

County News

NACo - Celebrating 60 years of service to counties!

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Photo by Donald Murray

The crime act and proposals to revise it were a major area of discussion at the annual retreat of NACo's Justice and Public Safety Steering Committee in Lauderdale County, Miss., Jan. 19-21. (l-r) NACo First Vice President Doug Bovin, commissioner, Delta County, Mich.; William E. Ready, esq., past president of the National Association of County Civil Attorneys, who coordinated host activities; New Castle County (Del.) Executive Dennis E. Greenhouse, steering committee chair; William Winter, chair of the U.S. Advisory Commission on Intergovernmental Relations; Carroll County (N.H.) Commissioner Marge Webster; and Forsyth County (N.C.) Commissioner Earline Parmon.

USDOT plans big detour for programs

Spending budgets reduced, programs consolidated, EAS eliminated

By Robert Fogel
associate legislative director

The FY96 transportation budget is marked by two significant developments. First, it reverses the trend of the first two Clinton Administration budgets by calling for a reduction in spending on transportation.

The overall budget request for the Department of Transportation (DOT) is down \$2 billion, from \$38.9 billion to \$36.9 billion. Perhaps even more important to counties, spending on infrastructure programs is reduced by \$2.6 billion, from \$27.5 billion to \$24.9 billion.

Second, included in the budget as part of its program to "reinvent government," the Administration has proposed to totally revamp the federal transportation programs. (See table on page 8.)



The budget cuts are the first installment of a five-year program to reduce transportation spending by \$6.4 billion. DOT was designated as one of the federal agencies which needed to be "reinvented," and the clearest indication of that effort is reflected in budget cuts made possible by reductions in staff, program reductions and eliminations, and pro-

See TRANSPORTATION, page 8

\$10 billion crime block grant passes

By Donald Murray
associate legislative director

By a vote of 238-192, the House of Representatives approved \$10 billion in block grants to local governments contained in H.R. 728, the Local Government Law Enforcement Block Grants Act of 1995. H.R. 728 rewrites key provisions of the 1994 crime act, giving local governments more control and flexibility in spending federal anti-crime funds.

The \$10 billion block grant measure, the last of six separate anti-crime bills the House has acted on this month, replaces \$12.5 billion of authorized programs, including \$4 billion in prevention programs, \$1 billion for drug courts, and \$7.5 billion in remaining community policing funds under the crime act. A seventh bill repealing the ban on assault weapons will be considered

in May.

As amended, the legislation distributes flexible funds to local governments in the form of a block grant. The money can be used for

law enforcement, courts or corrections, or for prevention purposes. A 10 percent cash-match is required.

See DISTRIBUTION, page 7

County officials await new crime bill outcome

By Jill Conley
senior staff writer

Now you see it ... at the end of the last Congress, a hard fought battle for a crime bill ended in victory for a united county and city front.

Now you don't ... six weeks into the new Congress, the House passes a rewrite of the crime bill, replacing a program to place 100,000 police in communities

with a \$10 billion block grant program that may pit counties and cities against each other.

Cuyahoga County (Ohio) Commissioner Mary Boyle says she and her fellow commissioners have been watching Congress closely on the crime bill. "The shock of all shocks is what the grant formula would mean to our county," she says. "Under this formula, the city of

See CRIME BILL, page 5

House Appropriations wants to take back \$15 billion in FY95 funds

By Ralph Tabor
associate legislative director

The House Appropriations Committee has begun to rescind or take back up to \$15 billion in appropriations already approved for FY95. Most of the appropriations subcommittees met this week and approved their portions of the rescissions. The cuts are meant to offset President Clinton's requested supplemental spending request of \$7 billion for emergency earthquake relief for California. Any additional savings would

be used to pay for tax cuts and deficit reduction. The full committee will meet this week and vote on the rescission package. A House floor vote could be scheduled during the week of March 6.

Rescissions approved by appropriations subcommittees affecting counties include:

- a total of \$2.3 billion in Job Training Partnership Act programs including elimination of the summer youth program for 1995 and 1996
- elimination of the \$1.3 billion

See APPROPRIATIONS, page 8

I N S I D E

Armed confrontation between followers of the so-called "county movement" in the West and federal land managers may be in the works over grazing fees.



page 2

The anger being tossed at elected officials isn't because of higher taxes or poor services, it's because citizens, more and more, are doubting the legitimacy of their government.

page 2

NACo's Executive Director Larry Naake examines what the new crime bills mean for counties in "Publisher's Perspective."

page 3

Find out how NACo's priority issues have fared so far in the rapidly moving 104th Congress in a complete report on the action.

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News from the nation's counties _____ page 17

Job market _____ page 19

The credibility gap: a crisis of legitimacy

By Ed Thomas and Jon Pierce

Much lamenting and gnashing of teeth has been heard in recent years about the overwhelming problems facing government at all levels. At the local government level, our primary focus here, the most common refrain has revolved around the twin terrors of unfunded mandates and fiscal scarcity as the root causes of all problems great and small.

Although certainly important, we believe they are symptomatic of a larger and far more vexing problem: a loss of credibility. As Kouzes and Posner point out in their recent book, *Credibility*, credibility is mostly about the "consistency between words and deeds."

Many, we among them, are concerned that the "credibility" problem has reached, or is in danger of reaching, epidemic proportions. This manifests itself in numerous ways: in the increasing reluctance of the citizenry to pass bond referendums, low voter turnout and political participation, increased cynicism and less-than-healthy civic cultures, calls for term and spending limitations, and demand for greater accountability.

The credibility gap is so impor-

THINK PIECE

tant because it goes to the very core and fabric of our governmental system: legitimacy. Legitimacy in this sense refers to the right of the government to exist, govern and act in our behalf. Legitimacy is conferred by the constituent on the government, not the other way around. Credibility is a key component of legitimacy. Without it, legitimacy is eroded and the ability of government to govern is significantly impaired.

Until we have restored credibility, we in government are not going to be able to satisfactorily address any of the major issues facing our communities because our citizens won't let us.

If we are right, how did we get into this fix? What are the causes of this credibility gap? A broad range

of causes have seemingly coalesced to create the situation we now face; some of which are government's doing, but many of which are not. These include:

- expectation inflation resulting from overpromising on the part of government, often designed to sell a program or ensure election or re-election
- the entitlement mentality shared by an increasing portion of society
- a failure of government to "deliver the goods" and satisfy these expectations (realistic as well as unrealistic)
- widespread apathy
- fiscal scarcity
- unfunded mandates
- the inability or, in many cases, unwillingness of government officials to communicate with their constituencies
- the short time perspective of both government and the citizens and the desire for instant gratification
- the increasingly complex, expensive and contentious problems government faces
- an increasingly polarized and fragmented society
- continual government bashing by both those inside (primarily elected officials) and those

outside government

- the media bias toward reporting the "scandal" and the assistance too many governments and officials have given in making these stories easy to write
- the practice of politics of "self-interest" or district interest
- a negative self-image held by those in government
- a misfocused concern with and understanding of accountability resulting in the creation of control mechanisms which erect procedural barriers to efficiency and effectiveness, particularly in the areas of budgeting, personnel and procurement

At the local government level ... the most common refrain has revolved around the twin terrors of unfunded mandates and fiscal scarcity as the root causes of all problems great and small.

- governments are often out of touch with their citizens, and
 - a loss of concern about the common good and an acceptance that greed is good.
- Other contributing causes can certainly be cited and we are sure each of you can add to this list from your own experiences and perspectives.

What the admittedly less-than-exhaustive list above suggests, however, is that there is no quick fix "magic bullet" that will require concerted effort on the part of both government and the general citizenry.

Obviously it is much easier to point out the problem than to prescribe a cure. Nevertheless, we suggest the following as potential remedies to the credibility gap:

- Develop more effective mechanisms for getting the story of government out to the people.
- Commit to and establish terms for educating the public about the complexity of the problems facing government and the ramifications of policy choices.
- Involve the public in a dialogue about the role and future of local government.
- Actively involve citizens in the governance of their communities through such mechanisms as citizens forums and broad-based community strategic planning and visioning processes.
- Ensure that individual councilmembers and council behavior reflects positively on the government and the government.
- Focus on the outcomes of governmental policy and activity rather than on controlling every penny.
- Remove unnecessary barriers so that government employees do their jobs.
- Understand and behave in a manner that shows that we understand that ethics goes beyond the letter of the law.
- Create partnerships with other governmental entities, sectors, private and not-for-profit.
- Foster the development of a healthier civic culture.
- Identify and affirm shared values and commit to focus on common good.
- Look for creative solutions and recognize, to paraphrase Albert Einstein, the solutions of the past have created the problems of today.

Other solutions may hold validity, but whatever the solution or solutions, we should not forget that credibility is not served, it is earned.

(Ed Thomas is director, Jon Pierce is senior public policy associate for the Center for Governance, University of South Carolina. Reprinted with permission from "Local Government Perspectives," Center for Governance.)

Grazing guns showdown possible over federal land policies in West

By Jeff Arnold and Tom Mainwaring

If not resolved, serious disagreement over public land policy in the West may lead to an armed confrontation March 1 or later between federal land managers and proponents of the so-called "county movement," according to federal land managers who met recently.

At issue, federal grazing fees and ordinances adopted by some 400 Western counties. The ordinances require that ranchers pay grazing fees to the county instead of to the federal government for use of public lands.

Grazing fees are due March 1, when ranchers begin to turn out their cattle and sheep for the spring and summer grazing season.

Under existing law, if grazing fees are not paid to the federal government, federal land managers must not allow the livestock to use the public land. If allotments are year-round, livestock must be re-

moved until the fee is paid.

In a meeting with NACo staff, Forest Service officials, Gordon Small, director for lands, and Bertha Gillam, range management director, as well as Interior Department attorney, Paul Smythe, expressed their deep concern over the potential for conflict and possible armed confrontation if federal managers insist on enforcing existing law. According to Small, federal officers have already been threatened and ostracized in their communities.

Their fear is not exaggerated. Catron County, N.M., in the forefront of the county movement, has passed a resolution predicting "much



physical violence" if the government pursues its grazing policy. Catron County received some notoriety last year when it passed an ordinance requiring everyone to carry a gun.

Recent media reports have also suggested the readiness of county-movement adherents to stand up to federal land managers over a variety of related issues.

Commissioner Dick Carver of Nye County, Nev. has confronted armed Forest Service employees with a bulldozer, and threatened to use whatever force necessary to open a road on public lands that he claims as the county's right under law. In a Feb. 21 *Washington Post* article describing Carver's confrontation with the Forest Service last July, Carver explained his actions as "proving our point that they [Forest Service officials] don't have jurisdiction."

On the other side of the issue,

Carl Pence, a deputy forest supervisor for the Gila National Forest, N.M., was quoted in *The Wall Street Journal* last December as predicting, "The tinder is here. It wouldn't take much to set it off."

The question of grazing fees is currently being litigated in a federal district court in Washington, D.C. In *The Hat Ranch* (Otero County, N. M.) v. *Babbitt*, the court will decide whether users of the public rangeland must pay the federal government or follow local ordinances and pay the county.

Counties, which have passed ordinances like Nye County's, assert that these public rangelands belong to the states and counties, not the federal government, and that the federal government has no jurisdiction to collect such fees.

Absent any court decision in the near future, Public Lands Steering Committee Chairman Dave Schmidt, commissioner, Linn County, Ore., warned, "It's time we addressed this problem ... we mustn't let violence carry the day. The only way to solve this problem is to work together to resolve the concerns."

(Jeff Arnold is associate legislative director for public lands. Tom Mainwaring is NACo's Forest Service liaison.)

County News invites Letters to the Editor

If you have a compliment, complaint or different point of view, let us know. Please include a phone number with your letter. Mail or fax to: County News, NACo, 440 First St., N.W., Washington, DC 20001-2080, 202/393-2630.

Publisher's Perspective

Crime Bill II

By Larry Naake
executive director



Larry Naake

vention that will keep people from becoming "bad" in the first place.

This balance, not to mention funding for county-supported programs, has unraveled as the House approved the Republican seven-bill crime package, including one (H.R. 728) that establishes a \$10 billion block grant program.

The block grant would allow counties and cities to use the funds for any function, including prevention, courts and corrections, so long as the program was designed to "reduce crime and improve public safety." The concept of flexibility is an excellent one, but we have three major problems with this new block grant approach.

First, it dramatically shifts funding from prevention programs to punishment programs and destroys that balance we so strongly supported.

The bill would substantially change the law enacted last fall by eliminating three sets of grant programs: \$8.8 billion for hiring new police, \$1 billion for drug courts, and \$4 billion for social programs designed to prevent crime.

Instead, the Republican proposal would authorize a reduced \$10 billion program of block grants to local authorities to be used for the general purpose of reducing crime and improving public safety.

This obviously allows for flexibility, but does substantially reduce the amount of money available for prevention.

However, we are also realists. We know that the world today is not the same as it was before Nov. 8, 1994 and that the \$5 billion for prevention programs has been in jeopardy since that election. There is also great appeal to a block grant program that allows communities to use the funds as needed to solve the crime problem in their jurisdictions, rather than a one-size-fits-all approach from Washington, D.C.

The second, and more serious problem we have with the block grant proposal relates to the allocation formula. Although the situation seems to be changing daily, the formula appears to favor large, central cities to the detriment of counties and smaller cities and communities in urban, suburban and rural areas by basing the allocation on "serious crime" statistics.

In Hamilton County, Ohio, for

example, the city of Cincinnati would receive close to \$5 million under the formula, but the county would receive only \$300,000. Last year, Hamilton County spent \$105.3 million on criminal justice, compared to \$76.3 million for the city of Cincinnati. We believe this is typical of the negative impact of the formula on counties.

NACo supports a formula that would use crime statistics as a basis for determining overall funding by the county geographical unit, and then would use expenditure data to distribute the money within the county.

Finally, we are concerned about this new block grant approach because it damages the partnership between counties and cities in combating crime and developing crime prevention programs.

The criminal justice system should be seamless, with the cities providing community policing and neighborhood programs, and the county providing preventive programs like public health, mental health, drug and alcohol abuse, as well as justice systems services including jails, courts, prosecution and public defense.

Crime Bill II ignores this part-

nership by wiping out the prevention dollars and allocating most of the funds to large, central cities. Crime, drugs and gangs are no longer confined to the central cities but have spread rapidly to our suburban and rural communities as well.

President Clinton, on the other hand, appears to be fighting exclusively for the 100,000 cops he promised during his campaign and is willing to sacrifice everything else in the bill to get them.

He is waging an all-out war on this issue and has threatened to veto any crime bill that does not provide for the additional police. His Administration and congressional Democrats are also attacking the block grant concept because, they say, counties and cities cannot be "trusted" to spend the money wisely and will abuse this flexibility.

Counties and the citizens of America are caught in the middle again, as Congress and the Administration play high-stakes politics over how tough to be on crime, how wasteful prevention programs are, the assault weapons issue, local abuse, and campaign promises.

Those who suffer the most, of course, are the communities waiting for help.

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NACo - Celebrating 60 years of service to counties!

60th

Anniversary

PAST PRESIDENTS: TERMS IN REVIEW



Gil Barrett
NACo Executive Committee
(1968-1975)
NACo President
(1973-1974)

County News continues its celebration of NACo's 60th Anniversary year by featuring the first in a series of interviews with former NACo presidents. The interviews, and other items, will be featured throughout the year, with a special 60th Anniversary supplement planned for the July 17 issue of County News.

The National Association of Counties was founded in 1935, and remains the only association representing the interests of county government on a national level.

CN: When and why did you first become involved with NACo?

Barrett: I really became involved with NACo back in the early '60s because I did not feel that I was benefiting from our state meetings. At that time, while it is no longer true, I felt the meetings were more of a social event. I attended my first Annual NACo Meeting, and after having had the opportunity to meet the staff and outstanding leaders from throughout the nation, I

hoped to become more involved.

It was interesting to have the opportunity to sit down and discuss mutual problems with other elected officials, and you left the meeting feeling that the problems were the same, only the magnitude was different.

CN: During your term, what was the greatest challenge facing NACo ... and the nation's counties?

Barrett: Thinking back about some of the greatest challenges that I have faced during my term I would have to say solid waste and the environment were rapidly moving up in order of importance. Also, urging improvements in our federal highway system, reduction in federal paperwork, and seeking continued support for Revenue Sharing.

CN: What's your favorite memory of NACo?

Barrett: I have many favorite memories of my association with NACo over the years, such as having the opportunity to meet with the nation's leaders at the White House or testifying before Senate and House committees to express NACo's concern either for or against legislation.

In a more humorous vein, on our last night of a trip to Europe where I met with German officials, I had taken some of the staff out to dinner.

As we started to leave, everybody said they would like to have some small souvenir, and one of the secretaries said she had a large purse, and when I next looked around, there was not

a glass bottle left on the table. It was not only a shock to me but a shock to the waiter who came over to clear the table as we were leaving. However, he said it was no problem.

CN: What helped you cope with the demands of national association leadership?

Barrett: When I was president it would have been impossible to cope with the demands of the leadership of NACo were it not for a top quality staff, outstanding officers and a dedicated board of directors.

CN: What would you like to tell today's County News readers?

Barrett: If I were to offer any suggestion to the membership of NACo today, I would say that, paraphrasing the telephone company's advertisement, "Reach Out and Touch Someone," we should seek out people that can furnish the leadership that NACo must have. We have been fortunate over the years, and although I really can't say that I made that great a contribution as president, those who went before me and those who followed have made a great contribution.

I feel, though, that we are in a period in our nation's history in which a lot of good people are unwilling to sacrifice the privacy of their life just for the opportunity to serve in public office. The leadership in this organization is there, but there may come a time in which there is an unwillingness to step forward, and it may be necessary to seek out individuals to serve as officers of the National Association of Counties.

NACo

on the move

◆ As part of the President's Council on Sustainable Development, **Jerome McNeil**, director of environmental programs, traveled to Northampton County, Va., earlier this month. The group was there for a site visit and participated in a community meeting about the county's decision to initiate a sustainable development industrial technologies park.

◆ Assistant Secretary of Labor **Doug Ross** met with **Neil Bomberg**, director of training and employment programs, and **Ed Ferguson**, deputy executive director, Feb. 6, on the local role in job training.

On Feb. 14, **Bomberg** and Research Associate **June Garrett** participated in a meeting of public interest and community-based groups, which received Labor Department grants, where they gave an overview of NACo activities.

◆ **Ingham County (Mich.)** Commissioner **Linda Sims** has been named to the board of directors of the NACo Financial Services Center. She replaces **Clark County (Nev.)** Supervisor **Thalia Dondoro**, who has retired.

◆ Associate Legislative Director **Jeff Arnold** represented NACo at a White House meeting of the Council on Environmental Quality, Feb. 11. Implementation of the Endangered Species Act was the topic of discussion.

◆ At a Treasury Department meeting of the Working Group on Financial Markets, Feb. 8, Public Policy Director **Ralph Tabor** and Corporate Relations Director **Tom Sweet** briefed the group on the impact of the Orange County, Calif. investment losses.

◆ First Vice President **Doug Bovin** was in South Padre Island, Texas, at the Financial Services Center board meeting, Feb. 3-5. Topping the group agenda was the consideration of additional financial services. Also in attendance were Financial Services Center Managing Director **Steve Swendiman** and NACo Executive Director **Larry Naake**.

Bovin then traveled back to his home state for the Michigan Association of Counties legislative meeting in Lansing, Feb. 12-14.

◆ In addition to several meetings with staff on Capitol Hill on fiscal control legislation, Associate Legislative Director **Diane Shea**, earlier this month, met with officials from the EPA on the farm bill, stormwater regulation, and Superfund administrative activities and legislation.

◆ On Feb. 16, Deputy Executive Director **Ed Ferguson** was in Des Moines, Iowa to assist the Iowa State Association of Counties with its search for an executive director.

◆ As part of NACo's activities in celebration of Black History Month, newly elected Prince George's County (Md.) Executive **Wayne K. Cummings**, the first African American to hold that office, spoke to staff on Feb. 14 about the challenges he faced on the road to elected office and in his new position.

◆ **Mary Uyeda**, director of the County Health Policy Project, accepted a position as deputy director of the American Public Welfare Association's Health Unit.

Kenneth Timmer has joined the NACo staff as director of the Management of Information Systems Department.

County News

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Lugar proposes \$15 billion cut in farm subsidies

By Phil Rosenlund
NACo fellow

In testimony before the Senate Budget Committee, Agriculture Committee Chairman Richard Lugar (R-Ind.) laid out a plan that would save \$15 billion over five years in farm subsidies.

Senator Lugar has been raising questions for several months about the need to justify all farm price supports. He circulated a set of more than 50 questions about farm commodity, conservation, export, nutrition and rural development programs. He stated that these questions would be asked at hearings his committee will be holding on the reauthorization of the 1995 farm bill.

His testimony before the Senate budget committee focused on changes in farm income support programs and export subsidies.

To strengthen American agriculture even as we reduce farm subsidies, Lugar proposed that

\$11.45 billion could be saved by reducing the target price on major program crops (wheat, corn, cotton and rice) by three percent a year for five years.

Congress should:

- increase the opportunity for farmers to make planting choices and other land management decisions based on market signals, not government mandates
- enhance continued international competitiveness
- offer program certainty to producers for five years, and
- continue a basic safety net for farm income, given the wide swings of weather and natural disasters.

Senator Lugar proposed that \$11.45 billion could be saved by reducing the target price on major program crops (wheat, corn, cotton and rice) by three percent a year for five years. Another \$3.4

billion could be saved by eliminating the export enhancement program. He claims that the cost subsidy has little impact on the improvement of America's share of the international market.

Target price is a set price nationwide on program crops and varies from year to year. This price determines the government's exposure to making up the difference between the actual crop price and Congress' mandated income-support level. When supplies are high, prices are usually low and the government pays a larger amount per bushel to make up the difference between the two prices.

If Congress is serious about

deficit reduction, then, according to Lugar, his plan is a "down payment" to more responsive government spending.

The senator is not alone in his thinking. Representative Richard K. Armey (R-Texas), the new majority leader, also has denounced price support programs for sugar and peanuts as triumphs of special interests, not the public interest.

On the other side of the issue, Senator Kent Conrad (D-N.D.) sparred with Senator Lugar on his plan of "unilateral disarmament of one of America's most successful institutions."

Senator Conrad stated in testimony before the Budget Committee that "U.S. agriculture is the envy of the world. We enjoy a safe, high-quality, abundant and stable food supply. This is not by accident, but the result of a rationally designed national policy."

"Those who promote free market agriculture policy are not con-

sidering all the factors about how the market actually works," said Conrad. "When a farmer plants his crops, he does not know how much product he will produce or what price he will get for selling it at harvest time. With this uncertainty and the inherent risk of weather, drought and other detrimental factors out of the reach of one's control, leaves Agriculture more vulnerable than other industries."

Conrad did suggest some reform in farm policy is in order. First, use international negotiations to establish a more equitable playing field by reducing the European subsidy. Second, share the burden of maintaining commodity reserves with other nations, and create a worldwide "humanitarian food reserve."

Third, the government should promote value-added processing through the formation of cooperatives and the targeting of farm program benefits to efficient family-sized farms.

CRIME BILL from page 1

Cleveland would be eligible for \$7.5 million, whereas Cuyahoga County would be eligible for only \$830,000. Even though it's the county that has to process all of the felonies in both jurisdictions."

While Boyle is not opposed to the block grant method of distributing funds, she thinks the formula in the rewritten crime bill demonstrates that the House of Representatives doesn't understand the role counties play in the criminal justice system. "We don't generally make arrests, but we incarcerate, prosecute, defend, sentence, provide health care and mental health care services, and run prevention programs," says Boyle whose county spends nearly \$150 million annually on its judicial system. "The old bill recognized that."

Kenosha County (Wis.) Executive John Collins agrees that Congress still needs to be educated about what counties do. "As a rule, the federal government rarely talks about counties," he says. "And often you hear them talking about cities where cities don't even have a role."

But Collins thinks the block grant idea in the new bill could break down some of the obstacles to providing justice and public safety programs — "provided the funding levels remain the same as they were in the first bill."

"I personally always prefer block grants when dealing with the federal government because they allow more local flexibility," he says. After all, "he who has the gold makes the rules."

If Congress is serious about making the rules "it just made yesterday," Collins says he hopes they do it quickly and with as few

strings as possible. "Last year we had a spiffy new program to help us fight the crime in our streets," he says. "Now we're back at the drawing board, which makes it difficult to make long-range plans."

Collins' frustration is echoed by New Castle County (Del.) Executive Dennis Greenhouse, who chairs NACo's Justice and Public Safety Steering Committee.

"After six years of hard work, we finally got a crime bill, and now they're going to change it," he says.

"We understand that it's a new program and that some changes may have to be made," he continued. "We just want to make sure they don't gut it." Especially on the issue of prevention, which was specifically addressed in the first crime bill. "These people who say it's pork," says Greenhouse, "I don't think they've been out in their communities lately."

Marion County (W.Va.) Commissioner Jim Sago echoed the concern for protecting prevention funds. "We have the highest per capita incarceration rate in the world," he says. "It's definitely worth a try to provide programs that offer at-risk youth some productive alternatives. There's a lot of evidence that prevention programs work."

Sago says he was a little offended by recent discussions in the House regarding midnight basketball programs. Marion County offers one from 10 p.m. to midnight on weekends and has found it very successful. "We hear over and over that there are not enough things for kids to do," says Sago. "At least it gets kids off the street and doing something productive."

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Some things don't change

Most communities still endangered on NACo list

By Tom Mainwaring
Forest Service liaison to NACo

What do Portola and Happy Camp Calif.; Escalante, Utah; Elk City, Idaho; Encampment, Wyo.; Mill City and Ukiah, Ore.; Reserve, N.M.; Walden, Colo.; and Troy, Mont. all have in common? They have been designated as "endangered communities" by NACo, and today, they are neither better nor worse than they were when first listed.

NACo's endangered communities are sample communities in danger of "extinction" because of historic dependency on natural resources from federal lands.

Portola, Calif.

Fran Roudebush, Plumas County, Calif., supervisor, indicated that Portola is no better off today than a year ago. Welfare rolls are high. The local hospital, which employs 90 people, may not stay open because of slow payments for its mostly Medicare/Medicaid-eligible patients.

The local community sewage system is under a cease and desist order — which means an eventual mandated new sewage sys-

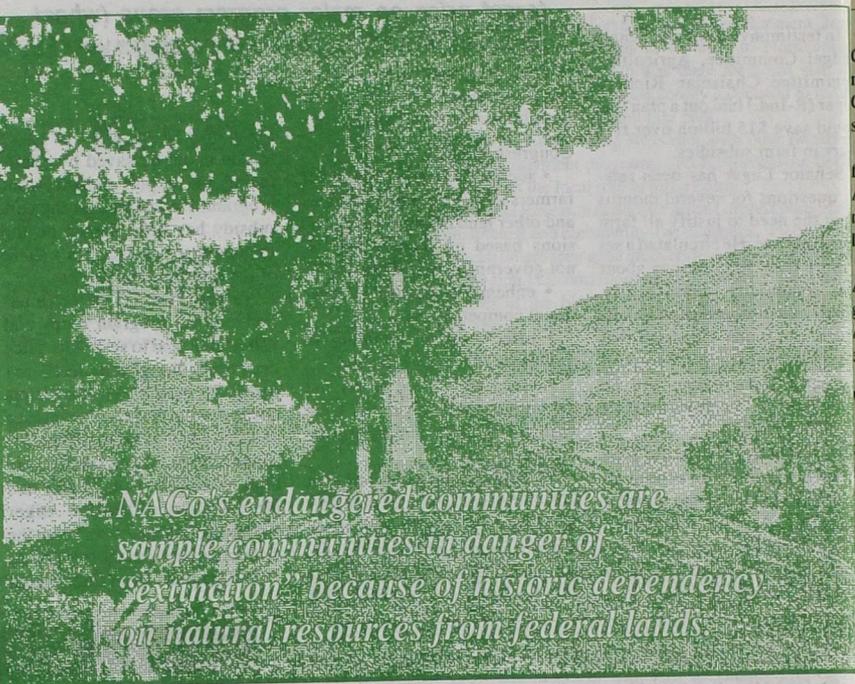
tem with no known way to pay for it. Local schools are full and classrooms are overcrowded. Timber receipts that fund schools and roads are down, and the decreases have adversely affected schools.

On a positive note, a recent grant enabled community leaders to study the potential economic benefits of developing tourism. The study has a side benefit — it is causing people to work together to solve community problems.

Happy Camp, Calif.

Meanwhile, in Happy Camp, Siskiyou County (Calif.) Supervisor George Thackeray reports that economic conditions are far worse today than they were a year ago.

The last operational sawmill and primary employer closed, laying off 80 workers. Local community leaders are trying to refit the mill for use as a value-added wood product facility. So far, there are no buyers. Community leaders are also currently negotiating with the Forest Service for a guaranteed set-aside log volume that would supply the mill. The Forest Service, the other major community employer, continues to reduce its employee ranks,



NACo's endangered communities are sample communities in danger of "extinction" because of historic dependency on natural resources from federal lands.

and although the county has received \$2 million this year under the President's Plan for the Pacific Northwest, not one permanent job has been created,

Thackeray noted.

Escalante, Utah

Louise Liston, Garfield County, Utah commissioner, stated that not much has changed either for Escalante. A 2' x 4' lumber mill was recently sold and its future status is not known. A new hotel was completed last summer with 40 units, and some minimum wage jobs were created, but work is seasonal. Liston reports that a major wilderness study potentially could affect 4.7 million acres in Utah. Wilderness designation would have a major impact on land use in Garfield County since 85 percent of the county is under federal ownership. Governor Michael Leavitt has made resettlement of rural Utah a major priority. The governor's focus is the information super-highway.

Elk City, Idaho

Penny Baldwin, Elk City resident, reported that its current economic status is unchanged, and the future remains uncertain.

A single mill is the primary local employer and is currently operating with one shift and 80 employees. More than half of the current log supply for the mill now comes from private lands, even though Elk City is surrounded by national forest land.

Baldwin said there is approximately 300 million board feet of salvage in surrounding federal lands — but only 1.7 million board feet were sold last year. The 300 million board feet of salvage is enough volume to supply the local sawmill for 20 years.

Baldwin said the recent listing

of the chinook salmon as an endangered species, current proposals to list the bull trout, and proposals to reintroduce the grizzly bear and gray wolf will almost certainly stop all local timber harvesting.

Encampment, Wyo.

Linda Hammer, Encampment town clerk and treasurer, reports very little change in Encampment's economy as well.

The local sawmill remains operational and very dependent on logs supplied from federal lands. Log supply appears adequate in the next three years, but then uncertain.

Hammer said that logs from federal lands were primarily coming from Colorado, not from local sources. The status of the local Forest Service office remains uncertain — a new Forest Service facility is being constructed nearby Saratoga. Hammer speculated the Encampment office would be closed. Although winter tourism continues its importance, local copper mine remains closed and a significant number of local citizens continue to commute outside the area for employment.

Mill City, Ore.

Dave Schmidt, Linn County, Ore. commissioner, stated that Mill City's economy is unchanged and the future looks bleak. Oregon State Department of Environmental Quality may finally issue a rule requiring zero discharge into the Santiam River. This would effectively prohibit

See **ENDANGERED**, page 7

Nearly 60,000 county officials elected nationwide

By Sharon Lawrence
research director

Preliminary statistics gathered in conjunction with the 1992 census of governments reveal that Americans elect 56,390 county officials in their 3,043 counties (see chart).

Leading the way is Iowa with 6,133 county posts subject to voter approval. Trailing far behind in second place is Texas, where 4,491 officials are elected to govern the state's 254 counties. On average, each county in the nation has 18.5 elected officials.

On the opposite end of the spectrum is Hawaii, where only 29 offices come before the voters. Delaware follows closely with only 36 elected county officials. (Note, however, that both states only have three counties.)

These figures compare with 135,580 elected officials in the nation's 19,279 municipalities. Voters elect 18,828 officials to govern the 50 states.

Of the elected county officials identified by the Bureau of the Census, which conducts a comprehensive survey of governments every five years, 17,277 (31 percent) are county commissioners, supervisors or council members. Another 8,413 (15 percent) are members of other governing bodies, such as those that administer dependent school districts (school board members account for

State	No. of Elected Officials	State	No. of Elected Officials
Iowa	6,133	South Carolina	765
Texas	4,491	Montana	657
Tennessee	3,835	Oklahoma	641
Pennsylvania	3,467	North Dakota	631
Illinois	2,398	Colorado	528
Wisconsin	2,313	Idaho	482
California	2,013	West Virginia	461
Arkansas	1,796	Washington	445
Indiana	1,776	Arizona	433
Missouri	1,752	Maryland	323
Kentucky	1,728	Alaska	312
North Carolina	1,665	New Mexico	310
Louisiana	1,622	Oregon	307
Mississippi	1,576	Utah	299
Georgia	1,551	Nevada	284
Ohio	1,429	Wyoming	264
Michigan	1,399	New Jersey	204
New York	1,317	Massachusetts	124
Nebraska	1,064	Maine	110
Minnesota	1,024	Vermont	73
Virginia	989	New Hampshire	72
Kansas	988	Delaware	36
South Dakota	669	Hawaii	29
Florida	837		
Alabama	768	TOTAL	56,390

Source — U.S. Department of Commerce, Bureau of the Census, "1992 Census of Governments, Popularly Elected Officials in 1992, Preliminary Report" (Washington, D.C., United States Department of Commerce, 1994).

1,574 of the total). The remainder are officials such as clerks, coroners, sheriffs and treasurers.

Of the total, 3.1 percent (1,716) are black and 1.7 percent (906) are Hispanic. In addition, 147 elected

officials of American Indian/Alaskan native/Asian Pacific Islander heritage were identified. Twenty-two percent of all county officials are female (the same percentage as reported for municipalities).

Counties make good use of AmeriCorps volunteers

By Herbert Block
AmeriCorps

In September 1993, President Clinton signed the National and Community Service Trust Act, which Congress had passed with bipartisan support.

The act created the Corporation for National Service and the AmeriCorps Program, the new "domestic peace corps," which was launched one year later.

This year, more than 20,000 Americans of all ages and backgrounds will be engaged in AmeriCorps and earn nearly \$4,725 each in education awards.

Working with AmeriCorps

County executives and officials can work with AmeriCorps in several ways:

- Identify service needs and projects in your county for which AmeriCorps members can "get things done." Designate a contact person or agency in county government that can assist in linking resources with AmeriCorps.

- Visit the sites of AmeriCorps programs in your county to learn firsthand of the work being done. This might also be an opportunity to invite press coverage.

- Introduce AmeriCorps programs to local business and founda-

tion leaders in order to foster collaboration to address critical community needs.

- Participate in the intergenerational "National Day of Service" on April 25th during National Volunteer Week.

County AmeriCorps programs

Following are three examples of AmeriCorps programs that are operated by county governments. Many others are run county-wide by non-profit groups.

Counties that are interested in operating an AmeriCorps program should contact their State Commission on National and Community Service.

SLICE—Simpson County, Ky.

AmeriCorps' Service Learning Impacting Children's Education (SLICE Corps) is a unique initiative in a low-income rural community. Twenty AmeriCorps members are teaching reading skills to nearly half of the county's second-grade students and involving their parents in school-related activities.

The goal: Raise reading scores from two levels behind to one level ahead—in one year. In the long-term, the program will improve graduation rates, increase job readiness, expand participation in higher education, and

increase parental involvement.

As of Dec. 31, 1994, AmeriCorps members are working with 118 children on a one-to-one basis. Because of tutoring sessions and individual education plans developed and implemented by AmeriCorps members and classroom teachers, the average spelling test scores have improved 22 percentage points. Additionally, students have shown marked improved self-esteem by their willingness to take risks and tackle new academic challenges.

Magic Maine — San Joaquin County, Calif.

Magic Maine is a national non-profit organization that motivates at-risk middle school students by matching them with elderly people living in local nursing homes. The program, sponsored by the San Joaquin County probation department, helps prevent young people from getting involved with drugs, crime and violence. It also improves the quality of life for the elderly people who share their time and experience with Magic Maine youth. AmeriCorps members serve as team leaders, supervising teams of 15-16 at-risk middle school students during weekly visits to elderly residents' homes.

In San Joaquin County, Magic Maine's nine AmeriCorps members have been the key to the program's

growth. In 1993, the program's first year, Magic Maine sponsored four projects involving some 60 young people and their projects and partners. Now, thanks to AmeriCorps Members, Magic Maine's 41 projects serve 600 youth and 600 elderly residents.

Clinton County Youth Bureau — Clinton County, N.Y.

Clinton County challenged AmeriCorps members to address the county's most critical needs, with a particular emphasis on public safety. Every one of the 10 full-time and 20 part-time AmeriCorps members in Clinton does something different. One member conducts educational workshops at elementary and secondary schools in three counties, teaching school-age children how to keep themselves safe from sexual abuse and date rape. Another member is working with the county's probation department in eight districts, mentoring troubled youth in their schools. A third is teaching parents to select safe, high-quality child care and referring them to local agencies.

Today, six months into the program, Clinton County is ahead of schedule in achieving its first-year goals. The AmeriCorps members have educated 1,500 students about sexual abuse, prevented 30 young people from becoming involved with the

juvenile justice system, and helped more than 200 parents select quality child care.

Grand County Council — Grand County, Utah

Grand County, Utah has AmeriCorps members working to preserve public lands. AmeriCorps members are recruiting and organizing community volunteers to restore the threatened Moab semi-desert habitat and educate the community to help protect the land from future degradation.

The council's nine AmeriCorps members have revegetated 300 acres of land and set up 6,000 feet of rock barriers. They have educated thousands of citizens about their critical role in protecting and preserving public lands. They have reached every high school student in Grand County through an education campaign involving school faculty and administrators and made one-on-one contact with more than 3,000 mountain bikers.

Program applications for 1995 are now available and are due May 1. For applications, call 202/606-5000, ext. 474, or 202/565-2799 (TDD), or fax your name, organization, address and telephone number to 202/565-2785.

For general information on joining AmeriCorps, call 1/800/942-2677.

New pollution prevention/environmental justice grants available

EPA has announced another series of grants to help bring pollution prevention approaches to bear on environmental problems faced by minority and low-income communities.

Grants up to \$100,000 will be awarded, with 10 percent matching funds required for grants exceeding \$50,000. Potential recipients include: local environmental agencies, local service providers, health organizations, non-profit organizations, community groups, tribal governments and academic institutions.

EPA defines pollution prevention as any practice that reduces or eliminates any pollutant prior to recycling, treatment or disposal. It includes any practice that increases the efficiency in the use of raw materials, energy, water or other resources.

EPA is seeking proposals for projects that will encourage institutionalization and innovative use of pollution prevention as the preferred approach for addressing environmental justice issues, and whose activities and products can be applied to other communities. The agency also encourages cooperative efforts with business and industry to address common pollution prevention goals.

Examples of eligible projects include: development and distribution of educational and outreach materials on applying pollution prevention solutions that are expressly

designed for issues faced in particular communities; addressing the impact of pesticides and agricultural chemicals on farmworkers by

supporting alternatives to pesticide and chemical use; and encouraging better use of resources, through energy efficiency, water conservation

or waste reduction in community housing and businesses.

Grants will be awarded through EPA regional offices. For more in-

formation and grant application materials, please contact Naomi Friedman, at NACo, at 202/942-4262.

DISTRIBUTION from page 1

The debate over the block grant program revealed a basic philosophical disagreement between a number of Democratic and Republican leaders as to the role of local government in administering block grant funds.

Democrats charged that sending money directly to local governments without adequate controls could lead to wasteful spending and the misuse of funds. They cited horror stories from the 70s under the now-defunct Law Enforcement Assistance Administration program, when federal funds were used to purchase helicopters and tanks in the name of crime control.

The vote on approval was 50 votes short of the two-thirds majority needed to override a veto by the president. President Clinton has announced that he will veto any measure that jeopardizes his commitment to add 100,000 community police officers.

In addition to criticizing the \$2.5 billion shift in authorizations from prevention and law enforcement programs to prisons, NACo strongly opposed the block grant distribu-

tion formula which targets areas of relative high crime numbers and population.

The formula penalizes most counties since it fails to credit counties for the expenditures they make within high-crime areas. Thus, cities with a high volume of serious crime and population tend to receive most of the funds.

In Hamilton County, Ohio, for example, the city of Cincinnati would receive close to \$5 million under the formula, but the county would receive only \$300,000. Last year, Hamilton County spent \$105.3 million on criminal justice, compared with \$76.3 million for the city of Cincinnati. NACo believes this is typical of the negative impact on counties.

Two former county board members on the Judiciary Committee, Representatives Steve Chabot (R-Ohio) and Zoe Lofgren (D-Calif.), co-authored an amendment that would provide protection for counties who face serious inequities in the formula. The amendment, however, does not modify the formula. It only seeks to rectify major funding disparities.

Nevertheless, the debate on the Chabot-Lofgren amendment was very beneficial since it gave visibility to the formula problem and involved key leaders from both sides of the aisle in floor debate.

Representative Henry Hyde (R-Ill.) maintained that the City of Chicago would receive \$30 million under the formula, but Cook County would get only \$200,000. Hyde said: "There is an anomaly where you have a high-crime-rate city that is within the confines of a county and a shared responsibility for the administration of justice. The housing of the prisoners, the prosecution of the prisoners and all that administrative costs belongs to Cook County."

Under the Chabot-Lofgren amendment, the state's attorney general would be authorized to declare that a problem exists. It would then be up to the city and county to reach a mutually acceptable agreement on the distribution of the funds.

According to Rep. Chabot, "It would be up to the city and the county to work together to come up with an agreement, because

otherwise ... neither would get the money, so it is definitely to their advantage to come up with an agreement. We do not want to dictate exactly what that agreement needs to be, but it is in both of their interests."

NACo has suggested a two-part process for improving the formula. The first part of the process would compare, courts by county, serious crime numbers within a given state. Then criminal justice expenditure data would be used to determine the distribution ratio among units of local government within county boundaries.

The expenditure data under NACo's formulation would include all activities related to the criminal justice system: law enforcement, courts and corrections, and health and human service programs directly related to the criminal justice system.

Action now shifts to the Senate where the development of the formula will be a key issue pressed by NACo. The Senate is expected to hold a series of hearings on its version of the crime bill during the next several weeks.

PROPOSED TRANSPORTATION MAKEOVER

UNIFIED TRANSPORTATION INFRASTRUCTURE INVESTMENT PROGRAM

Transportation infrastructure programs previously funded through separate highway, transit, aviation and rail grants will be replaced by a single program called the Unified Transportation Infrastructure Investment Program (UTIIP), funded at \$24 billion. There are a number of programs which will be funded under UTIIP, and below are listed those of most concern to county governments.

UNIFIED ALLOCATION GRANT

This new program provides \$10 billion for FY96 to states, and most likely metropolitan areas, for spending on highway, bridge, mass transit and rail projects. This program replaces most of the programs which presently provide counties with federal transportation grants. All funding would be from the highway, mass transit and aviation trust funds.

DISCRETIONARY GRANTS

This is a new program which would be funded at \$1 billion for FY96 to fund projects of special regional or national significance. Examples of these projects include high-speed rail and regional freight corridors.

STATE INFRASTRUCTURE BANKS

This new program would be capitalized at \$2 billion for FY96 to allow states and local governments to more easily leverage public and private resources for transportation infrastructure.

NATIONAL HIGHWAY SYSTEM/ INTERSTATE MAINTENANCE

This separate program would provide \$8 billion for FY96 for the National Highway System and the Interstate Maintenance Program. These funds would go to the states and would not, except in very unusual circumstances, be eligible to be spent on county highways.

TRANSIT OPERATING ASSISTANCE

This separate program would provide \$500 million for FY96 for transit operating assistance and would go to the local governments which own the transit systems.

AMTRAK

This separate program would provide \$750 million in funding for the national passenger rail program.

FEDERAL HIGHWAY PROGRAM

Highway programs for which counties are generally eligible would all be rolled into the \$10 billion Unified Allocation Grant. These include the Surface Transportation Program, the Federal Bridge Program, and the Congestion Mitigation and Air Quality Improvement Program. The National Highway System and Interstate Maintenance Program would receive \$8 billion under UTIIP outside of this block grant. All of this compares with the current funding level of \$17.2 billion for the federal highway program.

TRANSIT PROGRAM

Direct funding for the Section 9 capital program, the Section 18 rural transit program and the Section 3 discretionary program is eliminated and would all be included in the \$10 billion Unified Allocation Program. The Section 9 transit operating assistance would remain outside of this block grant and is proposed to be funded at \$500 million, a cut of \$210 million from its current level of \$710 million. This cut could lead to fare increases and/or service reductions. All of this contrasts with current transit funding of \$4.6 billion.

AVIATION

The most significant aviation program for counties is the Airport Improvement Program (AIP), which provides funding for public airports to undertake capital improvements such as runways and terminals. Currently funded at \$1.45 billion, this program, which provides money directly to counties, would have its funding eliminated and be made part of the Unified Allocation Program.

The Essential Air Service (EAS) Program, currently funded at \$33 million, is targeted for elimination. While having no impact on the FY96 budget, the Administration has also proposed moving the air traffic control system to a government corporation.

RAIL

Amtrak, a program which interests some counties, is included under UTIIP as a separate item and is funded at \$750 million, down from its current level of \$772 million. The Local Rail Freight Assistance program, which provides subsidies to continue rail service and is currently funded at \$17 million, would receive no money in the budget but would be included in the Unified Allocation Grant.

RESCISSIONS

The Administration would rescind \$13 billion of unobligated balances in the Local Rail Freight Assistance Program and \$7.7 million in unobligated balances in the EAS Program. The Administration also proposes to cancel a total of \$400 million in unobligated balances for highway demonstration projects.

TRANSPORTATION from page 1

gram consolidation.

Under the tag of "reinventing government," DOT has proposed consolidating 30 grant programs into a single Unified Transportation Infrastructure Investment Program (UTIIP).

Under this program, there will be three new programs: 1) Unified Transportation Grants to states and local governments which could be used for a broad range of transportation investments, including highways, bridges, mass transit, airport and rail facilities; 2) Discretionary Grants to fund projects of special regional or national significance; and 3) State Infrastructure Banks.

These programs would replace most of the federal highway and transit infrastructure grant programs funded by the Intermodal Surface Transportation Efficiency Act (ISTEA) and the Airport Improvement Program.

There also would be a separate funding category for the National Highway System/Interstate Maintenance Program, transit operating assistance and Amtrak. The only program actually targeted for elimination is the Essential Air Service Program, which subsidizes air carriers serving small and rural communities.

Counties significantly affected

Because counties have major transportation responsibilities, they have several reasons to be concerned about the Administration's transportation budget and reorganization proposal.

First, the Unified Allocation Grant seems to "block grant" a number of programs that presently go directly to counties. The mass transit and airport improvement programs, which are currently direct grants to counties, would be merged into the Unified Allocation Grant. Other programs, such as the Bridge Program and the Surface Transportation Program, which are used to fund county projects, would also be merged into this "super block grant." Depending on who decides how the block grant is allocated, it seems possible that counties could receive less federal funds and that facilities like airports

and transit systems, which had a dependable source of funding, could no longer depend on a reliable funding stream.

Second, overall spending for transportation infrastructure is reduced. In addition, it appears as if the Unified Allocation Grant, the one pot of money which counties could access for their highway, bridge, transit and aviation projects, represents a small overall percentage of the available grant money than under the existing program structure.

It has been estimated that this \$10 billion program has been substituted for the nearly \$15 billion that is currently being spent on programs projected to be part of the Unified Allocation Grant. Conversely, the budget proposes to spend \$8 billion on the National Highway System/Interstate Maintenance Program, which counties are not eligible for, which is an increase of \$1.3 billion above current spending levels.

Third, the Administration's proposal seems to merge together various transportation trust funds. This potentially means that highway trust fund money could fund airport projects, while the aviation trust fund could fund rail projects.

Congress lukewarm to plan

The Administration's budget is likely to have a lukewarm reception in Congress. There are some who will think that the overall budget needs to be cut more and others who will have substantially different spending priorities than proposed by the Administration.

Regarding the restructuring proposal, it is unlikely that it will give serious consideration this year unless Congress decides that the problems with the existing transportation grant programs are so serious that they need to be acted upon immediately. ISTEA is not scheduled for reauthorization until FY97 and aviation programs are scheduled for reauthorization next year.

From NACo's point of view, ISTEA is finally up and operating and counties are understanding and participating in the program. It would seem unwise and untimely to make the dramatic changes in the program that the Administration has proposed.

APPROPRIATIONS from page 1

program for Low-Income Home Energy Assistance

- reduction of \$105 million in the Head Start Program
- elimination of \$482 million for drug-free schools

- reduction of \$25 million in the Women, Infants and Children's (WIC) feeding program
- elimination of rural health outreach, rural hospital transition and state rural health offices, totaling \$47 million

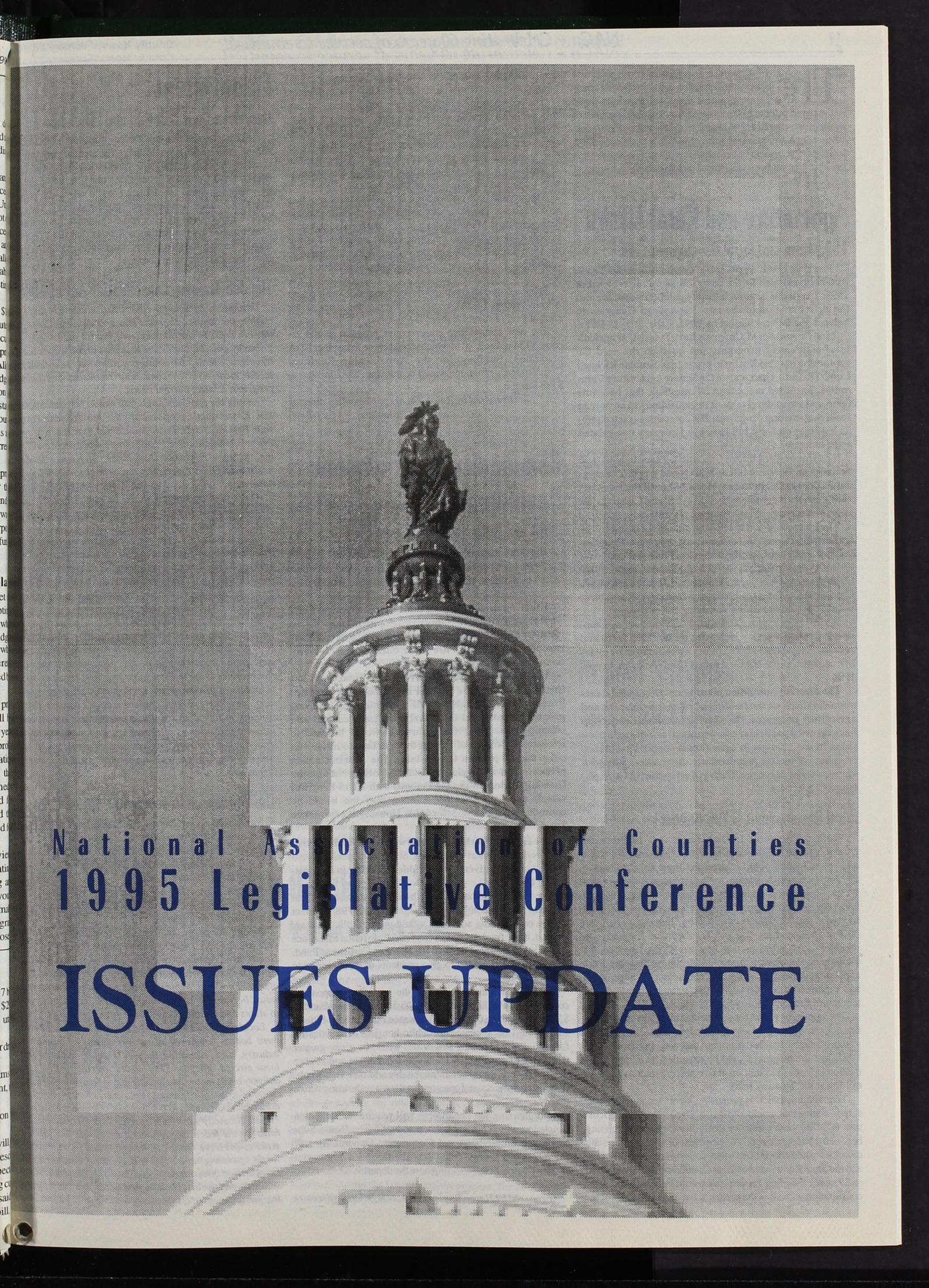
- cuts in the Department of Housing and Urban Development by \$7.3 billion, including cuts in Community Development Block Grants by \$349

million, assisted housing by \$5.7 billion, and delays in spending \$3 million in homeless assistance through Sept. 30, 1995

- reduction of \$28 million for courts

- elimination of five program community services block grants totaling \$30 million, and
- reduction of \$115 million in rural rental housing.

It is not clear if the Senate will go along with all of the proposed rescissions. President Clinton is expected to oppose many of the spending cuts but the White House has not said the president would veto the bill.



National Association of Counties
1995 Legislative Conference

ISSUES UPDATE

The following report recounts congressional and Administration activity affecting county government. Items which are bold-faced in the report refer to NACo's seven key legislative priorities as adopted by the Board of Directors in December of last year. Items which are italicized refer to NACo's remaining 1995 legislative priorities. Other items are of interest to counties but have not yet been designated as legislative priorities.

Agriculture and Rural Affairs

1995 Farm and Rural Development Bill

The 1990 Food, Agriculture, Conservation and Trade Act, better known as the farm bill, is up for renewal in 1995. The major issue facing the legislation is funding and the determination of the new Republican Congress to balance the federal budget by 2002.

Many members of Congress have focused on agricultural entitlement programs and question the need for continuing to subsidize farm programs. Senator Richard Lugar (R-Ind.), chairman of the Senate Agriculture Committee, has listed more than 50 questions that he wants farm and rural development organizations to answer in justifying existing programs. His committee started public hearings on farm bill issues in February (see related article on page 5).

The House Agriculture Committee plans to hold field hearings on the farm bill in March and April. The committee does not plan to consider a bill until the Contract with America is completed in mid-April and Congress has approved a congressional budget resolution.

The budget bill will specify the amount to be cut by the authorizing committee from current programs. Congress is expected to consider the budget bill in April and May.

Once decisions are made on overall spending levels for FY96 through FY2000, the House and Senate agriculture committees will start considering a farm bill. Floor action is not expected until this summer.

NACo's Agriculture and Rural Affairs Steering Committee drafted a policy statement on the 1995 farm and rural development bill. The policy was approved by member counties at the NACo Annual Conference in August 1994.

The steering committee plans to develop specific recommendations on the funding of rural development and agriculture programs. The steering committee leadership has expressed particular concern about an adequate transition in any changes in agricultural support programs. Steering committee members are organizing visits with key senators and representatives during the NACo Legislative Conference.

Rural Development (FY96 Budget)

Rural development funding fared well in President Clinton's FY96 budget requests. Program funding for water and sewer loans would be increased from \$834 million to \$977 million, which is more than a 50 percent increase since FY94. The water and sewer grant program, which is used to help poorer communities lower their loan amount, would be increased from \$500 million to \$590 million.

The Distance Learning and Telemedicine Program is a relatively new program that has provided assistance for facilities and equipment to provide telecommunications linkages among education and health care facilities. The program has experienced a demand for funds far in excess of the amount of funding that has been available.

The budget provides for substantial increases in the Distance Learning and Medical Link Program. The level of grants would be double the amount that was appropriated for 1995, and the program would be extended by adding \$100 million in loans (\$25 million at five percent interest and \$75 million at the Treasury rate).

The Administration is proposing a performance partnership initiative that would allow U.S. Department of Agriculture (USDA) state directors flexibility to allocate funding between 14 separate rural development programs. The state directors would consult with state, county and local officials, and the State Rural Development Councils which are in place in 39 states. Funding for projects would be prioritized after consultation with all of the parties interested in rural develop-

ment, including non-profits and the private sector. Final funding decisions would be made by the USDA state director.

The programs to be included in the performance partnership proposal include water and sewer loans and grants, community facility loans, business and industry loans, rural development grants, and portions of the rural rental construction loans and rental assistance payments. The requested appropriations for the 14 programs would be \$988 million with a program funding level of \$2.75 billion.

The proposal is in outline form and needs a lot of details to be worked out. The Administration hopes to have legislation drafted by early March. It is not clear if the legislation would be sent to the agriculture committees and included as part of the 1995 farm bill. The housing programs would have to be considered by other committees which have jurisdiction over housing.

Proposed overall funding for the Economic Development Administration (EDA) would be almost the same as the current year (\$407 million).

The new competitive communities program would receive \$134 million, all of which would come from other EDA programs. Funding for the Appalachian Regional Commission's programs would be cut from \$282 million to \$183 million.

(Prepared by Ralph Tabor, public policy director and Phil Rosenlund, NACo fellow)

Community and Economic Development

CDBG and HOME Programs

The Administration proposes a major reorganization of the Department of Housing and Urban Development, which would consolidate existing programs into three block grants with no reduction in funding.

The Community Opportunity Performance Fund would modify the Community Development Block Grant (CDBG) Program only slightly. The department wants to encourage counties to use more CDBG funds for economic development activities.

The Affordable Housing Performance Fund would use the framework of the HOME Investment Partnerships Program. It consolidates HOME with categorical housing programs that assist the elderly, the handicapped and other groups. The HOME formula would be used to allocate 60 percent of the funds to urban counties and cities and 40 percent to the states. The Administration proposes that a homeless assistance block grant and the Housing Opportunities for Persons with AIDS Program remain separate until FY98 when they too would be consolidated into the Affordable Housing Performance Fund.

The Housing Certificate Fund would consolidate existing Section 8 rental assistance. State and local governments would be given considerable flexibility in administering these funds.

The transformation of public housing is the most radical aspect of the president's budget. Beginning in FY98, no direct capital or operating subsidies would go to public housing. Instead, these funds would be converted into rental assistance that would be funded through the Housing Certificate Fund. This change is intended to give residents more choice as to where they reside.

During the transition period, the president proposes a consolidated Public and Indian Housing Operation Fund at \$3.2 billion, and a Capital Performance Fund at \$5.2 billion. Both would be allocated to public housing authorities by formula. Public housing authorities would be given greater flexibility to use these accounts to rehabilitate and restore public housing, demolish uninhabitable and non-viable public housing projects, and construct replacement housing where feasible.

Reorganizing the department will require authorization legislation which has not been introduced. The House Subcommittee on Housing and Community Opportunity will begin hearings shortly, using the Administration's blueprint as a starting point for deciding how the department should be structured.

(Prepared by Haron Battle, associate legislative director)

Employment

Overview: Consolidation and Efficiency

Legislative and non-legislative proposals to reform nation's job training system have focused on two prime themes. They are consolidation and efficiency. The Administration and Congress believe that many training and employment programs are duplicative and should be consolidated into one or two principal funding streams. They believe that current training and employment programs are overburdened by regulations and rules that must be eliminated to ensure that job training programs have the flexibility they need to meet client needs.

The Job Training Consolidation Act of 1995

Introduced by Senator Nancy Kassebaum (R-Kan.), chair of the Senate Labor and Human Resources Committee, this bill seeks to overhaul current federal job training programs by granting states and localities broad waiver authority so that federal job training programs may be consolidated at the local level by combining resources and tailoring programs to meet current needs.

Among the program funds that would be consolidated, Sen. Kassebaum's proposal are the Job Training Partnership, Perkins, JOBS, Trade Adjustment Assistance, Wagner-Peyser, Rehabilitation, Food Stamp Employment and Training, Refugee Education Assistance, McKinney Homeless Assistance, Older Americans, and School-to-Work Opportunities acts.

Three funding streams would be established. These state formula assistance, local formula assistance and federal discretionary assistance.

Each would represent the consolidation of existing training programs directed to states or localities or currently granted by the federal government as discretionary grants, respectively. States and localities would be given the flexibility to use these funds to carry out the objectives of any of the acts consolidated under this proposal.

Sen. Kassebaum's bill does not establish a federal, state or local job training system. However, it states that the federal must be used to develop a comprehensive statewide employment training system that is designed and implemented by communities to serve local labor markets; requires the participation of private sector employers in all stages of planning, development and implementation; assures that training is linked to available employment opportunities; includes measures of effectiveness; and mandates an integrated system through which customers may learn of the range of employment training services available within their community.

The Workforce Development Act of 1995

Introduced by Senator Edward Kennedy (D-Mass.), this bill would consolidate some 40 programs under a single funding stream designed to provide appropriate job training services at the federal, state and local levels. Like Kassebaum, Kennedy's bill would set up a speedier process for granting waivers to states and localities as they reorganize under the new system.

Among the programs that Sen. Kennedy would consolidate are the Job Training Partnership, Perkins, Displaced Homemaker, Appalachian Regional Development, McKinney Homeless Assistance and Food Stamp Assistance acts, among others. Funds to implement the new employment system would be transferred by formula from the federal government to states and localities.

Localities would be governed by local work force development boards composed of representatives of business, industry, labor, education, the public sector, and by board local elected officials. They would oversee unified service delivery areas that would include networks of one-stop centers designed to provide training employment clients with information, counseling, and job training and placement assistance.

Sen. Kennedy's bill does specify work force development roles for the federal government, states and localities, seeks to preserve the local public/private partnership currently operating under the Job Training Partnership. Each level of government would have specific policy responsibilities, and the local level would be responsible for providing services.

Sen. Kennedy's bill does permit dislocated workers to receive vouchers on a limited basis to purchase the employment training services they desire. Finally, the bill provides for the development of a highly integrated labor market information system.

Working Americans Opportunities Act

Senate Minority Leader Thomas Daschle (D-S.D.) has introduced a bill that would reorganize all training and employment programs for economically disadvantaged adults and dislocated workers under a system of vouchers.

Modeled on the GI bill, individuals would be eligible to receive vouchers through a federally established job training account system. The vouchers, which would be obtained through state offices designed for this purpose, could be used by economically disadvantaged persons and dislocated workers to buy training to obtain associate degrees or non-degree skills training.

Not less than 75 percent of funds allocated to a state would have to be used for vouchers. The remainder could be used for non-voucher services to assist clients make informed choices. These services include skill assessments, testing, counseling, job development, work experience evaluation, job readiness training, basic skills education, supportive and supplemental services, and rapid response.

Sen. Daschle's bill would remove a local component to job training; all services would be provided through the states through a state-based system of local offices.

GI Bill for American Workers

The Clinton Administration's FY96 budget calls for integrating more than 70 categorical employment training programs into two funding streams.

The two block grants, called "skill and Pell grants to individuals" and "state-defined services systems," would provide funds to states to pay for individual training vouchers and support and job search assistance services.

While the Administration does not intend to introduce its own bill, it does hope that all or parts of its budget proposal will be adopted by the Republican Congress. If the Clinton proposal is adopted, training and employment service providers at the local level would distribute training vouchers to customers and counsel those individuals on instructional choices and career plans.

The "skill and Pell grants to individuals" would provide vouchers to dislocated workers and low-income persons to pay for skills training or courses of study leading to associate or bachelor degrees, or for job-specific skills training. Individuals who do not require assessment, counseling or job search assistance could use the vouchers as they see fit and obtain employment.

"State-defined service systems" would establish one youth and two adult programs which states could use to design and operate their own programs for economically disadvantaged adults and youth.

These funds would be used to support a state's effort to design more flexible, integrated systems that will provide information about jobs and training, counseling, placement assistance and other services.

Through formula allocations, funds for these services could be allotted to states and allocated to local areas based on existing Job Training Partnership Act service delivery areas or the Administration's one-stop systems.

(Prepared by Neil E. Bomberg, director, training and employment programs)

Environment, Energy

and Land Use

Waste Flow Control

The U.S. Supreme Court ruled in May 1994 that, without Congressional authorization, a local government may not force a private waste hauler or municipality to deliver solid waste generated within its jurisdiction to a particular facility. Because local governments have state-mandated responsibility to implement solid waste management plans and programs, they need the option to use "flow control" to assure a guaranteed supply of revenue

to fund the programs.

Identical flow control bills have been filed in both the House and Senate. Lack of strong support from Congress and significant opposition from the powerful private waste industry have necessitated the negotiation of limited legislative relief.

NACo has endorsed H.R. 24 and S. 398, both of which permit local governments to exercise flow control if they had designated specific facilities prior to the Supreme Court decision or, in certain circumstances, were in the process of building or selecting facilities.

NACo was nearly successful last year in seeing similar legislation pass, having achieved unanimous consent by the House and coming within one vote in the Senate.

With a more free market-oriented and conservative Congress, however, the outcome for 1995 is questionable. Some of the waste companies that agreed to support the bills last year have refused to accept the same legislation in this Congress.

On Feb. 17, there were 12 cosponsors of the House bill and five on the Senate proposals. NACo will continue working with the key sponsors of the legislation, Representatives Christopher Smith (R-N.J.) and Senator Frank Lautenberg (D-N.J.), to get both houses to act on the proposals as soon as possible.

The chairman of the committees and subcommittees that will play a key role in deciding to move H.R. 24 and H.R. 398 are Representatives Thomas Bliley (R-Va.) and Michael Oxley (R-Ohio) in the House and Senators John Chafee (R-R.I.) and Robert Smith (R-N.H.) in the Senate.

Safe Drinking Water

The Safe Drinking Water Act (SDWA) is expected to be reauthorized in this Congress, having failed to pass last year. Without legislation to scale back its mandates, EPA estimates that drinking water systems nationwide will invest \$1.4 billion to \$1.7 billion annually to implement all of the SDWA regulations currently in place or scheduled to be implemented by the year 2000.

NACo is working with a broad coalition representing governors, mayors, state and local drinking water administrators, and public and private drinking water suppliers, to develop a revised proposal to amend the SDWA.

The NACo-supported proposal will require EPA to adopt a new process for selecting contaminants for regulation, based on whether or not the contaminants actually occur in the water supply. In addition, EPA would have to adopt a risk-based approach to setting new drinking water standards. Standards would be set based on analysis of the costs as well as the benefits.

While this year's proposal has been circulated to the House Commerce Committee (Rep. Thomas Bliley, R-Va., chairman) and the Senate Environment and Public Works Committee (Sen. John Chafee, R-R.I., chairman), at press time, the bill had not yet been introduced in either body.

(Prepared by Diane S. Shea, associate legislative director)

Health

Medicaid and Block Grants

While no one is talking about a sweeping reform of the entire health system this year, there are potential changes to existing programs that could be just as radical as anything debated last year.

These changes include turning Medicaid into a block grant, providing more waiver flexibility under the program, and/or consolidating a number of the discretionary health programs.

The Republican governors, who have been meeting with their congressional counterparts have outlined an approach to Medicaid that would give the federal government the ability to reduce the rate of growth in the program while giving the states additional flexibility in designing their own approaches to covering poor and uninsured populations. This flexibility may go as far as a "block-granting" of the program, but those discussions have not been finalized.

The House and Senate will also take a close look at Medicaid during the appropriations process. The \$96 billion in 1996 federal Medicaid payments is a tempting target for

savings to pay for some of the provisions in the Contract with America. Savings may be created by placing more recipients into managed care and by reducing payments to providers.

The special payment program for hospitals serving large numbers of the poor or uninsured may also be on the table.

A number of discretionary health programs operated by local health departments may be folded into larger block grants. Senator Nancy Kassebaum (R-Kan.), chair of the Labor and Human Resources Committee, has introduced S. 142, the Public Health Enhancement Act, which incorporates many public health activities into one block grant.

Programs proposed for the grant include the preventive health grant, and the TB, immunizations and sexually transmitted diseases grant, among others.

In his 1996 budget, President Clinton also endorsed the consolidation of a number of health programs, taking 108 programs and melding them into 16.

Ryan White AIDS Act

Up for reauthorization this year is the 1990 act funding services in counties and cities with large numbers of persons with HIV/AIDS. There is also a state block grant giving communities resources to fight the disease.

The Republicans have not yet introduced a bill on either side of the Hill. Funding levels and the formula distribution will be top issues.

In his budget, President Clinton proposed a 14 percent increase for the act for 1996. Within the increase, there is money to cover the new counties and cities qualifying for the emergency aid provision.

No timetable has been set for acting on the legislation.

Substance Abuse and Mental Health

These block grants are also scheduled for reauthorization. While there is no proposal to merge them, there will be discussions about eliminating some of the funding strings within the block grants that currently require communities to spend certain amounts on targeted populations.

No legislation has been introduced as of this publication.

(Prepared by Tom Joseph, associate legislative director)

Human Services and Education

Welfare Reform Bill

The welfare reform measure, Personal Responsibility Act (H.R. 4), voted out of the House Ways and Means Human Resources Subcommittee two weeks ago, would replace the existing federal public assistance system with a number of block grants.

Temporary Cash Assistance Block Grant

The Aid to Families with Dependent Children (AFDC) Program (including benefits, administration and the unemployed parents program), the Job Opportunities and Basic Skills Program, and the Emergency Assistance Program would be in a Temporary Cash Assistance Block Grant.

Funding would be frozen at \$15.3 billion from FY96-2000; the state share would be the average AFDC payment for FY91-93. The state entitlement is retained, but not the individual entitlement.

States have a lot of flexibility in some areas, such as defining work activities. On the other hand, there are also restrictions on the use of funds, such as prohibiting the use of federal funds to pay for children born while the parents are on welfare, known as "family caps."

Child Protection Block Grant

The second block grant is a Child Protection Block Grant. This program encompasses 23 programs, including foster care, adoption assistance and child welfare.

Continued on next page

1995 National County Government Week Theme: Children's Issues



*"It takes a whole village
to raise a child"*



NATIONAL

COUNTY
GOVERNMENT
WEEK



April 2-8
1 9 9 5

Unlike the cash assistance program, the funding does increase over the years from a level of \$4.1 billion in FY96 to \$4.7 billion in FY2000. The entitlement nature of the program would be the same as for the cash assistance block grant.

The subcommittee-passed bill excludes legal immigrants from these programs. The overall list of programs from which legal immigrants would be excluded has been reduced from 52 in the original bill to 35.

Some of the programs in which legal immigrants would still be covered include the Job Training Partnership Act, immunizations and some higher education programs.

It should be noted, however, that legal immigrants would still be excluded from Medicaid, except emergency services, which would place a great burden on county hospitals. Medicaid is not under the jurisdiction of the Ways and Means Committee, and no action has taken place on this issue. The subcommittee acted only on the programs within the jurisdiction of Ways and Means: Temporary Family Assistance, Child Protection, Supplemental Security Income, and the Social Services Block Grant.

Changes to Supplemental Security Income (SSI) Program

The subcommittee also made substantial changes to SSI. Drug addicts and alcoholics would no longer be eligible for SSI, which also means that they lose their categorical eligibility for Medicaid. Some \$100 million of the anticipated savings from this change would be transferred to drug treatment and research.

The subcommittee also changed the definition of disabled children. As a result of this change, many children who have been on SSI as a result of court and administrative changes would no longer be eligible for cash payments. The bill establishes a new block grant program for medical and non-medical services to disabled children.

The subcommittee did not take action on child support enforcement. The majority and minority staff are working on a bipartisan proposal that they would present at the full committee markup.

Authority for the child care programs in AFDC could be transferred to the Educational and Employment Opportunities Committee, which would put these programs into one block grant. This committee had not yet scheduled a markup.

Another block grant that is being debated is the nutrition block grant, parts of which fall under the jurisdiction of the Educational and Employment Opportunities Committee and the Agriculture Committee.

As reported in previous issues, this block grant is facing stronger opposition than the other ones. Markup had not been scheduled at press time.

The expectation is that the welfare reform bill, with all its components, would come to a vote on the House floor by the end of March.

The Senate is moving at a much slower pace and would not begin considering a bill until the House has acted. There is not as much support in the Senate for the block grants as in the House. There is also considerable opposition to eliminating eligibility for legal immigrants and to some of the prescriptive measures such as the family caps.

(Prepared by Marilina Sanz, associate legislative director)

Intergovernmental Relations

Mandate Relief

NACo views the passage of the Unfunded Mandate Reform Act as a significant victory for counties, cities and states. Further, NACo commends Senator Dirk Kempthorne (R-Idaho) for his outstanding leadership over the last two years in orchestrating the passage of the bill by a vote of 86-10 on Jan. 27; and Representatives Bob Portman (R-Ohio), William Clinger (R-Pa.), Tom

Davis (R-Va.) and Gary Condit (D-Calif.) for their outstanding leadership which led to the successful passage of H.R. 5 by a vote of 360-74 on Feb. 1.

House and Senate conferees agreed on a mandate-relief compromise on Feb. 22, clearing the way for final approval in both chambers and by the president. Although many of the differences between the House and Senate versions were minor, there were a few contentious areas of dispute among the 28 differences identified by conferees.

A key area of dispute was a provision supported by House conferees and opposed by Senate conferees that would subject the action of federal agencies to judicial review. Members agreed on a more restricted version of the House language.

In another key area, conferees adopted language from the Senate version clarifying the role of federal agencies in determining if future mandates are sufficiently funded.

Conferees also adopted Senate language which makes the effective date of the legislation Jan. 1, 1996, instead of Oct. 1 of this year, as provided in the House version. Members wanted to give the Congressional Budget Office (CBO) and federal agencies time to gear up for implementing the legislation.

Under the new proposal, significant changes will be made in the congressional budget and legislative rules in order to restrict the ability of Congress to impose the cost of new mandates on state and local governments.

Before a new mandate can be considered on the floor of the House or Senate, the Congressional Budget Office will be required to prepare a cost estimate for any mandate that it determines will cost state and local governments, in the aggregate, \$50 million or more on an annual basis.

After the CBO completes a cost estimate, Congress must either make provisions to pay for any mandate that is estimated to cost \$50 million or more (by increasing taxes, approving a new entitlement spending, or identifying appropriations) or take separate recorded vote to waive these requirements and thereby impose the cost on state and local governments.

If Congress decides to fund a mandate with appropriations, federal agencies responsible for implementing the mandate will be required to notify Congress that the amount appropriated is: 1) sufficient to pay for the cost of the mandate, or 2) insufficient to pay for the cost of the mandate and make legislative recommendations for either implementing a less costly mandate or make the mandate ineffective for the fiscal year.

If funds are determined to be insufficient, Congress would have 60 days after it receives the recommendations to approve a supplemental appropriation to increase funds to a sufficient level or adopt the agency's legislative recommendations for imposing a less costly mandate.

If Congress fails to approve the legislation within 60 days, the mandate will expire.

Regulatory Freeze

The House Government Reform and Oversight Committee voted 28-13, on Feb. 13, to approve H.R. 450, the Regulatory Transition Act of 1995. The House was scheduled to begin consideration of the measure last week.

This legislation will place a moratorium on the issuance of new federal regulations and stop all proposed regulations issued since Nov. 20, 1994 from taking effect for an indefinite period. Routine regulations and those that address an imminent threat to health or safety would be exempt.

This is the first step in the House Republican's plan to achieve broader regulatory reforms outlined in H.R. 9, which is part of their Contract with America. The regulatory freeze imposed by H.R. 450 would effectively preserve the status quo until comprehensive reforms in H.R. 9 can be enacted and implemented.

A Senate companion bill, S. 219, was introduced by Senator Don Nickles (R-Okl.), and the Senate Governmental Affairs Committee is expected to hold a hearing on the measure later this month.

Regulatory Relief

In line with the House Republican's goals to scale back burdensome federal regulations, the House Judiciary Committee, Feb. 16, approved H.R. 926, the Regulatory Relief Act of 1995. This legislation would require federal agencies to prove that the benefits to be derived from a proposed federal regulation outweigh the costs, and to assess the impact that regulations would have on state and local governments as well as businesses and individuals.

The legislation would apply to any major rule that is expected to have an impact of \$50 million or more on the national economy.

Local Flexibility Act

Last year the Senate approved S. 4, legislation which included the Local Flexibility Act, a proposal that would provide local governments flexibility to combine numerous federal categorical grants and provide them waivers from all applicable regulations.

The purpose of the bill is to provide local governments freedom to use federal funds more efficiently and direct resources to critical local needs. A similar bill was also introduced in the House last year, but no action was taken.

On Jan. 4 of this year, Senator Mark Hatfield (R-Ore.), the sponsor of last year's Senate version, reintroduced an expanded version of the bill, S. 88, the Local Empowerment and Flexibility Act of 1995.

Unlike last year's bill, which was limited to six categorical areas, the new legislation would allow local governments to combine an unlimited number of grants.

Although no companion bill has been reintroduced in the House, Representative William Clinger (R-Pa.), chairman of the House Government Reform and Oversight Committee, is interested in reintroducing and moving a similar bill.

(Prepared by Larry Jones, associate legislative director)

Justice and Public Safety

1995 Amendments to the Crime Act

Republican leaders in both the House and Senate are seeking major changes in last year's crime act as generally outlined in the Contract with America.

In the House, H.R. 3, the Taking Back Our Streets Act, was split into seven smaller crime measures. Six of these bills have already been considered and adopted in the House. A seventh bill to remove the ban on assault weapons will be considered in May.

Block Grants

Of major interest to NACo, and the centerpiece of the GOP plan, is H.R. 728, the Local Government Law Enforcement Block Grants Act of 1995. The \$10 billion block grant measure would replace \$12.5 billion of authorized programs, including \$4 billion in prevention programs, \$1 billion for drug courts, and \$7.5 billion in remaining community policing funds under the crime act.

As amended in committee and on the floor, the legislation distributes flexible funds to local governments in the form of a block grant. The money can be used for law enforcement, courts or corrections, or for prevention purposes. A 10 percent cash-match is required.

In addition to criticizing the shifting of \$2.5 billion in authorization from prevention and law enforcement programs to prisons, NACo strongly opposed the block grant distribution formula which targets areas of relative high-crime numbers and population.

The formula penalizes most counties since it fails to credit counties for the expenditures they make within high-crime areas. Thus cities with a high volume of serious crime and population tend to receive most of the funds. This occurs despite the fact that counties spend the bulk of their justice resources within mu-

Continued on next page

municipal boundaries on functions such as probation, courts, prosecution, indigent defense, drug treatment and jail incarceration.

In Hamilton County, Ohio, for example, the city of Cincinnati would receive close to \$5 million under the formula over a five-year period, but the county would receive only \$300,000. Last year, Hamilton County spent \$105.3 million on criminal justice, compared to \$76.3 million for the city of Cincinnati. NACo believes this is typical of the negative impact on counties.

Two former county board members on the House Judiciary Committee, Representatives Steve Chabot (R-Ohio) and Zoe Lofgren (D-Calif.), co-authored an amendment that was adopted by voice vote. It provides protection for counties who face serious inequities in the formula.

The Chabot-Lofgren amendment, however, does not change the formula, and it only triggers a remedy after a very serious disparity is found. It is imperative, therefore, that the formula be revised and that it treat counties as full partners from the very beginning of the process. At present, the county would receive a double blow — first it would be penalized by the formula and then it must respond to the added workload caused by that disparity.

NACo has suggested a two-part process for improving the formula.

The first part of the process would compare, by county, relative serious crime numbers within a given state. Then relative criminal justice expenditure data would be used to determine the distribution ratio among units of local government within county boundaries.

The Violent Criminal Incarceration Act of 1995 (H.R. 667) was adopted by the House on Feb. 10 to amend Title II of the crime act. It would provide \$10.5 billion for prison and jail construction and operating expenditures over a five-year period. Half of the money would be devoted to states that imprison violent offenders for at least 85 percent of their sentences.

The other half would go to states that are increasing the incarceration of violent criminals — both in percentage of criminals sent to prison and in the length of time they serve. The law also earmarks \$650 million a year to reimburse states and counties for the costs of incarcerating criminal aliens.

Unlike the 1994 act, there is no requirement in H.R. 667 that states submit "comprehensive" correctional plans to the U.S. attorney general for approval and specify the role of local government in the overall plan.

NACo's Justice and Public Safety Steering Committee and NACo's Task Force on Implementing the Crime Act will consider the legislation for policy action at the Legislative Conference.

Juvenile Justice and Delinquency Prevention Act (Title V)

In November 1992, the Juvenile Justice and Delinquency Prevention Act (JJDP) was reauthorized for an additional four-year period. The measure included a new prevention title (Title V), which NACo had a major role in developing.

To receive prevention grants, the new title requires counties to create or designate county-wide prevention policy boards and to develop a three-year plan. The new title provides incentives for the collocation of services and the development or enhancement of state-wide prevention subsidy programs.

In designing and implementing prevention and early intervention efforts, collaboration is encouraged with school districts, health and social service agencies, the business community, non-profit organizations, and other units of government.

Title V has received an appropriation of \$20 million in FY95; \$20 million has been requested for FY96. Total funding requested for JJDP remained level at \$144 million.

Although there is a growing realization that it is the community where planning should be centered, JJDP has not really focused on collaboration at the community level. Until recently, the only planning requirement in the act was at the state level. Full-scale imple-

mentation of Title V will help rectify this imbalance.

(Prepared by Donald Murray, associate legislative director)

Labor and Employee Benefits Fair Labor Standards Act Reform

Since 1990, NACo has been working with other state and local public interest groups to urge Congress and the Administration to reform the Fair Labor Standards Act (FLSA) and regulations to clarify that highly paid executive and administrative employees in the public sector are not entitled to time-and-one-half their hourly rate of pay for all hours over 40 in a work week.

Although FLSA exempts these employees from the overtime pay requirements, based on regulations issued in 1954, many courts have determined that these employees are entitled to overtime.

At issue is a salary test in the regulations which conflicts with widely used public accountability statutes. To be exempt from the overtime pay requirements, the salary test requires that employees be paid a salary that is not subject to a reduction based on the number of hours they work. This rule conflicts with public accountability statutes in place in most state and local governments, which prohibit pay to any employee for time not actually worked.

Because these rules apply to all employees (salaried as well as hourly), many courts have ruled that all such employees are "subject to a reduction based on hours of work" and are therefore in violation with the FLSA regulations and are entitled to overtime pay.

On Oct. 5, 1994, the U.S. Ninth Circuit Court of Appeals reversed a lower court ruling in Service Employee International Union v. San Diego County and held that the salary test issued in the 1954 FLSA regulations "was invalid in its entirety as applied to the public sector."

Although the court ruling was a victory for state and local governments, it only applies to states and localities in nine northwestern states. Only a Supreme Court ruling or congressional or Administration reforms can resolve the problem for all state and local governments.

The new congressional leadership in the House and Senate have expressed an interest in working with NACo and other public groups in developing legislation to address the overtime pay and other FLSA issues.

The Administration has also expressed an interest in considering some reforms in the salary test in the near future.

Davis-Bacon Repeal

The new Republican chairs of the House Economic and Educational Opportunities and the Senate Labor and Human Resources committees have voiced support for legislation to repeal the Davis-Bacon Act, legislation that requires state and local governments to pay mandatory prevailing wages, which are often higher than local prevailing wages, to workers on federally assisted construction projects.

The Congressional Budget Office has estimated that the federal government can save \$3.1 billion over a five-year period by repealing the act.

Committees in both chambers held hearings on Feb. 15 and the House Workforce Protection Subcommittee is expected to consider legislation, H.R. 500, sponsored by the chairman, Cass Ballenger (R-N.C.), this week.

Senator Nancy Kassebaum (R-Kan.), chair of the Senate Labor and Human Resources Committee, is the sponsor of the Senate companion bill, S. 141, which is also expected to be considered soon. NACo policy calls for reforms in the Davis-Bacon Act if it is not repealed.

Minimum Wage Increase

The president is expected to submit legislation to Congress soon to increase the minimum wage from \$4.25 to \$5.15 per hour over a two-year period in two 45-cent increments.

For a full-time worker, the increase will mean \$1,800 in additional income per year.

The president said the increase is needed to boost the standard of living for many working poor adults with families. House Majority Leader Richard Armitage (R-Texas) has vowed to fight the minimum wage proposal in Congress because he feels it will have an adverse impact on economic growth.

NACo does not have policy on the minimum wage increase.

Age Discrimination Act Amendments

Last year, legislation was approved by the House, but not by the Senate, to restore an exemption which expired in 1993 for public safety workers, who, up until that time, were exempt from the hiring and retiring provisions of the Age Discrimination in Employment Act.

In most state and local governments, police officers and fire fighters are required to retire at a certain age to ensure a viable work force.

Representative Harris Fawell (R-Ill.), chairman of the House Employer-Employee Relations Subcommittee, introduced legislation, H.R. 849, which would restore the exemption and allow public safety agencies to resume the consideration of age as a factor in their hiring and retirement policies for public safety workers.

The subcommittee approved the measure on Feb. 1. Full committee action is expected soon.

(Prepared by Larry Jones, associate legislative director)

Public Lands

Funding for Payments-In-Lieu-of-Taxes (PILT)

The number one priority is securing additional funding for the PILT Program. In the 103rd Congress, NACo was successful in securing a new authorization for the program which would effectively double authorized funding level from \$105 million to more than \$230 million per year. The authorization is scheduled to phase in over five years.

The president's FY96 budget provides an additional \$9 million, and in briefings, Secretary of the Interior Bruce Babbitt acknowledged the new law as the rationale for additional funding, but suggested the department had met the "spirit" of the new authorization.

NACo will need to fight hard to achieve the additional appropriations.

Endangered Species Act (ESA) Reauthorization

The number two priority is the reauthorization and modification of the Endangered Species Act with changes to protect private property interests, provide for adequate effective peer review prior to listing, involve county officials in the recovery plans and habitat conservation planning, development, and provide for county participation in preliminary management decisions that may forestall the need to inventory the act.

NACo has been asked by the President's Council on Environmental Quality to participate in a dialogue improving the ESA and has solicited specific recommendations.

NACo staff has met with the staff of Senator Frank Lautenberg (R-N.J.) who, as Environment and Public Works subcommittee chairman, will have the lead in producing a viable bill for the Senate.

In the House, NACo staff has met with Representative Richard Pombo (R-Calif.), head of the House Resources Committee Task Force on Endangered Species. The force will begin hearings within the next six weeks (primarily in the West) and should have a bill ready by June.

Revised Statute 2477 (R.S. 2477)

Priority number three is the protection of R.S. 2477 corridors and opposing Bureau of Land Management (BLM) regulations that would place significant burdens on counties attempting to protect their rights to such rights-of-way.

What is R.S. 2477?

"The right-of-way for the construction of highways over public lands, not reserved for public uses, is hereby granted." This sentence comprises the complete text of R.S. 2477, a law enacted in 1866 to grant rights-of-way for constructing highways across unreserved public lands.

The law was repealed in 1976 with the passage of the Federal Land Policy and Management Act, but "public highways" validly acquired before 1976 were not terminated. The problem is defining the term "public highways" and what constitutes such a corridor.

Traditionally, the courts have ruled that virtually any trail, wagon road or logging road constituted a valid right-of-way. Environmentalists object to this interpretation and have sued to set aside county and state rights in asserting jurisdiction. BLM is attempting, by regulation, to extinguish those rights in the guise of better management.

NACo vigorously opposed the draft regulations (as did virtually every county with R.S. 2477 interests), and because of this heated response, the Interior Department has backed away from its regulations for now, and have extended the "comment period" for another six months.

Grazing Fees and Rangeland Reform

The number four priority is striking an appropriate balance for rangeland reform, while opposing additional fees.

In the summer of 1993, Secretary of the Interior Bruce Babbitt proposed an increase in grazing fees from \$1.98 per animal unit month (AUM) to \$4.65 per AUM rangeland. (Note: an "animal unit month" is defined as the forage necessary to sustain a cow and a calf, or one sheep for one month).

At the same time, Babbitt proposed a significant series of reforms for the Interior Department to pursue. He was immediately stopped through the appropriations process by Western senators who were incensed by the grazing fee proposal and prohibited the department from imposing such fees for FY94.

In the fall of 1994, Babbitt proposed a new round of grazing increases (still at the \$4.65 per AUM level), however, he would pursue the increase administratively rather than legislatively, and tie fee incentives to convince ranchers to participate in the rangeland reform. Counties uniformly rejected the new plan and said so in their many comments to the BLM.

In December 1994, Babbitt announced that he was abandoning the fee increase idea for now and delayed the new regulations on rangeland reform for another six months. Further decisions will need to be made around June 1.

Forest Health

Our number five priority is an initiative on forest health. The Western forests, particularly those in fire-prone regions, suffer because of well-intentioned neglect. To "manage" forests in the least intrusive way, foresters have allowed ground-fuel loading, stream degradation, and the lack of species diversity to set the stage for massive forest fires — hotter, bigger and harder to fight than those just two decades ago. These fires have become so devastating that quick recovery from these infernos has become nearly impossible.

NACo, and its affiliate, the Western Interstate Region (WIR), in conjunction with the U.S. Forest Service and industry groups, is pursuing an initiative to provide healthier forests, while at the same time, providing, or at least maintaining, jobs in them.

The Forest Service has restructured its efforts, and WIR has proposed a new funding strategy combining existing forest health dollars with salvage and fire-suppression funds to address this serious problem.

(Prepared by Jeff Arnold, associate legislative director)

Taxation and Finance

1994 Tax Legislation

House Ways and Means Committee Member Bill Coyne (D-Pa.) plans to reintroduce a comprehensive bill to

amend the tax treatment of municipal securities.

The legislation, the Public Finance and Infrastructure Investment Act of 1993, includes several proposals that would ease some of the more onerous restrictions on tax-exempt bonds. NACo and the other state and local government groups worked with Rep. Coyne to develop the bill.

The bill includes the following tax-exempt bond provisions:

- increase in the annual issuance limit for the arbitrage rebate exemption from \$5 million to \$1 million
- indexing statewide private-activity bond volume caps for inflation
- increase in the annual issuance limit for bank-qualified, tax-exempt bonds from \$10 million to \$25 million
- clarification of the definition of investment-type property, and
- creation of a new category of tax-exempt bond, to be known as distressed community economic development bonds, for use in areas that are designated as distressed communities.

Representative Clay Shaw (R-Fla.), a senior majority member of the Ways and Means Committee, has indicated that he also will introduce tax-exempt bond legislation later this year. He had cosponsored Rep. Coyne's bill last year. Rep. Shaw is chairman of the subcommittee handling welfare reform and will be intensely involved in that issue for several more months.

The tax legislation spelled out in the Contract with America will not contain any major tax-exempt bond provisions. The Ways and Means Committee is expected to consider another tax bill later this year which could be the vehicle for tax-exempt legislation.

It is not clear if the Senate Finance Committee will act on any tax-cutting bill coming over from the House. Several senators, including Finance Committee Chairman Bob Packwood (R-Ore.), have questioned the need for tax cuts this year. Any action in the Senate on tax changes could be held up until September when the House and Senate will be considering an omnibus budget reconciliation bill. The budget bill could contain changes in entitlement programs as well as tax provisions. Tax-exempt bond legislation could be included, but it would require prior approval by the Ways and Means Committee. This scenario is possible but not too probable.

Mail-Order Sales Tax Collections

Senator Dale Bumpers (D-Ark.), along with 12 cosponsors, introduced the Tax Fairness for Main Street Business Act last year. The legislation would authorize states to collect state and local sales taxes on interstate mail-order or catalogue sales. The bill retained the state-local agreement, reached a few years ago, that local sales taxes must be collected by the state and distributed to affected local governments.

Where there are varying local sales tax rates within a state, actual taxes or a statewide local in-lieu rate would be collected. The bill covers companies with gross receipts of more than \$100,000 in a particular state.

The U. S. Advisory Commission on Intergovernmental Relations recently estimated that additional revenue to states, counties and cities as a result of Sen. Bumpers' bill could be \$3.3 billion annually.

The Senate Small Business Committee held public hearings on the bill. NACo, along with retail associations and other state and local organizations testified in support of the legislation. The Senate Finance Committee, which has jurisdiction over the legislation, was unable to hold a hearing because of its preoccupation with health care bills.

The Judiciary Committee has jurisdiction in the House of Representatives. The legislation has not been reintroduced in this Congress. The leadership of the new Congress has many other issues on their priority list, including the Contract with America.

In discussions with the leadership, it has been pointed out that this is not a new tax. States and local governments need this revenue to pay for existing federal mandates. The counterargument is that the legislation would impose new unfunded mandates on private businesses and mail-order companies, which the new congressional leadership opposes. Further discussions will be held with the leadership.

(Prepared by Ralph Tabor, public policy director)

Transportation and Telecommunications

Infrastructure Development

NACo supports maximum funding for the Intermodal Surface Transportation Efficiency Act (ISTEA) and opposes the use of transportation trust funds to balance the federal budget.

While counties own 1.7 million miles of roads and 219,000 bridges, operate one-third of the transit systems, and invest billions of dollars to build and maintain these systems, there remains a substantial need for federal funds to supplement county investment.

With the passage of ISTEA in 1991 came the promise of more funding for this county infrastructure. For the current fiscal year, the federal highway program was funded at \$17.2 billion, but still less than full ISTEA funding. Transit got its highest level of funding in years, but also not the fully authorized level.

The FY96 transportation budget proposed by the Clinton Administration calls for a substantial cut in funding for ISTEA. Because the Department of Transportation budget provides for a major revamping of transportation programs providing grants to state and local governments, it is difficult to compare the proposed FY96 budget with the current year.

At a minimum, there appears to be a \$2 billion cut to highway and transit programs. If you look at only those programs which local governments are eligible, the cuts could go as high as \$4.9 billion.

The proposal takes most of the federal transportation programs for which counties are eligible, such as the surface transportation program, the bridge program and the transit formula grant program, and collapses them into one \$10 billion program, called Unified Transportation Grants. It is unclear how Congress will react to this budget proposal, though there certainly is a strong impetus to reduce the deficit, and transportation would be subject to cuts under current budget rules.

To avoid major cuts, one answer would be to take the highway, transit and aviation trust funds off-budget, an approach with which NACo concurs.

Currently, these trust funds have a balance of \$31 billion, which is used to make the federal deficit appear smaller.

H.R. 842, the Truth in Budgeting Act, was recently introduced in the House by the leadership of the Transportation and Infrastructure Committee; it would remove the transportation trust funds from the federal budget. It is legislation which NACo supports.

National Highway System Legislation

As part of the ISTEA legislation, a National Highway System (NHS) was created. The process for putting this system together was for the states to recommend to the U.S. Department of Transportation (USDOT) what routes they wanted on the system and then for USDOT to recommend a network to Congress. USDOT made its recommendation of a 159,000-mile system in December 1993, and Congress has until Sept. 30, 1995 to approve a system. These are not new roads, but existing mileage that would be eligible for the NHS category of funding under ISTEA.

The House and Senate approved NHS bills last year, but because of conflicts over demonstration projects were unable to complete action on the legislation. The House has already begun hearings on the NHS proposal and the Senate should follow shortly.

NACo supports the creation of a National Highway System.

Telecommunications

NACo supports ensuring a role for local government in telecommunications reform and supports payment of compensation to local governments by telecommunications

Continued on next page

providers for the use of the public rights-of-way.

Telecommunications reform, often referred to as creating the "information superhighway," is aimed at allowing the phone, cable and long-distance companies to all compete against one another by eliminating the regulatory barriers to entry into the different telecommunications services.

NACo had supported competition in telecommunications, including allowing the telephone companies into the cable business. However, it is essential that like counties' relationship with cable operators, any other user of the public rights-of-way pay compensation for its use and allow counties to continue to manage this public property.

The Republicans and the Democrats on the Senate Commerce Committee have both released their own version of draft legislation. Both bills allow phone companies into the cable business and address some of the concerns that NACo has about rights-of-way issues, with the Republican bill being clearer on local government authority.

Department of Transportation Program Consolidation

The U.S. Department of Transportation has proposed, and soon will be offering legislation, to totally revamp the federal transportation programs.

Under the tag of "reinventing government," it has proposed consolidating 30 grant programs into a single Unified Transportation Infrastructure Program, consisting of unified grants to states and local governments to fund a broad range of transportation investments, including highways, bridges, airport, transit and rail facilities; a discretionary grant to fund projects of special regional or national significance; and state infrastructure banks.

These programs would replace most of the highway, transit and airport funding which counties currently receive from ISTEA and the airport grant program. The direct funding programs, such as transit formula grants; the surface transportation program, which goes to metropolitan areas; and the airport improvement program, could become totally or partially block grants.

While there is no NACo policy on the consolidation proposal, there are some general concerns that counties would receive less federal transportation funds and have less control over them. At this time, no committees in Congress have scheduled any hearings on this proposal.

Amtrak

Amtrak has announced that it is facing serious financial problems and that it will cut 20 percent of its route structure and substantially reduce its work force. While the president's FY96 budget provides for a continuing subsidy, it is likely that Amtrak will be a likely target for major cuts as Congress attempts to reduce the federal deficit.

serve counties and provide an important transportation link.

Both congressional authorizing and appropriations committees will be holding hearings on the future of the system and the appropriate role for the federal government in supporting Amtrak.

Current NACo policy is that Congress should continue to provide subsidies to Amtrak consistent with maintaining a reasonable level of service.

(Prepared by Robert J. Fogel, associate legislative director)

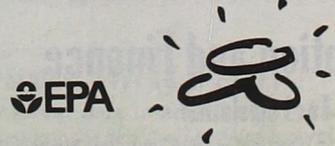
Pay-As-You-Throw:



There's a new trend in communities today. Citizens are paying for trash services based on the amount of waste they generate. The less they toss, the less they pay. (And the less waste that cities and towns must manage.)

To find out if pay-as-you-throw could make sense in your community, call the RCRA Hotline at 800-424-9346 and ask for EPA's free guide entitled Pay-As-You-Throw: Lessons Learned About Unit Pricing (EPA530-R-94-004).

It's Making Cents.



NACo WESTERN INTERSTATE REGION CONFERENCE May 10 - 13, 1995 Washington County-St. George, Utah

a • g • e • n • d • a

Wednesday, May 10

- 9 a.m. - Noon Western Interstate Region Board of Directors
9 a.m. - 4 p.m. Affiliate Meetings
1:30 p.m. - 4:30 p.m. Public Lands Steering Committee
1:30 p.m. - 4:30 p.m. Agriculture Steering Committee
1:30 p.m. - 4:30 p.m. Energy, Environment and Land Use Steering Committee

Thursday, May 11

- 9 a.m. - 10 a.m. Opening General Session
9 a.m. - 4 p.m. Affiliate Meetings
10:30 a.m. - Noon Workshops
12:30 p.m. - 1:45 p.m. WIR/NACo Board Luncheon

- 2 p.m. - 4 p.m. General Session on Ecosystem Management
6 p.m. - 7 p.m. Delegate Reception

Friday, May 12

- 8:30 a.m. - 10:15 a.m. General Session on Endangered Species and Election of Officers
10:45 a.m. - 12:15 p.m. Workshops
12:45 p.m. - 2 p.m. Delegate Luncheon
2:30 p.m. - 4 p.m. Workshops
7 p.m. - 9:30 p.m. Annual WIR Banquet

Saturday, May 13

- Tour of Zion National Park and Surrounding Area
Golf Tournament

Registration Form

Name Mr./Mrs./Ms.
Title
County
Address
City State Zip
Nickname
Telephone FAX

To register your spouse or youth, please complete the following:
Spouse's Name
Youth's Name

REGISTRATION FEES

Table with columns: Postmarked by April 7, Postmarked After April 7 & On Site. Rows: Member, Non-Member, Other Govt. Attendee, Private Sector, Spouse, Youth.

PAYMENT METHOD

Conference registration fee must accompany this form and must be received before registration can be processed. You may reserve your registration with a voucher or county purchase order made payable to the National Association of Counties.

Select One: Check MasterCard Visa P.O. or Voucher
Card Number Exp. Date
Cardholder's Name
Signature

Cancellation Policy: Refund of conference registration fee, less an administrative fee of \$50 (or one-half of spouse/youth fee), will be made if written notice of conference registration cancellation is postmarked no later than April 14, 1995.

MAIL TO: NACo Conference Registration, P.O. Box 79007, Baltimore, MD 21279-0007

HOTEL RESERVATION
HOUSING REGISTRATION - Housing reservations must be made by completing this form.
Room Reservation Name
Roommate Name
Do you have a special housing request?
Please describe any special disability or handicap needs?

PLEASE CHECK YOUR DESIRED HOTEL

Indicate first choice with 1. If first choice is unavailable, reservation will be made at the next available hotel. Each reservation requires a one-night's deposit.

Table with columns: HOTEL, SGL, DBL. Rows: Holiday Inn (Hdq.), Hilton Inn, Ramada Inn, Comfort Suites, Hampton Inn.

Please check one of the following: 1 person, 1 bed 2 persons, 1 bed 2 persons, 2 beds

HOUSING DEPOSIT - Your room reservation can be guaranteed by either of the following methods:

- 1. Complete Credit Card Authorization below. This is fast and easy; your room will be reserved and guaranteed.
2. Send no payment now. We will reserve your room and send you an acknowledgement of your room reservation that will instruct you to pay the hotel directly in order to guarantee your room.

NOTE: The NACo Conference Registration Center will send you an acknowledgement within two weeks of receipt of this form. The hotel will also send you an acknowledgement after your credit card is confirmed or payment is received.

CREDIT CARD AUTHORIZATION MC Visa AMEX
Card Number Exp. Date
Cardholder's Name

The NACo Housing Center is authorized to use the above card to guarantee my hotel reservation. I understand that one night's room charge will be billed through this card if I fail to arrive for my assigned housing at the confirmed date, or if I depart earlier than I have confirmed, unless I have cancelled my reservation with the hotel at least 48 hours in advance.

News from the nation's counties

North

NEW YORK

In an effort to stimulate economic vitality, a group of local entrepreneurs in **YATES COUNTY**, with the assistance of the Cornell Cooperative Enterprise Program, established the Windmill, a farm-draft market that attracts more than 10,000 customers on any given Saturday.

The cooperative enterprise offers 200 member-owner vendors the opportunity to market their products, while providing customers with a unique shopping experience.

What does the Windmill mean to Yates County, one of the poorest of rural counties in New York State?

The economic vitality of the county has improved through increased sales tax revenues. New businesses have been created both at the market and in individual member's businesses. Members now have a higher income and are experiencing an overall economic multiplier effect.

For more information, contact Brian Henehan in the Department of Agricultural, Resource and Managerial Economics, Cornell Cooperative Extension, 607/255-0000.

PENNSYLVANIA

ALLEGHENY COUNTY commissioners recently expressed their opposition to a proposal to create additional judges in Allegheny County unless the positions are fully funded by the state.

In letters to Governor Tom Ridge and state senators, Commissioners Jim Foerster, Pete Flaherty and Jerry Dunn recalled a campaign promise to "fight the imposition of funded mandates."

The judgeships proposed in SB 2 would cost Allegheny County \$25,000 each, in addition to the \$7.2 million current annual cost of funding 39 sitting judges.

The commissioners reminded Governor Ridge and the senatorial delegation of a 1987 decision by the state Supreme Court that court funding is the commonwealth's responsibility, not Allegheny County's.

Despite that ruling, the Supreme Court has stayed its order, with the result that the General Assembly has never appropriated the funds necessary to operate the court system. The Supreme Court has rejected repeated attempts to enforce its judgment, and counties have been

forced to continue funding the courts out of local property tax dollars. The state pays less than one-sixth of the cost of operating the courts.

South

FLORIDA

As home invasion robberies and automobile thefts reach epidemic proportions, **DADE COUNTY** is joining the state of California, New York City and the city of Las Vegas in implementing legislation to regulate the locksmith industry.

Dade County Commissioner Javier Souto has sponsored the strongest ordinance in the nation to protect the public from unscrupulous and unskilled locksmiths. The ordinance seeks to regulate locksmiths and the locksmith businesses through the Dade County Department of Consumer Services and a newly created Locksmith Consumer Safety Board.

Under the ordinance, no one would be permitted to perform locksmith work or operate a locksmith business in Dade County without first obtaining a registration.

Among other things, locksmiths would be required to carry a minimum of \$100,000 in liability insurance, and, 30 months after enactment of the ordinance, all locksmiths within the county would be required to obtain a locksmith certification.

VIRGINIA

While disasters can be frightening for adults, they can be traumatic for children, who are particularly vulnerable in times of emergency. So, the **STAFFORD COUNTY** Department of Emergency Services, in partnership with the Stafford County Public School system, is promoting a new program specifically designed to educate children about preparing for a disaster.

"Adventures of Disaster Dudes" is a video production designed to give children a sense of power over a disaster situation. The program targets fourth-grade students. There are approximately 1,230 fourth graders in the Stafford County public school system. Forty-four teachers have also been introduced to the Disaster Dudes materials.

"We wanted to work with children because research shows that young people between the fourth and ninth grade develop lifelong behaviors," said Laverne Daniels,

assistant superintendent for instruction. "Others will turn to these students in times of disaster. They will be our future leaders during an emergency."

The Federal Emergency Management Agency's Family Protection Program and the American Red Cross developed the Disaster Dudes program.

Midwest

MICHIGAN

Governor John Engler's proposal to increase individual income tax deductions by \$300 would cost Michigan counties approximately \$3 million in lost revenue. According to State Treasurer Doug Roberts, the governor does not plan to compensate counties for the funding reductions. This position is particularly troubling to counties because the chief executive's plan also calls for the deduction to be increased annually, based on changes in the Consumer Price Index.

During recent action in the House of Representatives, however, a "hold harmless" provision for all local governments was added. Furthermore, the percentage of income tax revenue distributed as revenue sharing would be raised. (Source: Michigan Association of Counties, *The County Line*, Feb. 6, 1995.)

West

IDAHO

The **BONNER COUNTY** Sheriff's Department put a reader

board on the courthouse lawn to inform passersby about how expensive it is to run the county jail. Sheriff Chip Roos says that a proposed new jail design complies with the minimum state jail standards; if the federal government steps in, it could cost considerably more to

meet federal standards. The bond failed for the third time in November.

The city of Sandpoint says the sign should be removed because it is in violation of an ordinance that does not allow reader boards to be placed within the city.

More news from ...

NEW JERSEY — Last winter's severe ice and snow storms that paralyzed much of **UNION COUNTY** has spurred the Office of Emergency Management to form a major travel advisory partnership.

Partners include the Salvation Army; American Red Cross; AAA New Jersey Automobile Club; Union County Freeholders; New Jersey Department of Transportation; municipal police and public works department, the county's largest employers; R.A.C.E.S. (Radio Amateur Civil Emergency Services, an official unit of the Office of Emergency Management [OEM] at the county and municipal level); and local media (radio, television and newspapers).

"We've developed a phased response to winter weather events and other emergencies (i.e., floods, hurricanes, chemical spills), ranging from Phase I to IV," explained Ben Laganga, coordinator of the county's OEM. "During each phase, OEM will be gathering information from our partners and monitoring its impact on local roadways."

According to Freeholder Henry W. Kurz, "Phase I represents an 'alert' situation. An incident such as a winter storm with no real expected accumulation has been identified. We'll maintain normal staffing levels at our command center in Westfield and continue to monitor the situation with our partners."

During Phase II, Kurtz continued, the incident is likely to affect the county with minor disruption of services, travel, etc., while a Phase III event will probably result in significant delays and disruption. If the incident affects county with definite disruption of services and travel, and poses an imminent threat to life and property, it will be upgraded to Phase IV.

"At that point, we're going to be transmitting, via fax and phone, travel advisories to our partners," said Laganga. "Radio and cable stations will be asked to make ongoing travel advisory announcements, large businesses will be contacted regarding the best time to send employees home, Red Cross and the Salvation Army will begin to open reception centers near major roadways, and AAA will advise its emergency road service facilities and members of the situation via a telephone recording."

In addition to the incident classification levels, the American Red Cross, the Salvation Army and AAA are working to educate area motorists about the importance of being prepared in advance of a winter storm or other emergency.

Crime dilemma: that bossy Republican Congress

By Neal R. Peirce
Washington Post Writers Group

(Neal Peirce is a syndicated columnist who writes about local government issues. His columns do not reflect the opinions of County News or the National Association of Counties.)

Has the intrusive, bossy Democratic Congress, cavalierly handing off orders to states and localities, turned into an equally intrusive, bossy, cavalier Republican Congress?

Check out the Republicans' new \$21 billion crime bill — the so-called, Take Back Our Streets Act — and it seems so.

The legislation sweeps aside the delicate balance between punishment and prevention achieved in the laboriously negotiated 1994 crime act.

Gutted are outlays for such prevention-oriented programs as spe-

cial drug courts, after-school activities, midnight basketball and the Community-Oriented Policing Services (COPS) Program to hire 100,000 street police officers over five years.

Instead, the Republicans are moving to add \$2.5 billion to the \$8 billion for state prison subsidies voted last year. And then they pile on conditions. To qualify for half the prison money, states would have to increase the percentage of violent criminals sentenced to prison. For the other half, they'd have to guarantee that violent offenders serve at least 85 percent their sentences.

Why, one wonders, would the new Congress go in for this micromanagement when the states are already seized by a frenzy of prison-building and sentence toughening that's given us (after Russia) the world's highest incarceration rate?

And if one accepts the Republi-

can doctrine of federalist experimentation, of letting states and localities make their own decisions, then why force them into a paroxysm of state law change to get the federal money? The Justice Department reports only three states — North Carolina, Arizona and Delaware — currently meet the sentencing requirements of the GOP's new bill.

What's more, if one asks people at the front line of the crime war — local officials — the thrust of the Republican crime bill is all wrong anyway. The National League of Cities has just surveyed 382 officials in cities of 10,000 or more people, asking them to name the public safety measures most likely to reduce crime.

The top responses — named by 64 and 48 percent, respectively — were prevention-oriented: supporting family stability and jobs/tar-

See PEIRCE, next page

We invite readers to submit items for "News from the nation's counties."

Mail to us: c/o County News, 440 First St., N.W., Washington, DC 20001, or FAX to: 202/393-2630.

Notices . . . notices . . . notices

CONFERENCES

■ **The Rural Economic and Community Development Division of the U.S. Department of Agriculture (USDA)** will offer a series of Rural Homeless Regional Interactive Workshops in Columbus, S.C., March 6-7; Hood River, Ore., April 10-11; Casa Grande, Ariz., May 1-2; and Columbus, Ohio, June 5-6.

The series will provide the opportunity for professionals to meet and network with other individuals and organizations concerned with the special needs of homeless people in rural areas and also to solicit new information on the characteristics of rural homelessness.

For more information, contact: Amy Donoghue, AGBOX 0781, RECD/USDA, Washington, DC 20250-0781, phone: 703/305-2920, fax: 202/690-3444.

■ **"The Age Games: Who Plays? Who Wins?"** is the theme for the American Society on Aging's (ASA) 41st Annual Meeting in Atlanta, Ga., March 11-14.

Aging experts will examine how the nation's elders can be served in this new era of government cutbacks and how to assist the growing number of caregivers, who often don't know the rules of the game or who makes them. The costs \$220 for members and \$310 for non-members.

For more information, contact: American Society on Aging, 833 Mar-

ket St., Suite 511, San Francisco, CA 94103-1824, phone: 1/800/537-9728, fax: 415/974-0300.

■ **The Government Finance Officers Association (GFOA)** will sponsor several government financial management seminars in Denver, Colo., March 13-17. The topics of the sessions include: "The Planning and Sale of Municipal Bonds," "Advanced Financial Reporting for Governments," and "Intermediate Governmental Accounting."

For more information, contact: Robert Lee, Government Finance Officers Association, 180 Michigan Ave., Suite 800, Chicago, IL 60601, phone: 312/977-9700.

■ **The University of Wisconsin-Madison**, Department of Engineering Professional Development, will offer a course, titled "Effective Zoning Administration Techniques," March 27-29 in Charlotte, N.C.; May 1-3 in Madison, Wis.; and June 5-7 in Colorado Springs, Colo.

This course will provide the zoning administrator with the necessary background to carry out the responsibilities associated with a comprehensive approach to zoning, including principles of effective zoning, organizational and administrative practices of proper zoning, and zoning enforcement techniques. The fee is \$295.

For more information, contact: Philip M. Bennett, Department of En-

gineering Professional Development, University of Wisconsin-Madison, 432 North Lake St., Madison, WI 53706, phone: 1/800/462-0876.

■ **"Connecting Government for the Future,"** is the theme of the **Government Technology Conference**, May 15-19, in Sacramento, Calif.

Workshop topics will include: "Service to the Citizen," "Evaluation & Selecting a Client/Server Environment," and "Strategies for Cooperation/Partnerships." The cost is \$225 for individuals and \$210 for those registering as a team (10 or more).

For more information, contact: GTC Western Region 1995, 9719 Lincoln Village Dr., Suite 500, Sacramento, CA 95827, phone: 916/363-5500.

PUBLICATIONS

■ **The Public Employee Department of the AFL-CIO** has released a report, titled "Excellence in Public Service: Case Studies in Labor-Man-

agement Innovation."

This publication describes the experiences of labor and management to improve the quality of public services throughout a wide range of programs on all levels of government. The cost is \$3.50.

To order, contact: Public Employee Department, AFL-CIO, 815 16th Street, N.W., Washington, DC 20006, phone: 202/393-2820, fax: 202/347-1825.

■ The **"Catalog of Federal Domestic Assistance"** is now available from the **U.S. Government Superintendent of Documents**.

State and local governments, educational institutions, health care facilities, non-profit and community groups, and small businesses can use it to find out about program objectives and goals, administering agencies, types of assistance offered, and criteria for selection. The cost is \$50.

For ordering information, call the U.S. Government Bookstore, 202/512-2250 or 202/512-1800.

■ **The Lincoln Institute of Land Policy** has released a report, titled

"Land Policy & Boom-Bust Real Estate Markets."

This publication kicks off a series of reports that will focus on bridging the gap between theory and practice on various land policy issues of concern to state and local policy-makers.

For more information, contact: Harrison Glavan, Lincoln Institute of Land Policy, 113 Brattle St., Land Policy, MA 02138-340, phone: 661-3016, fax: 617/661-7235.

AWARDS

■ **The National Council of Juvenile and Family Court Judges** began its search for applicants for the **1995 Annual Awards Program**.

The award program recognizes outstanding projects and persons in the juvenile and family system and/or those projects or persons who have made significant contributions to the betterment of America's families and children. The deadline for nominations is May 15, 1995.

For an application, contact: R. Mildon, associate director for administration, National Council of Juvenile and Family Court Judges, University of Nevada, P.O. Box Reno, NV 89507, phone: 702/6012, fax: 702/784-6628.

PEIRCE from previous page

geted economic development.

The next preferred strategies (named by 30 to 40 percent) were more police officers, after-school programs, neighborhood watch programs, more police foot patrols, school-to-work programs, recreation and early childhood education.

Mandatory sentencing (18 percent) and building more prisons (eight percent) were way down a list that included court/bail reform, boot camps, funding drug treatment, gun control and elimination of parole.

Yet the Republican crime measure marches off in precisely the opposite direction. Except that it was included in the campaign season Contract with America, what's the justification for it?

Detroit Mayor Dennis Archer accuses House leaders of ignoring Speaker Newt Gingrich's promise to consult with local officials about law changes that affect them.

"They have deprived us of the opportunity to be heard," Archer told *The Washington Post*. "They act as if by osmosis they know better what needs to be done in Detroit or New York than those who live there. If they listened, they might learn that it's less expensive in Michigan, for example, to do things that keep someone out of prison than pay the \$30,000 a year per capita cost of keeping that person in a prison cell."

There is a provision in the House crime bill, authored by Representative Bill McCollum (R-Fla.), to set up a \$10 billion anti-crime block grant that would bypass the state governments and go directly to cities, giving them maximum freedom in how to spend the money.

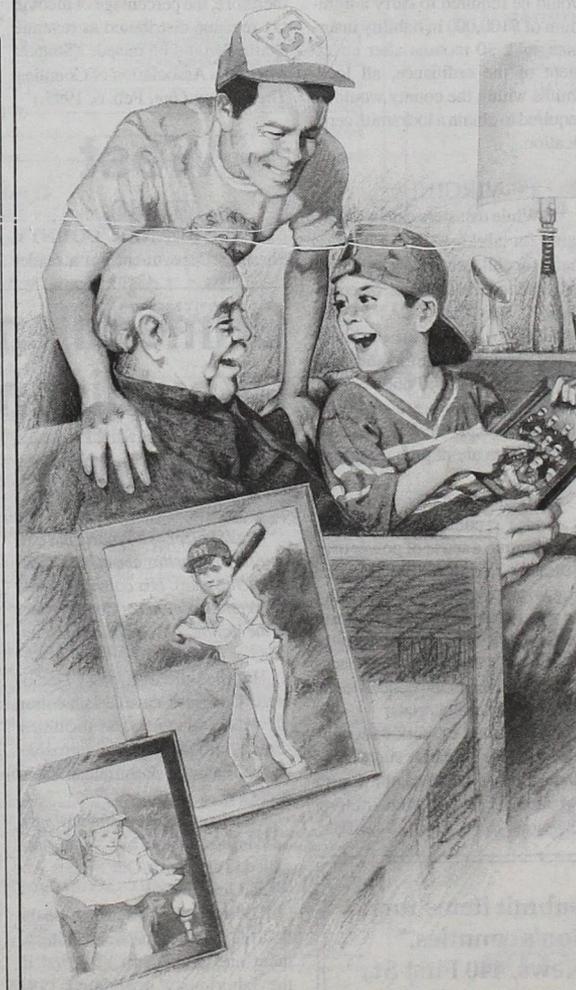
Senate Judiciary Committee Chairman Orrin G. Hatch (R-Utah) is readying a provision to give block grants to the state governments instead. But that worries local officials, who fear the money will reach them slowly, after state legislators have garnered political credit.

On balance, the whole idea of having a crime act was probably a bad idea. Why should federal taxpayers be footing the bill for local safe streets, or prisons that local officials say won't achieve much anyway? Why send money looping through the Internal Revenue Service and the Justice Department when it might better be raised and spent at home? What's a more fundamental state and local responsibility?

In the Reagan era, that was the Republicans' incessant argument. It still makes sense.

But if the Washington crowd can't restrain itself, it ought to give — as Detroit's Archer so eloquently suggests — maximum discretion to the officials who have to cope with crime firsthand in their own cities and counties.

It Seems Like Yesterday...



...He coached your little league team.

Now, Dad needs someone to pinch hit for him.

Start at first base. Call...



ELDER CARE LOCATOR

A Way To Find Community Assistance for Seniors

1-800-677-1110

This public service advertisement is made possible by this publication and the Administration on Aging, U.S. Department of Health and Human Services.

Job market

COMMUNITY DEVELOPMENT DIRECTOR, DEPARTMENT OF PLANNING & DEVELOPMENT — SURRY COUNTY, VA.

The County of Surry is a small, rural community of approximately 500 people located in southeastern Virginia on the James River. The county is seeking a Director of the Department of Planning and Development—salary range \$38,791-\$60,251—to perform complex professional planning work and administrative work in directing the activities of the Department of Planning and Development and related work such as the preparation of grant applications and the coordination of special projects. The preferred candidate will have a strong background in environmental and land use planning, excellent oral and writing communication skills and a proven ability to work in a diverse rural community. Minimum qualifications require any combination of education and experience equivalent to a college degree in urban or regional planning, public administration or a closely related field supplemented with a master's degree in urban or regional planning and considerable experience in professional planning including some supervisory experi-

ence. Submit current resume including educational background, dates of employment and salary history, title and telephone number of immediate supervisor, reasons for leaving and experience working with boards, commissions and citizens groups by March 17, 1995 by 4:00 p.m. (facsimile will not be accepted) under a cover letter in a sealed envelope marked "Personnel-Community Development Director." Finalists will be required to complete and submit a Surry County Job Application Form. Contact: Mr. Terry D. Lewis, County Administrator, P.O. Box 65, Surry, Virginia 23883. Equal Opportunity Employer.

COUNTY ADMINISTRATIVE OFFICER — YOLO COUNTY, CALIF.: Yolo County (population 150,000), located in the southwestern portion of the Sacramento Valley directly adjacent to the State Capitol, is seeking an experienced executive to serve as the County Administrative Officer. Yolo is a general law county that has approximately 1300 staff and a FY 94-95 budget of nearly \$158 million. The ideal candidate is a county administrator, assistant or senior executive from a comparable public or private sector organization

with a proven track record and a passion for results, innovation, quality and customer service. Candidates should possess outstanding problem solving, communications and consensus building skills and the ability to work in an effective partnership with the Board of Supervisors. The salary for the position is negotiable. In addition, the County provides an excellent benefit program. The final filing date for the position is Friday, March 3, 1995. An information brochure is available. Contact: Shannon Associates, 1601 Response Road, Suite 390, Sacramento, CA 95815, 916/567-4280. Yolo County is an affirmative action/equal opportunity employer.

COUNTY ADMINISTRATOR — SANTA ROSA COUNTY, FLA.: Population 92,000 (\$33M budget), 250 employees. Salary open depending on qualifications; growth oriented, changing, combination of urban/rural. Beautiful, scenic area, excellent living amenities, very modest cost of living. Report to five member County Board; requires a minimum of a Bachelor's degree (prefer Master's degree) and Chief Executive or Assistant Chief Executive experience in comparable local government. Prefer Florida or growth area

experience; particular experience in growth management, land use planning, environmental issues, personnel relations, fiscal management and staff development. Send resume by March 15, 1995, to: Lydia Ezell, Chairman, Santa Rosa County Board of County Commissioners, 801 Caroline Street, S.E., Suite J, Milton, Florida 32570, (904) 623-0135, FAX (904) 623-1684. Under Florida's Open Records Act, resumes are subject to disclosure.

COUNTY MANAGER — DUKES COUNTY, MASS.: County of Dukes seeks manager. Knowledge of county organization and associated interactions among other levels of government; thorough knowledge of the principles of public administration. A knowledge of grants, applications and administration of same is desirable. Ability to organize and present in written form statistical, financial or factual information, as well as the clear and concise expression of ideas both orally and in writing. Position requires the ability to establish and maintain effective working relationships with other employees, county officials and the public. Bachelor's degree from accredited college/university, 5 years experience in municipal administration. Master's degree desirable; or equivalent combination of education and experience. Salary to commensurate with experi-

ence. Resumes to Dukes County Commissioners, P.O. Box 190, Edgartown, MA 02539, by 3/17/95. EOE.

DIRECTOR, PLANNING AND LAND USE, AND DIRECTOR, HOUSING AND COMMUNITY DEVELOPMENT — SAN DIEGO COUNTY, CALIF.: Director, Planning and Land Use—Directs operating budget of \$10 million and staff of 160. Services include regional and community land use and transportation planning and development; building permitting; zoning and construction codes enforcement; environment review. Director, Housing and Community Development — Directs operating budget of \$14 million and staff of 100. Administers Federal funds for block grants, residential rehabilitation and low-income rental subsidies. Executive benefits include automobile and relocation allowance. Salaries are negotiable; expected to be \$80,000-\$95,000 for DPLU and \$70,000-\$86,000 for DHCD. Filing deadline for each position is Monday March 13, 1995. For application form and separate brochure detailing the employment process, benefits, and background requirements for each position, please contact: County of San Diego, Department of Human Resources, 1600 Pacific Highway, Room 207, San Diego, CA 92101. (619) 236-2191 or 531-5139.

Job Market - Classified Rate Schedule

Rates: \$5 per line. (You can figure the approximate cost of an ad by counting the number of characters, including spaces and punctuation marks, in your copy. One line consists of approximately 38 characters. Divide 38 into the number of characters in your ad. The resulting figure will give you the approximate number of lines. Multiply that figure by 5 to figure your approximate cost.) Display Classified: \$30 per column inch. Billing: Invoices will be sent after publication. Mail advertising copy to: Job Market, County News, 440 First St., N.W., Washington, DC 20001. FAX advertising copy to: Job Market, County News, 202/393-2630. Be sure to include billing information along with copy. For more information, call County News, National Association of Counties, 202/942-4256.

CALL FOR PAPERS

The Department of Housing and Urban Development (HUD), Office of Policy Development and Research (PD&R), invites the submission of brief essays on HUD's role and contributions over the last 30 years for possible publication in its journal Cityscape. A special issue of Cityscape, commemorating the 30th anniversary of HUD's founding, is planned for early fall 1995. Cityscape editors are seeking essays with a wide variety of perspectives and topics including:

- First person essays (growing up in public housing, owning a home for the first time, implementing HUD programs at the local level).
- Commentary on HUD's achievements and limitations in particular policy areas (fair housing enforcement, neighborhood revitalization, urban economic development, affordable housing, and housing for persons with special needs).
- Analysis of HUD's evolving role under changing conditions from 1965 to 1995.

Essays should be no longer than 750 words and will be reviewed by HUD staff and Cityscape editors. Decisions of reviewers regarding selections will be final. Authors will receive no compensation. Essays should be submitted to:

Cityscape
Attn: Janice London
Aspen Systems Corporation
1600 Research Boulevard
Rockville, MD 20850
Phone: 301-251-5444
Fax: 301-251-5747

Please include your name, address, and phone number in case we need to contact you. Essays must be postmarked no later than midnight June 1, 1995.



ENDANGERED

from page 6

new industry or new resident construction.

Schmidt indicated Mill City has received several grants from the President's Plan for the Pacific Northwest. Most of the grant funding is for infrastructure renovation. Local sawmills are almost totally relying on logs from private lands and importing logs from out of state.

Although currently few "federal" logs are available, there is hope this will change with the recent approval of the Environmental Impact Statement, which came out of the President's Plan for the Pacific Northwest.

More people are moving into the community — most are retirees; commuters working outside the area; or high-tech, small, home-based business owners utilizing state-of-the-art computer technology.

Ukiah, Ore.

Carole Picard, Ukiah council member, indicated that Ukiah's local economy suffered a big blow when the community's largest employer, the Forest Service, reduced its employee levels from 100 to 20. Winter tourism, which consists of cross-country skiing and snow-mobiling is at a low level because of below-average snowfall.

The city council is currently negotiating the sale of a portion of the city's artesian spring water source to a company that would process the bottled spring water and could employ 20 people.

Local schools have low enroll-

ment levels. The city has innovatively attacked low enrollment levels by "boarding in" students from other areas. Boarding students has increased high school enrollment from 11 to 23 students in the current school year.

Reserve, N.M.

Janet Porter, Catron County, N.M. treasurer, stated that Reserve is worse off today compared to a year ago. The lone lumber mill in town that was shut down, but is still intact, is now in the process of being dismantled.

New Mexico banks are no longer loaning money to ranchers that are dependent on federal grazing permits. Local ranchers are being affected. Due to declining federal timber harvest levels, timber receipts are down 25 percent from historic levels. The local water system is privately owned and in need of repair. A positive note is the recent residency of a full-time doctor in the local clinic.

Walden, Colo.

Jackson County (Colo.) Commissioner Dennis Brinker said that Walden's economic situation has deteriorated significantly. The largest local employer, a sawmill, has shut down, causing some residents to leave the area.

Brinker indicated some of the displaced mill workers have obtained mill employment in nearby Saratoga, Wyo., but that the Saratoga mill would probably close soon. The potential development of the coal mining industry is not positive. It once had some

promise, but not today, Brinker said.

The state of Colorado has placed a moratorium on development on state lands. The moratorium has effectively shut down the initial planning phases of a ski resort with support facilities. Meanwhile, local residents are resisting the closure and dismantling of a local railroad spur.

On a brighter note, natural gas pipeline is currently being constructed from Laramie, Wyo. to Walden. The pipeline will provide residents with cheaper fuel than the propane that is currently being trucked in.

Troy, Mont.

Larry Dolezal, Lincoln County, Mont. commissioner, stated that Troy's economic situation has deteriorated, but there is hope. Despite the recent sale of a mill complex in nearby Libby, where approximately 50 jobs were lost, a new copper silver mining site is currently undergoing environmental analysis. If the new mine project gets the go-ahead, Troy's now closed mine will reopen to "train" workers in preparation for work in the new mine. Officials expect that the Troy mine will reopen within five years and that the new mine in construction and operational phases will employ 400-500 people for 15-20 years.

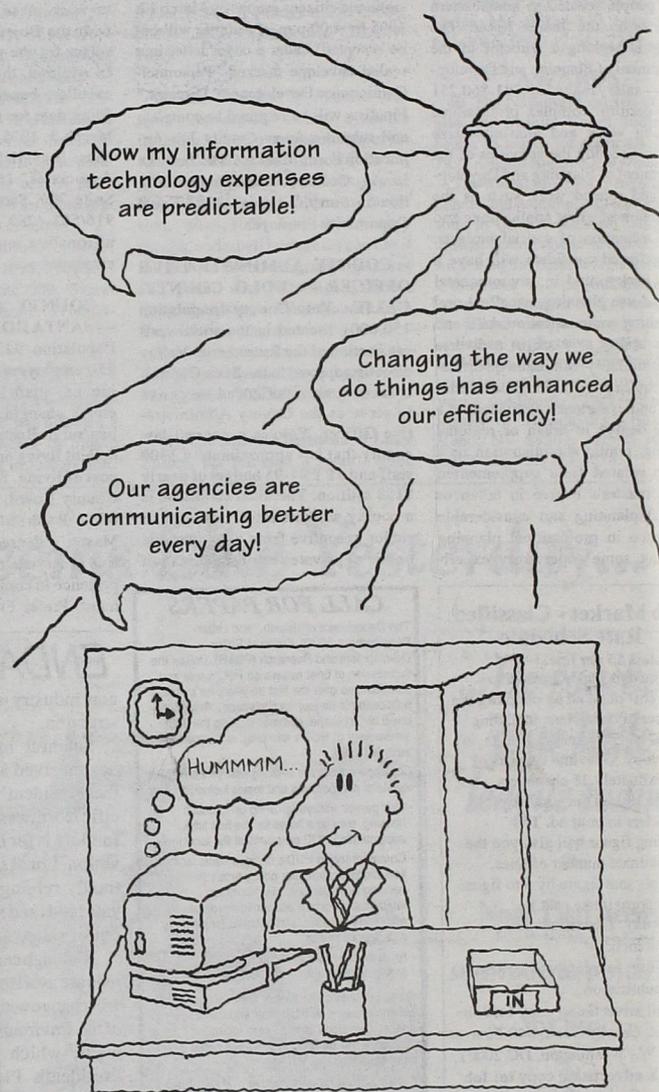
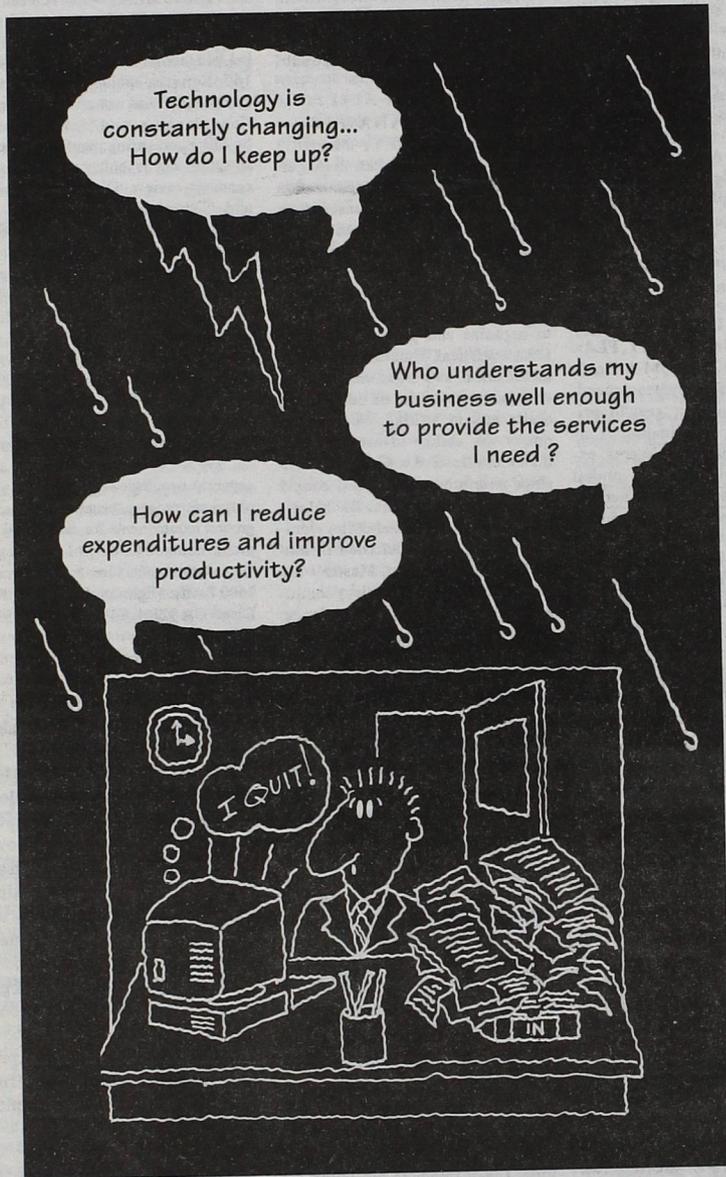
The feasibility of a day-use ski facility on national forest land is also currently under study. The ski facility would be located south of Libby, but would provide some employment for Troy residents.

MA Land Bank Devens Division

Deputy Director

Salary range: \$90,000-\$100,000. The Land Bank has been assigned responsibility to redevelop Fort Devens to a research and technology center when the US Army closes the Fort in late 1995. Extensive regional planning complete and approved by the abutting towns. The Deputy, acting as the COO, is responsible for building staff capacity to provide services to the businesses and residents who will occupy the site. The Deputy is also expected to play a key role in marketing the facility to prospective developers. Requires experience in creating service capacity, strong organizational skill to provide oversight to the entire Division, strong financial skills, articulate representation skills before other public and private bodies, and experience in recruiting and retaining commercial and industrial businesses. Responsible for overseeing a staff of 35, and budgets exceeding \$5 million in operating, and \$200 million in capital investment. Please send resume to: Richard T. Bennett, Isaacson, Miller, 334 Boylston St., Suite 500, Boston, MA 02116. (617) 262-6500; fax: (617) 262-6509. Equal Opportunity Employer.

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