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Vol.10, No. 7

COUNTY NEWS

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

Feb. 13, 1978

NACo Washington, D.C.

Welfare Reform Panel Clears Bill

WASHINGTON, D.C.—The special House welfare subcommittee voted out, 23 to 6, President Carter's welfare reform bill Feb. 8.

The Better Jobs and Income Act (H.R. 9030) now goes to three House committees with jurisdiction over portions of the bill: Ways and Means, Education and Labor, and Agriculture.

The subcommittee sent the legislation on its way after defeating an attempt by Rep. Al Ullman (D-Ore.) to substitute his own less costly welfare reform bill. That bill would have taken an incremental approach to welfare reform by retaining food stamps and other present programs and stressing better delivery under state administration.

WHILE the subcommittee action represents a victory for President Carter, the close vote defeating Ullman's substitute proposal is indicative of future obstacles facing the Administration's bill.

Ullman, who regards the bill as too costly and complex, is chairman of the Ways and Means Committee considering the legislation next. Some opposition has also surfaced in the Agriculture, and Education and Labor Committees.

Key features of the President's bill as retained by the subcommittee include:

- Unification of all cash welfare programs and elimination of food stamps. The program would take care of those unable to work and supplement the wages of all low-income persons.
- Establishment of a minimum income guarantee for every poor person, including several groups currently ineligible for welfare.
- The requirement that any young able-bodied person without small children seek a job.
- Fiscal relief for state and county governments beginning in fiscal '81.

EARLIER IN the bill's markup, the subcommittee adopted motions by Rep. Augustus Hawkins (D-Calif.) that would:

- Limit participation of an individual in the welfare jobs program to no more than 18 consecutive months.
- Provide that the annual adjustment in wage rates would not increase the maximum wage rate by more than 10 percent.
- Place a limit of 15 percent on the number of persons who may be paid wages in excess of the annual average rate of $7,700.
- Require the state to reimburse the federal government for costs incurred by prime sponsors which during any fiscal year paid average hourly wages in excess of the federal minimum wage. States will pay the lesser of either the difference in wage rates times the number of hours for which individuals were paid, or 10 percent of the difference in wages times the number of hours.

The subcommittee also approved an amendment by Charles Rangel (D-N.Y.) which would waive the requirement that an individual receive cash benefits at the lower level during job search in those cases where the job search will prove to be futile.

New Jersey's Sen. Harrison Williams introduces Doris Dealaman, chosen freeholder, Somerset County, N.J., to Senate colleagues prior to her testimony on the Older Americans Act.

$187 Million 'Immediate' Fiscal Relief Is in Doubt

WASHINGTON, D.C.—Action is needed now if $187 million in "immediate" fiscal relief for state and local welfare costs is to become a reality.

In December the President signed the Social Security Financing Amendments of 1977 (P.L. 95-216) which provided these funds, but despite apparent Administration support for this measure, payments may not be made until next fall.

The law provides that 100 percent of the funds are to be passed through to counties which fund welfare. In states where counties administer welfare, these funds can be of some help in meeting current budgetary demands. Many county budgets are on a July 1 fiscal year and there will be no tax relief to local taxpayers this year unless the Department of Health, Education and Welfare (HEW) acts now.

NACo has asked HEW Secretary Joseph Califano to make the payments immediately, as Congress intended, but as of this date he has taken no action.

A request for a supplemental appropriation of $187 million in the fiscal '78 budget has been made by HEW, but the Secretary must also request permission from the House and Senate Appropriations Committees in order to make the payments out of general funds now, pending passage of the supplemental.

County officials are urged to write Califano and their own congressmen to request immediate payment of fiscal relief out of general funds before passage of the supplemental.

The amount for each state follows on page 12.

—Aliceann Fritschler

Reform Asked of Services to Aging

WASHINGTON, D.C.—NACo has called for a major change in the way services to the elderly are funded under the Older Americans Act, which is up for reauthorization this year.

In testimony before the Senate Human Resources subcommittee on aging, Doris Dealaman, chosen freeholder of Somerset County, N.J. and NACo's spokesperson on services to the elderly, said that consolidation of the titles of the Older Americans Act into a comprehensive block grant program "is unquestionably the best solution to duplication among services to the elderly."

Dealaman cited several instances of duplicated services. In Michigan, she said, two separate transportation systems have been set up in one county. Each system is funded by a different title of the Older Americans Act. One system only serves a senior center; the other serves only those who want to travel to a nutrition site where hot meals are served to the elderly.

In Pennsylvania jobs for the elderly are poorly distributed among counties, she said.

TO CORRECT such problems, NACo asks Congress to abolish the separate titles of the Older Americans Act and replace them with block grants which counties could allocate more efficiently than is currently being done.

"Other solutions," Dealaman added, "simply go halfway."

NACo's position is supported by many other officials. Subcommittee chairman, Sen. Thomas Eagleton (D-Mo.), noted that "a variety of national associations are advocating consolidation of the funding for services to the elderly." Sen. Frank Church (D-Idaho), chairman of the Senate's Special Committee on Aging, testified that "the Older Americans Act has now evolved to the point where it is possible to consolidate the service titles."

A few witnesses, however, had misgivings about the block grant approach. Representatives of minority elderly feared that black, Indian, or Spanish-American senior citizens would fare poorly under block grants. Robert Ahrens, president of the Urban Elderly Coalition, said he would support block grants only if he could be sure that no reduction in funding would result.

Ahrens added that he disagreed with a suggestion to require a community to commit 60 to 80 percent of its block grant funds into one service that is selected as the highest priority.

"This (procedure) overlooks," he said, "what local agencies have been asked to do—to plan and coordinate services to meet the varied needs of an area's elderly."

NACo'S SECOND major recommendation calls for a mandated role for local elected officials on the policy-making boards of 560 area agencies on aging (AAAs) throughout the nation. These agencies are supported by the Older Americans Act in order to plan and coordinate services for the elderly in local areas.

NACo advocates either public sponsorship of the proposed block grants or a guarantee that at least 50 percent of the agencies' board members be "local elected officials or their designated representatives."

NACo's third recommendation calls for eliminating the priority status of four social services now funded under Title III of the act.

If these cannot be eliminated, Dealaman said, then at least the number of priority services should be increased to allow local officials more flexibility.

See BLOCK, page 3

Conder Enters 4th VP Race

WASHINGTON, D.C.—Richard Conder, chairman of the Richmond County (N.C.) Board of Commissioners and a NACo board member, has announced his candidacy for fourth vice president of NACo.

Conder serves as one of four county appointees to the New Coalition, a Washington-based committee which identifies, discusses and agrees on policies that represent a consensus of state, county and city elected officials.

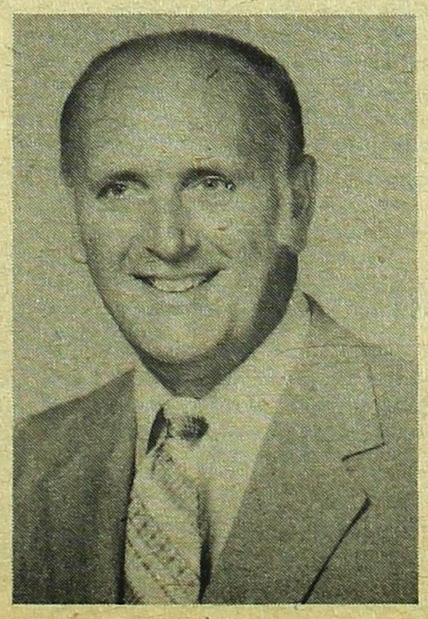
In the past, he has served as chairman of the NACo Committee on the Future.

Conder has been a county commissioner for 16 years and has served as board chairman 14 years. He is past president of the North Carolina Association of County Commissioners and still serves that board as a director.

Conder holds a degree from the Graduate School of Banking at Louisiana State University and his financial background includes being a senior accountant and serving 18 years as a bank executive.

Also seeking the post of fourth vice president is Jack Simmers, commissioner, Polk County, Fla. John Spellman, executive, King County, Wash., is a candidate for the seat of third vice president.

NACo's Annual Conference will be held in Fulton County (Atlanta), Ga. July 9-12. County officials wishing to be considered for any office at that time should send their names to President William Beach at NACo headquarters, attn: Nominating Committee. In accordance with NACo policy, all candidates are entitled to coverage in *County News*. Appropriate information may be sent to Christine Gresock, news manager, 1735 New York Ave., N.W., Washington, D.C. 20006.



Conder

Regs on Abortion Published by HEW

WASHINGTON, D.C.—The Department of Health, Education and Welfare (HEW) has issued regulations on the use of federal Medicaid funds for abortions. The use of federal funds for abortions has caused substantial controversy in Congress and was responsible for a five-month delay in passing the fiscal '78 appropriations bills for the Departments of Labor and HEW.

The regulations pertain to the amendment to the appropriations bill which provides, in part, that Medicaid funds may be used to pay the cost of abortion " ... for the victim of rape or incest, when such rape or incest has been reported promptly to a law enforcement or public health service ... ." They include within the definition of a public health service both county health departments and county hospitals. Specifically, the regulations state that a public health service is "an agency of the United States or of a state or local government that provides health or medical services ... ."

ACCORDING TO the regulations, reports of rape or incest, which must be made within 60 days, need only include the name of the alleged victim, the date of attack, and the date of the report. Public health or law enforcement agencies are not required to carry out any follow-up investigation. In fact, the regulations do not require the victim to make the actual report. Reports can be made by mail and can be filed for the victim by legal services lawyers, rape center counselors, welfare workers, poverty agencies, family members or relatives, or others.

It is unclear whether the public health facility or service can be required by federal law to accept reports or whether such agencies can be required by state or local law to turn information over to law enforcement authorities. These questions are presently being considered by HEW's Office of General Counsel.

It is certain, however, that if the health department or hospital accepts reports, it must keep them for three years, and it is the intent of the regulations that additional reporting requirements cannot be imposed by the local agencies.

The regulations also require a written statement that the incident has been reported to be made available to state officials prior to their approving the issuance of federal funds to pay for an abortion.

The regulations further provide that:

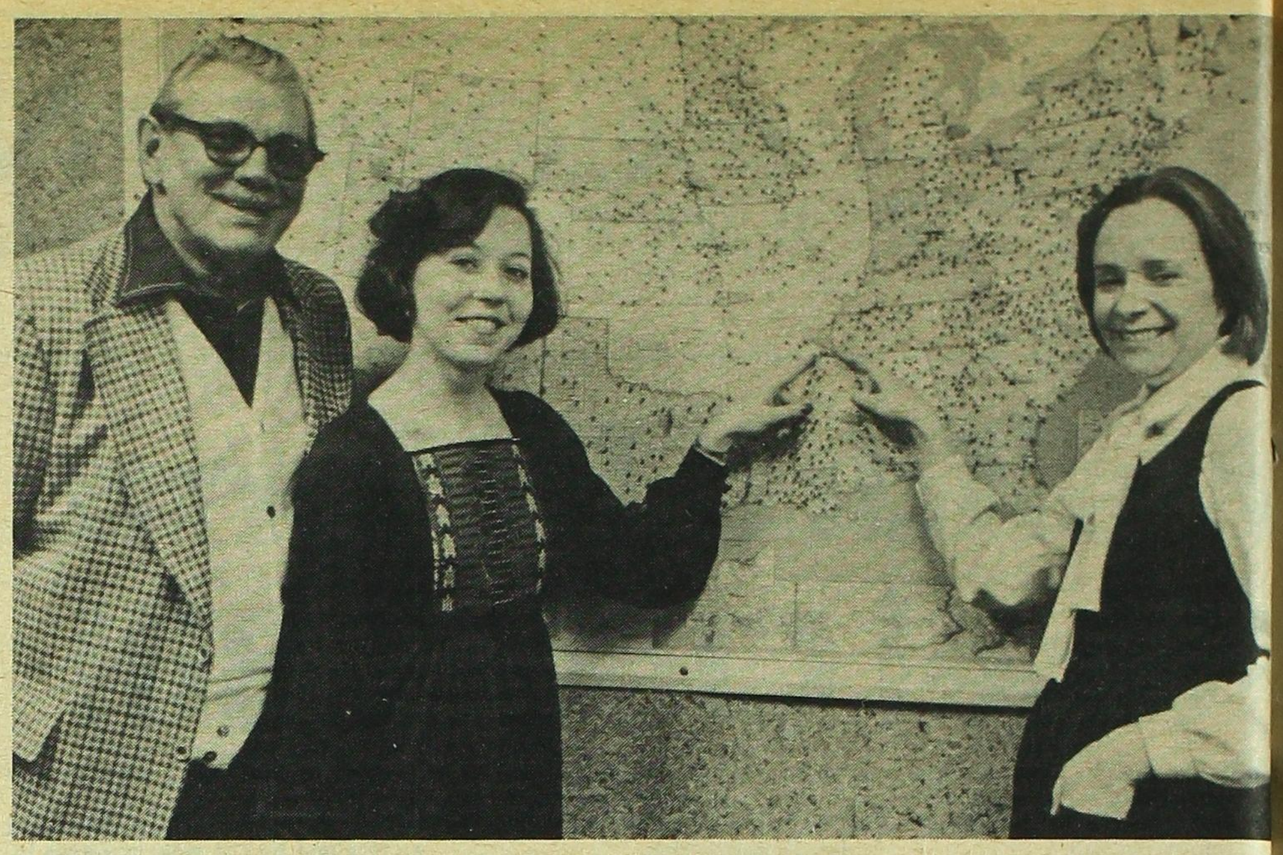
- Federal funds may be used to pay for an abortion that is necessary to save the life of the woman involved, provided that a single doctor certifies in writing that the pregnancy threatens the woman's life. It is up to the doctor, however, to decide that issue according to his or her own medical judgment.
- Federal funds may be used to pay for any abortion which is necessary to protect the woman from "severe and long-lasting physical health damage" provided that two doctors certify in writing that the pregnancy threatens such damage.

Copies of the regulations and sample forms are available from Mike Gemmell, NACo's Associate Director for Health and Education.

County Welfare Directors Meet

WASHINGTON, D.C.—The National Association of County Welfare Directors and the National Council of Local Public Welfare Administrators will meet March 14 and 15 in conjunction with NACo's Legislative Conference. Those welfare and social service directors who plan to attend the Legislative Conference are encouraged to register as soon as possible. Those directors interested in the NACWD and NCLPWA meeting do not need to register but do need to make hotel reservations.

For more information, call or write Jim Koppel at NACo.



The Council of Intergovernmental Coordinators vice president for conferences, Jack Burke of Monroe County, F Linda Church, NACo/CIC staff liaison; and Suzanne Muncy, CIC president of Montgomery County, Md., met NACo offices to plan the first Annual Eastern Federal Aid Briefing to be held in Memphis in late April. Not sho in photo is Roy Wilty, of Jefferson Parish, La. and vice president for training, who discussed aspects of the Memp training program. Seen in background is NACo's membership map.

GRANTS TRAINING

Briefing on Federal Aid Se

WASHINGTON, D.C.—The Council of Intergovernmental Coordinators (CIC) announces its First Annual Eastern Federal Aid Briefing will be held in Memphis, Tenn. April 25-28 at the Rivermont Hotel.

The program will offer a number of work sessions on proposed legislation and federal programs, such as the future of countercyclical assistance and Law Enforcement Assistance Administration programs, as well as discussion of recently proposed federal aid reform legislation. In addition, sessions are tentatively scheduled on aging, transportation, urban policies, rural development and others. Also included is an evening riverboat ride with music.

THE FIRST day of the conference, April 25, will be reserved as a training day for new grantspeople. It will focus on methods of operation in county grants offices, duties of grants coordinators, federal funding resources, as well as techniques used in proposal writing. It has been designed as a concentrated "crash course" for new grants coordinators.

Because of the nature of the training, class size will be limited. Those interested in attending the first day of the program must register in advance. Participants will be accepted on a first come, first served basis. Confirmation of your participation will be necessary.

There will be preregistration for both the training program and the conference. The necessary registration forms will appear in future editions of *County News*. Checks or county vouchers must accomp your registration.

The First Annual CIC We Federal Aid Briefing was held in junction with the NACo Weste terstate Region meeting in R side County, Calif. earlier this mo In addition to the east and federal aid conferences, CIC will tinue to sponsor its annual nat Federal Aid Conference in the This year's national meeting is sc uled for Oct. 22-25 at the H Regency Hotel in Washington, D

For more information about 1978 CIC activities, or the Eas Federal Aid Briefing Confere contact Linda Church of the N staff, and consult upcoming issue the *County News*.

Internship Program To Benefit Counties

WASHINGTON, D.C.—The U.S. Civil Service Commission has announced that county, municipal and state governments will be able to participate in a new program designed to improve public management by attracting men and women with exceptional potential and training into public service.

Established by an Executive Order signed last summer by President Carter, the Presidential Management Intern Program will be open to new holders of graduate degrees in public management beginning this June. The federal government will offer 250 two-year internships annually.

The Civil Service Commission, which is administering the program, has developed a rigorous process for nominating, screening and selecting these individuals as well as 100 alternates.

Counties wishing to recruit directly from the pool of Presidential Management Intern Program candidates to fill permanent positions in their own agencies will have equal access to these candidates along with federal agencies. The commission will share information on each of the program's 250 finalists, 100 alternates and others expressing an interest in state and local government.

Many federal agencies are planning rotating assignments for the interns they hire and are likely to try to place their interns on short-term assignments with state and l governments under the authorit the Intergovernmental Perso Act Mobility Program. Fed agencies may pay all or part of t interns' salaries when such ass ments are made.

Counties interested in hiring a tern candidate directly should n the comission by Feb. 15. Thos terested in hosting a federally ployed intern on a temporary ass ment should contact the commis by April 1. In both cases, co Andrew Boesel, Director, Offic Presidential Management Int ships, Bureau of Intergovernme Personnel Programs, U.S. Civil S ice Commission, Washington, D 20415, 202/254-7316.

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Tenn. Voters to Decide Constitutional Changes

TENNESSEE—On March 7, citizens in Tennessee will vote on three constitutional amendments which would affect Tennessee counties, particularly in the areas of governmental structure and finance. The amendments were reported out by the 1977 Limited Constitutional Convention.

Under the proposed local government article, each county would be required to elect at large a county executive to serve as the chief executive officer of the county. The executive's duties are not spelled out in the amendment; it would be up to the General Assembly to specify the duties of the office.

THE EXECUTIVE would serve along with a county legislative body of not more than 25 members. Legislative district lines would have to be redrawn in 27 counties where legislative body members exceed 25 in order to bring them into compliance with statewide elections this August.

The city-county consolidation of Nashville-Davidson County (and any such future consolidated jurisdictions) would be exempted from these provisions.

In addition, the proposed local government article would standardize the terms of all county officials at four years. Currently county judges serve eight-year terms and county legislators serve six-year terms. There is no limit placed upon the number of terms a county official may serve.

THE PROPOSED amendment to the judicial article would remove all judicial powers from county judges and transfer them to the appropriate court. Presently, a number of county judges are vested with both juvenile and probate powers.

The proposed state spending article would affect county governments in two ways. If the article passes, any increases in state spending would be limited to the percentage increase in income for the state, thereby creating a potential ceiling on the amount of state aid to counties. State aid is particularly important to Tennessee counties in the areas of education and public roads.

The other provision of the proposed state spending article would require the state to share in any increased costs to counties resulting from state-mandated programs.

The board of directors of the Tennessee County Services Association has stated its support of the local government article and voiced opposition to the judicial and state spending articles.

NACo President William O. Beach of Montgomery County, Tenn. believes that the passage of the local government article would be a great step forward for Tennessee counties.

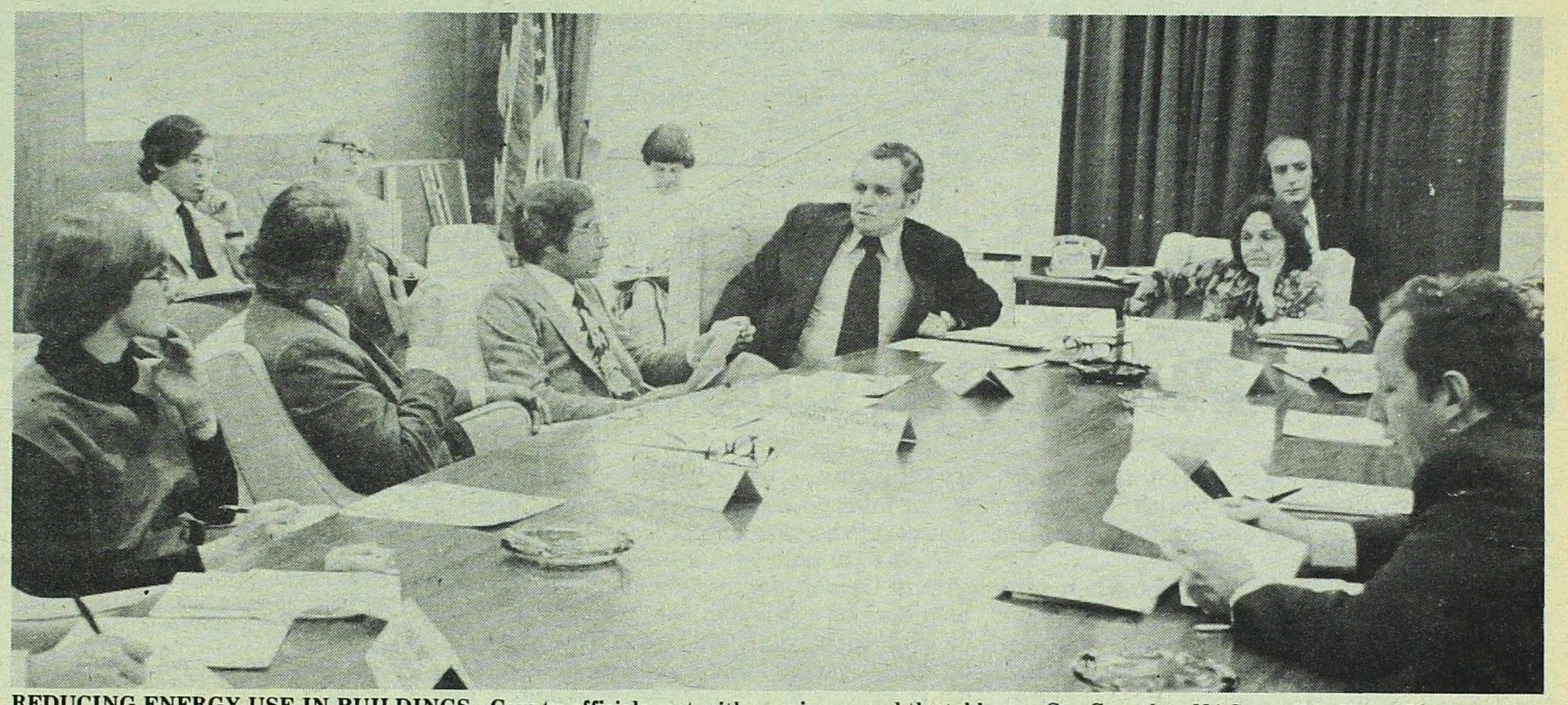
"For the first time, county government will become a part of the constitution of Tennessee," Beach noted. "Up until now, the only mention of counties was a listing of the independently elected county row officers."

Beach also feels that a centralized executive power will benefit counties.

The local government article stipulates that no county officials' present terms of office would be cut short by the adoption of the amendment. Counties would not be required to adopt the new form of government immediately, and some counties would not complete transition until 1982.

Any questions on these proposed amendments should be directed to Ralph Harris, executive director of the Tennessee County Services Association.

—Rob Platky, NACoR



REDUCING ENERGY USE IN BUILDINGS—County officials met with Housing and Urban Development (HUD) spokesmen Jan. 26 to discuss thermal efficiency standards to reduce energy use in new buildings. The standards, which are to be in place nationally by 1980, are now being developed by HUD and the Department of Energy. Representing NACo, clockwise around the table, are: Sue Guenther, NACo staffer; Norm Gustaveson, commissioner, Orange County, N.C.; and Harvey Ruvin, commissioner, Dade County, Fla. The Rev. Geno Baroni, HUD assistant secretary; Donna Schalala, HUD assistant secretary; and John Callahan of the National Conference of State Legislatures are also shown.

Changes for Food Stamp Reg

WASHINGTON, D.C.—Changes have been announced by the Department of Agriculture in a regulation which provides for the prompt adjustment in food stamp purchase prices for households whose heating and utility bills have risen more than $25 a month.

Amendments to the new utility regulation deal with the speed of certification and with the necessity for notifying all food stamp recipients about the new regulation.

The regulation has been amended to eliminate the requirement that all households applying or reapplying for stamps, whose heating or utility bills have increased more than $25 in one month, must be certified within 10 days.

This was done because a household whose heating bill increases more than $25 may still have more income and resources than a household whose bill has not risen but whose income and resources are so low as to require more expedited service.

The rule for notifying food stamp recipients about the new regulation has also been modified. Although states which were unable to meet the Jan. 1 deadline must have mailed notices by Feb. 1, not all recipients must be notified.

If households do not pay utilities and rent separately, state agencies may choose not to send individual notices to them since the new regulation applies only to those households which pay heating and utility bills separately from rent and mortgage.

Recipients should note that an increase of $25 does not automatically ensure a lower purchase price. If the household fails to quality for a shelter deduction, or if the deduction does not change the income range, there will be no readjustment in the purchase price.

N.C. Sets Energy Expo '78

CHARLOTTE—North Carolina is planning its first major statewide energy exposition and conference. The event, "EXPO '78," will be held June 5, 6, and 7 at Taft Broadcasting Company's Carowinds Theme Park, Charlotte, N.C.

The program will include over 150 exhibits stressing energy management and alternate sources, as well as seminars on technology, management analysis, and alternate sources. The EXPO and seminars are primarily directed toward architects, engineers, plant engineers, educators, news media, government managers, maintenance managers, building superintendents, and hospital managers.

EXPO '78 is sponsored by the energy division of the Department of Commerce, State of North Carolina, and the Mecklenburg County Citizens' Committee for Energy Conservation.

Additional information may be obtained by contacting Harris A. Morse, 1501 I-85 North, Charlotte, N.C. 28216, 704/374-2770.

SALT LAKE COUNTY INNOVATIONS

Workfare Programs Required by Utah

WASHINGTON, D.C.—The National Association of Counties Research, Inc. (NACoR) has surveyed county work relief or workfare programs in the following 10 states: California, New York, Ohio, Michigan, Wisconsin, Kansas, Utah, Connecticut, Maine, and New Hampshire. NACoR is conducting this national study for the Department of Labor.

Generally, work relief programs are designed to move those general assistance recipients who are able to work into the labor market. The state of Utah provides an example of a mandatory work relief program not only for employable general assistance recipients but also for those receiving Aid to Families with Dependent Children (AFDC) who have an "unassigned recipient status."

The objective of the Work Experience and Training (WE & T) program in Utah is to provide ablebodied individuals with meaningful work while on public assistance. The program requires that all participants, regardless of the amount of the public assistance received, work three days a week (i.e., 96 hours per month) at a work project. There are approximately 536 work sites across the state which are located in public agencies and nonprofit organizations. The type of work performed includes painting, carpentry, maintenance, and clerical.

The WE & T program is administered statewide through the Assistance Payment Administration district offices. Participants in the program are covered by the workmen's compensation policy of the respective work site. Limited medical benefits are available for general assistance employables, through the MIP (Medically Indigent Program) in nine of the 29 counties.

All general assistance recipients who participate in the program are provided $25 a month, in addition to their general assistance grant, for work-related expenses (i.e., transportation, clothing).

Utah considers its employable general assistance population highly mobile and unstable. At least 50 percent of this group is never seen again after their initial welfare check is issued.

During December 1977, there were 509 general assistance recipients employed statewide with the majority of work sites located in Salt Lake County. The average duration of a work assignment is four months.

Instead of relying on the state tive Program (WIN) staff.

For general assistance recipients who are considered "job ready," referrals are made to ES and the Comprehensive Employment and Employment Service (ES) for screening applicants for job placement, Salt Lake County has instituted its own procedures for evaluating those general assistance recipients able to work by using federal Work Incen-Training Act program. There has been a 28 percent placement rate among this group. For those who are not considered "job ready," referrals are made to Family Services and VOC REHAB.

In addition to these efforts, Salt Lake County is soon to establish a Job Skill Bank which will serve as a clearinghouse for job preferences among those required to work.

Block Grant Approach to Aging Services Suggested

Continued from page 1

NACo's position on priority services was supported by both the National Association of Area Agencies on Aging (N4A) and the National Association of State Units on Aging (NASUA).

Both these organizations also agreed with Dealaman's call for an extended planning period for services to the elderly.

"One year plans," she said, "are literally endless paperwork with little real function. Three- or even five-year plans could allow a community to set real goals."

ON THE question of meals-on-wheels, however, NACo differs with these two organizations.

Both N4A and NASUA recommended a new title to support expanded meals-on-wheels service. NACo supports increased funding, but opposes the creation of a separate title and system to deliver the meals.

Other NACo recommendations include:

- Increased authorizations of funding to allow services to increase "at a reasonable rate,"
- Appropriations to pay for the operating costs of senior centers,
- Removing from consideration income from a Title IX job when an elderly worker applies for Medicaid assistance, and
- A 1981 White House Conference on Aging.

House hearings on the reauthorization of the Older Americans Act are tentatively scheduled for early March. For more information contact NACo's legislative representative Jim Koppel.

County Opinion

Property Tax Revolt

There is a constitutional amendment before the voters in California that would reduce property taxes dramatically.

The amendment, referred to as Jarvis/Gann, would reduce property taxes in San Diego County, for example, from the present 2.27 percent of evaluation to 1 percent of evaluation.

This county and its cities, schools and special districts now collect $560 million in property taxes. If the amendment is approved, the total tax collections would be $221 million—a loss of $339 million.

Local governments and special districts in that state would have to seek other revenue or drastically cut education, law enforcement, fire protection and other services.

Nearly every state legislature is wrestling with the new hardships that have been thrust on the local property taxpayer as a result of a spectacular rise in the value of property, not increases in the tax rates per se. While property values have risen, the income required to pay increased property taxes has not kept pace.

The property tax revolt in California and elsewhere is genuine and deeply felt and our concern is that we not use a rusty crowbar to lance a painful boil.

There must be some middle ground solutions short of disaster for our school systems and local governments.

Health Planning Changes

Again, county officials are facing the charge that their involvement in health planning would turn the planning process into a political football.

We fought this charge in 1974 when the original health planning act was considered; we fought it on the local level to obtain adequate representation on the more than 200 Health Systems Agencies (HSAs) sponsored by the act. Now as Congress considers amendments to the act, we are facing the charge anew.

Neither the House bill, H.R. 10460, nor the Senate bill, S. 2410, contains provisions which assure adequate involvement of elected officials in private HSAs or the basic authority for counties, cities, regional planning bodies, or joint power bodies to exercise adequate control of the planning process.

NACo, in policies adopted by our membership in Detroit, believes that one-third of the members of a private, nonprofit HSA should be elected officials and that the governing board in a public HSA should have the authority to review and approve the agency's budget and rules and regulations; the health systems plan and the annual implementation plan; and the criteria for institutional, new construction and appropriateness review.

We urge county officials to contact their congressional delegation and urge the adoption of NACo's amendments.

New Day for Urban Parks?

by Neal R. Peirce

WASHINGTON, D.C.—A controversy pitting environmentalists against city leaders, and rural areas against urban, is shaping up over how the federal government should focus the hundreds of millions of dollars it spends each year on parks and recreation.

Ever since the Yosemite Valley became protected territory in 1864, federal funds for parks and recreation have been channeled overwhelmingly toward the great open spaces, far away from the centers of population where most of the nation's people live.

City spokesmen are now arguing that it's time to reverse the priorities, to put parks and recreation areas where they're accessible to the 70 percent of the American people who live in urban areas.

THE CITIES are finding surprising allies in the Interior Department, historically a bastion of rural and western interests. Cecil Andrus, Carter's Interior Secretary, recently presented in person a check of $307,476 to Mass. Gov. Michael S. Dukakis to cover half the cost of Boston's new Harbor Islands State Park.

Says Interior Undersecretary James A. Joseph: "A week in the mountains can be a wonderful and revitalizing escape from the numbing routines of urban life, but its brief exhilaration cannot carry one through 51 weeks of life trapped in the inner city constrictions of brick and asphalt, mind-numbing routine and depressing lack of recreational opportunity."

Joseph notes that many of the people who need recreational opportunities the most can ill afford them—"especially if they involve long trips by private automobile to faraway places." And a fresh Interior Department study (the National Urban Recreation Study, soon to be sent to Congress) notes that 45 million Americans live in households without cars.

The new recreation study is sure to generate heated debate because it will name as one clear policy option deemphasizing acquisition of open space and recreation development in wide-open rural areas in favor of federally supported facilities in densely populated urban centers.

Specifically, the new study will suggest the possibility of shifting part of the federal government's Land and Water Conservation Fund, 60 percent of which goes to the states for preservation of natural areas and outdoor recreation development, toward direct aid to cities to develop and operate their own park and recreation facilities.

THE IDEA of siphoning off part of that fund, authorized by Congress at $900 million in the next fiscal year, already has environmental interests, led by the Sierra Club, up in arms. They say the level of federal funding for open space is already inadequate and that the cities ought to look to other funding sources, including revenue sharing, community development block grants and their own tax sources, to support their park and recreation needs.

The cities reply that inflation and declining tax bases have made it almost impossible to maintain their existing recreational facilities, let alone expand them.

Congress has in fact responded to urban park needs and reduced some of the federal government's traditional bias for open space projects by funding three urban recreation areas since 1970: Gateway in New York City and neighboring New Jersey, Golden Gateway in San Francisco, and Cuyahoga between Cleveland and Akron, Ohio. All have proven expensive to operate. Congress, worried about becoming enmeshed in a bottomless pit of similar requests, in 1976 asked the Interior Department to list "options" for future urban park development—the genesis of the soon-to-be released study.

Meantime, the new urban facilities are proving extremely popular. The Gateway National Recreation Area, for instance, drew 9.6 million visitors in 1976, costing $6.6 million to operate. In the same year, Yellowstone National Park drew only 2.5 million visitors, with an operating cost of $7.6 million.

Urban parks, says Massachusetts state planner Frank Keefe, provide multiple benefits: They save energy "by bringing parks to where people live." They serve needy populations. And by making cities attractive places to live and work, they help attract private investment and provide a powerful incentive for citywide and neighborhood economic redevelopment. He cited waterfront parks in Boston, Charlestown and Lowell as examples.

IN SEVERAL large cities where local recreation funds have been cut back, private nonprofit "friends of the parks" organizations have been formed. The New York City Parks Council raises private money, trains federal manpower workers and lobbies the state parks agency for federal and state money for city parks.

Chris T. Delaporte, newly appointed director of the Interior Department's Heritage Conservation and Recreation Service (formerly the Bureau of Outdoor Recreation), is clearly of a mind to support urban recreation. Delaporte says his agency will be part of "the campaign at all levels of government to make our towns and cities good places to live. We are going to have a national set of goals and objectives to see that neighborhood parks become synonymous with the reputation and quality of our national parks."

Arts Thrive in King County

by Yankee Johnson

KING COUNTY, Wash.—Since the adoption of its home rule charter in 1969, King County has developed a comprehensive and expanding arts program. Acting on the recommendations of the Arts Commission, a citizens' body, County Executive John D. Spellman and the county council have consistently supported innovative approaches that have expanded the access of all county residents to the arts.

Although the Arts Commission was established in 1966, it had no program budget until 1970. At that time, with a modest budget of $40,000, it contracted with artists and arts organizations to provide free performances of dance, drama and music in informal settings—libraries, parks, schools and other community facilities.

Today, with an annual operating budget of $300,000, these services still remain the cornerstone of commission activities, but exciting new programs have been initiated. Works of art are being commissioned for public facilities such as the King County domed stadium; artists are working in institutions; the services of professionals are made available to the many community arts organizations throughout the county; and new programs have been developed to assist writers and the public media.

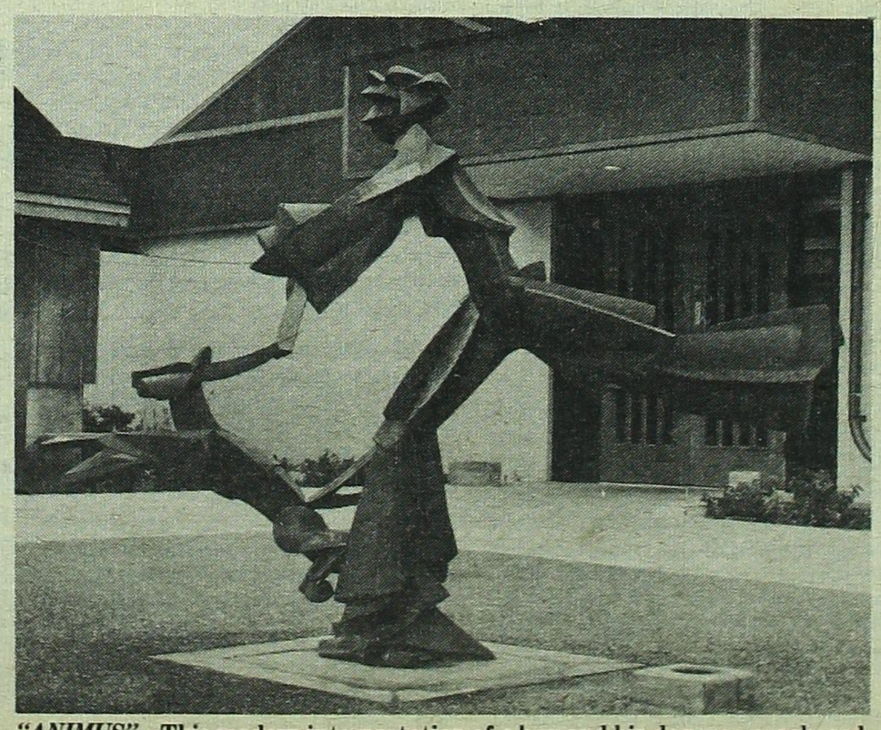
The most pioneering development for the arts in King County occurred in 1973 with the adoption of a 1 percent-for-art ordinance, perhaps a county first. The ordinance mandates that at least 1 percent of all capital improvement funds be reserved for works of art in county facilities.

More than 30 works in a wide variety of media have been commissioned or purchased for parks, swimming pools, the courthouse, an animal control shelter, a precinct station and a variety of social and health service agencies. Now in the planning stages is a $195,000 art program for Harborview Hospital that will explore uses of art in the therapeutic setting.

During the past few years, the county has funded more than 50 CETA jobs for artists and related professionals through the arts commission. An entire dance company was hired in 1975 to perform and conduct workshops. Artists have been hired to create works of art for public places and to work with senior citizens, the handicapped, children and the general public. A research team is currently performing a comprehensive inventory of historic sites to assist the county's planning process.

Citizens in King County believe in the value of the arts. Audiences are on the rise for an increasingly rich arts scene. More and more people are actively participating in some sort of arts activity. But the support given by county government to the economic health of artists and cultural institutions has paid direct economic dividends as well. There can be little doubt that the vitality of the local arts life has provided a significant boost to the growing tourist industry as well as providing a magnet to attract business.

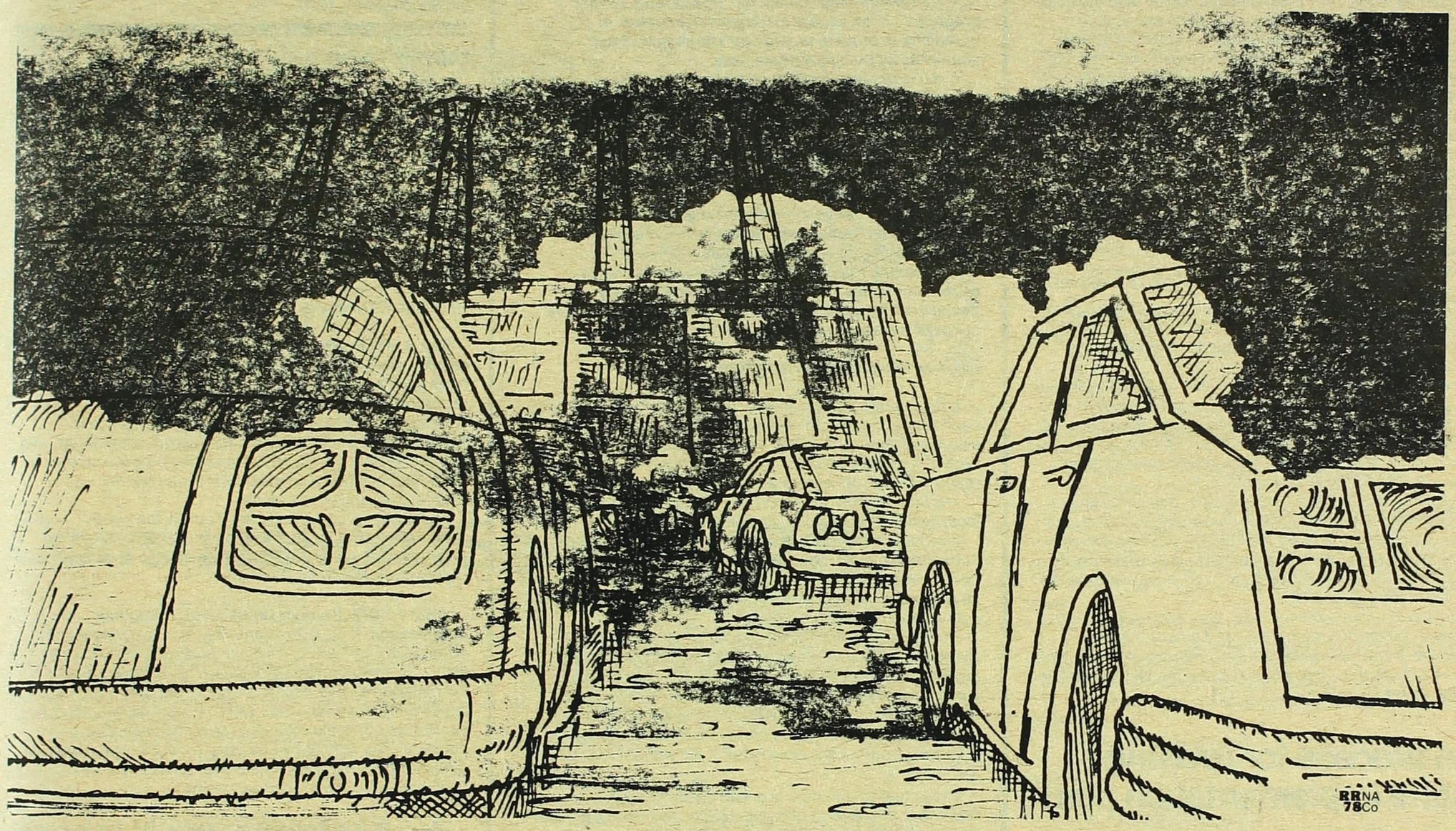
Further information on King County's art program can be obtained by contacting Yankee Johnson, Executive Secretary, King County Arts Commission, 300 King County Administration Building, Seattle, Wash. 98104, 206/344-7580. Anyone wishing information may subscribe to the commission's free newsletter, *The Arts*, at the same address.



***"ANIMUS"*—This modern interpretation of a boy and his dog was purchased by the King County Arts Commission for the Animal Control Shelter in Kent, Wash. *Animus* was created by Carson Boyson.** Photo by Jim Ball.

Counties & Clean Air

Report of NACoR's Air Quality Project



The fight for clean air

The battle to revise the 1970 Clean Air Act ended with the final vote on the 1977 amendments at 2:18 the morning of Aug. 3. Four days later the President signed the changes into law.

While much important environmental legislation has passed through Congress in the past five years, consideration of the clean air amendments probably brought about the most intensive lobbying.

Environmentalists clashed with industrialists while the realities of an energy shortage and continued high unemployment loomed in the background. Could air pollution controls be instituted without sacrificing industrial growth or forcing layoffs was the question various forces had to wrestle with.

At the same time, implementation of the Clean Air Act had its own set of problems for local governments.

For most urban areas, the automobile is the prime polluter. While the 1970 act addressed the problem by prescribing automobile emission standards, the auto industry repeatedly requested and received delays from Congress and the Environmental Protection Agency (EPA).

And because automobile pollution was so devestating in many communities, EPA was forced to issue extensive regulations to control automobile use indirectly and, thus, reduce increasing pollution levels. In turn, local governments were forced to implement transportation controls, indirect source review programs and parking management resolutions.

Additionally, local governments were concerned about the approaching 1977 deadline when clean air standards were supposed to be achieved nationwide. Unless these were achieved, local governments worried that no new industries would be permitted into polluted areas.

History

The history of the Clean Air Act starts many years before actual passage of the law. Efforts to reduce air pollution were initiated several times—in 1955, 1963, and 1967—but these were token attempts. Only voluntary compliance with air quality standards was required before 1970, and this hardly made a dent in the growing pollution problem.

In 1970, Congress finally decided to tackle writing a piece of legislation which would require compliance with air quality standards and take public health into consideration. The 1970 Clean Air Act did exactly that by targeting May 31, 1975 as the date by which all air in the country had to be safe for every human being to breathe.

The 1970 act mandated the administrator of EPA to set primary and secondary ambient air quality standards. The primary standard was to protect public health with a margin for safety. The secondary standard was to be stringent enough to protect public welfare and vegetation.

States were also required to develop implementation plans for their enforcement. These came to be known as state implementation plans (SIPs).

In addition, automobile emission standards were established for hydrocarbons, carbon monoxide, and nitrogen oxide.

The purpose of the 1970 act included the words "to protect and enhance the quality" of our nation's air resources. In 1974 the Sierra Club filed a suit which claimed that the air was not being "protected and enhanced." The courts interpreted that "to protect and enhance" meant that there should be efforts made to "prevent the significant deterioration" of air quality, especially in National Parks.

In response to the court case, EPA established the system of classes for the prevention of significant deterioration: Class 1 was established as the pristine class where little or no deterioration would be tolerated; Class 2 allowed moderate degradation in air quality; and Class 3 allowed the largest amount of pollution in order to accommodate industrial growth.

The amendments

The 1977 amendments to the Clean Air Act include many strengthening provisions, especially in the prevention of significant deterioration (PSD) section, but also include weakening provisions, such as the exemptions for nonferrous smelters and the control of indirect sources (shopping centers, parking lots). Many of the attainment dates were pushed forward: the 1975 attainment date for primary and secondary standards is now 1982 (with a possible extension to 1987).

The schedule set forth in the law for the auto emission standards is the following:

	Hydrocarbons g/m	Carbon Monoxide g/m	Nitrogen Oxide g/m
1978	1.5	15.	2.0
1979	1.5	15	2.0
1980	.41	7.0	2.0
1981	.41	3.4*	1.0**

*Possible waiver to 7 g/m for two years
**Innovative or diesel waiver to 1.5

In addition, the Clean Air Act of 1970 required achievement of statutory standards by 1975. Amendments adopted in 1974 allowed final standards to be met in 1978. These amendments not only postpone final compliance date but have relaxed the final nitrogen oxide standard from .4 grams per mile to 1 gram per mile.

The 1977 version of the Clean Air Act is a vast and confusing piece of legislation. Because of the increased role local governments have in the fight to clean up the air, however, it is important that local officials who are responsible for implementation of the act have a good understanding of both their responsibilities and their opportunities to help clean up the air.

BARE FACTS

SIP revision: division of responsibility

The state implementation plan (SIP) is the major vehicle state and local governments will be required to use in efforts to meet air quality standards set by Congress in August of 1977.

The SIP is a complicated formula of emission limitations for stationary sources, transportation control plans, land use plans, growth projections and any other tools which can be used to reduce the amount of emissions in a particular area.

According to the 1977 amendments, states, with the help of local government, must meet the federal ambient air quality standards by 1982. For carbon monoxide (CO) and other oxidants, the deadline can be extended until 1987 but only after rigid demonstration that such an extension is necessary. The revised state implementation plan must be submitted by Jan. 1, 1979; otherwise EPA is required to apply sanctions, like withholding air pollution or highway funds.

Much of the decision on whether a revised SIP will be approved depends on whether the SIP shows attainment of the standards as "expeditiously as practicable" and shows "reasonable further progress." These two particular terms are defined in the law to mean annual reductions in the total amount of emissions present in a region which has not attained air quality standards.

If EPA finds that a SIP does not show "reasonable further progress or does not take steps to meet the 1982 or 1987 standard as expeditiously as practicable," EPA will reject the state SIP and issue one of its own.

If a state requests EPA to approve an attainment date of 1987, it must submit a plan in 1979 requiring implementation of all reasonably available control measures (those items listed under Section 108 Transportation Planning which could possibly be included in a state implementation plan, i.e., vehicle inspection maintenance plan).

In addition, the plan must include other measures above and beyond those that may not be reasonably available, but which are necessary to meet the 1987 date. The state does not have to make a commitment to these later measures in the 1979 plan submission, but must do so in the 1982 plan to attain the standards by 1987.

A state with nonattainment areas may adopt the California emissions standards for automobiles if it has adopted a revised SIP—and have given the auto industry at least a two-year notice before the introduction of the model year vehicle to which the standards apply.

The process for revising a state implementation plan

One of the major changes between the 1977 amendments and the 1970 act is the fact that Congress gave local governments a much larger and, in fact, a major role in the planning of the SIP. Many of the requirements under Section 172, such as transportation control plans or specific emission limitations for various kinds of plants (stationary sources), will have to be designed and/or implemented by local governments. This could pose a difficult problem since many local governments have not had these kind of responsibilities and may not have the resources to perform the way the 1977 act requires.

Section 174 of the 1977 amendments spells out exactly how the revision process is to take place. Congress intended that there be a division of responsibility for the SIP revision between state and local governments. Before local governments can properly participate in this process, however, they must have a good understanding of the major elements required in the SIP under Section 172. These include:

- **Evidence that there was reasonable notice and adequate public participation through public hearings prior to the adoption of the plan;**
- **The use of reasonable available control measures;**
- **An itnerim requirement for "reasonable further progress," of an annual incremental reduction of pollutants in order to provide for attainment of the standards by the appropriate date;**
- **An inventory of actual emissions;**
- **Construction permits for all new stationary sources;**
- **Identification of manpower and financial resources necessary to carry out the plan;**
- **A list of emissions limitations, schedules of compliance and such other measures which are necessary to meet the requirements;**
- **Proper evidence of public local government and state legislative involvement and consultation in accordance with the consultation section of this provision;**
- **Evidence that the state, general purpose local government or governments or a regional agency designated by general purpose local governments have adopted the necessary requirements of the plan.**

Division and responsibilities

A final determination of responsibilities for implementing each element of the SIP will be included in each state's submission by Jan. 1, 1979. This determination will in many cases be a modification of the initial division of responsibilities between states and local governments.

The date for both initial division of responsibilities and local designation of a planning organization was Feb. 7.

If by Feb. 7 there has been no agreement, the governor "after consultation" with elected officials of local governments has until April 1 to designate an organization of elected officials of local governments in the area or a state agency to prepare such a plan.

The law states that "where feasible" this organization should be the metropolitan planning organization or the organization responsible for the air quality maintenance planning process. This joint process of planning is to be continued throughout the revision of the SIP. Evidence of state and local government involvement and consultation is required as part of the revised SIP to be submitted to EPA by Jan. 1, 1979.

The actual designation of a lead planning agency, in addition to the division of responsibility, has been a difficult task. Agreement by local governments on a local planning agency reportedly has taken place in very few areas of the country.

County officials should realize that Section 174, aside from assigning particular responsibilities to county governments, provides officials with a strong opportunity to become involved in the planning process, and to make sure that county interests are protected properly. Section 174 provides the initiative for county officials to actively participate.

Criteria for a lead planning organization

Section 174 states that where feasible the organization designated by the governor should be either the Metropolitan Planning Organization (MPO) or the agency responsible for the air quality maintenance planning process. EPA suggests the following criteria for this organization:

- Membership should include elected officials (though not limited to) of the local governments having jurisdiction in the nonattainment areas.
- The organization should have a planning jurisdiction that includes the urban portion of the nonattainment area.
- The organization should have the capability to produce the SIP on Jan. 1, 1979.

Important dates

Feb. 7, 1978: Joint determination of responsibilities. Each state must submit to EPA a division of responsibilities for planning, implementing, and enforcing the revised SIP; it should specify which level of government, i.e. state, local, or regional agencies, will have which responsibilities. (This is an initial division of responsibilities which may be modified in the revised SIP submittal on Jan. 1,1 979.) This division of responsibilities is a joint effort: The state must initially present the opportunity to local government to agree to a division of responsibility. EPA suggests that the state set up task force meetings, public meetings, or hearings to involve local elected officials.

Feb. 7, 1978: Local designation of a planning organization. Local elected officials have until this date to meet and designate a planning organization responsible for revising their area's portion of the SIP by Jan. 1, 1979. The law suggests that the SIP planning organization be the organization that conducts the continuing, cooperative, and comprehensive transportation planning process for the area or the organization responsible for the air quality maintenance planning process.

The governor of the state must certify the locally designated planning organization to EPA by April 1. If the designated planning organization meets the above criteria, certification should be automatic.

April 1, 1978: State designation of a planning organization. If local governments have not designated an organization by Feb. 7, 1978, the governor must do so by April 1, in consultation with local elected officials. State consultation with local officials should include notice and an opportunity to express their views. If local governments have begun, but not completed, their own designation of a planning organization by February 1978, the governor must take this local ongoing process into consideration in designating the planning organization.

Jan. 1, 1979: Submission of a revised SIP. The designated planning organization must begin its work by April 1, 1978 so that the revised SIP can be submitted to EPA by Jan. 1, 1979 for approval.

If your county's elected officials or their designees are not involved in these processes already, you should immediately contact the governor's office or the state air pollution control agency to determine the status of these processes for your area.

Right now!

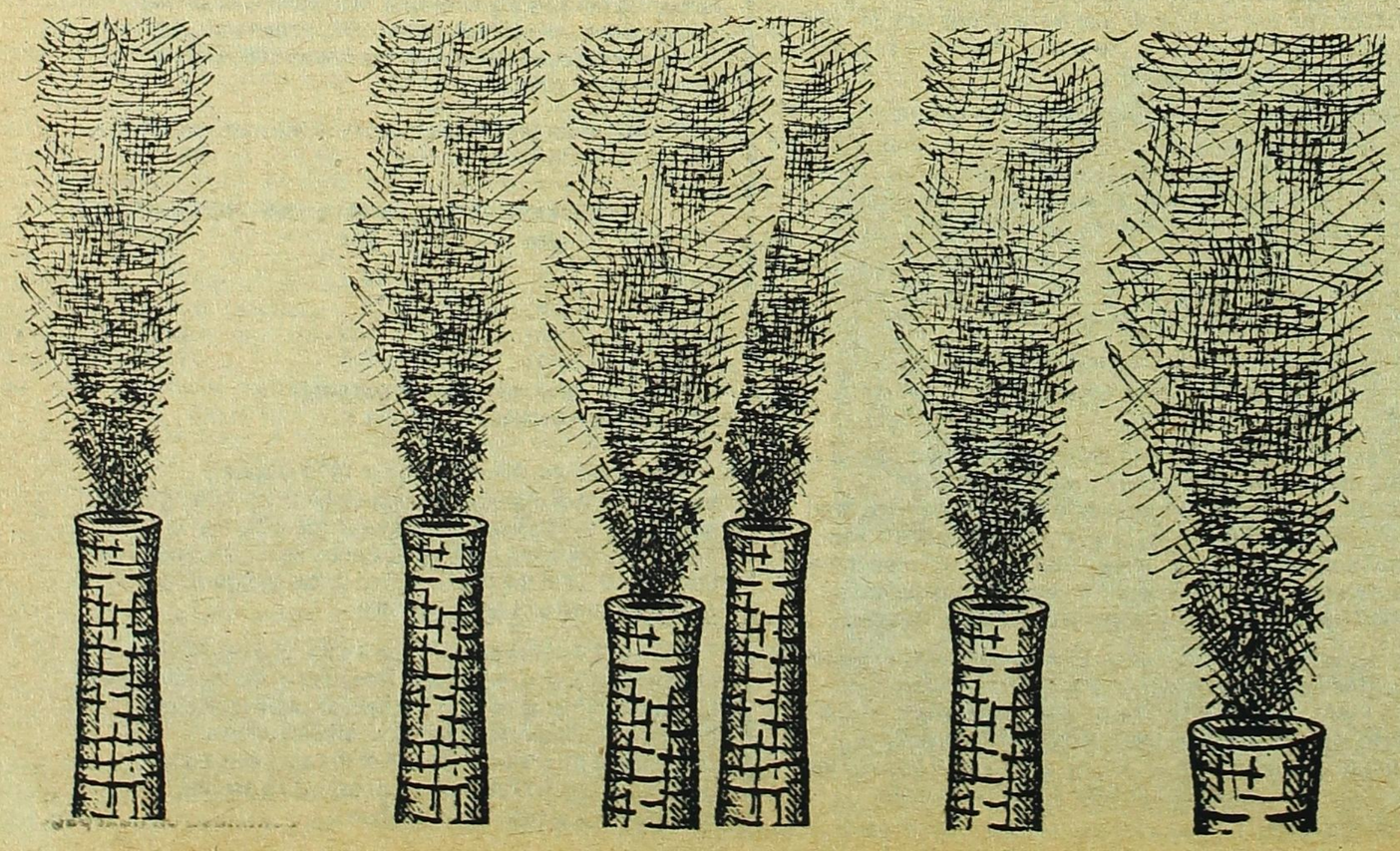
County officials should have by now divided up responsibilities. Those responsibilities should be confirmed through a formal memorandum of understanding.

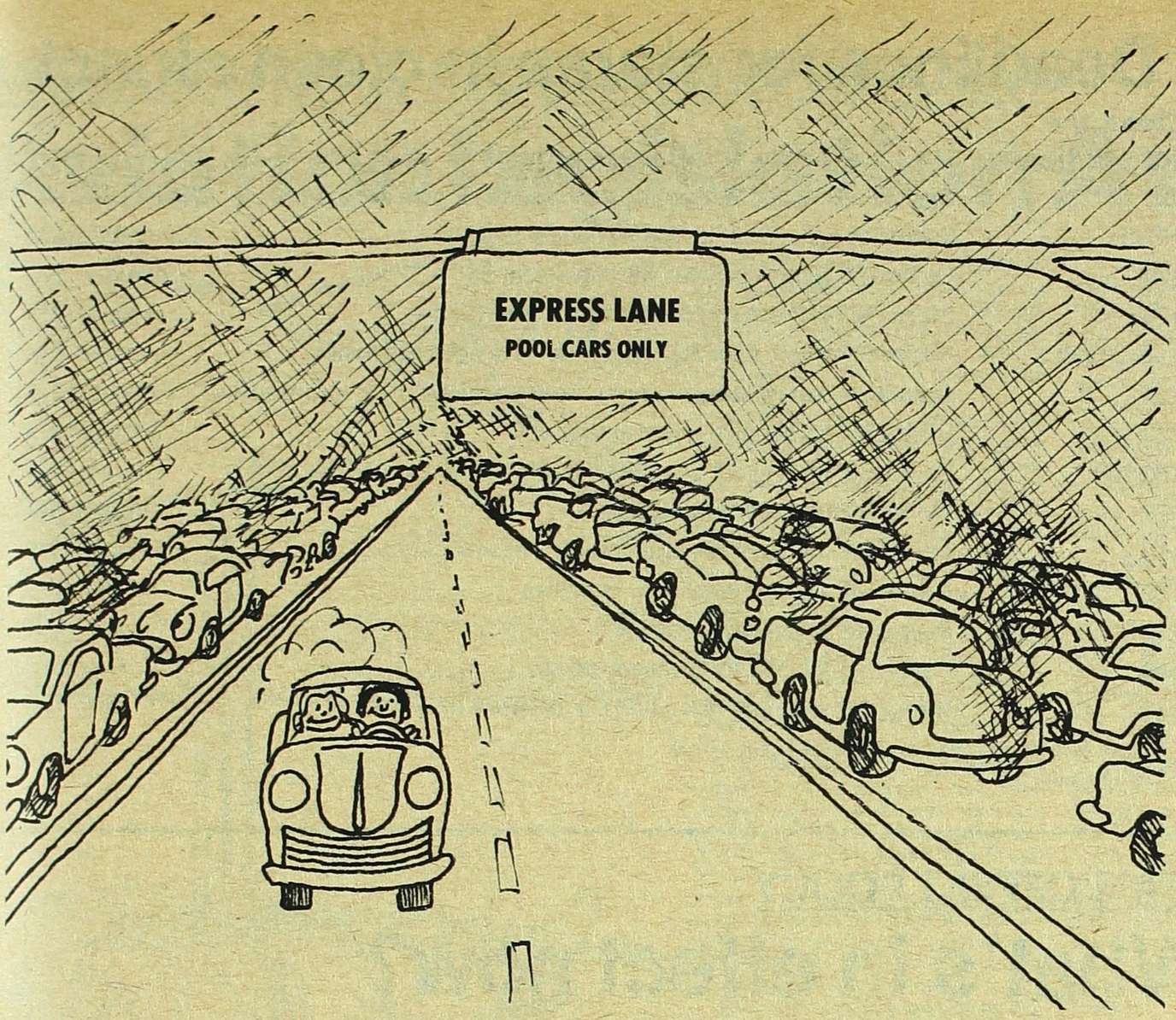
The following are examples of where designation has already taken place.

- **Washington, D.C.** The Washington Council on Governments (COG) has asked that it be appointed as the lead planning organization for this particular nonattainment area. This was done through a formal resolution, and accepted recently.

- **San Francisco Bay area.** The Association of Bay Area Governments has been designated as the lead planning organization for Sonoma, Napa, Solano, Contra Costa, Alameda, Santa Clara, San Mateo, Marin, and San Palilo Counties. ABAG has already completed a "Draft Environment Management Plan" for this area which includes requirements for the state implementation plan as specified in the 1977 act. A memorandum of understanding regarding the division of responsibilities has been drawn up and is being presented shortly to the ABAG board.

- **Montgomery County, Ohio.** In the Dayton area there are three agencies involved in air quality planning: a five-county air pollution control agency; the metropolitan planning organization for transportation; and the Miami Valley Regional Planning Commission. The three agencies have developed a tentative arrangement under which each will assume responsibility for revising its part of the SIP. Financial resources will be allocated among the three according to this division of responsibility. The Miami Valley Regional Planning Commission, which has responsibility for land use planning assistance, water quality management planning, and other regional planning activities, has been designated the lead planning agency under this agreement.





Consultation (Section 121)

One of the most important purposes of this section is to provide for continuing state consultation with local governments throughout the planning and implementation of the 1977 clean air amendments. Section 121 provisions are more broad-based and general than the specific consultation requirements outlined in Section 174 for the revision of the state implementation plan.

Under this section, as the state is carrying out the requirements of the act regarding the implementation of plans for:

- Transportation controls,
- Air quality maintenance programs,
- Preconstruction reviews of direct sources of air pollution,
- Nonattainment areas,
- Prevention of significant deterioration,
- Certain enforcement orders (such as compliance or coal conversion),

it must provide a "satisfactory process" of consultation with general purpose local governments and designated organizations of elected officials of local governments.

Under the law, a petition for judicial review of these consultation regulations may only be initiated if a "general purposed unit of local government, regional agency, or council of governments" feels that it is adversely affected.

The continuing intergovernmental consultation requirements may serve as the checkpoints for local governments to ensure that state governments are properly involving locals.

The state should consult you

According to EPA guidelines, states must "ensure the involvement" of:

- **State agencies responsible for air pollution control, transportation planning, energy planning, or water quality management.**
- **Federal land managers having authority over lands affected by SIPs.**
- **Local agencies such as air pollution control agencies.**
- **Section 208 agencies responsible for areawide water quality management planning.**
- **Comprehensive planning agencies established under the Housing and Urban Development Act of 1974.**
- **Urban transportation planning agencies established under the Federal Air Highway Act of 1962, as amended, and the Urban Mass Transportation Act of 1964, as amended.**
- **Planning agencies designated under the Coastal Zone Management Act of 1972, as amended.**
- **Solid Waste Management agencies designated under the Resource Conservation and Recovery Act of 1976.**
- **Clearinghouses established under Office of Management and Budget.**

In addition to the involvement of those state and local agencies listed, certain procedures are required for this consultation process such as use of common data bases, general coordination, and incorporation of air quality as a factor in other planning programs (Section 51.242). Transportation, land management, water quality management, solid waste management, and other environmental management systems have to be examined in relationship to state regional and local programs (Section 51.242). The transmittal of this information regarding due consultation process to local and regional agencies by the state is required.

What EPA guidelines say

Although EPA has already issued guidelines for the specific consultation requirements of Section 174, regulations covering general consultation requirements in Section 121 for several key parts of the new law are not in final form.

At a January air task force meeting with members of NACo and representatives from EPA and the Department of Transportation, county officials expressed concern that no consistent definition of consultation has been agreed upon—even in guidelines.

The meeting produced a consensus among state and local representatives that Section 121 regulations should define the objectives of an acceptable consultation process. In an acceptable consultation process, the state should strive for the following objectives:

Objectives of consultation

- Information dissemination to and education of local elected officials.
- Opportunity for local consultation in development of all aspects of the revised SIP, and
- Opportunity for joint determination on key issues in development of the revised SIP (i.e., any issue that requires local enforcement, implementation, or commitment of resources).

Possible techniques which might be employed to achieve these objectives include:

Techniques for consultation

- Letters
- Follow-up telephone calls
- Personal visits
- Use of existing bodies or meetings of local officials' advisory committees of locals.

State air pollution control agencies are the most important source of detailed information on procedures for revising SIPs. County and other local officials should take the initiative in working closely with their surrounding jurisdictions and the state to determine what responsibilities each will assume.

Past history seems to indicate that states, although there are specific requirements in the law to consult, can be extremely lax or fail to comply with federal consultation requirements. County officials need to become involved to further local interests. It is the state's responsibility to actively seek local participation in this consultation process.

Transportation planning

The implementation of transportation control plans is a major requirement of the state implementation plan. County governments will have a major responsibility for enforcement of transportation plans that become part of a SIP.

Background

Under the clean air amendments of 1977, each state is required to develop an SIP that provides for the attainment and maintenance of established air quality standards within the time limits prescribed in the act. If a state fails to submit, an approvable plan, EPA is required to promulgate one of its own.

Controls on stationary sources and the new federal car emissions control program go far toward achieving the air quality standards. However, despite the substantial emission reductions from these controls, many areas are in need of further controls now and in the future if the standards are ever to be achieved and maintained.

Examples of transportation controls

- Motor vehicle emission inspection and maintenance programs.
- Improved public transit.
- Bus lanes, carpool lanes, and areawide carpool systems.
- Programs to limit portions of road surfaces of metropolitan areas to the use of common carriers, both as to time and place.
- Programs for long-range transit improvement.
- Programs to control on-street parking.
- Construction of "park and ride lots," i.e. fringe parking.
- Use of nonmotorized vehicles for pedestrian use.
- Employer participation in programs to encourage carpoling, vanpooling, mass transit, bicycling and walking.
- Programs for secure bicycle storage facilities, bicycle lanes.
- Staggered work hours.
- Road uses charges, tolls, rates to discourage single occupancy automobile trips.
- Programs to control extended idling of vehicles.
- Programs to reduce emissions by improvements in traffic flow.
- Cleaner engines or fuels.
- Retrofit of emission devices on other than light duty vehicles.
- Programs to reduce motor vehicle emissions which are caused by cold start conditions.

EPA, at a recent meeting with NACo and other public interest groups, suggested that those items listed under Section 108 of the Clean Air Act constitute a starting point from which states and local governments can work. This list is not meant to be all inclusive.

Recognizing a need for further controls, the act [Section 110(a)(2)(B)] specifically requires the use of transportation control measures where necessary. As a result of a suit filed by the Natural Resources Defense Council (NRDC v. EPA, 475 F. 2d 968), the U.S. Court of Appeals for the District of Columbia Circuit ordered the EPA administrator to require submission of complete implementation plans, including transportation control measures, during 1973.

The extremely tight time constraints imposed by the court adversely affected the quality of transportation control plans that were produced. Some states decided that it was impossible to produce a plan within the time limit because of manpower and funding shortages, leaving EPA with the responsibility of preparing and promulgating the plans. Other states submitted only partial plans, again leaving EPA with the responsibility of issuing additional measures as necessary for attainment.

Overall, the effect of the court decision was to require extremely hasty adoption and implementation of some very substantial, and in some cases—potentially disruptive—changes in urban transportation systems for which the public and the political process were largely unprepared, and about which they were largely uninformed. By December 1973, EPA had approved or promulgated transportation control measure in all those areas which could show through proper monitoring evidence that they were not meeting the standards.

Many other areas were thought to have similar air quality problems, but adequate monitoring data were not available in 1973.

The implementation phase since December 1973 has produced both successes and failures. There have been various reasons for failing to implement transportation control measures. First, information on the effectiveness, costs, and feasibility of transportation options in 1973 was limited. Time did not allow for the investigation of social and economic effects on a case-by-case basis.

In addition, experience was lacking at all levels of government to plan and implement effective measures. Because of the time restrictions, many of the transportation control requirements could not be adapted to the existing transportation systems, to ongoing planning schedules and

Continued on next page

processes, and to agency budget cycles. Also the 1977 time deadline for achieving health-related national air quality standards did not allow credit for long-range measures such as mass transit improvements. Consequently, both the alternatives considered and the effects analyzed were limited. Perhaps the greatest deficiency was the lack of intergovernmental coordination and citizen participation.

A considerable amount of the opposition to the plans centered on the manner in which the measures were developed and imposed.

The clean air amendments address these deficiencies by requiring locally developed plans which result from the following major processes:

- Extensive agency interaction at all governmental levels
- Involvement of local elected officials, effective public participation.
- Integration with the ongoing DOT planning process to the fullest extent possible.

The amended act also provides for new funding sanctions to ensure both an adequate planning process that includes the above elements [specified in Section 172(b)(9)] and implementation of an approved state implementation plan.

EPA's new transportation planning guidelines describe in detail the elements of an adequate planning process which is intended to correct many of the earlier deficiencies and to assure the submission of an acceptable implementation plan for nonattainment areas.

Is vehicle inspection maintenance reasonably available?

Not only does EPA consider the vehicle inspection maintenance (VIM) program to be reasonably available, but such a program is required if a state submits a SIP with an extension request of 1987.

Implementation of such a program will be difficult for county governments, especially because such a program often requires state legislative action. Timing of the passage of state or local VIM legislation could be important.

At a recent meeting in Washington, EPA stated that there would be $5 million in fiscal '79 available for helping states and cities to implement a VIM. EPA is expected to issue technical information documents by April.

Who does the planning for transportation?

According to the law, the metropolitan planning organization (MPO) or the organization responsible for air quality maintenance planning is also responsible for the transportation planning. Yet, according to draft guidance issued by EPA, the responsibility for most of the transportation planning will rest on the shoulders of the MPO. This partially results from the way the entire SIP revision process is funded.

Although Congress, in Section 175 of the 1977 Clean Air Amendments, authorized $75 million to help counties and cities in the revision of the SIP, the money has not been requested in the Administration's fiscal '79 budget. It may be included in future requests.

The use of the MPO for a major portion of the transportation planning raises several questions:

- Does the MPO have proper local representation?
- If there is integration of air quality planning with transportation planning, as there will most likely be, will the air quality planning get the short shrift?

Although DOT and EPA are attempting to reach an understanding so that transportation planning may proceed, local officials need to be aware of this potentially controversial situation, especially if the MPO in his or her area does not have sufficient local representation. (The contents of this DOT-EPA memorandum of understanding are unknown.)

Recognizing that the composition of the MPO may not include a majority of local elected officials, David Hawkins, the assistant administrator from EPA, offered to help counties in any way he could.

Deadlines for states in clean air act

Clean air act section	Requirement	Date
126	Designate sources that contribute to nonattainment in other states	November 1977
107(D)	Submit designation of air quality control regions	December 1977
174	Determine which agencies will implement SIP	February 1978
128	Submit SIP revision on composition of state boards	August 1978
110(C)(5)(B)	Revise SIP where intercity bridge tolls have been eliminated	August 1978
124	Submit SIP review to ensure fuel conversions will not affect adequacy	August 1978
170-173	Revise SIP for nonattainment areas	January 1979
160-169	Revise SIP for Prevention of Significant Deterioration (SO_2 and TSP)	January 1979*
127	Revise SIP for public notification	January 1979*
110	Revise SIP for new 110 requirements	January 1979*
120	Revise SIP for noncompliance penalties	January 1979**
169A	Revise SIP for visibility protection	May 1980
166	Revise SIP for PSD for Set II pollutants	May 1981*
172	Revise SIP for areas with extension to 1987	July 1982

*State deadline depends upon EPA guidelines
**Not required

EPA'S OFFSET POLICY

What's in effect now?

EPA's offset policy will remain in effect until July 1, 1979 when the revised state implementation plans will take effect. The 1977 Clean Air Act Amendments produced several changes in the original policy announced Dec. 20, 1976. Because of these changes and the fact that the offset policy will be in effect until the revisions of the state implementation plans are completed, it is important that state, municipal, and county officials are aware of the specific provisions of the offset policy and the effect of these provisions on their particular locality.

Requirements for the offset policy

The effect of the EPA offset policy is to encourage industrial growth but not to sacrifice clean air, in other words, a clean growth approach. According to the policy, new sources of air pollution are permitted "only when the new facility employs the very best technology, which is the lowest achievable emission rate (LAER), and when a legally enforceable reduction in pollution emissions elsewhere at the plant site or in the immediate vicinity more than offsets the new emissions, thereby actually improving air quality."

The lowest achievable emission limitation contained in the implementation plan of any state is defined as the stronger of "the most stringent emission limitation contained in the implementation plan of any state, unless the emission limit is not achievable" or the "most stringent emission limit which is achieved in practice."

EPA intends to produce guidelines for LAER by May. The changes which resulted from Congress' consideration of the 1977 amendments concern the baseline which is used for determining emission limitations and the option for a state to seek a waiver from the offset policy with the approval of the EPA administrator. The baseline for determining emission limitations is presently the existing SIP,or, if there is no emission limit for an affected source, the baseline is most "reasonably available control technology" (RACT). The only state where this does not apply is in Ohio where the SIP is still being challenged in the courts.

A state may seek a waiver from the offset policy, providing it maintains the attainment dates, and provides for an annual incremental reduction in its emission schedule. The state must show that it will achieve the same amount of reduction as under the offset policy.

There are still several problems with this policy, however. Often there may not be sources of emissions in the nonattainment area which can be sufficiently reduced. For example, a plant which has cleaned up as much as it possibly can and has plans for a major expansion might not have sufficient emissions to trade-off. This is still a problem which has not entirely been worked out at EPA.

In other cases the policy has worked successfully. In Oklahoma City officials from General Motors asked other stationary sources in the area to cut-down their emissions in order to make room for the new plant. The other sources agreed and paved the way for the location of the new GM plant. In Pennsylvania, when Volkswagon wanted to locate a new factory in a nonattainment area, the company searched for ways to reduce emissions in the area. Unable to find enough emissions from stationary sources, VW persuaded state highway officials to switch from an oil-based asphalt to a nonoil-based asphalt when building roadways, thus cutting down on the emissions of hydrocarbons. Because this was a sufficient reduction, VW was able to locate its plant at its original site.

State and local involvement in the offset policy

A ruling in the **Federal Register** (Vol. 41, No. 246, Dec. 21, 1976) benefited state and/or local reviewing authorities in implementing EPA's offset policy; it is also made very clear that the state or local reviewing authority may go beyond the federal minimum requirements as stated in Section 116 of the 1977 Clean Air Act Amendments. Options such as emission offsets are allowed, "only at the discretion of local and state government."

This same ruling allows local or state governments to consider the best interests of a particular community. The offset policy or a new source may not be in the best interests for a specific community, or there may not be any alternative environmentally sound sites.

In addition to these safeguards, there also is the option for a state or community to initiate an emission offset. According to the regulations: "A state or community which desires that a source locate in its area may commit to reducing emissions from existing sources to sufficiently outweigh the impact of the new source and, thus, open the way for a new source. As with a source initiated emission offsets, the commitment must be something more than one for one."

Reasonably available control technology

RACT documents for stationary sources will be available soon. EPA policy specifies that states will have one year after publication of a RACT guideline to incorporate that guidance in the SIP.

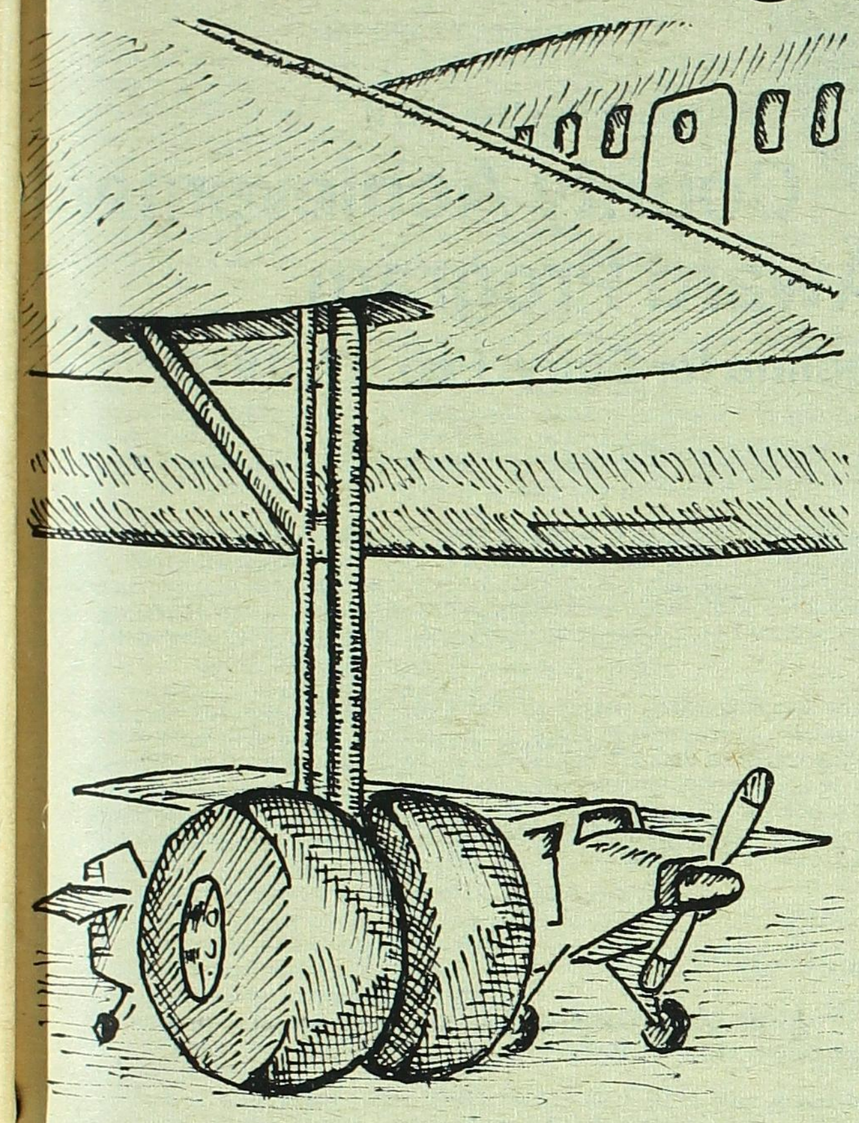
The accommodation of growth

Until the new SIP is approved in July 1979, the major vehicle for dealing with growth in nonattainment areas is the EPA emissions offset policy. Although this policy has been in effect for over a year, it seems evident from the various problems around the country that there is still no consensus as to what is an acceptable offset, and how a state or local government should plan for future offsets. Planning for actual future growth in a nonattainment area is still a new concept. It has been suggested that the growth problem is not just the offset problem but also the smaller sources not covered under the offset policy. However, EPA has stated that the 1979 SIP would have to anticipate further growth. While EPA is undecided about how the rate of growth is related to the attainment date where states receive an extension beyond 1982, it is agency policy that growth rates will be taken into account in determining reasonable further progress before 1982.

The supplement was developed by Chris Ann Goddard, NACoR Air Quality Project, in cooperation with the U.S. Environmental Protection Agency.

AIRCRAFT NOISE, REGULATORY REFORM

Aviation Legislation Awaits Action



WASHINGTON, D.C.—Addressing reports that airline regulatory reform legislation and noise legislation could be combined, Rep. Glenn Anderson (D-Calif.) said that neither issue would be enacted unless Congress approved both this year.

Anderson, chairman of the House aviation subcommittee, in a speech before the Aero Club of Washington, said, "If there is any part of the total aviation legislative package (noise and airline reform) that any one of us wants badly enough, then we had better make up our minds soon to get out there and work for all of it."

NACo supports passage of airline regulatory reform but, more importantly, advocates noise legislation aimed at relieving the large number of people burdened by aircraft noise.

THE NOISE BILL, H.R. 8729, introduced by Anderson, has been marked up by the House Committee on Public Works and Transportation. The three-part bill would significantly increase airport construction grant funds; require enforcement of federal regulations aimed at reducing noise levels of commercial jets; and provide funds for noise abatement planning in and around airports.

The major airline deregulation bill, S. 689, sponsored by Sens. Edward Kennedy (D-Mass.) and Howard Cannon (D-Nev.), would change the basis on which the Civil Aeronautics Board (CAB) approves airline routes. In the House, the major vehicle for airline reform is Anderson's H.R. 8813.

County interests in the proposed noise legislation mirror the three sections of Anderson's bill:

- The Secretary of Transportation would be required to establish a single system of measuring noise, a single system to determine the impact of noise on individuals, and land uses which are compatible with various effects of noise on individuals. Funds would be available to "airport operations for airport noise compatibility planning."
- The proposed legislation would significantly increase funding for the Airport Development Aid Program (ADAP). Funds are estimated to increase $225 million in fiscal '79, and $268 million in fiscal '80. General aviation funds would be increased $35 million in '79 and $42 million in $80.
- The bill would require the Secretary of Transportation to publish a list of commercial aircraft which do not comply with federal regulation, and would further require airlines to state what steps they will take in order to reach compliance. Airlines with noisy aircraft would have the options of retrofitting engines with sound absorbing material, replacing noisy engines or replacing the aircraft.

COUNTIES STAND to gain airline service under the proposed airline regulatory reform legislation and possibly increased revenues through contractual agreements with the airlines.

A key element of the reform legislation centers on airline service to small communities; between 1948 and 1976, 294 communities have lost air service. The current law does not protect small town markets from airlines pulling out. A major reason for carriers leaving these markets has been the move to bigger jets.

Under the proposed legislation, some communities may lose large aircraft service, but as long as there is a demand for air transportation, the gaps are likely to be filled by smaller airlines.

Some local service carriers now receive a subsidy from CAB which is designated to maintain small-town service. The cost of operating large aircraft has made this subsidy more expensive to the government over the years. This increase in costs has encouraged CAB to allow carriers to abandon unprofitable routes. It has been estimated by DOT that commuter airlines could provide the service that is presently subsidized at a fraction of the program's costs.

Pending legislation would change the basis for the subsidy program based on the profitability of the particular route in question. It would allow any carrier who wished to provide the service (including commuter airlines) to receive the subsidy. The federal government would also be required to consult with local officials before approving any changes in service or subsidy. It would also require that alternative service be provided before a carrier is allowed to abandon a route.

Clean Air Workshops Scheduled

WASHINGTON, D.C.—Section 301 of the 1977 Clean Air Act directs the Environmental Protection Agency (EPA) to develop regulations to ensure national consistency in implementing the act.

According to Paul De Falco Jr., administrator for Region 9, EPA will conduct a series of workshops around the country in order to give state and local governments the opportunity to participate in the development of these regulations.

Discussion topics at these workshops will include: compliance schedules for major stationary sources; implementation by the states of new source performance standards that have been delegated; the use of modeling in the prevention of significant deterioration program; and state implementation of the new source review program.

In addition, other subjects for discussion will include:

- Definition of "policy" in broad terms as to content and limitation);
- Variations which have been observed by participating attendees and to which uniformity should be applied;
- Means by which consistency may be attained;
- Variances to consistency which are legitimate because of different characteristics such as geographical, economical and political situations;
- Methods to audit state and regional consistency and implementation of the act.

The schedule for these workshops is as follows: Denver, at the regional office, Feb. 17; Atlanta, March 17; Dallas, April 14; and Boston, May 12.

If county officials wish to attend any of these workshops, they should contact De Falco at the Region 9 office in San Francisco, at 415/556-2320.

SET FOR MARCH 1

Conference on Child Support Enforcement

WASHINGTON, D.C.—Ways of improving the operation and administration of the Child Support Enforcement Program will be discussed by county, state and federal officials at a March 1 conference at the Washington, D.C. Hilton.

Senate Finance Committee Chairman Russell B. Long, a strong supporter of the program, will be the keynote speaker. Health, Education and Welfare (HEW) Secretary Joseph Califano, whose agency is sponsoring the one-day conference, will be present to introduce Sen. Long. State directors will also present summaries of the child support programs in their states.

Collections made by state and local governments under the Child Support Enforcement Program amounted to $818 million in fiscal '77, $214.3 million more than the previous year; while the cost of collecting this sum was $258.8 million. More than $3 was recovered for every dollar spent. The net savings to states and counties came to $175 million, compared to $79 million in 1976.

THE PROGRAM helps locate absent parents who fail to contribute to their children's support. Approximately half of the collections ($409.5 million) were made on behalf of families receiving Aid to Families with Dependent Children (AFDC); the other half were made for non-AFDC families who had applied to local child support agencies for help in finding absent parents. More than 41,000 AFDC cases were either closed or reduced in size in fiscal '77 because of child support collections.

The Child Support Enforcement Program, Title IV-D of the Social Security Act, was passed by Congress in 1974 and has since been amended many times to improve its effectiveness. The program's dual purpose is to improve the quality of life for children who need support and to reduce AFDC rolls and costs by locating and obtaining support payments from absent parents. This program is available to the public at large for a fee based on ability to pay, as well as to AFDC families.

HEW reports that since this program took effect in 1975, $1.6 billion has been collected from absent parents at a total cost to federal, state and local governments of $457 million. It is estimated that 600,000 AFDC families and 400,000 non-AFDC families receive collected support payments.

States and local governments receive a reimbursement of 75 percent from the federal government for costs of establishing paternity and obtaining child support from absent parents. As an incentive states and local governments are allowed to keep 10 percent of the amount collected.

EACH STATE has established a child-support agency, known as the state IV-D agency, where investigators determine the paternity of children born out of wedlock and obtain child support. This function may be performed either by the IV-D agency itself or through cooperative agreements with law enforcement officials. This agency then must establish a Parent Locator Service to find parents who default on child support payments.

Under the law, all child support payments are now made to the state, not directly to the family. When an individual applies for AFDC, she/he must assign the support rights to the state and must agree to cooperate with IV-D officials in establishing paternity when necessary and in obtaining support in order to receive aid.

If a determination is made by a IV-D agency that it would not be in the child's best interests for a recipient to cooperate, then that recipient is excused from the requirement.

Should the state and local parent locator service fail to locate an absent parent, that agency may then apply to HEW's Parent Locator Service, which has access to federal records. The delinquent parent's home address, Social Security number, and most recent place of employment will be forwarded to the state Parent Locator Service.

Each state is obliged to cooperate with other states in order to locate absent parents, establish paternity, and secure support.The Uniform Reciprocal Enforcement of Support Act (URESA) established procedures for states responding to interstate support cases.

URESA LAWS are a means of enforcing a support action when the plaintiff is in one jurisdiction and the defendant is in another. Should a state fail to respond to a URESA action, the case may be taken to a federal court. It must, however, be proven that a reasonable effort has been made to enforce the support order before a case may be submitted to the federal court.

Other means are also used to enforce child support. The Internal Revenue Service is now permitted to collect delinquent child support, when other collection methods have failed. The amounts involved must be over $75 and three months in arrears.

Finally, the law provides for the garnishment of any pay or benefits which a federal worker has accrued in order to enforce a child support obligation.

HEW recently announced that a federal regulation will take effect March 17 which explains in detail the situations where an AFDC parent would be excused from helping to establish paternity or to obtain child support from an absent parent.

—Diane Shust

L.A. County/City Fill CETA Jobs

LOS ANGELES COUNTY, Calif.—About 800 general relief recipients living within the city of Los Angeles will be given jobs in county facilities as a result of a major breakthrough in city/county cooperation.

Los Angeles City Council voted to allocate $4 million of its Comprehensive Employment and Training Act (CETA) funds to the county to finance jobs for persons on welfare, with most of the jobs provided in county hospitals.

UNTIL RECENTLY, this type of project was restricted by federal rules that preclude the use of county CETA funding for employment of Los Angeles city residents. Since both the city and the county are CETA prime sponsors, a formal arrangement was required.

About 450 general relief recipients living outside of the city already have been put to work under the program, initiated in December by Keith Comrie, director, Department of Public Social Services, and his staff.

"Not only will welfare checks be replaced by paychecks for more than 1,200 persons," noted Los Angeles County Supervisor James Hayes, "but county services will be improved because we are augmenting staff in our hospitals and other county agencies."

He estimated that overall savings to county property taxpayers will exceed $3 million in reduced welfare costs.

The Search Is On

Announcing the 1978 County Achievement Award Program

Deadline for Entry: Feb. 17, 1978

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

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

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

I. Historical Background (use exact dates)
- A. Need for program
- B. Responsibility for program development
- C. Role of the county
- D. Role of other governments, civic groups and press (if applicable)
- E. Means of financing
- F. Law under which program exists

II. Summary of Program's Accomplishments

III. Prospects for Future of Program

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

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

1978 New County Achievement Award Entry Form

County_____ State _____

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

_____

_____

_____ _____

Signature

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

_____

Case Study prepared by:

Name _____

Department _____

Title _____

Address _____

Phone Number _____

Date Submitted _____

Please return to:

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

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

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

Matter and Measure

NEW OFFICERS IN OHIO

Robert L. Morrison, Hancock County engineer, was elected president of the County Engineers Association of Ohio, during its annual Joint Winter Convention in December.

Other association officers for 1978 are: first vice president, Donald C. Schramm, Hamilton County engineer; second vice president, Michael Fitas, Mahoning County engineer; and treasurer, Arthur Haddad, Miami County (re-elected). Executive secretary Howard Bovard, former assistant to the director for legislative affairs, Ohio Department of Transportation, was elected to his second term. He replaced M.R. Paul on his retirement.

CALL FOR PAPERS

The Second International Conference on Low-Volume Roads will be held Aug. 20-23, 1979 at Iowa State University, Ames, Iowa. This conference is to facilitate exchange of information on practical aspects of design, construction and operation of low-volume roads. The conference will be planned and conducted by the Transportation Research Board and sponsored by the Agency for International Development and the Federal Highway Administration, in cooperation with other organizations including NACE and NACo.

Papers on the following subjects are solicited for presentation to the conference, for publication or for both. This list is not all inclusive; other appropriate papers will be considered by the conference committee. You may want to consider submitting a paper on bridges.

- Labor-intensive practices in construction and maintenance
- Low average daily traffic with high peak daily traffic
- Seasonal use and vehicle operating costs
- Elimination or handling of queues
- Elimination of lateral corrugation on gravel roads
- Doing more with less (innovations)
- Public works programs (local roads corps)
- Operations (how does a low-volume road system really work?)
- Evaluation (how well does a low-volume road system work?)
- Application of guides (NACE, FHWA, AID)
- Getting the right information into the right hands
- Illustrative case histories (short and to the point)
- Design criteria for low-volume roads
- Safety criteria for low-volume roads
- Design speeds for low-volume roads
- Training needs for highway maintenance in developing counties

Papers will be reviewed in accordance with standard Transportation Research Board practices.

A synopsis of a proposed paper is due by March 1. Mail your synopsis and/or outline to the Second International Conference on Low-Volume Roads, Transportation Research Board, 2101 Constitution Ave., N.W., Washington, D.C. 20418. A synopsis or outline for an informal presentation on a research project, innovative practice or development is also due by March 1.

TRANSIT WORKSHOP

The Urban Mass Transportation Administration (UMTA) is sponsoring a three-day conference on Automated Guideway Transit (AGT) technology research and development in Cambridge, Massachusetts beginning Feb. 28.

The conference is intended to provide a medium for disseminating the results of current AGT research and eliciting comments from the AGT technical community on research requirements.

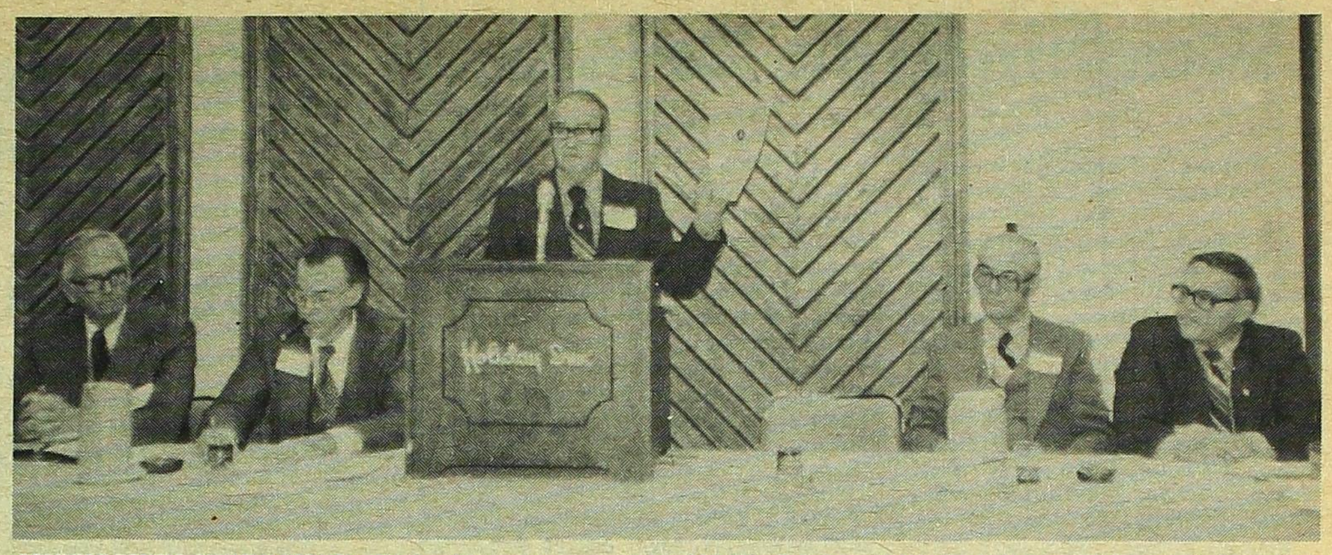
Subjects such as operation experience, system operation control, passenger safety and security, transit innovations, guideway facilities, all weather operation, social and economic factors, and much more are also expected to be covered at the conference.

Contact for information Chita deVillafranca, Transportation Systems Center, DTS-8311, Cambridge, Mass. 02142.

HIGHWAY PHOTOMONTAGE

FHWA will present demonstrations on Highway Photomontage No. 40 this month as follows:

- Feb. 22—Rhode Island Department of Transportation, Providence; contact Frank Perry, chief, Computer Section, (401) 277-2023.
- Feb. 23—Connecticut Department of Transportation, Wethersfield; contact Edward Buiton, chief, Transportation Research Section, (203) 529-7741.
- Feb. 28—North Carolina Department of Transportation, Raleigh; contact Pat Strong, research engineer, (919) 733-3141.



MISSISSIPPI WORKSHOP—Blake Livingston (center), NACE Southeast Region vice president and St. Clair County (Ala.) engineer, discusses NACoR efforts to cut red tape during the Jan. 27 regulations reduction workshop in Hinds County (Jackson), Miss. The workshop was sponsored by the Mississippi Association of County Engineers (MACE) and attracted approximately 50 county, state and federal transportation representatives. Panelists for the session on right-of-way acquisition regulations included, from left: Cliff Farish, assistant office supervisor, Mississippi State Highway Department; William E. Ready, president-elect, National Association of County Civil Attorneys and attorney for the Lauderdale County Board of Supervisors; Joe Lauderdale, president-elect of MACE and county engineer for DeSoto and Tunica counties; and Gerald B. Saunders, chief, FHWA Real Property Acquisition Division.

NOISE TASK FORCE MEETS

How to Control Motorcycles

WASHINGTON, D.C.—The Noise Task Force, a group of county and city officials with experience in noise control programs, held its second meeting here last month. The meeting focused on the source of what is, perhaps, the most annoying and intrusive of all forms of community noise—motorcycles.

The task force is part of the Noise Control Project, an Environmental Protection Agency-funded effort conducted jointly by NACo and the National League of Cities. The project is designed to provide technical assistance and information on noise abatement and control to counties and cities with noise pollution problems, and to provide EPA with advice on the kinds of noise control programs that would best meet the needs of local governments.

NACo TASK FORCE representatives were Jesse Borthwick, director, Noise Control Office, Florida Department of Environmental Regulation; Robert Close, director, Office of Air Quality Management, Nassau County, N.Y.; Andrew Dudash, Advance Programs Office, Oakland County, Mich.; Howard C. Forman, commissioner, Broward County, Fla.; John Hector, supervisor, Noise Pollution Control Section, Oregon Department of Environmental Quality; Alan Magazine, supervisor, Fairfax County, Va.; John W. Spell, industrial hygienist, Noise Pollution Office, St. Louis County, Mo.; and Robert Stone, director, Division of Environmental Health, Orange County, Calif.

Task force members addressed several specific topics during the two-day session, including approaches to quieting excessive motorcycle noise at the local level, how the soon-to-be-proposed federal regulations of motorcycles will affect local motorcycle noise programs, and strategies for building public awareness and support for local programs which deal with quieting excessive noise from motorcycles.

APPROACHES

Since a significant proportion of the loudest noise generated by motorcycles is the result of modified or faulty mufflers and exhaust systems, task force members stressed the importance of strict enforcement of inadequate muffler equipment through nuisance bans and by the adoption of community noise standards for motorcycles. These standards could be verified by quantitative means, preferably a stationary test conducted with a sound-level meter.

The manner in which the motorcycle is used is also a critical factor in the amount of noise that is produced. Therefore, task force members viewed standards, adopted and enforced by the community, as valuable techniques for controlling noise.

Periodic inspections of motorcycles for excessive levels of noise, perhaps conducted as a part of a required safety inspection, were also considered to be effective means of reducing excessive noise. Such inspection stations for noise might also be used to test vehicles which are suspected to be in violation of community noise standards.

Off-road motorcyles present special problems for local governments that want to control noise levels and use. Approaches to solving the problem ranged from a general ban except in approved areas, to allowing general use as long as noise levels at property lines are not exceeded.

PROPOSED FEDERAL REGULATION

The task force spent considerable time addressing the soon-to-be-proposed federal regulations which will govern motorcycles noise emissions. The expected federal action will establish new product standards for noise levels emitted from new motorcycles and exhaust systems. Although the regulations will pre-empt local and state governments from establishing new product standards different from federal levels, the controls on use and operation of motorcycles is left completely in the hands of local government. In fact, if the federal regulations are to achieve their desired effect, it is essential that local governments establish programs which will complement the federal regulations.

The federal regulation will be designed, in part, to assist local government enforcement programs. For example, labels will be included on each new motorcycle manufactured after the new product standard takes effect which will list the stationary noise level the vehicle should generate if maintained properly. Therefore, if local governments wish to pass noise standards based on the level indicated on the EPA label, the levels can be verified with a simple stationary noise test. Also, new motorcycle exhaust systems will be labeled to indicate the brands and types of motorcycles for which the systems are acceptable replacement equipment. It will, therefore, be obvious if regulated motorcycles are fitted with exhaust equipment which is inappropriate or inconsistent with EPA regulation.

PUBLIC AWARENESS

Task force members shared a great deal of information on strategies for building public awareness and support for noise control. The more popular methods discussed were extensive use of media, including radio, TV, and newspapers; developing and implementing curricula in public schools; making the visibility of enforcement effort as high as possible through use of specially marked vehicles and equipment; publicizing police action against violators; and targeting efforts for support at established groups within the community, such as Lions' Clubs, Chambers of Commerce, PTAs, as well as organizations of motorcycle riders.

A report on the task force meeting will be prepared and submitted to EPA, elaborating the points raised in discussion of these and other related topics. If your community is interested in doing something about motorcycle noise, and you would like a copy of the report, contact Don Spangler, Noise Control Project, NACo, 202/785-9577.

Officials of the Mississippi Association of Supervisors, Mississippi Association of County Engineers (MACE) and National Association of County Civil Attorneys (NACCA) participated in the NACoR-MACE Jan. 27 workshop on regulations reduction. From left are: William F. Bowen, president, Mississippi Association of Supervisors and Perry County supervisor; Joe Lauderdale, president-elect, MACE; Jimmy Kemp, MACE president and county engineer for Kemper, Lauderdale, Noxubee and Winston counties; William E. Ready, president-elect, NACCA; and A.J. Foster, presidential assistant, Mississippi Association of Supervisors.

Washington Briefs

• **Welfare Reform.** Subcommittee voted out reform bill. See page 1.

• **Public Assistance Amendments.** H.R. 7200 is expected to come to the Senate floor in March. NACo will continue its efforts to increase the Title XX ceiling and child welfare (Title IV-B) funding.

• **Older Americans Act.** The Senate Human Resources subcommittee on aging has completed its hearings on reauthorization of the Older Americans Act.

• **Transportation.** The Administration's transportation proposals for 1978 were introduced into Congress recently. They would change the way funds are allocated between highways and mass transportation and would consolidate a number of grant programs. Bill sponsors for the proposals are Sens. Lloyd Bentsen (D-Tex.) and Harrison Williams (D-N.J.) and Rep. Harold Johnson (D-Calif.). Because of jurisdictional responsibilities in Congress, Bentsen's bill (S. 2440) pertains to highways; Williams' bill (S. 2441) pertains to public transportation; and Johnson's bill (H.R. 10578) deals with both highways and public transportation programs.

Public Service Strikes Opposed

WASHINGTON, D.C.—Americans are increasingly opposed to the right of police, firefighters and teachers to strike, according to the results of a recent Gallup Poll.

Although a 59 percent majority approves of labor unions in general, a figure which has remained constant since 1973 when the last survey was taken, majorities of these same respondents would prohibit strikes by police officers (61 percent), firefighters (62 percent), and teachers (51 percent).

All of these figures are up from 1973, when disapproval of permitting strikes was 52 percent for police, 55 percent for firefighters, and 48 percent for teachers. Except for teachers, these trends hold true for labor union families, as well as for non-union families and the general public.

The Fourth Annual Labor Relations Conference for Counties, scheduled for April 30-May 2 in Tampa, Fla., will feature discussions on crucial labor relations issues and workshops to develop bargaining skills.

Continued from page 1

WELFARE FISCAL RELIEF IN H.R. 9346

(Thousands of Dollars)

Ala.	$2,180	Nev.	$310
Alaska	370	N.H.	480
Ariz.	1,300	N.J.	6,950
Ark.	1,360	N.M.	920
Calif.	25,240	N.Y.	26,460
Colo.	1,770	N.C.	3,500
Conn.	2,460	N.D.	320
Del.	520	Ohio	7,800
D.C.	1,200	Okla.	1,720
Fla.	3,950	Ore.	2,210
Ga.	2,930	Pa.	11,240
Hawaii	1,130	R.I.	900
Idaho	510	S.C.	1,660
Ill.	11,610	S.D.	450
Ind.	3,080	Tenn.	1,470
Iowa	1,940	Tex.	5,810
Kan.	1,490	Utah	860
Ky.	2,840	Vt.	480
La.	2,490	Va.	2,170
Maine	980	Wash.	2,720
Md.	3,260	W.Va.	1,230
Mass.	7,170	Wis.	4,280
Mich.	10,520	Wyo.	210
Minn.	3,220	Guam	40
Miss.	1,630	P.R.	440
Mo.	3,130	V.I.	30
Mont.	440		
Neb.	820	**Total**	**$187,000**

• **EEOCC Guidelines.** The Uniform Employee Selection Guidelines were published in the *Federal Register* Dec. 30. Interested counties will have a 60-day comment period. The final guidelines are expected to be published in April. A public hearing is scheduled for late February. Interested counties should contact Ann Simpson or Deborah Shulman for more information.

• **Intergovernmental Personnel Act (IPA) 1970.** The House subcommittee for Treasury, postal service and general government, chaired by Rep. Tom Steed (D-Okla.), is tentatively planning to hold hearings on fiscal '79 appropriations March 8. The President's '79 budget proposal is $20 million, which is consistent with the NACo-sponsored level last year. NACo will testify and seek additional funds.

• **Mandatory Retirement (H.R. 5383).** Last year both the House and Senate passed legislation which will prohibit forced retirement before age 70. A conference committee was unsuccessful at working out the differences. Action is expected early this year. No dates have been announced for conference committee activity.

• **Labor Law Revisions (H.R. 8410 and S. 1883).** Both bills are aimed at revising the National Labor Relations Act to make union organizing and contract negotiations easier. The House version was passed Oct. 6. The Senate Human Resources Committee ordered its bill reported on Jan. 25. Senate floor action is scheduled for late March. This bill applies to private sector labor relations. House and Senate will have to work out controversial issues in both bills. Final passage this year is uncertain.

• **Rural Planning Grants.** Rural Development Service has not yet released new regulations and applications for $5 million rural planning grant program. The agency anticipates release this month, with initial grants to be awarded in March. Grants will cover 75 percent of cost for rural planning programs.

• **Rural Development Loans.** House Agriculture subcommittee on conservation and credit will mark up H.R. 8315 in February. NACo opposes provision in legislation that would drop the 5 percent interest rate on water and waste disposal and community facility loans and substitute the prevailing market rate of 9 to 10 percent. The Senate subcommittee on agricultural credit and rural electrification deleted a similar provision, thus maintaining the 5 percent interest rate, during markup of companion bills, S. 312 and S. 2126.

• **Rural Development Policy Act of 1978.** House Agriculture subcommittee on conservation and credit will consider legislation in February to strengthen the role of FmHA. Proposed bill would expedite consolidation of Farmers Home Administration and Rural Development Service, mandate implementation of a federal Rural Development Council under Section 603 of the Rural Development Act of 1972, and expand the Section 111 Rural Planning Grant authorization from $10 million to $50 million.

• **Municipal Securities Disclosure.** Sen. Harrison Williams (D-N.J.) has introduced S. 2339, the Municipal Securities Full Disclosure Act of 1977. The legislation, amending the Securities Exchange Act of 1934, would require all governments to issue annual reports and distribution documents when issuing municipal securities. Senate Banking and Housing and Urban Affairs Committee will schedule hearings early in 1978.

Washington Dialogue

1978 Annual Legislative Conference

March 12-15/Sheraton Park Hotel/Wash., D.C.

Delegates to NACo's 1978 Annual Legislative Conference can both preregister for the conference and reserve hotel space by completing this form and returning it to NACo.

Conference registration fees must accompany this form before hotel reservations will be processed. **Enclose check, official county purchase order or equivalent.** No conference registrations will be made by phone.

Refunds of the registration fee will be made if cancellation is necessary, **provided that written notice is postmarked no later than Feb. 27.**

Conference registration fees:
$95 member $125 non member $50 spouse **(Make payable to NACo)**

Conference Registration

Please print:

Name_____
(Last) (First) (Initial)
County_____ Title_____

Address_____

City_____ State_____ Zip_____ Tele.(_____)_____

Hotel Reservation (Sheraton Park)

Special conference rates will be guaranteed to all delegates whose reservations are **postmarked by Feb. 20.** After that date, available housing will be assigned on a **first come basis.**

Please print:

Occupant's Name_____ Single $32, 35, 38, 41, 43

*Arrival Date/Time_____ Departure Date/Time_____

Occupant's Names_____ Double $42, 45, 48, 51, 53

*Arrival Date/Time_____ Departure Date/Time_____

Send preregistration and hotel reservations to:
National Association of Counties—Legislative Conference
1735 New York Avenue, N.W.
Washington, D.C. 20006
For further **housing information** call NACo Conference Registration Center:
(703) 471-6180

***Hotel reservations are only held until 6 p.m. on the arrival day. If you anticipate arriving near or after that time, list a credit card name and number below to guarantee your first night reservation.**