

ATTENTION TURNS TO SENATE

New CETA Formula Voted

WASHINGTON, D.C.—By a surprising vote of 25 to 10, the House Education and Labor Committee rejected its subcommittee's formula allocation for the Comprehensive Employment and Training Act (CETA) and chose one which is more beneficial to the largest number of counties and consortia.

The formula, approved by the full committee, gives two-thirds weight to the current Title I formula and one-third weight to the current Title II formula. The subcommittee's formula favored large cities with high unemployment rates.

The bill, H.R. 12452, which the

Education and Labor Committee reported out last week "is substantially improved," according to Jon Weintraub, NACo associate director for employment.

"But the Senate bill still has a long way to go," he added.

County efforts to overhaul the Administration's four-year extension of CETA will reach a crucial stage when the full Senate Human Resources Committee marks up the bill, S. 2570, May 11.

In a mailgram to NACo board members, state association executives, employment steering committee members and CETA directors,

Weintraub described the tough restrictions on public service employment (PSE) in the Senate bill.

AS MARKED up by the subcommittee, the Senate bill would limit Title II-D PSE eligibility to those who meet poverty guidelines and have been unemployed for 12 weeks. Title II PSE wages could not rise above \$10,000 for the next four years, and nationally, Title II public service wages would have to average \$7,800. No supplementation of these wages with local funds would be allowed. Enrollees would be limited to 18 months, except where the

Labor Department grants a six-month waiver in high unemployment areas. Projects would not be mandated in Title II.

Under Title VI of S. 2570, persons would have to be unemployed five weeks and have an income of no more than 85 percent of the Bureau of Labor Statistics (BLS) standard budget to be hired for a public service job. Title VI jobs could last only 12 months, again with the possibility of a six-month waiver.

Between \$10,000 and \$12,000 would be the top salary, depending on a regional index of average wages. **Supplementation of Title VI wages**

would be limited as follows: no more than 10 percent of the Title VI grant could be used for supplementing wages, and no salary could total more than 120 percent of the CETA wage ceiling. In other words, if a county's CETA wage ceiling were \$12,000 no enrollee could receive a salary higher than \$14,400, no matter what the source of funds.

Every CETA Title VI job would have to be in special projects outside of regular county employment, according to the Senate bill.

See HOUSE, page 16

AFSCME President Calls for 'Dialogue'

HILLSBOROUGH COUNTY, Fla.—Jerry Wurf, president of the American Federation of State, County and Municipal Employees (AFSCME), called for a "reasonable dialogue" between counties and public employee unions at NACo's fourth annual Labor Relations Conference here.

Wurf said, "Workers and those who manage will always interact as adversaries. But an adversary relationship need not be an unreasonable one."

He suggested that "the problems we have in common are more numerous and more important than the things we have to quarrel about."

Throughout his keynote speech to the 150 county officials attending the two-day conference April 30-May 2, Wurf emphasized that "causes which unite us... the common problems... our partnerships as lobbyists for the communities we serve..."

WURF SPOKE of the partnership as "trustees of the public's mandate for the delivery of high volume, high quality public services" and stated, "We must share the responsibility of improving it."

He told the county officials "our partnership in the mission of government is indissoluble despite animosities and disagreements. We must redouble our efforts to work them out in a civil, constructive and responsive manner. We cry out for reasonableness," he declared.

The union president made it clear that "we are fully prepared to defend our just interests very forcefully. Second-class citizenship for public employees is becoming a relic of the past," he said, as he cited international acceptance of public employee unions in free societies.

And he deleted a portion of his text referring to exploitation of anti-public employee union sentiment in the United States by county officials.

Wurf emphasized that emergency personnel such as police and firefighters should not strike when there

is an impasse in negotiations. "We do believe that impartial arbitration must be substituted for such strikes," he stated.

Departing from his prepared text, he said, "You cannot tell free men and women they cannot strike. But equity, not power, should be the basis of relationships."

He referred to the idea that government is the employer of last resort as "discredited."

"GOVERNMENT JOBS are vital to every community," he declared, "but only a healthy private sector can provide the jobs that create a tax base to rescue declining communities from permanent dependence on the federal dole."

He called for "systems of regional bargaining in the public sector" with "regionally uniform classification systems, portable benefits and other more rational systems." He was critical of "narrowly exclusive management, bargaining and negotiating methods" and said it is time to achieve economies through "new mechanisms."

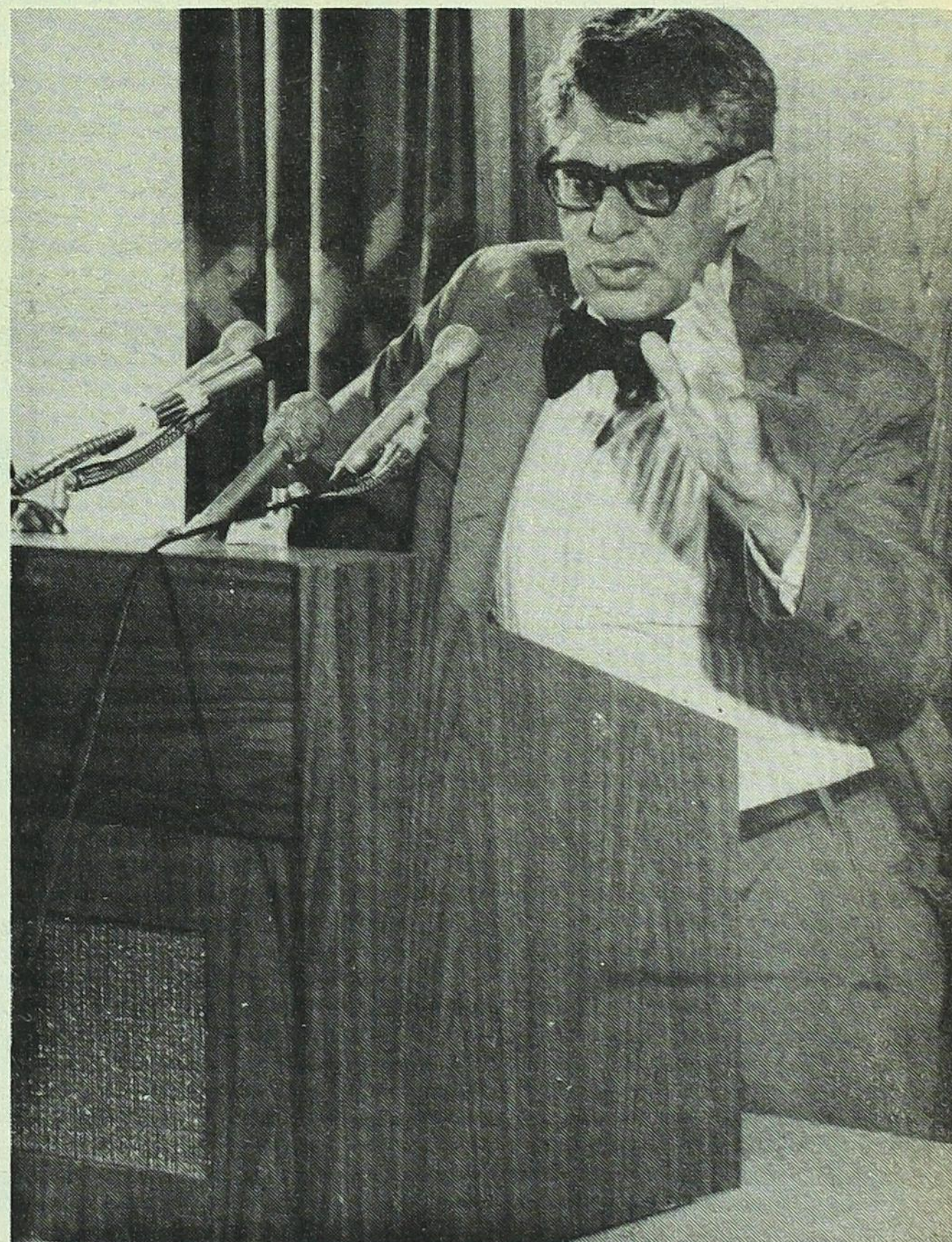
"When you talk to us," he continued, "you use taxpayers' money

and everyone pays a "high price unless we address each other with reasonableness."

Wurf defended the need for Comprehensive Employment and Training Act (CETA) programs, countercyclical aid and welfare reform. "We must continue, he stated, "to demand that the federal dollar flow back from Washington instead of only into it. We must insist that the flow is premised on the criteria of need and not on counterproductive regionalism."

OPENING SESSIONS of the conference included comments from NACo Executive Director Bernard F. Hillenbrand; NACo President William O. Beach, Montgomery County, Tenn.; Frances Davin, chairman, Hillsborough County (Fla.) Board of Commissioners; NACo Board member Jack Simmers, chairman, Polk County (Fla.) Board of Commissioners; and NACo Labor-Management Relations Steering Committee Chairman John Franke, chairman, Johnson County (Kan.) Board of Commissioners.

See LABOR, page 11



Jerry Wurf addressed NACo's Labor Relations Conference in Tampa, Fla.

TO PRESS FOR HILL ACTION

Coalition Assembled for Urban Policy

WASHINGTON, D.C.—The White House, in its continuing effort to obtain county support for its new urban policy, asked NACo to participate in a coalition of national organizations to press for speedy congressional enactment of the Carter administration's urban policy initiatives.

Organizations representing state and local government elected officials, organized labor, and the National Urban League met at the

White House April 28 with Stuart Eizenstat, President Carter's chief domestic affairs advisor, and Anne Wexler, former deputy under secretary of the Department of Commerce, who recently joined Eizenstat's Domestic Policy Staff to help implement the urban policy.

CONGRESS IS faced with a deadline of May 15, under the Congressional Budget Act, for reporting from committee authorization bills

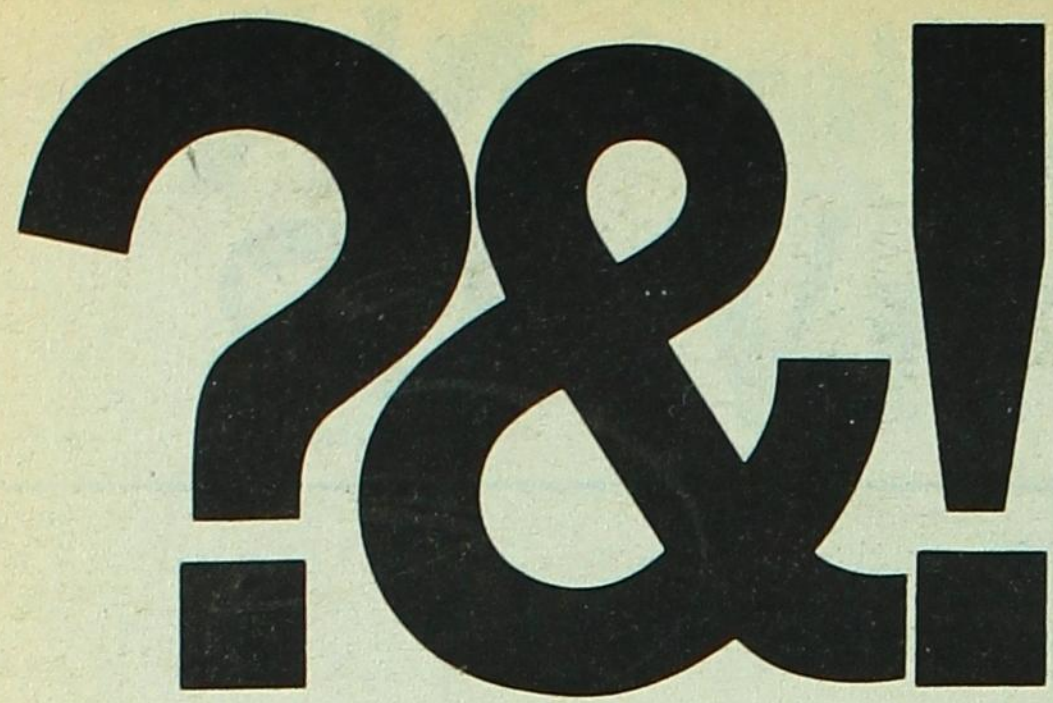
requiring new spending in fiscal '79. Efforts are underway, however, for seeking a waiver of the deadline for 30-45 days in both the House and Senate to allow committees sufficient time for consideration of the urban package.

Although agreeing with the concept of each of the new initiatives, NACo and the other organizations stressed to the White House that they reserved the right to seek modification of particular elements within

them depending on how they affect their constituencies.

NACo has issued a public letter to President Carter following an emergency meeting April 12 called by NACo President William O. Beach, Montgomery County, Tenn., saying that the association cannot support the policy unless there is full recognition of the role of counties in efforts to solve the problems of urban areas.

See GROUPS, page 5



Fulton County, Georgia July 8-12

NACo's 43rd Annual Conference

Find Answers to Questions at Conference Sessions

County officials are constantly being called on for the answers.

Item: Many states are closing the doors to institutions for mentally retarded or disturbed persons. As a result, counties are being asked, or being forced, to provide community-based facilities and new services. Where does the county find the money and the technical assistance to help with this added responsibility?

Item: Counties are losing prime agricultural lands to private and industrial

development. How can counties check this serious trend?

Item: Thousands of local roads and bridges need repair or replacement. How much help can counties expect from the federal government?

If your county is faced with these or other problems, you'll have the opportunity at the NACo annual conference to learn about ways to solve them, share your experiences with other counties, and meet key federal people who can help.

Nearly 60 program sessions will be offered at the 43rd Annual Conference and Educational Exhibits in Fulton County (Atlanta), Ga. July 8-12. The conference will also feature general sessions, special affiliate sessions, NACo steering committee meetings, elections and business meetings, educational exhibits, an expanded spouse program, and a youth program.

The accompanying chart of the tentative program gives a breakdown by subject areas of the sessions being planned for the conference.

Tentative Program Schedule

Program Areas	Monday		Wednesday	
	10 a.m. to 12:15 p.m.	1:30 to 4:30 p.m.	9 a.m. to Noon	2 to 4 p.m.
Community Development	<ul style="list-style-type: none">Block Grants		<ul style="list-style-type: none">Assisted Housing Programs	<ul style="list-style-type: none">Economic Development Administration
Criminal Justice and Public Safety	<ul style="list-style-type: none">Fire PreventionReorganizing Corrections ProgramsVictims of Crime	<ul style="list-style-type: none">The County and School BoardsFuture of LEAAEmergency Communications	<ul style="list-style-type: none">Status Offenders Diversion	
Employment	<ul style="list-style-type: none">CETA Orientation	<ul style="list-style-type: none">CETA Re-enactment	<ul style="list-style-type: none">Wagner-Peyser ActRural Counties and CETAYouth Programs	<ul style="list-style-type: none">Unemployment InsuranceDisplaced HomemakersCETA Directors Roundtable
Environment and Energy/Land Use	<ul style="list-style-type: none">County Energy OfficeEnergy and Land UsePricing for SewersHeritage Preservation	<ul style="list-style-type: none">Energy Standards for BuildingsSolid Waste ManagementNoise Pollution	<ul style="list-style-type: none">Solid Waste TourClean Air Act	<ul style="list-style-type: none">Controlling Sprawl
Health and Education	<ul style="list-style-type: none">Emergency Medical Services and Health Planning	<ul style="list-style-type: none">Innovative Health ServicesThe County and School BoardsDisease Prevention	<ul style="list-style-type: none">Future of Public General HospitalsMental Health	<ul style="list-style-type: none">Long-term Care Reimbursement
Home Rule and Regional Affairs		<ul style="list-style-type: none">Counties and Arts Programs	<ul style="list-style-type: none">Paperwork	<ul style="list-style-type: none">Freedom of Information Councils
Labor Management	<ul style="list-style-type: none">Equal Employment Opportunity	<ul style="list-style-type: none">Strike Contingency	<ul style="list-style-type: none">Public Pension Plans	<ul style="list-style-type: none">Labor Management and the Law
Public Lands	<ul style="list-style-type: none">Legislative Issues	<ul style="list-style-type: none">Wilderness Study		
Taxation and Finance	<ul style="list-style-type: none">Government Liability	<ul style="list-style-type: none">Rural DevelopmentCountercyclical Assistance	<ul style="list-style-type: none">Municipal Bond Activities	<ul style="list-style-type: none">Long-term Budget Strategies
Transportation	<ul style="list-style-type: none">Financing Public Transportation	<ul style="list-style-type: none">Highway SafetyTransportation and Energy and the Environment	<ul style="list-style-type: none">Local Road and Bridge NeedsAirports	<ul style="list-style-type: none">Federal Aid for Resurfacing, Restoration and Rehabilitation
Welfare and Social Services	<ul style="list-style-type: none">Welfare Reform	<ul style="list-style-type: none">Integrating Human Services	<ul style="list-style-type: none">Domestic Violence	<ul style="list-style-type: none">Aging Program Service Delivery

RURAL EQUITY CLOSER

Senate Passes Ag Bill

WASHINGTON, D.C.—The Senate passed the Agriculture Credit Act of 1978 last week by a vote of 94-0, thus bringing major changes in rural development programs a step closer to enactment. The legislation was sponsored by Sen. Herman Talmadge (D-Ga.), chairman of the Senate Agriculture Committee.

The House has passed companion legislation, H.R. 11504, and the bills will now go to a House-Senate Conference Committee to resolve their differences.

NACo strongly supports the provisions in the legislation to expand

the availability of rural development grant programs to rural counties. The bills will both expand the authorized amount of dollars available for water and waste disposal programs and improve the terms under which rural counties may receive those funds. The latter increase in the grant ceiling for individual projects, from the current 50 percent maximum on grants up to 75 percent, will be a major step toward the attainment of rural equity.

The House bill provides for:

- Increased funding level for

water and waste disposal grants from \$300 million to \$400 million a year.

- Elimination of the legislatively imposed 50 percent ceiling on grants as a percentage of project cost and placing the new ceiling at 75 percent.

- Deletion from the original Administration proposal of a provision that would have virtually doubled the interest rates on rural development loans. The level will remain at 5 percent.

The Senate bill will do the following:

- Increase the authorization for water and waste disposal grants from the current \$300 million level up to \$1 billion.

- Increase the ceiling on water and waste disposal grants up to 75 percent of project cost.

Increases in authorization are greatly needed due to the growing demand in rural areas for water and waste disposal systems. The waiting list for water and waste program grants currently exceeds \$600 million.

—Elliott A. Alman



Talmadge

Need for Countercyclical Aid Extension Documented

WASHINGTON, D.C.—Pointing out that the unemployment rate in her county averaged 8.7 percent in 1977, Lois Parke, councilman of New Castle County, Del., urged Congress May 3 to "act as expeditiously as possible" to reauthorize the countercyclical assistance program.

That program, which terminates Sept. 30, currently provides federal financial aid to state and local governments experiencing high unemployment.

Parke testified on behalf of NACo before the Senate subcommittee on unemployment compensation, revenue sharing and economic problems. She gave subcommittee members a few examples of counties where unemployment levels in 1977 remained high despite the drop in national unemployment:

- Kent County, Del.—9.7 percent
- Aroostook County, Maine—11.7 percent
- Lancaster County, Va.—17.9 percent

PARKE REMINDED the subcommittee that it took a year and half to enact the original program. "County governments, be they urban or rural, desperately need to continue to receive countercyclical assistance... We simply cannot afford to wait another year and a half to enact a new program when a recession affects us," she said.

Parke explained that counties bear the prime responsibility to provide health and welfare services to citizens. "It is precisely these types of services that experience the greatest impact from adverse economic conditions. On the one hand, the demand for these services is directly related to unemployment and inflation.

On the other hand, when local governments are affected by inflation, declining tax bases, and unemployment, these services are often the most difficult to expand," she noted.

Parke made a number of suggestions concerning the proposed Administration's bill (S. 2975) which would extend the program for two years at \$1 billion, but with significant changes.

She noted that the Administration proposal would alter the eligibility criteria and the formula for distribution of funds. "However, we do not presently know what the results of all these changes will mean," she said. "Detailed information must be supplied before we can make an adequate estimation of the impact upon local governments in need."

She pointed out that the existing

formula has a "proven and successful track record" with 90 percent of funds going to communities whose unemployment levels exceed 6 percent.

The Administration's bill would also drop the national trigger of 6 percent.

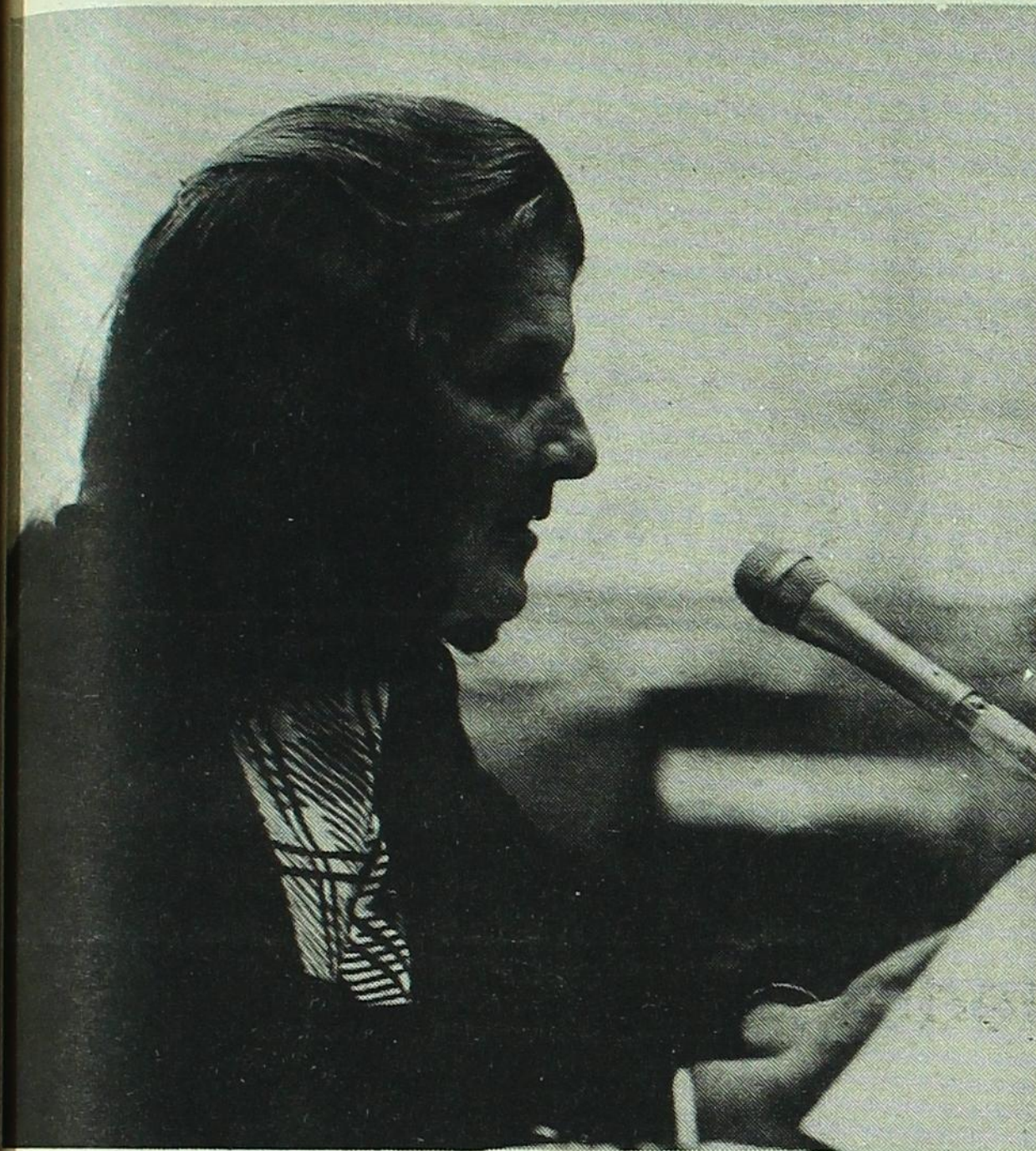
"WE BELIEVE it to be highly desirable to have a program that can both respond quickly to a recession, and also continue to help hard pressed communities," she said.

Besides eliminating or lowering the national trigger, she suggested requiring nationwide unemployment to drop below 6 percent for consecutive quarters before terminating the program or providing a standby program to assist only those communities where unemployment would still be above a designated unemployment rate.

Parke pointed out that eliminating state governments from eligibility, which the Administration proposes, may in the long run hurt local governments in states where the state government has automatically passed through its countercyclical funds to local communities.

Parke closed her remarks by commenting on the new methodology for determining local unemployment levels which the Bureau of Labor Statistics has implemented.

"WHILE NACo feels this is a laudable effort to improve the system, the sudden shift to this new methodology has created problems where federal funds are tied to unemployment figures," she explained.



TESTIFIES IN SENATE—Lois Parke of New Castle, Del asks subcommittee members to act expeditiously to enact a new countercyclical program.

RESPONSE NEEDED

Budget Panel Criticizes CETA

WASHINGTON, D.C.—The House Budget Committee in its report (95-1065) on the first budget resolution strongly criticized the way the Comprehensive Employment and Training Act (CETA) program has been administered by state and local governments.

Although the committee supported the continued funding of CETA at the Administration's proposed level, it called on Congress and the Department of Labor to put much greater emphasis on the structurally unemployed and to make greater efforts to hire persons for jobs which would not have otherwise been financed with state or local funds.

The committee expressed concern "about the high salaries which are being paid to many CETA public service employees and the consequent implications for substitution and for bidding employees away from unsubsidized jobs."

Committee members attribute such problems to "insufficiencies in the law" and "inadequate efforts by the Labor Department to monitor these programs and to inform state and local governments of the illegality of substitution."

The committee urged the authorizing committee to consider the following measures to control substitution

and to target employment more closely on the structurally unemployed:

- "Elimination of supplementation of salaries;
- Reduction of the maximum salary below \$10,000;
- A percentage limit on the number of laid-off employees who can be hired using CETA funds;
- Limitation on individual participation to 18 months out of every five years; and
- Limitation of jobs to those at entry-level wages."

In addition, the committee encouraged the Appropriations Committee in its consideration of CETA to "search for alternative federally funded programs which generate employment and which would not present the same problems with substitution."

The committee emphasized the "urgency of correcting these problems in order to warrant continued congressional support for resources being invested in the CETA program."

County officials are strongly requested to answer these charges where they disagree—citing statistics and examples from their own programs—in letters to the House Budget Committee and its members.

The Committee on the Budget

Robert N. Giaimo, D-Conn., Chairman

Democrats

Jim Wright, Texas
Thomas L. Ashley, Ohio
Robert L. Leggett, California
Parren J. Mitchell, Maryland
Omar Burleson, Texas
Louis Stokes, Ohio
Elizabeth Holtzman, New York
Butler Derrick, South Carolina
Otis G. Pike, New York
Donald M. Fraser, Minnesota
David R. Obey, Wisconsin
William Lehman, Florida
Paul Simon, Illinois
Joseph L. Fisher, Virginia
Norman Y. Mineta, California
Jim Mattox, Texas

Republicans

Delbert L. Latta, Ohio
James T. Broyhill, North Carolina
Barber B. Conable Jr., New York
Marjorie S. Holt, Maryland
John H. Rousselot, California
John J. Duncan, Tennessee
Clair W. Burgener, California
Ralph S. Regula, Ohio

Western Coalition to Rally on Public Lands Policies

WASHINGTON, D.C.—NACo Public Lands Chairman George Buzianis, Tooele County, Utah, has called a NACo Public Lands Steering Committee meeting to coincide with a Washington, D.C. rally of western state and county officials on public lands issues.

The rally, to be held May 21-25, is sponsored by the recently formed Western Coalition. Cochairmen are Jack Petitti, the Western Interstate Region president, and Robert L. Marks, chairman of the Western Conference of the Council of State Governments. The purpose of the coalition is to refine a variety of opinions into a unified voice which can speak to western needs on public lands policies.

The basic approach of the week-long program will be formal presentations to congressional committees, the Bureau of Land Management and the U.S. Forest Service, and informal lobbying of congressmen. The lobbying will focus on members of the Senate Energy and Natural Resources Committee, and the House Interior Committee.

All interested county officials are invited to attend. The rally will be held at the Quality Inn on Capitol Hill. For reservations call: 202/638-1616. For more information on the coalition rally, contact Jim Evans, NACo staff, 202/785-9577.

Help Federal Agencies Write, Say, Think 'County'

To NACo Membership:

Counties are tired of dealing with federal agencies' representatives who do not understand what counties are and what counties do.

Your Executive Committee, steering committee chairmen and urban county representatives meeting in Washington, D.C. April 12 drafted a letter to President Carter which urged him to take a number of public actions to specifically recognize the key role counties must play in any effort to attack urban problems.

One action requested of the President was for him to issue an Executive Order to all federal departments, agencies and staff to make clear the vital and essential role of county government in the American federal system.

Help urge the President to issue a clarifying Executive Order.

On this page is a draft Executive Order which NACo has sent to President for his consideration and which is strongly endorsed by elected county leadership.

Join with county boards across the nation to pass resolutions in support of this Executive Order which makes clear the need for county participation in all federal programs.

Send a copy of your resolution to the President, to your congressional delegation and to NACo.

Let us make certain all federal agencies write, say, and think county the next time they draft policy, legislation or regulations affecting county governments.

WORKING DRAFT FOR EXECUTIVE ORDER

THIS ADMINISTRATION hereby recognizes the vital and essential role which county governments play in the American federal system. In partnership with the federal government and/or the states and cities, counties play a very important role in delivering a great array of services. The nation's 3,104 county governments employ more than 1.4 million persons and administer annual budgets totalling in excess of \$60 billion.

IN RECOGNITION of these facts all federal departments, agencies, and staff of the Executive Office of the President are hereby directed as follows:

- **Federal Advisory Committees and Commissions.** When a group is formally designated to advise the Government of the United States with respect to any program in which there is a significant involvement by county government, every effort should be made to have qualified county officials appointed to these bodies.

- **Meetings and Briefings with Federal Officials.** When federal officials assemble groups to advise and counsel with them and the subject of that consultation concerns programs in which there is a significant county involvement, county officials shall be invited to participate in these sessions on terms of equality with other participants.

- **Executive Orders, Draft Legislation, and Rules and Regulations.** All federal agency personnel will exercise great care when in the preparation of executive orders, draft legislation or rules and regulations there is a significant county involvement in the activities discussed, counties shall be clearly identified as being involved and not lumped under some vague phrase such as, "and other local governments" or "and communities."

- **Speeches and Pronouncements.** In speeches, addresses and other communications with the public county governments shall be shown equal consideration with cities and states where there is significant county involvement. In these cases when the phrase "states and cities" appears, the phrase shall say, "states, cities and counties."

When the phrase "governors and mayors" appears, the phrase shall specify "governors, mayors and county officials."

The President of the United States expects all employees of the federal establishment to follow the spirit, letter, and intent of this executive order.

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News mailbag—

New York Passes Urban Resolution

SUFFOLK COUNTY, N.Y.—Fourteen member counties of the New York County Executives Association have passed a resolution objecting to the Administration's urban policy unless it is modified to include the need for county participation in all federal programs.

NACo has called on the President to issue an Executive Order which makes clear the vital and essential role of counties in the federal system (see accompanying page) and has asked county boards across the nation to issue resolutions in support of such an Executive Order.

The Carter urban policy "will polarize cities and counties and is doomed to failure, due to its lack of recognition of the strong county role in urban problems," the county executives said in the resolution they adopted at their spring conference in Liberty, N.Y.

But in stating opposition to the Carter proposal, the county officials expressed their willingness to work with the Administration "to devise effective strategies and programs which can create a true partnership between state, federal and local governments designed to meet the important needs of urban citizens, regardless of the jurisdiction in which they reside."

The resolution stated:

• WHEREAS, county governments fully recognize their responsibility to serve the needs and interests of their citizens, especially those within urbanized areas who have specialized problems, and

• WHEREAS, county governments currently provide the major human service programs which consume over 80 percent of county budgets benefiting such individuals, and

• WHEREAS, the Carter administration's announced urban policy will polarize cities and counties and is doomed to failure due to its lack of recognition of the strong county role in urban problems, therefore be it

• RESOLVED that the New York State County Executives Association opposes the President's urban program unless it is modified to include a full partnership for counties in dealing with the problems of 60 percent of the nation's distressed urban population who reside in counties outside cities, and also be it

• RESOLVED that the county officials of New York State stand fully prepared to work with the Carter administration to devise effective strategies and programs which can create a true partnership between state, federal and local governments designed to meet the important needs of urban citizens, regardless of the jurisdiction in which they reside.

Letters to NACo

Dear Mr. Hillenbrand:

I would like to say I read with delight the article that appeared in the *County News* April 3 entitled, "Partnership or Urban War?"; however, I must say I read it with great concern.

My delight, if any, is rested in the fact that I find someone articulating my concern; the bureaucratic usurpation of legislative rights and powers and the attendant overlap into the administrative process. In other words, I and we now have agencies performing both legislative and executive functions without input from either the electorate, the legislature or the Administration. I call it the fourth dimension of government—no one can see it or define it—nor should they have to live with it.

—Marvin Boutwell, P.E. Chief
Building and Zoning Inspection Division
Housing and Urban Development

To the Editor:

Thank you very much for sending me the copies of NACo's "A Report on Services to the Elderly."

We are grateful that this kind of attention could be drawn to our local government aging effort and hope that it might help others who are willing to cooperate with others across county lines in administering these human service programs.

—Daniel C. Lynch
County Commissioner
Douglas County, Neb.

To the Editor:

The column titled "Don't Shoot the Parliamentarian" by Joan Amico in the association's newspaper is very helpful and enjoyable. Regretfully, I have only seen a couple of issues and have obviously missed a large amount of good information and advice. Is there any way to obtain reprints of your column from past issues? ...

—Bo N.S. Tunestam, Subarea Planner
Southwest Washington Health Systems Agency

Editor's Note: This column is published periodically. Topics covered so far have been an introduction to parliamentary procedure, how the rules protect the rights of minorities, and a discussion of some of the subsidiary motions. Planned for the future are a discussion of methods of limiting debate, and tips on being a good presiding officer.

Editor's Note: Every now and then something special appears in the *County News* mailbox—this one is from one of our youngest readers.

"Color Images III"

Black silence
A quiet scamper
A frozen white softness
He cocks his white furry head
Black silence again

—L.W.H.

Administration's Urban Policy Initiatives

Initiatives Sent to Capitol Hill	Implementing Agency	Status
• \$1 billion Supplemental Fiscal Assistance Program (2 years)	Treasury	Hearings in House May 4, 5, 9; Senate May 3.
• \$200 million Intermodal Transportation Program	DOT	Markup in House May 3.
• \$150 million increase in Section 312 Rehabilitation Loan Program	HUD	Markup in House May 3, 4; Senate May 3, 4, 5.
• \$150 million increase in Title XX Social Service Program	HEW	
• \$50 million increase for Community Health Center Program	HEW	
• \$40 million Urban Volunteer Corps Program	ACTION	

Initiatives Undergoing OMB Clearance (to be sent to Hill by May 5)

• \$3 billion Labor Intensive Public Works Program (3 years)	Economic Development Administration
• \$150 million Urban Parks and Recreation Program	(Not Decided—Interior or HUD)
• \$20 million "Livable Cities" Arts Program	HUD with National Endowment for Arts
• \$15 million Neighborhood Self-Help Program	HUD
• Differential Investment Tax Credit for Business	Treasury
• \$1.5 billion Employment Tax Credit for Business	Treasury
• \$25 million Air Quality Planning Grants	Environmental Protection Agency

Initiatives Submitted to OMB for Clearance by May 8

• National Development Bank (Includes \$275 million for Urban Development Action Grants and \$275 million for EDA's Title IX)	Interagency (HUD, Commerce, Treasury)
• \$200 million State Incentive Grant Program (2 years)	HUD
• \$10 million Community Crime Control Program	LEAA/ACTION

Initiatives Not Requiring Congressional Action (done through Executive Order)

• Location of Federal Facilities in Central Cities	GSA	Draft Order Week of May 3.
• Targeting of Federal Procurement in Labor Surplus Areas	GSA	Draft Order Week of May 3.
• Community Impact Analysis for New Legislation	OMB	Draft Order Week of May 8.

URBAN POLICY UPDATE

Groups to Push for Hill Action

Continued from page 1

NACo insists that the policy focus on needs, not on geographical limits.

One action called for in the letter is the issuance of an executive order by President Carter to his Administration to clearly identify "state, county and/or city" in all communications concerning counties. (See page 4 for the draft executive order.) Counties are urged to pass resolutions calling for the executive order and send copies to their congressional delegation, the White House and NACo.

SIX OF THE 16 new Urban Policy initiatives have already been sent to Capitol Hill, including the \$1 billion "Supplemental Fiscal Assistance" program, which would replace the expiring \$1.5 billion countercyclical antirecession program; a \$150 million authorization increase (in addition to the \$90 million requested in the fiscal '79 budget) in the Section 312 housing rehabilitation loan program; \$200 million intermodal transportation program; \$150 million increase in the Title XX (social service) grant program targeted to persons in high poverty concentration areas; a

\$50 million increase in authorization for the community health center program; and a new \$40 million Urban Volunteer Corps under ACTION to carry out volunteer projects.

Congress has begun consideration of the Section 312 authorization request, with the House subcommittee on housing and community development having approved \$245 million, slightly more than requested. The bill now goes to the full House Banking, Currency and Housing Committee. The Senate Banking Committee will consider the proposal this week.

Both the House and Senate Committees began hearings last week on the Supplemental Fiscal Assistance program. The new bill would provide funding to financially hard-pressed county and city governments, under either the existing countercyclical formula (excess unemployment above 4.5 percent times general revenue sharing amount) or a formula measuring lag in population growth, lag in growth of per capita income and lag of growth in employment. The latter formula would add some 4,500 local governments to the

17,000 currently in the program.

The bill also eliminates the 6 percent national unemployment trigger and eliminates the states as recipients. NACo's Taxation and Finance Steering Committee will meet May 6 in Denver, Colo. to develop a policy on the new bill.

COUNTY NEWS

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NACo ANALYSIS

Urban Policy: Would It Help Curb Sprawl?

President Carter's urban policy message to Congress emphasized a set of actions to deal with physical and human distress and decline in cities and communities in urban areas. A secondary theme apparent in the March urban policy report of the President's Urban and Regional Policy Group, "A New Partnership to Conserve America's Communities," is the need perceived by the Administration for controlling urban sprawl.

The relationship between the President's message and the URPG report has never been made clear. The President's statement, for instance, never articulates the factual underpinning for the actions he recommended. This factual base and analysis is contained in the preface and the first section of the URPG report.

The twin themes running throughout the URPG report include:

- **The decline of the center city and older parts of urban areas.** Migration to small towns and urban areas is occurring because of pollution, poor public school systems, fear of crime, congestion, high taxes physical decay, and the flight of job opportunities. Of course, the prescription is a series of recommended actions designed to assist distressed and declining parts of urban areas with heavy emphasis on the center city.

- **Urban sprawl.** The concomitant condition cited in the URPG report is urban sprawl. The URPG report states: "Growing cities, no matter what size, receiving new firms and people may also experience problems, such as haphazard, inefficient land development, known as urban sprawl." For this condition the URPG report suggests: "We should help our growing cities, small and large [to] deal with the problems of growth and poverty concentrations. In dealing with older cities and growing ones, urban policy must be concerned with protection of the environment. We need to promote a shift from the 'waste ethic' to the 'conservation ethic.' The trend toward wasteful and inefficient urban sprawl must be reversed. By so doing, we can preserve land, save energy and enhance the environment."

Managing Growth: An Overview

As many counties have learned, controlling sprawl is tough and involves a number of techniques including zoning and other development controls; control over sewer, road and other public facilities; and economic incentives for controlling development or discouraging development in particular areas. A myriad of federal programs contain planning efforts which bear directly on the growth issue: transportation planning, Section 208 water quality management planning, nonattainment and maintenance planning for clean air, Section 701 comprehensive planning assistance, and the coastal zone management program. Other federal programs have growth management implications but do not require a direct assessment of where growth should occur.

To the extent that growth management is being practiced on a comprehensive basis, it is being conducted by county governments and cities with large amounts of undeveloped land. These programs include many of the traditional tools authorized by state law.

A number of counties have approached growth control from another direction: affirmative programs for retaining agricultural land. Suffolk County, N.Y.; Montgomery County, Md.; Black Hawk County, Iowa; and Tulare County, Calif. have already adopted programs

"With the exception of the State Incentive Program, the urban policy message seems to lack the mechanisms or 'glue' for effectively integrating these separate parts into a coherent approach for determining the shape of urban growth."

relying on zoning or development rights purchases. King County, Wash. and Howard County, Md. are preparing new efforts to address this problem. The proposed Agricultural Land Retention Act, H.R. 11122, would provide demonstration grant money to encourage the development of methods for retaining farm land.

There is no explicit recognition of urban sprawl in developing areas in the President's message of March 27. It does, however, contain a number of changes in existing programs or new initiatives which are aimed at controlling spread development or equipping state and local governments to assure that land development in both declining and undeveloped areas occurs more efficiently.

Existing Programs

Changes in existing programs toward this end include:

- **Water and Sewer Programs.** The Environmental Protection Agency (EPA) would modify its programs to discourage wasteful sprawl by focusing more construction grant money on rehabilitating existing sewer systems. This would also mean a change in the planning period for wastewater treatment facilities to serve populations expected to exist in 20 years, instead of 40 years. Greater integration between the Section 208 water quality management program and EPA's construction grants program is recommended, since growth implications on water quality are supposed to be addressed in Section 208 plans.

What the Administration will actually propose to favor rehabilitation of older facilities, however, is far from clear. Little detail is provided either in the President's message or a document produced by HUD which addresses changes in existing programs. It is known, however, that EPA included a suggestion for further study which would result in a set-aside of 15 percent of a state's allotment for rehabilitation of collector or interceptor sewers and storm water overflows. Apparently no decision has been made on this specific suggestion, since EPA did not conduct analysis of it before HUD's summary of changes to existing federal programs was released.

- **Air Emission Reduction Banking.** EPA's current policy requires a reduction in air pollution for areas which have not attained national standards to "offset" new emissions. It would be changed to permit a "banking" rather than a loss in reduction gained by control measures. While this change will benefit all parts of urban areas which have not attained clean air standards, it will also mean that local governments and lead planning agencies will have to take greater account of growth implications on air quality. The offset policy will remain in place until revisions in State Implementation Plans for meeting the 1982 deadline are approved by EPA.

The identification of these changes in existing programs is based on the President's mes-

sage to Congress. The Urban and Regional Policy Group listed a number of additional items in the March 1978 report, the status of which has not been made clear by the White House.

New Initiatives

New initiatives directed at limiting urban sprawl or controlling growth include:

- **Urban and Community Impact Analysis.** Such an analysis would have to be conducted for all major domestic initiatives submitted by a federal agency for Administration review and would have to identify the "anti-urban" impacts of proposed federal policies. The Administration's presumed intention is to identify those new policy proposals which would promote sprawl, and this would be revealed by the impact analysis.

- **State Incentive Program.** The purpose of the state incentive grant program is to encourage states to develop a list of actions which they can take to reverse distress and decline in urban areas. These actions could include fiscal reform, siting of major state development investments, and apportioning the financial responsibility for welfare and education expenditures. Plans could also identify actions to control growth in distressed areas. Sources at HUD indicate that it would be difficult for states to address these issues without addressing urban growth in undeveloped areas.

The federal share would be matched by a state share. The President requested an authorization of \$200 million per year for two years for this effort. States such as Massachusetts and California which have already developed such policies have called for methods for controlling new growth while encouraging conservation in older areas.

The President's recommendation would require the involvement of local governments in the development of the state "plans to help their cities."

- **Location of Federal Facilities.** The President intends to sign a new Executive Order directing the General Services Administration to give first priority to cities in locating new federal facilities or consolidating or relocating new facilities. Federal facilities have historically had a profound impact on community growth. To the extent that locating such facilities in cities does not reflect local preferences or to the extent that the local governments are not prepared to control the secondary growth generated by such facilities, this new policy is likely to have less than a positive effect on community growth regardless of where it occurs.

- **National Development Bank.** This bank would encourage businesses to locate or expand in economically distressed urban and rural areas. No mechanism is provided for judging the local or regional growth impact of grants or loans made to private or public development.

- **Economic Development Grant.** Increases of \$275 million each are proposed for the Urban Development Action Grants and the Economic Development Administration's Title I programs. Funds would be available to both urban and rural areas. The implications for growth within counties would be unique to each county.

- **Air Quality Planning Grants.** The Administration requested \$25 million in fiscal '79 to assist local planning for clean air in areas which have not attained national standards. This would fund grants authorized by Section 175 of the Clean Air Act Amendments of 1970 for local participation in the revision of State Implementation Plans. The plans will include specific measures for controlling pollution and would have to include new growth predictions in order to assure that emissions will be reduced to a level required by 1982 and no later than 1987.

The President's message also called for technical assistance from EPA, HUD and the Economic Development Administration (EDA) to help local governments reconcile potential conflicts between air pollution and economic development goals. However, without a strategy for reconciling new development with a program to reduce emissions, older urban areas may suffer a slowdown in creation of new job opportunities and economic advancement.

- **Housing Rehabilitation.** An additional \$150 million in fiscal '79 was proposed for Section 312 housing rehabilitation programs, small multi-family units and to strengthen urban homesteading program. This initiative would encourage the conservation of older urban areas, reducing the need for new residential development.

- **Urban Transportation.** An additional \$200 million authorization for capital investments in intermodal urban transportation projects was proposed to link existing transportation facilities in selected cities (yet to be determined). The effect which the federal highway program has had on encouraging suburban development and sprawl is well known.

It is understood that these new funds would be used in connection with Urban Mass Transit Act Section 3 capital funds to improve public transit facilities and encourage related economic development in adjacent areas. This would tend to encourage new development and around public transportation networks. The issue is whether this additional funding is sufficient in and of itself to have more than a marginal effect on local and regional growth patterns.

- **Urban Parks and Recreation.** Urban communities would compete for funds to renovate and rebuild parks and recreation facilities. "challenge" grants totaling \$150 million would be used for construction of major rehabilitation of urban recreation systems. It is understood that funds would be available for new parks as well as rehabilitation of existing facilities. The effect on encouraging or discouraging urban sprawl is difficult to determine. If these new funds are targeted to existing urban areas in order to make them more attractive for residential use, this program would tend to discourage new suburban or rural development. Park and recreation development alone, however, has not been a particular incentive for guiding new growth.

A clearer picture of the nature of the urban policy's individual elements and the formula for distributing funds are necessary for a definitive analysis of whether the President's program will discourage some of the traditional forms of urban development.

As with many federal development and public works programs, these individual programs offer both an opportunity and a challenge in determining the direction of county growth and land development patterns.

With the exception of the State Incentive Program, the urban policy message seems to lack the mechanism or "glue" for effectively integrating these separate parts into a coherent approach for determining the shape of urban growth.

In many areas, county governments are confronting the consequences of uncontrolled inefficient growth. Counties are gaining responsibility for guiding new urban development while developing programs for retaining prime agricultural land. Unless the President's new urban policy recognizes the role of counties as general purpose, areawide growth management, there will be little opportunity for controlling urban sprawl and making some sense out of the range of federal programs affecting growth.

—Robert W.

LEAA Described 'Effective'; Present Funding Supported

WASHINGTON, D.C.—Rose Mary Robinson, commissioner, Wayne County, Mich., in recent testimony said that Congress would be creating a "self-fulfilling prophecy" if it called the LEAA program ineffective and then cut funds "to assure that less is accomplished."

Robinson appeared before the House Appropriations subcommittee considering fiscal '79 appropriations for the Law Enforcement Assistance Administration (LEAA). She asked the House panel to maintain the current \$50 million in Part B planning grants; restore state and local block grants to \$313 million; and restore the total LEAA appropriation to \$716 million. On April 26 the subcommittee voted to earmark

\$50 million for planning, but adopted a total appropriation figure of \$641 million—\$6 million less than fiscal '79.

Robinson emphasized that the LEAA program has been cut every year for the past three years and that it is "time to hold the line on cutting funds for LEAA."

She explained that fiscal '79 is a "transition" year because "we expect significant changes in the program when it is considered for reauthorization next year." She pointed out that "constant criticism over the past few years has disrupted some good aspects of the program."

"We urge you not to disrupt the program still more by cutting planning or action funds in the midst of a thorough assessment of what the program can and should accomplish," Robinson said.

The commissioner noted that a two-year 50 percent cut in planning funds, as proposed by the Administration, would entirely eliminate many criminal justice planning regions. "The attempt by the Administration to force local governments to assume the cost of local planning is inappropriate and ill-timed. Local units of government, particularly rural, less affluent states, do not have the financial resources to do so at this time," she said.

Robinson admitted that Congress was justified in viewing LEAA's history

"with some skepticism."

"The ambitious objectives set for the program have not been met. The national crime rate was not significantly reduced, criminal justice systems were not immediately improved ...," she said.

"But then, perhaps we were wrong to assume that a program designed to develop and fund pilot projects and then disseminate the results would have a measurable impact on crime rates. We were presumptuous to believe that 4 or 5 percent of the funds provided by LEAA for local criminal justice expenditures could show immediate results in criminal justice improvements," she noted.

Robinson emphasized that local governments have a different view of the LEAA program than the federal government. "From my position as a county commissioner, the gains produced by the federal dollars spent on state and local programs are a far better investment than has generally been acknowledged," she said.

She pointed out that the Wayne County/Detroit Criminal Justice Coordinating Council has used LEAA funds to achieve significant reductions in court case backlogs and the pretrial jail population. It took the combined resources of county, city and state, using federal LEAA seed money as the catalyst, she said.



CONGRATULATIONS—Lynn G. Cutler, NACo board member and supervisor, Black Hawk County, Iowa, is greeted by President Carter, who has named her vice chairman of the Advisory Commission on Intergovernmental Relations (ACIR). Former New York Mayor Abraham D. Beame is president. The ACIR is a permanent national bipartisan body representing the executive and legislative branches of federal, state and local government and the public and is composed of 26 members.



Robinson

What Lobby Bill Will Mean

WASHINGTON, D.C.—The Public Disclosure of Lobbying Act (H.R. 8494), which was passed by the House April 26, will impose many reporting, registration and disclosure requirements on all organizations who lobby, including associations of state and local elected and appointed officials such as NACo.

By a vote of 211 to 197 the House voted to require organizations of state, county and city officials to register and report in the same manner as private interest groups, but exempted federal officials and their organizations.

The Senate Governmental Affairs Committee is scheduled to mark up the bill the week of May 8 during which time the issue of exempting officials' associations from coverage will be considered.

The House-passed bill replaces the 1946 Federal Regulation of Lobbying Act which required only individuals and organizations whose "principal purpose" is to influence legislation to register and file reports with Congress. The law was largely unenforced.

THE MAJOR proponent of the new act is Common Cause, whose efforts were supported by the White House. As reported by the House Judiciary Committee, the bill was supported by such diverse groups as Ralph Nader's Congress Watch, the American Civil Liberties Union (ACLU), and the Chamber of Commerce.

Because of two Common Cause and White House-supported amendments on the House floor, the American Civil Liberties Union, business groups and others are likely to mount a strong effort in the Senate to change these provisions. The ACLU said the bill set up "an unprecedented surveillance of political activities" by the federal government.

The two most controversial provisions of the House-passed bill require disclosure of grass-roots lobbying efforts and the names of organizations contributing to lobbying groups.

The grass-roots lobbying amendment means that any registered group who writes letters or through newspapers, newsletters, etc., urges citizens to write their representatives, would be required to file reports on these indirect solicitations—knowing they must be "reported" to the federal government.

THE OTHER amendment requires lobbying organizations to disclose the names of organizations from which it receives more than \$3,000 in dues or contributions. Many individuals and organizations charged that this interferes with the right to privacy and with citizens' rights to petition Congress.

The House bill requires organizations which pay \$2,500 per quarter to an outside person or one employee who spends 13 days a quarter making lobbying communications to register annually with the Comptroller General.

—Aliceann Fritschler

Guide to Federal Funds for Developmentally Disabled

WASHINGTON, D.C.—Recent federal court decisions and legislation have guaranteed the mentally retarded and developmentally disabled accessibility to education, treatment, and participation in the community. Children and adults who were once confined to state mental institutions are now considered a community responsibility.

In a growing number of areas, community responsibility is turning into a county government responsibility. More and more county officials are being asked to provide help for a "de-institutionalized" adolescent or funding to an agency that seeks to help such people. The county itself must begin to make its schools, institutions, and services accessible to the disabled.

Federal assistance is available,

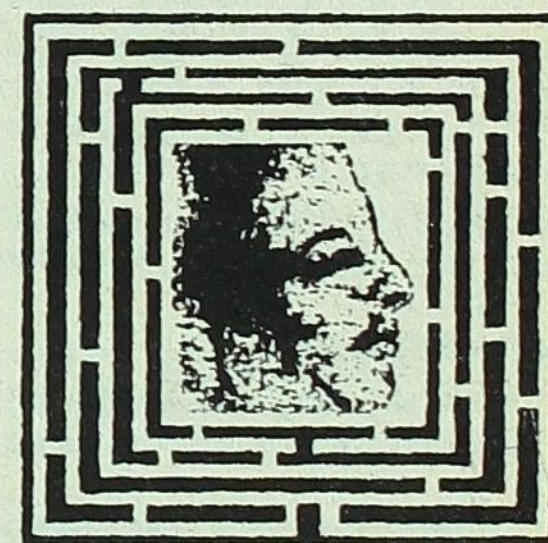
and a new guidebook listing all the federal assistance for the developmentally disabled (which includes the mentally retarded, the autistic, epileptics, and those with cerebral palsy) has just been published by the Federal Programs Information and Assistance Project.

Entitled "The Guide to Federal Resources for the Developmentally Disabled," the book presents the federal programs in a clear, concise, easy-to-use format. Contact persons for each program in each state are also listed.

Information on grants and contracts is another feature.

The book costs \$11. For a copy write to Federal Programs Information and Assistance Project, 1522 K St., N.W., Suite 1030, Washington, D.C. 20005.

Second National Assembly on the Jail Crisis



May 17-20, 1978
Minneapolis, Minnesota

The American Jail in Transition

Topics include:

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

Last minute conference registrations can be made by calling or writing: National Association of Counties Research, Inc., Second National Assembly on the Jail Crisis, 1735 New York Ave., N.W., Washington, D.C. 20006, 202/785-9577.

SPECIAL REPORT

Carter's National Energy Act:
Agreed-to Portions Help Counties

The first anniversary of the introduction of the President's national energy act has come and gone with little notice and even less celebration. With the exception of protests in the House of Representatives, where a group of freshmen members slowed down House business to note the occasion and where the subcommittee on energy and power voted to hold hostage the \$1.3 billion Department of Energy authorization bill, the anniversary passed in silence. The "moral equivalent of war" appears more and more like a war of attrition.

The initial flush of rapid victories in both Houses of Congress disguised the serious differences between the House and Senate versions of the national energy act. Many felt, or hoped, that the conferees could quickly iron out the differences and pass an act which would allow the country to address what everyone agreed was a serious national problem. In certain respects this assessment was accurate. Three sections of the proposed act—coincidentally the sections of greatest concern to counties—were negotiated and agreed to in short order. However, the failure of the conferees to reach an acceptable compromise on the natural gas pricing and energy tax portions of the act has seriously endangered funding of the other programs already agreed to.

Despite all of the recent publicity, an agreement on the natural gas pricing portion of the act has not yet been reached. A tentative agreement, reached by a handful of conference committee members in private meetings, is scheduled to be presented to the full committee. Most of the conferees are reserving judgment until they see a written version of the agreement; while some are calling it the most significant action on natural gas in 30 years, others have categorized it as "the moral equivalent of surrender." One public session on the compromise has already been cancelled and a written draft is still to be completed. A final agreement on natural gas could indeed be in the offing, but it appears almost as likely that this may be merely another in a series of failed compromises. And, even if an acceptable compromise could be reached in the near future, the conferees have yet to consider the very complex tax portion of the act.

If implemented, the three sections of the act already agreed to could ultimately result in the achievement of more than 90 percent of the total energy savings originally estimated under the plan. In addition, many of the regulations needed for implementation of the programs have been drafted by the Department of Energy (see accompanying article). There are a number of provisions in these sections, detailed below, which affect and are of interest to counties.

Conservation

The conservation portion of the bill includes seven programs which are of great interest to counties:

- **Energy Conservation Program for Local Government Buildings:** This program is authorized for \$32.5 million each year for fiscal '78 and '79. Of that amount \$7.5 million is earmarked for preliminary energy audits of local government buildings and \$25 million for technical assistance (i.e., the architectural and engineering analysis conservation programs). The Department of Energy will make grants for up to 50 percent of the cost of these programs. Local grant applications must be submitted through the states and be consistent with the state plans.

- **Energy Conservation for Schools and Hospitals:** This program parallels the program for local government buildings. However, it adds an authorization for the implementation of this program. The state plans must be developed with the state schools facilities agency, state health facilities agency, state energy office, and any other organizations the governor may designate. Grants to states for preliminary energy audits are currently authorized at \$20 million for fiscal '78 and \$5 million for fiscal '79. For technical assistance and project grants to schools and hospitals, \$300 million is authorized for fiscal '78, '79 and '80.

- **State Conservation Programs:** These extend state conservation programs and supplemental state plans under the Energy Policy and Conservation Act and the Energy Conservation and Production Act. The authorization levels are \$50 million for fiscal '79 for both programs.

- **Weatherization:** This amends the existing Energy Conservation and Production Act Weatherization program by raising eligibility levels, broadening the definition of allowable materials, and raising the limit for the cost of materials for the program. Authorization levels are \$130 million for fiscal '78 and \$200 million each year for both fiscal '79 and '80.

- **Appliance Efficiency Standards:** Mandatory standards applying to 13 types of home appliances will be set within 30 months of enactment.

- **Utility Home Insulation Programs:** This portion requires utilities to offer energy audits and arrange for the installation and financing of energy conservation measures for residential consumers. It also permits states to require utilities to offer financing for conservation investments and would make federal loans available to families at or below the median income.

- **Residential Solar Loans:** Up to \$100 million in solar loans, guaranteed by the Government National Mortgage Association, will be provided. Loans will be limited to \$8,000 and may be provided at either low or market interest rates.

Utility Regulation

This portion contains programs which affect counties:

- **Rate Reform:** The Federal Energy Regulatory Commission (FERC) would be allowed to intervene in state regulatory proceedings to encourage rate reform. (This does not permit preemption of state regulation.)

- **Interconnection:** The Federal Energy Regulatory Commission would be permitted to order interconnection of electric grids, if it can prove that such connection is in the public interest and that it would result in energy conservation, efficiency, or reliability.

- **Cogeneration:** States will be allowed to approve federal guidelines to permit cogenerators to buy and sell power to utilities.

- **Natural Gas Utilities:** The Department of Energy is authorized to participate in state ratemaking proceedings and is directed to study rate design proposals and report to Congress within five months.

Coal Conversion

This portion contains two provisions, one of which is of particular concern for counties that are either experiencing or expecting to experience growth because of increased coal or uranium production.

- **Impact Aid:** This program would be administered by the Farmers Home Administration and would provide the following:
 - 100 percent planning grants for developing a growth management and housing plan for energy-impacted regions;
 - Housing sites acquired and developed with FmHA funds for purchase at raw land cost by counties, states, or qualified housing contractors;
 - Technical assistance grants for development of housing, sewers, water systems and other public facilities; and
 - Waivers of eligibility requirements for existing federal housing-related programs to be permitted on a case-by-case basis by a "strike force" convened by FmHA and including representatives of the governor, county, and appropriate federal agencies.

- **Conversion and Prohibition Authority:** This section would prohibit the use of oil or natural gas in new electric power plants. An exemption will be allowed for facilities used only during peak load hours and for utilities which cannot convert to coal or other fuels.

The bill would authorize \$150 million annually for eight years beginning in fiscal '78.

Action Needed

Considering the importance to counties of a number of the above programs, funding for the coming year is distressingly uncertain. If the conferees meet in public session and if an acceptable compromise on natural gas pricing is not reached, the likelihood is very good for passing the three sections already agreed upon. On the other hand, if a compromise is arranged, a split of the bill is considerably less likely and final adoption in time for funding this year will hinge on the work of the tax conferees. Opinion on how expeditiously the tax conferees could reach an agreement is equally divided. Estimates on how long an agreement would take range from two weeks to "not in our lifetime."

Given this unstable situation, it is crucial that the members of the Conference Committee are fully aware of how important these programs are to local governments. If a compromise on natural gas is not reached in the next week, each conferee should be contacted and urged to split the bill and adopt the sections already agreed to. If a compromise is reached and the

tax portion of the act is not finalized within the month, the conferees should be urged to support adoption of the four sections agreed to.

Without positive action on the part of county officials, the public may "celebrate" a second anniversary without a coherent national energy plan. The list of energy conferees is provided below.

Please contact these members of the House/Senate conference committee and urge approval of those portions dealing with conservation, utility rate reform, and coal conversion.

House of Representatives

John Anderson (R-Ill.)
Bill Archer (R-Tex.)
Thomas Ashley (D-Ohio)
Richard Bolling (D-Mo.)
Clarence Brown (R-Ohio)
Garry Brown (R-Mich.)
James Collins (R-Tex.)
James Corman (D-Calif.)
John Dingell (D-Mich.)
Bob Eckhardt (D-Tex.)
Thomas Foley (D-Wash.)
Frank Horton (R-N.Y.)
Anthony Moffett (D-Conn.)
Charles Rangel (D-N.Y.)
Henry Reuss (D-Wis.)
Paul Rogers (D-Fla.)
Dan Rostenkowski (D-Ill.)
Phillip Sharp (D-Ind.)
Harley Staggers (D-W.Va.)
William Steiger (R-Wis.)
John Wydler (R-N.Y.)

U.S. Senate

James Abourezk (D-S.D.)
Dewey Bartlett (R-Okla.)
Dale Bumpers (D-Ark.)
Frank Church (D-Idaho)
Peter Domenici (R-N.M.)
John Durkin (D-N.H.)
Wendell Ford (D-Ky.)
Clifford Hansen (R-Wyo.)
Floyd Haskell (D-Colo.)
Mark Hatfield (R-Ore.)
Henry Jackson (D-Wash.)
Bennett Johnston (D-La.)
Paul Laxalt (R-Nev.)
James McClure (R-Idaho)
Spark Matsunaga (D-Hawaii)
Howard Metzenbaum (D-Ohio)
Lowell Weicker (R-Conn.)

—Mark Croke

DOE Ing

In an attempt to expedite the formal ratification of the conservation portion of the National Energy Act passed into law, the Department of Energy is currently drafting regulations for the "Mikulski amendment" accompanying article on the NEA. The regulations will govern the conservation grant programs for local government and public care buildings.

Because the House-Senate conference committee has finished its deliberations on the NEA or the language of those sections already agreed to, the regulations are tentative, and subject to change.

The program will be a three-phase effort. The first phase is matching grants for preliminary energy audits, technical assistance, and energy conservation projects.

Schools, hospitals, local government buildings are all eligible for preliminary energy audits, technical assistance grants, but only schools and hospitals are eligible for energy conservation project grants. The regulations in two parts: one for the preliminary energy audits and another for technical assistance and energy conservation projects.

Funding

In the legislation, Congress authorized \$50 million for schools and hospitals and \$65 million for local government and public care buildings.

The legislation would direct DOE to conduct an analysis to determine the impact of the program on the climate as factors in the formula for each state's share of funds for preliminary energy audits. Population, financial need must be included in the formula. The technical assistance and project grants to states no state may receive more than 10 percent of the total funds available.

For the preliminary energy audit phase, the state may use up to 25 percent of the funds for administrative purposes, including training and remaining funds must be passed on to the local government.

The state may use up to 10 percent of the funds for technical assistance and energy conservation projects.

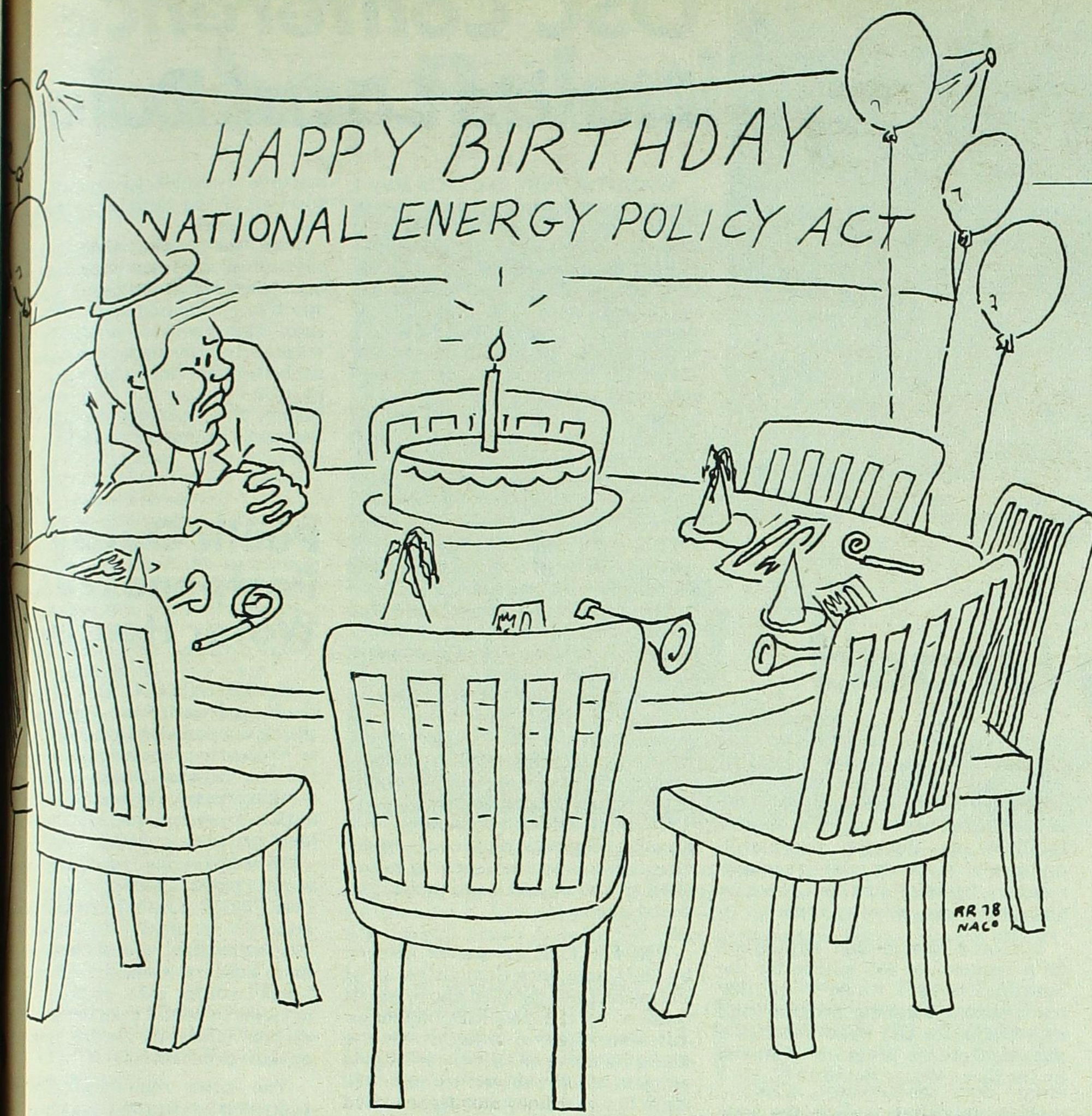
administrative through to the Finally, and an individual funds or in-kind

Preliminary

According to state to conduct eligible buildings audits will establish facility, including energy-using related to energy audits public care buildings. The audit will operating procedures significant capital payback period. Through implementation recommendations DOE estimates would be reduced.

Technical

A technical analysis to determine modifications. energy conservation replacement, and renewable resources improvements. insulation, stormwater management. The intent is to building. To be • The facility energy audit or • The operation recommended been implemented.



MORE FUNDS FOR MIKULSKI

Ask Panel to Support Full Funding

The Administration has changed its position on funding for the Energy Conservation Program for Local Government Buildings section of the proposed National Energy Act.

As agreed to by the Conference Committee, the so-called Mikulski Amendment program (named after its patron, Rep. Barbara Mikulski, D-Md.) was authorized for expenditures of \$32.5 million each year for fiscal '78 and fiscal '79. However, the Administration's original funding request was for only \$25 million in fiscal '78 and \$10 million in fiscal '79.

The response from local government officials was immediate and vocal. Many felt that the authorized levels of \$32.5 million were inadequate and that the Administration's request for reduced amounts would seriously endanger the program's effectiveness. Subsequently, in a April 18 letter from DOE Secretary James Schlesinger to Rep. Sidney R. Yates, chairman of the House Appropriations subcommittee on Interior, full funding of \$32.5 million was requested for fiscal '79.

Because the Secretary did not ask for full funding in fiscal '78, the Administration's request stands at \$25 million for that year and \$32.5 million for fiscal '79.

The House Appropriations subcommittee on Interior will be marking up this bill May 11. It is essential that each member be contacted prior to markup and urged to support full funding for both fiscal '78 and '79. A list of subcommittee members is provided below.

Sidney R. Yates (D-Ill.)
Gunn McKay (D-Utah)
Clarence D. Long (D-Md.)
Frank E. Evans (D-Colo.)
John P. Murtha (D-Pa.)
Robert Duncan (D-Ore.)

Norman D. Wicks (D-Wash.)
Charles Wilson (D-Tex.)
Jamie L. Whitten (D-Miss.)
Joseph M. McDade (R-Pa.)
Ralph S. Regula (R-Ohio)
William L. Armstrong (R-Colo.)

Dng Regs for 'Mikulski Amendment'

administrative costs. The remaining 90 percent must be passed through to the eligible facility. Finally, and most importantly, all funds granted to a state or an individual facility must be matched 50/50 with nonfederal funds or in-kind contributions.

Preliminary Energy Audits

According to the legislation, DOE would make grants to each state to conduct a program of preliminary energy audits in eligible buildings. These preliminary, or "walk-through," energy audits will establish a building profile of each eligible building facility, including size, building plan, previous energy use, energy-using systems, hours of operation, and other factors related to energy use. Schools, hospitals, local government and public care buildings would all be eligible for the preliminary energy audits and technical assistance projects.

The audit would identify changes in maintenance and operating procedures to reduce energy consumption without significant capital expenditure. It would also analyze the payback periods of various possible building retrofit measures. Through implementation of the operation and maintenance recommendations that result from a preliminary energy audit, DOE estimates that the energy consumption in most buildings would be reduced by 10 percent to 15 percent.

Technical Assistance Programs

A technical assistance program is a specialized engineering analysis to identify savings from specific energy conservation modifications. It includes preparing plans for the installation of energy conservation measures, including renovation, repair, replacement, and insulation.

The technical audit may include studies of the feasibility of renewable resource measures and innovative technology improvements, as well as more common measures, such as insulation, storm windows, etc.

The intent is to develop the most energy efficient design for a building. To be eligible for a technical assistance program grant:

- The facility must have had an acceptable preliminary energy audit or its equivalent, as certified by the state;
- The operations and maintenance procedures recommended as a result of that preliminary audit must have been implemented;

- Results of that audit must also indicate that further retrofit measures, involving significant expense, would pay for themselves within 10 years or less.

Energy Conservation Projects

After completing this technical assistance portion, only schools and hospitals are eligible for energy conservation project grants, which help pay for the cost and construction of the proposed modifications, if the modifications will pay back in 10 years or less.

Although there are no grants for energy conservation projects in local government or public care facilities, DOE hopes that local governments will independently initiate such projects, based on the dollar and energy savings shown by the technical analysis.

State Plans

Both sets of regulations require states to develop plans for managing the programs and disbursing the two separate funds. In its application, the state must assure DOE that the views of affected institutions (i.e., local governments) have been solicited and considered in the development of the plans.

Each state must also assure DOE that all eligible institutions will be treated equitably. The state plans must specify the criteria for deciding among substate applicants and for setting priorities.

The state must also assure DOE that any local government that wishes and is able to conduct preliminary energy audits will be allowed to do so.

If the state chooses not to apply, or if its application is found unacceptable by DOE, the funds that would have gone to the state will be reallocated among participating states in the subsequent year. In that event, DOE may establish an audit program for schools and hospitals within the nonparticipating state after two years and nine months, but local governments and public care buildings cannot be audited by DOE.

After the state plan has been approved by DOE, eligible institutions may submit applications for preliminary energy audits to the state energy office. Applications from schools and hospitals must also be approved by the respective state school and hospital agencies.

Grant applications will be submitted annually to DOE through

the state energy office, which will approve funding, establish priorities, and forward the applications to DOE for final approval and grant award.

In the event that a state is unable, because of "legal barriers," to pass grant funds through to local governments, DOE will provide the funds directly, upon state approval of the application.

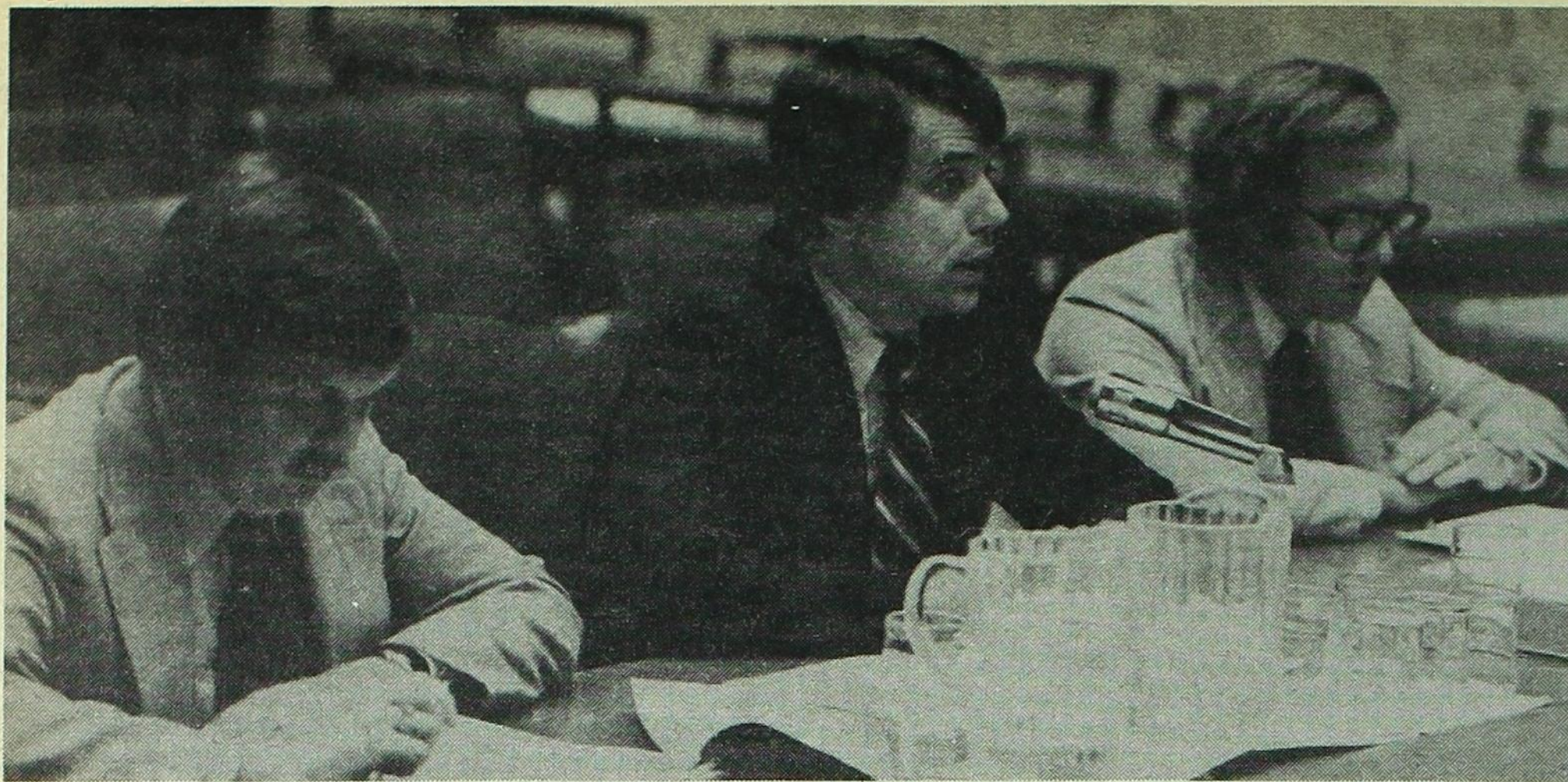
In summary, counties should ensure that their state energy offices become familiar with the program. Once the law is enacted and the final regulations are published, states will have only 30 days to apply for funding or to request an extension of time from DOE. This allows little time for them to develop a statewide plan which examines and provides for the needs of all eligible institutions.

Counties will also want to help states develop a plan that reflects individual county needs and abilities. Since technical assistance projects are dependent on successful completion of a preliminary audit or its equivalent, counties will want to suggest criteria to the state for determining an "equivalent audit." Criteria for setting priorities for substate funding and for certifying local auditors are issues that should be resolved as early as possible.

NACo staff is working closely with the DOE representatives who are writing the regulations. There have already been numerous drafts of the proposed rules, and more drafts are likely. Some of the difficulty is attributable to the fact that the House-Senate conference committee has not published the final compromise; since the legislation is comparatively complicated, slight variations in the legislative language can mean major differences in the regulations.

The latest drafts of the two sets of regulations are not yet available to the public. Please write the NACoR Energy Project if you would like a copy of the proposed rule when available or if you plan to comment.

—Felicity Evans, NACoR



Testifying for county planning grants on solid waste and clean air is Floyd Linton, member, Suffolk County (N.Y.) Legislature, center, and NACo staff members Robert Weaver, left, and John Murphy.

COUNTY INVOLVEMENT CITED

EPA, HUD Funding Urged

WASHINGTON, D.C.—NACo presented testimony recently on the Administration's appropriation requests for the Environmental Protection Agency. Floyd Linton, a member of the Suffolk County (N.Y.) Legislature and NACo chairman for water quality, testified for NACo before the Senate Appropriations subcommittee on HUD and independent agencies.

Linton also recommended that the subcommittee and Congress approve the \$4.15 billion requested by the Administration for the community development block grant program, \$125 million for the Section 312 rehabilitation loan program, \$20 million for the urban homesteading program and contract authority for 400,000 units of subsidized housing.

He told the subcommittee, chaired by Sen. William Proxmire (D-Wis.), that the Congress ought to follow through on the commitment made to local government in restructuring federal air, water quality, and solid waste legislation. Each law provides for greater involvement by counties, cities and other local jurisdictions in solving pollution problems and disposing of solid waste.

THE CLEAN AIR Act Amendments of 1977 call for local government participation in the revision of State Implementation Plans by Jan. 1, 1979.

The Administration has requested \$25 million for local participation and planning for fiscal '79.

NACo, the National League of Cities, and the National Association of Regional Councils called for an immediate supplemental appropriation of \$50 million for fiscal '78, and \$25 million for fiscal '79. Section 175 of the clean air legislation authorized a total of \$75 million.

The 1976 Resource Conservation and Recovery Act (RCRA) called for local government involvement in preparing solid waste management and resource recovery plans. It mandates the closing or upgrading of open dumps within five years of EPA issuance of landfill criteria.

The Administration has requested \$11.2 million for state and local planning under RCRA, most of which will remain at the state level. NACo requested \$30 million for local

solid waste and recovery planning for fiscal '79, \$10 million of which would be devoted to rural solid waste programs. Funds would be used for developing plans to upgrade landfill facilities, to develop recyclable materials markets, for resource recovery facilities, and for collection and source separation systems.

Linton's testimony supported EPA requests of \$50 million for the Section 208 water quality management planning program and \$4.5 billion for the wastewater construction grants program approved by the Clean Water Act of 1977.

Also appearing before the subcommittee was a delegation from the Senate Committee on Environment and Public Works led by Chairman Jennings Randolph (D-W.Va.) and environmental pollution subcommittee chairman Edmund Muskie (D-Maine).

The delegation testified, as NACo did, on clean air and solid waste. They also testified in favor of additional EPA personnel to administer changes in the water quality program approved last December.

OSC Conference Limits Local Role

WASHINGTON, D.C.—On May 1 House and Senate conferees met in public session for the first time to consider differences between the Outer Continental Shelf (OCS) Lands Act bills which passed in their respective Houses. The first item of discussion concerned the role that would be allowed local governments under the comment and recommendations sections of the act.

As the bill passed the Senate, it contained no provision for local government input or comment. A number of senators expressed their opinion that if too broad a role were allowed local governments the possibility existed that OCS development would be delayed by local challenges and "frivolous" lawsuits.

The House version of the bill allowed for local input in a number of instances. While most of the opportunity afforded local governments required going first to the state, in three significant sections local governments were provided direct access to the Secretary. Local governments could: request a public hearing prior to a lease sale, provide direct input into the preparation of a leasing program, and could make direct recommendations regarding the size, timing and location of a proposed lease sale.

UNDER THE agreement reached by the Conference Committee, all of the protections detailed above will be retained by counties with one major difference. Now in order to exercise its rights under the act the local government must proceed through the state. In addition, any information gathered by the Secretary under the act will only be dispersed to local governments if specifically requested.

One final provision affecting counties was agreed to by the Conference Committee. At the insistence of Sen. Henry Jackson (D-Wash.), the conferees agreed that counties could not legally challenge a decision by the Secretary on the basis that their interests were not well represented by the state. In short, comment through the state will be the only

recourse available to counties in spite of the Secretary's decision and its impact.

While the position adopted by the conference does not represent the best possible bill from a county perspective, it is significantly better than the position originally advocated by the Senate. A detailed analysis of the entire bill and its impact on counties will be provided by *County News* shortly after the Conference Committee completes work.

Public Outcry Postpones EPA Water Hearing

WASHINGTON, D.C.—Due to the heated controversy surrounding the Environmental Protection Agency's recently proposed regulations to control organic contaminants in drinking water, the last public hearing has been postponed and the comment period extended.

The regulations as proposed would require public water systems serving over 75,000 people to control the organic chemicals formed at the treatment plant (trihalomethanes) to meet a federal standard. The regulations would also require local systems to install granular activated carbon filters to control synthetic organic pollutants.

The latter requirement brought protest from metropolitan areas such as New Orleans and Dade County, Fla., where the cost to install new treatment might cause water rates to soar.

To give local government officials and the public more time to respond to the proposed regulations, EPA has rescheduled its May 5 hearing in Washington, D.C. for July 11 and at EPA Headquarters. *County News* will publish the time of day and number when they become available.

The comment period has been extended to July 31. If you wish to submit written comments, send them to Dr. Joseph Cotruvo, Office of Drinking Water, U.S. EPA, 401 M Street, S.W., Washington, D.C. 20460.

Meeting on Using Recycled Products

WASHINGTON, D.C.—Buying paper with a high percentage of recycled fibers often is more troublesome and more costly than buying paper with 100 percent virgin fiber. Also, the supply may be unreliable. The same problems occur with other products such as recapped tires, uniforms with recycled textiles, re-refined oil, or recycled construction material.

So county purchasing agents are faced with the problem: even if they believe in recycling and reuse, they may not be able to find products with reprocessed materials, or states which establish procurement requirements may make purchase of them infeasible.

At the same time, counties are in the ironic situation of being unable to locate stable markets for the materials they recover from residential or commercial wastes. The demand for waste-derived paper, metals, and glass fluctuates much more than demand for final products, since orders for materials recovered from waste are the first to be cut in hard times—even though high prices are paid for them during short-term bottlenecks in production. Until these markets are stabilized, reuse of materials will remain a marginal activity in the economy.

TO HELP arrive at some ways to stabilize the market for recycled pro-

ducts, the National Bureau of Standards, the Environmental Protection Agency (EPA), and the National Governors Association are jointly sponsoring a conference on governmental procurement practices as they relate to resource and energy conservation.

The conference will be held May 30-31 at the National Bureau of Standards in Gaithersburg, Md. Its purpose is to provide an opportunity for government purchasing agents to discuss with commodity suppliers how they can work together to improve the energy-efficiency of major purchases and increase the proportion of reprocessed materials in the products they buy.

One day of the conference will be devoted to small group workshops which will analyze the problems confronting buyers and sellers in eight specific commodity groups, such as paper, glass, tires, and oil. The outcome of the conference should help the National Bureau of Standards in developing recommended standards and test methods to be used in federal procurement policies.

It should also provide participants from the state and county levels with insights into new ways to develop specifications for goods they buy which will include a greater amount

of reprocessed material. Manufacturers will be able to learn how much recovered material they can use in production processes while meeting the performance requirements of government purchasers.

THE CONFERENCE will also deal with changes at the state and local level necessary to comply with certain provisions of the Resource Conservation and Recovery Act (RCRA) and the Energy Policy and Conservation Act (EPCA). Under Section 6002 of RCRA, states and their subdivisions are required to purchase "items composed of the highest percentage of recovered materials practicable consistent with maintaining a satisfactory level of composition." This applies to purchases of \$10,000 or more made with federal funds.

No regulations have yet been proposed to implement Section 6002, but when they are, it will be important to know what can reasonably be expected from states, counties, and cities in their purchasing policies. The conference should provide a preliminary indication of what could be considered a "practicable" percentage of recovered materials for a number of commodities under a variety of conditions.

Under EPCA, state energy plans are required to include provisions for

procurement policies based on energy efficiency such as using life-cycle costing rather than first-cost as the criterion for buying decisions. In some states, statutory changes may be required in order that lowest bids on initial costs can be turned down in favor of a bid with a higher initial cost but lower operating and maintenance costs.

IF YOU ARE interested in attending the conference, you may request a brochure on the conference from Cliff Cobb at NACoR, 202/785-9577. The registration fee is \$75. A block of rooms has been reserved at a special rate of \$28/single room and \$31/double room at the Sheraton-Silver Spring. To reserve a room at that rate, the hotel should be contacted, 301/589-5200.

If you have any technical questions regarding the conference program, you may contact Joseph Burke, 301/921-2343. He is on the staff of the National Bureau of Standards and can provide information on procurement issues whether or not you wish to attend the conference.

Proceedings of the conference will be available through the NACoR Solid Waste Project.

—Cliff Cobb, NACoR

TBO Delayed in Committee

WASHINGTON, D.C.—The Ways and Means Committee has delayed action on the Taxable Bond Option (TBO) and other components of the President's Tax Reform Package while the Administration committee leaders are working to develop a compromise on the legislation.

NACo has urged the committee to reject the Taxable Bond Option in this decision, as unnecessary, costly to counties, and a encroachment by the federal government into an essentially local concern.

When the Ways and Means Committee reconvenes, they will also consider making the Investment Credit permanent at 10 percent, a bonus of 5 percent for business locating in distressed areas. The bill will also consider changes regarding industrial development bonds.

NACo has urged the committee to equitably define "distressed" areas so that any incentives adopted for credits or industrial development bonds be available for distressed urban, rural, and suburban communities.

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Monday luncheon. Anderson, county Resources subcommittee said, "This is a relationship between the government to state governments in relations."

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HILLSBOROUGH COUNTY HOSTS CONFERENCE

Labor Relations Issues Explored

Continued from page 1

Monday luncheon speaker Darryl Anderson, counsel, Senate Human Resources subcommittee on labor, said, "This is a critical juncture" for the relationship of the federal government to state, county and city governments in labor management relations.

Anderson continued: "If state governments successfully legislate collective bargaining and workers compensation, then federal level action will not be necessary."

He believes that federal standards for workers compensation should be established, but that the legislation should not "federalize the system. This problem hasn't yet been solved," he added.

"The Senate won't enact a collective bargaining bill this year," he predicted, "but sooner or later there will be one. It is an important issue and ultimately it will become a constitutional issue."

Anderson told the county officials that the pattern of Supreme Court decisions mandating state and local government actions is "zig-zag" and future decisions could go either way.

He outlined several congressional, Administration and Supreme Court actions affecting labor management, such as the Pregnancy Disability Bill, the House Labor Law Reform Bill, the Civil Rights Reorganization Plan, and the decision of the Supreme Court to stop actuarial table differentiation in pension management.

CHARLES C. MULCAHY, labor relations lawyer in Milwaukee County, Wis., pointed to several trends in public sector labor relations:

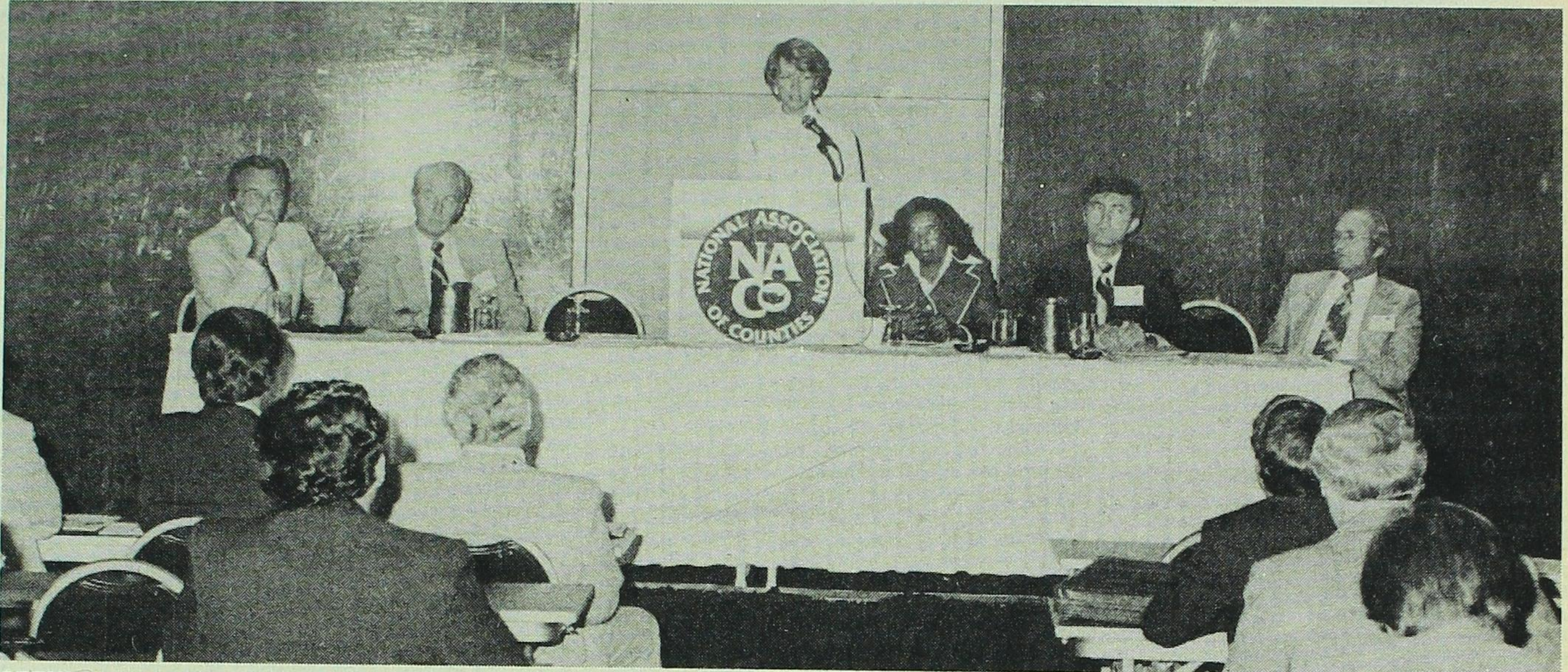
- More demand for open bargaining and openness in bargaining;
- Adoption of more compulsory arbitration measures;
- General backing away from formulas as solutions to wage disputes;
- Growing concern about public sector pensions.

Mulcahy, a former Milwaukee County supervisor and an ex-officio member of the NACo Labor-Management Relations Steering Committee, provided an overview of recent legal and legislative actions.

Employee Rights: He said there is an "apparent trend by the U.S. Supreme Court to narrow certain due process rights of governmental employees." He cited a case involving a probationary police officer, *Codd vs. Velger*, where the officer was discharged without a predischarge hearing. The court, upholding the lower court ruling, "held that this discharge did not deprive the employee of liberty interest and that the employee was not entitled to a due process hearing."

Employment of Aliens: Concerning the question of the rights of aliens to public employment in the case of *Foley vs. Connelie*, Mulcahy said, "the basic rationale of the court in this decision is that it is an American tradition that citizens are governed by citizens." He cautioned, however, that statutory discrimination against aliens must be confined to those positions and occupations involving policy-making decisions.

Age Discrimination: Talking about the "practical effect" of the Age Discrimination Act Amendments of 1978, Mulcahy noted that "immediately upon enactment, no new collective bargaining agreement could contain any retirement or seniority system which provides for the mandatory retirement of employees before the age of 70." The amendments, he said, may have an effect



OPENING SESSION—Fran Davin, chairwoman, Hillsborough County Board of Commissioners, welcomes delegates to NACo's Fourth Annual Labor Relations Conference. Seated from left are NACo Executive Director Bernard F. Hillenbrand; NACo President William O. Beach, Montgomery County, Tenn.; Jarrette Simmons, chairwoman, Wayne County (Mich.)

Board of Commissioners; Charles C. Mulcahy, labor relations lawyer, Milwaukee County, Wis., who addressed the delegates on recent legislative and judicial developments affecting labor relations and personnel; and Jack Simmers, chairman, Polk County (Fla.) Board of Commissioners and a member of the NACo Board of Directors.

upon the financing of health and medical plans and pensions.

Unemployment Compensation: A District of Columbia District Court decision to allow the Unemployment Compensation Amendments of 1976 to take effect the first of this year, Mulcahy said, would "seem to indicate that the case is to be 'very narrowly read.'" (The amendments require that states enact more legislation which extends unemployment compensation benefits to all state and local government employees.)

Mulcahy explained that the *National League of Cities vs. Usery* Supreme Court decision, which basically held that the federal government did not have the right to interfere with state and local government affairs, was rejected by the district judge who said these amendments do not impose requirements for such legislation upon the states because an option is offered.

Public Pensions: "One of the inevitable consequences" of a congressional study of public pension systems "will be disclosure of public sector pension status," he said. Mulcahy predicted "a fair amount of dissatisfaction among public employees and considerable discomfort for employers" as a result. He suggested that a solution to the problem may be cutbacks of pension benefit payments coupled with reexamination of fund management.

Deferred Compensation: The Internal Revenue Service proposed rule change which would provide for current year taxation of deferred compensation plans "may upset existing collective bargaining agreements" as well as remove "any tax shelter effect," he said.

Mulcahy was introduced by Jarrette Simmons, chairwoman of the Wayne County (Mich.) Board of Commissioners and vice chairwoman of the NACo Labor-Management Relations Steering Committee.

TUESDAY GENERAL session speakers included Beverly Bedwell, deputy regional commissioner of the Social Security Administration, who discussed the Social Security Amendments of 1977 and the implications of withdrawal from the system. Revisions to the Merit Systems Standards and their implications for state, county and city government

were reviewed by Elizabeth Moore, Intergovernmental Personnel Programs Division, U.S. Civil Service Commission. Both were from Atlanta, Ga. offices.

CETA reenactment and retirement issues under the CETA program were discussed by Department of Labor spokesman Nancy Rose.

Sen. Richard Stone (D-Fla.) sent a special statement to the conference about his bill, S. 1587, which exempts state and local government pension plans from federal tax liability and from Internal Revenue Service annual reporting requirements. His statement read: "The fundamental principle underlying S. 1587 is that pension systems are the basic responsibility of state and local governments, not the federal government... Federal taxation of these plans, when federal standards are not met, is quite clearly a form of federal regulation."

Throughout the conference, workshops were designed to meet the needs of counties with employee unions and counties that are not organized or are in the early stages of organization. Sessions for the former emphasized collective bargaining aspects; the latter focused on steps to take and mistakes to avoid to develop and maintain constructive labor relations.



RESOLVING CONFLICTS—Lewis Taylor, personnel director for Philadelphia, far left, leads a panel on the conflict between merit systems collective bargaining and antidiscrimination laws.



COLLECTIVE BARGAINING LAW?—Darryl Anderson, right, counsel to the Senate labor subcommittee, discusses prospects for a national collective bargaining law at a luncheon session. Seated from left are John Franke, chairman, NACo Labor Management Relations Steering Committee and Johnson County (Kan.) board chairman; and James Long, director of Administration and Finance, Shelby County, Tenn. and steering committee member.

Dispute over Bottle Deposits

What Impacts Would Federal Law Have?

Not so long ago, everyone took it for granted that there would be a deposit on soft drinks, and returning bottles to the grocery store was routine. At the same time, there was a massive army of enterprising children who found discarded bottles to be a useful source of extra money.

For the most part, those days are gone. Most soft drinks come in throw-away containers, both bottles and cans. As with most changes, there have been gains and losses associated with the transition to "no deposit—no return."

Advantages of Nonreturnable Containers

Gains have been felt by consumers, national beverage producers, and retailers.

The benefit of nonreturnables to consumers has been greater convenience, the major reason for their popularity.

The advantage to national beverage producers is the ability to expand market areas, in part because of the use of lighter weight containers and in part because the distribution system is entirely one-way. Retailers, particularly grocery stores, have benefited from increased use of disposable containers because they have not had to devote as much time and space to a relatively unprofitable activity.

Drawbacks to Nonreturnables

The losers throughout the transition have been consumers, local beverage producers, local governments, and the environment.

The loss to consumers has been in the form of higher prices if they buy soft drinks or beer in nonreturnable containers, though this cost is presumably more than compensated for by greater convenience. Indeed, that is the trade-off which has made the transition possible.

Local beverage producers have lost markets, and their businesses have collapsed as major beverage companies have been able to expand their distribution channels. Returnable containers are limited to a relatively small service area because of the high transportation costs associated with distribution and collection of heavy glass containers. The growth of the disposable container industry has made local distribution operations uneconomical, driving many small businesses out of existence.

The problems created by nonreturnable containers for counties and cities are rather obvious. The added convenience to consumers is directly related to the added inconvenience to local governments of collecting and disposing of the increased waste stream. Beverage containers comprise about 6 percent of the waste generated by households and commercial establishments. Since total solid waste management costs for residential/commercial wastes are about \$4 billion, that means that about \$240 million is spent to dispose of beverage containers.

In addition, local governments and the environment generally pay a price for nonreturnable beverage containers in the form of roadside litter. Soft drink and beer cans and bottles make up about 40 percent to 60 percent of litter by volume and 20 percent to 30 percent by count. In public recreation areas, this is more than an esthetic nuisance; it may cause a serious health hazard from broken glass or "flip-tops" from cans.

Beverage Container Legislation

Weighing the pros and cons of the current situation in which one-way containers dominate the market, the question has arisen as to whether there is need for government intervention to encourage the use of returnable containers. Were it not for the social costs of litter and solid waste, there would be no rationale for legislation on beverage containers; but since that cost is not included in the price of nonreturnable containers, the market provides a hidden bias against returnables. The debate on legislation has been primarily over requiring a deposit on containers, a deposit which was imposed voluntarily by most distributors two decades ago. Some have recommended an outright prohibition on the sale of nonreturnable containers, though such proposals have been taken less seriously because they would unnecessarily restrict consumer choice.

Four states—Vermont, Oregon, Maine, and Michigan—have adopted deposit legislation as have a number of counties and cities. Clearly, the smaller the jurisdiction, the less effective will be deposit laws if neighboring jurisdictions do not have such laws. Thus, a federal law would be the most effective because of its complete coverage. Another advantage of a federal law would presumably be uniform requirements for the beverage industry from state to state, rather than conflicting laws if each state enacts somewhat different deposit legislation.

How Would a Deposit Work?

In its simplest form, federal beverage container deposit legislation could mandate the levy of a deposit of five cents to 10 cents on every beverage container sold in the United States without specifying the process for collecting and returning the deposit to consumers. This would allow container manufacturers, retailers, and possibly independent redemption centers to negotiate among themselves the details of the system.

A number of variations to this simple scheme are possible. The deposit may vary according to the size of the containers or according to whether a container can be used by more than one brand of beverage. "Flip-top" cans may be prohibited or allowed. Special redemption centers may be encouraged or discouraged.

Impacts of Deposit Legislation

What would happen if Congress enacted legislation requiring a deposit on beverage containers? No one knows for sure, but there is a great deal of evidence from the four states that have passed such laws that deposit legislation will reduce litter and solid waste, save money and energy, and increase employment.

Litter. Approximately 4.1 billion beverage containers were littered in 1975 according to an Environmental Protection Agency analysis of several surveys of highway litter. That number is expected to be 5.3 billion by 1980. However, if deposit legislation is enacted, EPA projects, based on Oregon's experience, that the number of littered containers would diminish to about 1.6 billion, a 70 percent reduction from the 1980 projection. Since beverage containers represent about 20 percent to 30 percent of total litter by count,

deposit legislation should reduce litter by about 14 percent to 21 percent. Estimates of state and local government spending on litter control programs have ranged as high as \$1 billion a year. Thus, the savings in this expenditure could be as much as \$140 million to \$210 million a year.

Solid Waste. As noted earlier, beverage containers make up about 6 percent of the solid waste stream or about 9 million tons per year. This is expected to rise to 10.6 million tons per year by 1980 in the absence of deposit legislation. Assuming a return and reuse rate of about 70 percent, the amount of beverage containers in the waste stream should fall to about 3.4 million tons per year, or 7.2 million less than projected. That would amount to a savings of \$200 million dollars to local governments responsible for solid waste management. The reduction in waste would also reduce by about 5 percent the rate at which landfill space is exhausted. Furthermore, in those counties and cities which burn garbage as a source of energy or which intend to do so, the removal of a significant portion of glass and metals from the waste would improve the operating efficiency of the facility and increase its economic viability. This might make resource recovery cost-effective in marginal cases due to the decline in wear and tear on shredders and other equipment.

Consumer Savings. The cost to consumers of beverages would decrease on average under a mandatory deposit system since it would no longer be necessary to pay for the container. Refillable bottles are much cheaper because of the number of times they can be reused, in spite of the higher cost of filling, transportation, and storage compared to nonrefillable containers. Savings range from 2 cents to 8 cents per 12-ounce returnable container. Total consumer savings are projected by EPA to be at least \$2.5 billion per year by 1980 and \$3.2 billion per year by 1985. On the other hand, there will be an increased cost to some consumers if they buy one-way containers and do not return them for the deposit.

Energy Savings. The energy requirements of returnable containers are considerably less than one-way containers. If the return rate is 90 percent, a returnable bottle uses only about one-third as much energy as a single-use container. If beverage container deposit legislation were adopted, EPA estimates that the equivalent of 125,000 barrels of oil per day would be saved. That would amount to a 42 percent energy savings in the beverage container manufacturing and distribution industry. By comparison, it is equal to half the potential savings of the 55 mile per hour speed limit.

Increased Employment. In spite of the fact that the transition to returnable beverage containers would lead to a net increase of 82,000 jobs and an increase in labor income of \$400 million, labor unions have generally opposed deposit legislation. The basis for that opposition has been that the 162,000 new jobs would be in distribution and handling of containers. These are lower-skilled (and less union-controlled) jobs than the 82,000 container manu-

facturing jobs that would be eliminated. In addition, there would be disruptive changes for about 43,000 employees who would not show up in statistics because they represent changes within the industry. Nevertheless, the overall change would be beneficial for the economy as a whole. Unfortunately, from a political perspective, those whose jobs are potentially threatened can speak with a unified voice, while those who might receive the newly created jobs will not be heard since they represent only a statistical abstraction, not particular individuals.

NACo Position

The American County Platform, representing NACo's official position on policy issues, recommends the adoption of national legislation prohibiting nonreturnable beverage containers and requiring a refundable deposit on all beverage containers.

In keeping with that position, NACo is currently supporting H.R. 936, introduced by Rep. James Jeffords (R-Vt.), and S. 276, sponsored by Sen. Mark Hatfield (R-Ore.). These bills would set 5 cents minimum deposit on beverage containers, and S. 276 would have "flip-tops," but they would leave open the details of implementation to the beverage industry.

Hearings to review government reports on container deposits were conducted in January by the Senate, and similar hearings are likely to be held in the House in June. However, the President is awaiting the recommendation of the interagency Resource Conservation Committee before taking a position on deposit legislation. Combined with continued opposition by labor and many major beverage companies that means there is unlikely to be any movement in Congress this year.

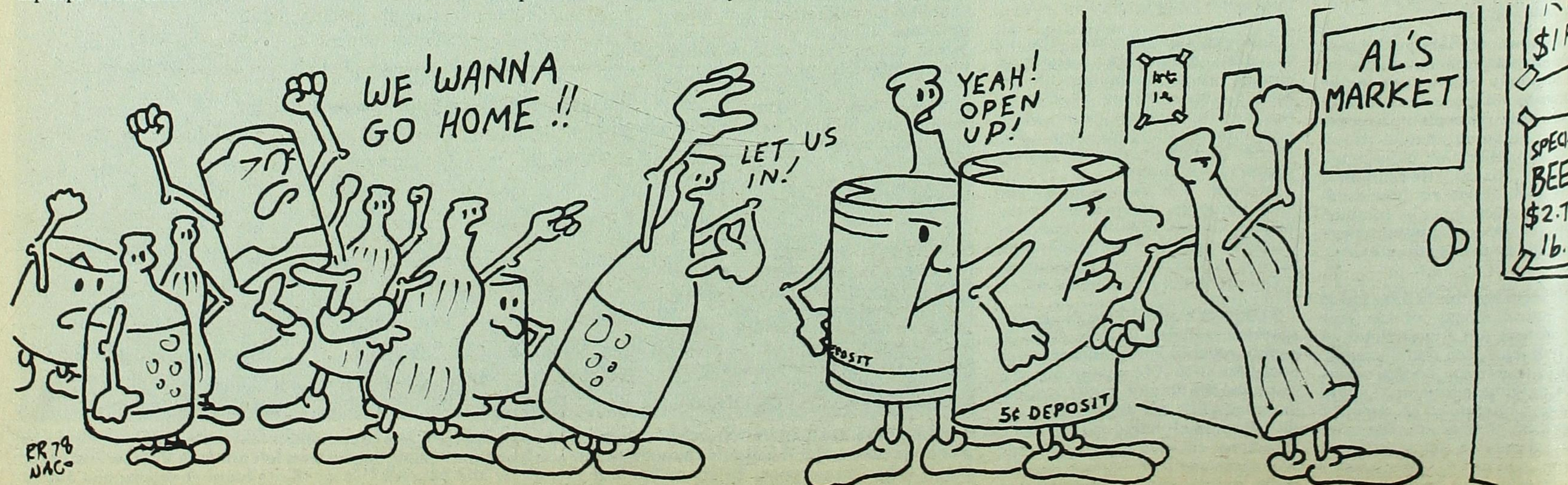
Action in the States

There is, nevertheless, continued momentum for deposit legislation at the state level. Both Iowa and Connecticut passed container deposit laws in March, though in Iowa the law has not yet been signed by the governor.

These laws contain some unique features. The Iowa law will require deposits on liquid bottles in addition to beer and soft drink containers. It also provides for a 1 cent nonrefundable handling charge to be paid to retailers, though it will be reduced to 1/2 cent after a two-year phase-in period. In the case of Connecticut, the law includes a jobs compensation provision, whereby workers will receive 75 percent of their wages if they are displaced during a transition period.

Passage of more state laws will probably be necessary before Congress will adopt deposit legislation. Indeed, Congress appears to be waiting until the demand for change is overwhelming, and it is forced to take action. Perhaps that process can be short-circuited if labor representatives can be persuaded to relinquish their opposition in return for a jobs compensation provision similar to the one in the Connecticut law. In the meantime, however, state and local governments, by adopting their own measures, continue to provide the leadership on this issue.

—Clifford Cobb, NACo



ts New FHWA Policy Reflects Changing Federal Attitudes

WASHINGTON, D.C.—Local governments will benefit from reduced red tape in the federal-aid highway program as a new Federal Highway Administration (FHWA) policy goes into effect. The policy was published in the March 14 *Federal Register*.

FHWA's policy, implementation plan, and schedule on minimizing red tape result from a study conducted by a regulations reduction task force, in which NACo and many county officials participated.

A FHWA Implementation Committee considered 33 task force recommendations, along with all comments received, and recommended action to the FHWA administrator. Twenty-three recommendations were adopted and 10 were deferred for further study.

BY EXPANDING their participation in FHWA planning, the policy reflects a changing federal attitude toward state and local government participation in transportation programs. It directs FHWA officials and division administrators to be aware that:

- State and local governments, to the greatest extent feasible, should be involved when the development of

federal directives are first being considered;

- State and local officials, through close interaction with the public, are best able to judge local values and needs;

- States and local federal highway aid recipients are competent and possess or have access to skills of the highest order.

The policy aims to reduce red tape and provide greater flexibility in the decision-making of FHWA division administrators. The policy states that "It should be standard procedure that the division administrator be given broad discretion to perform within a framework of clearly stated policy."

Attempts to reduce red tape include curtailment of lengthy and excessively detailed instructions and elimination of redundancy within directives and excessive reporting requirements. Under the new policy, a formal review of each FHWA directive will be made to ensure that it is effective and applicable.

The new policy also states that "Requirements or restrictions should not be imposed which expand on the law."

The *Federal Register* process will

be reformed under the FHWA policy. The use of Advance Notices of Proposed Rulemaking will be increased to a 45-day minimum review and comment period for respondents. A 60-day response period for review and comment will exist for Notices of Proposed Rulemaking.

Counties in Alabama, California, Hawaii, Illinois, Kansas, Minnesota, New Jersey, Oklahoma and South Dakota, as well as state associations of county engineers in Arizona, California, Iowa, Minnesota, New York, New Jersey, Ohio and Wisconsin, all provided input to the task force, which also reviewed recommendations from the NACoRF-NACE project, "Communications with County Government." Results are contained in the FHWA report, *Regulations Reduction Review*.

Additional information on the policy and its implementation can be obtained from Dennis Judyski, Office of the Federal Highway Administrator, 202/426-0848 or Hugh T. O'Reilly, Office of the Chief Counsel, 202/426-0780, both located at FHWA, 400 Seventh St., S.W., Washington, D.C. 20590.

—Howard Schmidt

Job Opportunities

County Planner, Allegany County, Md. Will be in charge of the comprehensive planning section. Master's degree in planning or related field. One year's experience with a planning agency essential. Resume to: Planning Director, Allegany County Planning and Zoning Commission, P.O. Box 1433, Cumberland, Md. 21502.

General Counsel, Broward County, Fla. Salary up to \$45,000 and fringe benefits. Chief legal counsel to the county. Duties include representing the county government, the commission, administrator, and all other departments and divisions of the county. Extensive knowledge of statutory and constitutional law of Florida as these apply to county government, with at least five years experience in these or related areas of law. Must be member of Florida Bar. Resumes to: C. Bruce, County Administrator's Office, Room 248, Broward County Courthouse, Fort Lauderdale, Fla. 33301. Closing date May 30.

Housing Services Director, Lexington-Fayette Urban County Government. Will be responsible for the planning and direction of a professional staff in countywide housing rehabilitation, redevelopment and code endorsement programs. Requires bachelor's degree in business, public administration, architecture, community planning or a related field, preferably supplemented by graduate courses in a related field; or an equivalent combination of experience and training which provides the required knowledge, skills and abilities. Resume and salary requirements to: Lexington-Fayette Urban County Government, Division of Personnel, 136 Walnut St., Lexington, Ky. 40507. Closing date June 15.

Executive Director, Idaho Association of Counties. Salary commensurate with experience and qualifications. Will be responsible for general administration of association business and activities. Supervise and direct subordinate employees. Spokesman for association, coordinate association activities in dealing with state legislature and local, state, and federal agencies. Resume to: Idaho Association of Counties, Box 1623, Boise, Idaho 83701. Closing date May 15.

Community Development Administrator, Anne Arundel County, Md. Salary \$20,000 range. Direct, supervise and coordinate the community development program. Successful candidate must have proven experience in administration and possess considerable oral and written communication skills. Requires bachelor's degree in planning or related field and a minimum of five years supervisory experience in planning and development. Master's degree preferred. Resume to: Planning and Zoning Officer, Anne Arundel County, Annapolis, Md. 21404.

Community Development Projects Director, Anne Arundel County, Md. Salary \$17,000. Coordinate and assume responsibility for preparation of grant applications, conducting of environmental reviews and citizen participation efforts. Individual must have proven skills in intergovernmental relations, citizen participation and working knowledge of all aspects of community development. Applicant must have a college degree and at least two years supervisory experience in community development. Resume to: Planning and Zoning Officer, Anne Arundel County, Annapolis, Md. 21404.

Community Development Housing Rehabilitation Director, Salary \$17,000. Responsible for the direction and coordination of housing rehabilitation and relocation programs. Individual must have skills in planning and community development with a demonstrated knowledge of housing rehabilitation, contract administration, financing and loan/grant programs. Applicant must have a college degree and at least two years of supervisory experience in community development, home rehabilitation and federal housing programs. Resume to: Planning and Zoning Officer, Anne Arundel County, Annapolis, Md. 21404.

Labor Relations Specialist, Dade County, Fla. Senior level position as spokesman for negotiating and administering labor contracts encompassing a wide variety of occupational groups. Some arbitration case presentation experience desirable. Advanced academic degree preferred with several years labor relations experience. Resume to: Ashton Tyler, Director, Metro Dade County Personnel Department, 2501 Coral Way, Miami, Fla. 33145.

Director of Employee and Management Development, Dade County, Fla. Will plan, coordinate and direct personnel training and development for a large and diversified governmental employer. Responsible for identifying needs, formulating policies, and determining procedures and techniques for training in general and specialized areas. Advanced academic degree required with a minimum of five years experience in organizational development, and/or human resource development field. Resume to: Ashton Tyler, Director, Metro Dade County Personnel Department, 2501 Coral Way, Miami, Fla. 33145.

Director of Labor Relations, Dade County, Fla. Directs a staff of labor relations specialists in negotiation and administration of labor contracts. Development and application of labor relations policies and practices in accordance with organization's objectives and applicable governmental regulations. Several years of responsible labor relations experience required. Resume to: Ashton Tyler, Director, Metro Dade County Personnel Department, 2501 Coral Way, Miami, Fla. 33145.

Assistant County Engineer, Lee County, Fla. Assist in all county engineering and public works activities. Civil engineering degree and considerable experience and training required. Must be registered in state of Florida as professional engineer or eligible to become registered in Florida. Resume to: Ed Henke, Box 398, Ft. Myers, Fla. 33902. Closing date June 15.

Assistant County Administrator, Lee County, Fla. Salary range, low to mid \$20,000. College graduate with degree in public or business administration. Four years responsible administrative experience in government. Resume to: Ed Henke, Box 398, Ft. Myers, Fla. 33902. Closing date May 24.

Technical Assistant to County Administrator, Lee County, Fla. Salary low \$20,000 range. College graduate with major in management, business administration or related field. Financial background desirable. Experience in general services in government agency. Resume to: Ed Henke, Box 398, Ft. Myers, Fla. 33902. Closing date May 24.

CETA Director, Lee County, Fla., administrative position carrying out directives of prime sponsor for manpower program under Comprehensive Employment and Training Act. Must be college graduate or have five years progressively responsible professional level experience in manpower planning or program management. Resume to: Ed Henke, Box 398, Ft. Myers, Fla. 33902. Closing date May 27.

Director of Social Services, New Hanover County, N.C. Salary \$21,010 to \$26,710. Responsible for planning, organizing, administering and directing a social service agency with staff of 125 and annual budget of \$1.5 million. Extensive knowledge of principles, methods, and techniques of efficient administration. Five years experience in administrative capacity in a human services agency, with master's degree in social work preferred, or equivalent combination of education and experience. Resume to: New Hanover County Personnel Office, 320 Chestnut St., Wilmington, N.C. 28401. Closing date May 19.

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A 300-page comprehensive look at the past, present and future of counties.

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Washington, D.C. 20006



Matter and Measure

FHWA DESIGNATES ACCEPTABLE DESIGN STANDARD REFERENCES

The Federal Highway Administration (FHWA) has issued a final rule which amends design criteria for highways (*Federal Register*, April 7, 1978). This is accomplished through update in the listing of standards, specifications, policies, guides and references acceptable to FHWA for application in the geometric and structural design and traffic control features of highways. Regulations were finalized by FHWA after public comments were reviewed.

The regulations do not establish federal standards for work that is not federally funded; however, the safety-related criteria are established as goals for developing state and local safety programs for all public highways, as required by Highway Safety Program Standards.

FHWA states, "The guides and references (handbooks, research reports, etc.) include information and general controls that are valuable in attaining good design and in promoting uniformity. They are intended to provide general program direction."

The criteria approved by FHWA for application on federal-aid projects cover the following areas: roadway and appurtenances; bridges and structures; traffic control; and materials.

An "other" category includes such criteria as AASHTO highway definitions and a guide on safety rest areas for the national system of interstate and defense highways.

A new provision of the regulations provides for exceptions when resultant deviations do not conform to specific minimum values.

FHWA states that the guides and references listed in the rule are not to be considered mandatory. Division administrators are to determine what minimum design standards do not apply to certain categories of projects that include very minor or no roadway work.

One section of the regulations specifically requires curb ramps and other appropriate provisions for the physically handicapped.

For more information on this final rule, contact Seppo Alan, Highway Design Division, Office of Engineering, 202/426-0321 or Lee Burstyn, Office of the Chief Counsel, Federal Highway Administration, 400 Seventh St., N.W., Washington, D.C. 20590, 202/426-0799.

FINDING YOUR WAY IN DOT

The U.S. Department of Transportation has published a booklet titled "Finding Your Way in ... DOT."

The booklet explains what agencies belong to DOT; how these agencies can help you; and how you can reach these agencies.

Copies of the booklet are obtainable free from the U.S. DOT, Office of Public and Consumer Affairs, 400 Seventh St., S.W., Washington, D.C. 20590.

THIRD RURAL PUBLIC TRANSPORTATION CONFERENCE

The Third National Conference on Rural Public Transportation will be held June 28-30 at the Michigan Technological University in Houghton, Mich. The theme is "Rural Public Transportation: What We Are Learning." The conference will consist of papers, workshops, and question and answer periods.

The conference is cosponsored by the Urban Mass Transportation Administration and the Transportation Research Board, in cooperation with the Federal Highway Administration, the Michigan State Department of Highways and Transportation, and the Transportation Systems Center.

Also planned in conjunction with the National Conference is the Michigan Small Bus Training Seminar to be held in Houghton June 26-30. For information, contact Joanne Switzer at 517/373-2252.

For information on the Third National Conference, contact David Ewing, Transportation Research Board, 2101 Constitution Ave., N.W., Washington, D.C. 20418.

DOT'S HIGHWAY INSTITUTE AWARDS COLLEGE SCHOLARSHIP

One hundred and twenty-seven college scholarships were awarded by the U.S. DOT to employees of state and local highway agencies for the 1978-79 academic year.

The educational grants are awarded annually by the Federal Highway Administration's National Highway Institute to help state and local agencies and FHWA develop the expertise needed for more effective highway and transportation programs.

This year's awards went to employees of 29 states, 10 cities, 6 counties, plus the District of Columbia and Puerto Rico.

Counties whose employees received scholarships were Dakota and Spearns County, Minn.; Grays Harbor County, Wash.; Montgomery County, Md.; Westchester County, N.Y.; and Cook County, Ill.

Winners will be attending more than 90 colleges and universities throughout the United States and Puerto Rico.

TRANSPORTATION WEEK

The week beginning May 14 has been declared National Transportation Week and May 19 as National Defense Transportation Day by President Carter.

The President urged governors, other officials, organizations concerned with transportation, and the people to join the Department of Transportation in observing this day and week.

In his proclamation, Carter stated, "the United States is a nation dependent on mobility. Transportation helps maintain our prosperity, ensure our national defense, and bind us together as a people. An efficient transportation network is important to maintain our quality of life and help our nation conserve precious petroleum."

Newsmakers

Peter J. SPAULDING

EXECUTIVE DIRECTOR
NEW HAMPSHIRE
ASSOCIATION OF COUNTIES

WAS BORN JANUARY 25, 1944.

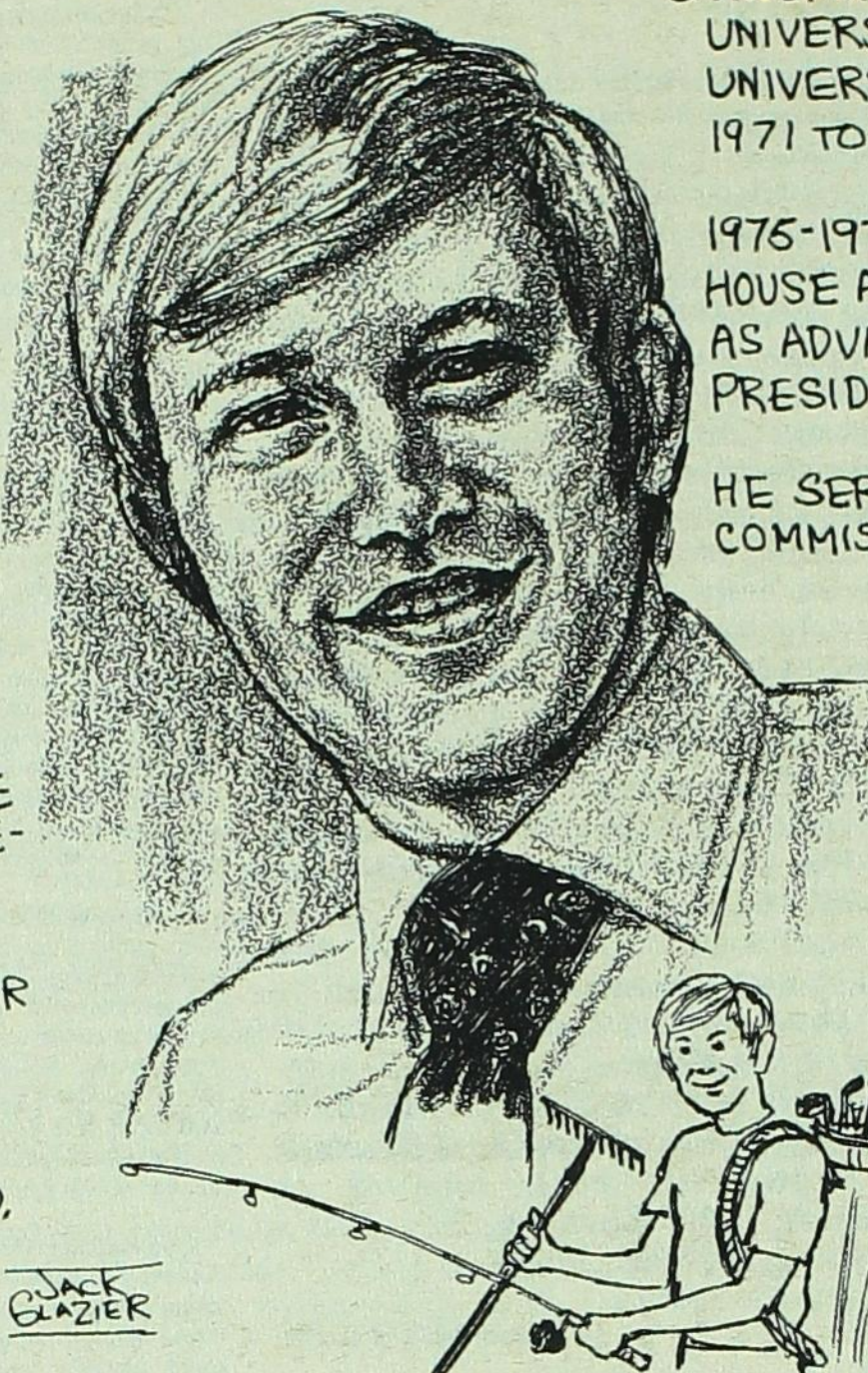
HE IS A GRADUATE OF SIMONDS HIGH SCHOOL IN WARNER, NEW HAMPSHIRE AND THE UNIVERSITY OF NEW HAMPSHIRE (1966). HE MAJORED IN POLITICAL SCIENCE.

IN 1967 HE WAS LEGISLATIVE ASSISTANT TO THE SPEAKER, NEW HAMPSHIRE HOUSE OF REPRESENTATIVES.

1967-1968 HE SERVED AS STAFF ASSISTANT FOR THE ROMNEY FOR PRESIDENT COMMITTEE.

1968-1970 HE WAS DISTRICT REPRESENTATIVE FOR U.S. REPRESENTATIVE JAMES CLEVELAND.

1970 HE WAS A FIELD REPRESENTATIVE FOR THE U.S. BUREAU OF THE CENSUS.



SPAULDING WAS A RESEARCH ASSISTANT, UNIVERSITY RELATIONS OFFICE OF THE UNIVERSITY OF NEW HAMPSHIRE, 1971 TO 1975.

1975-1976 HE WORKED WITH THE WHITE HOUSE ADVANCE OPERATIONS, SERVING AS ADVANCE MAN ON BEHALF OF THE PRESIDENT, GERALD R. FORD.

HE SERVED AS A MERRIMACK COUNTY COMMISSIONER FROM 1971 TO 1977.

PETER J. SPAULDING BECAME THE YOUNGEST COUNTY COMMISSIONER IN NEW HAMPSHIRE HISTORY WHEN ELECTED TO THAT POST.

HE BECAME EXECUTIVE DIRECTOR OF NEW HAMPSHIRE ASSOCIATION OF COUNTIES IN 1977.

PETER LIVES IN CONCORD, NEW HAMPSHIRE, IS SINGLE AND ENJOYS GARDENING, FISHING AND GOLF.

MISSISSIPPI—Lauderdale County Administrator Wallace E. Heggen was named one of the Three Outstanding Young Men of Mississippi of 1977 by the state Jaycees.

Prior to receiving the state award, Wallace, 34, was named as the Outstanding Young Man of the Year by the Meridian Jaycees.

As county administrator, Wallace has worked toward improving and modernizing county purchasing practices.

He is serving on the board of directors of Meridian Exchange Club, Salvation Army, Lauderdale Council on Alcoholism and the National Association of County Administrators.

He is the author of several articles concerning district planning and district water and sewerage programs.

Gov. Cliff Finch was there for the presentation ceremony and praised the winners as "the outstanding leaders of Mississippi's future."

KING COUNTY, Wash.—King County Auditor Lloyd Hara has been awarded the Financial Management Improvement Award in Washington, D.C. for his contribution to increased efficiency and economy in county government operations. He is the first local government finance officer to receive the award, which is sponsored by the Joint Financial Management Improvement Program. It recognizes achievements by employees of federal, state and local government. Hara, who was appointed auditor in 1969, is the only person to hold the auditor's post under the King County Charter.

La. Officials Hear State Transportation Plans

LAFAYETTE, La.—Gov. Edwin Edwards presented a proposed legislative package for transportation which would provide an additional \$15 million for parish roads and less than \$10 million for mass transit systems of the state's cities during a talk to some 1,000 parish officials attending the Police Jury Association of Louisiana's 54th annual convention.

Association officials reported that the convention was one of the most successful ever held, with registration for the first day setting an all-time record.

THE GOVERNOR, calling for an end of the conflict between rural and urban areas which has traditionally existed in the state, said he views urban bus lines and rural roads as parts

of a complete system. He said the package won't be financed with additional taxes, explaining that sound fiscal management and increased state revenues would be the sources of the extra money.

NACo President William O. Beach of Montgomery County, Tenn., also addressed the convention delegates. He emphasized the increasing importance of county government and

praised parish government for the progress it has made in Louisiana, citing strong home rule provisions of the state constitution, more efficient management practices, and an effective relationship with the state government.

Beach listed some of the accomplishments and priorities of NACo. Welfare reform, with relief for counties that have to bear large costs, is the number one goal, he said. He listed revenue sharing as a major accomplishment, praising East Baton Rouge Parish Mayor-President W.W. "Woody" Dumas, who introduced him, for his work in getting the program approved by Congress.

OTHER SPEAKERS were U.S. Rep. Gillis Long, Lt. Gov. James Fitzmorris, and State Commissioner

of Administration Charles E. Rome II.

Delegates elected Charles M. Noble of Richland Parish president of the association for 1978.

Other officers elected were M.J. Barkdull Kahao of West Baton Rouge, first vice president; H.L. Peck Jr. of Catahoula Parish, second vice president; and Earl Harrison of East Baton Rouge Parish, third vice president.

Elected as at-large members of the Executive Board were L.B. Henry of Rapides; H.L. Stutzman of West Feliciana; Frederick Wilson of Louisiana; Louis Sanchez of Iberville; Ruben White of Bossier; and Raymond Palmer of Vernon. Conrad Martin, secretary-treasurer of St. Mary Parish, was elected as president of the Secretary-Treasurers organization.

'MANAGING CHANGE' SEMINAR

NTDS to Award Scholarships

WASHINGTON, D.C.—Scholarships of up to \$500 each are available to state, county and city officials who will take part in the "Managing Change" seminar for public officials and their spouses being offered by the National Training and Development Service.

The 1978 program will be held July 9-29 in Park City, Utah, a resort located in the Wasatch range of the Rocky Mountains.

The three-week "learning and doing" seminar will feature topics

such as: leadership development; team building; innovative decision-making; handling stress; career planning; building managerial skills; improving listening and communication skills; and learning how to anticipate problems.

Tuition is \$1,500 with a reduction to \$1,200 for subsequent registrants from the same organization. Spouses can participate in all facets of the program for an additional \$50 materials fee and are encouraged to attend.

Scholarships will be awarded to county, city and town managers,

department heads, municipal and state officials, training and development administrators and other public officials.

Funds for this purpose were made available to NTDS by IPA (Intergovernmental Personnel Act) officials in order to encourage participation of local government officials.

A \$100 fee will reserve space now. For more information, mail the coupon below to National Training and Development Service, 5028 Wisconsin Ave., Washington, D.C. 20016.

Managing Change July 9-29, 1978 Park City, Utah

Please register me ☐ Send more information ☐ Send scholarship application ☐

Name and Title _____

Spouse's Name _____

Organization _____ Phone (____) _____

Street Address _____

City _____ State _____ Zip _____

Enclosed is my check for \$ _____ Bill me ☐ Bill my agency ☐

MAKE CHECKS PAYABLE TO and mail to: NTDS, 5028 Wisconsin Ave., N.W., Washington, D.C. 20016

A \$50 service charge is in effect for cancellations received in writing later than five days before the seminar. Substitution of participants may be made at any time.



CHARLES NOBLE, Richland Parish police juror, accepted the gavel of the presidency of the Police Jury Association of Louisiana at the organization's recent 54th annual convention.

FULTON COUNTY ATLANTA!

NACo 43rd Annual Conference and Educational Exhibits July 8-12, 1978 at the Georgia World Congress Center

Delegates to NACo's 1978 Annual Conference can preregister for the conference and reserve hotel space by completing this form and returning it to NACo. Check if this is your **first NACo Annual Conference**. ☐

CONFERENCE REGISTRATION

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

Refunds of the registration fee will be made if cancellation is necessary, provided that **written notice is postmarked no later than June 30, 1978.**

Conference registration fees:

\$95 member \$125 nonmember \$50 spouse \$30 youth **(Make check payable to NACo)**

Name _____ County _____

Title _____ Telephone (____) _____

Address _____

City _____ State _____ Zip _____

Spouse, if registering _____ Age of youths attending _____

HOUSING RESERVATION:

Special conference rates will be guaranteed to all delegates whose reservations are sent to the NACo office and are postmarked by June 24. After that date, available housing will be assigned on a first-come basis.

Hotel	Single	Double/Twin	Suites	Room type
1. Atlanta Hilton (NACTFO)	\$36-55	\$48-67	\$120 up	single _____ twin _____ double _____ suite _____
2. Hyatt Regency Atlanta (NACE)	35-49	45-59	110 up	Hotel preference
3. Marriott Motor	35-50	45-60	125 up	1st choice _____ 2nd choice _____ 3rd choice _____
4. Omni International (SOLD OUT)				
5. Peachtree Center Plaza (NACRC)	36-49	46-59	100 up	

Names _____

Arrival date/time _____ Departure date/time _____

Credit card company and number: _____

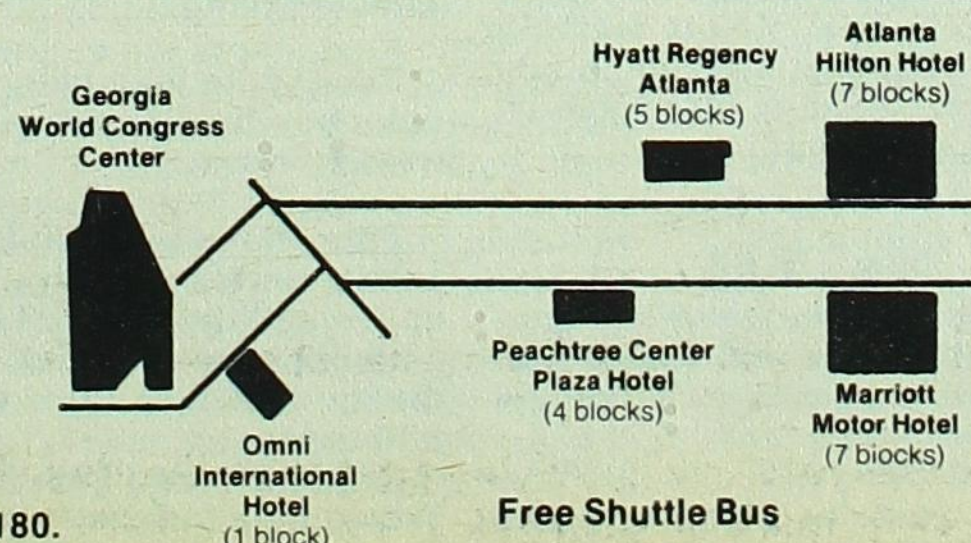
No room deposit required. Rooms may be guaranteed by credit card number.

☐ Check here if you have a housing related disability.

Send preregistration and hotel reservation to:

National Association of Counties
Annual Conference
735 New York Ave., N.W.
Washington, D.C. 20006

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



Tentative Program Schedule

Saturday, July 8

Conference/Credentials Registration
Noon to 4:00 p.m.

Steering Committees
Noon to 3:00 p.m.

Affiliates
Noon to 5:00 p.m.

NACo Board of Directors Meeting
3:00 p.m.

Sunday, July 9

Conference/Credentials Registration
9:00 a.m. to 8:00 p.m.

Exhibits Open
9:00 a.m. to 3:00 p.m.

Affiliates
9:00 a.m. to 5:00 p.m.

Resolutions committee (NACo Board)
10:00 a.m.

Opening General Assembly
6:00 p.m.

Followed by NACo President's Reception

Monday, July 10

Conference/Credentials Registration
8:00 a.m. to 4:30 p.m.

Exhibits Open
9:00 a.m. to 4:30 p.m.

Second General Session
9:00 a.m. to 9:45 a.m.

Workshops
10:00 a.m. to 12:15 p.m.

Exhibit Luncheon
Noon to 1:15 p.m.

Workshops
1:30 p.m. to 4:30 p.m.

Tuesday, July 11

Annual Business Meeting
9 a.m. to Noon

Exhibits Open
10:00 a.m. to 2:00 p.m.

Exhibit Luncheon
Noon to 2:00 p.m.

Annual Business Meeting (reconvened)
2:00 p.m. to 4:00 p.m.

Special All Conference Event
Wednesday, July 12

Workshops
9:00 a.m. to Noon

General Luncheon Session
12:15 to 2:00 p.m.

Workshops
2:15 p.m. to 3:45 p.m.

Closing Banquet
7:00 p.m.

Washington Briefs

• **Welfare Reform.** Hearings concluded May 2 in Senate Finance subcommittee on public assistance. Testimony was evenly matched between proponents of comprehensive reform and proponents of the Baker/Bellmon incremental approach. No action scheduled in either House.

• **Older Americans Act.** The House Education and Labor Committee and Senate Human Resources Committee are making final changes in H.R. 12255 and S. 2850. The bills must be reported from the committees by May 15.

• **Domestic Violence.** The House Committee on Education and Labor and the Senate Committee on Human Resources are considering Rep. George Miller's (D-Calif.) bill (H.R. 12299) and Sen. Alan Cranston's (D-Calif.) bill (S. 2759) to provide federal funding for state and local programs and create a national center to research and respond to violence centered around the family

or household. The bills are slightly different in approach. Miller has also introduced legislation, H.R. 11818, expanding Title XX (social services) to include emergency shelter for adults. This will also aid local efforts to finance programs concerning domestic violence. Both bills will be reported out before May 15.

• **Lobby Registration.** Senate Governmental Affairs Committee to mark up lobby disclosure legislation week of May 8. Amendment to exempt associations of elected officials such as NACo to be offered in committee. See page 4.

• **CETA Re-enactment.** House Education and Labor Committee reported out H.R. 12452 (new number) with a number of amendments including formula changes, 2½-year enrollment limit, BLS methodology change, hold harmless, and \$7,800 PSE job average (see page 1). Senate Human Resources Committee to meet May 11.

• **Health Planning.** The Senate Human Resources Committee last week reported out S. 2410, the Health Planning Amendments of 1978. The bill contains 14 NACo-supported amendments. S. 2410 guarantees greater county elected and appointed official representation on private health systems agencies (HSAs). It also gives public HSAs authority over budgets and personnel procedures, as well as appointment of the HSA governing body. The House version, reported to the floor last month, goes one step further by giving plan approval to the HSA governing board of elected officials. The House and Senate will vote on their bills in the next few weeks.

• **Transportation.** Markup of highway legislation is occurring simultaneously in both Chambers. Senate to continue full committee markup on S. 2440 this week. Majority of work has been completed on interstate highway program. Primary,

secondary, safety and planning sections to be concluded this week. The House companion bill, H.R. 11733, should be through subcommittee by end of week. Bridge funding at \$2 billion with minimum of 25 percent and maximum of 35 percent to be spent on off-system bridges was approved.

• **Public Transportation.** Senate Banking Committee has completed markup on S. 2441 which includes additional authorizations for urban areas over 750,000 and \$100 million for rural public transportation programs. In the House, H.R. 1133 will be marked up by subcommittee this week.

• **Agricultural Land Retention Act.** As *County News* went to press, the House Agriculture Committee was due to take up H.R. 11122. The bill would establish a national commission with county membership to study factors contributing to the conversion of agricultural land and methods to encourage its retention. It would also establish a program of demonstration grants for state and local governments to test programs for retaining farmland. Both provisions are supported by NACo policy.

• **Clean Air and Solid Waste Appropriations.** The House Appropriations subcommittee on HUD, independent agencies was scheduled to take up the EPA appropriations bill for fiscal '79 and a '78 supplemental bill for clean air, water quality, and solid waste programs. See page 10.

• **Countercyclical Assistance.** The Administration submitted to Congress its proposal for extension of the countercyclical antirecession assistance program. Proposal provides two-year expansion, eliminates 6 percent national trigger, continues 4.5 percent minimum unemployment rate for eligibility, lifts many of the restrictions on spending the funds, and deletes states as eligible participants. Rep. William Moorhead (D-Pa.) has introduced H.R. 11298 to extend assistance for five quarters and change national trigger from current 6 percent to 5.5 percent. The current authorization will expire Sept. 30.

• **Municipal Securities Disclosure.** Sen. Harrison Williams (D-N.J.) has introduced S. 2339, Municipal Securities Full Disclosure Act of 1977. Bill would mandate preparation of annual report and distribution documents prior to issuing municipal bonds. No hearings scheduled yet.

• **Government Liability/Antitrust.** The Supreme Court, in a 5-4 decision, held that local governments are not immune from the federal antitrust laws in regard to many of the services they provide. This will subject counties to the antitrust standards and the possibility of increased litigation where particular services are not "traditional governmental services."

• **USDA Reorganization.** Sens. George McGovern (D-S.D.) and Robert Dole (R-Kan.) have introduced S. 2519 to create a new, expanded Department of Food, Agriculture and Renewable Resources incorporating the functions and responsibilities now located in other departments. Senate Agriculture subcommittee on nutrition to conduct hearings in spring.

• **Rural Planning Grants.** Farmers Home Administration has issued final regulations for administering \$5 million rural planning grant program. Regulations appeared in April 4 *Federal Register*. FmHA is accepting applications and plans to award grants as soon as possible.

• **Supplemental Appropriations for Rural Development.** House appropriations subcommittee on culture expected to meet shortly on supplemental appropriations for current '78 fiscal year. NACo subcommittee to provide additional \$50 million of unexpended authorizations for water and waste disposal grants to help meet current needs. List exceeding \$650 million nationwide.

• **Rural Development Act.** Agriculture Committee reported out companion legislation to the Agricultural Credit Act of 1978. Bill number changed to H.R. 11712. Bill increases water and waste disposal authorization from \$300 million and raises grant ceiling from 50 percent to 75 percent project cost. Provision increasing rural development loan interest has been deleted. House vote scheduled this week.

Senate Agriculture Committee reported out companion legislation, S. 1246. Bill amended in full committee to increase water and waste disposal grant authorizations to \$400 million and ceiling on grants to 75 percent of project cost. Senate scheduled to follow action on Panama Canal Treaty. Both bills contain provisions for agricultural assistance.

• **Rural Housing Act of 1978.** Reps. Stan Lundine (D-N.Y.) and AuCoin (D-Ore.) have introduced H.R. 11712, the Rural Housing Act of 1978. Legislation would establish a new home ownership loan program.

• **Municipal Bonds Underwriting.** Sen. William Proxmire (D-Wis.) introduced S. 2674 to amend the Steagall Act to authorize national banks to underwrite local government securities issues. Bill is companion to H.R. 7485, introduced by Rep. Gladys Spellman (D-Iowa). Legislation would increase petition for municipal securities result in savings to local governments. No date for hearings.

• **Government Liability/Rights.** Senate Judiciary subcommittee on the Constitution is considering S. 35, the Civil Rights Improvement Act of 1977, sponsored by Sens. Charles Mathias (D-Md.) and Edward Brooke (R-Mass.). NACo opposes provisions in legislation which would eliminate immunity of state and local governments from suits brought under Title 18 of the Civil Rights Act of 1871. NACo testified at hearing May 3. Companion legislation, H.R. 4514, introduced by Rep. Patrick Mitchell (D-Md.). No action scheduled in House.

• **Rural Development Policy Act of 1978.** NACo testified in support of Rural Development Policy Act of 1978, sponsored by Reps. Richard Nolan (D-Minn.) and Charles Grassley (R-Iowa). Legislation strengthens rural development responsibility of USDA, improves coordination of rural development programs of all agencies, increases rural planning grant authority from \$10 million to \$50 million, change name of FmHA to the Rural Development Administration and USDA to Department of Agriculture and Rural Development.

• **Rural Community Development Act.** NACo testified before subcommittee on family farm and rural development on H.R. 11712, the Rural Community Development Act. The legislation is sponsored by Charles Grassley (R-Iowa) and Richard Nolan (D-Minn.). Co-sponsors urged subcommittee to provide provision restricting eligibility only those communities and counties below 20,000.

'NOT HOUSE PRIORITY'

Welfare Slowdown Charged

WASHINGTON, D.C.—In a May 4 statement before the Senate Finance subcommittee on public assistance, Rep. Charles Rangel (D-N.Y.) complained that welfare reform is not moving and asked for a message of renewed commitment to the poor through swift action on the President's proposals.

Despite HEW Secretary Joseph Califano's assurances that welfare reform is still on the agenda, Rangel said it is not included in the list of 10 legislative priorities recently issued by the House leadership for the remainder of the 95th Congress.

"The Speaker assured me it was no oversight," said Rangel, the member of the special House welfare

reform subcommittee who was most responsible for shaping the subcommittee bill, H.R. 10950. He said he will ask the Executive Branch to explain how welfare reform can be a top priority if the leadership doesn't know it.

Rangel also called on the Senate Finance Committee to support \$400 million for fiscal relief in conference committee.

Sen. Daniel Patrick Moynihan (D-N.Y.) responded that it may be necessary to do a bill "in this committee and report it back to you (the House) in H.R. 7200. This is the year for welfare reform," he said. "We cannot lose it again." Next year Congress

will be preoccupied with national health insurance, and after that, restructuring the unemployment insurance system, he said.

House action on the subcommittee bill has been backed up in the Ways and Means Committee, with no date scheduled for markup. Moynihan's apparent intention to amend a welfare reform bill into H.R. 7200 (which is awaiting Senate floor action) may be the only way to get a bill into conference this year.

In a recent meeting with HEW officials, NACo, city and state organization staff members urged that the White House become more visible and active on behalf of welfare reform action by Congress.

House Panel Votes New CETA Formula

Continued from page 1

IN HIS APRIL 28 mailgram, Weintraub asked county officials to call or wire their senators before May 11 and urge the Senate Human Resources Committee to:

• "Increase Title VI eligibility to the House subcommittee level of 100 percent of the BLS lower living standard budget.

• "Eliminate the requirement that all Title VI jobs be in projects. (Prime sponsors should determine length of projects, thus rejecting a 12-month limit.)

• "Urge same indexed wage ceiling for Title VI PSE jobs as accepted by Senate subcommittee for Title VI PSE jobs.

• "Eliminate national average for PSE wages.

• "Raise supplementation maximum to 125 percent of wage ceiling for Titles II and VI.

• "Urge 18-month maximum participation for Title VI PSE jobs with additional six-month waivers. (This equals Senate limit for Title II and House subcommittee level for all PSE jobs.)

• "Eliminate the quarterly trigger for Title VI authorization; substitute 'such sums as necessary.'"

Public service employment in the House bill, on the other hand, contains these provisions:

Eligibility: Title II PSE—economically disadvantaged and unemployed, underemployed or in-school. Title VI—eight weeks unemployed

and 100 percent of the BLS lower living standard budget.

Wage Ceiling: Title II PSE and Title VI—\$10,000 to \$12,000, depending on a regional index of average wages. In fiscal '79, wages would have to average \$7,800 nationally. The average would be subject to an annual index.

Duration of Enrollment: Title II PSE and Title VI—18 months; waivers available in rare cases.

Supplementation: Title II PSE—none. Title VI—limited to 10 percent of Title VI grant; individual salary cannot exceed 125 percent of the wage ceiling; number of slots supplemented may not exceed 25 percent the first year (fiscal '79), 20 percent the second year, and 15 percent the third and fourth years.

Projects: Title II PSE—no project requirement. Title VI—at least 50 percent of the jobs must be in projects. Prime sponsor sets limit on length of each project.

New CETA

Like the Administration's proposal, both the House and Senate bills propose basic organizational changes to CETA:

Title I contains planning provisions, general assurances and administrative rules.

Title II, in the new bills, combines the old Title I training programs with PSE for the structurally unemployed. The House bill would make about \$4 billion available for Title II and require that no more than half the funds in any prime sponsor area be spent for public service job wages.

The Senate bill creates a new Part D of Title II PSE, with \$3 billion authorized for just that part and a total of \$5 billion for Title II. No PSE would be allowable under Title II outside of Part D.

Title III contains special national programs, such as those for Indians and migrants.

All of the youth programs established last year would be part of Title IV, along with the Job Corps and the summer jobs program.

Title V continues the National Commission for Employment and Training Policy.

Title VI, in both bills, would be a countercyclical program of public service jobs.

Title VII would establish a new private sector initiative by setting up, in addition to CETA's regular advisory council, a local private industry council to work with CETA prime sponsors.

In the House, Title VIII is the Young Adult Conservation Corps. The Senate subcommittee made that program part of Title IV.

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