

COUNTY NEWS

Our Prayer...

The Wisdom to Know

and the Courage to Defend

the Public Interest

Vol. 6 No. 2

January 14, 1974

National Association of Counties, Washington, D.C.

A Blow To Counties!

Counties! We need your help!

We're now engaged in another life and death struggle over whether the Congress will recognize counties as equal partners with cities in new community development block grant legislation. That equality has already been established in three new, major federal laws - General Revenue Sharing, Law Enforcement Assistance and Manpower Reform.

Here's what happened.

Just prior to the December Congressional adjournment, the Senate Banking, Housing, and Urban Affairs Committee tentatively agreed to change the thrust (going back over the past three years) of pending community development block grant legislation and in the process dealt urban counties a devastating blow.

The committee, in the absence of a quorum, scrapped a provision authorizing the distribution of funds via a formula based on objective criteria of need to metropolitan cities (over 50,000 in population). Instead, the committee opted to "hold harmless" any local government which, during the five fiscal years prior to July 1, 1972, had conducted an urban renewal, neighborhood development, model cities, or code enforcement program. Local governments which qualify would receive a guarantee of the five-year average of funds received for not only these programs but also for open space, water and sewer, and public facility loans. If allowed to stand, this provision would effectively preclude amending the bill to entitle urban counties a guaranteed formula share of funds.

On page 5 of this issue appears a justification for equity to urban counties in the distribution of community development funds. Clip this page and forward it to your Senators and Congressmen with a resolution of the county board endorsing the NACo position.

Under the committee's approach, cities would receive the bulk of the funds - estimated to be \$1.7 billion out of a metropolitan area distribution of \$2.0 billion. Funds not used for both harmless, about \$300 million,

would become discretionary funds for other local governments not entitled to hold harmless treatment. Urban counties thus would get the short end of the stick.

The essential point that must be remembered is that slums and blighted areas are not solely confined to areas within a metropolitan city but spill over into areas under the jurisdiction of urban counties. Without equipping the urban county with the federal financial resources to attack these problems the very success of a metropolitan city's community development program will be placed in jeopardy.

The Senate committee's action serves to lock in the past, continuing to reward cities for being in urban redevelopment programs, regardless of their current needs or the needs of others. It has forgotten that the purpose of new community development legislation is not only the elimination of slums and blighted areas but their prevention as well. The United States simply cannot afford to spend most of its urban resources on curative efforts while paying little attention to prevention. In some cases urban counties are in the best position to prevent slums and blight. What's needed, however, is to distribute federal resources in a manner such that balanced development and redevelopment can go forward in our central cities as well as our suburban areas.

Quite frankly, we're sick and tired of being placed in a position of second class citizenship and are vigorously pursuing a change in the Senate bill. Amending the legislation must be the number one legislative priority for NACo. All the nation's counties must rally behind NACo's position seeking equity for urban counties in the distribution of community development block grant funds. The principle is too important!

Although all counties would not initially benefit from a formula share of funds, the door has to be opened for a reasonable number, with the expectation that more counties would participate in subsequent years. Act today!

Manpower Timetable Announced

The application process for manpower funds under the Comprehensive Employment and Training Act (CETA) is underway.

The Manpower Administration has drafted an "Announcement of Proposed Financial Assistance and Request for Notice of Intent to Apply for Prime Sponsorship." When finalized, the announcement and request will appear in the *Federal Register* in mid-January.

The draft presents the following timetable for manpower prime sponsors:

By February 1, eligible government units must submit notice of intent to apply for prime sponsorship and indicate any possible interest in a consortia arrangement to the Assistant Regional Director for Manpower (ARDM).

By April 1, federal regulations and Title I (manpower revenue sharing) allocations will be published.

By June 1, requests for grants must be submitted to ARDM, accompanied with comprehensive plans.

By July 1, fiscal year 1975 grants will be made.

For Title II, public employment, the timetable is:

By February 1, regulations will be published.

By March 1, initial grants (20 percent of allocations) will be made, based on brief applications.

By April 1, final funding will begin.

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County News Has New Section

There's a surprise inside *County News* this week. It's *Outlook*, a new monthly supplement to the newspaper.

Outlook replaces *The American County* magazine which has been discontinued. It will include thoughtful articles on current issues which concern counties and problem-solving ideas for counties. Many articles will reflect the author's opinion and alternate viewpoint will be presented.

This month, *Outlook* features state legislative issues, bicentennial programs which counties may be interested in, and thoughts on the counties' changing transportation role by NACo's transportation steering committee chairman.

Future issues of *Outlook* will include reports on environmental management, new uses for computers, regionalism, law enforcement, housing, public information, land use, pollution, and county officials in Congress.

County Attorneys Plan Meeting At Legislative Conference

by Don Murray
Criminal Justice Project

Plans for a mid-winter meeting designed to add new strength to the National Association of County Civil Attorneys (NACCA) were announced last week by NACCA President P. Eugene Price, Jr. in an open letter to the NACCA Board of Directors.

The meeting will be held February 25-26 in Washington, D.C. at the Shoreham Hotel, in conjunction with NACo's National Legislative Conference.

"As each of you may be aware, NACCA, in all honesty, needs

strengthening in order to serve as an active affiliate of NACo," Price wrote. "This meeting will hopefully assist in strengthening our organization."

To accomplish this objective, Price has personally invited presidents of county attorney associations from more than twenty-five states to attend the special mid-winter meeting but made clear that the meeting would be open to any county attorney or interested individual.

In addition to exploring ways for strengthening NACCA as a national organization, the meeting agenda will include a discussion of recent court cases affecting counties, the energy crisis, and

collective bargaining issues arising out of the unionization of county employees.

Jack Merleman, Washington Representative for the County Supervisors' Association of California, will deliver the keynote address, "The County Attorney and the Changing American Lifestyle."

Another highlight of the meeting will be an address by Jefferson County (Ky.) Attorney, J. Bruce Miller, who will report on a recent national survey of forty county attorneys offices. For further information on the meeting, contact Don Murray at NACo.

Status Of Categorical Grant Programs

by Carol Shaskan
Federal Affairs Intern

This report summarizes the status as of December 1, 1973 and as viewed by federal agencies in Washington, of a number of categorical grant programs being used by counties. It is an update of the status report that appeared in the August 7 and August 24 editions of County News. The summaries use fiscal 1973 as a base. Information on some of the programs is limited because there has been no definite action by Congress or the Administration on them. This is the third of three parts of this report.

Housing and Urban Development

Community Development Programs — Project Grants (Water and Sewer Facilities, Model Cities, Neighborhood Facilities, Open Space Land, Urban Renewal, Rehabilitation Loans, Public Facility Loans).

The HUD appropriations bills, P.L. 93-137, appropriates funds for three of the seven community development categorical grant programs that the Administration had sought to terminate.

The act would appropriate for FY 1974 \$150 million for Model Cities, \$600 million for Urban Renewal and \$25 million for Open Space Land. Although no money was appropriated for rehabilitation loans, \$90 million of carry-over funds will be available.

The act is Congress's effort to undermine the Administration's attempt to terminate the community development grants for water and sewer facilities, model cities, neighborhood facilities, open space land, urban renewal, rehabilitation loans and public facility loans.

In addition to the FY 1974 appropriations, there is about \$7.4 billion of obligated balances in these programs which will be released to grant recipients. Of this \$7.4 billion, \$806.7 million has been designated for model cities, \$122.9 million for neighborhood facilities, \$5.7 billion for urban renewal, \$17.5 million for rehabilitation loans, \$228 million for open space, \$390.9 million for water and sewer and \$94.2 million for public facility loans.

Counties should try other agencies for funding projects previously financed by a HUD community development grant. One example is EPA, which provides funds for water and sewer programs formerly financed under HUD or Agriculture.

The Administration has proposed the Better Communities Act (special revenue sharing), which would consolidate the seven terminated HUD categorical grant programs at a \$2.3 billion program level for FY 1975. Both the Senate and House Banking Committees have held hearings on alternative block grant bills (S. 1744 and H.R. 10036). The Senate committee is currently marking up its bill. Senate floor action is doubtful this year. The House Committee will not begin markup on its bill until next year.

New Communities Supplementary Grants — Public Facilities — Project Grants — (Title VII, HUD Act of 1970, as amended).

On June 30, 1973 this program was terminated. Congress has indicated its approval by the lack of a new appropriation for FY 1974. It is estimated that over \$12 million lapsed on June 30, 1973.

An alternate source may be the "New Communities — Loan Guarantees" program that offers either guaranteed or insured loans. In FY 1974, a similar funding level as in FY 1973 will allow commitments to total a maximum of \$250 million.

Comprehensive Planning Assistance — "701 Grants — (Housing Act of 1954, as amended).

The HUD appropriations act P.L. 93-137 provided \$75 million for FY 1974 as compared to \$100 million for FY 1973 for "701 planning grants." Counties have always received funds through the states for this program.

The Administration intends to encourage states to assume management of funds for metropolitan planning agencies; in the past "701" funds have gone directly to the metropolitan planning agencies. HUD's intention to fund agencies through the states complements the proposed Responsive Governments Act (S. 2490 and H.R. 10581) which would give states a greater role in housing programs.

Cities over 50,000 population will continue to receive direct "701" funding but counties over 50,000 are not entitled to this same treatment because of the existing "701" statute. (NACo is working to have counties over 50,000 funded directly as are cities.) With the greater emphasis on the role of states along with the 25 percent drop in appropriations, counties should expect fewer grants in FY 1974.

Department of Interior

Historic Preservation — Project Grants — (National Historic Preservation Act of 1966).

Grants are awarded to states to prepare comprehensive statewide surveys and plans and for the actual projects to carry out these plans for the preservation of districts, sites and buildings significant in American history, architecture, archeology and culture.

Funds for this program have been vastly increased. For FY 1974, \$10.5 million has been appropriated, whereas in FY 1973 the program was operating under a \$5.9 million appropriation. The program also received a reauthorization in 1974 which indicates the Administration's desire to expand this program. There has been an authorization of \$20 million for FY 1975 and \$24.4 million for FY 1976.

The states are always the grantees; however, counties are encouraged to contact their State Historical Preservation Office for funding of structures of historical interest to the public. Since states have anticipated only \$7.5 million for this program in FY 1974, it is probable that funds are still available for new projects in some states.

Outdoor Recreation Acquisition and Development of Land and Water Conservation Program — Project Grant — (Land and Water Conservation Fund Act of 1965).

Nearly two thirds of the annual appropriation for this program is for assistance to states, while the remaining one third is for federal land acquisition. The appropriations for FY 1973 were \$300 million, of which \$181.8 million were for state grants. The appropriations for FY 1974 have been noticeably cut back to a level of \$76.2 million. Of this total, \$66 million have been appropriated for grants to states. The Administration

had originally requested only \$50 million. In addition, there is a \$136 million of carry-over funds for state programs from FY 1973.

Grants to states are awarded under a fixed formula by which the state liaison officer apportions the money to cities, counties, and park districts for projects which coordinate with the state comprehensive outdoor recreation plan. States may use the money over a three-year period.

Despite the financial cutbacks, counties should still apply for grants to their state liaison officer should their project fit the overall state comprehensive plan. Judging from the distribution of grants awarded between 1965 and 1970 (state agencies received 56 percent, cities 32 percent, and counties 12 percent of the total available funds), counties should expect roughly the same distribution of funds according to the total state appropriations.

The President has announced that he would like to resume full funding of the program in FY 1975. The Administration will request \$300 million for FY 1975 with \$120 million for the Bureau of Outdoor Recreation and \$180 million for the states.

Department of Justice

Law Enforcement Assistance Act — Project Grants and Formula Grants — (Omnibus Crime Control and Safe Streets Act of 1968).

Congress has voted to extend the Law Enforcement Assistance Act for three years at a \$3.25 billion level with authorization of \$1 billion for 1974: \$1 billion for 1975 and \$1.25 billion for 1976. The President has signed the Department of Justice Appropriations bill which appropriated \$870 million for FY 74. This is a small increase from the FY 73 appropriations which gave \$855 million to the act. It should be noted, however, that the additional funds will be applied to the National Institute and Statistical Services. All planning, block and discretionary funding will stay at the same level.

The distribution of funds under the 1973 amendment will remain the same: 85 percent will be allocated to states by formula and 15 percent will be retained by LEAA for use as discretionary funds. Discretionary grants are the only type of funds distributed directly to counties and cities.

The act, contains a number of important revisions. Regional criminal justice planning boards must now contain a majority of elected legislative and executive officials. Most grants, except construction and certain planning grants, can be funded at up to 90 percent. Match must be hard match and the state must provide one half of the aggregate local share.

Under Part C, (Action) a number of changes have been made. The act now requires that state plans provide means by which units of local government or combinations of such units, with a population of over 250,000, can submit plans directly to the state. These plans can be approved in whole or in part by the state when they are in pursuance of a comprehensive plan for the submitting jurisdiction and are compatible with the state comprehensive plan.

Another new section of the act requires state plans to include funding incentives to units of local government to coordinate and combine law enforcement and criminal justice functions.

Finally, the new legislation adds a requirement that applications by units of local government must be approved or disapproved by the state within 90 days and that if no action is taken within this time, the application is deemed approved. In order for a disapproval to be effective, it must state, in detail, the reasons for the denial or an explanation of supporting data needed.

LEAA does not yet have a date when final guideline will be published, although draft guidelines have been out for a number of weeks. Similarly, there is no information on when state plans must be in conformance with the requirement of the new act.

With respect to discretionary money, much of it will be going into the 1972 "impact" program which as its goal the reduction of stranger to stranger crime and burglary by 20 percent in eight cities and into the pilot cities program which attempts to demonstrate an institutionalized new techniques in criminal justice planning and operations. However, there will be money for the implementation of standards and goals. This money will be available to help states implement the report of the National Advisory Commission on Criminal Justice Standards and goals as well as other national standards. The money will be used to establish locally applicable standards for the criminal justice system as well as to evaluate the report of the commission.

Department of Labor

Manpower Legislation

Both the House and Senate have passed a comprehensive manpower reform bill. Final Congressional action could be reached during the week of December 10-14. The legislation is supported by the Administration. The legislation is designed to replace the chaos of categorical manpower programs with a block grant or special revenue sharing approach (so-called "decentralization").

Both bills would transfer basic authority for planning and delivering comprehensive manpower programs to state and local prime sponsors (so-called "decentralization"). The Senate bill, S. 1559, designates cities of 100,000 population and counties of 150,000 population as prime sponsors whereas the House bill (H.R. 11010) designates both cities and counties of 100,000 population as prime sponsors.

The Senate bill contains a three-year, 100 percent hold-harmless provision, which would protect only those jurisdictions that were funded in the past. The House bill would offer hope of undoing this tie to past funding by allocating only one half of the funds according to a hold-harmless factor, and the rest on the basis of the relative number of unemployed. The hold-harmless factor would be phased out in two to three years.

DOL regulations for determining prime sponsorship and the elements of a local comprehensive manpower plan could be available by February. It is doubtful if FY 1974 funding will be available before March 1 since the funds would have to be in a supplementary appropriations bill.

Office of Economic Opportunity

Categorical Grants (Economic Opportunity Act of 1964 as amended, through 1972).

(Continued on page 6)

Presidential Appointee



NACo PRESIDENT Gil Barrett (l) Dougherty County, Ga. and NACo staffer, Rod Kendig (c) confer with Presidential appointee Cass Ballenger, Commissioner Catawba County, N.C. Commissioner Ballenger received appointment to the President's Advisory Council on Intergovernmental Personnel Policy. The national panel, created by the Intergovernmental Personnel Act of 1970, focuses on such topics as the Equal Employment Opportunity program and means of strengthening the relationships among governmental employees at all levels.

Health Care Developments

Control Of Health Costs Sought

by Mike Gemmell, Director
Human Resources Center

Both the Congress and the Administration are proposing new health planning programs designed to control rapidly rising health care costs and improve the quality of health care. These proposals will have a definite impact on counties and their health delivery systems.

The Administration proposal calls for the merger of five existing health planning programs that expire on June 30, 1974: comprehensive health planning; regional medical programs; Hill-Burton hospital construction program; experimental health services delivery systems; and area health education program.

The five would be merged to create a new program that would sponsor the establishment of some 200 multi-jurisdictional, private, non-profit organizations. These planning and development organizations would be legally independent of government, consumers, providers of third-party payors. They will have no final regulatory authority over health services, manpower or facilities; however, they will review practices and policies of governmental bodies within their jurisdiction.

In Congress, Congressman Paul Rogers (D-Fla.), Chairman of the House Health Subcommittee, Congressman William Roy (D-Kan.), James Hastings (R-N.Y.), introduced a bill (H.R. 10253) to amend the Public Health Service Act to assure the development of a national health policy, to assist states in their regulatory efforts and to promote area health planning programs.

The bill, entitled the National Health Policy and Health Development Act of 1974, would replace existing health planning and development programs including comprehensive health planning, Hill-Burton and regional medical programs.

Hearings will be held either in February or March. The Health Subcommittee is expected to take up before then another Rogers bill (H.R.

11511) that deals with health services (see *County News*, November 30, 1973 page 7). The planning bill (H.R. 12053) has four main sections:

- Part A would establish a National Council for Health Policy. Appointed by the President, the five-member council would oversee development of a national health policy and oversight of federal health programs.

- Part B would set up a system of Health Service Agencies responsible for area-wide health planning and development throughout the county. The Department of Health, Education and Welfare (HEW) would designate in each health area a private, non-profit corporation to handle planning and development.

- Part C would assist state governments in creation of state Health Commissions designated by HEW and responsible for state-level health planning and regulation.

- Part D would create a new federal program of construction assistance for health facilities.

Other Health Care Issues

HEW has designated the proposed geographical areas for the establishment of "practicing physician" organizations which will review medical care provided under Medicaid, and Maternal and Child Health Programs.

The areas, published in the December 20, 1973 Federal Register, represent a major step in implementing the 1972 amendments to the Social Security Act (Section 1152) calling for the creation of professional standards review organizations (PSRO's).

Secretary Caspar Weinberger approved 182 geographical areas, each of which will have its own PSRO. Twenty-five states, the District of Columbia, Puerto Rico, and the Virgin Islands, mainly because of their limited populations, were designated as separate PSRO areas. The other 25 states, mainly the most populous, were designated as multiple PSRO units. Major metropolitan areas have been designated as single PSRO units.

County officials have the opportunity



the Ballot Box by Richard G. Smolka

National Association of County Recorders and Clerks
American University Institute of Election Administration

The Supreme Court has heard oral arguments on the rights of ex-felons to vote. The case, *Richardson vs. Ramirez*, comes from California. At issue is the right of a state to deny the franchise to persons convicted of infamous crimes but whose terms of incarceration and parole have expired.

Similar cases have arisen in several other states involving a variety of situations. Included are lawsuits involving persons held in prison but not yet tried, persons convicted but who are free on bond pending appeal, persons who have served their sentence but who are free on parole, and the very definition of the crimes which disfranchise citizens as distinguished from those which do not.

At the present time, state laws which deny the franchise to ex-felons vary widely. Some states prohibit ex-felons from voting for life, others restrict only those who have been convicted of

election related offenses. In some states disfranchising crimes are well defined and in others certain misdemeanors as well as felonies may be included.

In Congress, several bills have been introduced which would permit ex-felons who have completed their sentences to vote in federal elections.

More on Jury Selection from Voter Lists

Last week we published the viewpoints of election officials who opposed the use of voter registration lists for jury duty or who thought other lists could be used to supplement them.

Another point of view has been expressed by Michael S. Keating, Camden County, (N.J.) Clerk who writes that he "wholeheartedly agrees" with such use of voter lists.

"First and foremost, the fact that these people have taken the time to register to vote is an indication that they are concerned citizens; and if I had to appear before a jury, I would prefer to have a panel made up of persons who care enough to become involved in civic affairs," he wrote.

Keating does not think that the use of voter registration lists for jury selection has caused prospective voters to avoid registering. "In all my experience in canvassing as a party worker, only one percent have used that fact as a deterrent."

Election Seminar Planned

American University's Institute of Election Administration in cooperation with the National Association of County Recorders and Clerks and the National Association of Counties is planning a seminar on the revolution in election and campaign law to be held in Washington, February 28-March 2, following the legislative conference of NACo. Full details will be announced in future columns.

Region IX Aid Briefing Set

The NACo Council of Intergovernmental Coordinators (CIC) Region IX Federal Aid Briefing will be held January 24-25 at the Sir Francis Drake Hotel in San Francisco. The meeting is designed to provide county officials in California, Nevada, Arizona and Hawaii with the latest information on federal programs.

James K. Mahoney, San Joaquin County, California, President Region IX, CIC has scheduled an outstanding group of speakers for workshops on January 24 on topics including: "The Changing Role of Grants Administrators" (including Revenue Sharing operations), "The Demise of Categorical Grants — A Myth?", "Affirmative Action and Federal Grants", and "The Role of the Federal Regional Council".

The speakers will include Fernanda DeBaca, Chairman, Region IX Federal Regional Council and Bernard F. Hillenbrand, NACo Executive Director. There will be an evening reception on Thursday, January 24.

On January 25, the CIC will join with the County Supervisors Association of California (CSAC) for the first CSAC Federal Affairs Forum to discuss federal

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County News

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Guest Editorial

Property Tax Problems

by Joseph Murnane
Executive Director
Maryland Association of Counties

The property tax system has been greatly criticized in recent years, and local governments, as major users of the system, have borne the brunt of the criticism. Too often, however, counties have been the victims of the property tax system rather than the perpetrators of it. State leaders, governors and legislators have decried the use of the property tax as unjust but have failed to propose alternate sources of revenue. Recent happenings in Maryland illustrate this point.

Maryland Governor Marvin Mandel has given the state's property owners a "Christmas gift." He ordered 10 percent reduction in the assessment rate and, in effect, ordered a reduction in tax bills. His unilateral action, done over the objection of a task force he appointed to study the property tax problem, has dire consequences for the counties of Maryland. Reducing the assessments will mean a loss of revenue amounting to more than \$40 million for county governments and will force them to increase the tax rate. The taxpayer will not benefit in the least. The ridiculousness of the governor's position was pointed out by the Lt. governor. He said the state would have to raise its property tax rate to recoup the lost revenue.

The governor said he was taking the action to reduce the inequity in the present system of assessment, but in Maryland, the responsibility of assessing property for tax purposes belongs to the state government, and it is the state's inefficiency that has caused the inequities:

Since 1958, Maryland law has required annual reassessment but the state still reassesses one-third of the property each year.

The state has failed to achieve standardization of assessments through the counties of Maryland.

In 1972, the assessment ratios ranged from 45 percent to 55 percent of market value and forced taxpayers in some counties to pay a disproportionate share of the states budget.

Even though repeatedly requested, the governor has consistently refused to provide local governments with alternate sources of revenue so that the property tax can be reduced. The result is that local governments are forced to rely on the property tax as the major source of revenue.

Each of these problems contributes to the inequity of the total system and thus places uneven tax burden on different classes of taxpayers depending upon the county in which they live and the year in which their property is assessed.

If achieving equity is the governor's goal, then a viable alternative is removing inequities in the assessment system might have been to: reduce the accounts reassessed in 1973 by 8 percent; increase the accounts reassessed in 1971 by 8 percent; maintain the current assessment on accounts reassessed in 1972.

This formula would produce equity and substantially the same revenue as would have been generated by the normal increase in the state and local assessable bases as a result of calendar 1973 reassessments.

Having created this situation, the governor should waste no time in converting to annual reassessment of all property. Concurrently, the legislature should give serious consideration to providing local governments with alternate sources of revenue so that the property tax can really be reduced. Further, the legislature should remove the governor's unilateral authority to change assessments and require that tax assessment matters be handled through the normal legislative process.

Assessing The First Session

Appearing in this issue is a wrap-up of the first session of the 93rd Congress. In looking over the measures enacted and where we are on other important bills, many local officials will be pleasantly surprised. So often, it seems to be a year of constant crisis and frustrating inactivity. The decline of Presidential influence and prestige and the bitter executive — legislative battles dominated the attention of the press and so many of the news makers.

Yet, the session produced some notable victories for counties and other local governments.

Our biggest achievement has to be the manpower reform bill. Both the Administration and Congress deserve credit for being willing to make some pretty big compromises. Next to general revenue sharing, this bill could be the biggest achievement of the New Federalism philosophy. From a county view, it was a stunning victory. Only a year ago, people were still talking about a big city-state program. In the final outcome, over 270 counties are eligible to be prime sponsors of manpower programs as compared to 160 cities and 50 states. As in the Emergency Employment Act,

counties will more than justify the confidence placed in them.

Many of the other bills enacted also were the result of compromise. Maybe these measures are better for the struggle. Most county officials particularly should agree that this is true of the highway bill. The same could be said for the health maintenance organization measure and the Older Americans Act. Several of the other measures only bought time through one-year extensions. We are hopeful that in these cases, the final result will be worth the wait. More importantly, these programs (EDA, health services, OEO) were kept alive and not dropped by executive fiat.

All in all, it possibly was the most productive first session in a number of years from a county view. We normally would expect most bills to get through in the second session of a Congress.

While the clouds of pessimism and uncertainty hang heavy over Washington, we have a lot of unfinished business in 1974. The only way we can keep moving ahead is to lock in to our selected legislative priorities and not lose sight of them. There still are opportunities.

NACE "Matter and Measure"

National Association of County Engineers

Deadline For Conference Reservations

A last reminder: January 20 is the deadline for sending in official Disney World hotel reservation forms for NACE's Annual Management and Research Conference, February 20-22, in Disney World, Florida. (Note: you don't have to belong to NACE to attend).

Use the "original" hotel registration form sent you. Hotel will not accept xerox copies of the form. Also, reservations for only one family can be requested on each form. For further information on the NACE Conference, contact Chairman Charles L. Goode, Orange County (Fla.) Public Works Administrator, 118 West Kaley, Orlando, Florida 32806; (305) 849-3445.

We'll see you at Disney World!

Suggestions Next

Look for "Suggestions for Conserving Energy" in the next issue of *County News*. This special supplement lists energy conservation measures to help you and your crew foremen during the energy shortage. Many of the suggestions were made by your associates. We welcome your comments on the article, since the data will be part of one of our training manuals.

County Achievement Award Program

It is time to submit entries for NACE's 1974 County Achievement Award Program. This program recognizes implemented projects in your county government's structure, management, and services. Award-winning programs could

be projects in highway safety, traffic control, bridge construction/reconstruction, maintenance management, right-of-way, landscaping, etc. Programs relating to mass transportation and energy conservation are especially appropriate.

To get achievement award entry forms and rules, write or call Florence Zeller at NACE; (202) 785-9577. To be considered for awards presentation at NACE's studies and entry forms must be sent to NACE before March 31, 1974.

In addition to providing each counties with an opportunity for its programs to be recognized, the case study will update NACE's existing library of case studies. County officials use these for developing new programs.

Illinois Officers

The new officers of the Illinois Association of County Superintendents of Highways are: President, Thomas Gazda, Macoupin County Superintendent of Highways; Vice President, L. Max Venters, Schuyler County Superintendent of Highways; Secretary-Treasurer, Raymond R. Wells, Henry County Superintendent of Highways.

HILLENBRAND'S

WASHINGTON REPORT

202/785-9591

An Open Letter To Congress:

Include Counties In Community Development Legislation

Dear Mr. Congressman:

As a member of the 93rd Congress you are faced with a number of critical decisions, not the least of which is how to allocate limited federal fiscal resources for the elimination and prevention of slums and blighted areas, inadequate housing and inadequate community facilities and services, all of which are plaguing our nation's urban centers.

Pending community development block grant legislation, which Congress has considered in various forms over the past three years, is designed to restructure the federal effort to help solve local physical development problems.

Originally, proposals called for consolidating various categorical community development grant programs administered by the Department of Housing and Urban Development (HUD) — urban renewal, model cities, water and sewer, open space, rehabilitation loans, public facility loans and neighborhood facilities — into a single block grant program.

Under these proposals funds would have been distributed by formula to cities over 50,000 in population.

The formula was intended to determine need objectively and thus channel funds to those areas on the basis of need. Nearly 60 percent of the amounts authorized would have been guaranteed to these cities. Other local governments, including counties regardless of population, would have been forced to compete for the limited funds remaining.

While the National Association of Counties (NACo) does not deny cities have a need for some of these funds, it does not believe that cities should be more favored than another local government also suffering from the same problems — namely, the urban county.

The official policy of the National Association of Counties adopted in 1972 and reaffirmed in 1973 calls for community development block grant legislation to provide a formula share of funds for urban counties, defined as those over 200,000 in population, excluding the population of metropolitan cities (those over 50,000) within the county.

This definition was contained in an amendment adopted as part of the 1973 House Banking and Currency Committee's version of community development block grant legislation.

The Administration in 1973 recognized the need of urban counties for a formula share of funds and incorporated this definition into its "Better Communities Act" proposal.

In testimony before the House and Senate Subcommittees on Housing in 1973, NACo justified including urban counties in the formula distribution of community development funds:

1. The problems which community development block grant funds seek to solve are not exclusively confined to metropolitan cities, nor are they the sole responsibility of cities to solve. Rather, these problems know no geographical

boundaries and exist in areas under the jurisdiction of both cities and counties.

2. The 200,000 base population figure for urban counties is appropriate since it equates the criteria of need, powers and responsibility, and expectation of using formula funds for the purposes set forth in the legislation by such counties vis-a-vis metropolitan cities. It represents a concept of equal consideration for the needs of areas outside of metropolitan cities as well as those within, which are often identical in characteristics.

3. Counties are the major providers of public assistance and social services at the local level, both to people within and outside the central city. These services have a direct relationship on the ability to undertake a comprehensive community development program. Thus, there is every reason to treat urban counties in the same manner as metropolitan cities and afford them a formula share of funds.

4. The intent of the community development block grant consolidation is to provide federal assistance on an annual basis, with maximum certainty and minimum delay, and upon which communities can rely. Yet this advantage applies only to metropolitan cities, leaving urban counties to rely on the uncertainty of discretionary funds.

5. By providing a formula share of community development funds to urban counties, the Congress would not be reducing the amount earmarked for metropolitan cities, but simply guaranteeing urban cities a formula share.

The basic logic of NACo's policy is simply that an urban area citizen needing the benefits of a community development program should not be penalized because he lives across the street from a fellow citizen who is within the boundaries of a metropolitan city. This is especially significant since the metropolitan city will not, and legitimately so, annex such areas because of the liabilities they may present to the metropolitan city.

In another vein NACo's proposal is of special importance and of great value to metropolitan cities. If urban counties are not encouraged to address the needs of citizens in areas contiguous to metropolitan cities, then the opportunity for success of a metropolitan city's community development program could be placed in jeopardy.

Counties have traditionally been the major providers of human and social services. Most of them acting as administrative arms of the state, provide public assistance and supporting services on a countywide basis, that is, within cities. In addition, counties provide a broad range of public safety, transportation, sanitation, health and land use activities in areas under their jurisdiction.

County involvement in physical development and housing activities is beginning to increase. They are many reasons why their activity may not have been very extensive in the past — too much red tape, lack of funding or lack of statutory authority. With the changes to be

brought about by new community development legislation — local decision-making, certainty of funding, a comprehensive approach — affording counties a formula share of funds can be an incentive for them to increase their efforts and, where necessary, obtain the necessary state enabling legislation.

Just prior to the December Congressional adjournment, the Senate Banking, Housing and Urban Affairs Committee, nearing completion of its mark-up of an omnibus housing and community development bill, tentatively agreed to change the thrust of the legislation by throwing out the formula distribution of funds and replacing it with a hold harmless guarantee.

The hold harmless would credit local governments which during the five fiscal years prior to July 1, 1972, had conducted an urban renewal, model cities, neighborhood development or code enforcement program. These communities — nearly all cities — would be guaranteed an amount equal to the five-year average of assistance received in these programs as well as that received under the open space, water and sewer, public facility loans and neighborhood facilities programs. Hold harmless in the first year would eat up \$1.7 billion out of a metropolitan area distribution of \$2.0 billion leaving only \$300 million to handle the needs of all other local governments.

The Senate committee's proposal serves to lock in the past, continuing to reward cities for being in an urban redevelopment program, regardless of their current needs or the needs of others.

It has forgotten that the purpose of new community development legislation is not only the elimination of slums and blighted areas but their *prevention* as well. This country simply cannot afford to spend most of its urban resources on curative efforts while paying little attention to prevention.

What's needed is to distribute federal resources in a manner such that balanced development and redevelopment can go forward in our cities as well as our suburban areas.

The Senate committee's tentative action also flies in the face of a precedent already established in three federal laws — General Revenue Sharing Law Enforcement Assistance and Manpower Reform — that counties are equal partners with cities in combatting urban problems.

In summary, Mr. Congressman, NACo urges you to do all in your power to assure that urban counties are afforded a guaranteed formula share of community development block grant funds. Urge your colleagues on the Senate and House Banking Committees to report out new legislation only if it has such provisions. The urban counties in the nation and their citizens will be the better for it.

Respectfully,

Gil Barrett
President

Bernard F. Hillenbrand
Executive Director

Status Of Categorical Grant Programs

(Continued from page 2)

The fiscal 1974 federal budget proposed the phasing of OEO categorical grant programs into a variety of existing departmental agencies.

To the Department of Health, Education and Welfare went previously OEO administered Indian programs, Senior Opportunity Services, research and development programs, child care development, and environmental health programs, as well as the Headstart program, which was actually transferred four years ago.

The Department of Commerce assumed administration of the Office of Minority Business Enterprise Services.

Shortly after Headstart programs were transferred to HEW, most of the OEO Manpower training demonstration programs (Neighborhood Youth Corps, Concentrated Employment Program, Operation Mainstream) were given to the Department of Labor's Manpower Administration. Current Administration proposals transfer all remaining OEO manpower activities to the Department of Labor as well as the Title III — Migrant and Seasonal Farm Worker Programs (adult basic education and the high school equivalency program).

Community Action Agencies, whose basic authority is authorized in Section 221 of the Economic Opportunity Act of 1964, were left to the funding discretion of state and local governments.

The pending Labor-HEW appropriations bill extends the life of OEO through June 30, 1974. The bill calls for appropriations of \$346.3 million to fund Community Action Agencies, legal services, special impact programs, general administration and emergency food and medical services programs (EFMS). The Senate bill originally called for \$20 billion to fund EFMS while the House bill did not mention any funds. The compromise legislation calls for \$12.5 million for EFMS.

Furthermore, there have been several proposals generated from Congress to prevent the demise of OEO. The most recent proposal concerning the extension of OEO is a bill (H.R. 10865) introduced by Rep. Augustus Hawkins (D-Calif.), Chairman of the Subcommittee on Equal Opportunities, on October 11, 1973. H.R. 10865, better known as the Community Services Act of 1973, would provide financial assistance to states and local governments to enable them to assume responsibilities for community services in a Community Action Agency special revenue sharing concept. It is expected that there will be no action on H.R. 10865 until early next session.

On the Senate side, Senators Jacob Javits (R-N.Y.) and Gaylord Nelson (D-Wisc.) have introduced a bill which provides for the legal services corporation to become an independent agency. The bill (S. 2686) was reported out Nov. 10, 1973.

As of this date, the Office of Economic Opportunity has transferred five programs to three other agencies. The programs are: health and nutrition (to HEW); a special pilot Indian program (to HEW); research and development evaluation (to be shared by HEW and Labor); Housing Research Experiments (to HUD); and migrant and seasonal farm workers (to Labor). The regular OEO staff was transferred with the programs to the respective agencies, leaving only a core administrative and program staff in Washington and the regional agencies.

Department of Transportation

National Highway Traffic Safety Administration — Formula Grants — (Federal Aid Highway Act of 1973).

The Federal Aid Highway Act of 1973 contains new programs to correct roadway hazards, new demonstration programs and studies for the correction or elimination of roadway safety hazards. These programs are separately titled and separately authorized in the act. The Roadside Obstacles program was created to eliminate roadside obstacles. For FY 1974, \$25 million has been authorized, \$75 million for FY 1976. The High Hazards Locations Program is established to eliminate or reduce those hazards at specific highway locations such as sharp curves which have high accident potential. Authorizations for this category are \$50 million for FY 1974, \$75 million for FY 1975 and \$75 million for FY 76. Another program, Rail-Highway Crossings, would provide funds to eliminate hazards at rail-highway grade crossings at an authorization level of \$25 million for FY 1974, \$75 million for FY 1975, and \$75 million for FY 1976.

In addition, two new roadway safety demonstration programs have been established. The Pavement Markings Program, designed to bring pavement marking projects of highways up to standards endorsed by the Federal Highway Administrator, has authorization levels of \$25 million for FY 1974, \$75 million for FY 1975, and \$75 million for FY 1976. The Federal Aid Safer Roads Demonstration Program entails a test program for three types of safety hazards on state and county roads off the federal aid highway network, including roadside obstacles, improved highway markings and reduced hazards at rail-highway crossings. \$50 million is authorized for this program for FY 1974, \$100 million for FY 1975, and \$100 million for FY 1976.

In all, the act authorizes a total of \$2 billion for highway safety programs for fiscal year 1974, 1975, and 1976. However, the funding of these safety programs has to be related to the total amount authorized for the regular road construction programs and safety programs. The Administration currently is ignoring the separate authorizations for the new safety programs. To implement the safety programs, the states and local governments would have to use part of their regular construction funds.

However, this whole question is before the courts. So far, the Administration has lost at the Federal Appeals Court level on the impounding of highway funds and eventually the U.S. Supreme Court will have to decide. The Supreme Court could take one of several cases in 1974.

Counties should work with state highway departments in developing projects to be ready to go if there is a favorable court ruling.

Urban Mass Transportation Capital Improvements Project Grants

Contrary to many categorical grant programs, there are ample funds in this program but counties have not made full use of these funds. In fiscal year 1974, there will be an increase of \$16.6 million over FY 1973 to \$880.3 million which compares to only \$510 million in FY 1972. These figures reflect the growth and the size of capital grants. The most common use of funds by counties is the purchase of buses and related equipment.

The Federal-Aid Highway Act of 1973 signed by the President on August 13, 1973 contains several important developments in place of the ratio of two-thirds federal and one-third local share in capital grants, the federal share will be increased from two-thirds to 80 percent starting in FY 1974. There will also be an increase from \$3.1 billion to \$6.1 billion in contract authority to continue the capital grant program through FY 1977.

The key question still is funding. FHWA has released only \$4.4 billion (\$900 million of this amount is reserved for urban non-Interstate System projects) for all road programs for fiscal 1974 which means a further impoundment of over \$1 billion.

In addition, the new Highway Act allows the Secretary of Transportation to approve the purchase of buses by state and local governments in FY 1975 up to a maximum of \$200 million (out of \$800 million earmarked for urban roads). In FY 1976, the full authorization of \$800 million will be available for purchase of railroad and commuter rail equipment as well as buses.

If counties wish to use highway funds for rail mass transit facilities in fiscal years 1974 and 1975, the act allows local officials to draw funds out of the general revenues of the U.S. Treasury with a parallel reduction in that locality's share of highway trust funds. There is no assurance that these funds will be available. In regard to highway trust funds and general Treasury revenues, the lower federal matching ratio of 70 percent would be in effect.

Research Development Demonstration (R.D.&D.) — (UMTA of 1974, as amended).

In comparison to capital grants, the available funds here are much smaller. Yet, FY 1974 will contain an \$8.5 million increase over FY 1973 for a total \$80 million, which makes this program the second largest grant program in UMTA. Counties participate less in

R.D.&D. than in technical studies since grants and contracts in R.D.&D. are designed to produce information, evaluation studies, and new methods and equipment in the transportation field as a whole rather than planning and engineering studies.

Rural Counties should be aware of the rural highway public transportation demonstration program that is authorized in the Federal-Aid Highway Act of 1973. The act authorizes \$30 million for a two-year period beginning in FY 1975. The program's objectives are to encourage "the development, improvement, and use of public mass transportation system," in rural areas by use of demonstration projects. Current information indicates that the Department of Transportation is not requesting of Congress any funds for this program in FY 1975.

Technical Studies — (UMTA of 1964, as amended).

Under the technical studies program, grants are awarded to public agencies to plan and to design mass transportation projects that meet a region's or city's problems in public transportation. Funds are ample with \$38 million available in FY 1974 as compared to \$33.5 million in FY 1973. Counties in conjunction with council of governments or cities have been fairly active. Local governments are urged to use this source of funds for such important projects as preliminary engineering studies. New grants will be awarded in FY 1974.

Transit Operating Assistance Grants (The Energy Emergency Act, S. 2589 and H.R. 11450).

The pending Energy Emergency legislation would provide grants to local governments to improve transit systems, etc. The Senate bill directs the President to develop incentives for the use of public transportation, including priority rationing of fuel and federal subsidies for reduced fares and additional expenses incurred because of increased service.

New Executive Director

The South Dakota Association of County Commissioners (SDACC) has joined the ranks of states having a full-time executive director. On November 18, it officially appointed Neal A. Strand executive director. The appointment becomes effective on January 1, 1974.

For the past 11 months, Strand has served as SDACC executive assistant for personnel activities as a result of a U.S. Civil Service Commission grant under the Intergovernmental Personnel Act of 1970.

Strand's public service career includes



Neal A. Strand



Rex L. Jones



January 14, 1974

Outlook

On Issues Affecting Counties

'74 state legislative outlook

By Anona Teska

Over 60 percent of the state legislatures will meet in regular session in 1974 and several others in fiscal sessions. What kinds of issues will be discussed? What problems will the legislatures try to resolve?

Crystal-ball gazing is full of hazards. But certain events of the past have cast their shadows before. And hanging heavy over the heads of all elected officials is their awareness of the concern of citizens about government and the current distrust of it at all levels, national, state, county, city and town.

The fact that more states are in the black than have been in recent years may allow for more time to look ahead to do some longer range planning. If the legislators have to spend the whole session in haggling over the budget and struggling to find ways to increase revenues, or in reacting to crisis situations, there may be little time to plan for the future.

Legislatures will be faced with finding solutions either as a reaction to court rulings or imminent crises. However, seldom is any legislation engendered by anything else. Pressures build around needs. Often these may be felt by powerful interests that wield enough political or economic clout to get responses. Sometimes they may be such broad-based, visible needs that enough of the electorate exerts pressure.

However, there have been instances of forward looking legislation that has arisen in response to a need for which little pressure had been exerted. The first workmen's compensation laws in Wisconsin, for example, came at a time when workers as a whole had an attitude of acceptance of uncompensated work-related accidents and deaths.

Legislative reaction to the whole range of current crisis situations should certainly not be merely finger-in-the-dike operations. Federal, state, and local efforts should be not coordinated to produce the best possible present response, but also cognizant of possible future needs and developments and effects of today's actions on areas other than those immediately affected — the environment, employment, the economic base, growth, resources to meet future needs.

The issues that will be presented here are not listed in order of probability for legislative action or the universal

importance of the issues, nor will all be of uppermost concern in every legislature.

Financing Education

The United States Supreme Court decision in *Rodriguez v. San Antonio* did not disqualify the property tax as a means to finance schools nor did it establish fiscal equality among school districts as a right protected by the United States Constitution. The case, however, did highlight fiscal imbalances among taxing districts and in essence returned to the states the problem of equity. In New Jersey, the state Supreme Court in *Robinson v. Cahill* (1973) upheld the lower state court's contention

their revenue sharing funds. The Treasury Department's Office of Revenue Sharing reported on September 24, 1973 that, for the third entitlement period, state governments had put 60 percent of their revenue sharing funds into education. Possibly, as an adjunct, states will pursue more vigorously ways to make property taxes among and within jurisdictions more equitable.

Further, the circuit breaker kind of property tax relief for older and poor homeowners, as well as for renters, will probably be inaugurated or improved. Nine states now provide for relief also for renters, the figure used for how much of

high costs that discriminate against the poor. Some state legislatures will be trying for ways to conserve energy—whether hydro-electric or fossil fuel. Perhaps some states may begin to finance research in geo-thermal and/or solar energy sources.

The question of whether property owners have the right to use property as they please or are but the custodians of the irreplaceable land and its resources that they have bought is a hard one that will have to be resolved. People have come to accept local zoning and local and, in some places, state housing requirements. But they have not, in most places, required careful enough practices in mining, farming, forestry, construction, manufacturing to prevent erosion, despoiling of our land resources, and other preventable pollution of our lakes, streams, and oceans. State land and resource use policies and growth as it affects them will certainly be discussed, even in states where beginnings have been made.

Better ways to handle the enormously escalating solid waste disposal problems of communities before they become buried in the by-products of affluence have already been enacted. Banning of no-return bottles, encouraging of cooperative arrangements among jurisdictions for disposal and/or recovery and recycling are beginnings that have been made.

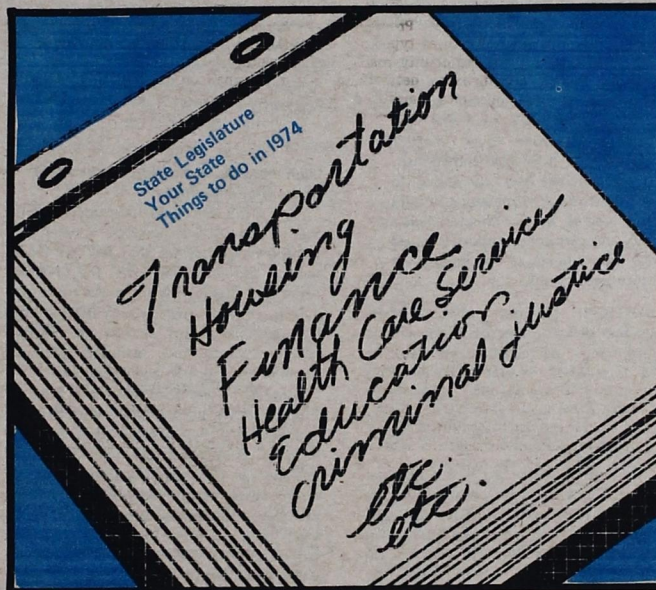
Strengthening the powers of the state agencies for water pollution abatement also seems in the cards, together with state grants for sewage treatment and other inducements for local construction of sewage treatment plants.

Transportation

Energy shortages and environmental concerns have escalated the number of people taking to bicycle riding (last year saw more bicycle than automobile sales) and public transportation. Many localities have already worked out special bus and bicycle lanes to encourage more people to give up the one-in-a-car-commuting-to-work practice. As an incentive for car pools, San Francisco provides toll-breaks for a car with three or more passengers.

(Continued on page 3)

Anona Teska is state and local government specialist, League of Women Voters, Education Fund.



that the state constitution made the state government responsible for public education, as had, even before the *Rodriguez* decision, the California state Supreme Court in *Serrano v. Priest*. A number of other state constitutions place responsibility for education and for equalization of opportunity on the state government.

So both for reasons of fairness and of present, or likelihood of future, state court decisions, legislatures will continue to look at ways to redress imbalances. An indication of the concern is revealed in the allocation by state governments of

the rent goes for property tax ranging from 10 percent in Colorado to 30 percent in Vermont.

Land Use and Environment

Torn between energy shortages and the need to preserve the environment, some legislatures will need to withstand pressures to relax air pollution standards, to continue to allow, or to soften efforts to control, strip mining. But these shortages are also challenges to work out solutions that will not produce inequitable distribution of resources, faster depletion of what we have left, or

Counties' changing role in transit issues

By Daniel Mikesell

Local officials for many years have been concerned with two issues which have now been joined. We have been trying to get increased participation in the transportation decisions that affect us. We have also been paying lip service, at least, to the idea of balanced transportation; that is, some effective mixture of the use of autos and public transportation. Now, counties have a chance to do something about both those issues: the 1973 Federal Aid Highway Act has requirements for more decisions by local officials throughout the legislation, and has provided tools for the mix of transportation we feel we need in our own areas. Of course the energy crisis has made it imperative that we use our transportation most efficiently.

So we at the local level have the opportunity — and the necessity — for working closely with state and federal officials in developing the local transportation system. The challenge is directed to us: can we, the local officials, step up to that task, put aside in many cases the established ways of doing things, improving or, in some cases, developing new relationships, especially with the state. We must make our input felt in order to strengthen the counties role in transportation development. Everything is not perfect and we all have a long way to go, but the opportunity is here. I suggest therefore it will be mainly our fault at the local level if we fail to make the relationships work.

What is actually happening now? Since the energy crisis is an everchanging pattern and process and so much is being written and said about it, the following discussion centers around implementing the Federal Aid Highway Act of 1973.

The first steps have been taken already. The Federal Highway Administration (FHWA) and the Urban Mass Transportation Administration (UMTA) have asked county officials to join them and the states and cities in implementing the 1973 Act. To do this, FHWA and UMTA staffs developed a series of issues which were presented to task forces of public officials and Washington representatives of NACO, National League of Cities and other organizations. Then, to make sure county officials addressed the problems, most important to counties, NACO's Transportation Steering Committee met last November to determine cogent issues and actions which should be taken.

The issues, discussed below, include a definition of local officials that counties can live with and some principles for regional cooperation; ways we develop our transportation systems — getting back to that dilemma of balanced transportation; and even present problem of minimization of red tape; and finally, some points to clarify the counties' position.

Issue: How do we define local official?

The 1973 Act calls for cooperation with and decisions by "local officials" in nine different places; for example, urbanized area boundary changes, planning decisions, urban highway system selection, transfers of funds, decisions on funding for either roads or mass transportation.

The NACO transportation steering committee developed the following definition and transmitted it to federal officials:

Responsible (appropriate) *local officials* are those who are elected and directly accountable to the public whom they serve and who have jurisdiction over matters relating to highways and transit. Such officials have capability to raise the required matching monies for federal funds. These officials may delegate their authority to act to subordinates or to regional or state associations.

ACTION: (1) Local officials must keep that definition before all agencies of government — particularly the state, as well as federal, regional and local. This definition does not exclude participation by others such as local business leaders, private individuals, chamber of commerce representatives.

(2) Since transportation is a regional problem, local officials must act at the regional level. Therefore, it is important to recall to your attention the NACO American County Platform position on regional cooperation which states that county officials should be guided by four principles:

a. **Strengthen local government:** The ability of county government to be a basic building block in solving regional problems must be strengthened by improving county financial resources and functional authority.

b. **Recognize regional issues:** Local governments must recognize issues which cross city and county boundaries and then deal with those issues on a cooperative basis. It is vital that local government cooperatively develop a regional-multijurisdictional approach.

c. **Support a regional council of local governments:** The regional council is the means for local elected officials to identify regional issues, examine possible solutions and decide what agencies should be responsible for implementation. The regional council must be established by local elected officials which have decided the basis for membership, voting and funding. The council must be an advisory body and not another layer of government. It shall not have taxing authority or have operational or service delivery responsibilities.

d. **Organize to solve your regional problems:** There are many structural ways local elected officials can solve their regional problems. They can do it by governmental organization, interlocal agreements and contracts, city-county mergers, strengthened counties, shared facilities and many other ways.

In summation, elected county and city officials should determine their own policies and procedures for implementing regional decisions; should control all regional agencies; and should determine regional boundaries.

Issue: How do we develop our balanced transportation systems?

The 1973 Act gives local government the opportunity to develop a balanced transportation system that fits our local needs, as requested in the NACO American County Platform. We must, of course, develop that system with other local agencies as well as state and federal officials from the planning process through construction and operation.

Action: (1) We must work with federal officials, as we are now doing with FHWA and UMTA, as well as the Federal Aviation Administration. The 1973 Act has given us the flexibility to spend funds for highways and/or mass transportation. We have the opportunity, under the legislation, to get additional planning funds to strengthen planning processes. FHWA and UMTA are asking that one agency at metropolitan levels be responsible for highways and public transportation planning. Make sure your governor selects the agency which will be most effective in your area.

(2) There are many agencies at the local level — transit and airport authorities, state highway departments, city, county and even township agencies. Counties must be represented and must make sure participation is active and not simply names on the roster. Of increasing importance now, because of the energy crisis, many counties will have to augment public transportation. We have



authority under the 1973 Act and we must follow actively the legislation now in Congress to provide emergency operational subsidies (called for in the NACO American County Platform).

(3) Let NACO as well as your state associations know about your problems — they all can help. If it is possible, NACO will suggest someone who has a problem similar to yours', and you can exchange ideas and experiences.

Issue: How can red tape be minimized?

The 1973 Act calls for minimizing red tape. A reduction in delays caused by too many detailed authoritative regulations is part of the larger issue of development of equitable and understandable regulations. If red tape is reduced, the larger issue also becomes simplified.

Since this is a many-sided problem, it must be attacked by working with the federal agencies; by changing federal legislation; by getting states to simplify their regulations; and, in general, by constant review and evaluation of processes.

ACTION: The U.S. Department of Transportation is trying to standardize planning grant requirements. This means that FHWA and UMTA need similar requirements. This is not easy because of traditionally different working relationships: FHWA, bylaw, works with state highway departments; UMTA works directly with the local agency. A proposed solution is to have one agency designated in each metropolitan area to be responsible for both FHWA and UMTA activities. FHWA, UMTA and the Federal Aviation Administration (FAA) have recently asked the governor of each state to designate such an agency.

The Department of Transportation (DOT) has three additional problems: one, getting their own house in order — reviewing some of the wordy, involved regulations already in existence; two, conforming to the many requirements outside federal highway legislation (such as National Environmental Policy, Civil Rights, Davis Bacon, Equal Employment Opportunity); and, three, working with national highway legislation which is sometimes ambiguous and sometimes overly specific.

(Continued on page 4)

Daniel Mikesell is a Supervisor, San Bernardino County (California) and Chairman, NACO Transportation Steering Committee

Looking back, planning ahead

By Linda Ganschini

As the nation draws nearer to commemorating its 200th anniversary, community programs and projects are being planned in the spirit of patriotism and, sometimes, commercialism by public and private organizations.

Pageants, festivals of large and small grandeur, statues, stamps, medals, maps, pictures and documents of historic places and people are being planned, published and produced as projects fitting a nation which in 200 years grew from a British colony to having the world's highest standard of living.

However, not all communities and citizens have adequate health care, water and sewer facilities, transportation, food employment, environmental quality, recreation facilities and housing.

County government came to America with the first settlers. When the United States celebrates its 200th anniversary in 1976, counties will celebrate the 342nd anniversary of their establishment in America. Counties have grown with the colonies and the nation, and are providing many more services to their citizens than they did 342, 200 or even 3 years ago. But inflation and rapid population changes have put a strain on county budgets.

The three themes of the American Revolution: Bicentennial, Community Program and Heritage '76, Festival USA, and Horizons '76. Horizons '76 especially, provides a means for counties to improve the quality of life for their citizens. Horizons '76 as defined by the American Revolution Bicentennial Administration (formerly Commission), "will concentrate on citizenship, community development, communications, transportation, learning, health, leisure, the environment, the economy and human values and understanding to assure a better future for all mankind."

According to the Bicentennial Administration (ARBA) established by Congress (PL 93-179 effective December 16, 1973) applications for federal funding of projects and programs designed as bicentennial commemorations "hopefully" will be looked upon more favorably by other federal agencies. This goal, to be continued by the new ARBA administrator could mean a better possibility of funding for county park and recreation area improvements, water and sewer grants to improve the quality of life for rural citizens, housing facilities for urban and rural residents and many other modernization programs.

Congress should be encouraged to appropriate funds to achieve the goal of Horizons '76. The legislation creating the ARBA authorizes an annual appropriation of \$25,000 to each state bicentennial commission, the District of Columbia and Puerto Rico. An additional \$200,000 is authorized for matching grants to each state, the District of Columbia and Puerto Rico for distribution to local governments. The grants are part of a grants-in-aid program. Additional funds are available through special state applications.

In large states, the \$200,000, when equally distributed among the local governments and the state, will not mean a substantial source of funding for county projects. States with the least number of local governments will, of course, be able to distribute larger shares.

Since federal bicentennial funds probably will continue to be channeled through state bicentennial commissions, county officials who want to insure some funding for their programs should participate actively in state bicentennial commissions.

Counties which are interested in becoming designated as "Bicentennial Communities" should first write to NACo for the appropriate application forms. Once these have been received the county governing board can arrange to designate either themselves or a private group to coordinate all the activities being planned to celebrate the year 1976 in their community. This official sanctioned group will file their name on the official Bicentennial community application

form, and at the same time announce the project plans in one of the three official ARBA thematic areas (Heritage '76; Festival USA; Horizons '76). The county must then pass a formal resolution indicating these facts and forward the application to the State Bicentennial Commission. Once received and reviewed by the state, the information from the local community's application will be forwarded to the National ARBA office which will be responsible for informing that county that it has been designated as a "Bicentennial Community." Once this designation has been made, the county then becomes eligible to apply to the state Bicentennial Commission for matching grants and to the federal government for assistance in major Bicentennial projects. ARBA officials hope that federal agencies will consider local Bicentennial project applications as a priority in funding, however, there has been no federal communication to this extent.

Getting Recognition

State Bicentennial Commission approval is needed before a county can receive national approval for a bicentennial project. ARBA designation as a bicentennial county means national recognition of the county, allows use of the official bicentennial symbol, and includes listing in a national catalog of all activities planned by bicentennial communities. Designation might also inspire citizen involvement, stimulate new resources, encourage existing support, and possibly enhance favorable consideration of requests for assistance, according to the former bicentennial commission staff.

Bicentennial Administration officials hope through total community involvement, support for programs and projects will be enhanced and provide a means for securing funding from local sources. The rules governing the approval for national designation require "broad (Continued on page 4)

State legislative outlook

(Continued from page 1)

The continuing struggle to commit some of the state's earmarked highway funds to mass transit subsidies will go on. A transportation bond issued in New York failed in the 1973 elections; nevertheless New York and other states will need to turn their attention to improving hard-pressed and inadequate intra and intercity transport systems. Energy shortages, air pollution, traffic congestion, parking space concerns have stimulated public interest. There may be more popular support for governmental action. Everybody—the farmer, commuter, manufacturer, retailer, renter, homeowner—will feel the impact of gasoline, fuel oil, and electric power shortages.

Health and Welfare

Many problems exist in these two areas, but perhaps the most pressing is the need to provide low-cost housing. What federal help there will be will hopefully be determined early in the upcoming second session of the 93rd Congress. The President's proposals of mid-September seem to opt for using existing vacant housing as the best solution with perhaps cash payments, housing allowances, to help the poor. High building costs in this area and scarcities in rental properties, forcing rents upward, have put great pressures on not only the poor but the middle-income class as well. With few exceptions, states have not ventured far into the housing field. About half the states have housing finance agencies; forty-nine states have Departments of Community Affairs or their equivalent, some of which include housing authorities—but not even in the state of New York, which has made the most comprehensive commitment, has the problem been solved.

Paring of commitment in some states to welfare programs has come at a time when inflation has greatly increased living costs. What kinds of federal-state-local arrangements can be worked out is going to depend on some state, as well as local, initiatives.

Citizen Access to Government

The government that's "closest to the people," however, elicits the lowest voter turnout when it comes to electing the people's representatives. Historically school elections, then city and county elections bring the fewest citizens to the polls.

In the light of the apparent voter apathy and distrust, there are a number of problems to which legislators profitably might turn attention:

- 1) Removing statutory and administrative obstacles to voting to make it easier to register and vote.
- 2) Limiting or regulating campaign financing; requiring disclosure of campaign funds and financial holdings; stronger conflict-of-interest legislation.
- 3) Requiring open committee hearings and recorded votes on all bills; encouraging public hearings at sub-state levels. (Some reports indicate that less than half of the local general governments holds public hearings on budgets. Public interest in use of general revenue sharing funds could spur the 1974 legislative sessions to consider ways to open up not only budgetary but all governmental procedures at state and local levels to more public participation.)
- 4) Providing better, easier-to-understand, more accessible information about government and services to citizens.
- 5) Shortening the ballot or simplifying it to provide more meaningful

citizen choices and pinpointing where responsibility for performance rests.

6) Working toward elimination of at least some special districts that have taxing power but over which citizens have little or no control and about which they have little knowledge.

7) Continuing to grant more home rule powers and more flexibility in structure and financing of local governments. In this area there have been some rather good beginnings. A number of states have granted counties wider leeway—home rule charters (with vote approval), the right to have elected or appointed executives, and city-county consolidation (a movement begun many years ago but with slow acceptance, even in states that have long permitted it.)

This is a big country with infinite variety. Each of the fifty states has its own political, social, and economic history. Perceptions of problems and possible approaches vary in relation to these differing factors. These differences make it possible for the states to produce alternative solutions, adapted to each locality's needs and to realistic chances for citizen support.

Around the country the legislators are younger and, over all, represent a wider cross section of the states' constituencies than they did ten years ago. In the last three or four years, most experts agree that legislative performance has improved. There are indications that again it may be true that states are laboratories for change.

Looking back and planning ahead

(Continued from page 3)

based community and governmental support" and "that available community resources will be utilized in the implementation of this effort".

The Bicentennial observance provides counties with the opportunity to plan projects which have been put aside for various reasons. With possible funding from either the federal or state government or private sources, counties are beginning their master plans.

Many counties are improving their park and recreation facilities as living memorials to their heritage; restoring county historic sites, courthouses, records, documents, and planning festivals and pageants as their commemoration of the 200th anniversary of the nation.

Examples of different county projects are highlighted below.

Jefferson Parish, La.

Jefferson Parish (County) is part of the New Orleans Metropolitan Area. The Lafreniere Park project will provide a central parks area for Jefferson Parish as well as the whole metropolitan area. The cost of park land purchase and improvement is estimated at \$10 million. Citizens have already taxed themselves by passage of a bond issue to provide \$5 million.

In addition to the Lafreniere Park Project, Jefferson Parish is planning a master plan for the classification and preservation of the county's historic sites; and is establishing a historical society, a tourist and development commission and a written history of Jefferson Parish. This

written history, the county points out will bring to light, among other things, that local citizens led what can be considered the first revolution against a foreign power in the country.

King County, Wash.

One of the thrusts of King County's bicentennial program will be a comprehensive system of primarily pedestrian trails linking major park sites. The trail system will offer the county's urban population a variety of outdoor experiences in both developed and undeveloped sites, including direct exposure to the natural topography of the county.

King County is joining with the City of Seattle and other municipalities to form a combined bicentennial commission. Among other King County bicentennial projects are the Downtown Action Program, made up of a multitude of projects which collectively represent all three bicentennial themes (horizons, festivals and heritage); and the Indian Center (a cultural/educational exhibit center).

The goals of the Downtown project is "a vital inner city... through recognition of Seattle's settlement as a port city and its close relationship to the many bodies of water within and along its borders... through development of urban amenities which complement private and other public development of this decade and which reinforce historic ties.

The Indian Cultural/Educational Center will provide a comprehensive cultural center, including arts and crafts buildings with studios and workshops for traditional and contemporary Indian artists; a theatre for performances.

Randolph County, Ill.

A ballad of the county history will be written for the 200th anniversary and Montague's history of the county will be reprinted. Original land grants, regional receipt books and a self-tour map with the history of the county will also be published. Preservation of the county's historic Creole House and Ft. DeChartre (representing the French settlement of the area) and display of old county records in the restored old courthouse are being planned.

Henry County, Iowa

Henry County will be describing the many "firsts" in its county history to citizens and visitors. Henry County is the home of the Midwest Old Settlers and Threshers Association's Research Center and Oprea House. The Center preserves



tent, folk, repertoire theatre and Chautauqua memorabilia. A mammoth collection of this media of theatre represents hundreds of groups which traveled rural America. Also the county will publish an in-depth history of the county and plans a countywide festival depicting freedom from the Magna Charta through the American revolution.

Gloucester County, Va.

Gloucester County will publish a 16-page pamphlet illustrating the six periods of the county's history, and a booklet of 80 pages with 60 photographs of the county's historical buildings. Two issues of reproductions of the Gloucester Token of 1714 (the first coin minted in America) will be sold.

The three themes of the Bicentennial Commemoration are Heritage '76 which focuses on activities which recall the Nation's heritage and gives an historical perspective to the community. Festival U.S.A. involves an expanded effort to share with other Americans and the people of the world, the traditions, the culture, the hospitality and the character of the U.S. and its people. Festival USA includes the areas of the arts, athletics, education, travel, hospitality, exhibits, fairs and festivals. Horizons '76 covers activities through which Americans can commemorate their past by looking to the future as the United States enters Century III.

NACo is vitally interested in the Bicentennial project plans of designated counties. Officials are encouraged to correspond with Margaret S. Seeley, Director of Special Services at NACo in order that they might share their plans and learn of activities in other counties.

Linda Ganschietz is managing editor of OUTLOOK.

County transit role

(Continued from page 2)

Local officials must work more closely with DOT in simplifying their regulations; for example, the NACo transportation steering committee's recent meeting; the continuing availability county officials to advise on or review regulations. We should also work with cities and states to amend federal legislation. However, a first step is to learn from DOT which of the regulations are based on legal requirements. We have to know which are legal impediments and which are bureaucratic requirements.

FHWA reports that some complaints about red tape are actually due to state rather than federal requirements — the state has exceeded federal requirements. In those cases, counties work with others to determine what requirements are state-imposed and, if they are excessive, try to change them.

In general, counties must work closely with their state associations, governors and state highway departments (or state DOT's) to make sure both authority and responsibility are in the right agency and that their guidelines are appropriate. Counties may have to establish new relationships. If you don't have good ties with the state, now is the time to make them. New relationships with other local agencies — other counties, municipalities and townships — may have to be initiated to minimize red tape.

NACo and county officials have made it clear to FHWA and UMTA that counties are ready to work with them and with the states at any time to improve regulations, guidelines and of the working processes.

Conclusions

In conclusion, some further clarifications should be stated to demonstrate counties understanding of some problems in this changing process.

1. Local officials must insure that both DOT and the states understand that we are not trying to end run the federal-state relationships. What we are trying to do is strengthen the state and local relationships to the advantage of both.

2. As local officials realize that we are making life more difficult for DOT. On the one hand, we are asking them to speed up processing of regulations so we can implement our local program. On the other hand, we are asking them for adequate time to review their regulations. So they must balance their time-tables and we must respond quickly when contacted.

3. There is a process for our review of changes in regulations through the U.S. Office of Management and Budget (known as the A-85 process). Nothing said here changes that requirement; in fact, if red tape is lessened, the A-85 process of review may be speeded up.

In summary; counties must remember the challenge we have before us. We now have the opportunity to influence the development of our transportation systems. We must take the initiative to work with others. We must develop relationships where there are none. We must improve relationships when needed and give priority to providing leadership at the local level.

Outlook

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Summary Of 1973 Legislation

Despite the executive-legislative tug of war (impoundments, Watergate and the repeated press coverage of undirected confusion) the first session of the 93rd Congress was productive for county governments.

At the top of the county list has to be the enactment of a manpower special revenue sharing bill. The final bill was the result of four years of effort, one veto, and many frustrating attempts to fashion a compromise.

It was a stunning victory for counties. Only a year ago, many observers on and off Capitol Hill did not see counties having any significant role in the new program. It was to be a big city and state operation. The final bill makes over 270 counties eligible to be prime sponsors as compared to 160 cities and 50 states!

The enactment of the 1973 Federal Aid Highway Act has to be another victory for all local governments. Finally the backlog of needs on state and local roads can start being met. The bill not only increases transit funding but also gives county and city officials much greater decision-making and discretion on how highway and transit dollars can best be used.

Possibly more important than all the enactments last year was the gradual giving in of the Administration on so many of their proposals to cutback and terminate existing programs. Many of these battles were won in the courts. Politics played a major role. In some cases Congress and the Administration worked out acceptable compromises. While there still are many exceptions, the funding picture is not as bleak as it appeared last year at this time.

Community Development

Block Grants

Both the Senate and House Banking Committees are considering new housing and community development legislation and are expected to reject the Administration's "Better Communities Special Revenue Sharing" proposal (S. 1743, H.R. 7277) in favor of community development block grants.

The Senate committee is nearing completion of its mark-up of S. 1744 which would consolidate seven categorical programs into a block grant program with a first-year authorization level of \$2.7 billion. The Committee has tentatively agreed to do away with a formula for distribution of funds (as contained in the bill as introduced) and instead "hold harmless" any local government which has conducted an urban renewal, neighborhood development, model cities or code enforcement program during the 5 years ending July 1, 1972. Such communities would get a guarantee of the 5-year average of funds received.

If this proposal is adopted, it would effectively channel the vast majority of block grant funds to cities while leaving urban counties to rely on a small amount of discretionary funds. (See related articles in this issue.) The committee is hopeful of reporting a bill to the floor of the Senate by mid-February.

The House Housing Subcommittee is expected to begin marking up H.R. 10036, the Barrett-Ashley housing and community development block grant proposal, in early February. This bill, as introduced, would deny formula block grants to urban counties and instead give them priority in the distribution of discretionary funds.

HUD Funding

The HUD 1974 appropriations (P.L. 93-137) appropriates funds for three of seven community development programs which the Administration sought to terminate. Included are \$600 million for urban renewal \$150 million for model cities and \$25 million for open space.

The Administration, however, has determined that it will spend only \$300 million for urban renewal and impound the other amounts appropriated.

The HUD funding bill also appropriated \$75 million for 701 Comprehensive Planning and Management grants. This amount is down over the fiscal 1973 amount of \$100 million.

Proponents of the cut contended that the Congress should await action on the proposed "Responsive Governments Act" (S. 2490). This proposal would place greater emphasis on the management aspect of planning and would authorize HUD to channel all 701 assistance through the states.

Although hearings have been held in both Houses, no action has been taken on the bill. Minor modifications in the program, however, are expected to be contained in omnibus housing and community development legislation.

EDA Extension

In June, the President signed P.L. 93-46 extending the Public Works and Economic Development Act of 1965 through June 30, 1974. The extension authorizes \$430 million for EDA grant and loan programs.

The one-year extension was designed to give Congress time to reevaluate the program. The Administration proposed closing down the program.

Although hearings have been held before the House Public Works Committee, it is not expected that new legislation, except another one-year extension through fiscal 1975, will be enacted prior to June 30.

In late November, Congress appropriated \$245 million for fiscal 1974, including \$165 million for Titles I

and II grants and loans, \$20 million for Titles III and IV and \$42 million for Title V.

Although Congress is intent on carrying on the EDA program beyond fiscal 1974, a lot will depend on the Administration's willingness to spend funds appropriated for the Economic Development Act.

Rural Development Funding

The Administration's fiscal 1974 budget proposed funding only the loan provisions authorized by the Rural Development Act of 1972. No funds were requested for water and waste disposal grants, planning grants or industrial park development grants.

The fiscal 1974 Agriculture Appropriations Act (P.L. 93-135) appropriates \$470 million for water and sewer loans (up to 40 years at 5 percent interest), \$50 million for other community facility loans, \$200 million for industrial development loans and \$10 million for rural development community facilities grants and technical assistance. The Administration is not expected to spend the grant funds.

Crime and Public Safety

LEAA Extension

In August the President signed P.L. 93-83 containing a three year extension for the Law Enforcement Assistance Administration (LEAA) program.

The act authorized \$1 billion for fiscal 1974, \$1 billion for fiscal 1975 and \$1.2 billion for fiscal 1976, and increased the federal matching share to 90 percent. One-half of the local match must be provided by the state.

It also requires that regional criminal justice planning bodies be composed of a majority of local elected officials, and authorizes cities and counties of over 250,000 population to submit comprehensive criminal justice plans to

the state for approval or disapproval. Local applications submitted to the state for approval must be acted upon by the state within 90 days.

The President has also signed the fiscal 1974 appropriations act for LEAA which appropriates a total of \$870 million of which \$855 million will be used for planning and action block grants. Eighty-five percent is available for distribution to the states, and 15 percent is retained as discretionary money by LEAA.

Flood Insurance

On December 31, the President signed P.L. 93-234, the Flood Disaster Protection Act of 1973. The act increases the amount of federally-subsidized flood insurance to be outstanding to \$10 billion and requires that after July 1, 1975 all local governments in identified flood-prone areas adopt land use control measures and participate in the flood insurance program.

The act further requires the Federal Insurance Administration (part of HUD) to inform and consult in advance of determining flood-prone areas with local elected officials.

Local communities which object on scientific grounds to the determination that an area is flood prone or the setting of ground floor elevations for new construction within a flood-prone area are afforded both an administrative appeal as well as an appeal to the Federal District Court. The consultation and appeal provision were actively advocated by NACO.

Environment and Energy

Energy Bills

Although a conference committee had resolved the differences between the Senate-passed version and the House-passed version of the Energy Emergency Act the conference committee's report contained a section controlling windfall profits which might accrue to the oil industry as a result of the energy crisis.

The provision, opposed by the Administration, was deleted by the Senate. The House, however, refused to go along with the Senate's action, and the bill was returned to the conference committee to be debated after Congress returns in January.

The original conference committee report would authorize, but not require, the President to institute gasoline rationing without prior Congressional approval. Other energy conservation measures — such as transportation control plans or limiting the hours of operation of commercial facilities — would be subject to prior Congressional approval before taking effect.

Congress has also agreed to a one-year delay in implementing tighter auto emission control standards and to suspend through November, 1974 federal, state and local clean air standards where pollution-free fuels were not available. The bill also permits the Environmental Protection Agency to require industrial and public power plants to convert from less plentiful oil and natural gas to more plentiful coal.

The bill authorized \$500 million to provide unemployment compensation to people who lose their jobs as a result of the crisis. In line with President Nixon's request to reorganize the federal

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Environment and Energy

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government's effort to effectively deal with the energy crisis, the bill also would create a Federal Energy Administration.

The Congress is expected to clear a final bill for the President's signature shortly after its return.

The Congress also enacted year-round daylight savings time through April, 1975, and, through another act, directed the states to impose a nationwide 55 mile-per-hour speed limit.

Water Pollution Funding

Two pieces of legislation (P.L. 93-243, P.L. 93-207) were passed by Congress concerning funding for sewage treatment.

P.L. 93-243 (amending Sec. 205 of the Federal Water Pollution Control Act) allocates fiscal 1975 funds for wastewater treatment based on a two-part formula derived from an EPA survey of water pollution funding needs. No state will receive less than the amount it received in fiscal 1972.

P.L. 93-207 (amending Sec. 206 of the Water Pollution Control Act) provides funds for reimbursement to localities which constructed sewage treatment works between June 30, 1966 and July 1, 1972. The legislation extended the application date for these grants to January 31, 1974, increased the authorization level to \$2.6 billion, and speeded up the reimbursement process.

Although \$18 billion was authorized by Congress for fiscal 1973, 1974 and 1975 in the Water Pollution Control Act passed in October 1972, the President has impounded over half the funds, and the battle over spending is still in the courts.

Land and Water Conservation Fund

Appropriations for the Land and Water Conservation Fund were cut noticeably for FY 1974. The appropriations for FY 1973 were \$300 million. The appropriations for FY 1974 were cut to a level of \$76.2 million.

Of this total, \$66 million was appropriated for grants to states and local governments. In addition, there is a \$136 million carry-over for state and local programs from FY 1973.

The grants are awarded under a fixed formula to states for apportionment to cities, counties and park districts for projects which fit within the statewide comprehensive outdoor recreation plans. The funds may be used over a three-year period.

The President has indicated his intent to resume full funding at a level of \$300 million starting in FY 1975.

Solid Waste Management

On the legislative side, little action was taken in 1973 with respect to revamping the federal government's solid waste program. The Congress did extend the existing Resource Recovery Act of 1970 for one year. The act would have expired on June 20, 1973. This extension gave the Senate Commerce and Public Works Committees and the House Interstate and Foreign Commerce Committee time to review proposals to expand the Resource Recovery Act.

The House committee has held no hearings. The Senate Commerce Committee has held two series of meetings but has taken no action. The prospects for legislative action in 1974 are somewhat doubtful.

The Administration's FY 1974 budget proposed phasing out solid waste project grants. The budget called for \$5.8 million, which would have eliminated demonstration projects and cut the Environmental Protection Agency's solid waste staff drastically. The House and

Senate, however, appropriated \$14.8 million and the President has signed this appropriation measure. The higher appropriation figure will allow maintaining the existing staffing level at EPA but will not provide any funds for demonstration grants.

County Priority Bills

1. Manpower Special Revenue Sharing
2. Federal Aid Highway Act
3. Law Enforcement Assistance Act Amendments
4. Airport Development Acceleration Act
5. Health Maintenance Organizations
6. Emergency Medical Services
7. Older Americans Act Amendments
8. Economic Development Act Extension
9. Public Health Services Act Extension
10. D.C. Home Rule

Health and Education

HMO's

The President recently signed Health Maintenance Organization (HMO) legislation (PL 93-222) which was a compromise between Administration and Congressional viewpoints. The new law authorizes \$325 million over five years for initial development and operating of HMO's.

The law also provides for override of any state law which restricts or prohibits the establishment of HMO's meeting the criteria set in the legislation.

Emergency Services

A NACo-supported Emergency Medical Services bill was signed by the President in November (PL 93-154). The popular bill previously had been vetoed. The expanded program authorizes \$185 million through fiscal 1976 for areawide emergency medical systems.

Counties are eligible for the new grants which have been increased from 50 to 75 percent. Twenty percent has been reserved for rural areas.

Public Health Services

The Public Health Services Act (PL 93-45) was extended for one year through June, 1974. Congressman Paul Rogers, (D.) Chairman of the House Health Subcommittee, has introduced HR 11511, a further two-year extension and modification of several health programs. The new bill has six titles. An outline of the bill appears in the November 30, 1973 issue of *County News*.

Alcoholism

An extension of the Alcohol Treatment and Rehabilitation Act (S 1125) was passed by the Senate in June. House action is pending. The House Health Subcommittee has approved the bill for further committee action, which is expected early in the next session. Funding for fiscal 1974 for this program was included in the signed Labor-HEW Appropriations bill.

Health Insurance

Currently there are six major proposals for national health insurance. The proposals range from a fully funded comprehensive personal health care program (Kennedy-Griffiths bill) to Congressman Hanley Staggers's (D.W.Va.) recent proposal of combined services of HMO's and heavy involvement of the health insurance industry. The only hearings held in 1973 were oversight (background) ones by the House Health Subcommittee.

The Administration has been working on a new proposal which is to be announced in the President's State of the Union Message.

Because of reports of a \$20 billion deficit predicted in fiscal 1975, action of National Health Insurance during 1974 is unlikely. Hearings will probably be held on the proposals some time during the session. For further information see *County News*, Nov. 30, 1973.

Education Act

The major education bill, the Elementary and Secondary Education Act of 1965 (ESEA), had been scheduled to expire June 30, 1973. However, the act had an automatic, one-year extension. Congressman Carl P. Perkins (D-Ky.), Chairman of the House Education and Labor Committee, introduced HR 69, which is still being debated in committee. The bill consolidates several categorical programs into two broad-purpose programs — one for library and instructional programs and the other for innovative strengthening state departments of education.

The Administration's special education revenue sharing proposal has been dropped in the Congress. However, many of its concepts are influencing the final drafting of the ESEA.

The heart of the ESEA remains to be solved: that of aid to disadvantaged children. The Senate completed its action on the ESEA Extension bill (S 1539). The House is expected to continue markup early in the 1974 session.

Land Use

Land Use Planning

After struggling through most of the fall, the House Interior Committee still failed to report out a land use bill. However, the committee is expected to meet again in January to complete mark-up on H.R. 10294, "The Land Use Planning Act of 1973." House floor action is anticipated in February, with final passage expected in March or April. The Senate had earlier passed its version of a land use measure on June 21.

The land use bill before the House Committee would provide grants totaling \$100 million a year for eight years under a 75 percent federal — 25 percent state matching formula. The Senate bill provides the same dollar amounts, but with 90 percent federal sharing.

These grants are to be used by state and local governments to develop statewide land use plans in environmentally critical areas. Although original versions of both the House and Senate bills contained penalties against states who did not comply, these penalty sections were removed during hearings.

NACo and other local government public interest groups were successful in amending the House and Senate versions to provide a greater role for general purpose local governments in the planning and implementation process of any state land use plan.

Coastal Zones

After failing to appropriate funds for the Coastal Zone Management Act of 1972 in the initial year of operation, Congress did appropriate \$12 million for the program for fiscal 1974.

The purpose of the program, administered by the Department of Commerce, is to assist states in developing comprehensive management programs for their coastal zone areas. Although there is no required "pass through" by states to local government, a state may allocate a portion of its grant to "substate entities" to assist in the development of a management program. Final regulations implementing the Coastal Zone Management Act were also published in the *Federal Register* on November 29, 1973.

Public Lands

The major action involving public lands was the passage of the Alaska Pipeline Bill. P.L. 93-153, "Rights-of-way Across Federal Lands," was signed by President Nixon on November 16, 1973.

Action was not completed on either a Senate or House version of an act to provide the Bureau of Land Management with expanded management powers. The Senate Interior Committee will begin redrafting S. 425 (Jackson, D-Wash.), the "Bureau of Land Management Organic Act," in January when they return. The House will begin hearings in February on its version of the same measure, HR 5441.

The Senate Committee on Agriculture and Forestry plans to report S. 2296, "The Forest and Rangeland Environmental Management Act of 1973," upon return to the second session of the 93rd Congress.

The bill would require that the Forest Service make a comprehensive and detailed assessment of the renewable resources (trees, plants, fish, soil and water) in the nation's forests by 1975 and periodically thereafter. The goal of the bill is to ensure that by the year 2000, the demand for forest products will be met without depleting the country's renewable resources.

Hearings will also begin on a similar version of this measure in the House Agriculture Committee.

Local Determination

D. C. Home Rule

PL 93-198 signed by the President on December 24 grants partial home rule to the District of Columbia and permits D. C. citizens to elect a mayor and 13-member council for the first time in 99 years.

If voters approve the charter in a May 7 referendum, the District will have most of the powers enjoyed by other local governments. Congress, however, retained complete control over the city's expenditures and could veto city council acts by concurrent resolution.

NACo strongly supports home rule legislation for all American cities and counties, and also worked for passage of D.C. home rule legislation.

Manpower

Manpower Reform

After a three-year struggle for manpower reform, President Nixon signed the "Comprehensive Manpower and Training Act of 1973" on December 28, 1973. The measure is expected to provide \$1.8 billion per year in financial assistance to state and local governments so that they may assume the

(Continued on following page)

Summary of 1973 Legislation

(Continued from preceding page)

responsibility for job training, community services, and public service employment programs.

The "grant consolidation" measure eliminates some 10,000 direct grants and contracts with public and private organizations and, instead, provides block grants to 500 "prime sponsors" who will be responsible for administering comprehensive manpower programs.

Prime sponsors are defined as all states and those local general purpose governmental units (counties and cities) with a population of 100,000 or more. This qualifies approximately 160 cities and 275 counties throughout the United States.

It is anticipated that public service employment funds will start flowing to state and local governments as soon as the end of March. Funds for comprehensive manpower programs (Title I) will be available on a transitional basis through the end of FY 1974, with full funding beginning on July 1, 1974.

Pension Reform

The passage of legislation which would affect private (and, perhaps, state and local government pension plans) appears to be a strong possibility in 1974. Last year the Senate passed the "Retirement Income Security for Employees Act" by a vote of 93-0.

The measure does not require private employers to provide pension plans, but for where employers do provide such plans, the bill would correct many abuses and underfunding of pensions.

On the House side, the Ways and Means Committee is considering the Senate bill and a number of its own proposals. They are also considering whether or not to include public pension plans under the reform measure. NACO has called for further study of public pension plans since little is known about their operation.

Taxation and Finance

Tax Reform

Although expected, enactment of major tax reform legislation did not become a reality last year. The House Ways and Means Committee held three months of hearings on various tax reform proposals early in 1973.

Toward the end of the hearings, the Nixon Administration introduced a limited reform package which did not address most tax preferences for businesses and property investment.

In May, the Ways and Means Committee considered consideration of tax reform and concentrated on the President's trade reform proposals, with the hope of returning to tax reform in September. But delays on the trade legislation and the illness of Ways and Means Chairman Wilbur D. Mills (D-Ark.) delayed the Committee's consideration of trade reform and, therefore, tax reform.

Revenue Sharing

No legislative action took place with respect to general revenue sharing in 1973. However, during the 1974 session, there will probably be a number of proposals to convert the five-year authorization-appropriation general revenue sharing measure into an annual appropriations measure.

This threat, which was a major point of debate when the measure was originally considered, has been made by House Appropriations Chairman George Mohon (D-Texas) and Senate

Appropriations Chairman John McClellan (D-Ark.).

There will be no major move to extend the general revenue sharing law beyond the December 31, 1976 expiration date this year. Such a move will most likely be forthcoming in 1975 during the first session of the 94th Congress.

Budget Reform

Legislation to reform the federal budget process (HR 7130) passed the House in December. Senate action is expected early in 1974 on a similar bill (S. 1541) which has been cleared by the Government Operations Committee and now is pending before the Rules and Administration Committee.

Both bills establish a budget committee in each house, a legislative budget staff and a timetable for congressional budget action. To provide more time for consideration of the budget, the bill changes the fiscal year to October 1. Both bills would allow multi-year funding for federal aid programs.

The "New Coalition" of governors, county officials and mayors has made this legislation its top priority.

Funding Simplification

The Senate has approved S 2299 the "Joint Funding Simplification Act of 1973" similar to legislation passed by the House in the 91st Congress. The same legislation (HR 11236) is pending before the House Subcommittee on Intergovernmental Relations. S 2299 simplifies funding and other procedures in those cases where a grantee receives assistance from two or more different agencies or programs within an agency.

The House Intergovernmental Relations Subcommittee will be holding hearings on New Federalism, (including Joint Funding) beginning January 29.

Payments-In-Lieu

No action was taken on the subject of payments-in-lieu of taxes. However, as soon as Congress reconvenes on January 21, House Public Works Chairman John A. Blatnik (D-Minn.) will introduce a payments-in-lieu of taxes measure to compensate county governments for revenues lost due to the presence of federally-owned, tax-exempt lands within their boundaries.

Congressman Blatnik's bill reflects the policy that has been developed and adopted by NACO's Western Region District and contained in the "American County Platform." Hopefully, hearings will be held on this important measure during the spring of 1974.

Transportation

1973 Highway Act

One of the real achievements of this session was the move by Congress to provide more funds for state and local roads and to give local officials more discretion in using highway dollars. Authorizations to complete the Interstate system were cut by 25 percent to provide additional local funding.

The 1973 Highway Act, also substantially increased authorizations for safety programs including funds for projects off the designated federal aid system. The same bill increased transit capital grants from \$3.1 billion to \$6.1 billion and allowed the transfer of highway dollars to transit projects in 1976.

It will take at least a year to implement all of the many changes contained in the new law. Because of continued Administration

impoundments, some of the new programs could be deferred indefinitely (e.g. road safety, economic development grade crossings). However, the courts have ruled against the Administration on road funds and the final decision will be up to the U.S. Supreme Court.

Transit Operating Funds

In the final days of the session, agreement was reached in a House-Senate conference committee on a two-year, \$800 million program of operating subsidies for mass transit (S. 386). While the Administration favors more aid for transit, this particular bill faces a presidential veto.

The bill will not be sent to the White House until Congress returns. There is a slim possibility that a compromise can be reached and a veto avoided. In any case, the issue will still be very much alive and some solution will have to be found early in 1974.

Airport Amendments

Major changes to the airport development program were enacted in June increasing airport funding (from \$250 million to \$310 million) and federal matching (from 50 percent to 75 percent). In addition, the new land provided increased federal matching for airport security equipment (from 50 to 82 percent). All of these changes are of major benefit to counties. Similar legislation had been vetoed in 1972.

The new law also prohibited local "head taxes" and finally settled the differing court rulings handed down over the last several years.

Welfare and Social Services

Welfare Reform

The Senate passed a Social Services bill (HR 3153) with a number of welfare reform items such as Work Bonus, Child Support and a Work Incentive Program which were originally included in the 1972 Welfare Reform legislation. The Ways and Means Committee has stalled action on these programs until hearings can be held by the Committee. Hearings are proposed for early in the new session.

Rep. Martha W. Griffiths (D-Mich), Subcommittee Chairman of the Joint Economic Committee, is proposing new legislation to be introduced during the new session. The Administration is expected to propose a new welfare-housing reform program in the President's State of the Union Message which may include a negative income tax provision. NACO supports HR 3153 and has been urging Congress to take up this bill as quickly as possible in the new session.

Social Services

Early in 1973 HEW issued proposed social services regulations which severely restricted use of the \$2.5 billion authorized by Congress for social services. Congress in June suspended the implementation of the regulations for four months. NACO and other public interest groups pushed for social services legislation which limited HEW's authority.

The Senate, late in the session, approved a social services revenue sharing bill (HR 3153), but the House Ways and Means Committee refused to take action on the bill due to the number of other welfare amendments. As a compromise, House and Senate leaders agreed to suspend the restrictive HEW regulations until Jan. 1, 1975, and to hold hearings early in the new session on HR 3153.

Social Security

Congress passed and the President signed HR 11333, which includes a 7 percent Social Security increase effective immediately and 4 percent in March, 1974. The law also contained technical changes in the new supplementary security income program for adults (SSI), a six-month suspension of regulations denying food stamps to SSI recipients, and use of medicaid funds for SSI recipients.

Older Americans

In May, the President signed the Older Americans Act (P.L. 93-29) which restructured the Act to allow local governments to be directly involved in the delivery of aging services (Title III), authorized new Special Adult Training Programs, offered new employment opportunities for the aged in community services jobs (Title IX) and expanded the foster-grandparent program (Title VIII).

Funding for this act was increased to \$540 million through June, 1975. In July, Congress passed additional appropriations which funded Title VII of the Older Americans Act for Nutrition Programs for the Elderly (\$100 million) and increased the SSI benefits effective January, 1974.

Food Stamps

Major changes in the Food Stamp Program were made in the Agriculture and Consumer Protection Act of 1973 (P.L. 93-86). Food stamps are to be distributed twice a month. States must distribute food stamps state-wide effective January 1, 1974 and the Department of Agriculture must semi-annually adjust the value of foods based on cost of living changes. Other changes in the Food Stamp Program are outlined in the August 24, 1973 County News.

HEW Funding

For the first time in two years the President has signed an HEW-Labor Appropriations bill of \$32.5 billion. The bill was \$1.2 billion over the President's budget request.

The bill allows the President to impound up to five percent of any given program or a total of \$400 million for all programs. The President is required to make all other funds available for expenditure.

This should avoid further impoundments. Several programs scheduled to be phased out by the Administration were funded. For further information see the December 29, 1973, County News.

Aid Briefing

(Continued from page 3)

programs in energy and environment, transportation, community development and land use.

The luncheon speaker on January 25 will be James S. Dwight, Jr., Administrator, Social and Rehabilitation Service, Department of Health, Education and Welfare. The CSAC meeting will continue until noon on January 26 with discussions of Health, Manpower and California Counties in the Nation's Capitol. Among the Washington officials participating will be Floyd Hyde, Undersecretary of Housing and Urban Development.

Participants in the Region IX Briefing are invited to attend all sessions on January 24, 25 and 26. The registration fee for the CIC Region IX Briefing is \$25 which includes the January 24 luncheon and reception. There will be a CSAC luncheon on January 25 which those attending the Region IX Briefing may attend by purchasing a ticket.

Manpower

(Continued from page 1)

Notice of intent to apply for prime sponsorship must include: name and address of applicant; title of the act (Comprehensive Employment and Training Act); geographic areas to be served; population of areas to be served; certification of required general government authority; certification that plan will be developed according to regulations; signature of appropriate authorized official.

Regarding consortia, the draft anticipates that bonuses of 10 percent will be available to consortia which include units in reasonable proximity with an eligible prime sponsor and include 75 percent of the population of the labor market area.

The Manpower Administration's list of eligible prime sponsors follows.

Alabama: Calhoun, Jefferson, Mobile, Tuscaloosa.

Alaska: Greater Anchorage Borough.

Arizona: Maricopa County.

Arkansas: Pulaski County.

California: Alameda, Butte, Contra Costa, Fresno, Kern, Los Angeles, Marin, Merced, Monterey, Orange, Riverside, Sacramento, San Bernardino, San Diego, San Joaquin, San Luis Obispo, San Mateo, Santa Barbara, Santa Clara, Santa Cruz, Solano, Sonoma, Stanislaus, Tulare, Ventura.

Colorado: Adams, Arapahoe, Boulder, El Paso, Jefferson, Pueblo.

Delaware: New Castle.

District of Columbia.

Florida: Jacksonville City/Duval, Alachua, Brevard, Broward, Dade, Escambia, Hillsborough, Lee, Leon, Orange, Palm Beach, Pinellas, Polk, Sarasota, Volusia.

Georgia: Columbus/Muscogee, Cobb, De Kalb, Fulton, Richmond.

Hawaii: Honolulu.

Idaho: Ada.

Illinois: Champaign, Cook, Du Page, Kane, La Salle, Lake, Macon, Madison, McHenry, McLean, Rock Island, Sangamon, St. Clair, Tazewell, Will.

Indiana: Indianapolis/Marion, Allen, Delaware, Elkhart, La Porte, Lake, Madison, St. Joseph, Tipton, Virgo.

Iowa: Black Hawk, Scott, Woodbury, Kansas: Johnson.

Kentucky: Lexington/Fayette, Jefferson, Kenton.

Louisiana: Baton Rouge/E. Baton Rouge Parish, New Orleans, Calcasieu, Jefferson, Lafayette, Ouachita, Rapides.

Maine: none

Maryland: Baltimore City, Anne Arundel, Baltimore, Harford, Montgomery, Prince Georges, Washington.

Massachusetts: Boston/Suffolk.

Michigan: Bay, Berrien, Calhoun, Genesee, Ingham, Jackson, Kalamazoo, Kent, Macomb, Monroe, Muskegon, Oakland, Ottawa, Saginaw, St. Clair, Washtenaw, Wayne.

Minnesota: Anoka, Dakota, Hennepin, Ramsey, St. Louis.

Mississippi: Harrison.

Missouri: Jackson, Jefferson, St. Louis.

Montana: none

Nebraska: none

Nevada: Clark, Washoe.

New Jersey: Atlantic, Bergen, Burlington, Camden, Cumberland, Essex, Gloucester, Hudson, Mercer, Middlesex, Monmouth, Morris, Ocean, Passaic, Somerset, Union.

New Mexico: none

New York: Albany, Broome, Chautauqua, Chemung, Dutchess, Erie, Monroe, Nassau, Niagara, Oneida, Onondaga, Orange, Oswego, Rensselaer, Rockland, Saratoga, Schenectady, St. Lawrence, Suffolk, Ulster, Westchester.

North Carolina: Buncombe, Cumberland, Durham, Gaston, Guilford, Mecklenburg, Onslow, Wake.

North Dakota: none

Ohio: Allen, Butler, Clark,

Columbiana, Cuyahoga, Franklin, Greene, Hamilton, Lake, Licking, Lorain, Lucas, Mahoning, Montgomery, Portage, Richland, Stark, Summit, Trumbull.

Oklahoma: Comanche, Oklahoma.

Pennsylvania: Allegheny, Beaver, Berks, Blair, Bucks, Butler, Cambria, Chester, Cumberland, Dauphin, Delaware, Erie, Fayette, Franklin, Lackawanna, Lancaster, Lawrence, LeHigh, Luzerne, Lycomins, Mercer, Montgomery, Northampton, Schuylkill, Washington, Westmoreland, York.

Puerto Rico: Bayamon Mun, Carolina, Ponce, San Juan.

Rhode Island: none

South Carolina: Anderson, Charleston, Greenville, Richland, Spartanburg.

South Dakota: none

Tennessee: Nashville/Davidson, Hamilton, Knox, Sullivan.

Texas: Bell, Bexar, Brazoria, Cameron, Dallas, Galveston, Harris, Hidalgo, Jefferson, McLennan, Tarrant, Wichita.

Utah: Salt Lake, Utah, Weber.

Vermont: none

Virginia: Arlington, Fairfax, Henrico, Prince William.

Washington: Clark, King, Kitsar, Pierce Snohomish, Spokane, Yakima.

West Virginia: Cabell, Kanawha.

Wisconsin: Brown, Dane, Kenosha, Milwaukee, Outagamie, Racine, Rock, Waukesha, Winnebago.

Wyoming: none

Any county which is not on the list and thinks it does meet the eligibility requirements should contact the ARDM in its region.

1975 Water Pollution Funds

Allocation of Fiscal 1975 funds for wastewater treatment construction was made in P.L. 93-243 signed by the President on Jan. 2, 1974. The bill provided that no state would receive less than it did in FY 1972.

The following chart listed each state's allocation which is based on the

EPA survey of needs. Although Congress authorized \$7 billion for FY 1975, it is not known what amount the President will release. Therefore, the chart provides figures based on partial allotments of \$3 billion and \$4 billion as well as full allotment of \$7 billion.

	\$3 Billion Allotment	\$4 Billion Allotment	\$7 Billion Allotment
Alabama	33.8	33.8	55.9
Alaska	10.9	15.0	26.5
Arizona	17.7	17.7	28.6
Arkansas	19.4	24.0	42.6
California	333.5	457.3	813.8
Colorado	22.5	31.1	55.2
Connecticut	50.7	69.7	123.6
Delaware	15.8	21.7	39.1
Dist. of Col.	27.9	38.2	67.8
Florida	120.0	164.4	292.7
Georgia	55.6	76.0	135.5
Hawaii	30.0	41.2	73.4
Idaho	7.8	7.9	14.0
Illinois	183.9	252.4	449.2
Indiana	50.0	63.7	113.2
Iowa	28.7	39.3	69.9
Kansas	29.2	40.1	71.3
Kentucky	47.6	65.2	116.0
Louisiana	35.6	35.6	51.0
Maine	19.1	28.2	46.8
Maryland	39.6	54.3	96.4
Massachusetts	65.7	90.3	160.7
Michigan	137.6	188.8	336.0
Minnesota	46.8	64.4	114.6
Mississippi	22.3	22.3	37.7
Missouri	54.3	74.5	132.7
Montana	7.5	7.5	9.8
Nebraska	15.3	21.0	37.0
Nevada	13.7	18.7	33.5
New Hampshire	25.6	35.2	62.2
New Jersey	185.8	254.7	453.4
New Mexico	10.7	10.7	13.3
New York	357.5	490.6	873.2
North Carolina	51.5	70.4	125.7
North Dakota	6.9	6.9	6.9
Ohio	141.0	193.2	344.4
Oklahoma	34.1	46.8	83.9
Oregon	24.8	34.1	60.8
Pennsylvania	162.5	222.5	396.1
Rhode Island	15.3	21.0	37.0
South Carolina	40.4	55.8	99.9
South Dakota	7.3	7.3	7.3
Tennessee	38.2	48.3	85.9
Texas	106.9	106.9	116.0
Utah	12.2	16.5	29.3
Vermont	8.5	12.0	21.0
Virginia	71.9	98.5	175.3
Washington	47.1	64.8	115.3
West Virginia	27.4	37.8	67.1
Wisconsin	42.6	52.4	92.9
Wyoming	4.0	4.0	5.6

All numbers in millions of dollars.
Underline numbers are population-based minimum.

Federal Aid Review

by Carol Shaskan
Legislative Research Assistant

Proposed federal regulations have been received by NACO for review and comment. These regulations are currently being analyzed by county officials and NACO staff to determine their impact on counties. Due to the size of some of the regulations, NACO is unable to provide copies of all issues. At the end of each description it is noted whether or not copies are available.

If copies are available, please write to Aliceann Fritschler at NACO. As an added service, we will be separately listing final issuances which are available from agencies.

(73-129) NHTSA/Highway Safety Programs — Incentive Grant Criteria for State Safety Belt Use Laws. The proposed regulations establish the criteria for state safety belt use laws. States that meet these criteria are eligible for incentive grants under Sec. 219 of the 1973 Highway Safety Act.

(73-131) DOT (FHWA) — Environmental and Public Hearing Procedures for Implementing the National Environmental Policy Act of 1969 and 23 U.S.C. 128 (Public Hearings). The proposed regulations promulgate guidelines for the preparation and processing of environmental impact and related statements on major Federal Highway Administration (FHWA) actions in compliance with guidelines issued by the Council on Environmental Policy.

(73-132) HEW — Penalty to Provide Child Health Screening Services in the Medical Assistance Program. The proposed regulations specify the actions to be taken to implement sec. 299(f) of the Social Security Amendments of 1972. The section provides for a penalty if states fail to inform AFDC families of the screening, diagnosis, and treatment

services available under Medicaid, or if they fail to provide or arrange for such services where requested. If the state fails to comply with any of these requirements, the total payments awarded to them under Title IV-A of the Act shall be reduced by 1 percent. Copies of these regulations are available.

(73-133) LEAA — Environmental Impact Statements. This regulation establishes orderly environmental clearance processes within the Law Enforcement Assistance Administration (LEAA) and provides guidance in the preparation and utilization of environmental statements and comments. These regulations will revise LEAA procedures to conform with guidelines issued on August 1, 1973 by the Council on Environmental Quality. Copies are available from NACO.

(74-1) HEW — Professional Standards Review. The purpose of these regulations is to implement those provisions of the Social Security Act Amendments of 1972 pertaining to the establishment throughout the United States of appropriate areas for professional standards review organization purposes. The regulations establish guidelines to be considered by the secretary in the designation of such areas, and also set out specific area designations based on the new criteria. Copies are available.

Final Regulations

The Department of Health, Education and Welfare has issued final regulations concerning "Eligibility for Medicaid — Implementing Sections 255, 209(a), 299(b), and 230 of Public Law 92-603, the Social Security Amendments of 1972." The regulations appeared in the *Federal Register*, vol. 38, no. 231, December 3, 1973. Copies of these may be obtained from the regional HEW offices.

Feds Announce Carpooling Grants

The U.S. Department of Transportation has launched a vigorous national program to encourage the use of carpools. Under the authority of the "Emergency Highway Energy Conservation Act" signed by President Nixon on January 2, 1974, the Secretary of Transportation is authorized to approve demonstration projects for carpools in urbanized areas.

Carpooling projects may include:

- Systems for locating potential riders and informing them of carpool opportunities.

- Designating existing highway lanes as preferential carpool lanes or shared bus and carpool lanes.

- Designating existing publicly-owned facilities for use as preferential parking for carpools.

Some types of projects suggested by FHWA are construction of fringe parking lots for carpools and buspools, and development of small parking lots within the right-of-way of Interstate interchanges for carpools only. Federal officials compare the project to TOPICS projects.

Urban System and Urban Extension (of Primary and Secondary systems) funds will be available for these projects. The federal share will be 90 percent, and will not exceed \$1 million for a single project.

According to the law projects shall be originated by local officials, working through metropolitan planning agencies,

and state officials and submitted through normal channels for federal funding. The program will run to December 1, 1974.

In addition to funding, various other types of federal assistance will be available to help states and other local authorities initiate their carpool programs. These include developed and tested carpool matching (both computer and manual) programs, appropriate user manuals, and other associated materials, free of charge. Field personnel, trained in energy saving transportation planning techniques, will be available to assist local officials. Specialized technical assistance as well as manuals for use in public information programs will be available from the Washington headquarters.

The Federal Highway Administration has developed a computerized carpool matching program that is now being used by over 125 government and private groups.

The act also establishes a national maximum speed limit of 55 miles per hour, and after March 2, 1974, federal funds may be withheld in any state that has a legal maximum speed limit in excess of this limit.

In the near future, a series of seminars will be held in the federal regions to brief federal and state officials on all aspects of the new program.

Contact the FHWA Division Engineer in your capital city for additional information on this program.

County Government Job Opportunities

Hospital Administrator — Kern County Calif. Salary: \$30,036 to \$36,408. Immediate opening — hospital in Bakersfield, California — 332-bed community medical center, and related teaching programs for doctors, nurses, and medical technicians. Applicants must have master's degree and five years of progressive responsibility in general hospital administration. Interested persons are urged to contact the Kern County Personnel Director 1120 Golden State Ave., Bakersfield, Calif. Applications being received through January 18, 1974.

Director of Nursing — Johnson County, Kan. Salary: \$12,504. Immediate opening — Johnson County Health Dept., population of 236,000 in Mission, Kansas — requirements are B.S. in Nursing from an approved school and three years of public health nursing experience, including one year of nursing supervision or consultation. Staff of 17 PHN's, 2 LPN's and 2 Nursing Supervisors. Please send resume and/or contact Dr. John A. Rose, Acting Director, Office of Dept. of Health, 600 Lamar, Shawnee Mission, Kan. 66202.

Economic Planning Coordinator — Cecil County, Md. Salary commensurate with background. Individual for coordinating a one year joint county-state effort in developing an economic plan concerned with the closing of a military installation. Bachelor's degree in economics, planning or related field and master's degree is preferable with two years experience. Further experience can be substituted for higher degree. Reply to County Commissioners of Cecil County, Rm. 101, Court House, Elkton, Md. 21921 by February 1, 1974.

Executive Director — Pasco County, Florida Expressway Authority. Salary open. Responsible Administrative Position. Organize and develop a special by-pass road project and other transportation facilities. Must be self-starter, able to deal with government officers and agencies. Experienced in transportation, engineering, or business administration. Reply: Dan Chambers, 530 Suset Rd., New Port Richey, Fla. 33552.

NACo, New County Center Field Coordinator — Salary Range: \$16,000 - \$20,000. The National Association of Counties, New County, U.S.A. Center is currently accepting application for the position of Field Coordinator. Position is one of implementing in conjunction with the project director and Directors of State Associations of Counties the provisions of a recently funded project to improve the management capabilities of local government officials.

Responsibilities include: field contact, coordination among management related resources, communication, training, and program analysis. In addition, this person will assist with much of the internal administrative and management activities associated with this project, such as: periodic report, financial management and record keeping, audits and related administrative tasks.

The position requires knowledge of and experience in local government administration and public management. A particular emphasis is being placed on understanding of local government finance.

Deadline for submittal of application is January 25, 1974.

NACo New County, U.S.A. Center — Resource Coordinator Salary Range: \$12,000 - \$14,000. The National Association of Counties, New County, U.S.A. Center is currently accepting applications for the position of Resource Coordinator. Position is one of implementing in conjunction with the project director and Directors of State Associations of Counties the provisions of a recently funded project to improve the management capabilities of local government officials.

Responsibilities include: identification of technical assistance, information and advisory service of a management nature available from existing NACo program, and related organizations. In addition, the person will be responsible for collection and maintenance of information on county management required to support field administrators and support services. The individual will respond to field inquiries and prepare appropriate information for NACo publications.

The position requires knowledge of and experience in local government administration and public management.

Deadline for submittal of application is January 25, 1974. Apply NACo, 1735 New York Ave., N.W., Wash., D.C. 20006 202/785-9577

Director of Personnel — San Diego County, Calif. Salary Range: \$28,260 - \$31,056. Requires college degree and 5 years related experience. Personnel administrator with ability to manage and coordinate personnel agency serving 10,000 plus employees. Serves as secretary to Civil Service Commission, responsible for selection, classification, compensation, employee relations, negotiation, training, safety, and workmen's compensation insurance programs, and provides counsel and advice to county officers with regard to personnel problems and compliance with local, state and federal ordinances, regulations and practices. Also responsible to Chief Administrative Officer for certain labor relations and management functions. File application by January 17, 1974 to County of San Diego, Department of Civil Service & Personnel, Room 403 County Administration Center, 1600 Pacific Highway, San Diego, Calif. 92101

Chief Engineer — Monroe County, Mich. Salary Open Engineer to work out of Drain Commissioner's Office, to coordinate countywide water and sewer improvement program, direct work of new operating county utilities. Requires 5 years experience in water and sewer public utilities plus degree in civil engineering and a P.E. license in Michigan or ability to obtain same. Send resume and salary history to James R. Collino, Board of Auditors, Courthouse Monroe, Mich. 48161

Intergovernmental Relations Coordinator — Lane County, Ore. Salary Range: \$946 - \$1208/mo. Requires college degree in business administration, economics, public administration or related field and minimum of two years related experience or satisfactory equivalent combination of experience and training. Experience in or exposure to governmental accounting and budgeting and to financial analysis. Apply to Personnel Office, Lane County Courthouse, 4th Floor, Eugene, Ore. 97401.

Is your county prepared to deal with an Equal Employment Controversy?

County Attorneys, Personnel Directors and Manpower Planners can prepare a professional response to this complex issue — COME TO

NACo's National Workshop on

The County & Equal Employment

JANUARY 31 - FEBRUARY 1, 1974

LOS ANGELES, CALIFORNIA

LOS ANGELES HILTON

Sessions include:
Federal laws and regulations
Personnel Management Reform

Financial Impact on Counties
Case Histories of litigations
Relationship to Manpower

We urge you to make your airplane and hotel reservations as soon as possible, due to flight cutbacks.

Your reservation can be confirmed with the Los Angeles Hilton by using the form at the bottom of this page and sending it to Mr. Sam Galloway, Sales Manager, Los Angeles Hilton, 930 Wilshire Blvd., Los Angeles, Cal. 90017

Due to the limitations of meeting space, this conference will be limited to county personnel only.

Contact Rich Bartholomew of the NACo Manpower staff at 202/785-9577 with any questions. We look forward to seeing you in Los Angeles.

NACo's Equal Employment Workshop

Name _____	Date _____
Title _____	County/Affiliation _____
Address _____	
City & State _____	Zip _____
No. of Persons _____	
Arrival Date _____	<input type="checkbox"/> Single room \$18.00
Arrival Time _____	<input type="checkbox"/> Double room \$26.00
Departure Date _____	

AMERICAN COUNTIES TODAY

Dear County Official:

We think it's time to stop fooling with the energy crisis and to promptly institute the equitable system of rationing as proposed as "stand-by" by the Administration.

Presently, the President does not have the power to order rationing but, as soon as Congress passes the energy legislation, he will have that power and should then immediately exercise it.

We are unimpressed with the argument that rationing is wicked and wasteful. On the contrary the present system of "cosmetic" adjustments such as 10-gallon-sales-limitations and no Sunday sales is most wicked and extremely wasteful. Motorists often must drive miles to find an open station and then wait in line (engines running) for service.

We wonder aloud how many millions of barrels of gasoline are wasted daily in "gasoline traffic".

The government has told us that World War II rationing was a bureaucratic mess and that people resorted to widespread cheating. It seems to us that the government is talking out of both sides of its mouth. If the American public will "cheat" in a ration system how come the same American public will not "cheat" in the present voluntary system?

For our part we can find very little wrong with selling gasoline coupons to the licensed drivers and then allowing unused coupons to be sold on the "free" or "white" market.

We are told that this would cost \$1.5 billion per year, and this is meant to shock us out of our minds. It doesn't seem anywhere near as frightening, however, when we realize this is 25 cents per week per driver and that the proposed rate of the coupons will or can absorb all the costs. It also seems a pittance when we consider that the price of gasoline has already increased tremendously and will continue to increase.

Our county officials are deeply dedicated to justice and freedom of choice. An equitable rationing system meets both tests. A rationing system that compensates for demonstrated need (taxi, mass transit, aviation) and then divides the remainder equally among each driver is just. His or her decision on how to use the ration meets our test of freedom of choice.

NACo has no official position on rationing and cannot have one until our board meets in February. We base our judgment on discussions with hundreds of officials both at our December energy crisis meeting and in other contacts.

Good News and Bad News

First the bad news. Edwin G. Michaelian, past president of NACo, has wound up 16 years as county executive of Westchester County. He did not run for reelection.

Now the good news. His successor, Al Del Bello, is an excellent man and is already getting active in the State Association of Elected County Execs and in NACo.

Michaelian has been appointed as the first director of an institute for the study of suburban-urban governments at Pace University in Westchester. In his new position, which we believe to be unique in the United States, he will be working with county officials, businessmen and others on the impact of media in suburban and urban affairs and will be conducting courses for

managers of business firms, private agencies and organizations about their relationships with local government. Now being planned is program of activities which is almost certain to involve many of the hundreds of friends that Ed has accumulated throughout the whole United States. He and his wife Joyce (1 Heather Lane, White Plains, New York) are as excited as they can be about Ed's "second career".

Program Evaluation

We have just come across a publication called Priority One News published by an OEO agency in Onondaga County N.Y. which contains some very good guidelines for program evaluation. They may be helpful when you consider your next county budget.

1. Is the program working in an orderly manner in specific ways toward achievement of goals and objectives?

2. Are the goals and objectives of the program directed to a priority need in the community?

3. Is there evidence that the particular facets of the program are accomplishing what they are supposed to or should other specific approaches be tried?

4. Who is benefiting from the program? How do they benefit? Should the outreach of the program be adjusted so additional persons may benefit from it?

5. Can the cost-benefit ratio be determined? (Care should be taken to avoid utilizing the cost-benefit ratio as an indicator of the quality of the program since an agency could show a low cost-benefit ratio by not working with the hardest and most time consuming cases.)

6. Does the program offer more or less potential for long range success than other types of approaches to the same need?

7. What would be the consequences if the program were eliminated completely? Who would complain? Why would they complain? Would anyone like to see it fail? Why?

Administrative issues for consideration include:

1. Is the budget realistic?

2. Are expenditures managed carefully?

3. Does the independent financial audit indicate that the money was handled honestly?

4. Is the staffing adequate (too many or too few to do the job)?

5. Does the staff need outside training? Does the staff need management and work planning consultation?

6. Is the staff functioning in a manner that demonstrates accountability to the board of directors?

7. Is the board of directors in control of the basic policy decisions of the agency?

8. Does the board of directors represent a good cross-section of the community, including those being served?

9. Is the board attempting to evaluate the program and make appropriate changes as needed?

Sincerely yours,

Bernie Hillenbrand
Bernard F. Hillenbrand
Executive Director

Coming Events

JANUARY

22 - 24	Arizona State Association of Counties	Phoenix, Arizona	Dick Casey 602/277-7444
24	California State Association of Counties Federal Affairs Forum	San Francisco, California	James Williams 916/441-4011
24 - 26	Region IX Federal Aid Briefing	San Francisco, California	James Mahoney 209/944-2611
31 - Feb. 1	NACo Equal Employment Opportunity Workshop	Los Angeles, California	R. Bartholomew 202/785-9577
	Eastern Regional Urban County Solid Waste Seminar	Pittsburgh, Pa. Howard Johnson's Motor Lodge Chatham Center	Roger Bacon 202/785-9577

FEBRUARY

4 - 6	Michigan Association of Counties Legislative & Taxation Conference	Lansing, Michigan Olds Plaza Hotel	A. Barry McGuire 517/372-5374
6 - 7	County Judges & Commissioners Association of Texas	College Station, Texas	Kenneth Douglas 512/478-8753
17 - 19	Police Jury Association of Louisiana	Lake Charles, Louisiana	James Hayes 504/343-2835
20 - 22	National Association of County Engineers 14th Annual Management & Research Conference	Disney World, Florida	Charles Goode 305/849-3445
26 - 28	NACo National Legislative Conference	Washington, D.C.	J. Murphy 202/785-9577

MARCH

3 - 5	State Association of County Commissioners of Florida Convention	Panama City Beach, Florida	E. R. Hafner 904/224-3148
9 - 13	National Association of Regional Councils Annual Convention	Los Angeles, California Biltmore Hotel	Ralph Webster 202/296-5253
17 - 22	National Explosive Ordnance Disposal Conference	Sacramento, California Woodlake Inn	Harold Guerin 916/441-3441
31 - Apr. 3	County Officer Association of State of New York Annual Meeting	Grossinger, New York	Herb Smith 518/465-1473

APRIL

28 - 30	NACo Western Region District Conference	Seattle Washington	L. Naake 202/785-9577
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MAY

5 - 8	American Society for Public Administration Annual Convention	Syracuse, New York Hotel Syracuse	Richard Legon 202/785-3255
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JULY

14 - 17	NACo National Convention	Miami Beach Florida	Rod Kendig 202/785-9577
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Hillenbrand's
Washington Report

202/785-9591