by states or subdivisions.

What - one example is Cleveland's Predatory Lending Law that was meant to protect mortgagors in The City of Cleveland, was then followed up by state law probably inspired by the banks to sort of have a statewide ban against such legislation until somebody in Columbus can study it. That then was followed up, and I know there's legislation in Washington, I did not think it will necessarily be passed this Congress, but perhaps next Congress, to counter that and protect mortgagors from predatory lending practices.

And then another example kind of coming the other way around from federal to state, in our district we have a lot of railroad noise. And we were, you know, especially after the Conrail merger, and we were trying to get a Quiet Zone Bill passed. Right now, the law in Ohio is you have to - a train has to blow its whistle at every crossing. And we were trying to get something passed at the federal rule making level. That stood still for a long time.

And then we reached out to our State Representatives. And Tom Patton, from the west side suburbs, stepped forward, along with other members of the state and Senate delegations, to put forth a state Quiet Zone Bill.

So the way I see it, there's a lot of back and forth between federal and state, or federal and state and subdivisions.

MR. BUEHRER: Yeah, I think you're absolutely right. There is a fair degree of interaction, especially when it comes to concrete policy issues like you're talking about. For example, Congressman Boehner, from the southwest part of the state, was in Columbus three weeks ago and actually held a hearing of his House Committee there to get the state perspective on education and the No Child Left Behind Act.

And I certainly have had a little bit of federal interaction on transportation issues. I've carried our state's transportation budget the last two terms. And so we have done a lot of our planning on the transportation area with our eye on what the federal system was going to look like on gas tax and ethanol penalty, and some of those issues.

So I think you're right, there is a fair degree of interaction that goes back and forth on policy issues where there's kind of a Constitutional overlap. The ones that I was saying there perhaps isn't as much as when we're pass-

ing what I consider to be largely symbolic resolutions urging Congress to reject Kyoto Treaty or urging Congress to support the President's tax cuts.

I assume that you have a special file of those in your office where those resolutions go?

MR. GELFAND: Do you agree with it or disagree with it, depends.

MR. BUEHRER: Well, that's right. You might issue a release if we're with you.

MR. de BOER: That's an honest man right there.

MR. KING: Other questions? I wanted to - I want to pursue this. I want to ask Peter, you mentioned several achievements of the interparliamentary bills, some case histories; this is why you're extremely valuable as an institutional memory.

Did you - is there any way we can promote more of those achievements that you mentioned? You had two in particular. Or do you have any - do you think that's beyond our dreams?

MR. DOBELL: Well, as I say, I would be delighted if I could point to more, but I can't. There has been the sort of things that were mentioned like where Jerry Grafstein organized this big movement. He even forced the Prime Minister to go with him to New York City, but that is more in terms of, let's say, good relations.

MR. KING: David Crane.

MR. CRANE: Yeah, I just wanted to ask Peter a question with respect to the parliamentary visits to Washington.

I read the transcripts of the hearings of the House of Commerce Committee dealing with Canada-U.S. on North American relations, which took place a year or two ago. And one of the complaints that was expressed a number of times by Canadian MP's on that committee was that when they went on these trips to Washington, they found that the American counterparts had very little time to spend with them, often didn't show up for appointments, or changed things at the last minute.

And so that the Canadians who went down were left sort of twiddling their thumbs, or just filling time in some other way because of the relative lack of interest, or because of higher priorities in their schedules.

And so I was surprised that, thinking about that, when you mentioned the Northern Border caucus that I would have thought that they would have gone out of their way to make sure that there was a full interaction. And I just wondered if you can comment on that situation. Perhaps I have misinterpreted it.

MR. DOBELL: Well, the problem is competition for time. Yes, the Northern Border Caucus helps, but if you go down, it is usually on a specific subject. And you want to talk to the people who are knowledgeable on that subject. Those people may or may not be from the Northern Border Caucus.

I mean, I tried recently to organize a program with the Woodrow Wilson Foundation in Washington. And I'd known Lee Hamilton from past, through this Canada-U.S. Interparliamentary Group. There was interest there, but their problem is the same.

They had a major Canadian group down there, and they tried to organize some meetings with some Congressmen. They couldn't get any. The best they could get was John LaFalce, who had retired, but he was still interested. But I pointed out the problem of getting Americans to come to Canada, that's really impossible unless there's something desperate that they want. But it is very difficult even when you take people to Washington. And it takes a hell of a lot of work. And, frankly, you have half an hour, let's say, with a Congressman, and you have a nice conversation. You never meet again. The only way that it is going to produce results is if you can establish some ongoing personal relationships where there will be communication by Email or by telephone and sort of a personal follow-up.

MR. de BOER: Peter, I would just comment, you might laugh at this, you mentioned about the meetings are no longer in Ottawa and Washington because of the weather, I got to tell you it was the year before last, you had them on the Mississippi Riverboat for the meeting. I think it was the year before last. And, certainly, when you get them on the riverboat for a couple of days, they show up for the meetings. So that was a brilliant move.

MR. DOBELL: No, I didn't want to say that the Canada-U.S. group isn't going to meet. But if you're trying to invite them for three or four days, they won't come.

MR. de BOER: They can't, they can't.

MR. KING: Any other questions? One high note, we need more riverboats.

MR. de BOER: Smelly business and riverboats, that's what it was all about.

MR. DOBELL: Well, there was one good meeting held on the west coast going from Vancouver to Alaska.

MR. KING: Which is a high note on which to emphasize the importance of meetings such as what the Institute sponsors, where we have Canadians and U.S. people getting together and discussing our issues. It fills a unique spot in our Canada-U.S. contacts. I wanted to thank Steve Buehrer for the great speech today. And, also, thank you very much, Peter Dobell, who is - gave us a lot of history, which we needed to learn about, and also some practical experience in trying to cement these relationships.

So we have just one more session. We will break for a short while, and then hopefully adjourn.

(Session concluded)

