

This Week

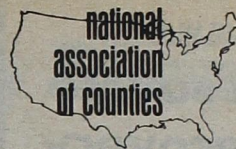
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Vol. 9, No. 23

County News

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

June 6, 1977



Washington, D.C.

Jail Reform Forces Unite

KANSAS CITY, Mo.—A combination of women, public understanding and changed attitudes about punishment will lick the problem of the nation's jails, one of the world's most respected psychiatrists told local officials and criminal justice specialists at a national jail assembly here.

Dr. Karl Menninger, founder of the Menninger Clinic and author of *The Crime of Punishment*, said male chauvinism—"Only a man can take care of these tough guys"—has frequently provoked prison problems.

His observations and some testing has shown that women who work with prisoners are matter of fact, thoughtful, effective, and provide an element of "softness."

Menninger spoke at the concluding dinner of the National Assembly on the Jail Crisis, held May 22-25 and sponsored by NACo in cooperation with other groups involved in jail reform efforts.

He called on the 450 persons from 41 states attending the assembly to rid the nation of "the whole damn rotten theory behind the idea of curative cruelty."

"I don't know how you measure what people deserve," Dr. Menninger said. "Forget the punishment idea. It is like beating the dog for chasing the cat yesterday," he stated.

"There are dangerous, mean and cruel people who have to be confined," Menninger said, but let the confinement be "scientific."

MENNINGER related his visits to prisons and jails. Many prison wardens have "poured out their hearts" to the 80-year-old doctor who first became involved in penal systems 50 years ago.

He quoted the jailer who said to him: "What they (the prisoners) do to each other is your fault, not ours." And he praised the judges who have ordered horrible prisons closed. He reminded the group that there was resistance to improving hospitals. Hospitals are now expensive, he said, but "do you want to go back to the days of filthy floors, six to eight people to a bed and occasionally a doctor coming by to see if you have died yet?"

Of public understanding, he cautioned: "We shouldn't cover up, we should tell it like it is."

He criticized practices that place children and witnesses in jail.

"We are still in crisis if we improve management, rid the jail of vermin and putrid atmosphere, reduce the brutality, provide teachers, social workers and chaplains, but still detain those who don't require con-

See NEW, page 5.



GIVES TESTIMONY—Terrance Pitts, Milwaukee County supervisor, shakes hands with Sen. Edward Kennedy.

HOSPITAL COST CONTAINMENT

NACo Gives Views

WASHINGTON, D.C.—County officials will support President Carter's proposed hospital cost containment legislation if the bill is amended to "protect needy patients without increasing the costs of local governments," Milwaukee County (Wis.) Supervisor Terrance Pitts told a Senate health subcommittee.

The subcommittee held two days of hearings last month on S. 1391, the Hospital Cost Containment Act of 1977, which was introduced by Sen. Edward Kennedy (D-Mass.). The proposal attempts to hold hospital cost increases to 9 per cent a year.

Department of Health, Education and Welfare Secretary Joseph Califano told Sen. Kennedy's subcommittee that the Administration's bill would lower hospital costs which are climbing 15-20 per cent a year. Over

\$10 billion would be saved in Medicaid and Medicare by 1982 if the bill passed, he reported.

Speaking on behalf of NACo, Pitts explained that counties endorse the Administration's goal to bring "skyrocketing hospital costs under control" because counties pay 10 per cent of the \$17 billion Medicaid bill, pick up the health costs of many charity patients, and run 45 per cent of the public general hospitals in the country.

However, Pitts said that S. 1391 contains certain "gaps."

HE POINTED out that county governments subsidize "unsponsored" patients—people not adequately covered by insurance or whose needs are not covered by most insurance packages.

"The population which falls into

this gap group is broad," Pitts said. "It includes the disabled but working person, intact families, the underinsured, the working poor, non-resident aliens, prisoners, migrants, and others."

Pitts urged that the federal government help local governments pay the bills for these unsponsored patients. Without this provision, Pitts explained, a limit on the amount public and private insurers can reimburse hospitals will only shift costs to local governments and "not save on total costs."

Pitts also said that total health costs could be kept down if Medicaid, Medicare and private insurers would provide greater coverage for patients who are treated at local health clinics and other outpatient facilities.

"In many places, patients who

See COST, page 4

Public Works Q. and A.

When will I know what level of funding my jurisdiction will be eligible for?

EDA was to release the funding for all eligible applicants on June 3.

Is there a minimum funding level?

EDA has determined that the minimum funding level, referred to as "planning target," will be \$75,000. For areas which would receive a planning target below the minimum, no planning target would be established.

In the above instances, what will then happen to that funding?

EDA will administratively reappportion the funds to the county government.

Is there a maximum funding level?

No project may exceed \$5 million, although the Assistant Secretary may waive this for good cause.

Are there any restrictions on wages?

All laborers and mechanics employed on the project must receive, at a minimum, the prevailing wage rates as determined by the Secretary of Labor in accordance with the Davis-Bacon Act.

See PUBLIC, page 3



NACo INVITES MAYOR—Detroit Mayor Coleman A. Young (center) has been invited to address the 1977 annual conference July 24-27 in Detroit. The personal invitation was extended by, from left, Jarrette Simmons, vice chairman of the Wayne County Board of Commissioners; Charlotte Williams, NACo third vice president from Genesee County; Genesee Commissioner Harold Hayden, member of the NACo Board of Directors; and John Barr, chairman of the Wayne County Board of Commissioners and this year's general conference chairman.

Looking at 1977 Annual Conference

County officials who attend this year's NACo conference in Detroit, Mich. July 24-27 will experience a renaissance in two ways.

They'll have an opportunity to visit a major new building complex—Renaissance Center—that is representative of the rebirth that the city is undergoing, and they'll be participating in the NACo conference that should enrich their understanding of programs and functions important to local government.

Site of this year's conference is Cobo Hall and the theme is "County Renaissance: The Vital New Importance of America's Counties."

See '77, page 6

SOLID WASTE

Resource Recovery Seminar

The Environmental Protection Agency (EPA) in conjunction with the National Association of Counties Research Foundation (NACoRF) will conduct a two-day seminar on resource recovery June 28-29.

The seminar is designed primarily for municipal and county officials and private and professional individuals who are interested in gaining a better understanding of current municipal solid waste resource recovery and conservation practices.

Using formal presentations, case studies and audience participation sessions, the seminar will offer a comprehensive overview of resource recovery, anticipatory problems, and various approaches for community implementation.

GENERAL INFORMATION

Location: Hyatt Regency Hotel, 151 East Wacker Drive, Chicago, Ill. 60601

Cost: \$75 registration fee includes all seminar materials, coffee during breaks, and two luncheons. Make checks payable to EPA Resource Recovery Seminar.

Accommodations: A block of rooms has been reserved at the Hyatt Regency Hotel. Singles \$39, twin/doubles \$51. Reservations must be made as soon as possible. Please indicate your room requirements on the attached preregistration form. Your hotel reservations will be processed only after your conference registration fee has been received.

Inspection Visit: A field visit to the Chicago Solid Waste Supplementary Fuel Processing Facility has been tentatively scheduled for Thursday, June 30. Buses will leave from the Hyatt Regency at 9:00 a.m. and will return to the hotel by noon.

Information: For further information, contact Linda Longest at (703) 471-6180.

Mail Address: EPA Resource Recovery Seminar, P.O. Box 17413, Dulles International Airport, Washington, D.C. 20041.

(Detach and return coupon below with your registration fee as soon as possible to: EPA Seminar, P.O. Box 17413, Dulles Airport, Washington, D.C. 20041.)

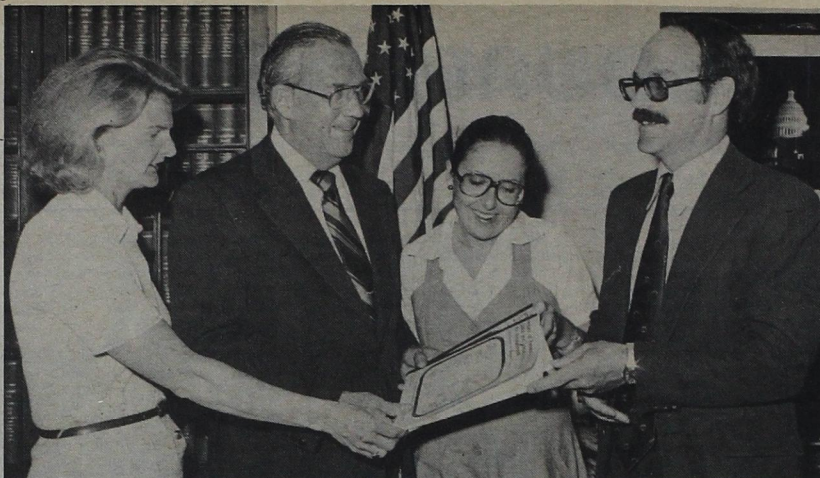
Resource Recovery Technology—An Implementation Seminar

Enclosed is \$_____ (\$75 per person) for the following participants:

Name _____
Title _____
Organization _____
Street _____
City _____ State _____ Zip _____
Phone () _____

Please reserve the following for me:
Single \$39; Twin/Double \$51
(Sharing room with _____)
Date of Arrival _____
Date of Departure _____

I plan to make the field visit to Solid Waste Supplementary Fuel Processing Facility Yes ☐ No ☐



A copy of the final report prepared by NACo and other interest groups in conjunction with the Academy for Contemporary Problems entitled *Impact of Federal Paperwork on State and Local Governments: An Assessment* was presented to Rep. Frank Horton (R-N.Y.), chairman of the Commission on Federal Paperwork, by (left to right) Aliceann Fritschler, NACo; Sandi Horwitz, and Timothy D. Mead, the Academy.

Ways to Reduce Paperwork

A NACo report contains major recommendations that if implemented could ease the current paperwork burden on local governments. Those recommendations were incorporated into the final report submitted by the Academy for Contemporary Problems to the federal Commission on Federal Paperwork. The following recommendations were excerpted from the academy's report, entitled *Impact of Federal Paperwork on State and Local Governments: An Assessment*. This will hopefully serve as the beginning of dialogue among federal, state and local governments in their joint effort to remedy the burden of federal paperwork.

- In establishing new programs, the President and Congress should avoid new categorical programs whenever the new program could be combined with one already in operation.

- The President and Congress should begin an extensive analysis of present programs to determine where consolidation of programs, particularly programs with relatively low funding levels, into block grants would be feasible.

- Where block grants have been established, protective efforts should be taken to assure that administrative practices from the previous categorical grants do not reintroduce

paperwork through a back door approach. Our study, for example, found many administrative practices common to categorical grants in both Community Development Block grants and Comprehensive Employment and Training Act Grants.

- A certification of competence process should be developed, either for specific functions, e.g., construction of highways, delivery of social services, or other activities supported by federal funds, or for general purposes across the range or governmental responsibilities. Some mechanism should be developed that would permit the federal government to recognize the competence of particular government units or agencies within units.

- The Office of Management and Budget (OMB) should classify federal assistance programs into categories of federal involvement and interest, and take steps to reduce the federal information reporting requirements for those programs where the federal involvement and interest is not paramount.

- The President should declare a strong desire to hold administrative costs to a minimum as an effort to provide more funds for service delivery, and as a step toward greater administrative rationality

and accountability.

- Congress should exercise its oversight functions to assure that paperwork is minimized in federal relations with state and local governments.

- New legislation should be evaluated for impact on state and local governments before it is enacted.

- OMB through its budget examiners should cull from the list of all programs, requiring state plans or their equivalent, a list constituting not less than 20 per cent of such programs where the planning requirement is, in the opinion of the examiners and their supervisors, least defensible. OMB should then begin a dialogue with the agencies involved to decide plan requirements that can be eliminated.

- OMB should utilize the standard certification, executed by the chief executive officer of state and local governments for revenue sharing purposes, to confirm compliance with general program cross-cutting federal policies. Once such certification is filed with OMB, all other applications, plans, or other documents filed with the federal government should indicate compliance by reference to OMB certification.

EDITOR'S NOTE: The two previous articles in this series discussed the diversity of counties that participated in NACo's study on federal paperwork burdens and reported the findings those counties submitted to NACo. In NACo's study, "Federal Paperwork Burdens and County Government: An Impact Study of Three Programs," the findings clearly indicated that federal information and reporting requirements place a significant burden on county governments and eliminate large portions of grant funds from being used in delivering services and programs.

- Waivers to FMC 74-7 provisions requiring that reports from state and local governments not be required more often than quarterly should be granted sparingly. An extensive intra-agency review process should be instituted to reduce the frequency of required reports.

- Utilizing the sampling capabilities of the Bureau of the Census, federal assistance administrators should develop data by sampling techniques, rather than by the exhaustive and non-productive method of asking all questions of all participants.

- Every federal form, authorized under the Federal Reports Act, should include an information request comparable to the estimated respondent burden supplied by the agency distributing the form. The governmental unit that completes the form should indicate the actual respondent burden. These information requests should then be returned to OMB.

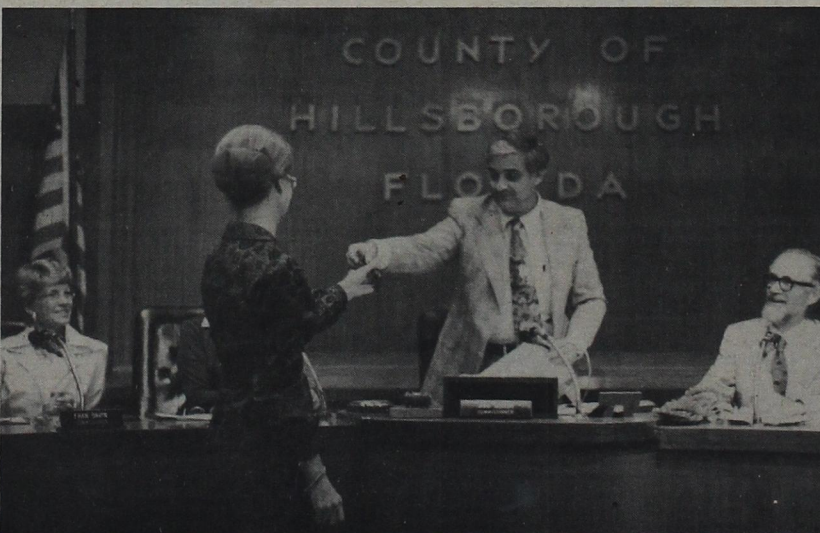
- Retroactive changes in program rules and regulations should be held to a minimum. Further, new definitions should not be issued that require grant recipients to process or reprocess information from previous periods of program activity.

- Post-audit and letters of credit should be expanded as management tools in the federal assistance programs.

- Wherever possible, grant applications and other federal information requests should be consolidated and standardized. Minor differences in definitions or requirements should be eliminated from one federal form to another.

A limited number of copies of the report are available from Dr. Timothy D. Mead, Academy for Contemporary Problems, 2030 M St., N.W., Washington, D.C. 20036.

—Sandi Horwitz



SENIOR CITIZEN RECEIVES AWARD—Bob Bondi, chairman of the board of commissioners in Hillsborough County, Fla., presents a blue ribbon and a check for \$100 to Alice Mathieu, winner of the "Best of Show" award in the Third Annual Hillsborough County Senior Citizens Painting Festival. At left is Commissioner Fran Davin; at right, Hugh Clark, director of the county's office on aging. Obscured by Ms. Mathieu is Commissioner Robert Curry.

COUNTY NEWS

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Published weekly except during Christmas week and the last week of July by:
National Association of Counties
1735 New York Avenue, N.W.
Washington, D.C. 20006
(202) 785-9577

Entered as second class mailing at Washington, D.C. and additional offices. Mail subscription is \$15 per year for non-members, \$7.50 per year for county personnel in member counties. Send payment with orders to above address. While no care is used, *County News* cannot be responsible for unsolicited manuscripts.

High Court Upholds Agency Shop

WASHINGTON, D.C.—In a decision of great importance to state and county governments, the U.S. Supreme Court has upheld the constitutionality of the "agency shop" in the public sector. An agency shop clause compels every employee represented by a union, even non-union members, to pay a service charge usually equal in amount to union dues.

The court held that "insofar as the service charges are used to finance expenditures by the union for collective bargaining, contract administration, and grievance-adjustment purposes, the agency-shop clause is valid." However, the court went on to protect non-union members from having to financially support union ideological causes, they oppose, as a condition of government employment.

The case, *Abood vs. Detroit Board of Education*, began when teachers filed actions in Michigan state court against the Detroit Board of Education and the Detroit Federation of Teachers challenging the validity of the agency shop clause in a collective bargaining agreement between the board and the union.

THE TEACHERS alleged that they were unwilling or had refused to pay union dues; that they opposed collective bargaining in the public sector; and that the union was engaged in a number of political and ideological activities which they opposed and which had nothing to do with collective bargaining activities.

The teachers asked the state court to declare the agency-shop clause in-

valid as a deprivation of their freedom of association rights under the First and Fourteenth Amendments of the Constitution.

In agreeing with the Michigan Court of Appeals that the agency shop clause was constitutionally valid, the Supreme Court relied heavily on two private sector cases involving challenges to the union shop provision of the U.S. Railway Labor Act, *Railway Employees' Department vs. Hanson*, and *International Association of Machinists vs. Street*.

In these two cases the Supreme Court held that "the requirement for financial support of the collective-bargaining agency by all who receive the benefits of its work . . . does not violate . . . the First Amendment." Even though the union shop did interfere, in some way, with an employee's freedom to associate, the court found that such interference was constitutionally justified by "the legislative assessment of the important contribution of the union shop to the system of labor relations established by Congress."

Looking at the Michigan statute authorizing the agency shop in public employment, the Supreme Court found the same important government interests advanced as in federal labor law, thus justifying the infringement on the associational freedom of the teachers.

The teachers' argument that the differences between public employees and private employees necessitated giving the former stronger constitutional guarantees was rejected. "The

differences between public and private sector collective bargaining simply do not translate into differences in First Amendment rights," the court declared.

The Supreme Court recognized, however, that the issues involved in the *Abood* case differed from those in *Hanson* and *Street* in one important respect. In the *Abood* case, the Michigan Court of Appeals had ruled that state law did sanction the use of non-union members' fees for purposes other than collective bargaining. The Detroit teachers

argued that they could constitutionally prevent the union's spending a part of their required service fees to contribute to political candidates and to express political views unrelated to its duties as exclusive bargaining representative.

The Supreme Court agreed with the teachers. Just as contributing to an organization for the purpose of spreading a political message is a right protected by the First Amendment, there is also a corollary right to be free from compulsion to make such a contribution.

Thus, the Supreme Court held that a union can finance activities which advance ideological causes not germane to its duties as collective bargaining representative if the funds come from employees who do not object to advancing those causes and who are not coerced into doing so by threat of loss of government employment.

THE COURT realized that there would be "difficult problems in drawing lines between collective bargaining and political activity."
See AGENCY, page 12

PUBLIC WORKS ALLOCATIONS NEXT

EDA Publishes Regs

The Economic Development Administration's regulations for administering the \$4 billion local public works bill were issued in the *Federal Register* on May 27. Although changes and clarifications in the regulations are being made, the basic criteria for governing the new round of public works grants has been established.

Under these regulations, EDA will provide a funding allocation to every eligible unit of local government. The allocation will be based on number and per cent of unemployment, the dollar value of county applications on file, and the amount of funding that the unit of government received in the first round of public works

grants. EDA has further provided that where a jurisdiction's allocation is below \$75,000, the funding will automatically be reapportioned to the county government.

The next step in the grants process occurs this week, when EDA will release the funding allocations for each eligible unit of government. The agency will forward resubmission and application forms to these applicants until June 10, and will accept new and resubmitted projects between June 10 and July 8.

EACH APPLICANT, after being notified of its funding level, must adjust its project list to fit that level of funding. This may be done by resubmitting existing applications at the same or new funding level or by submitting new projects. Applicants may also "endorse" the projects of another jurisdiction, providing a portion of a grant to another project applicant.

The regulations reflect Congress' desire to eliminate many of the problems that existed in the initial round of public work funding. Gerry-

mandering is prohibited, but EDA will permit pockets of poverty for cities over 50,000.

An applicant must have an unemployment level exceeding either 6.5 per cent or the state unemployment level, whichever is lower, in order to be eligible. Copies of the new regulations may be obtained by contacting NACo at (202) 785-9577.

County Share

EDA will target the funds within each state to the county areas (not governments) of highest unemployment. The agency will then allocate the funds to the eligible units of local government within each area, including counties, cities, towns and villages, and special and school districts.

The county share will be determined by the dollar value of county applications on file within each state, as a percentage of the dollar value of all applications on file from that state. This per cent will vary among the states, but will remain the same for all counties within each state.

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Public Works Q. and A.

Continued from page 1

May different units of government join in sponsoring the same project?

Yes. Applicants may "endorse" a project of another applicant. In such cases, the funding amount will apply against the planning target of the endorsing applicant, not of the receiving applicant. This presents a prime means by which applicants receiving a relatively small amount of funding may build a larger project.

May the applicant actually perform the construction?

No. Payment may not be made to any local unit of government for construction costs.

Are there restrictions upon private contractors performing the work?

Contracts are to be awarded based on competitive bidding, unless the Secretary grants a waiver on a project by project basis. In addition, at least 10 per cent of the amount of each grant shall be expended for contracts with or supplies from minority business enterprises. The Secretary may waive this provision where it is determined that the 10 per cent set aside cannot be filled by minority businesses located within a reasonable trade area determined in relation to the nature of the services or supplies intended to be provided.

What is the definition of a minority business enterprise?

A minority business enterprise is a business at least 50 per cent of which is owned by minority group members, or, in the case of a publicly owned project, at least 51 per cent of

the stock is owned by minority group members.

Are grants only eligible for the construction of new public works projects?

Eligible projects are construction of new facilities including demolition and other site preparation activities, as well as renovation, repair, or other improvements of local public works projects.

What projects are included as "renovation, repair, or other improvements"?

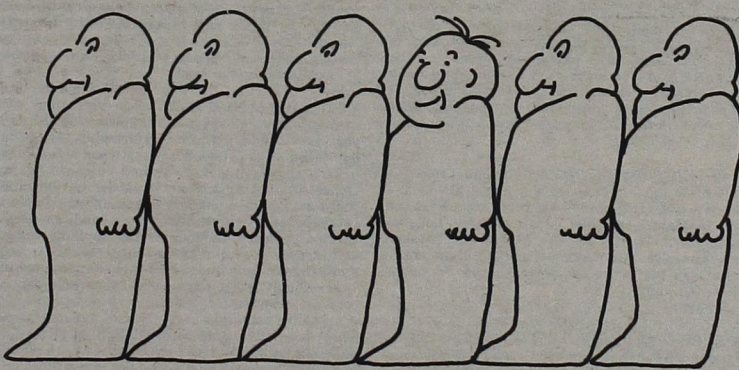
This covers activities which either substantially or appreciably increase the value or prolong the life of a public facility and excludes those activities which keep the public facility in ordinary, efficient operating condition during its probable useful life.

Will applicants have to submit environmental impact statements?

The application forms will request the applicant to supply certain information (not an environmental impact statement), which EDA will review and analyze. The agency will weigh the environmental costs against the benefits to be derived from the project.

What costs are not eligible?

Property acquisition, maintenance fees, cost overruns for previously funded public works projects, project expenses incurred prior to the date of original application, construction performed by local governments themselves, interest on interim construction financing.



Why Be Anybody When You Could Be Somebody?

You, the county official, owe it to yourself and to your constituents to be as informed and active as possible in helping shape the policies that affect your county. Your active membership in the National Association of Counties provides you with a national forum to help you find solutions to your county's problems.

In the weeks before and during the annual conference in July, our members have unlimited opportunities to make themselves heard—by nominating and electing officers and directors of the association, by ratifying or defeating proposed new national policies for county government and by participating in workshops at the annual conference to share their knowledge with other county officials.

Be somebody. Be a NACo member. For information, write to Meg Gianessi, Membership Coordinator (NACo, 1735 New York Ave., N.W., Washington, D.C. 20006).

Join NACo now!

HEALTH, EDUCATION

Steering Committee Adopts Resolutions

MILWAUKEE COUNTY, Wis.—The Health and Education Steering Committee meeting here passed eight policy resolutions, adopted a formal position document on the establishment and functions of health planning organizations, and transferred one section of its jurisdiction to the Labor-Management Relations Steering Committee.

Seven of the resolutions clarified NACO policy in regard to specific legislative programs now under consideration in Congress. The areas which are included are discrimination against the handicapped; medical care for illegal aliens; hospital cost containment; health planning; child health; physician extenders; and aid to educationally impacted counties.

In addition, the steering committee endorsed a resolution that smoking be restricted at NACO meetings for the comfort and health protection of nonsmokers. Each of these resolutions reemphasizes NACO's commitment to equal access to medical care and the general promotion of public health.

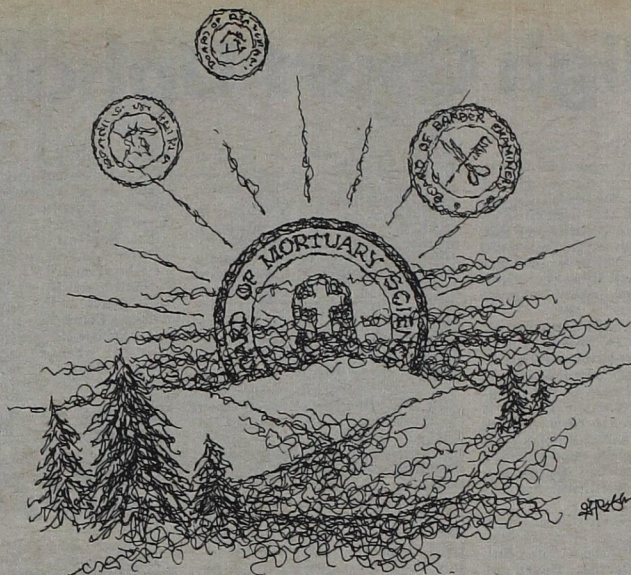
POLICY regarding the Occupational Safety and Health Act (OSHA) will be transferred to the

jurisdiction of the Labor-Management Relations Steering Committee, and will be relocated in that committee's section of the *American County Platform* if this jurisdictional change is approved at the annual meeting in Detroit.

A formal report concerning the implementation of P.L. 93-641, the National Health Planning and Resources Development Act of 1974, which was prepared by NACO's Research Foundation under contract to the Bureau of Health Planning was also adopted as official NACO policy.

This 40-page report makes specific recommendations in 14 areas regarding the implementation of the current legislation. In general, the major focus of the report are two areas of special interest to counties: provision for public representation, accountability and responsibility; and the design of health plans which protect the public's health, provide nondiscriminatory services, and maintain minimal necessary costs for health care.

Copies of specific resolutions and the health planning report are available from Mike Gemmell at NACO.



Sunset Measures Backers Now Signal Yellow Light

by Neal R. Peirce

Continued from page 1

could be inexpensively treated as outpatients are admitted to expensive hospital beds so that more of their costs will be covered," Pitts said, adding that in many counties reimbursement for outpatient care is "close to zero."

He also suggested that savings from the hospital cost containment measure should be used to build more outpatient facilities such as neighborhood health clinics and surgi-centers.

IN ADDITION, Pitts noted that a "dwindling minority of private hospitals" continue to provide charity care. He called for a provision in the bill requiring private hospitals to maintain their current charity patient load and their bad debt ratio. Without this provision, Pitts explained, many private hospitals forced to keep down costs would

simply "dump" or transfer charity patients to public hospitals (and thereby escalate local government costs).

Finally, Pitts requested that local government appropriations to public hospitals be exempted from the 9 per cent billing limit. He said that many county hospitals have voluntarily closed beds in recent years to live within their own self-imposed budget ceilings.

If local governing boards allocate tax revenues to hospitals above the 9 per cent limit, Pitts said, it is "get well money" to raise the public hospitals to the same base that private hospitals have been operating from without self-imposed revenue ceilings.

Pitts concluded that S. 1391, with the county amendments included, would "lay the groundwork for enacting a national health insurance program."

NEW YORK—When Colorado's Common Cause last year conceived the idea of sunset laws, it could scarcely have imagined the firestorm of national attention it would ignite. But instead of happily accepting congratulations, Common Cause is signalling a yellow light, rather than automatic green, for proposed sunset measures.

Eleven states have enacted sunset laws, which place government agencies or programs on limited life cycles, forcing them to justify their own existence or face extinction. Sunset bills await the governor's signature in two other states and have passed one House of the legislature in a dozen others. The idea has been discussed in every legislature that is meeting this year.

All this action has come in just 14 months, since Colorado's first-in-the-nation sunset law was reported nationally in March 1976.

IN WASHINGTON, a sunset bill for federal programs—it would place 1,250 of them on a five-year life cycle—has 54 Senate and 140 House co-sponsors. Sen. Edmund S. Muskie (D-Maine), the chief Senate sponsor, believes the measure will be law by the end of the present Congress. The idea was endorsed in both Democratic and Republican platforms last year. It has President Carter's strong support.

The floodtide of backing for sunset should not, however, obscure the pitfalls inherent in the idea. Common Cause has criticized the Muskie bill for trying to bite off too much too fast, and even urged one governor to veto a sunset law it considered ill conceived.

"Sunset is a powerful concept with great promise," Bruce Adams, Common Cause's resident expert, told a recent sunset law conference in New York City. But Adams warned that the idea is "no panacea." He said that legislatures that try to include all government programs immediately, rather than phasing in sunset carefully, "may be responsible for ruining a good concept by loving it to death."

Some government experts wish the sun would set on sunset itself. "Sunset is just another mechanistic solution for complicated and subtle problems," Alan Rosenthal, director of the Eagleton Institute of Politics, said at the New York conference. Sunset, he charged, ignores recent advances in program evaluation by state legislatures, and instead substitutes a "black and white, live or die, justify your damned existence" approach.

Even opponents, however, tip their hat to sunset for focusing national attention on the proverbial stepchild of Congress and the legislatures—oversight of existing programs that legislators often ignore in their rush to garner new political credits by passing still more programs.

When individual legislators mount lone crusades to kill off outdated agencies, they find special interests and parliamentary roadblocks thrown before them at every turn. Sunset, with periodic termination dates, at least forces a legislature to take specific action to keep an agency alive. Some will surely end up in the governmental graveyard.

But in the final analysis, sunset backers say, the objective is not to get many "heads on a pike" as dramatic evidence that a legislature can kill off its outdated progeny. Rather, they suggest, sunset should be seen as an action-forcing device to encourage legislatures to do the oversight job they should have been doing all along.

Through sunset, the legislatures say to most agencies: "Yes, you will continue, but you are going to shape up." That means responsiveness to citizen, not special, interests, the consolidation of functions and overall improvements in management.

Colorado is already proving the sunset concept can work. The state decided to focus first on the soft underbelly of state government—the regulatory and licensing boards and commissions, from optometric examiners to hearing aid dealers, which often allow legal cartels to form under the cloak of state power. Such boards don't account for much of a state's expenditures—the "big bucks" are in education and social services. But by issuing unneeded rules or restricting competition, they do cost the consumer dearly.

PERFORMANCE audits and evaluations of all 13 boards and commissions up for review in Colorado this year were conducted, then furnished to the appropriate legislative committees. The Senate has voted to combine boards regulating barbers and cosmetologists. The Department of Regulatory Agencies has recommended that four others—including morticians and sanitarians—be abolished outright. Three more would be transferred to other agencies, and four—including the public utilities and insurance commissions—substantially reformed to make them responsive to citizen needs and interests.

Previously lethargic agencies, says Colorado Regulatory Agencies Secretary Raul Rodriguez, have suddenly snapped to attention under fear of sunset termination. They are cleaning up messy administrative processes and making themselves more responsive to citizen complaints. Many agencies scheduled for review in future years have asked the legislature to pass legislation to reform their operations.

If sunset proves successful in the regulatory field, Rodriguez predicts, it will be expanded later to other state agencies.

The worst sunset law passed to date was probably Alabama's, which required the legislature to vote thumbs up or thumbs down on scores of agencies—one right after the other, before detailed evaluations could be prepared.

STATES CONSIDERING sunset should heed the cautions raised by Common Cause: Sunset should be phased in gradually. Programs and agencies in the same policy area should be considered simultaneously to encourage consolidation and responsible pruning.

The first question to ask in evaluation is whether an agency or program is needed at all. If the answer is yes, then how can the function be performed better?

Common Cause recommends that relevant legislative committees—not some kind of super-sunset committee, like Alabama's, which can't possibly understand the workings of all programs—should make final recommendations on sunset renewals. This is also a way to strengthen the legislature's ongoing oversight role. But a year before any sunset review, committees should develop a comprehensive work plan to obtain the detailed evaluations they'll need to make responsible decisions.

The ultimate promise of sunset is a stronger legislative branch overseeing a more accountable executive branch. But that requires workable, responsible sunset laws—the challenge now faced both by state legislatures and Congress.

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Governors Want Changes for UI

WASHINGTON, D.C.—The Governors' Conference held a meeting here May 24 to discuss a proposal that would establish a system of cost equalization and reinsurance for the unemployment insurance system (UI) against catastrophic liability both retroactively and prospectively.

The recent recession has left the Federal Unemployment Insurance Trust Fund and 24 state UI trust funds deeply in debt. It was the consensus of those present that immediate legislative action is necessary to preserve the federal/state partnership system.

The feeling was expressed that the UI fund debts are a direct result of the recent recession; and employers should not be expected to bear the burden of servicing that debt and providing for sufficient reserves against future liabilities, unless a reinsurance system is enacted.

Both the Governors' Conference and the Interstate Conference of Employment Security Agencies (ICESA) are formally on record in support of the cost equalization concept. The ICESA proposal discussed

would provide federal general fund financing for Federal Supplemental Benefits entirely and retroactively. ICESA would then allocate the .2 per cent net Federal Unemployment Tax Act (FUTA) increase, included in P.L. 94-566, to fund repayments for loans to pay FSB benefits as follows: .1 per cent would be proportionately distributed among those states that would be retrospectively entitled to reinsurance benefits until those states' retrospective entitlements were paid; and .1 per cent would be placed in a fund to meet future catastrophic liabilities under the reinsurance plan.

The ICESA proposal is designed to distribute reinsurance benefits based on covered unemployment rates in the states, in order to insure that states, which adequately fund their own liabilities, are not discriminated against and that states cannot depend on reinsurance benefits to fund regular UI benefits.

For more information, contact Tom Cagle or Carol Cox on the NACoRF staff.

—Carol Cox
NACoRF



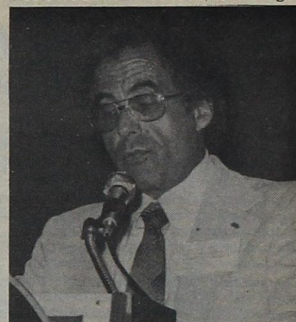
Kenneth F. Schoen, commissioner, Minnesota Department of Corrections.



Milton G. Rector, president of the National Council on Crime and Delinquency.



Lt. Governor Alec Olson of Minnesota.



Robert di Grazia, director, Department of Police, Montgomery County, Md.

New Partnerships for Jail Reform

Continued from page 1

finement." This was the challenge delivered by Milton G. Rector, president of the National Council on Crime and Delinquency at the opening of the assembly.

Rector said there is an "abysmal" lack of understanding about who the prisoners are in jail. Less than 10 per cent of the jail population is the expected "rapists, robbers and muggers," he stated.

RECTOR SAID children in jail may be the worst part of the crisis. A nine state study, he said, found children jailed in each of the states and in 53 per cent of the jails visited. "Less than 12 per cent of the children were jailed for serious offenses against persons and 22 per cent had committed no crime," he said.

There is also a lack of understanding about "who is responsible for the jail ... and who cares, anyway," according to Rector.

The modern American jail, Rector contended, is only superficially changed from the "last century ... cage." And he said, "Despite numerous court opinions that untried prisoners are entitled to detention in least restrictive facilities, present jail construction is excessively restrictive an excessively expensive—about \$50,000 per cell."

Rector expressed little confidence in simple solutions based on who administers the jails. "The answer, if there is one, must be sought in leadership and sound administration in whatever department it is found," he maintained.

"The courts have been responding to public and official pressure to give more severe sentences, thus overcrowding our jails and prisons and subjecting less advantaged offend-

ers to excessive and inhumane punishment," Rector stated. But he saw a reconciliation of this condition in other action by courts and legislatures "in behalf of the rights of the accused and the confined to provide remedies for inhumane and unconstitutional conditions of confinement."

Luncheon speaker, Lt. Gov. Alec Olson of Minnesota, called for a "healthy partnership of state and local government."

He said 60 cents out of every state dollar is spent by local government in Minnesota and agreed that "local government is the place to deliver the goods and services."

OLSON SAID it is the responsibility of the partnership to be able to afford necessary programs. And he called for investments in prevention as well as treatment of problems.

The director of the Department of Police from Montgomery County, Md., Robert diGrazia, former Boston police chief, stressed the need for alternatives to jail.

He described programs of restitution. "While giving the offender a sense of social responsibility, restitution also offers broader options for community based corrections," he said. In his county there is a program for adults and juveniles which offers participants a chance to perform some service for the community instead of going to trial.

For status offenders, di Grazia told about a program outside the juvenile justice system which will provide early "intervention to young adolescents and their families in crisis."

Bernard Vogelgesang, director, Department of Court Services, Fifth Judicial District, described the program for diversion through community resources in Polk County, Iowa. He said it had reduced the



Philip Elfstrom, chairman of NACO's Criminal Justice and Public Safety Steering Committee and co-chairman of the assembly, chats with Dr. Karl Menninger prior to the famous correction expert's banquet address. Listening in is Marni Wisniewski, associate director of the American Medical Association's Jail Project.

number of persons in jail from 140 in 1970 to 70 in 1975. Currently the number is about 100.

JAIL CAN BE a "service and a dynamic system," he told the assembly as he outlined the four-part Polk County effort: Pre-trial release on personal recognizance; release with supervision with a heavy emphasis on job training; two unlocked residential facilities for men and women and alcohol and drug abuse treatment while the person is "technically still in jail."

Kenneth F. Schoen, commissioner of corrections for the State of Minnesota, discussed the state's Community Corrections Act of 1973 and the partnership that has developed between state and county governments. "In Minnesota, we pay the counties to keep offenders at home rather than send them to state institutions. The counties have been able to achieve what the state could not—community-based rehabilitation," he said.

Rosemary Ahmann, debating the question of state or local control of jails, stated that the local level is best able to deliver services, but that there is a need for a "national philosophy" that reflects a partnership of effort. She said multi-county programs with local input could be an effective answer to problems of old, outdated, "marginal" jails. Ahmann is a Olmsted County (Minn.) commissioner.

David Armstrong, commonwealth attorney, Jefferson County, Ky., said the prosecutor should exercise discretion, and funnel persons to available community resources. He singled out the high cost of processing "non-criminal offenses."

Bruce Beaudin, director of the District of Columbia Jail Agency, Washington, D.C., criticized bail practices. He explained that the intent of the old English bail system was to insure that a person came to trial. "Now," he said, "bondsmen are just in business to make money." He maintained that now "money is almost irrelevant" to being at the trial.

IN A discussion of the role of the judiciary in jail reform, Morris E.



Federal District Court Judge Morris E. Lasker discussed the issue, "How Far Can the Judiciary Go?"

Lasker, judge, U.S. District Court, Southern District, New York City, said "the courts cannot and should not try to solve the problems of the penal system, especially management. The courts can establish general principles on the conditions."

Francis P. McQuade, president of the NACO affiliate, the National Association of County Civil Attorneys, pointed to the increasing numbers of petitions filed in federal courts on jail discrimination issues. The access of legal services to the poor has made the question "how far will the civil rights attorneys go; not how far will the judiciary go," according to McQuade.



NACO's Criminal Justice and Public Safety Steering Committee members received policy recommendations at an open hearing at the last session of the assembly. From left: Donald Scheib, board member, Kane County, Ill.; Barbara Hill, commissioner, Fraught County, N.H.; Kerry Williamson, police juror, Rapides Parish, La.; Dr. Thomas T. Noguchi, chief medical examiner/coroner, Los Angeles County, Calif.; James E. Girzone, commissioner for youth, Rensselaer County, N.Y.; and Philip Elfstrom, chairman of the board, Kane County, Ill., and steering committee chairman.

Do You Want to Be on a Steering Committee?

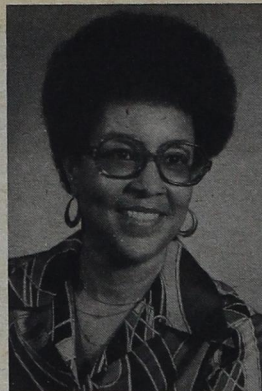
As NACo prepares for the annual conference, we are reminded that this is the time to begin the nomination process for appointment of new members to the 12 NACo Policy Steering Committees.

Each policy steering committee is comprised of 36 qualified and interested county officials (at least two-thirds of whom must be elected). The steering committees are responsible for recommending platform amendments and policy resolutions to the NACo Board of Directors and general membership.

The steering committees include: Community Development, Criminal Justice and Public Safety, Environment and Energy, Health and Education, Home Rule and Regional Affairs, Labor-Management Relations, Land Use, Manpower, Taxation and Finance, Transportation, Welfare and Social Services, and Public Lands.

Members are appointed by the NACo president, upon recommendation of the state associations of counties. The normal term of appointment is two years.

County officials who are interested in being appointed to a committee, current members who wish to change subject areas and/or whose terms expire and wish to be re-nominated should contact their state association. The state association will have application forms available that are to be returned to them for signature.



CONFERENCE SPEAKER—Dr. Denning will meet with county officials and speak at NACo's annual conference on "Revenue Sharing—What Are the New Rules?" from 2:10-3:30 p.m., Wednesday, July 27.

BERNADINE NEWSOM DENNING

Revenue Sharing Director Named

WASHINGTON, D.C.—Treasury Secretary W. Michael Blumenthal has announced the appointment of Dr. Bernadine Newsom Denning of Detroit, Mich., as Director of the Office of Revenue Sharing.

Dr. Denning has managed the Title IV Civil Rights Office of the Detroit Public School system since 1975. She has taught at the secondary and university levels and has been an administrator in the Education Departments of the University of Michigan, Shaw College and Lewis Business College.

A graduate of the Michigan State Normal College, Dr. Denning received her Master of Arts degree and Doctorate in Education from Wayne State University.

Dr. Denning has served on the Boards of Directors of such organizations as the Young

Women's Christian Association (YWCA), the Metropolitan Detroit Society of Black Educational Administrators, the Wayne State University Alumni Association, and United Community Services of Detroit.

As Director of the Department of the Treasury's Office of Revenue Sharing, Dr. Denning will administer two programs of federal fiscal assistance to states and local governments: general revenue sharing and antirecession (countercyclical) fiscal assistance. Through these programs, nearly \$8 billion in federal funds currently are being returned each year to approximately 39,000 States, counties, cities, towns, townships, Indian tribes and Alaskan native villages throughout the United States.

Pension Task Force Follows Up Survey

WASHINGTON, D.C.—Last year, the NACo Board of Directors approved a resolution, adopted by the Labor Management Relations Steering Committee, to establish an interim Pension Task Force under the chairmanship of R. Michael Mett, supervisor, Milwaukee County, Wis. to study and evaluate the characteristics of county pension plans in anticipation of federal pension regulations.

The task force recently completed a survey which was sent to approximately 2,800 counties. Close to

750, or 25 per cent, responded. The study included a review of the following:

- The frequency and existence of pension plans in county government;
- Vesting rights and time required for vesting;
- Benefits (kind and amount level);
- Contribution level (both employee and employer);
- Post retirement adjustment features (for inflation, etc.);
- Administrative mechanisms and safeguards; and
- Supplemental benefits and effects (i.e., Social Security); investment policies of funds; funding reserves; relationship to the Social Security System; and relationships of state and local plans, legislation.

Of those responding, 126 counties indicated they had no pension plan covering local employees; 160 indicated that they have their own plans and also participate in the Social Security system, but few have any offset (reduction) of county pension benefits as a result of participation in the Social Security system. Over 50 per cent indicated that their county's pension plan consolidate into their state public employees' retirement system.

SURVEY RESULTS also indicate that the majority of county pension plans have employee contributions through payroll deductions. Counties share in funding, primarily on a pay as you go basis. The majority of the counties responding rejected the idea of federal regulations.

These results will enable the interim Pension Task Force to refine its recommendations to the Labor Management Relations Steering Committee in preparation for the legislative battle which appears imminent.

The House Pension Task Force (authorized by the Employee Retirement Income Security Act of 1974) is in the process of completing a study of some 800 public pension plans. Results will probably lead this fall to the introduction of legislation dealing with investments funding and benefit structures of public pension plans.

The labor management team has scheduled a workshop on public pension plans at NACo's Annual Conference in Wayne County, Mich. This workshop will focus on some of those conclusions and recommendations of the task force. For additional information, contact Mike Mett, supervisor, Milwaukee, Wis., (414) 278-4237, or Ann Simpson of the NACo staff.

Renaissance

NACo 42nd Annual Conference
July 24-27, 1977
Detroit, Michigan, Wayne County

- Delegates to NACo's 42nd Annual Conference both pre-register for the conference and reserve hotel space by filling out this form.
- **Please use one form for each delegate who registers.**
- Conference registration fees must accompany this form and may be personal check, county voucher or equivalent.
- Housing in conference hotels will be available only to those delegates who pre-register.
- **Return to:** NACo Conference Registration Center
P.O. Box 17413, Dulles International Airport
Washington, D.C. 20041
- **Deadline for reservations is July 8, 1977.**
- **Refunds of the registration fee will be made if cancellation is necessary, provided that written notice is postmarked no later than July 14, 1977.**

Registration Fees

NACo CMS Member	\$ 95	Spouse	\$50
Non-member	125	Youth	30

Name _____ County _____
 Title _____ Telephone(_____) _____
 Address _____
 City _____ State _____ Zip _____
 Spouse Name, if attending _____ Ages of Youth Attending _____, _____, _____
 Total Registration Fees Enclosed \$ _____

Make payable to NACo.
Enclose check, county voucher or equivalent.
No requests for registration or housing will be accepted by telephone.

Housing Reservations

Reservations for conference hotels will be made only after conference registration has been received. Individual hotels will not accept any reservations. Conference will be held in Cobo Hall.

Hotel	Single	Double/ Twin	Double/ Double	Hotel Preference (Please fill in name)	Type of Room
1. Detroit Plaza	\$28-40	\$38-50		1st Choice _____	Single _____
2. Pontchartrain	30-47	38-57			
3. Hyatt Regency, Dearborn	26-38	36-48		2nd Choice _____	Double _____
4. Detroit Cadillac	24-34	24-40	\$48		
5. Howard Johnson's	28-29	36-39	42-44	3rd Choice _____	Twin _____

Names _____
 Arrival Date _____ Time _____ Departure Date _____ Time _____

No room deposit required. Rooms may be guaranteed using credit card if necessary.

Credit card company and number _____



We're ready to deal you NACo's Winning Hand for the 1977 Annual Conference



Program

Monday

9:00 a.m.-Noon

Speaker: "People SERVICES for a County Renaissance" followed by program sessions.

1:30-4:30 p.m.

Speaker: "INTERGOVERNMENTAL Cooperation for County Renaissance" followed by program sessions.

Wednesday

9:00 a.m.-Noon

Speaker: "STRUCTURING the County Renaissance" followed by program sessions.

1:30-4:30 p.m.

Speaker: "FINANCING the County Renaissance" followed by program session.

Community Development

- Public Works

- Review of Federal Drought Assistance Program

- Community Development—Urban Problems
- Rural Development

Criminal Justice

- Victims of Crime

- Crime Control and Prevention
- The County Board and the School Board

- Juvenile Justice and Delinquency Prevention

- Delinquency Prevention and Corrections Reform

Employment

- Youth Jobs Programs
- On-the-Job Training/ Apprenticeship Programs

- Rural Manpower Delivery Systems
- Revitalization Project—Tour of Wayne County Project

- Impact of Unemployment Insurance and Other Fringe Benefits
- Central Certification Project—Tour of Wayne County Project
- CETA—Human Services Administration Consolidation

- Public Service Employment vs. Public Jobs
- Contribution or Reimbursement

Environment and Energy, and Land Use

- Solid Waste Disposal/ Resource Recovery Systems
- Energy Conservation Programs/ Aircraft Noise Control

- National Energy Policy/ Environmental Decision-Making

- Solar Energy/ Thermal Efficiency Standards
- Land Use Case Law/ County Planning Function

- Costs of Sewage Treatment/ Preserving Valuable Farm Land
- Outer Continental Shelf Development

Health and Education

- Alcoholism Rehabilitation Services
- Health Promotion and Disease Prevention/ Rural Health Programs

- Alcoholism Service Delivery Systems
- Why and How of Health Planning

- Systems to Control Alcoholism—Film Festival
- Canada's National Health Insurance Plan

- Education Impact Aid
- Cost Sharing/ Cost Containment

Home Rule/Regional Affairs

- Private Delivery of Public Services/ State Mandates and Tax Limits
- Operational Reviews
- Professional Liability and County Liability to Lawsuits/ Total Performance Measurements

- Second Annual Regionalism Town Hall
- Intergovernmental Contracting
- How to Manage Your Council of Governments
- Improvement Through Communications

- Time Management
- Citizen Participation Systems
- Canadian and British Structural Reorganization
- Effective Service Delivery and Structural Change

- Training an Octopus to Work for You

Labor Management

- Role of the State Association in Labor Relations

- Communication between the County Governing Board and Negotiating Team
- Indian Home Rule Issues

- Equal Employment Opportunity and Affirmative Action

- Public Pension Plans and Cost Implementation

Public Lands

Taxation and Finance

- Regional Growth Disparities

- Payments-in-Lieu of Taxes

- General Revenue Sharing Regulations/ What Kind of Taxes Are You Using?
- Zero Base Budgeting/ No Growth Budgeting
- Debt Management/ Fund Investments

Transportation

- Effects of "Going Metric"/ Aircraft Noise Control

- Intergovernmental Arrangements Affecting Transportation

- County Transportation Organization
- Rural Public Transportation Needs

- Transportation for the Elderly and Handicapped—Field Trip
- Financing Rural Public and Special Transportation

Welfare and Social Services

- Community Action Agencies
- Title XX—Communications Gap
- Aging Services

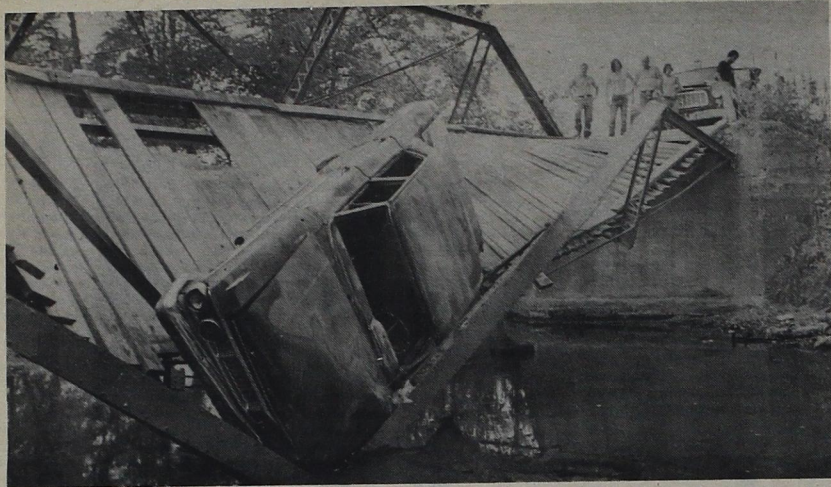
- Welfare Reform

- Human Services Planning and Delivery

- Aging Services Field Trip

Tuesday

NACo's Business Sessions



BRIDGE CRISIS CONTINUES—The seriousness of Missouri's county road and bridge problem is evident here. The bridge in Calloway County collapsed under the weight of a passing car. Only minutes earlier a loaded school bus had made the same crossing without incident.

Matter and Measure



Dear NACERs:

Our May NACE column told you about NACo's ad hoc regulations simplifications committees and contained a coupon for signing up for the committees. We are running this coupon again (see below) and urge you to sign up for the committee of your choice. As a committee member, you will be requested to provide guidance—through the mail or by telephone—on the effect of regulations and ways to simplify them. The regulations may already be in existence or they may be drafts, proposed by FHWA. NACE and FHWA think these committees are very important. Through them, we will let FHWA know our concerns and how we think changes should be made. So, please sign up for a committee and send your coupon to Marian Harker by June 13.

—Deane R. Ankla, Chairman
NACE Research Committee

NEW OFFICERS

Two state associations have new officers. The New Jersey Association of County Engineers elected: president, Neil Clarke, Cape May County engineer; vice president, Edward Ranuska, Bergen County engineer; secretary, Stanley Harrold, Sussex County engineer; and treasurer, Richard Lane, Ocean County engineer.

New officers for the Indiana Association of County Engineers are: president, Richard Thompson, Huntington County highway engineer-supervisor; vice president, Robert Hutchinson, Boone County highway engineer; and secretary-treasurer, Dan Ruth, Tippecanoe County highway engineer.

The New Jersey and Indiana association officers will serve through December.

COMMUNICATIONS WITH COUNTY GOVERNMENTS

Please fill out this coupon by June 13 and send to:

Marian Harker
National Association of Counties Research Foundation
1735 New York Avenue, N.W.
Washington, D.C. 20006

Please indicate your first and second choices (1 is your first choice; 2 is your second choice).

I want to serve on the following ad hoc regulations simplifications committee:

- | | |
|---|--|
| — environmental assessments | — right-of-way acquisition |
| — safety programs, including safer off-system roads program | — metric conversion |
| — bridges (inspection, evaluation, construction, maintenance) | — 3 R program (resurfacing, restoration, rehabilitation) |
| — design standards | — urban transportation planning (transportation improvement program—TIP; transportation system management—TSM; annual program) |
| — rural public transportation | — bikeways, mopeds, snowmobiles, pedestrian facilities |
| | — other (anything else and development of new subject areas) |

Name _____
Title _____
County/State _____
Address _____
Telephone _____

Recreation Grant to Sarasota

WASHINGTON, D.C.—Interior Secretary Cecil D. Andrus has announced approval of a \$1.75 million Land and Water Conservation (L&WCF) Fund grant to Florida to assist Sarasota County in the acquisition of approximately 113 acres of land for expansion of Caspersen Beach in South Venice on the Gulf of Mexico. The federal grant will be matched by the county for a total recreation investment of \$3.5 million.

The acquisition will provide some 9,100 feet of prime gulf beach frontage. The beach area and adjacent bay shore will be used for swimming, sunbathing, and fishing; future developments will include facilities for picnicking, boating, primitive camping, and nature study. More than 150,000 residents of the Sarasota metropolitan area will benefit from the project.

This grant brings to more than \$37 million the L&WCF assistance that has gone to Florida in the life of the 12-year program. The money has been matched by the state, thus making possible over \$74 million in recreation investments in this one state alone.

ST. LOUIS, Mo.—Secretary of the Interior Cecil D. Andrus said last week that President Carter has set the stage for a national water policy to emphasize conservation, reduce waste of tax dollars, minimize environmental costs, insure safety and coordinate federal state and local programs so they do not work at cross purposes.

Addressing the National Conference on Water, Andrus said: "Water is a finite resource, and what the government can do to deliver it where needed is also finite."

ANDRUS listed the following points which he said must be faced during the next six months in putting together a comprehensive national water policy. The Secretary proposed:

- Sunset legislation should automatically deauthorize water projects which have been authorized for a number of years—he suggested eight years—but not yet been funded or under construction. "This would assure an up-to-date analysis before reauthorization and would enable us to assure that they meet the test of fitness for the situation as it is

States to Receive CEIP Assistance

WASHINGTON, D.C.—Thirty states will receive financial assistance provided under the Coastal Energy Impact Program (CEIP), the Commerce Department has announced. CEIP is aimed at helping states and local governments affected by new or expanded coastal energy activity.

The fund can help finance new or improved public facilities made necessary because of energy development. Repayment assistance is available when a government finds revenues from energy activity to be insufficient. Finally, grants are available to help repair or prevent environmental damage.

The Coastal Zone Management Act Amendments of 1976 set up two separate but interlocking sources of money. The Coastal Energy Impact Fund will meet general coastal energy impact needs, while formula grants will be available only to meet needs resulting from Outer Continental Shelf (OCS) energy activity. The allocation formula for the latter is based on the amount of energy development and on new employment.

Funds from both sources are available to be passed through the states to local government, although the process by which this will be done has not been developed by each state.

The allotments to each state is summarized as follows:

Planning Allotment

Alabama	\$25,548
Alaska	365,466
California	349,638
Connecticut	44,447
Delaware	56,045
Florida	161,350
Georgia	38,920
Hawaii	16,397
Illinois	28,315
Indiana	39,671
Louisiana	125,522
Maine	57,306
Maryland	181,235
Massachusetts	64,751
Michigan	246,304
Minnesota	15,909
Mississippi	45,446
New Jersey	252,702
New Hampshire	79,319
New York	334,624
North Carolina	21,716
Ohio	203,712
Oregon	30,930
Pennsylvania	23,590

Rhode Island	93,520
South Carolina	26,871
Texas	193,230
Virginia	83,223
Washington	175,227
Wisconsin	27,165
Virgin Islands	59,422
Guam	16,554
Puerto Rico	15,909

Total.....\$3,499,999

Credit Assistance

Alabama	\$1,271,355
Alaska	48,612,973
California	6,605,743
Florida	94,452
Georgia	2,739,427
Louisiana	19,412,573
Maryland	3,539,591
Michigan	259,380
Mississippi	2,660,663
Oregon	484,460
Texas	4,078,925
Washington	5,781,743
Virgin Islands	1,794,200
*Mid-Atlantic Sale	12,664,508

Total.....\$110,000,000

Environmental Grants

Alabama	\$17,336
Alaska	662,904
California	90,078
Florida	1,287
Georgia	37,355
Louisiana	264,716
Maryland	48,267
Michigan	3,537
Mississippi	36,281
Oregon	6,606
Texas	55,621
Washington	78,841
Virgin Islands	24,466
*Mid-Atlantic Sale	172,697

Total.....\$1,500,000

Formula Grants

Alabama	\$23,114
Alaska	1,178,643
California	869,022
Florida	51,687
Louisiana	5,458,584
Mississippi	258,771
Texas	993,554
*Mid-Atlantic Sale	1,010,723

Total.....\$10,000,000

*Impounded due to litigation; to be allocated upon resolution of suit.

The Coastal Energy Impact Program is administered by the National Oceanic and Atmospheric Administration (NOAA), Department of Commerce.

Andrus Signals Water Policy

known today," Andrus said.

- Increased cost sharing by the states and non-federal entities for water projects is essential. "There are obvious inequities and the impact on the federal budget is too large," Andrus said. "And the system encourages waste where the price of water is below the actual cost."

- Cooperative efforts between the states and the federal government must be undertaken to eliminate laws, rules and institutions which now hamper integrated water management.

- All federal programs should be scrutinized to seek new methods of encouraging water conservation.
- "Quantification of 'reserved rights' for Indian reservation and other federal lands is essential to rational planning for the future," Andrus said. "The more we continue to plan and use water resources without regard to determination of Indian and reserved water rights, the more we compound the problem."

- Safety of water projects cannot be taken for granted. "It must be established and proven in all cases," Andrus said.

- "Waste water reuse, artificial ground water recharge, minimum streamflows, and safe drinking water are primary objectives—not just afterthoughts or appendages," he said.

- The 1973 "principles and standards" adopted by the Water Resources Council should be modified to President Carter's goals and this should serve as the framework for the water policy review and proposals.

- "The primary goal is conservation and more efficient use of water," Andrus emphasized in his final point. Declaring that water too often has been misallocated, misused and wasted, Andrus said it will not be easy but it is essential that a new policy be instituted.

"What we are talking about in essence is caring—caring about the environment, caring about wasted tax money, caring about the safety of fellow citizens, caring about the quality of our own lives and the lives of our children," Andrus concluded. "We have to care enough to change some of our ways—ways which seemed to have served well in the old days but which no longer are adequate."

UNIFORM SELECTION GUIDELINES**EEOC Nominee Questioned**

WASHINGTON, D.C.—Eleanor Holmes Norton, nominated by President Carter to be a member and chairperson of the U.S. Equal Employment Opportunity Commission (EEOC), testified before the Senate Human Resources Committee May 24.

During a question and answer exchange, Sen. Jacob Javits (R-N.Y.), ranking minority member of the committee, raised the issue of the role of the Equal Employment Opportunity Coordinating Council (EEOCC) and also asked Ms. Norton to investigate the controversial issue of selection guidelines. He pointed out that two sets of guidelines exist and this problem needs to be reconciled. In her response, Ms. Norton indicated that she was aware of the problem, there had been some communications with the Attorney General's Office on this issue, and she would make this a priority issue. She agreed that one set of uniform selection guidelines should apply to all parties concerned.

Ms. Norton served as chair of the New York City Human Rights Commission prior to her nomination. Under her leadership, that agency made major strides in becoming an effective force not only in the resolution of individual complaints of discrimination but also in the attack on the broader problem of systemic

discrimination in our society. She would become the seventh person to head the agency since its establishment on July 2, 1965.

In a later meeting with public interest group representatives and Dr. Bernadette Denning, director of the Office of Revenue Sharing, on the EEOC guidelines for revenue sharing, the following points were agreed to:

- The Office of Revenue Sharing is not under any time deadline to publish final regulations. Therefore, there is sufficient time for full and complete dialogue with all parties concerned.

- EEOCC is charged by law to resolve issues, such as which selection guidelines should be used. Dr. Denning agreed to write to the Attorney General (chairman of EEOCC) and

request that the coordinating council resolve the issue. The public interest group representatives agreed to abide by the final decision so long as there is full consideration.

- At the next ORS meeting on the guidelines, all of the affected parties will be included, i.e., EEOC, civil rights groups, Labor, Justice and Civil Service Departments.

- If ORS issues any further statements about the regulations, they will consider saying that two sets of regulations are in effect and governments can comply with either.

The NACo staff plans to meet with Ms. Norton to discuss county views on this issue and also to appraise the OMB reorganization task force on civil rights aspects of the guideline problem. Additional information can be obtained from Ann M. Simpson of the NACo staff.

Public Service Jobs

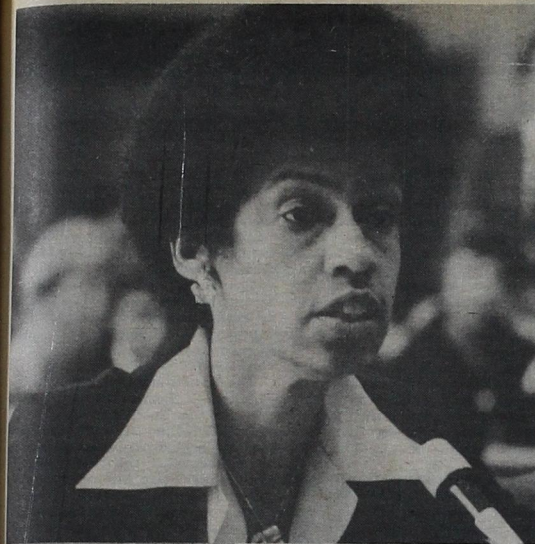
In last week's issue of *County News* the new public service jobs expansion program, funded through the Economic Stimulus Appropriations Act of 1977, was explained.

Particular questions referred to client eligibility criteria and to allowable project activities. The following is the second in the Questions and

Answers series and covers veteran eligibility and sustenance level. Additional questions and answers will be published in subsequent issues.

What does "sustenance level" mean?

"Sustenance level" means the See NEW, page 11



Eleanor Holmes Norton at confirmation hearings.

NACMO Report

by Dave Goehring
Montgomery County, Md.

This is the second in a series of articles on activities of the National Association of County Manpower Officials (NACMO) designed to improve communications within the organization. Hopefully, my regular reports will promote more active participation.

PREVIOUS BOARD MEETING

The NACMO board held its second meeting in conjunction with the NACo Legislative Conference in Washington, D.C. on March 21. The following actions were taken: minutes of the Reno meeting were read and approved and the board reviewed the draft statement of committee responsibilities submitted by the president.

No changes were made on the Constitution, Election or Membership Committees. However, the statement on the Ethics Committee was revised to be consistent with decisions made at previous board meetings. Joe Schlegel asked that committees as they do their work and are contemplating changes that may have constitutional impact contact him directly so that he can include them in his report. A question on NACo membership was clarified by reference to the constitution which states "that an active member is the principal employment and training staff person from a county and in case of controversy, the decision of the chief elected official of that county is final." Your president ruled that all procedures recommended by the Election Committee and adopted by the board could be implemented without going before the full membership except for procedures involving constitutional changes. Lee Bruno requested that in making appointments to committees that a balancing of pros and cons be considered.

Jon Weintraub reported that the site and date of the next NACMO Annual Conference has been confirmed. San Francisco's Fairmont Hotel, Dec. 11-14. He also suggested the possibility of a post conference tour to either Hawaii or Acapulco, if a minimum of 40 people are interested and committed. If you are interested contact your regional board member.

Jon Weintraub briefed board members on the Administration's CETA extension bill and youth bill compromise.

Finally, board members shared their concerns as to the fiscal '77 assessment criteria and procedures.

I am pleased to announce that we have two new board members: Walt Speckman, Weld County CETA, Greeley, Colo., will be representing Region VIII and Dell Smith, Region X. Congratulations to you both. We are looking forward to your active participation in the association.

MEETINGS WITH FEDERAL OFFICIALS

On March 23 your president met a second time with Labor Department officials, Pierce Quinlan and Bob Jones. As a result of this meeting, the following actions were taken:

- A letter was sent to Assistant Secretary Ernest Green requesting that the Labor Department emphasize technical assistance monitoring rather than federal regulations.

- A letter was sent to Pierce Quinlan stating that although NACMO agrees that the Labor Department has responsibility for monitoring prime sponsor performance, it should be done with caution and training should be done by the same people for all regions.

- On April 20 a meeting was held with Burt Lewis, director of Employment Security, to seek improved ways of cooperation.

As of this date I have received no response from Assistant Secretary Green, but did have a productive meeting with Lewis which will result in future meetings.

ANNOUNCEMENTS

I want to remind you that Labor regional offices have some money budgeted to support prime sponsor to prime sponsor technical assistance. If you need help and you know that a staff member from another prime sponsor area has the expertise to assist you, apply to the regional office for money to arrange for an on-site visit.

NEXT BOARD MEETING

The next NACMO Board meeting will be held in conjunction with the NACo Annual Conference in Detroit, July 24-27. Arrangements are currently being made for committee workshops as well as other sessions for important ETA topics. Hope to see you all there.

If you have any questions or concerns or want to be active in the association, please contact your regional board member.

Labor Relations Handbook for County Officials

Available now from the National Association of Counties.

The **Labor Relations Handbook for County Officials**, written by Charles Mulcahy, former chairman of NACo's Labor-Management Steering Committee and currently NACo's legal advisor for Labor Relations, is a "how-to" manual for elected and appointed county officials.

The **Handbook** will give both experienced and inexperienced county officials a sound understanding of management's role in the collective bargaining process.

The **Labor Relations Handbook** is an updated version of NACo's "County Labor Relations Casebook." It contains the same material as the Casebook, with the addition of a chapter, "Trends in Labor Relations in the Public Sector, which discusses Ability to Pay Arguments, Productivity and Job Actions by County Employees.

Chapters in the **Handbook** include:

- Dealing with a Union Organization Campaign
- Structuring for Bargaining
- Preparation for Bargaining
- Costing the Economic Package
- Meeting the County Employees' Strike
- Complaints, Grievances and Grievance Arbitration
- Contract Language
- Methods of Resolving Impasses

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Aycock

N.C. Association Names Aycock Executive Director

WAKE COUNTY, N.C.—C. Ronald Aycock has been named executive director and general counsel of the North Carolina Association of County Commissioners. He has been serving as acting director since Jan. 14.

The announcement was made by association president, Sam R. Noble, Robeson County in cooperation with the organization's board of directors.

Aycock, a native of Wilson County, has been on the association staff since 1973, serving as counsel for intergovernmental relations. A graduate of the University of North Carolina at Chapel Hill, he received his B.S. in business administration in 1963 and his J.D. degree in law in 1966.

In announcing the appointment, Noble said, "I feel that we are very fortunate in having Ron's experience and ability to rely upon. Based on his previous service with our organization, we are assured of a continuity

of programs and services with no interruptions. I feel, and the board of directors concurs, that we are indeed fortunate."

Prior to joining the association in 1973, Aycock served as executive director of the Regional Council of Governments. He was also prosecutor for the City of Wilson's Recorder's Court while he was in private law practice with the firm of Whitley and Aycock from 1966-1971.

During his employment in the Wilson County area, Aycock was a part-time instructor for Wilson County Technical Institute, teaching business law and serving as chairman of the political science department while teaching courses in law enforcement and criminal law. He also served as an adjunct professor at Atlantic Christian College.

Aycock is married to the former Susan Gertz. The couple has two children, Christopher Ronald, age 7, and Allison Denise, age 3.

Keeping Up with Counties

NASSAU COUNTY, N.Y.—Nassau County has become the first county in the nation to receive an Urban Homestead Program grant—\$260,000 to make private home ownership available to families of limited means.

Approximately 30 vacant homes in Roosevelt will be purchased for resale at a "reasonable" purchase price to families with limited funds. Purchasers will be assisted in getting mortgages from area banks which have already committed funds for the purpose.

Bette Segal, director of the Nassau Community Development Agency, said new homeowners also will be able to make loans at 3 per cent interest to renovate and rehabilitate the houses. "The homesteader must agree to live in the house a minimum of three years after purchase," Segal said.

The HUD award extends the county-supported homestead program which in the last year made 12 homes available under similar terms.

LEAKE COUNTY, Miss.—The newly remodeled and renovated Leake County Courthouse has been rededicated—40 years to the day after structure was dedicated in 1937. This courthouse is the fourth to be built in the county. Total cost of the renovation was \$525,203.

ALLEGHENY COUNTY, Pa.—Allegheny County has been selected by the U.S. Department of Housing and Urban Development to receive a grant for "Imminent Flood and Energy Planning."

This grant was one of 10 awarded to pilot areas across the country to provide measures to deal with emergency flooding as well as to design programs to minimize the type of energy emergency experienced in the county during the past winter.

"The county will now serve as coordinator of all energy planning efforts being undertaken by business, social, political, industrial and educational institutions which are presently engaged in energy research and planning," explained Jim Flaherty, chairman of the Allegheny County Board of Commissioners.

MECKLENBURG COUNTY, N.C.—Mecklenburg County has dedicated its new Mental Health Hospital in Charlotte.

The 30-bed facility adjoining the Mental Health Center and its acute care unit is equipped to receive those in need of diagnosis and short-term stabilization. The emergency services unit is available to serve those persons in severe emotional stress.

The facility along with four cottages and an activities building to be opened at a later date, will provide public in-patient care to Mecklenburg residents who have formerly had to be sent out of town for care and treatment.

UNION COUNTY, S.D.—Groundbreaking ceremonies have been held in Elk Point for a \$856,584 Union County Courthouse to replace an 80-year-old structure, which was razed last fall after being declared structurally unsafe.

Last September, Union County voters approved a \$975,000 bond issued for the new building by a 71 per cent majority vote.

AT 53RD PJA CONFERENCE

Homestead Exemption Debated

CADDO PARISH, La.—Homestead exemption was a recurring topic of discussion during the 53rd annual meeting of the Policy Jury Association (PJA) of Louisiana in Shreveport.

Recent legislative action which increased the exemption to \$50,000 was praised and criticized. Two state legislators disagreed on the exemption, but agreed that local governments must become financially independent of state government.

State Sen. Edwards Barham of Oak Ridge criticized the increased exemption saying, "The legislature gave the tax cut at the expense of local government." He added that the tax base in rural parishes is already small, and the \$50,000 exemption will eliminate a large source of revenue for local govern-

ment bodies in those parishes.

State Rep. Claude "Buddy" Leach of Leesville defended exemption saying it eliminated inequities in the constitution which grant such exemptions to all veterans and those more than 65 years of age.

Former Jefferson Parish Tax Assessor Lawrence Chehardy, a gubernatorial hopeful, defended his support of the exemption, saying that safeguards have been added to keep local governments from losing money.

PROTECTION of Louisiana's resources was another theme at the meeting. Public Service Commission Chairman Louis Lambert told the jurors it is unfair for Louisiana natural gas to be sent up north and

east where those who refuse to drill for oil off their coasts get southern gas more cheaply than do Louisiana residents.

The PJA also passed a resolution seeking laws to prohibit storage of nuclear wastes in salt domes anywhere in the state without the matter first being approved by a vote of the residents of the parish or parishes involved.

"The PJA also passed a resolution urging their congressional delegation to exhaust every effort to have a representative from Louisiana appointed to an upcoming vacancy on the Federal Power Commission.

The keynote address was given by U.S. Sen. J. Bennett Johnston (D), who said "the Southland has arrived as a leader of the nation" but Louisiana lags behind its sister states.

He suggested the best way to promote the state and the nation is by building. Johnston said he is a fiscal conservative but, "building is an investment. It costs money, but the improvements are permanent."

PJA OFFICERS elected include: president, Aaron Cart, Acadia Parish; first vice president, C.M. Noble Jr., Richland Parish; second vice president, Barkdull Kahao, West Baton Rouge Parish; third vice president, J.C. Peck Jr., Catahoula Parish.

The jurors elevated Frederick M. Wilson of Lincoln to the executive board at large. He is believed to be the first black elected to the board. Others elected to the board include H.L. Stutzman, West Feliciana Parish; Louis Sanchez, Iberville Parish; Frank Frederic, Ascension Parish; L.B. Henry, Rapides Parish; and Ruben White, Bossier Parish.

Regional board members are Joseph I. Giarrusso, Orleans Parish; T.M. Barker, Lafourche Parish; Ivan Ryder, St. Landry Parish; David McDowell, Caddo Parish; C.A. "Mike" Sumrall, East Carroll Parish; Earl Harrison, East Baton Rouge Parish; Kenneth Istre, Calcasieu Parish; and Raymond Palmer, Vernon Parish.

James T. Hays is executive director of the association.

—Margaret I. Taylor
State Association Liaison



Policy Jury Association President Aaron Cart

Kansas Holds Meeting

SEDGWICK COUNTY, Kan.—Approximately 200 officials representing 73 of the 105 Kansas counties attended a spring conference May 5 and 6 in Wichita.

The meeting, sponsored by the Kansas County Commissioners Association, was arranged by the Kansas Association of Counties.

During the first day of the meeting, officials took part in small group discussions on federal revenue sharing, unemployment compen-

sation, governmental immunity, idle fund investment, county budgets and property valuation.

Guest speaker for the meeting was Alicann Fritschler, NACo deputy director of federal affairs, and Kansas staff liaison.

Discussions the second day centered on county home rule, the bridge emergency, the county commissioners handbook and court finance.



KANSAS OFFICIALS—Fred D. Allen, far right, executive secretary of the Kansas Association of Counties Inc. (KAC), discusses the upcoming NACo annual meeting in Detroit with, from left, John Prochaska Jr., Mitchell County commissioner and president of the Kansas County Commissioners Association; Rosemary O'Neil, KAC administrative assistant; Ray Nelson, Republic County commissioner and member of the NACo Board of Directors; and John Franke, Johnson County commissioner and chairman of NACo's Labor Management Relations Steering Committee.

Arthur R. GOTTSCHALK

EXECUTIVE DIRECTOR
URBAN COUNTIES COUNCIL
of ILLINOIS

WAS BORN IN CHICAGO (1925) AND ATTENDED SHRIVENHAM UNIVERSITY IN ENGLAND AND THE UNIVERSITY OF ILLINOIS (J.D., JUNE 1949). HE WAS ADMITTED TO ILLINOIS STATE BAR IN JANUARY 1950.

MR. GOTTSCHALK WAS VICE PRESIDENT OF THE REUBEN H. DONNELLY CORPORATION IN CHICAGO AND NEW YORK, 1955-1971.

HE WAS ELECTED TO THE ILLINOIS STATE SENATE IN NOVEMBER, 1960, AND SERVED AS CHAIRMAN OF VARIOUS LEGISLATIVE COMMISSIONS AND COMMITTEES PRIOR TO HIS RESIGNATION IN MARCH 1969, DUE TO AN IMPENDING BUSINESS TRANSFER TO NEW YORK. FOR HIS ACTIVITIES IN THE HEALTH FIELD MR. GOTTSCHALK WAS MADE AN HONORARY MEMBER OF THE ILLINOIS HOSPITAL ASSOCIATION IN NOVEMBER 1966



IN THE WINTER OF 1967 AND SPRING OF 1968 HE WAS A CANDIDATE FOR THE REPUBLICAN NOMINATION FOR GOVERNOR OF ILLINOIS.

HE HAS SERVED ON A NUMBER OF BOARDS OF DIRECTORS OF CHARITABLE AND CIVIC ASSOCIATIONS INCLUDING THE BETTER BUSINESS BUREAU OF METROPOLITAN CHICAGO.

HE SERVED IN THE U.S. ARMY DURING WORLD WAR II, LANDING ON D-DAY IN NORMANDY, FRANCE AS A FIELD ARTILLERY FORWARD OBSERVER. HE WAS AWARDED THE PURPLE HEART AMONG OTHER COMBAT DECORATIONS.

THE GOTTSCHALKS RESIDE IN FLOSSMOOR, ILLINOIS, WHERE MRS. GOTTSCHALK IS A TEACHER. THEY HAVE THREE DAUGHTERS, BETSY, NANCY AND SALLY.

OVER HILL, OVER DALE,
AS WE HIT THE FAIRWAY TRAIL
AND THOSE GOLF CARTS
KEEP ROLLING ALONG

THE OLD ARTILLERY MAN 'SHOTS' GOLF BALLS TODAY.



Newsmakers

MISSOURI—Kenneth Carnes, 44, former sheriff of Jackson County, has been named Missouri public safety director by Gov. Joseph Teasdale. In 1976, Carnes was elected president of the Missouri Sheriffs' Association. The Department of Public Safety, created in 1974 under reorganization, includes the highway patrol, state fire marshal, Council on Criminal Justice and the divisions of liquor control, water safety and highway safety.

MISSOURI—Hugh McCane, first vice president of the Missouri Association of Counties and Franklin County presiding judge, has been named to a 13-member state committee to study effects of judicial reform. On Jan. 2, 1979, the Missouri judicial system will undergo a major reform as a result of amendments added to the judicial article of the state constitution. Of principal concern to counties is expansion of the circuit court system to include the present magistrate, probate and municipal court jurisdictions.

WISCONSIN—Milwaukee County Board Chairman F. Thomas Ament has been elected second vice president of the Wisconsin County Boards Association. The election came after First Vice President John Margis Jr. resigned to become



Ament

Racine County Highway commissioner. Christian R. Stefferud of Monroe County moved from the second vice presidency to the first vice presidency. Ament is believed to be the first Milwaukee County supervisor to be elected an officer of the association. Ament, an attorney, was elected chairman of the Milwaukee County Board in April 1976, following re-election to his third four-year term as a supervisor.

Tony R. Lorbetske of Oneida County is president of the Wisconsin County Boards Association, and Robert Mortensen is executive director.

SULLIVAN COUNTY—Ben

Kaplan, Sullivan County director of information, has been appointed to the New York State Board of Tourism by Gov. Hugh Carey.

MARICOPA COUNTY, Ariz.—Maricopa County Manager Charles Miller is featured in the current Arizona edition of the American Biographical Encyclopedia, which includes profiles and photographs of

prominent Arizonians.

CLAY COUNTY, Iowa—Ralph Nelson, Clay County supervisor and vice president of the Iowa State Association of Counties, has been named the Iowa representative on the 10-state Midwestern Area Alcohol Education and Training Program board of directors.

Calif. Finance Officer Honored

The highest award given to public finance officers has been given to Gerald J. Loneragan, auditor and controller, County of San Diego, Calif. The award was presented April 20 to Loneragan at the 71st Annual International Conference on Public Finance held this year in Atlanta, Ga.

Known as the Louisville Award, the Municipal Finance Officers Association (MFOA) presents this award to an official of an MFOA member governmental unit. It is made on the basis of an individual outstanding accomplishment and contribution to governmental finance management.

The Gold Louisville Medal was presented to Loneragan for his contribution to the development and implementation of an Accounting

Resources Management System (ARMS). ARMS is a comprehensive financial management system which incorporates all major computerized fiscal systems into a fully integrated and controlled process with automatic flow of data between various subsystems which include appropriation and cost accounting, payroll, general ledger, full cost program budgeting, financial statement preparation and check preparation and reconciliation. This was the first fully integrated computerized financial management system installed in a large local government in California.

NACO gave the program an achievement award in 1975.

Loneragan received the Louisville Award in 1967 and 1973 also.

New Public Service Jobs Extension Program

Continued from page 9

number of public service employment (PSE) job slots which can be continued as individual PSE positions rather than as projects. The level is determined by looking back at the on-board enrollment for June 30 or Oct. 31, 1976 and selecting the higher of the two figures.

On June 30, 1976, there were 150 PSE participants on board in our Title VI program. By Oct. 31, 1976 the on-board level had reached 175. What is our authorized "sustainment level"—150 or 175? Do we have to lay off 25 participants or can we use this new Title VI economic stimulus money to sustain all 175 participants?

Your authorized "sustainment level" is 175, according to the federal regulations published May 13.

No, you do not have to lay off any participants. Instead you can use this new Title VI money to support all 175 participants.

Our situation is just the reverse. In our Title VI program there were 200 participants on board June 30, 1976 but only 183 on board by Oct. 31, 1976. What is our "sustainment level"?

Your "sustainment level" is the higher of the two figures or 200 in this case.

What if the highest enrollment level was reached between June 30, 1976 and Oct. 31, 1976? In other words, what if our Title VI enrollment on June 30, 1976 were 120, on Sept. 30, 1976 were 148, and on Oct. 31, 1976 were back down to 130?

The regulations clearly state that the sustainment level is the higher of

the June 30 or Oct. 31 levels, so in this case your authorized "sustainment level" would be 130.

The regulations refer to "slot" level in one place and to number of "participants" on board elsewhere. What if our fiscal '76 Title VI grant authorized 250 slots on June 30 but we only had 224 participants on board?

The law refers to number of participants on board as of June 30, so 224 would be your authorized "sustainment level."

We ran out of Title VI funds before June 30, 1976 and had to terminate all 98 PSE participants. As additional money became available, we re-enrolled 50 of these participants who were on board on Oct. 31. So is our "sustainment level" zero, 50, or 98?

Your "sustainment level" is 50.

Is there any case in which the "sustainment level" might be higher than either the June 30 or Oct. 31 on-board enrollment level?

Yes, there is one such case and it occurs only when rehires were laid-off between June 30 and Oct. 31 and subsequently reinstated in accordance with the regulations. In such a case the "sustainment level" is equal to the higher of the June 30 or Oct. 31 on-board level, plus the reinstatement level.

Does the 35 per cent veteran's requirement apply to my local program?

The regulations clearly state that the U.S. Department of Labor has a national goal to achieve 35 per cent veteran participation, but this is not a quota for each prime sponsor. However, all areas should make

Keeping Up with States

MISSISSIPPI—The State Manpower Service Council has been established by Gov. Cliff Finch to determine employment needs of people, communities and employers.

James D. Green, president of the Mississippi Association of Supervisors, serves on the council and on its auxiliary, the Prime Sponsor Planning Council. Other supervisors serving on these councils are W.M. "Pat" Paterson of Marion County, Ernest Melvin of Harrison County and Lum Cumbest of Jackson County.

MARYLAND—The deaf in Baltimore, Howard, Anne Arundel and Carroll Counties can now summon emergency police, fire and medical assistance by teletype. The system making this possible was put into operation at the Howard County Police Headquarters when the capability of the Metropolitan Communication Network was expanded and made available for use by the deaf. It is the first time the system has been used in the state on an inter-agency, cooperative basis.

Deaf citizens with access to teletypes can call the Howard County police, who will transmit the call to the appropriate agencies.

Three county libraries lead a survey of 50 large metropolitan library systems in per capita circulation of library materials.

Baltimore County (Md.) Public Library recorded a 10.3 per capita circulation followed by Montgomery County (Md.) Department of Public Libraries with 9.3 and Fairfax County (Va.) with 8.7.

In contrast, Fairfax County Public Library ranks ninth in per capita support with \$8.56. The library system with the highest per capita support is Cuyahoga County (Ohio) Public Library with \$10.05.

The survey, conducted by the Montgomery County (Md.) Department of Public Libraries, shows that urban libraries tend to receive a higher per capita support than suburban libraries, but that suburban libraries show a higher per capita circulation. Montgomery County has conducted similar library surveys since 1973.

NORTH CAROLINA—Twenty-one members of the 1977 General Assembly have seen previous service as members of boards of county commissioners, reports the North Carolina Association of County Commissioners.

Six of the lawmakers are in the Senate. Two of them—Dallas Alford Jr., of Nash County; and D. Livingstone Stallings of Craven County—served terms as president of the North Carolina Association of County Commissioners.

every effort to enroll veterans and document activities undertaken in trying to enroll veterans.

Must veterans meet the new eligibility criteria of "unemployed 15 weeks and drawing unemployment insurance"?

No. Veterans are immediately eligible if at time of application they meet the residency requirement and low income criteria and have not had intervening permanent, full-time, unsubsidized employment.

Does the term veteran mean only Vietnam Era veteran?

No. The term veteran applies to anyone who served on active duty for more than 180 days and was discharged, separated or released with other than a dishonorable discharge or anyone who was released from active duty for a service-connected disability.

Washington Briefs

• **Public Works/EDA Regs.** EDA regulations for \$4 billion public works program issued in May 27 *Federal Register*. Agency to allocate funding levels to all eligible units of government. County share to be based on proportion of county applications on file within each state. Allocations below \$75,000 to other units of government will be reapportioned to the county. Agency to accept resubmitted as well as new applications for most applicants. See page 1 for questions and answers.

• **Youth Legislation.** The House and Senate youth bills go to conference during the week of June 13.

• **Countercyclical/Antirecession.** President Carter signed bill into law (P.L. 95-30) May 23. First payments under new law due to be made to counties July 5 out of \$545 million available for quarter. This is 90 per cent more than was available for last payment in April. Program authorized through fiscal '78.

• **Labor/HEW Appropriations.** Senate committee has recommended a cut of \$1.9 billion in fiscal '78 appropriations. Most of cuts result from lower estimates of Medicaid and welfare costs. Administration opposed to higher amounts for other non-mandated programs.

• **Air Pollution.** Senate to consider clean air act amendment, S. 252, late this week. NACo strongly opposing

Griffin/Riegle amendment to weaken and delay auto standards (same as Dingell/Broyhill Amendment in House). Sen. Howard Baker (R-Tenn.) may offer compromise between committee provision and Griffin/Riegle amendment.

• **Transit.** S. 208, providing an additional \$5.3 billion from 1978 through 1982 is expected to go to the Senate floor Wednesday or Thursday. NACo supports this legislation and urges you to send mailgrams to your Senators supporting passage.

• **LEAA Appropriations.** House appropriations committee recommended \$600 million for fiscal '78. Represents cut of \$153 million. Full House to consider June 10. NACo strongly urging support for amendment on House floor to restore funds. Senate appropriations subcommittee not to act until House votes.

• **Universal Voter Registration.** Action on same-day registration proposal (H.R. 5400 and S. 1072) postponed for lack of support in House. No schedule set for vote but may come at any time.

• **Community Development.** The Senate expected to take up S. 1523, the Community Development Amendments of 1977, June 6 and 7. Bill extends the Community Development

Block Grant Program for three years at \$4 billion for fiscal '78; \$4.15 billion for fiscal '79; and \$4.3 billion for fiscal '80. Bill also extends various subsidized housing programs, extends the Section 701 Planning Program for one year at \$75 million, and extends the Section 312 Rehabilitation Loan Program for two years with increased funding by \$60 million for fiscal '78. The House passed a similar bill several weeks ago.

• **Drought.** President signed Community Drought Relief Act of 1977, enabling EDA to provide \$80 million in grants and \$115 million in 5 per cent loans to communities over 10,000 impacted by drought conditions. FmHA administers companion program providing \$75 million in grants and \$150 million in 5 per cent loans to communities below 10,000.

• **Rural Development Appropriations.** House Appropriations Committee adopted all fiscal '78 rural development funding levels recommended by the subcommittee. The appropriations are the highest to date for these programs and include \$250 million for community facility loans, \$1 billion in business and industrial loans, \$10 million for rural development grants, and \$3.5 million for rural fire protection grants. The Senate subcommittee on agriculture appropriations will meet June 16 to recommend fiscal '78 funding.

NACo Box Score... Priority Issues

Welfare Reform. President's goals outlined; August legislation target.
Employment. Youth bill clears House and Senate.
Public Works. Bill signed; regs out.
Antirecession. Carter signs; checks out in July.
Health Insurance. NACo supporting hospital cost cap.
Payments-in-Lieu. Fiscal '77 appropriations approved.
Community Development. House passed; Senate vote this week.
Rural Development. House vote on increased funding mid-June.
Surface Transportation. House subcommittee continues year-long review.
Water Pollution. Amendments at impasse; Senate field hearings.
Air Pollution. House approved bill; Senate vote likely this week.
Land and Water Conservation. House committee approves doubled funding.
Energy Reorganization. Passed by Senate; pending in House.
LEAA. House floor vote soon.

• **Water.** Senate preparing for field hearings on comprehensive water bill. EPA developing new position on mid-course corrections to the law.

• **Medicaid/Medicare Reform.** Senate Finance Committee will hold hearings on S. 1470, the Medicare and Medicaid Administrative and Reimbursement Reform Act of 1977, June 7-10. NACo will testify in support of the measure, considered by many to be a more acceptable means of controlling increasing health costs than the controversial HEW cost containment proposal.

• **Illegal Aliens.** House Commerce Health subcommittee will hold hearings on H.R. 2400, which would provide health benefits to illegal aliens. NACo will testify June 9 in support of the bill with certain qualifications.

• **Food Stamps.** House Agriculture Committee markup continues this week. Child care and shelter deductions proposals approved by committee.

• **Title XX Social Services.** House Ways and Means Committee considered H.R. 7200 on June 2. Bill includes major amendments to Title XX social services program and a \$200 million increase in annual funding. Bill is expected to go to House floor for a vote this month.

• **Hatch Act Reform Bill.** H.R. 10 suffered a major setback last week on the House floor when Democratic leaders introduced a procedural motion that suspended action on the bill. The House not scheduling reconsideration at this time.

• **Intergovernmental Personnel Act (IPA) Funding.** House Appropriations Committee marked up fiscal '78 funding for IPA and recommended the NACo-supported level of \$20 million. House floor action scheduled June 8. Senate subcommittee action expected June 14 and Senate floor may act by June 17.

• **NACo Pension Task Force.** Pension survey completed. Approximately 2,800 surveys mailed to county officials, with 750 responses. The purpose of survey was to study the characteristics of county pension systems. See page 6.

Future Unclear for Hatch Act

The Hatch Act Reform Bill suffered a major defeat recently when House Republicans succeeded in adding an amendment to prevent federal employee unions from spending their dues, fees or assessments for any political purposes.

The bill, H.R. 10, would have eased the restrictions on political activities for the nation's 2.8 million federal

employees. A similar bill passed the House last year but was vetoed and an override attempt failed.

The major provisions of H.R. 10 include:

- A statement that federal employees are encouraged to exercise their right to political participation;
- Prohibition of the use of official authority to discourage political activity;
- Prohibition against the use of federal funds to influence votes to solicit political contributions by superior officials, and to make political contributions in government offices or buildings;
- Prohibition against political activity while working;
- Prohibition against partisan political activity by employees in "restricted positions," for example, supervisory employees with certain audit, inspection, prosecutorial, or contracting authority;
- Authorization for leave for candidates seeking elective office;

The bill was supported by the Administration, AFL-CIO, National Association of Letter Carriers, American Postal Workers Union, American Federation of Government Employees, National Treasury Employees Union, and the American Civil Liberties Union. H.R. 10 was opposed by the National Civil Service League, International Personnel Management Association, Republican Policy Committee and Common Cause.

The House has not rescheduled action on H.R. 10, therefore its future is unclear.

• Provisions for stricter enforcement of those regulations which prohibit political activities;

• Provision for penalties for employees who violate political activity prohibitions;

• Requirement that the Civil Service Commission conduct a program informing federal employees of their rights and report annually to Congress on implementation of the program.

The bill was supported by the Administration, AFL-CIO, National Association of Letter Carriers, American Postal Workers Union, American Federation of Government Employees, National Treasury Employees Union, and the American Civil Liberties Union. H.R. 10 was opposed by the National Civil Service League, International Personnel Management Association, Republican Policy Committee and Common Cause.

The House has not rescheduled action on H.R. 10, therefore its future is unclear.

Agency Shop

Continued from page 3

gaining activities, for which contributions may be compelled, and ideological activities unrelated to collective bargaining, for which such compulsion is prohibited."

The court rejected the notion that the teachers would have to indicate to the union the specific expenditures to which they objected. To require such specificity, according to the court, would "confront an individual employee with the dilemma of relinquishing either his right to withhold his support of ideological causes to which he objects or his freedom to maintain his own beliefs without public disclosure."

Rather than impose a remedy of its own, the court expressed a hope that unions would adopt voluntary plans to afford dissenters internal union remedies.

—Irv Shapiro
Research Associate
NACoRF



NACo Hotline

Get an instant update on "what's happening" in Congress and the White House... find out the latest news on key legislation and policy decisions that affect your county.

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Public Works Regs Out

Continued from page 3

The regulations also contain another provision that may increase the share of grants to many counties. After calculating allocation to the various units of local government, the agency will automatically reapportion any planning target below \$75,000 to the county government.

The regulations provide that countywide school districts will be eligible to apply for the county share of the funds. NACo has strongly recommended to EDA that it include the dollar value of school applications in calculating the county share of funds in states where this situation exists.

Applicant may receive either a 100 per cent grant (direct grant) or a supplemental grant. The latter situation exists where the applicant is already receiving other federal or state assistance for a project, and the public works portion would cover that amount necessary to bring the

grants contribution to 100 per cent.

Although the original intent of the law was to "freeze" eligibility to applications submitted in the first round of public works funding, virtually all eligible counties may either submit new applications or alter existing applications.

PUBLIC WORKS TIMETABLE

• May 27—Regulations in *Federal Register*.

• June 3—Sub-state allocations released.

• June 3-10—Resubmission and application forms distributed.

• June 6—Public works guidelines released.

• June 10-July 8—Acceptance of resubmitted and new projects.

• June 15-Aug. 15—Processing and approval of projects.

• July 1-Nov. 15—Beginning of project construction.

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