

This Week

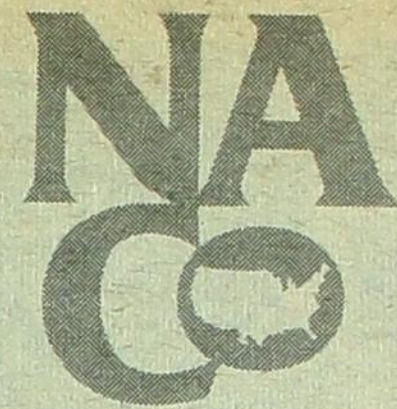
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Vol. 10, No. 2

COUNTY NEWS

"The Wisdom to Know and the Courage to Defend the Public Interest"

Jan. 9, 1978



Washington, D.C.

No Stay Granted in UI Suit

WASHINGTON, D.C.—Chief Justice Warren Burger refused to grant an injunction to stop enforcement of a federal law requiring unemployment insurance coverage for state and local government employees which took effect Jan. 1. Burger's decision was based on an appeal filed with the Supreme Court on behalf of

over 1,200 state and local governments.

Earlier, Judge Charles R. Richey, a U.S. District judge here, denied a request by the state and local governments to stay the implementation of the Unemployment Insurance Amendments of 1976 (P.L. 94-566). The plaintiffs in the suit were represented by Charles R. Rhyne, general counsel for the National Institute of Municipal Law Officers (NIMLO). NIMLO was active in encouraging state and local governments to participate in the suit.

NIMLO trustees say they intend to pursue the lawsuit on constitutional grounds and hope to be granted a hearing before July.

A FEDERALLY funded program, known as Special Unemployment Assistance (SUA), has provided unemployment insurance coverage for county employees since December 1974 (except in the eight states which already required coverage of county employees under state law). SUA was passed as a stopgap measure during the recent recession.

The Unemployment Insurance Amendments of 1976 effectively transfer the cost of unemployment insurance previously provided under SUA from the federal government to employers (including county governments). NACo strongly opposed this new federal mandate when the amendments were before Congress.

The state and local governments which filed suit claimed that the new law was unconstitutional because its effect was to coerce states to adopt unemployment insurance laws which conform to the federal law, for example, laws which require coverage of state and local government employees. The plaintiffs argued that this constituted unlawful taxation of the states by the federal government.

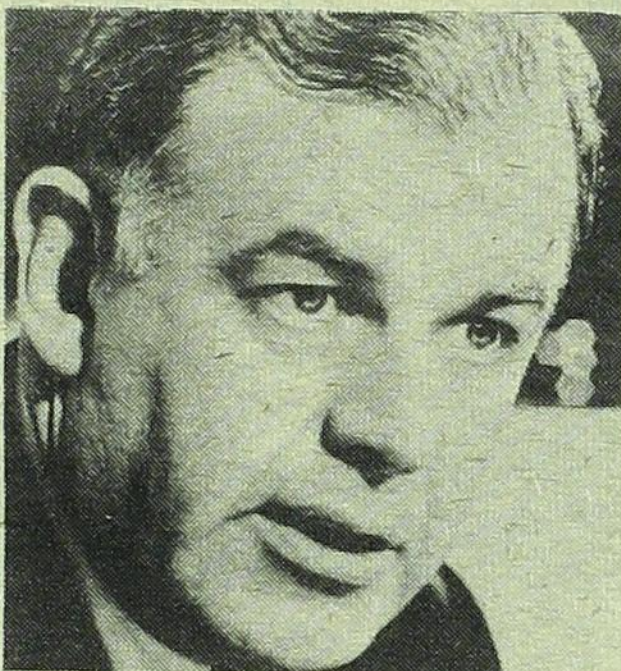
Judge Richey said in his opinion, however, that the requirements of the 1976 amendments "should not be confused with coercion." The judge said states could avoid the financial hardships the plaintiffs contended would result if they did "not enact the conforming legislation."

THE PLAINTIFFS argued that states have not been able to resist the pressure to enact conforming legislation because private-for-profit employers in states which do not enact conforming legislation will lose substantial federal tax credits. States which do not enact such legislation will also lose federal grants which pay the administrative cost of operation of state unemployment insurance and employment security programs.

NACoR project staff are available to answer questions on the various county obligations under P.L. 94-566.



Gerard



Foley



Jack Petitti, WIR president, is seen with Rep. Jim Santini.

'78 CONFERENCE

WIR Draws Speakers

WASHINGTON, D.C.—More than 500 county officials are expected to attend the 1978 NACo Western Interstate Region (WIR) Conference Feb. 7-10 in Riverside County (Palm Springs), Calif.

Jack Petitti, NACo WIR president, has announced that one of the major topics to be discussed at the conference will be Indian/county jurisdictional issues.

"Questions of land use planning, law enforcement, and local government services in and around Indian

reservations is a serious county concern in the West and throughout the country," Petitti said.

"We are fortunate that Forrest Gerard, assistant secretary of Interior for Indian Affairs, will address these issues at the conference," Rep. Lloyd Meeds (D-Wash.) has also been invited to discuss congressional activity concerning Indian issues.

OTHER HIGHLIGHTS of the program include Rep. Jim Santini (D-Nev.) and Nevada Legislator Ty Hilbrecht speaking on public lands proposals that affect the management and use of federal lands in the West.

Rep. Tom Foley (D-Wash.), chairman of the House Agriculture Committee, has also been invited to speak on the status of federal welfare reform, NACo's number one legislative priority.

More than 20 workshops have been scheduled at the conference to give county delegates the opportunity to discuss first hand with federal officials issues such as payments-in-lieu of taxes, wilderness proposals, health care, elderly services, energy programs, employment legislation, unemployment insurance and others.

A limited number of rooms are still available at the Riviera Hotel in Palm Springs. In addition, arrangements have been made for overflow facilities if necessary so that room reservations can still be made.

The conference begins on Tuesday, Feb. 7 with an all-day federal aid and legislative briefing and concludes Friday evening, Feb. 10 with the annual banquet. A reservation form is located on the back page.

IMPACT AID PROGRAM

Education Funds in Danger

WASHINGTON, D.C.—Like his four predecessors, President Carter is considering drastic cutbacks in the annual \$800 million education impact aid program. Under this program, federal aid is provided to local school districts in which student enrollments are affected by federal installations, public housing and other federal activities.

For example, impact federal aid is provided for the following categories of children: children or those whose parents live and work on federal property; children or those whose parents work on federal property but live in the community; and, children who live in tax-exempt, government subsidized housing.

ACCORDING TO various sources, the Administration is reviewing the

possibility of eliminating aid for the education of children or those whose parents work on federal property but live in the community and eliminating aid based on parents who live and/or work in public housing.

The latter provision will hurt mostly larger cities, since most public housing is located there. The former provision will withhold large sums from metropolitan areas with concentrated federal employment where entitlement children's parents work in one county but live in another.

Proposed to take effect over the next four years, the cutbacks would reduce, for example, the share for Prince George's County, Md. from \$7.8 million to \$1.9 million, and

would eliminate entirely the current \$3.7 million subsidy for Montgomery County, Md.

Each Administration since Eisenhower has attempted to phase-down the impact aid program, but each time Congress has voted down these proposals. Over 400 of the 435 congressional districts receive impact aid.

NACo has long been on record in opposition to any cutbacks in the program. NACo will continue to urge Congress to continue to recognize the additional burdens placed on local communities having a large number of federal employees and facilities and to continue to provide federal aid to impacted areas to meet those extra costs involved in educating children of federal employees.

Housing Dollars Diverted

WASHINGTON, D.C.—Department of Housing and Urban Development (HUD) Secretary Patricia Roberts Harris has announced what she termed as a major policy change in the method of allocating subsidized housing funds which benefit low and moderate income persons.

Under the change HUD will "target" \$177 million to 23 hard-pressed central cities according to need. In the past funds were allocated to a metropolitan area (MSA) with central cities and suburban areas each receiving a portion of them.

The new policy of "targeting on distressed cities" is one which has been advanced by Secretary Harris in a draft Administration urban policy. Mrs. Harris chairs a Federal Interagency Task Force which is drawing up the Urban Policy. Early drafts of the policy propose redirecting federal resources from suburban areas to distressed central cities.

NACo has gone on record as opposed to an urban policy which effectively polarizes cities and counties and arbitrarily reallocates funds to one level of government at the expense of another level. Instead, says NACo, federal funding should be focused on distressed people without regard to their place of residence.

The new HUD housing allocation policy in NACo's view means less funding for suburban areas and may very well upset existing regional fair share housing plans. These plans, the product of delicate negotiations among central city and suburban jurisdictions, identify and seek to meet the housing needs of low and moderate persons within a metropolitan area. HUD has encouraged fair share plans through bonus funding.

The new policy also appears to contradict HUD's goal of expanding housing opportunities in suburban areas for low and moderate income persons.



Isolation is combatted by a rural transportation system in Macon County, Ala.

For the Sake of the Rural Poor

Rural America is home for one-third of the nation's citizens and one-half of the nation's poor. But while many rural residents lack adequate food, shelter, medical care and transportation, they are proud and reluctant to accept "handouts."

Local elected officials often have difficulty locating the rural poor and more trouble persuading them to take advantage of various public assistance programs.

One agency that makes human services available in rural areas is the Community Action Administration, formerly the Office of Economic Opportunity. The National Association of Counties Research Foundation (NACoRF) wondered if services could be improved through cooperation between rural county governments and local Community Action Agencies (CAAs).

WORKING THROUGH state associations of counties, Human Resources Coordinators (HRCs) began to investigate the relationship between counties and their CAAs. In

the process they made some discoveries about the rural poor, about human service delivery in rural areas and about the traditional antagonisms between the locally oriented elected officials and the employees of federally mandated community service agencies.

They found that one key to success for CAA programs was indeed cooperation rather than competition with county government. Some of these success stories are contained in *For the Sake of the Rural Poor*, a new publication now available from NACoRF. (For more information, see below.)

Another finding was that a CAA program that works within the prevailing community ethic of self-sufficiency has the best chance of success. For example, in southern Iowa a CAA home winterization program provides technical consultation and a revolving loan fund to all residents. Although the low income person can receive free labor, special loan repayment features, and other

considerations, recipients of the service are not identified as "poor."

HUMAN SERVICE delivery has not been one of the traditional functions of most rural counties, although many counties have maintained county homes for the indigent, aged and disabled, and county "pauper funds" survive as local general relief or emergency assistance programs.

See ADVICE, page 7



A senior citizens services program in Arkansas.



A rural health program in Minnesota.



For the Sake of the Rural Poor, the newest publication from NACoRF's Rural Human Resources Project, highlights some of the discoveries made in a three-year exploration of the needs and resources of rural counties in the United States. This project was the result of a grant from the Office of Economic Opportunity, now the Community Services Administration.

Through photographs and narratives, Carol J. Ott, research associate with the project, captured the role Community Action Agencies played in the lives of the rural poor. Successful CAA programs described range from home improvements and transportation to new uses for natural resources—thermal springs in Oregon and the freezing snow of a bobsled run in New York State.

A limited number of single copies of *For the Sake of the Rural Poor* are available from NACoRF. Copies are being mailed to CSA regional directors, state economic opportunity offices, state associations of counties, rural community action agencies and rural counties.

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High Court Rulings

WASHINGTON, D.C.—The impact of two recent U.S. Supreme Court rulings in private industry will be felt in government. The cases concern the seniority rights of pregnant employees and mandatory retirement.

In *Nashville Gas Company vs. Satty*, the court unanimously held that women who take maternity leave cannot be forced by their employers to forfeit accumulated job seniority. The suit was brought against Nashville Gas when the complainant, after being placed on maternity leave without sick pay, was placed at the bottom of the seniority list after returning to work.

The court found that the company's policy, which allows seniority

to accrue for leaves of absence because of disease or any disability other than pregnancy, unlawfully deprives women of employment opportunities.

THE RELATED question of whether the employer violated Title VII of the Civil Rights Act of 1964 by denying sick leave pay to pregnant employees was remanded to a lower court for decision. If discriminatory intent on the part of the employer cannot be shown, refusal to grant sick leave pay would not be a violation of Title VII.

The Nashville ruling follows by one year the *General Electric Company vs. Gilbert* case in which the Supreme Court upheld the right of

the employer to exclude pregnancy benefits from an otherwise comprehensive health and disability plan. In reconciling the differences between these two rulings, Justice John P. Stevens pointed out that the GE disability plan "did not attach any consequences to the condition of pregnancy that extended beyond the period of maternity leave," whereas in the case of *Nashville Gas*, "the company's seniority policy has an adverse impact on the employee's status after pregnancy leave is terminated. The formerly pregnant person is permanently disadvantaged as compared to the rest of the work force."

Federal legislation designed to overturn the *GE vs. Gilbert* decision by prohibiting discrimination on the basis of pregnancy is now pending. The Senate recently voted 75 to 11 to mandate the inclusion of pregnancy benefits in any disability and sick leave plan offered by employers (S. 995). The House is expected to act affirmatively on this bill early in 1978.

Comment Urged on EEOCC Guidelines

WASHINGTON, D.C.—The Equal Employment Opportunity Coordinating Council (EEOCC) published its revised Uniform Guidelines on Employee Selection Procedures in the *Federal Register* Dec. 30. This occurred just after the Jan. 2 edition of *County News*, which reported that publication was imminent, had gone to press.

The 60 day A-85 comment period, which began Dec. 30, will be followed by a final review period of approximately one month. Publication of the final guidelines can be expected sometime in April. Once this happens, the Office of Revenue Sharing will incorporate the guidelines into its final revenue sharing regulations.

Anyone wishing to comment on the guidelines is strongly urged to do so under the A-85 preconsultation procedure. Copies may be obtained

from the Equal Employment Opportunity Commission (EEOC), 2401 E St., N.W., Washington, D.C. 20506. Comments can be made either directly to the EEOCC through staff member David Rose, Employment Section Chief, Civil Rights Division, U.S. Department of Justice, 10th St. and Constitution Ave., N.W., Washington, D.C. 20530, or to Deborah Shulman, Research Associate, NACoR, at 202/785-9577.

NACo staff will continue to work closely with the EEOCC to ensure that the concerns expressed by county governments on this important document are considered. NACo staff will also prepare and make available material to explain and aid compliance with the guidelines once they have been carefully reviewed. Anyone wishing more information on the guidelines should contact Deborah Shulman.

IN THE CASE of *United Airlines vs. McMann*, the Supreme Court decided 7 to 2 that employers can force workers to retire at age 60 despite the federal ban on age discrimination, if the workers were members of a pension plan calling for retirement at age 60 before the Age Discrimination in Employment Act (ADEA) of 1967 went into effect. The court reasoned that involuntary retirement plans established prior to the enactment of ADEA cannot be considered subterfuges to evade the law.

The future impact of this decision on public employers will probably be blunted by pending legislative action. Both the House and Senate have separately approved legislation (H.R. 5383) prohibiting mandatory retirement before age 70 for employees of state and local governments. Final passage of this legislation is expected early in 1978.

—Deborah Shulman, NACoR



Suffolk County Conservation Corps crews working feverishly against a rising tide and wind-whipped rain to sandbag a damaged bulkhead on a Rocky Point beachfront.

Suffolk Youth Corps Lends Disaster Aid

SUFFOLK COUNTY, N.Y.—Nearly 100 members of the Suffolk County Conservation Corps (SCCC), comprised of young men and women ages 16 to 21, were mobilized last month to assist the Town of Brookhaven in holding back damaging erosion and landslide which endangered several houses perched precariously on the top of a cliff.

The emergency measures required reinforcing the damaged bulkheads at the base of the cliff with sandbags to prevent further sliding. The SCCC crews called to the disaster area were temporarily taken from various conservation projects around the county. Ironically, some of the SCCC crews, who work for the Suffolk County Department of Labor, had been terracing and planting trees along a portion of the North Shore's sandy bluffs this past summer to inhibit further erosion of these slopes.

Working feverishly in a wind-whipped rain and fighting against a rising tide, the SCCC, along with auxiliary police officers, bagged mountains of sand to buttress the broken bulkheads. The corps also worked into the night, aided by makeshift spotlights fed from generators on fire trucks supplied by the Rocky Point fire department.

Brookhaven contributed to the ef-

fort with five 4-wheel drive trucks, five payloaders, and an amphibious rescue vehicle. The Red Cross and Salvation Army offered food and hot beverages, and the Suffolk County Civil Air Patrol supplied an airplane for photographic reconnaissance of the erosion area.

After the emergency measures were implemented, over 5,000 sandbags filled with 5,000 cubic yards of sand were secured in place to reinforce the bulkheads.

Suffolk County Department of Labor Commissioner Lou V. Tempera commented on this extraordinary effort: "It's very gratifying to see how well county and town agencies can work in such close cooperation to help the endangered residents of Rocky Point in their time of need. I wish to especially thank the young people of the Suffolk County Conservation Corps for their hard work and concern. This is one occasion where their conservation effort paid off in an immediate and significant manner."

Sound Beach, a town contiguous to Rocky Point, has recently been declared a disaster area by the town of Brookhaven. The Suffolk County Conservation Corps is currently gearing up to assist this community with help similar to that given to its neighbor.

RDS Regs Being Changed

WASHINGTON, D.C.—The Rural Development Service (RDS) has delayed issuing final regulations for the new rural planning program until later this month. The agency is closely reviewing comments received on the proposed regulations and is altering a number of key provisions. The proposed regulations were issued Oct. 14.

The rural planning program is authorized by Section 3 of the Rural Development Act of 1972. It had never been funded prior to the current appropriation bill for the Department of Agriculture. The fiscal '78 Agriculture Appropriation Act, signed into law in August, provides \$5 million for the planning program

for the current year.

RDS will make the applications available at the same time that the regulations are issued. The limited amount of funding, combined with the impending fiscal '79 congressional budget process will probably exert pressure on the agency to rapidly award the grants. County officials, therefore, should submit applications soon after they become available.

NACo EXPRESSED a number of concerns to RDS regarding the proposed regulations. Chief among them was the question of equitable treatment of all types of applicants. The proposals attempted to restrict local governments to performing one-time demonstration projects, rather than engaging in ongoing planning efforts. Only regional agencies would have been permitted to receive grants for planning. NACo has recommended that all applicants be permitted to utilize the funds for planning activities, with priority going to those applicants who possess the power to implement plans.

NACo also recommended that RDS alter its definition of "rural area" to include rural counties within SMSAs (Standard Metropolitan Statistical Area). The proposals originally limited eligibility to applicants outside of SMSAs.

Grants covering up to 75 percent of project cost will be made available, with amounts varying between \$10,000 and \$50,000.

The program will ultimately be

administered by the soon-to-be-created Farm and Rural Development Administration. The agency will be established by merging RDS and the larger FmHA (Farmers Home Administration). The merger, a key component of the reorganization of the Department of Agriculture, is to occur early this year.

Additional information, as well as regulations and applications, when issued, may be obtained by contacting local Farmers Home Administration offices or Elliott Alman of the NACo staff.

Feds to Help Mentally Disabled

WASHINGTON, D.C.—The Department of Health, Education and Welfare has acted to bolster state and local government efforts to de-institutionalize mentally disabled patients.

So far, the leadership for community-based alternatives to solving the problems of the mentally disabled has been provided by state and local officials. The federal role has been mainly one of establishing community mental health centers, which local governments are precluded from running, and providing research and training funds.

The new federal initiative, called the Community Support Program, is designed to stimulate the development of community support systems

to serve as coordinator and broker for the severely mentally disabled in areas such as medical care, housing, job training, etc.

The National Institute of Mental Health is awarding \$3 million in contracts to 16 states for two types of projects:

- One million dollars for "strategy development" projects to help states plan how best to use their available resources; and
- Two million dollars for state and local demonstration projects to help states which are more advanced further develop local programs as models.

The following counties have been selected by their states as demonstration areas: Fresno (Calif.); Den-

ver (S.W. quadrant) (Colo.); Dade and South Broward (Fla.); Washenaw (Mich.); Hennepin (Minn.); St. Louis (Mo.); Schenectady, Onondaga, Dutchess, Putnam and a substantial portion of Westchester (N.Y.); and Wichita (Tex.).

In each local project, a "core service agency" will be designated to take the lead in developing systems to assist the severely mentally disabled. This agency could be a hospital, a community mental health center, a rehabilitation agency or a county mental health department.

For more information, please contact Jacqueline Rosenberg, NIMH, Community Support Program, Room 11-103, 5600 Fishers Lane, Rockville, Md. 20857.

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County Opinion

Input Means Impact

One of the most frequently used words around Washington is "input." But the word means different things to different people. From a federal bureaucrat's point of view, input is just another obstacle to overcome in drafting a particular set of federal regulations. To a legislator, input means that all of the political bases must be touched before introducing a particular piece of legislation. To local elected officials, input means impact.

The present Administration, like previous ones, uses the word extensively. A month after President Carter was elected, NACo leaders called on him in Atlanta. He promised then that county officials would play significant roles in shaping federal domestic policy. In fact, he promised two new "input" liaisons in the White House—one liaison to work with states, counties and cities in developing legislation and the other to follow through on legislation after it is enacted.

The word, it seems, has not filtered down to upper- and mid-level policy-making officials in the Carter administration. NACo and the other organizations representing state and local governments are being treated as if they were one more "interest group" (labor, consumers, industry, women) that must be consulted before a program is announced.

It doesn't seem to occur to them that NACo represents chief elected officials who are accountable to the people. These officials

stand election on the basis of broad policy questions which hinge on the more pervasive social and economic issues shaped mainly by federal programs.

The federal government can no longer develop policy and programs unilaterally and expect them to work at the local level. Citizens are demanding a voice, through their elected officials, in determining policies for those services for which they utilize and pay. Citizens don't question who provides the services; they demand action from their elected officials if services are inadequate.

This fact of political life led one county leader to say, "If I'm going to take the heat, then I want to be in on the planning and operation of federal programs from the outset!"

In short, we ask that our views and "inputs" into the federal policy-making machinery have impact. We believe that any public program conceived and carried out without the early counsel of local elected officials is bound to fail. It is not a matter of selfish interests or swollen egos on the part of elected officials. Rather, it is a matter of accountability and responsibility. It is also a reflection of the fact that county officials are closest to the hot stove of public opinion.

Local officials are ultimately accountable and responsible to the people. They are acutely aware of that fact. If they forget, they are reminded by the voters.

NORTHEAST SHOWS GAINS

Federal Aid Flow Researched

WASHINGTON, D.C.—The Northeast has begun to receive more federal aid than it pays in federal personal income taxes, a General Accounting Office (GAO) report shows.

This runs contrary to claims that more federal money flows to the "Sunbelt" states at the expense of states in the "Snowbelt" and rein-

forces mounting evidence that the fight for federal dollars between regions isn't as clear cut as it seems.

Recently the Academy for Contemporary Problems in Columbus, Ohio completed a study on regional distribution of federal grants. The study found that the allocation of

federal dollars is not based on regional problems, but rather a greater emphasis is placed on the more specific and local needs of states and cities.

THE GAO STUDY compared the distribution of about \$68 billion a year in federal aid to state and local governments—about 15 percent of the federal budget—to only one kind of tax sent to Washington from each region: federal personal income tax.

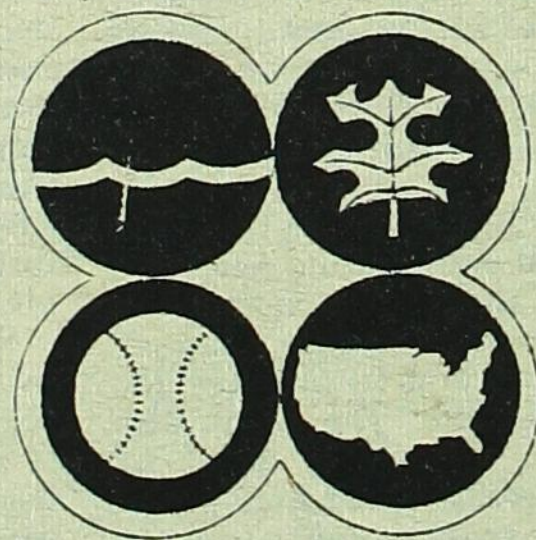
Those championing the Northeast claims have used studies comparing total federal dollars sent to a region with total taxes of all kinds paid to Washington.

While more restrictive, GAO said its method gives a clearer picture. Past studies attributed defense spending to the region where a prime contractor was located, but did not show whether much of it went to subcontractors in other regions, the GAO said.

GAO studied aid to state and local governments and federal personal income taxes between 1969 and 1975 and found that over that period:

- Federal aid per capita increased by more than twice the percentage of gains in per capita income.
- This aid has become more evenly distributed by population, partly because of the addition of revenue sharing in 1973.
- The East North Central Region (Illinois, Indiana, Michigan, Ohio and Wisconsin) continued to contribute a greater share of federal personal income taxes than it received in aid.
- The Northeast, while its population grew most gradually and its unemployment rate rose to the highest in the nation, began to receive a greater percentage of federal aid than it paid in federal taxes.
- The South's and West's share of federal aid declined, but were still larger than their shares of federal income taxes.

Reminder:



Park and Recreation Officials

Nominations are now open for the 1978 NACPRO Awards. As a park or recreation official whose county is a NACo member, you have an opportunity to honor an exceptional organization, professional or friend of recreation.

For full details on the 1978 NACPRO Awards, see the January 2 issue of **County News**, or contact Arleen Shulman at NACo. Nominations should be sent to:

Donald Hull
Accomack County Parks and Recreation
Department
Box 134
Accomac, Virginia 23301

Nominations should be received by **January 27**.

Matter and Measure



Dear NACers:

Herbert D. Floyd, Plymouth County (Iowa) engineer, received the outstanding county engineering achievement award from his colleagues at Iowa's 31st annual county engineers conference at Iowa State University.

Floyd was honored for his 31 years involvement with the Iowa public road system and his outstanding contribution to the profession and Iowa County Engineers Association. He has developed a program with the Soil Conservation Service in constructing erosion control structures such as bridge replacements, and has been instrumental in developing Plymouth County's paving program, the second highest paved secondary road mileage in Iowa. Our congratulations.

NACE RESEARCH AND MANAGEMENT CONFERENCE

We hope you have made arrangements to attend our annual Management and Research Conference Feb. 15-18 at the Grand Hotel in New Orleans, La.

I am sure you will find the sessions we have planned most informative. They cover the energy outlook, value engineering, productivity, alternatives to the internal combustion engine, highway safety, and public transportation. We are also having a workshop on technology transfer.

County, state, federal and university panelists will discuss the process of technology transfer. Then all of us will identify problems and solutions to improve technology sharing under our contract with Federal Highway Administration. I know this will be a rewarding conference and hope each of you plan to attend.

You will soon receive preregistration forms in the mail. If you have not already received your hotel reservation forms, please call Marvin Bell, Ouachita Parish engineer, 318/387-2383.

BUILDING NAMED FOR ENGINEER JIM RAY

The Shelby County (Ala.) Commission, in recognition of County Engineer-Public Works Director James L. Ray's three decades of service to the county, dedicated a new public works and civil defense building as "the Ray Building."

Educated at the University of Alabama at Birmingham, Jim is a registered professional civil engineer and land surveyor. An active NACE member, he has served as regional vice president and is chairman of the NACE education committee. Jim is NACE's 1977 outstanding rural county engineer. He is also a member of the American Society of Civil Engineers (ASCE) and has chaired various ASCE committees. Jim was past president of the Association of County Engineers of Alabama and now serves as a director.

He was also named Outstanding Citizen of Shelby County by the Civitan Club. To date, he is the only elected or appointed official to be twice selected for award for outstanding service to county government by the Association of County Commissions of Alabama.

Congratulations, Jim, for an honor well deserved.

—Milton L. Johnson, P.E.
NACE President



View of public works and civil defense building, dedicated in honor of James L. Ray, Shelby County (Ala.) engineer.

NOTE TO MISSISSIPPI COUNTY ENGINEERS

The Mississippi Association of County Engineers and NACoRF are sponsoring a workshop on cutting red tape in right-of-way acquisition (ROW) regulations and the safer off-system roads (SOS) program. The workshop is scheduled for Jan. 27 in Jackson, Miss., beginning at 10 a.m. and ending by 4 p.m.

The workshop will include panel presentations by federal, state and county representatives and open discussion for all of us to identify problems and solutions in ROW-acquisition regulations and the SOS program.

In addition to the workshop, the Mississippi Association of County Engineers will hold a dinner Friday evening and a business meeting Saturday morning, Jan. 28.

You will be receiving additional information on the workshop and business meeting. If you have any questions, please call me at 601/693-4234.

I hope all of you will attend this important workshop where we can begin to solve some of our red tape problems. I look forward to seeing you in Jackson.

—Jimmy Kemp, President
Mississippi Association of County Engineers

New County Times

On County Modernization

Regionalism and reorganization

by Vincent Puritano
Associate Deputy Director
Office of Management and Budget

Could you explain and elaborate on some of the various intergovernmental relations reforms in which the Office of Management and Budget (OMB) is involved?

Zero-base review of federal planning requirements

A July 19, 1977 Presidential memorandum to all federal agencies directed a zero-base review, under OMB leadership, of planning requirements imposed on state and local governments as a condition of receiving financial assistance.

The review involved extensive efforts of federal agencies and resulted in an indepth assessment of over 4,000 separate requirements attached to more than 160 assistance programs which are administered by 17 separate federal agencies.

The objective of the review was to seek the elimination, consolidation, or simplification of planning requirements wherever possible. The objective was not to do away with planning, but to rationalize federal requirements to permit more relevant and effective planning and management by those receiving assistance, while continuing to achieve the objective sought by federal statutes.

Opportunities for reform vary considerably among the many programs; however, significant proposals for change have been advanced by several agencies. For example, the Department of Health, Education and Welfare (HEW) reports that its review resulted in proposals to eliminate, consolidate, or simplify close to 60 per cent of the 1,392 requirements identified. The Environmental Protection Agency (EPA) has proposed changes in 55 per cent of the 316 identified planning requirements attached to seven of its programs.

Of equal importance are the policy orientations adopted by the agencies. HEW is oriented towards greater reliance on state and local government processes to fulfill planning requirements and has adopted a flexible management posture on integration of required plans. Other agencies are moving toward greater consistency among planning requirements and standards for related programs, both within individual agencies and across several programs in a given functional area.

The A-95 process

Many federal assistance programs are subject to the project notification and review system established under OMB Circular No. A-95 (Evaluation, Review and Coordination of Federal and Federally Assisted Programs and Projects). Circular No. A-95 is a procedure for coordinating federal and federally assisted programs and projects with each other and with state, regional, and local plans and programs. Under this notification and review system, coordination is brought about through the review of applications for federal aid by state and areawide clearinghouses.

OMB has been reassessing A-95 for several months and has now reached a point where some conclusions are being identified. Some conclusions drawn, however, are not necessarily what we expected at the start.

The survey's results include the following:

Federal compliance. Evidence of a lack of federal compliance exists in many aspects of the A-95 process. There are a variety of complaints and problems with A-95, such as timeliness and worth of clearinghouse comments and the burden on applicants. OMB



OMB Deputy Director Vincent Puritano discusses intergovernmental relation reforms.

believes that NACo staff, in conversations with our office, has identified the necessary first step. If the federal government will enforce the A-95 system and take it seriously, state and local government will be more likely to do the same. Applicants will, therefore, realize more benefits. The system is federally initiated, so it appears the first step should be for the federal government to adhere to it more actively than in the past. Attention needs to be paid to avoiding excessive federally caused complexities and paperwork.

OMB monitoring. OMB realizes that there must be a closer monitoring of a revitalized A-95. Our recent interim report on the assessment suggested various annual report and implementation planning requirements for the federal agencies. The universal negative federal reaction to the paperwork burden involved in these reports and plans is probably justified. There is a need to rethink details of our monitoring role, but OMB will have to assume a more aggressive stance.

Part IV of A-95 isn't working. Part IV of A-95 calls for federally funded areawide planning units, which are not clearinghouses, to develop a memorandum of agreement with their local clearinghouse. There are few such memoranda. OMB wants to obtain opinions on whether it is advisable to adopt the Government Accounting Office (GAO) and Advisory Commission on Intergovernmental Relations (ACIR) recommendations to require federal agencies to have their local functional planning performed by areawide comprehensive planning agencies (usually A-95 clearinghouse for the area). Presently OMB has no official position.

In addition, federal agency compliance with state established substate districts is a continuing issue. We want to see what role Part IV should play in rationalizing comprehensive and functional planning in both

metropolitan and rural areas. This may relate directly to urban and other regional policy decisions that may emerge in future months. Part IV, in other words, needs much more study and needs to be related to the overall policy concerns that should determine the shape of this part of the circular.

Part III of A-95 needs to be strengthened. This part calls for governors' review of federally assisted state plans. Part III may have a role to play in planning simplification and reform.

Training. We found a lot of misinformation about A-95 among federal, state and local officials. OMB needs to do a better job of disseminating clear, understandable information on the circular.

Options

We can assess A-95 at any point and assure the system is working. But the system is not an end in itself. At the federal level, to the extent that A-95 assists planning, it should be modified if necessary to reflect presidential decisions to simplify federal planning requirements. To the extent A-95 can assist in metropolitan development (or rural development), it should be tailored to play an appropriate role.

There are many options one might perceive for a tool such as A-95. Some that are mentioned would make it a highly prescriptive (and expensive) federal "ratchet" to force change at federal, state and local levels. I don't believe we know enough to use A-95 to do that correctly or that the federal government should use the circular for that even if it knew how.

We will want to trim and firm the A-95 system to serve as a tool in intergovernmental cooperation (according to the Intergovernmental Cooperation Act under which A-95 was issued). Our options will be

aimed at strengthening the hand of the chief elected officials at all levels of government in having their views and priorities known on proposed federal projects and in rationalizing planning at the various levels of government.

Federal Regional Councils

There are two somewhat distinct activities presently underway with respect to the Federal Regional Councils (FRCs). As a result of the Presidential review of the FRCs this past summer, it was decided that:

- The FRC system would be strengthened and continued in operation over this present year (1978);

- The FRC system would be evaluated as part of, and within the context of, the reorganizational studies being conducted by the President's Reorganization Project and the executive departments.

OMB will be preparing a report for the President on options for the future of the FRCs. We estimate this will be completed this fall.

As part of the FRC system operation in 1977, the Under Secretaries Group—the policy setting body for the FRCs—was revitalized. It is cochaired by Jack Watson, the assistant to the President for intergovernmental affairs, and Jim McIntyre, the director-designate of OMB, and has the active participation of the under secretaries of the major departments. Each FRC has been asked to develop a plan for regularly involving state and local government officials in their work during this next year so that state and local government should have a role to play in options developed through the FRC system.

Proposed executive order

OMB has recently published in the *Federal Register* for comment a proposed Executive Order that would replace OMB Circular A-85 and provide a more comprehensive, rational consultation and review process in formulating federal regulations.

The system establishes a procedure for reviewing existing regulations; semiannual publication of important changes in regulations or key new issuances; federal work plans and agency head involvement in setting up state, local and public consultation in developing these new or revised regulations, and provisions for state, local and public participation.

It is proposed that by special memorandum from the President to federal agencies, state and local interest groups, such as NACo, will have an important role in identifying regulations for priority state and local consultation, and in participating in that consultation.

Urban policy review

The Urban and Regional Policy Group under the Department of Housing and Urban Development (HUD) leadership is continuing its review of federal urban policies. OMB and the Domestic Policy Staff, as a part of the fiscal '79 budget exercise, have been reviewing many of the preliminary proposals in this area. The possibilities for consideration and resulting decisions could be reflected in a number of contexts in upcoming months.

Reorganization

The President's Reorganization Project is proceeding on a broad front. Over 30 teams under OMB leadership are addressing a wide range of issues, some of which are of interest to state and local governments, such as civil rights, community and local economic

See PURITANO, page 4D

A 'home rule' bill for federally sponsored area planning programs

by William B. Stafford
Manager, Intergovernmental Relations
City of Seattle, Washington

The proposed Intergovernmental Coordination Act of 1977 was a product of impatience—the impatience of Seattle's mayor, Wes Uhlman, who had nearly given up hope that the federal government would get its house in order and reform its mass of fragmented and, at times, inconsistent planning programs.

By mid-1974, Uhlman had become increasingly frustrated by the number of different meetings on metropolitan problems. The mayor like other local officials was serving on various committees and executive boards, and was literally running from meeting to meeting. An increasing amount of city staff time was being devoted to doing nothing more than "agency watching"—keeping track of what metropolitan organization was doing what. Most disturbing to the mayor was that, among a bewildering array of federally sponsored and federally funded "official" planning agencies, little progress was being made on critical metropolitan problems. The city was moving from one ad hoc, temporary solution to another.

The metropolitan puzzle

The mayor requested an inventory of all these planning agencies, their federal requirements, their mandate, and composition of their governing boards. The inventory's results were later confirmed by a U.S. General Accounting Office study titled "Federally Assisted Areawide Planning: Need to Simplify Policies and Practices," March 1977.

The findings showed that in the four-county Central Puget Sound Area there were more than 20 different multi-jurisdictional planning agencies, each doing its own thing and each possessing an important piece of the puzzle. The central Puget Sound area included: a council of governments, an economic development district, two metropolitan municipal corporations, a health systems agency, four block grant consortia, three manpower consortia, an air pollution control agency, three areawide agencies on aging, five law and justice planning agencies, and four alcoholism agencies.

Nearly every agency had committees and subcommittees, its own independent staff, and a different board of directors. However, all had one thing in common—federal funds. A number of these agencies had been created specifically to meet federal requirements or to qualify for federal funds. Each was trying to solve a functional problem but not within any framework or context—a wheel with plenty of spokes but no hub.

Mayor Uhlman concluded that the physical,

social and financial health of central cities and the metropolitan regions demanded coordinated, accountable, and meaningful decision making.

The inventory unearthed an extraordinary amount of duplication, overlap, conflict and waste. Furthermore, problems were being ignored because no one agency would claim responsibility. Staff were, in some cases, unresponsive to political leadership. The planning process was invisible to the public and so were the policies being adopted by these agencies, even though they allocated substantial public resources. It appeared there was more accountability to demands of federal bureaucrats than responsiveness to the elected representatives of the people.

Such fragmentation is not a total excuse for local inability to address metropolitan problems. Interests differ substantially. Solving problems of the central cities and metropolitan areas of the country would not be easy even if the system made more sense. But fragmentation of local jurisdictions, when overlapped with the fragmentation of federal programs, has created a labyrinth of decision making few elected officials and even fewer citizens really understand. The public policy issues have not been presented to local officials and citizens in a way that the problems and alternatives are clear, or that allow for the integral political processes of decision making and compromise.

A new law is needed

In recommending a number of remedies to the situation, the objective was to permit local officials to assume a greater role in deciding what public policies would be established in their own metropolitan area. During the year after the Seattle study was completed, numerous letters were received from federal, state and local officials complimenting the study and bemoaning the problems identified. But there was no indication of any federal action to follow up on the recommendations, most of which had been made many times before.

Mayor Uhlman and others felt that a national debate on the need and requirements for metropolitan planning would be healthy and asked his staff to draft legislation for the attention of Washington's senior senator, Warren G. Magnuson (Dem.). Local, state and federal officials from around the country were consulted on the bill which Magnuson introduced in the spring of 1976. Many good ideas and critiques of this legislation were received and a redraft of the bill has been re-introduced in the current congressional session by Sens. Magnuson and Charles Mathias (R-Md.) and by Rep. Thomas L. Ashley (D-Ohio) with many other cosponsors.

The bill's components

What does the bill do and why should local officials be interested in it? The bill is best described as a "home rule" for federally sponsored areawide planning programs. The bill would provide uniform standards to govern those federal programs, and would allow an organization of local elected officials to be the recognized planning agency for a federal planning program. Under the bill, preference would be given to areawide planning agencies composed of local officials unless state law requires another form of agency. The legislation was not drafted as the final word on the subject; rather, it was designed as a means of presenting to Congress the problem it had created, particularly because of its fragmented committee structure. The bill was also drafted as a means of providing debate on whether these requirements are needed and, if so, how they can be restructured to achieve their purpose.

In the development of the bill several practical constraints became apparent. First, it was impossible to rewrite the 20 or more pieces of federal law that govern areawide planning programs because of the difficulty with the congressional committee structure.

Second, it is impossible to totally abolish all requirements in favor of local options. Congress would not permit a system at this time in which there is little accountability for federal funds.

Local officials are at the federal trough to fund the solution to metropolitan or multi-jurisdictional problems such as transportation, manpower, water quality and air pollution. It seems reasonable, in turn, that the national government demand solutions cover the geographic area of the problem. And it makes sense for Congress to insist that employment problems be dealt with within a labor market or transportation issues be decided within a commuter shed. It was realized that these federal requirements would remain the issue of who would make the decisions and how they would be made was the prime focus in developing the legislation.

Comprehensive area planning

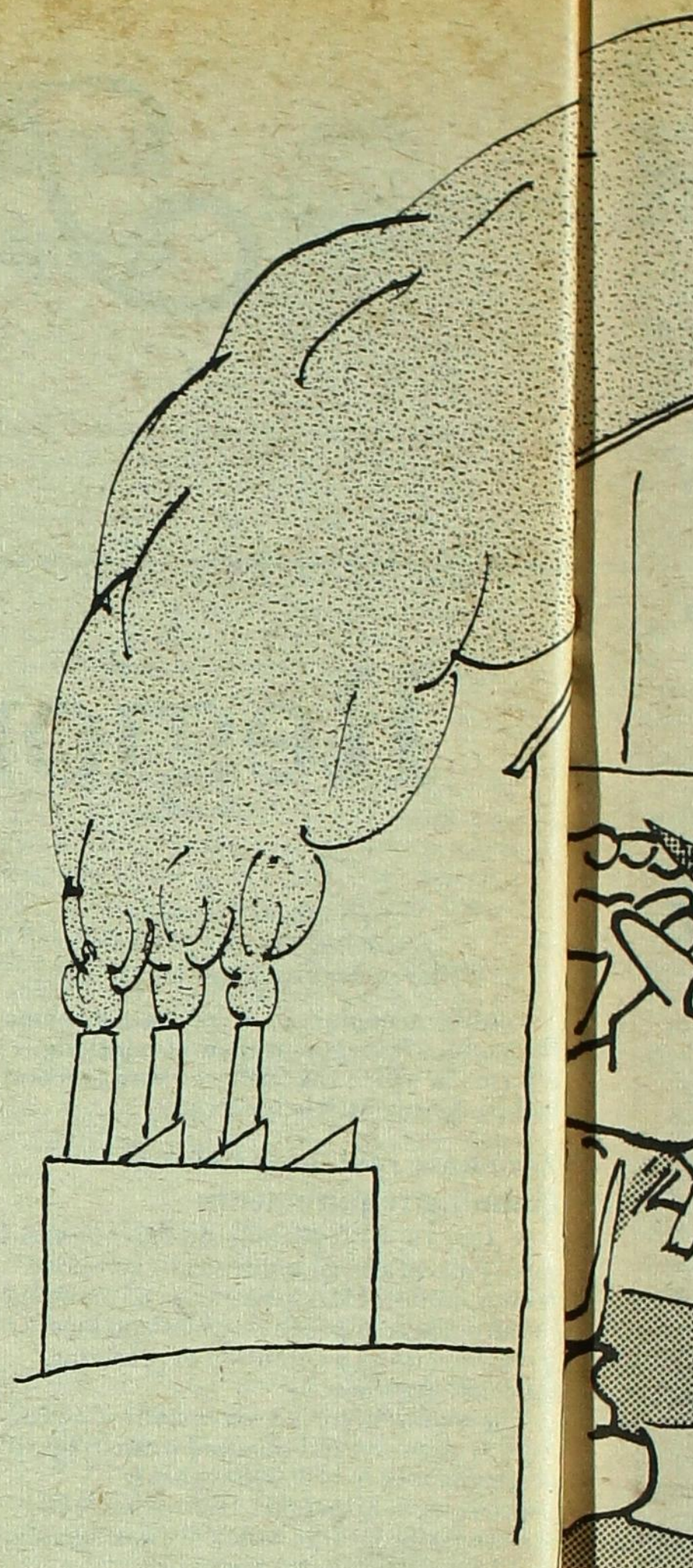
Consistent requirements were developed for all the functional programs. The heart of the legislation is a requirement drawn from existing federal laws for comprehensive development planning. This requirement is for the development, by elected local officials, of an areawide planning policy guide to serve as the basis for all the other federal metropolitan planning. The policy guide would become the framework for all metropolitan planning and allow local officials to decide the major issues of the metropolitan area. This approach does not force organizational mergers, and once the decisions are made, the federal programs would have to be consistent with the local choices.

In drafting the bill, three main problems were addressed:

- Few of the governing boards of Seattle's 20 plus planning agencies could be combined together, since inconsistent federal laws and regulations required completely different membership for each of the individual agencies.
- Several federal planning statutes required specific geographic boundaries for their planning areas (e.g. health planning). All of this worked against reducing the number of areawide agencies.
- Different planning processes were required by each set of federal laws and requirements, and also by individual interpretations of the administering federal agencies.

Under the Intergovernmental Coordination Act local officials could assume control of any federal planning program, or in fact all of the programs, if they felt this would work best in their own areas. Not all states, however, have authorized local officials to form areawide planning agencies; in some states, areawide agencies have been specifically created by state law as state agencies. Language was added which permits the use of the appropriate section of state law. If no specific method is prescribed in the state law, then local elected officials would have the sole authority to nominate themselves.

In most states, substate districting plans have been adopted by law or by a governor's executive order. Many federal programs ignore these state patterns, occasionally for valid reasons. In drafting the bill attention was given to the possibility that federal agencies would resist change for their individual programs and, consequently, a set of uniform standards was developed which would apply to substate district plans. This attempts to force federal agencies to allow a single local planning area for every federal program. Local officials could use either the organizational section of the legislation to combine agencies or could relate the various functional plans. The bill allows some discretion on the part of the governor and local officials in determining what this area is and whether or not it will be used for particular programs. There is also



Substate regionalism

by David B. Walker, Assistant Director
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Substate regionalism today is more complex, more confused, and more competitive, yet more important to the nation, than it was five years ago when the topic first became the subject of an intensive study.

The study was conducted by the Advisory Commission on Intergovernmental Relations (ACIR), the Metropolitan Fund (Detroit), the National Academy for Public Administration, NACo and public interest groups representing the states, cities, and others.

Recent changes in governmental institutions, procedures, and services at the metropolitan and nonmetropolitan levels have only added to the difficulties which confront all policymakers in regard to substate regions. The problem becomes tougher in the case of the 40 interstate metropolitan areas and the approximately 100 Standard Metropolitan Statistical Areas (SMSAs) which are single county. In the interstate areas, state law alone is not enough to set areawide guidelines, and in the single-county situations, the metropolitan area frequently becomes the core of a much larger, predominately rural multicounty regional planning district.

In its six-volume probe of the subject (1973-74), ACIR found that each substate region has need of an effective areawide unit. Depending upon the region's size, its servicing needs, and its traditions, this might be a reformed regional council (COG), a reorganized county, a city-county consolidation, a multipurpose regional servicing authority, or a county-county merger. States, it was recommended, should take the lead role in providing such units, and federal actions should be supportive and complementary. While federal initiatives have dominated the field and have been one of the major sources of both the past progress and the current difficulties in establishing regions, state law ultimately is needed to make sense out of the substate regional issue.

This article is a slightly revised version of a paper prepared for publication in the *Southern Review of Public Administration* (Summer 1978).



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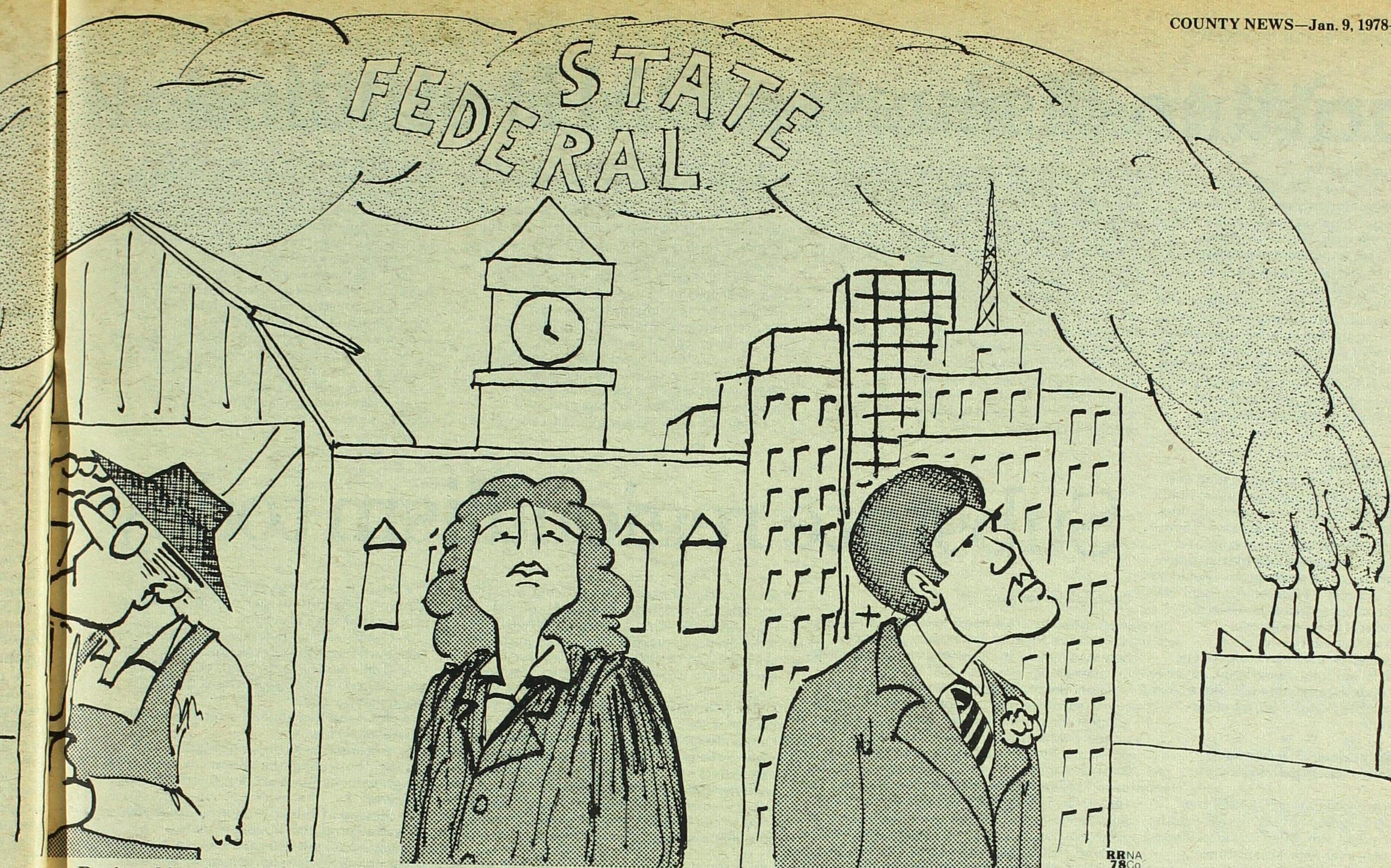
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Regional issues such as air pollution and economic development are everyone's problems.

Regionalism: the situation in '77

A more complex challenge

New regional units and/or procedures are continually formed by federal actions, mostly on multiple single functional fronts. As of 1976, there were 32 federal programs with a substate regional organizational or procedural focus, six more than in 1972. Five programs disappeared in the four-year period (1972-76); 17 have been added. Currently, eight require a regional approach in interstate areas, and at least 21 encourage the formation of single purpose regional districting bodies. Only two have the generalist, multipurpose thrust of county government.

On the state-county-city front, the coalition that produced the 1972 report endorsing the umbrella multijurisdictional organization (UMJO) approach, in effect, has come apart. States now are much more passive in their involvement in the issue. The counties are torn between those that claim "counties are the regions" and those that recognize that the bulk of substate efforts focus on multicounty areas and that changes in county boundaries to accommodate this fact are not politically possible. Among some of the more populous cities, there has been a return to the "go it alone" approach, prompted in part by the massive infusion of direct funds during the recession period.

Finally, random impressions from the field suggest the emergence of a jurisdictional isolationism attitude, despite (and perhaps because of) the marked increase in local governmental dependency during this same period. Secessions from regional councils have been on the rise although the departing jurisdictions usually return. A range of fairly major metropolitan reorganization proposals have all gone down to defeat during the past three years (Sacramento, Calif.; Portland, Ore.; Salt Lake City, Utah; Denver, Colo.; Durham, N.C.; Frankfurt, Ky.; Las Vegas, Nev.; and Tallahassee, Fla.). Antiregionalist citizens groups, like SCORPA (Statewide Committees Opposing Regional Planning Authorities) and SOS (Save Our Suburbs) have helped ferment local jurisdictional and citizen fears of various substate regional developments and proposed reforms.

Continued, if not more, confusion

Partly growing out of and closely related to

this trend toward greater complexity is the continuing, if not greater, confusion in the federal and state responses to this many-faceted substate regional challenge—a challenge which these governments helped to create.

At the federal level, at least four conflicting themes are discernible. One involves a drawback from regional approaches on certain fronts. An example is the weak to nonexistent considerations of regional issues in new, direct federal aid to local governments (now about \$21 billion). As enacted and administered, few (if any) regional concerns are incorporated into general revenue sharing, the manpower programs (despite the consortia provision), the countercyclical programs, or the community development block grant (although Secretary Patricia Harris' recent effort to bolster the role of regional councils in this latter program should be noted here).

A second theme is the counter trend that has emerged in two program areas—transportation and the environment. Congress and the Administration have insisted on a much stronger role for designated regional bodies in regard to four statutes. Both the urban highway and mass transportation programs require that projects be included in the plan and the program prepared by the designated metropolitan planning organization (MPO) before such projects can be eligible for federal funds. Similarly, the areawide waste treatment management (water pollution) program requires projects be included in the regional plan developed by the 208 regional unit designated by the Environmental Protection Agency (EPA). In addition, the solid waste management program, as revised by Congress in 1976, now requires more effective state and areawide planning processes. The multipurpose regional councils which have these DOT and EPA planning roles plus A-95 powers are becoming much more significant decisionmakers.

A third federal trend is reflected in the continued proliferation of federally encouraged regional districting programs for special purposes. Four additional regional programs have been enacted since 1973, and the tendency persists in some programs (past and present) to establish areawide units apart from

the A-95 regional councils. In many cases, under HEW's recreated health system agency programs, totally different areas from those used under the old comprehensive health planning endeavor have been set up. With the Safe Streets program, there is some evidence that the problem of separatism with the regional planning units (RPU's) is worse now than it was seven years ago. All this reflects continuing difficulties in implementing Part IV of OMB Circular A-95, which requires maximum feasible use of the same geographic boundaries for all areawide federal aid programs in the same region and coordination among the different areawide agencies with responsibilities in that region.

The fourth regional theme at the federal level is the continuing effort to strengthen generalist dominated multipurpose units at the substate regional level, largely through the A-95 Circular. Over the past five years, the number of clearinghouses has increased from 452 to more than 500. The number of federal grants covered by the review and comment process has more than doubled, surpassing the 200 mark, and now includes a substantial number of the social service programs. Federal licensing and permit efforts also have been added recently to the process. Federal Regional Councils (FRCs) were given an A-95 oversight role in 1975, and the whole Circular A-95 process is now the object of a major OMB evaluation. Finally, recent modifications in the circular require that federal agencies notify clearinghouses (in writing) of any decisions they might take in opposition to the latter's comments, and that grant decisions should be reported back to the clearinghouses and affected governments. Also of special relevance to the strengthening of regional councils, Congress enacted the Joint Funding Simplification Act in 1974, and three federal agencies (DOT, EPA, and HUD) developed another areawide coordination process—Regional Capital Improvement Programming (RCIP).

Out of these four thematic developments emerges a confused picture; there are several federal substate regional "policies," not one. Overall, the picture shows ambivalence regarding the proper future direction of substate regions.

States have added to the problem

Added ambivalence stems from the states. Forty-five states now have established substate districting systems. Such districts currently number 530 and, more importantly, the proportion having official areawide organizations is 95 per cent—compared to 56 per cent in 1973. The overwhelming majority of these receive either federal or state aid, or both, and most have been designated as A-95 units.

These state systems, though, have brought only modest improvements in the conformance of federal districting boundaries and organizational designations. In addition, few states have had much success in using their districting systems to decentralize state services on a uniform basis. Still another weakness is that about half of the districting undertakings do not rest on a firm state legislative basis.

Aside from the pros and cons of "state established" districting programs, the states have a crucial role in influencing other substate regional developments. None, perhaps, is more critical than their approach to the special districts and authorities which have been the prime institutional response to the fiscal, geographic, and functional rigidities of traditional units of general local government. To date, the total of these units had passed the 25,000 mark, up by more than 1,100 from 1972; one-third are in metropolitan areas, and two-thirds are in nonmetropolitan areas. Nine states presently have some form of local boundary commissions to help curb the proliferation of these districts, an increase of three since 1973.

At least half the states have conferred greater home rule powers on their local governments between 1970 and 1975. Home rule for counties is available in some form in 37 states, according to NACo records. Montana and Pennsylvania are recent examples of states initiating broad local government study and review efforts. Yet, with the exception of Minnesota's continued strengthening of the Twin Cities' Metropolitan Council and Nevada's ill-fated mandating of consolidation in Las Vegas and Clark County (which was

Puritano discusses OMB studies

Continued from page 4A

development, disaster preparedness, education, federal field structure, food and nutrition policy, human services, improvement of justice and law enforcement, natural resources, OSHA, paperwork reduction, and improvement of intergovernmental management circulars.

Reorganization of the Executive Office and of the U.S. Information Agency and the State Department's Education and Cultural Affairs have already been submitted to Congress. The various teams have and will continue to gather opinions from NACo and other interest groups as well as from individual state and local officials on matters of intergovernmental concern.

Advance funding

In a major step to help state planning and budgeting efforts, OMB has announced that it will recommend to Congress advance funding for three more federal grant programs. They are vocational rehabilitation, maternal and child health care, and programs for the aging. Advance funding for these programs would be proposed in the fiscal '79 budget for fiscal '80.

Advance funding is already in effect for three other federal grant programs—elementary and secondary education, vocational education and education for the handicapped. When fully operational, advance funding in the six areas could make more than \$6 billion available to states ahead of the normal schedule.

How will the various reviews and assessments affect local governments?

There are threads running through the efforts. The President wants dealings with the federal government simplified and local elected official influence over federal assistance programs emphasized through increased agency intergovernmental awareness and through OMB's Circulars and coordination techniques such as A-95 and FRCs.

Greater consistency will be sought in planning processes and standards among functionally related federal programs.

And the Administration seeks a cooperative approach to problems; with avoidance of any general approach to substitute federal decisionmaking and funds for state and local assumption of their responsibilities. The President, as a former governor, respects and supports the role of state and local governments.

Were any substate coordination problems uncovered by the reviews?

The issue of the proper jurisdictional level for primary planning is of continuing concern (i.e., state, areawide, county, municipal, neighborhood, special district). Differing views on the most desirable relationships among the planning activities conducted at each level and

problems in linking planning for federal programs with related ongoing programs and expenditures of recipient jurisdictions have been identified by the reviews.

There are occasional conflicts or disagreements over the roles of comprehensive planning agencies vs. the roles of individual jurisdictions; planning offices or functional planning groups. Sometime this takes the shape of conflicts over the designation of A-95 clearinghouses. It is evidenced by the limited results from Part IV of A-95, which encourages cooperative agreements between various planning organizations. State and local as well as federal, innovation and initiatives will be needed in this area.

Many federal, state and local initiatives are hampered by federally oriented shortcomings such as:

- Excessive turnaround time through all of the layers of government (especially federal layers) in resolving conflicts and differences in agency policies and procedures,
- Widely varied individual agency interest and participation in regionally based coordination systems and processes,
- Insufficient or uneven delegation of authority to federal field units,
- Inconsistent federal agency jurisdictions, headquarters locations, and substate requirements such as governing board membership, citizen participation, etc.

I mention these essentially federal

government shortcomings because federal attention needs to be continually brought back to these problems. Counties and other local governments should not relent in pointing up federal inconsistencies and lack of coordination at substate levels. We need both the criticisms and suggestions for improvement.

The Urban and Regional Policy Group effort has already pointed out that central city and suburban governments are seldom able to coordinate and concert resources and programs to relieve the problems of distressed cities. Seeking means of accomplishing this, weaving in the roles of state and federal government, will obviously be a matter of intergovernmental concern for all in the coming years.

Substate regionalism today

Continued from page 4B

overturned by state court action in 1976), the states have adhered to a steady policy of noninvolvement in the reorganization of their urban regions.

Thus, the conflicting features of the states' role in substate regionalism boil down to mild support for substate districting systems, but no real confrontation of the challenges presented by special district growth and by local efforts to reorganize their regions on their own. This ambivalence parallels and reinforces that of the federal government. Most federal policymakers are at a point now where they are reluctant to move on the structural question without clear signs from the states that an effective partnership approach can be achieved.

More competition

To this complex and confused pattern of recent substate regional developments must be added still another basic trait. Given the weakness of substate regional organizations in all but a handful of areas, and given the increase in the number of regional units, more competition has emerged as to which unit of government ultimately will be able to coordinate regional activities. Counties in many states are making strenuous efforts to fill this role, since they have a degree of governmental authority not held by most regional organizations. Regional councils in a few states are struggling to become the preferred institutional mechanism for all federal and state supported regional programs. Areawide special districts—and they now number well over 1,000 in the nation's metropolitan areas—assume that they are the only operational areawide governments in most multicounty urban areas, and they

presume that if present trends continue, they will inherit, by default, the mantle of real regional leadership. Free-standing federally sponsored regional units for single purposes are bolstered by their special statutory backing and funding, and by their functional counterparts at the federal and state levels.

The substate regional setting, then, is more cluttered than it was a decade ago, and the claimants for power are more numerous. In view of the lack of unity among governmental generalists at all levels, and the weakness of their institutions at the regional level, one must wonder as of the moment, how they can hope to coordinate the functionalists (program specialists) effectively in the substate regions.

The issues are important

None of this would be of any great significance if the issues subsumed under the substate regional issue were of no great importance for the nation. But they are. The essential reason for these developments has become more apparent as the country moves through the seventies, for the gap has not been closed between the real geographic scope of certain problems or programs and the jurisdictional reach of nearly all traditional local governments. Moreover, the funding of most areawide programs will continue to be heavily intergovernmental (especially federal). This means that requirements governing the forms of regional organizations will accompany these fiscal transfers, if the recent past is any guide. The pressures for single purpose organizations are strong, because they least disturb the jurisdictional status quo. The incremental, seemingly voluntary, approach to regional reorganization has reached the crossroads, with the concept of the old style, forum-like COG being severely questioned. The ultimate question of achieving a legitimate, accountable, effective areawide organization of some sort clearly is going unanswered in many places. The policymakers at the traditional county, city, and state levels (and all three are involved) have yet to give the regionalism question the type of serious consideration that the founding fathers gave to federalism even when they convened the Annapolis Convention in 1785.

Some sanguine signs

Three recent developments at the federal level raise the hope that a serious debate over these systemic developments may be in the offing. First, in March 1977, the General Accounting Office issued a report calling on Congress to "establish a national policy on areawide planning" and to provide "a basis for strengthening the planning focal points at the areawide level."

Secondly, the proposed Intergovernmental Coordination Act was introduced into the 94th and 95th Congresses by Sen. Warren Magnuson (D-Wash.) and Rep. Thomas Ludlow Ashley (D-Ohio). This measure would implement the Government Accounting Office recommendation as well as a number of the Advisory Commission on Intergovernmental Affairs (ACIR) proposals. It calls for:

- Use of the state's substate districts for administration and coordination of federally aided areawide planning programs;
- Eligibility of a single areawide planning agency in each substate region for all federally aided areawide planning programs—through waiver of divergent federal aid requirements concerning the composition of areawide planning bodies;

- Melding of all federally aided areawide planning programs in each region into a single coordinated work program;

- Consistency of federal aid projects in each region with areawide development planning;

- Gubernatorial agreement on, or OMB designation of, the boundaries of interstate metropolitan areas;

- Joint funding eligibility for all areawide federal aid projects;

- Authorization to spend areawide and statewide planning funds from any federal aid program for support of the A-95 review process;

- Review of federally required state plans—as well as proposals for federal land acquisition, disposition and use—by the governor, areawide planning agencies, and local governments;

- Biennial reports by the President on the administration of this act—in conjunction with the President's National Growth Report; and
- OMB rules and regulations appropriate for the effective administration of these rules.

Finally, various study groups within the Administration have been probing differing aspects of the substate regional puzzle. Of major interest is the work of the Urban and Regional Policy Group, under the leadership of HUD's Assistant Secretary Robert C. Embury Jr. This cabinet-level committee is focusing on ways and means of instituting a more effective developmental strategy at the areawide level, and it may surface in some form as part of the 1978 State of the Union Address and the follow-up urban policy message to the Congress this month.

Conclusion

These are hopeful signs, but whether positive results will flow from these tentative actions is another matter. Tough political and jurisdictional questions are at stake and any real answers must confront—not cover over—the existing and emerging functional, fiscal, and institutional issues in most of our metropolitan and nonmetropolitan areas.

Increasingly, this is where the shape of future intergovernmental relations is being fashioned. Most of the major issues facing the system are there: centralization vs. decentralization, generalists vs. specialists, administrative accountability vs. little popular control, fragmentation vs. some fusion, program coherence vs. program conflicts, and incrementalists vs. advocates of dramatic structural change.

If any measure of success is to be achieved in attacking these extraordinarily difficult issues, then it would appear that a joint federal-state partnership approach must be devised. Neither unilateral federal action nor continued state abstention is appropriate. The federal government has the purse and some sense of the need, while the states have the power and the political sensitivity. The counties have become the geographic building blocks for both metropolitan and nonmetropolitan regions, and essential participants in the emerging regional organizations. But, developing a broad strategy for success suggests the need to resolve the ambivalence, which all the traditional levels of government share on this issue, and to chart a straight course. It will take the collective leadership of county leaders as well as federal, state and municipal officials to reach this goal.

'Home rule' bill

Continued from page 4B

protection within the legislation for the integrity of interstate metropolitan areas.

The last problem addressed, the inconsistency of planning processes, is where real difficulties were encountered. Through experience it was learned that even if federal planning programs are put together in the same physical location, under the direction of the same local officials, different federal and state agencies could still carve up the area with different requirements for individual federal planning grants. Thus areawide planning would not be consistent. Those who developed the bill felt the only way to make planning consistent is to establish common requirements for an areawide policy guide for all the federal areawide planning programs.

To accomplish this the bill includes a requirement that local plans be implemented and that federal programs be consistent with the local plans. Also a requirement that federal agencies which decide how land is to be used must abide by the local plans wherever possible was incorporated into the bill.

Conclusion

The basic position on metropolitan regionalism developed by Mayor Uhlman and others is that the time has come to forget local

parochialism, to look at common problems and to solve them for the benefit of all constituents. Realistically, there are only two alternatives; local officials must face and solve metropolitan problems, or wait until the federal and/or state governments step in and impose solutions that local officials may not like. The latter approach seems to be dominating discussions in Washington.

All citizens stand to lose unless the urban areas are healthy, functioning economic units. Officials and citizens cannot afford to toss away the billions of dollars invested in America's cities as if they were, as Mayor Uhlman has remarked, "empty beer cans or disposable butane lighters." It is apparent suburban areas and rural areas are suffering from the decline of the central city. The costs of providing public facilities and services, sewers, water, power, police, fire, roads, and schools, in areas where sprawl is permitted are soaring far past the willingness and capacity of local taxpayers to bear. Prime agricultural land is disappearing at a rate which can only result in increasing food costs.

One can only hope that local officials will act cohesively and responsibly in managing scarce urban resources. Failure to take local initiative will only increase the inevitability of federal or state intervention.

Rehabilitation Methods That Work

by Jack N. Thomas

DOUGHERTY COUNTY, Ga.—While most areas of the country continue to be plagued by ever-increasing crime rates, innovative programs being used here are actually reducing both adult crime and juvenile delinquency.

When director of the Department of Corrections, Asa Kelley, exchanged his keys to Georgia prisons for judge's gavel in 1970, he took a new idea about rehabilitation with him to his new job as chief judge of the Dougherty Judicial Circuit.

He had learned from a pilot program conducted at Georgia State Prison that lasting rehabilitation of even "hardened criminals" was possible through a technique developed by Dr. Dan MacDougald, president of Social Research Laboratories in Atlanta.

Armed with what he termed "tension-word psychology," MacDougald taught 22 hard-core felons at the prison the practical wisdom derived and meticulously translated from an ancient Bible written in Aramaic, the language in which Jesus of Nazareth taught. A followup of the original "terrible 22" inmates 10 years later revealed not one was in trouble with the law.

EMI METHOD

MacDougald's course, called "Emotional Maturity Instruction," or EMI for short, is based on the assumption that a person's behavior is determined by his attitudes and goals, which, in turn, are dependent upon his "regulatory speech system." By learning to use positive speech, the student develops positive at-

titudes toward himself and others. His behavior then also becomes more positive, and he ceases to have difficulty with obeying the rules of society.

Judge Kelley uses the EMI technique extensively with adult offenders under his jurisdiction. One approach he employs is to put the offender on probation with the special condition that the offender attend weekly EMI classes. Special attitude tests are given periodically as part of the course to chart the probationer's progress.

MEASURED SUCCESS

Another approach utilized by the judge is to place the convicted offender in jail for an indefinite period of time while undergoing EMI instruction. This program is utilized for offenders who otherwise would be sentenced to prison. From Jan. 1, 1971 through March 31, 1976, 249 offenders participated in this program. As of March 31, 1976, only 40 (16 percent) could be classified as failures. "This is far below the recidivism rate of those released from prison," Judge Kelley observed.

The EMI program is also being used to advantage with youthful offenders by Juvenile Court Judge Gene Black Sr. While the delinquency rates throughout the United States have been spiraling in recent years, with a recidivism rate for juveniles of some 70 percent to 80 per cent, Albany, Ga. is able to boast of a recidivism rate which "is never over 35 percent," according to Judge Black.

Judge Black gave credit for Albany's success to the EMI program. He went on to explain that the overall system in the Dougherty

Judicial Circuit not only gives him a means of identifying a juvenile offender's "bad attitudes," but also provides a method for changing them to "good attitudes" which, in turn, produce a "happy, productive, law-abiding citizen."

Parents might also be required to enroll in the "attitude modification" course. "If you're going to get to delinquency," Judge Black said, "you've got to get parents in on the act."

The juvenile probationer also is provided with remedial reading, if needed, along with nutritional therapy, addiction relief counseling, and a VIP (very important person), who functions as a "big brother" or parent substitute.

The workhorse of Albany's innovative programs for both adults and juveniles is the Judicial Service Agency Inc., a private, nonprofit organization set up in 1970 and funded by the Dougherty County Commission and private donations.

With a staff of five paid employees and 15-20 volunteer instructors, the agency currently is conducting 23 EMI classes at the center and 10 others in the jail.

STRESS EVALUATOR

Last January, Judge Kelley added another weapon against crime to his already formidable arsenal. It is called the Psychological Stress Evaluator, or simply "PSE."

The PSE is a sophisticated electronic instrument which is able to sense and graphically display the critical stress-related components of the human voice. The voice normally has an "FM" component which shows up as an irregular pattern on

cardiograph-type charts. Evasive or deceptive answers to questions produce stress in the subject, which reduces or eliminates the graph's FM qualities. The uniform pattern of a graph alerts the examiner to the possible deception, giving him information which often leads to the truth.

In a pilot program in Albany, the PSE is being used with probationers in a cooperative effort between the courts and the police department. If law enforcement officials want to know if a probationer is complying with the conditions of his probation, all they have to do is ask him. A lie or an evasive answer is identified by the PSE and the probationer can be confronted and cross-examined immediately.

Along with other special conditions, Judge Kelley writes into his probation orders that the probationer must submit to and cooperate with lie detector tests, including the PSE, and psychometric tests anytime he is directed to do so by his probation supervisor or any other law enforcement officer.

Two seasoned Albany Police Department detectives have been trained in the use of the PSE by the distributor.

"The PSE gives law enforcement personnel a vehicle to determine if a probationer is complying with the conditions of his probation," Judge Kelley said. "If not, why probation?"

Chief Assistant D.A. Hind was also enthusiastic about the PSE program. "You can't cross-examine a polygraph machine, but you can the PSE. You can even ship the tape to other experts for an opinion. There is

no possibility of operator bias."

DETERRENCE

"A very substantial percentage of crimes are committed by former offenders," Judge Kelley observed. "That's where your PSE comes in. You can find out who's associating with them."

"If they know you're going to put them on that machine, they don't want to be associating with anybody in the business, and," he laughed, "people in the business don't want to be associating with them. The criminal element doesn't like it. It's a threat to them—a very definite threat, no doubt about it."

Even though only 8-10 probationers per week are now being given the PSE test, preliminary statistics indicate the program already is having an impact. First quarter 1977 index crimes were lower than the preceding quarter for the first time since 1971. The total for the first quarter 1977, which was 1180, is the lowest first quarter since 1971.

Elderly Help Nab Criminals

DALLAS COUNTY, Ala.—Visits by sheriff's deputies to isolated elderly county residents has proven to be an unexpected advantage to the department, says Dallas County Sheriff W.D. "Cotton" Nichols.

Last summer Nichols began the deputies' visits, he says, after he learned about the needs of elderly rural residents for occasional check-ups.

"We're talking about an area where it can be a two and a half mile walk just to the mailbox," Nichols says.

The intention of the program was to provide some reassurance to the elderly people and to see, in Nichols' words, "if someone is sick and laid up and needs a doctor."

About 12 people signed up for the program.

Fortunately, none of them have needed a doctor. In fact they have provided information that led to the arrest of several criminals.

"We have a problem with transients who, for example, pose as building inspectors in order to rob people," Nichols explains.

Several of these people, he adds, were captured because of the contacts the deputies had developed with the elderly people in the program.

IN SAN DIEGO, Calif., senior citizens are helping the city's police department catch criminals in a different way.

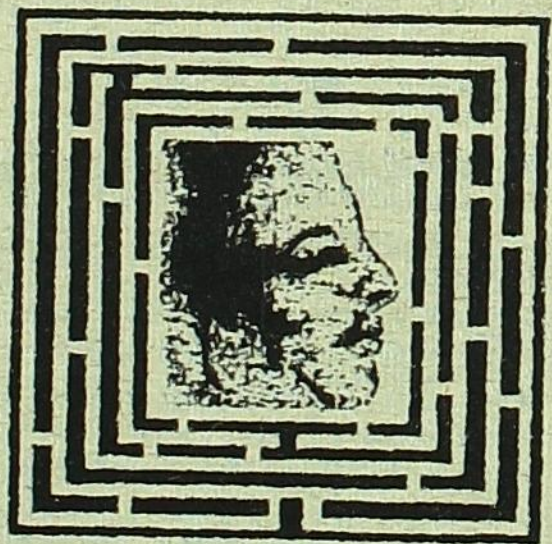
A dozen retired citizens have spent the last several months helping the department's crime analysis unit sift through raw reports on crimes, code the criminals' characteristics, and feed the information into a computer.

"We look for such things as whether a robber used a gun, what he said, what he took, what he looked like, anything that will help the police identify him later," says Lucille Fisher, a 67-year-old widow and former office worker.

Each elderly employee works a four-hour shift, three days a week for \$3 an hour—half the cost of using regular police officers.

In the first months of operation the department saved \$4,000. George Sullivan, director of the unit, reports that the senior citizens' performance is better than the officers who used to do the job.

Second National Assembly on the Jail Crisis



May 17-20, 1978
Minneapolis, Minnesota

The American Jail in Transition

Topics include:

- Who should be in jail?
- Role of elected officials in jail reform
- Function of standards
- Improvement in medical care, education, recreation, furloughs
- Federal financial and technical assistance
- Intergovernmental solutions
- Program needs of incarcerated women
- Diversion of children from jail
- Legal issues: prisoner rights, liability of appointed & elected officials
- New approaches to jail management
- Technical assistance booths staffed by national organizations.

Conference Registration

To take advantage of the conference advance registration fee, a personal check, county voucher or equivalent must accompany this registration form; make check payable to: National Association of Counties Research Foundation

All advance conference registration fees must be postmarked by May 1, 1978. After May 1, registrations will be at the on-site rate at the hotel. (no registrations by phone)

Refunds of the registration fee will be made if cancellation is necessary, provided that written notice is postmarked no later than May 5.

Conference registration fees: ☐ \$75 advance ☐ \$95 on-site

Please Print:

Name _____

County _____

Title _____

Address _____

City _____ State _____ Zip _____ Tel. (____) _____

Hotel reservation request: Radisson Hotel

Occupant's name(s) _____

☐ Single \$30 ☐ Double \$36

Arrival Date/Time _____ Departure Date/Time _____

Suites available on request \$75-\$200

Send pre-registration and hotel reservation to:
National Association of Counties Research Foundation
Second National Assembly on the Jail Crisis
1735 New York Ave., N.W., Washington, D.C. 20006

Newsmakers

SHELBY COUNTY, Tenn.—Sheriff Gene Barksdale has been elected national president of the FBI Convention, composed of graduates of the FBI Academy.

MICHIGAN—Three western Michigan county commissioners were among 15 from the area receiving the "Outstanding Elected Officials Awards" given annually by Traverse City Area Chamber of Commerce. Honored were William VanderArk of Antrim County, Foster McCool of Kalkaska County and Ivan Engler of Leelanau County.

OHIO—T. Howard Bovard, executive secretary of the County Engineers Association of Ohio, has been appointed to a four-year term on the Transportation Research Board by Gov. James Rhodes.

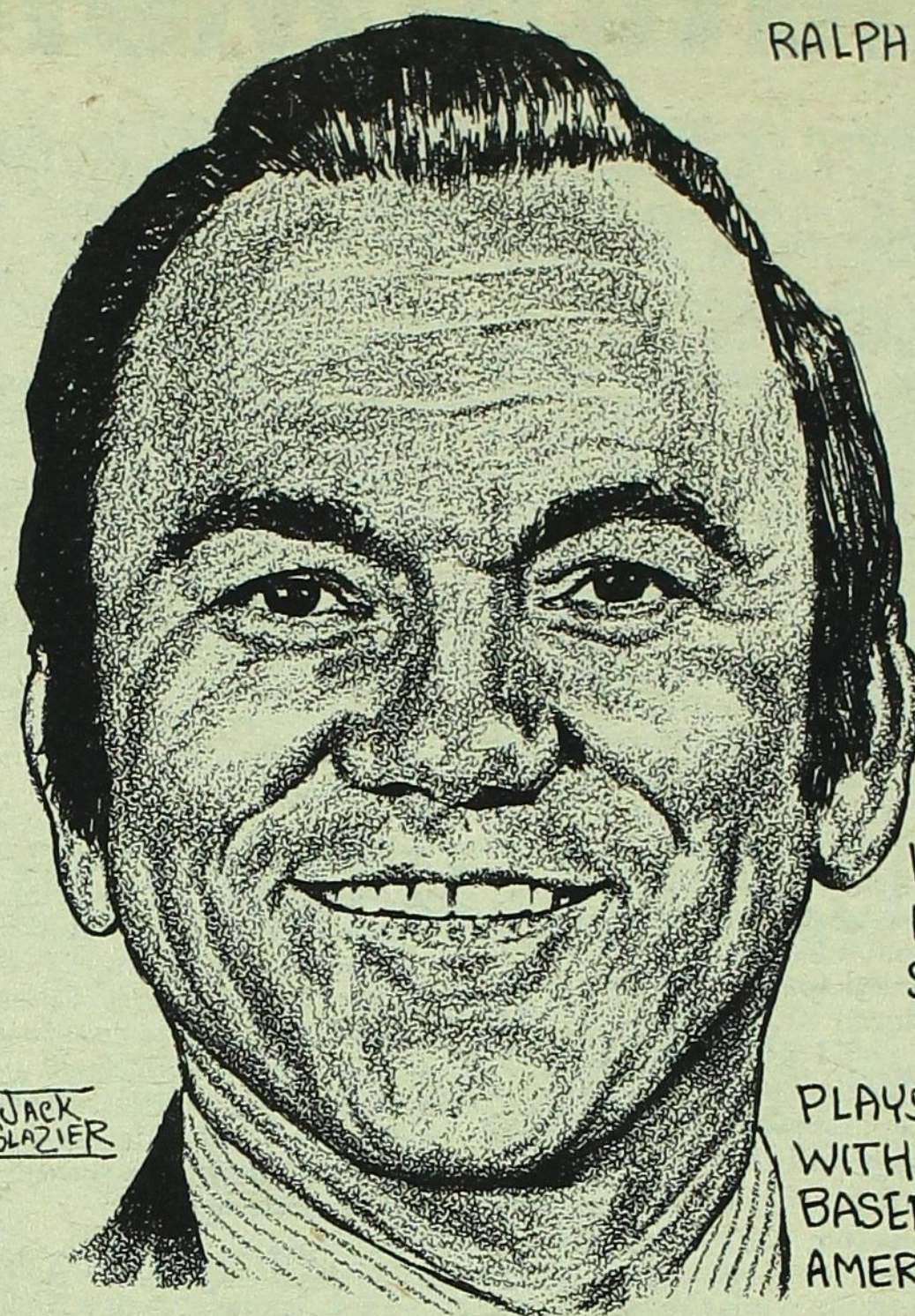
PITT COUNTY, N.J.—Dr. Robert Nenno, who is associated with the Pitt County Mental Health Center, received a citation from the city of Perth Amboy and a legislative resolution from the state of New Jersey for his leadership and work in the mental health field.

PISCATAQUIS COUNTY, Maine—John Goggin, chief deputy of the Piscataquis County Sheriffs Department, has graduated from the FBI National Academy.

Ralph F. HARRIS

EXECUTIVE DIRECTOR
TENNESSEE COUNTY
SERVICES ASSOCIATION

WAS BORN IN MEMPHIS, TENNESSEE, JULY 8, 1931. HE GRADUATED IN 1949 FROM WHITEVILLE HIGH SCHOOL, WHITEVILLE, TENNESSEE. HE EARNED A BACHELOR DEGREE IN BUSINESS ADMINISTRATION FROM LAMBETH COLLEGE, JACKSON, TENNESSEE, IN 1953. HE CONTINUED HIS STUDIES AT UNIVERSITY OF TENNESSEE, GEORGE PEABODY COLLEGE AND PUBLIC SERVICE MANAGEMENT INSTITUTE.



RALPH SERVED WITH THE U.S. NAVY, 1953-1955. IN 1956 HE WORKED WITH THE COMPTROLLER OF THE TREASURY, STATE OF TENN. HE BECAME ASSISTANT TO THE COMPTROLLER IN 1967 AND HELD THIS POSITION UNTIL 1973 WHEN HE BECAME EXECUTIVE DIRECTOR, COUNTY TECHNICAL ASSISTANCE SERVICE, UNIVERSITY TENN. IN 1975 HE BECAME EXECUTIVE DIRECTOR TENNESSEE COUNTY SERVICES ASSOCIATION.

HE MARRIED MARY ELIZABETH LAUDERDALE AND THEY HAVE TWO SONS, ROBERT AND RICHARD.

PLAYS GOLF AND HELPS WITH LITTLE LEAGUE BASEBALL. READS HISTORY, AMERICAN AND TENNESSEE.



KENTUCKY ASSOCIATION OF COUNTIES (KACo) Executive Director Fred Creasey, right, visited NACo offices for a briefing on programs and services. Creasey assumed his duties at KACo on Oct. 1, 1977. Here, Creasey and KACo Legal Counsel Scott Wilson meet with Linda Church, NACo federal aid and regulations coordinator.

ALASKAN MUNICIPAL LEAGUE

Televised Hearings Backed

JUNEAU, Alaska—Support for continued televising of legislative meetings and an attempt to urge changes in the state's initiative and referendum laws highlighted the annual conference of the Alaska Municipal League.

The league, a statewide association representing city and borough (county) governments in Alaska, also elected officers and directors for 1978. Nearly 300 delegates from most local governments in the state attended the conference, representing elected officials, city clerks, finance officers and associate members. Programs during the four-day conference ranged from crime prevention to revenue sharing.

During the final day's general session, a spirited debate erupted over a committee recommendation that the league withdraw its support of televising of legislative meetings. Following a roll call, the league reversed the committee recommendation.

Another lively discussion revolved around a proposed amendment that

would have increased to 25 per cent the number of voters registered in the last prior general election needed for a referendum or initiative vote. Statutes now provide that communities of more than 7,500 require only 15 per cent of the electorate.

Opponents contended that the mechanics of the referendum and initiative provide a force which helps draw citizens into local government and should not be impeded. Those in favor said that the small percentage might encourage a well-organized minority to impose its will on a less vocal majority. In a narrow roll call vote, the provision was defeated.

The membership acted on dozens of resolutions to establish the league's 1978 policy statement. Subjects ranged from increased state revenue sharing for local governments and increased local government powers to improvements in government services such as schools, hospitals, and utility districts.

According to Jim Rolle, recently appointed executive director of the league, attendance at this year's con-

ference was the largest ever recorded during the association's 27-year history.

Officers during 1978 are: President Carroll Fader, mayor of Ketchikan Gateway Borough; First Vice President Phil Younker, member of the Fairbanks North Star Borough assembly; Second Vice President David Freer, member of the assembly of the city and borough of Juneau.

Directors elected for two-year terms are: Roberly Poetter, member of the assembly of the city and borough of Sitka; L.D. "Mac" MacDonald, member of the Valdez council; John Nash, member of the Matanuska-Susitna Borough assembly; Ray Hugli, mayor of Seward; and Leroy Mayberry, member of the Kodiak city council.

Directors elected for one-year terms are Freeman Roberts, mayor of Dillingham, and David Walsh, member of the Anchorage assembly. Dave Rose, member of the Anchorage assembly, serves as immediate past president.

Neb. Gov. Offers 'Deal' to Counties

DOUGLAS COUNTY, Neb.—Nebraska Gov. J.J. Exon offered counties a deal when he spoke to officials during the annual meeting of the Nebraska Association of County Officials in Omaha.

Exon offered to help phase out Nebraska counties' 20 per cent share of Medicaid payments—something he has opposed in the past. In return he asked the association to support a tax-spending-lid bill and to follow through on countywide real estate revaluations. County Medicaid payments totaled \$15 million in 1977.

The governor also urged county officials to join in fighting "an unreasonable federal proposal to institute national health insurance which will certainly escalate already high medical costs."

State Tax Commissioner William Peters urged the officials to support appraisals. A 1977 state law requires every county to revalue real estate, and this usually is accomplished through reappraisal. County commissioners and assessors cannot duck the responsibility for real estate appraisal, Peters warned the officials. Trying "to drain off some taxpayer pressure" by criticizing appraisal work done by professional firms or the State Revenue Department may backfire on assessors and commissioners, he added.

Peters also favors a law to place a lid on spending increases by taxing bodies.

Keynote speaker for the meeting was NACo President William O. Beach of Montgomery County, Tenn.

Officers elected during the meeting include:

President Eldon D. Moore, Red Willow County commissioner, was first elected commissioner in 1968. Prior to that he served on the Bartley School Board.

Vice President Floyd Vrtiska, Pawnee County commissioner, also serves as fire chief of Table Rock, as a member of the Peru State College Advisory Council and as a member of the University of Nebraska-Lincoln Rural Development Advisory Council. He was mayor of Table Rock before being elected county commissioner in 1968.

Secretary-Treasurer Gerald Hruza, Howard County commissioner, was elected commissioner in 1970. He previously was president of the Central District County Officials Association.

Dale Wright, a Buffalo County supervisor, was elected to the association board.

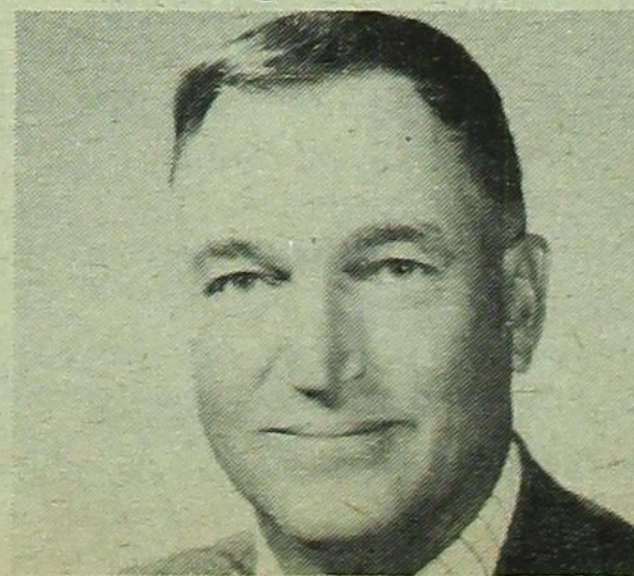
Gerald Stromer is executive director of the association.



Moore



Vrtiska



Hruza

Advice Offered to Counties, CAAs

Continued from page 2

Since county elected officials have not gained expertise in these areas, they are hampered as the federal government moves toward "decentralization" of programs and the shift of such programs to local control. For one thing, rural counties lack staff to monitor the latest information on federal and state programs and lead them through the maze of red tape involved in grant applications.

Rural county budgets are small and inelastic, based on the property tax. Therefore, they have difficulty in allocating scarce resources to traditional county functions and at the same time taking over new programs.

According to the human resource coordinators who have worked with rural county officials over the past three years, they need to compare programs and experiences with officials in other areas, and would benefit from easy-to-understand technical information and visits from outside advisers.

In order to help local governments cope with the federally mandated programs, technical assistance is provided through grants to organizations like NACoRF. One object of the Rural Human Resources (RHR) projects was to make rural county officials more aware of the needs of the poor. Prior to the RHR grants, no state association of counties employed full-time human resources specialists paid out of member dues; now the Wisconsin and Colorado associations do.

Other spurs to decentralization include demonstration grants to states and counties to coordinate the delivery of human services, and new categorical programs which provide for more local decision making. For example, the Comprehensive Employment and Training Act gave rural county officials "public service employment" positions which they could allocate to county departments or to community nonprofit agencies.

Human resource coordinators feel that decentralization of human services programs will continue, so rural elected county officials need to take advantage of all the expertise available. Local community action agencies have such expertise, but in the past local officials and CAAs have been at loggerheads.

HUMAN RESOURCE coordinators who have worked with both counties and CAAs have some advice to offer both parties:

Rural county officials should sit on the boards of CAAs and actively direct CAA programs. They should remember that CAAs are among the most versatile and flexible of human services agencies, are ready to undertake any job in the human services area that counties might not have the experience for, and are adept at unraveling federal red tape and preparing applications for federal assistance.

Moreover, CAAs annually receive one of the few discretionary allocations of federal money in the form of "local initiative" funds. The local community can thus determine its own priorities and methods for overcoming poverty.

CAAs can employ residents on emergency or temporary county projects. This enables counties to benefit from additional workers without adding to county payrolls and may offer disadvantaged county residents their first meaningful job. CAAs provide a vehicle for citizen participation in planning and monitoring community programs and can be used to test innovative projects.

It may make local officials feel better to know that they have the right to designate the agency to provide community action programs in their jurisdictions and the right to

exclude CAA activities, subject to ratification by the Community Services Administration.

CAAs can make themselves welcome in rural counties by keeping certain guidelines in mind. They should remember the budget restraints under which county governments work. Money is needed for other things than human services, no matter how much counties may want to provide them. Before a CAA starts a program that will eventually need county support, it should inform the county about its long-range plans. It should not ask for county money at the last minute, nor come looking for money after the yearly budget is adopted.

By offering to help in those areas where a county is weak, by being available without pushing forward, and by being effective when called upon, CAAs can overcome the suspicion which often lingers in rural counties as a legacy of past "confrontation politics."

Suspicion can be further disarmed when CAAs make it clear that they are not "outsiders" but represent an organized local constituency with bona fide grievances. They must also respect the pervasive anti-welfare ethic and encourage self-sufficiency among their clients if they expect county government support.

Most of all, CAAs must make a determined effort to see that local elected officials involve themselves in CAA projects and take an active role as board members.

As the Rural Human Resources project comes to an end, human resource coordinators are still serving on the staff of seven state associations of counties. They are acting as a link among local officials, CAAs and the state associations. Their experiences are contained in this report and in the volume entitled *For the Sake of the Rural Poor*. The NACoRF Rural Human Resources staff hopes that as local elected officials recognize the faces and voices of these rural people, they will also recognize solutions to problems of human service delivery which they face in their own communities.

Job Opportunities

Personnel Director, Spartanburg County, S.C. Salary open. Formulate and direct personnel management programs, including classification, compensation, recruitment, training, affirmative action, safety, employee relations and benefits, and federal manpower programs. College degree in related field and two years experience in personnel management or an equivalent combination of education and experience. Resume to: Spartanburg County Council, P.O. Box 5666, Spartanburg, S.C. 29304. Closing date Jan. 20.

Director of Public Works, Spotsylvania County, Pa. Involves administrative responsibility for operating water and sewer systems, designing new construction and managing all activities of the public works department. Applicant must have a degree in civil or sanitary engineering from an accredited college or university and have had extensive responsible, professional municipal engineering experience or any equivalent combination of experience and training. Send all applications to County Administrator's Office, P.O. Box 99, Spotsylvania, Va., 707/582-6361, ext. 200.

Planning Director, Wood County, Bowling Green, Ohio. Salary \$13,270. Serves as administrative officer of the Wood County planning commission. Plans, implements and carries out a program of research and information-gathering; reports on proposed subdivisions or township zoning ordinance; provides advice in preparation or amending of zoning ordinances; surveys and evaluates county planning needs and prepares applications for state and federal grants to finance planning projects. Applicant must have a master's degree in planning or related field from an accredited college or university and two years progressively responsible experience as a planner, or an equivalent background. Also must have an expert knowledge of planning needs in Wood County. Mail applications by Jan. 13 to: Ralph G. Brandberry, County Administrator, 1 Court House Square, Bowling Green, Ohio 43402.

County Administrator, Henry County, Ga. Applicant must have a bachelor's degree in business administration. Prefer additional training in engineering and local government. Send resume to Henry County Board of Commissioners, P.O. Box 989, McDonough, Ga. 30253.



The Search Is On

Announcing the 1978 County Achievement Award Program Deadline for Entry: Feb. 17, 1978

Purpose: To give national recognition to progressive county developments that demonstrate an improvement in the county's structure, management and/or services.

NACo Seeks: 1) to recognize the county government rather than individuals; 2) to solicit programs representing counties with various populations, administrative structures, population mixtures, economic structures, geographic distributions, and various historic and cultural traditions; 3) to elicit a wide range of case studies including an assortment of particular interest to the NACo functional affiliates; 4) to select achievement award recipients on the basis of general recognition of the progressive development in their county rather than on the basis of a national contest.

Case History: 1) Case studies must be accompanied by completed entry form which has been signed by the county elected executive, board chairman, or president of board. 2) The decisive role of the county in developing and implementing the program must be detailed. 3) Evidence of the program's accomplishments over a significant time period must be documented for adequate evaluation for an award. 4) Case studies should be no longer than 10 double spaced, 8-1/2" x 11" pages and must include all information requested on the following outline. When including supportive data, please place it in a 9-1/2" x 12" manila folder to ensure it does not become separated from the case study.

I. Historical Background (use exact dates)

- Need for program
- Responsibility for program development
- Role of the county
- Role of other governments, civic groups and press (if applicable)
- Means of financing
- Law under which program exists

II. Summary of Program's Accomplishments

III. Prospects for Future of Program

Whenever possible include photographs (black and white glossy), charts and other supportive data. All entries become the property of the National Association of Counties. NACo reserves the right to edit all entries for the most effective means of presentation. Selected case histories will be made available through NACo's New County Living Library. Recognition for award recipients will be made at NACo's annual conference.

Miscellaneous: Please include a list of any consulting firms, equipment companies or other private firms utilized by the county in accomplishing your program. Please note that programs which received a NACo Achievement Award in prior years are not eligible for another award. Multiple entries are welcome; however, one plaque will be given with each of the awards listed thereon. Additional plaques may be purchased for \$20 each.

1978 New County Achievement Award Entry Form

County _____ State _____

Mailing address and name of: Board Chairman/President/Elected County Executive

Signature _____

Title of Case Study/Program to be considered for NACo County Achievement Award:

Case Study prepared by:

Name _____

Department _____

Title _____

Address _____

Phone Number _____

Date Submitted _____

Please return to:

New County, U.S.A. Center
National Association of Counties
1735 New York Avenue, N.W.
Washington, D.C. 20006
202/785-9577

Please Note: All materials sent with achievement award entry become property of NACo.

Deadline for all entries to be received by New County, U.S.A. Center is Feb. 17, 1978. For more information call Joan Paschal or Linda Ganschietz.

Washington Briefs

Welfare Reform. House special subcommittee developing bill.
Employment. President endorsed compromise full employment bill.
Public Works. Amended regs provide more county funds.
Antirecession. \$1.4 billion approved for fiscal '78.
Health. Cost containment bill to be reintroduced in January.
Payments-in-Lieu. First checks mailed.
Community Development. President signed bill Oct. 12.
Rural Development. President signed fiscal '78 appropriations.
Transportation. DOT releases '78 legislative initiatives.
Water Pollution. House-Senate conferees resolved differences.
Air Pollution. Clean air amendments passed.
LEAA. Attorney General proposes abolishing LEAA.
Land and Water Conservation Fund. President signed '78 appropriations.

• **Labor-HEW Appropriations.** On Dec. 7, Congress agreed to resolve the long-standing deadlock over abortion issues in the fiscal '79 HEW-DOL money bill. It passed H.J. Res. 662, a joint resolution that provides \$61.1 billion for basic health, manpower, aging, social services, vocational education and other programs of concern to counties. The resolution provides funding until Sept. 30, 1978.

• **Clean Water Act of 1977.** President signed bill authorizing \$24.5 billion in sewer construction money and numerous changes in the act of 1972.

• **National Energy Policy Act.** House and Senate conferees remain deadlocked over natural gas and tax policy differences in the energy bill. Private consultation among members expected after congressional recess. Final conference negotiations expected in January and February. County and city officials met with Energy Secretary Schlesinger.

• **Welfare Reform.** The House welfare reform subcommittee continues to vote on basic concepts to be included in the President's welfare reform bill, H.R. 9030, which will be drafted by committee staff.

• **LEAA.** Attorney General proposes abolishing LEAA.

• **Transportation.** The Department of Transportation has released the Administration's '78 legislative proposal for highways and mass transportation. The proposal is being reviewed by NACo.

• **Rural Planning Grants.** Rural Development Service is changing key provisions in the proposed regulations for the Sec. 111 Rural Planning Program. Final regulations and applications for the \$5 million program to be issued in January (border of story, page 3).

• **Municipal Securities Disclosure.** Sen. Harrison Williams (D-N.J.) has introduced S. 2339, the Municipal Securities Full Disclosure Act of 1977. The legislation, amending the Securities Exchange Act of 1933, would require all governments to issue annual reports and distribution documents when issuing municipal securities. Senate Banking, Housing and Urban Affairs Committee will schedule hearings early in 1978.

• **Public Liability.** Senate Judiciary subcommittee on the Constitution plans hearings in early February on S. 35, the Civil Rights Improvements Act. The act amends Sec. 198 of the Civil Rights Act of 1871. Key provisions would expand liability for civil rights violations to local governments (currently restricted to individuals), provide for monetary damages as well as conjunctive relief, and provide for prosecutive liability in specified circumstances.

• **Social Security Financing Bill.** The President signed into law the Social Security Financing Amendments of 1977 Dec. 20. The bill provides increases in taxes on both the employer and employee and will add \$227 billion in new payroll taxes by 1987, in addition to increases already in the current law. The new tax increases will take effect in 1979. Prior to reporting the bill for House and Senate votes, the conferees approved \$187 million in fiscal relief for welfare costs with 100 percent pass-through to counties. The conferees dropped from the bill a provision to grant a 10 percent reduction to state and local governments and nonprofit organizations from the increased taxes these groups will pay as employers.

• **Public Pension Plans/IRS Reporting Requirements.** Internal Revenue Service officials have agreed to extend the date for filing annual returns for public pension plans from Dec. 31, 1977 to July 31, 1978. The decision was made after a meeting was held with IRS and NACo and other public interest groups. The service contends that they now realize some of the difficulties involved with the reporting requirements and this will allow them time to publish the form in the *Federal Register* for review and comment. This recent extension gives NACo an opportunity to work toward congressional action on the passage of bills introduced in Congress which will make clear that Congress did not give the IRS any jurisdiction over state and local plans when it passed ERISA in 1974. Counties with inquiries should call the IRS hotline (202/566-4300) or contact Ann Simpson of the NACo staff.

• **EEOC Guidelines.** The Uniform Selection Guidelines were published in the *Federal Register* Dec. 30. Interested counties will have a 60-day comment period. The final guidelines are expected to be published in April. Contact Ann Simpson or Deborah Shulman of the NACo staff for more information.

1978 NACo Western Region Conference

Sponsored by NACo Western Interstate Region

Riverside County
 Palm Springs, California
 Riviera Hotel
 February 7-10, 1978

Featuring workshops and speakers on public lands legislation, health care, welfare reform and employment programs.

Special sessions will be held on: payments-in-lieu of taxes, energy impact, wilderness proposals, Indian/county concerns, rural development and unemployment insurance.

(Complete a separate form for each delegate.)

Conference Registration (Make payable to NACo)

- A personal check, county voucher or equivalent must accompany this form payable to **National Association of Counties.**
- No conference registrations made by phone.

- Refunds of the registration fee will be made if cancellation is necessary, **provided that written notice is postmarked no later than Jan. 24.**

Conference registration fees: \$95 member \$30 spouse \$125 non-member

Please print:

Name _____
 (Last) (First) (Initial)
 County _____ Title _____
 Address _____
 City _____ State _____ Zip _____ Tele. (____) _____

Hotel Reservations (Make payable to Riviera Hotel)

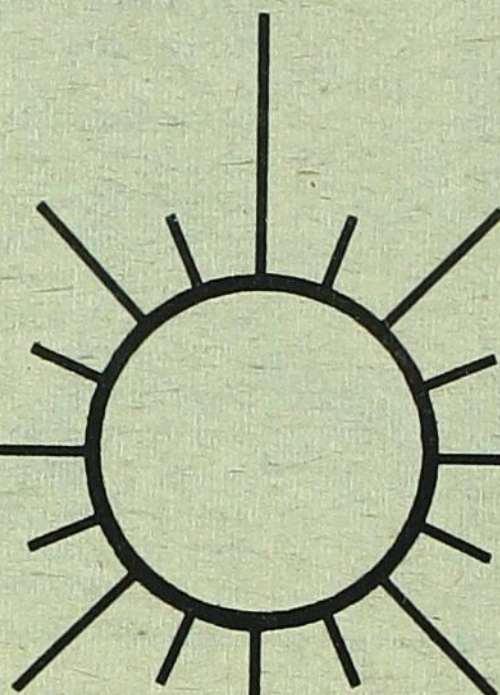
- To guarantee hotel reservations, requests **must be postmarked by Jan. 14.** (No housing reservations made by phone.)
- Guaranteed housing will be available only to those who preregister for the conference.
- A one night room deposit is required by the hotel and a check made payable to the **Riviera Hotel** must accompany the form below.

Please print:

☐ Single (\$43) Occupant's Name _____
 Arrival Date/Time _____ Departure Date/Time _____
☐ Double/Twin (\$55) Occupant's Names _____
 (2 people)
 Arrival Date/Time _____ Departure Date/Time _____
 Suites available upon request.

Send preregistration and hotel reservations to: **National Association of Counties—Western Region Conference**, 1735 New York Ave., N.W., Washington, D.C. 20006.

For further **housing information** call NACo Registration Center: **(703) 471-6180.**



Outline

Tuesday, February 7

9 a.m.-5 p.m.
 Federal Grants and
 Legislative Meetings
 3-6 p.m.
 WIR Board Meeting

Wednesday, February 8

9 a.m.-12 noon
 Steering Committee
 Meetings
 WIR Resolutions
 Committee
 2-4 p.m.
 Affiliate Meetings
 NACo Board Meeting

5-6 p.m.
 Opening General Session
 6-7:30 p.m.
 WIR President's Reception

Thursday, February 9

9-10:30 a.m.
 Four concurrent workshops
 10:45 a.m.-12:15 p.m.
 Four concurrent workshops
 2:15-4 p.m.
 Two concurrent workshops
 4-6 p.m.
 Two concurrent workshops

Friday, February 10

9-10:30 a.m.
 Four concurrent workshops
 10:45 a.m.-12:15 p.m.
 Four concurrent workshops
 2-4 p.m.
 WIR Business Meeting
 7-10 p.m.
 Annual Banquet