

Greenfield Village. . . where you can be transported through history. . . is just one of many places to visit for spouses and youth of delegates to NACo's 42nd Annual Conference in Detroit (Wayne County), Mich. July 24-27. See pages 8-9

County News

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

Vol. 9, No. 24

June 13, 1977

Washington, D.C.

OVER \$12 BILLION IN FUNDS

Senate Passes CD

WASHINGTON, D.C.—In action last week the Senate passed, 79-7, a three year extension of the Community Development Block Grant program. The bill, S. 1523, provides over \$12 billion through fiscal '80 to counties, cities and states to fund activities aimed at arresting slums and blight and improving housing conditions.

Funding under the program would be available to metropolitan cities and urban counties under either the existing formula (population, poverty and overcrowded housing) established by the Housing and Commu-

ity Development Act of 1974, or the alternative formula which includes age of housing, poverty and population growth lag, or a third formula which counts aged housing in percentage terms. These communities would get the highest of these three amounts.

The bill also permits the Secretary of HUD to make multi-year discretionary grant commitments to smaller cities and counties in both metropolitan and non-metropolitan areas.

The Senate approved the Administration's Urban Development

Action Grant program intended to provide additional aid to distressed cities and urban counties suffering neighborhood deterioration and economic stagnation.

THE BILL was amended by the Senate Banking, Housing and Urban Affairs Committee to include urban counties as eligible applicants for the action grant program. The amendment, sponsored by Sen. John Heinz (R-Pa.), overturned HUD's original proposal which would have limited the program exclusively to cities.

See SENATE, page 10



Watson

Credit Given to Urban Counties

WASHINGTON, D.C.—The evolution of urban counties and their future challenges occupied the thoughts of urban county officials, congressmen and federal spokesmen at the Second Urban County Executives and Administrators Conference here June 2 and 3.

Jack Watson, assistant to the President for Intergovernmental Relations, told the group that "the concept of the urban county is something that you have created. It is emerging and evolving and you (county officials) have the cutting edge."

"The perspective of counties as only rural entities is changing," he said. "The urban county is a consortium of elements. It is the axis . . . the pivot point for the solution of urban problems. Growing recognition of this present and potential role is occurring in the Administration."

WATSON reminded the urban representatives from across the county that the good record of counties in community development outweighs the criticism, but that counties "need to assess whether they are sensitive to the urban poor and urban blight."

Rep. William Moorhead (D-Pa.), an urban county supporter in Congress, told the conference that critics of urban county participation in the Community Development Block Grant program view these counties as "new kids on the block with little or no experience and even less proven ability."

"There is no doubt in my mind," said Moorhead, one of the authors of a 1974 amendment to entitle urban counties to block grant funds, "that counties will continue to play a major role in future community development programs and do not face exclusion from the program."

He spoke of the positive achievements of urban counties in the program, particularly in fostering intergovernmental cooperation with smaller communities. This cooperation is resulting in an areawide approach to housing and community development, he said.

HUD Assistant Secretary for Community Development Robert C. Embry spoke of the nation's need for an urban policy—one which would help to solve urban and regional problems through city-suburban cooperation.

Presidential Assistant Watson termed the existing federal regional presence an "abysmal failure" and said the Carter administration is determined to "connect with state and local governments." He said "this Administration's success will be the 'reflection of mutual responsibility and refusing to use each other as scapegoats.'"

Rep. Elliott Levitas (D-Ga.) and acting Urban Mass Transportation Administration Administrator Charles Bingman spoke of the need for an increased urban county role in mass transit. Other program sessions focused on the implications of the Administration's welfare

See URBAN, page 2

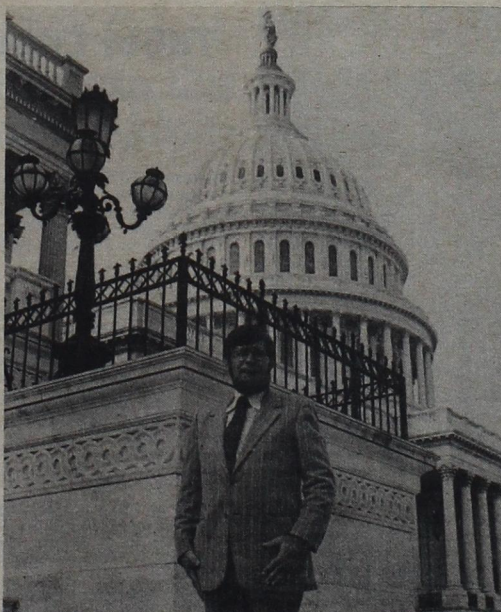
We Say Good-by to Ralph

WASHINGTON, D.C.—After spending 10 years directing NACo's legislative program, Ralph Tabor is leaving to start a private consulting business in Washington, D.C.

"Obviously, I am going to miss NACo very much," Tabor commented. "This organization has come further and faster than any of us ever dreamed. It has been 10 exciting years."

He said, however, that it was time for a change. Explaining his reasons for going into business for himself, he stated: "I believe many counties have a need for specialized, part-time assistance and representation in working with federal agencies and Congress. It is not possible for a national organization to provide this type of individual service. At the same time, most counties cannot afford to have a full-time office."

See TABOR, page 2



Ralph Tabor, NACo federal affairs director.

NACo Plans Study Tour to Russia

A local government study program combined with unforgettable sightseeing is being offered to county officials Oct. 10-25 when NACo visits Russia.

County officials are invited to spend two memorable weeks with fellow NACo participants on this specially designed low-cost Soviet study tour where you will learn firsthand how the Soviet Union deals with housing, transportation, trade facilities and environmental problems on a local level.

Cost of the trip will be only \$945 with complete pre-departure briefing sessions on the latest political developments in the U.S.S.R.; the structure of Soviet local government; the role of the Communist Party; and the responsibilities of municipal and county units.

THE COST includes the air fare from Washington, D.C. and return, first-class hotels with bath based on two persons sharing a room, all meals including one gala banquet, seminars, excursions, transportation and sightseeing with English-speaking guides, three theater performances and baggage handling for one bag plus one carry-on bag. Passport fees, personal items, laundry services, a la carte orders, room service and transportation between

your home and Washington, D.C. are not included.

An itinerary follows:

First Day: Arrive at Dulles Airport Marriott Inn, Washington, D.C. in time for wine and cheese get-acquainted reception followed by speaker on current political developments in the U.S.S.R. Overnight at the Dulles Marriott.

Second Day: Pre-departure briefing continues at the Dulles Marriott. Evening departure from Dulles Airport.

Third Day: Arrive in Leningrad, Peter the Great's "Window on the West," and transfer to Intourist hotel with the remainder of the day at leisure.

Fourth Day: Guided sightseeing tour of Leningrad in the morning, including Nevsky Prospect, the long, busy avenue; the numerous canals and islands of this "Venice of the North." Afternoon visit to Peter and Paul Fortress, oldest building in the area and notorious as pre-revolutionary prison. Evening reception at the House of Friendship with Soviet local government representatives.

Fifth Day: (Seminar I) Choice of discussions with Soviet authorities in groups of 25-35 persons, plus related field trips on environmental policy, public health and social services, education, transportation and local government policy. Attend the theater in the evening.

Sixth Day: Morning visit to the Hermitage, with its unique interior decoration and priceless works of art. Afternoon excursion to Pavlovsk, first owned by Catherine II's son, Paul. Return via the imperial village of Pushkin and admire the facade of Catherine's Palace.

Seventh Day: Free Sunday in Leningrad. Optional visit to St. Isaac's Cathedral, with its impressive malachite columns, bronze sculptures and golden dome.

Eighth Day: (Seminar II) A repeat of the seminar offered on the fifth day. Afternoon train to Tallinn, the ancient fortress and trading city on the Baltic which is now the capital of the Estonian Soviet Socialist Republic.

Ninth Day: Morning sightseeing tour of Tallinn's Old Town, including the many towers remaining from the original city walls. Afternoon at

leisure. Evening meetings to learn firsthand about life in the Estonian S.S.R.

Tenth Day: (Seminar III) Small group meetings with officials from the Commission on Local Government of the Council of Ministers of the Estonian Republic. Afternoon tours of schools, shops and apartments. Attend the theater in the evening.

Eleventh Day: Excursion into the countryside to Kadriorg Palace and Art Museum along the seashore, enroute to the 1980 Olympic aquatic sports site past the ruins of Pirita Cloister. Afternoon at leisure. Overnight train to Moscow.

Twelfth Day: Arrive in Moscow in the morning. Afternoon tour, featuring the Lenin Mausoleum and St. Basil's Cathedral on Red Square, the towers of the Kremlin from the river embankment and the Moscow University complex on Lenin Hills. Evening discussions at the Moscow Friendship Society with members of the Moscow University Law Faculty, experts on Soviet state development.

Thirteenth Day: Morning visit to the Moscow Kremlin. In the afternoon investigate the U.S.S.R. Exhibition of Economic Achievements, a permanent display of the many aspects of Soviet regional and economic development in education, agriculture, space exploration and atomic energy. Attend the theater in the evening.

Fourteenth Day: Free Sunday in Moscow. Optional full-day excursion to Zagorsk, the center of Russian Orthodoxy.

Fifteenth Day: (Seminar IV) A meeting with city planners followed by a visit to the new town of Tushino outside Moscow and to an apartment complex construction site or a meeting at the Moscow City Soviet followed by a visit to Moscow University's Law Faculty. Gala farewell banquet.

Sixteenth Day: Return to Washington, D.C. For complete information, send your name and address to: NACo Visits Russia, 1735 New York Ave., N.W., Washington, D.C., and a detailed brochure will be mailed to you.

Urban County Role

Continued from page 1

reform proposals for urban counties and the urban county role in employment programs.

BILLED AS a dialogue with the Administration and Congress on urban county issues, the conference was co-chaired by Al Del Bello, Westchester County, N.Y. executive, chairman of NACo's Urban Affairs Committee and Theodore G. Venetoulis, Baltimore County, Md. executive.

Venetoulis told the group "we must force federal attention to focus on problems not places." He called for a regional approach to urban issues through consortia that would confine "efforts to a single category of concern and their membership to jurisdictions within a region which

are actually involved with the targeted urban problem."

He said the target consortia would have a definite goal and time frame and "not be permitted to become permanent institutions."

Del Bello reviewed with the group the history of NACo's efforts to represent urban counties. He spoke of the establishment of the Urban Affairs Committee which is charged with influencing NACo policies from the urban county perspective and vigorously lobbying for their adoption by Congress and the Administration.

The meeting was sponsored by NACo's Urban Affairs Committee and the Johns Hopkins University Center for Metropolitan Planning and Research.



Erie County (N.Y.) executive, Ned Regan (standing) discusses a point with HUD Assistant Secretary Robert Embry (far left at table).



CONFERENCE CHAIRMEN—Urban County Executives Conference Co-chairmen Al Del Bello (second from left) and Ted Venetoulis (far right) discuss conference proceedings with Jack Fisher (second from right), director of the Johns Hopkins University Center for Metropolitan Planning and Research, and John Murphy, NACo urban affairs coordinator (far left).

Tabor Leaves NACo Post

Continued from page 1

He said his consulting business will complement the goals and work of NACo.

Bernard F. Hillenbrand, NACo's executive director, termed Tabor's contribution to NACo "outstanding." Hillenbrand stated that Tabor will "still keep close to our county family."

An initial consultation between the newly formed Ralph Tabor and Associates and NACo is being developed to update the NACo grantsmanship manual and provide special assistance to state associations of counties in grant-in-aid activities.

Hillenbrand said, "We enter this new status with high hopes for Ralph and a very deep and personal sense of appreciation to him for the tremendous contribution he has made to NACo and to county government."

Tabor said he will be locating his consulting office on Capitol Hill. He also plans to do some part-time teaching in intergovernmental relations.

NACo President Daniel Lynch, commissioner, Douglas County, Neb., praised Tabor's leadership over the last two years when NACo's lobbyists were increased from five to 12 and NACo became a force to be

reckoned with in Washington, D.C.

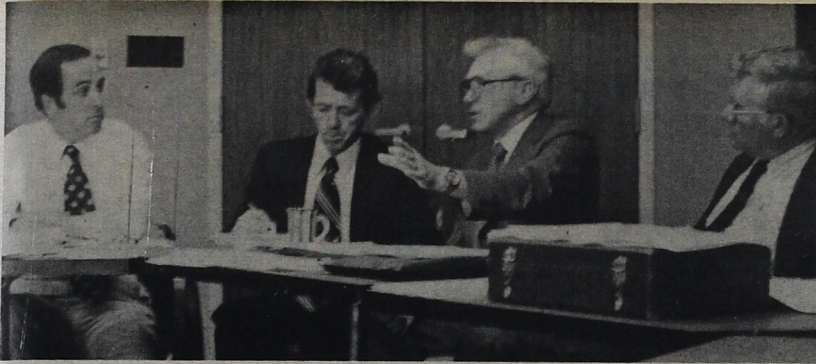
William O. Beach, NACo vice president said, "Ralph's legislative expertise has been invaluable to the officers and board of directors as we develop county policy. We are glad he will continue his relationship with the NACo leadership and staff." Beach is a Montgomery County, Tenn. judge.

During his professional career, Tabor has been an economist, lobbyist, editor, author and teacher. He holds a masters degree with honors from the University of St. Andrews, Scotland in politics and economics.

COUNTY NEWS

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AT STEERING COMMITTEE MEETING—County and federal officials discuss welfare reform at a joint meeting of employment and welfare steering committees. From left are: John V.N. Klein, county executive, Suffolk County, N.Y.; Joan Driscoll commissioner, Rockingham County, N.H.; William Hewitt, administrator for Policy Evaluation and Research, Department of Labor; and James Parham, associate assistant to the President for Intergovernmental Relations.

Welfare Plan Draws Concerns

WASHINGTON, D.C.—A joint meeting of NACo's Employment, and Welfare and Social Services Steering Committees was held on June 2 and 3 to discuss the Administration's tentative welfare reform proposal.

Three resolutions were adopted. They further defined NACo's position on public sector jobs, full employment, and private sector jobs.

In the first resolution the steering committees urged the development of a permanent federally funded base of public sector jobs "triggered" on and off by national and local unemployment rates. The resolution on full employment expresses NACo's concern that a comprehensive welfare reform program must include a full employment policy. The third resolution on private sector jobs stresses the importance of true incentives to stimulate jobs in the private sector of the economy.

The Administration's proposal contains two sections important to counties: jobs and cash assistance. The jobs program stresses the creation of either private or public sector employment opportunities for those persons expected to work. An estimated 1.4 million training slots and public service jobs at minimum wage will be created under the proposal. The cash assistance component includes an income support tier for those persons not expected to work. An earned income support tier with significantly lower benefits will be provided for those persons ex-

pected to work. The proposal includes a variety of incentives, including earned income disregards to encourage individuals to seek employment.

Because of the many unresolved issues in the Administration's proposal the committee decided to express concern for the following issues, rather than take formal action:

- The employment aspect of the welfare proposal is too limited and more emphasis should be placed on creating incentives to expand private sector employment including but not limited to liberalization of on-job-training requirements, tax incentives for businesses to locate in high unemployment areas, and low interest loans to stimulate housing construction.

- The delivery system for the jobs component should fall within the Comprehensive Employment Training Act (CETA) system, emphasizing local flexibility with the understanding that the federal government cannot set unrealistic goals for local job creation.

- The proposal to create public service employment (PSE) jobs at the minimum wage is impractical and local governments should be given the flexibility to determine wages—taking into consideration differences in the cost of living as well as local salary structures. Thus, if higher wages are paid, people would work a shorter work week.

- Adjustment in the benefit level and the income disregard by geographic area should be made to allow for differences in the cost of living. However, there should be a minimum benefit standard across the country.

- Equal fiscal relief for counties should be based upon the history of local contributions in each state.

- Implementation of the welfare reform program should occur by fiscal '79 and not fiscal '81 as proposed by the Administration.

- Intake should occur through a federalized system based upon universally applied federal standards to determine ability to work. Those determined unable to work should be paid by a federal system. Those able to work should be referred to CETA for placement and/or training.

Welfare Reform Bill Staff Consults with Local Reps

WASHINGTON, D.C.—County officials are participating this month in a series of meetings with Departments of Labor, and Health, Education and Welfare staff who are drafting the Administration's welfare reform bill.

To a degree unprecedented in previous major proposals, Administration officials are sharing with local governments working drafts and cost projection models for

Illegal Alien Cost to Counties Told

WASHINGTON, D.C.—Testifying before a House health subcommittee, Mike Gemmell, NACo legislative representative, said that "the costs of emergency services to illegal aliens are increasing the already heavy burden borne by county taxpayers." Counties frequently are forced to pay for emergency medical services to illegal aliens because most illegals are low income workers who lack the necessary cash or medical insurance to cover their costs. They are ineligible for Medicaid or Medicare because of their illegal status, he added.

The House Commerce health subcommittee, chaired by Rep. Paul Rogers (D-Fla.), held one day of hearings last week on H.R. 2400, a bill to reimburse medical facilities for emergency care provided to illegal aliens. The bill is sponsored by Rep. B.F. Sisk (D-Calif.), a long-time advocate of fiscal relief to counties in this field.

Also testifying were: Frank Panarisi, health care administrator, San Diego County, Calif.; Burdette Wright, Washington office staff, County of Los Angeles, Calif.; Gayle McNutt, Washington representative, Harris County, Tex.

Speaking on behalf of NACo, Gemmell said that while counties "acknowledge their legal and moral obligation to provide emergency medical services to all needy residents, regardless of legal status, counties are unable to bear these costs alone."

He said that counties have difficulty supplying exact figures on the number of illegal aliens treated at county expense because such persons are reluctant to reveal their

illegal status. The California counties, which experience the heaviest cost burden, have the most complete data, he said, citing the following examples:

- Los Angeles County spends in excess of \$20 million a year for emergency medical services to illegal aliens.
- San Diego County spends approximately \$800,000.
- Imperial County bears considerable costs from the use of its hospital's obstetrical service by Mexican women. These women cross the border when they go into labor to

See EDA, page 12

PUBLIC WORKS

Allocations Out; Regs See Change

WASHINGTON, D.C.—The Economic Development Administration (EDA) postponed release of the public works allocations from June 3 to June 10. As a result, all dates on the public works timetable printed in the June 6 issue of *County News* will take effect one week later.

The agency released June 6 its guidelines for the new round (Round II) of funding. The guidelines were developed to clarify the public works regulations and assist communities in applying for public works funds.

EDA will be mailing the guidelines and applications, along with allocation figures to each eligible applicant.

These guidelines reflect a change that will be made to the regulations in regard to school districts. The initial regulations stated that schools serving the whole county or a "major region" of the county would be eligible for a portion of the county allocation.

The term "major region" has now been deleted. As detailed in the guidelines, a school district would be able to share in the county allocation, only after two factors are established.

See COUNTIES, page 4

See EDA, page 12

Payments-in-Lieu Saved from Appropriations Cut

WASHINGTON, D.C.—Last week Rep. Frank Evans (D-Colo.) again protected the payments-in-lieu of taxes appropriation in the House Appropriations Committee. The House committee approved the full \$100 million request for the fiscal '78 payments-in-lieu appropriation that was recommended by subcommittee.

However, the full appropriation was threatened by an informal proposal being discussed between House and Senate Appropriation Committee members to use a portion of the payments-in-lieu appropriation to fund a \$611,000 contract law enforcement program for the Bureau of Land Management (BLM) in the Department of Interior.

The \$611,000 request for this program had been deleted in subcommittee at the recommendation of subcommittee chairman, Sid Yates (D-Ill.). Yates contended that counties, who would provide federal law enforcement services under contract with BLM, could use their payment-in-lieu money instead.

IN THE full committee meeting, Rep. Evans successfully sponsored an amendment to restore the

\$611,000 BLM law enforcement funds. He pointed out that at no time was enforcement of "federal" laws used as justification for the payments-in-lieu program. The payments-in-lieu program will provide funds to counties for the tax immunity of federal natural resource lands. Despite the tax immunity, counties must provide services such as hospitals, roads, and "state and local" law enforcement. BLM did not even have the authority to contract for federal law enforcement until this year after passage of the BLM Organic Act.

This was the second time this year Rep. Evans successfully sponsored an amendment in the Appropriation Committee to protect the payment-in-lieu appropriation. In March, he sponsored an amendment to restore \$25 million that had been cut by the subcommittee.

Dale Sowards, NACo Western Region District president, Conejos County, Colo., said "counties all over the country appreciate Evans' efforts to restore these funds. Frank Evans has demonstrated real 'clout' in the appropriations process."



NACo INDIAN AFFAIRS TASK FORCE—Members met to discuss proposed NACo policy on Indian issues of concern to county governments. Here they review the report of the Federal American Indian Policy Review Commission. Standing from left are: Fred Johnson, Task Force chairman, Glacier County, Mont.; Ted Wren, Bingham County, Idaho; and Mahlon Swenkowski, Lake County, Minn. Seated from left are: David De Lago, McKinley County, N.M.; and Ed Bader, Corson County, S.D.

Counties Consult on Welfare Bill

Continued from page 3

signed to save \$2 billion, the change would create restraints to family formation and would result in reduced total benefits for family units now receiving separate benefit checks (such as young single parents and children on AFDC living with relatives). This provision is being revised to more accurately reflect need and family composition.

Fiscal relief to states was a major unresolved issue and suggestions from county and state officials are still being reviewed.

A proposal by Keith Comrie, Los Angeles County welfare director, is under consideration, in which "reverse block grants" from the states to the federal government would be made, based on an amount frozen at the dollar amount of a state's expenditure by welfare payments.

In subsequent years, the state's fixed contribution would be phased down as the federal contribution increased, until the states are "brought out" over a period of time. This and other proposals for fiscal relief have to be considered under the President's mandate that there be no initial higher costs than the current system.

According to Comrie and NACo's welfare and social services chairman, Frank Jungas, the drafting process has been productive and the Administration staff led by Mike Barth is seriously using the technical input of local officials. Barth, HEW deputy assistant Secretary for Planning and Evaluation, has met several times with NACo and urban county officials and with numerous groups across the country.

Copies of the tentative proposal may be requested from Pat Johnson, NACo welfare consultant, who is staffing the welfare reform efforts.

County Opinion

Using the Frank DOL Logic?

Many Americans have received at least one postage-free (franked) letter from their congressman.

Certainly members of Congress and federal agencies are entitled to free use of the mails for official business. States, counties and cities are also government. Perhaps consideration should be given to extending the "frank" to them.

Take the situation of Supervisor George H. Yeager of Loudoun County, Va. The U.S. Postal Service has billed him for postage on meeting notices that he affixed to the outside of mail boxes in his district.

In a letter to his congressman, Rep. Joseph L. Fisher (D-Va.), a former county official, Yeager opposes flooding the mails with political propaganda, but he raises thought-provoking points about the use of the mails for county business. Excerpts from the letter follow: (Please send reactions to this postage issue to *County News* Editor, Attention: Franking.)

"Attached is a bill (copy) issued to me by the post office for placing private mail in mail receptacles. In fact, I did not place any mail in any mail receptacle (or mail box, as we common people call them). What I did do was to place notices of a 'Town Meeting' behind flags on rural mail boxes in my district. I know that local elected officials cannot expect franking privileges, but I do not think it is too much to ask that a county supervisor or city councilman who is willing to take the time and effort to personally distribute non-political civic affairs notices be permitted to place them on . . . or yes, even in that hallowed object, the mail receptacle! . . . I sought my position as a county supervisor for many reasons, not the least of which was an ideal of involving people in local government. I have found, as have you, that town meetings are a very good way to do that. At the meeting for which I was 'fined' by the U.S. Postal Service over 50 constituents were in attendance. At the subsequent meeting, where only newspaper ads, and column alerts were used to publicize the event, seven people gathered to discuss such trivialities as an \$8 million bond issue, a possible 42 per cent increase in property tax, and changes in water and sewer rates.

In short, I am very disappointed in the fact that one of the federal government's biggest 'agencies' is trying to cripple my effort to do a good job down here in the trenches, and . . . I suggest a revision to postal regulations to: Permit local elected officials to place non-partisan reports and notices related to local civic affairs in mail boxes for the purpose of increasing understanding of local issues, and to increase public involvement in the most neglected and most important level of government, the local level. I would also suggest that any such legislation include provisions to prevent the use of such a privilege for partisan political purposes, and perhaps within six months of an election for which the individual is a candidate.

Disadvantaged youth in need of summer jobs are once more being passed over if, through the accident of their residence, they do not live in a city with a population over 150,000 and high unemployment.

How can the Department of Labor (DOL) endorse the questionable logic that economically disadvantaged youth in the City of Syracuse, N.Y., which has a 9.6 per cent unemployment rate and 9,020 people in its unemployed labor force are more needy than economically disadvantaged youth in Suffolk County, N.Y. which has an unemployment rate of 11.1 per cent and 51,169 people in its unemployed labor force?

But DOL's latest policy gives the summer youth discretionary funds to cities over 150,000 population with unemployment rates over 9 per cent.

The folly of such a policy is further illustrated where there are city-county jobs consortia. For example, the policy is wreaking havoc in the Broward County, Fla., consortium where youth in the City of Fort Lauderdale, which has an unemployment rate of 10.7 per cent and 8,790 people unemployed, are eligible for the additional jobs while youth in the balance of Broward County, which has an unemployment rate of 11.4 per cent and 22,804 people unemployed, are not.

In discussing this policy with Presidential Assistant Jack Watson's staff and DOL staff, NACo suggested a policy of providing funding to CETA prime sponsors with an unemployment rate over 9 per cent and more than 20,000 people in their unemployed labor force. This would satisfy Labor's desire to target funds without discriminating against economically disadvantaged youth by place of residence or population.

NACo's policy would achieve targeting of funds by a viable needs criteria—the number in the unemployed labor force—instead of using an arbitrary population level. Summer youth job funds would go to 20 cities, four counties, and 12 consortia with NACo's policy. This or similar criteria should be used in future summer youth discretionary allocations.

Local Governments Serve Mentally Disabled

Editor's Note: The following was excerpted from the March issue of *Hospital and Community Psychiatry*, Teddy Clayton, managing editor.

County and state governments are among the most beneficial forces operating on behalf of mentally disabled persons.

Research conducted by the National Association of State Mental Health Directors shows that, while the extent of county and state government investment in the mental health area has not been fully tabulated, the estimated annual cost is between \$6 billion and \$7 billion. This includes services for the mentally ill, mentally retarded and developmentally disabled, alcoholics, drug abusers, and mentally ill offenders.

Determining the exact expenditures in the mental disabilities area—or even the amount spent only on services for the mentally ill—is difficult. There are 50 separate mental disability programs, all structured differently.

In addition, many state and county expenditures on behalf of the mentally disabled are incorporated in university budgets for research and training programs, local school programs for the handicapped, corrections department budgets for forensic psychiatry programs and facilities for mentally ill offenders,

welfare programs, juvenile delinquency and child-abuse services, psychiatric services in public general hospitals, vocational rehabilitation agencies, sheltered workshops, and other programs and agencies.

COUNTY and state governments contribute to the mental health effort in a variety of ways:

- County and state governments either own, operate, or substantially fund every federally funded community mental health center in the nation. They actually own about half of all federally funded community mental health centers. The federally funded centers represent a third of all community mental health centers in the nation.

- In 65 federally initiated community mental health centers, the federal funding has been phased out, and state and local governments have had to pick up 75 per cent of the financial support.

- In 18 states, community mental health services statutes predated the 1963 Community Mental Health Centers Act. In 39 states, statutes and tax-levying powers provide annual support for delivery of community mental health services at three or four times the federal level.

- Most outpatient treatment in organized settings are handled in programs owned, operated, or fun-

ded by counties or states.

- A significant proportion of general hospitals with psychiatric units are public hospitals, owned and operated by county and state governments. In many states, even private psychiatric hospitals receive some financial support (usually through contracts for services) from county and state governments.

- A high proportion of partial hospitalization programs are owned, operated, or funded by states and counties, as are a high proportion of psychosocial residential facilities, halfway houses, nursing homes, boarding homes, intermediate-care facilities, child day-care centers, and geriatric programs.

DATA FROM state mental health departments in Illinois and Texas offer further support. The Illinois Department of Mental Health and Developmental Disabilities, through its community grant-in-aid program, funds more than 400 voluntary non-profit community-owned agencies, 18 of which can be legitimately labeled community mental health centers. The agencies offered more than 1,000 programs to more than 200,000 consumers during fiscal '76. State funds accounted for 40 to 90 per cent of the operating expenditures of those programs. Forty of

Illinois' 102 counties have passed a mental health tax, and 62 counties voluntarily tax themselves to support programs for the developmentally disabled. Such local support provides more than \$66 million annually for mental disability programs.

Information supplied by Texas Commissioner Kenneth D. Gaver, M.D., shows that federal funds made up 20 per cent of the \$60.7 million operating budget for the community mental health and mental retardation centers in fiscal '76. Of the remaining 80 per cent, 44 per cent was obtained from state grants-in-aid, 32 per cent from local funds, and 4 per cent from other state funds.

The Social Security Act is the biggest source of federal funds to county and state mental disability programs. Titles IV, V, XVI, XVIII, XIX and XX of the act provide more than a billion dollars annually to counties and states in support of services to the mentally disabled.

In contrast, the federal community mental health centers program totals about \$100 million annually, none of which flows through state government. The only National Institute on Mental Health (NIMH) money that does is the

Hospital Improvement Program for facilities for the mentally ill, now at a level of about \$3 million a year.

County and state mental health officials are strong backers of the federal community mental health centers program, but they would like county and state authority over how the money is used. Thus, they favor formula grants to counties and state for mental health services, giving them decision-making power (under an effective state plan) over the distribution of federal funds. Currently the centers are funded through project grants, which are awarded directly to the applicants by the Department of Health, Education and Welfare (HEW), bypassing county and state government authorities.

THE FORMULA grant system used in most of the major federal government grant programs is more equitable, orderly, and efficient than one that awards grants project by project. It would also eliminate a problem sometimes faced by state and county government: the expectation by private centers that the state and county will automatically fund when federal grants run out, even though they may have had little previous involvement in the centers' establishment or operation.

NACo SPECIAL REPORT

A GUIDE FOR COUNTY OFFICIALS TO THE NACo ELECTIONS AND PROPOSED BYLAWS' AMENDMENTS

A PROCEDURES GUIDE REGARDING PROPOSED BYLAW CHANGES TO BE DISCUSSED AND ACTED UPON AT THE ANNUAL BUSINESS MEETING: SUNDAY EVENING, JULY 24, COBO HALL, WAYNE COUNTY, DETROIT, MICH. UPON CONCLUSION OF THE OPENING GENERAL SESSION WHICH CONVENES AT 6 P.M.

Since the 1976 Annual Conference a major effort has been underway to analyze and, where necessary, to propose changes in the makeup of the NACo Board of Directors. The Committee on the Future has discharged its responsibility (see Feb. 28 issue of *County News*). The board of directors has acted upon the recommendations of the committee. The results of its action are printed here in the form of amendments to the bylaws.

The proposed amendments call for a broader board representation. Each state would have a representative, while large states would have two members. A formal mechanism has been established to assure minority membership.

To clarify the meaning of the amendments, the following Special Report has been developed. This report contains: a description of the boards' duties and responsibilities of each member; the proposed bylaw language; a categorical comparison between the existing bylaws and proposed amendments; a guide for members to compare procedures—depending upon whether or not the bylaws are amended; a description of the Nominating Committee and its role; and voting and the credentials process.

BOARD DUTIES AND RESPONSIBILITIES

1. Policy: Acting as a Resolutions Committee, receive policy initiative from Steering Committees.
 - Propose policy to membership;
 - Make interim associationwide policy decisions;
 - Determine legislative priorities.
2. Administrative: Review and approve annual work program and budget.
 - Annually elect the executive director.
3. Membership: Promote continued and increased membership in the association.
 - Serve as representative from member's own county;
 - Serve as contact point for all member counties within the state where selected.
4. Participation: The board meets four times annually. Active participation is expected.
5. Term: All board members are elected for one-year terms.
6. Criteria: Members must be county officials from NACo member counties.
7. The board consists of the seven NACo officers; county representatives; representatives of NACo affiliates; and the Western Region District.

PROPOSED AMENDMENTS

There are 12 Articles in the NACo bylaws. To implement the board's proposed action, five Articles need alteration. The seven Articles which do not require amending are excluded from this report. The entire bylaws, as currently written, are printed in the 1977 NACo Voting and Credentials Handbook.

Proposed changes are handled as follows: The article and section is identified: language to be deleted is in *italics* and new language is presented in [brackets] and bold face.

ARTICLE I

Offices—no change

ARTICLE II

Objects, Purposes

Paragraph 1. No change.

Paragraph 2: The Association will seek to

achieve these purposes by, among other things, the holding of conferences, the exchange of information and advice through a magazine to be the official publication[s] of the Association, and other such specific acts as may tend to benefit county government and improve the character of service to the public rendered by such government.

ARTICLE III

Procedures—no change

ARTICLE IV

Classes of Membership—no change

ARTICLE V

Board of Directors

The Board of Directors shall consist of the President, First Vice President, Second Vice President, Third Vice President, Fourth Vice President, who shall be elected officials, and a Fiscal Officer, forty-eight directors who shall be either elected or appointed officials of member counties. In addition to these members, the Board shall include those past presidents still active in member counties and also two representatives nominated from member counties of each regional district authorized by the Board and approved by the voting members. Any affiliated association, upon its authorization by the Board and approval of the voting members, shall also be entitled to nominate on representative from a member county on the Board.

Sec. 1. [Membership]

The Board of Directors shall consist of the Officers, as specified in Article VI, and directors chosen from each of the following categories:

- A. One elected county official from each state having a NACo member county. (Commencing in 1980: One elected county official from each state having 50 per cent of its counties as NACo members or having member counties representing 50 per cent of the state's population.)
- B. Ten additional elected county officials, one from each of the 10 states having the highest number of votes, as determined under Article IX on the preceding April 1, provided that such state has either 50 per cent of its counties as NACo members or has NACo members representing 50 per cent of the state's population. Where a state fails to meet the 50 per cent standard, it shall be dropped from the list of 10.
- C. Two elected officials from each regional district authorized by the Board and approved by the voting members.
- D. One director from each affiliated association, authorized by the Board and approved by the voting members.

All of the above directors shall be elected annually at the Association's annual conference by a majority vote of the total weighted votes being cast.

Prior to the first meeting of the newly elected Board, the President shall appoint up to 10 at-large directors, who must be elected officials from NACo member counties, to correct any inequities in representation; especially, female, Black, Chicano, Indian or urban/rural. In addition, he may appoint non-voting honorary members to the Board.

Not counting Officers and categories C and D above, no state may have more than three directors.]

BEGINNING WITH SECTION 2 FORMER LANGUAGE IS UNCHANGED BUT A NEW FORMAT IS ESTABLISHED.

Sec. 2. Responsibility

Power to establish Association policy shall remain in the hands of the voting membership of the Association provided that the Board of Directors shall have general supervision, management, and control of the business and property of the Association subject to the Articles of Incorporation, to these bylaws, and to the policies established by a majority vote of the voting members of the Association at the annual conference.

Sec. 3. Executive Committee

Interim policy decisions arising between annual conferences shall be made by the Executive Committee in the name of the Association but such policy shall be subject to revision by the next annual conference of the Association. The Committee shall: establish interim legislative priorities and strategies; offer guidance to the Executive Director in determining areas in which grants should be sought; and maintain budgetary oversight.

Sec. 4. Vacancy

Vacancies occurring in the Board of Directors or in any office (except for the 10 at-large directors) may be filled for the unexpired term by the remaining directors, after receiving a recommendation from the State Association of Counties of the state where the former member of the Board of Directors resided. Should the Board of Directors choose not to appoint the individual recommended by the state association, a majority vote of the full membership of the Board of Directors shall be required.

Sec. 5. Procedures

The Board of Directors shall not increase service fees in excess of 15 per cent unless and until such increases are approved at an annual business meeting by weighted vote. Twenty-five directors shall constitute a quorum for the transaction of business. The Board of Directors may transact business by mail ballot by voting upon specific proposals mailed to them with the approval of the President. Under such circumstances, the response of a majority of the directors shall be required.

ARTICLE VI

Officers

The officers of the Association shall consist of a President, First Vice President, Second Vice President, Third Vice President, Fourth Vice President, Immediate Past President, all of whom shall be elected officials of member counties and a Fiscal Officer who shall be from a member county. These officers shall be elected annually by a majority vote of the votes cast at the Association's annual conference. They shall hold office until their successors are elected and qualified, so long as they shall remain in county office.

The President shall preside at all meetings of members both general and special, all meetings of the Board of Directors, and shall have the general supervision of all business of the Association. He shall appoint all committees.

The Vice Presidents shall consult with, counsel, and advise the President. [The President may assign to them areas of responsi-

bility: e.g. membership; legislation; affiliate liaison; state association liaison; and other appropriate tasks.] In the absence, disability, or retirement of the President, his duties shall be performed successively by the First, Second, Third and Fourth Vice Presidents.

[The officers shall constitute the Executive Committee.]

Paragraphs 4, 5, and 6 remain unchanged.

ARTICLE VII

Conferences and Meetings—no change

ARTICLE VIII

Nominations

The President of the Association shall appoint a Nominating Committee consisting of at least three [five] active members of the Association. [At least one member must be a Past President and no candidate for NACo Officer may be a member.] Notice as to who constitutes the Nominating Committee shall be given in either the official publications of the Association or otherwise mailed to the entire membership of the Association not less than 45 days before the annual conference.

The Committee shall receive and prepare nominations of all elective offices and present such nominations to the conference. [The Committee report shall include one nominee for each position.] provided that additional nominations for any elective office may be made from the floor. Nominations from the floor for the Board of Directors must designate the nominee being challenged [may challenge only a nominee from their own state.]

ARTICLE IX

Voting—no change

ARTICLE X

Committees

The President, with approval of the Board of Directors, shall appoint such committees as it [he/she] may from time to time deem proper for carrying on the business of the Association provided that committees shall also be appointed in accordance with any resolution adopted by the members in conference assembled.

On the first day of each annual conference, the President shall appoint a Committee on Resolutions, which committee shall consist of not less than seven voting members who are familiar with the objects of said Association and its history. [The NACo Board of Directors shall act as a Resolutions Committee at the Annual Conference.] Except resolutions of courtesy, commendation, or condolence, no resolution expressing the policy of said Association on any question shall be considered or discussed by the conference unless it has been submitted to and reported on by said Committee on Resolutions; and no resolution shall be considered unless it relates to the objects and purposes of the Association. No resolution shall be adopted until an opportunity has been afforded for full and free debate thereon.

ARTICLE XI

Seal—no change

ARTICLE XII

Amendments—no change

Continued on next page

WHAT THE BYLAW AMENDMENTS MEAN WHEN CONTRASTED WITH THE CURRENT BOARD

In General: The total board size is reduced by one from 91 to 90. Within the 90 members there is a substantial change in the pattern of representation with an increase in the number of directly elected.

Current Bylaws
President
4 Vice Presidents
Fiscal Officer
Past President
Directors (48)
Region District (2)
Affiliates (14)
Honorary Members (14)
Minority Representatives (5)
(non-voting)

Members 91

Specifically: The following changes would occur.

Current

- a. State Representation: There are 48 board seats with no specific allocation formula. Currently seven states have two members and six states none.
- b. Large State Representation: Some large states currently have two board members; others do not.
- c. Minority Participation: In 1976 the board established five minority member seats, non-voting, and appointed by the president.
- d. Affiliates: Each of the approved NACo affiliates (now 14) is entitled to a voting member on the board.
- e. Region Districts: Each approved Region District (now one) has two members on the board.
- f. Vice Presidents: There are four vice presidents.
- g. Honorary Board Members: There are honorary members with voting rights. Currently 14, varies each year.

Proposed Bylaws
President
4 Vice Presidents
Fiscal Officer
Immediate Past President
Directors (47)
Large State Directors (10)
At-Large Directors (10)
Region District (2)
Affiliate (14)
Honorary Members
(non-voting)
Members 90

Proposed

- All states with a NACo member county are entitled to one seat. After 1980 the state must have 50 per cent of its counties as members of NACo or members representing 50 per cent of the state population.
- The 10 largest states (determined as of April 1 in year of election) by weighted votes are allocated one additional member providing that the state has 50 per cent membership (member counties or per cent of state population within member counties).
- Ten at-large member seats, voting, are established to balance inequities, i.e., Black, Chicano, Indian, sex, or urban/rural. Members are appointed by the incoming NACo president at the annual conference.
- No change
- No change
- Number of vice presidents stays the same (four). Duties and responsibilities as members of Executive Committee are clarified.
- Honorary membership is authorized on a non-voting basis. Members to be appointed by the president.

h. General Criteria

Officers and directors (48) must be county officials from NACo member counties.

All officers, the state directors, 10 large state directors, and the 10 at-large directors must be elected county officials from NACo member counties.
No state may have more than three members from among the 67.
As of 1980, state directors (47 + 10) must be from states which meet the 50 per cent membership criteria (population or member counties).
All members (including affiliate and region districts) must be from NACo member counties.

HOW THE BYLAW CHANGES AFFECT THE 1977 ANNUAL CONFERENCE

If Not Adopted Prior to the Election

The makeup of the NACo Board of Directors remains the same. There will be 48 board of director seats. Slate to be determined by the nominating committee and voted upon at the Tuesday business meeting. All past practices will be in effect. (See Nominations and Credentials Processes.)

If Adopted Prior to the Election

The bylaws would be implemented immediately. Which means:

A. All states will nominate candidates for one seat—including those states which do not now have a member: Arkansas; Maryland; Massachusetts; Mississippi; and North Dakota.

B. The following 10 states meet criteria as of April 1, 1977 and each is entitled to one additional seat:

States	Per Cent County Votes Members	Per Cent Population Members	
1. California	359	79	94
2. Texas	232	36	64
3. New York	224	67	48
4. Michigan	214	69	94
5. Ohio	204	68	69
6. New Jersey	185	100	100
7. North Carolina	179	100	100
8. Florida	176	68	95
9. Minnesota	132	86	96
10. Alabama	114	97	96

C. Individuals interested in being considered as candidates for at-large seats should express that interest to the NACo officers. Appointments will be made by the incoming president prior to the initial organizational meeting of the board.

D. Affiliates should note that their representatives to the board must be from NACo member counties.

E. The Nominating Committee has been increased in size by two members, from three to five. Nominating procedures will be the same as past years (see Nominations and Credentials Processes).

THE NOMINATIONS AND CREDENTIALS PROCESSES

The Nominating Committee as appointed by President Dan Lynch:

Gil Barrett—Dougherty, Ga.—Chairman
Harold Hayden—Genesee County, Mich.
Arch Mahan—Mono County, Calif.
Pete Mirelez—Adams County, Colo.
Lois Parke—New Castle County, Del.

Pre-Conference

Nominations can occur by mail—send name and background information on candidate and position desired to Chairman Barrett, c/o Nominating Committee, National Association of Counties, 1735 New York Ave., N.W., Washington, D.C. 20006.

Candidates for fourth vice president may have publication space in *County News* if they desire.

At the Conference

Hearing: Mon., July 25, 10 a.m.—Noon, Room 3124, Cobo Arena

Hearing Procedures

Procedures for Officers: Nominations for officers are heard during the above mentioned hours. Nominating speeches are limited to 5 minutes. They may be followed by a seconding speech limited to 2 minutes. Additional seconds, if desired, are received in writing. Nominations are heard on a "first come" basis.

Procedures for Board Members: Nominations for the NACo Board of Directors can be made orally and/or in writing.

Oral: Persons wishing to make oral nominations do so on first come basis. Nominating statements are limited to 3 minutes. Seconding statements are provided in writing.

Written: Forms are available which require pertinent information for the committee. In the case of re-nominating a current board member, background material is not required. It is essential, however, that existing board members be re-nominated as each board is totally new. If submitted in writing, an oral presentation is not required.

In all cases: A single sheet is prepared for each nominated candidate.

Presentation of Slate: The committee will report on its slate by 7:30 a.m., Tuesday, July 26.

Election: The membership will vote on officers and directors on Tuesday, July 26 at the Annual Business Meeting.

The Credentials Committee as appointed by President Lynch:

Phil Elfstrom—Kane County, Ill.—Chairman
Sandra Smoley—Sacramento County, Calif.
Ed McIntyre—Richmond County, Ga.

Pre-Conference

Member counties are allotted a certain number of votes at the annual business meeting based on their NACo dues. Six weeks before the conference each member county board chairman is mailed a letter informing him of the number of votes his county has. Five copies of a Voting and Credentials Handbook accompany each letter. A complete list of member counties and their allotted votes is also published in an edition of *County News* no later than 30 days before the annual conference.

A member county planning to vote at the annual business meeting should decide now which of its county officials will pick up and cast the county's ballots. A letter containing that information should be mailed as soon as possible to the Credentials Committee at NACo.

NACo member counties not having attending delegates may arrange to have their state association president, or his designee, cast their vote(s) by proxy. Member counties wishing to take advantage of proxy voting need to send written authorization to their state association to cast their ballot. The state association will have to register the county for the conference and pay the member county registration fee (\$95) in order to obtain the county's ballots, and those arrangements are worked out by the member county and its state association.

At the Conference

Delegates must register at the Credentials Desk (in the conference registration area) in order to be issued their county's ballots for voting at the business meeting. This year, delegates should make every effort to pick up their ballots before the Opening General Session, Sunday, July 24, 6 p.m., because the business meeting convenes immediately after that session.

Hearings: If there are any conflicts in the issuing of credentials, the Credentials Committee resolves them during its hearings. Hearings will be held from 4 to 6 p.m. on Monday, July 25. The parliamentarian is available at those hearings to answer questions about procedure.

Report: The Report of the Credentials Committee, consisting of state-by-state totals of member counties present and votes being cast, occurs at the beginning of the business meeting. This year, a report will be given Sunday evening and another when the meeting reconvenes Tuesday morning.

Counties & Clean Water

Report of NACoRF's Water Quality Project

Introduction

Counties are involved in several clean water programs which are mandated by the federal government. In this special water quality supplement, the county role is considered in programs which were established by the Federal Water Pollution Control Act of 1972.

A second water quality supplement will be published in County News in August or September, covering these topics plus EPA's Water Supply Program.

ENFORCEMENT, BUT NO FUNDS

Counties caught in a squeeze

In less than a month, over half of the cities and counties in the country will be in violation of federal water pollution laws. In less than four months, the federal money needed to help local governments build sewage treatment facilities will dwindle to almost nothing.

This situation is not unusual, because it is not the first time the federal government has asked counties to meet federal deadlines without adequate funding. Yet it is cause for concern. Without continued funding, efforts to improve water quality will slowly grind to a halt in many areas. The capacity to implement the federal programs will lose momentum in those states which are ready to assume more authority or have already done so. Everyone will be reluctant to trust the federal government as a stable source of needed funds. Furthermore, future construction jobs are likely to be sacrificed if funding for construction of sewage treatment facilities is interrupted for very long.

EPA programs

The two programs discussed in this supplement, by which the Environmental Protection Agency (EPA) funds cities and counties for sewage treatment plants and water quality planning, are not likely to be taken over by local governments if the federal well dries up. It is already difficult enough for many counties or cities to finance the local share of project costs for sewage treatment facilities. Few would even consider building treatment works without a subsidy. Likewise, areawide water quality management planning has not gained a strong enough foothold in most places to be self-sufficient, especially in its early stages.

Enforcement

Whether or not a county or city has obtained or ever will obtain a federal grant to build treatment facilities, each of them which has received a "permit" to discharge sewage is supposed to have at least "secondary" treatment capacity by July 1. Approximately 10,000 cities and counties will not meet this deadline. Many others will be in violation because of inadequate operation and maintenance of an existing facility. EPA has announced its intention to enforce the law, though in many cases this amounts to nothing more than placing a county or city on a strict compliance schedule. Nevertheless, violations could carry civil penalties of up to \$10,000 per day, and criminal penalties for willful violations could go as high as \$25,000 per day. The unrealistic deadline, particularly for those counties and cities which have been delayed due to lack of federal grants, also leaves them open to citizen law suits. These suits may waste precious time and money even if local governments eventually win them.

Deadlock in Congress

This untenable situation for counties is the result of a tug-of-war between the House and the Senate over a number of reforms of the Water Pollution Control Act. In addition, dozens of interest groups are pulling in many separate directions, and any compromises will have to follow a tortuous political path. There appears to be no end in sight to the deadlock, at least not in time to grant relief to those counties and cities which are being stranded in efforts to clean up the nation's waters.

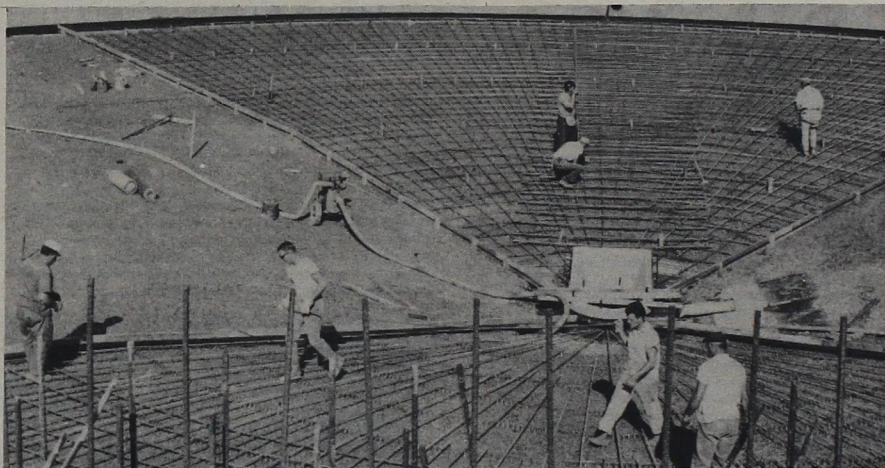


Photo courtesy of U.S. Environmental Protection Agency

The Bureau of Labor Statistics estimates that EPA's Wastewater Treatment Construction Grants Program creates an average of 45,000 jobs, on-site and off-site, for every \$1 billion spent. With \$18 billion in federal funds, and more than \$6 billion in matching state or local funds, that amounts to over one million jobs created over the life of the program.

EPA RULES

Wastewater construction grants

One of the recurrent themes in all federal grants programs is what is known as "The Golden Rule." According to Jack Rhett, who runs the Environmental Protection Agency's Construction Grants Program for sewage treatment facilities, the rule is simply that, "He who has the gold, makes the rules." Of course, counties would be better off if the rules were treated as if they were gold and used much more sparingly, but there is little hope of that.

In the meantime, for those of you who might want to get a few ounces of the gold that EPA is handing out for construction of treatment works, here is a brief summary of some of the pounds (literally) of rules you will need to follow to be eligible for EPA's 75 per cent grants for treatment facilities. Since entirely separate grants are awarded for planning, design and construction (Steps I, II, and III, respectively), requirements are categorized according to the step to which they apply. This list targets those things which have caused problems for counties and cities in the program. (For further information on grant requirements write for the booklet entitled "How to Obtain Federal Grants.")

Before application

A potential applicant should consider the following before submitting a request for a grant:

Eligible project. Only projects, such as treatment plants and interceptors, with the principal aim of water pollution control are eligible. In particular, this excludes flood control projects, and if a project will produce flood control benefits, EPA requires local payment for that share of the project.

State priority list. Even if a project is eligible for federal funding, it may not rank high enough on the state's project priority list to be funded in a given year. Also, some states set stricter standards on the type of projects that will be funded than does EPA. For example, in at least one state, no funding of collector sewers is allowed. Since large sums of money are involved, the setting of priorities within each state can become highly political and divorced from real water pollution needs.

Water quality plans. The state and/or an areawide planning agency are supposed to determine which stream segments require only standard secondary treatment and which require higher levels of treatment (such as removal of phosphorus or nitrogen). However, in many areas of the country, these have not yet been completed, so that there is some confusion about the level of treatment that will ultimately be required. There is also considerable conflict in some places over state imposed standards which are considered excessively stringent.

Discharge permit. Every city or county which discharges wastewater into "the waters of the United States" must have a National Pollutant Discharge Elimination System permit. The permit specifies the degree of treatment required, based either on the national minimum standard or on a state or areawide plan when the latter have been completed. The permit may also contain other limitations as well as a compliance schedule for completion of a project.

Pre-application conference. Either an applicant or the state may request a pre-application conference between the state, the applicant and EPA. The purpose is to explain in detail the requirements of Step I and to answer any questions. Due to limited staff, this may not be done in every state.

Application for step I

Plan of study. In addition to completing an application form provided by EPA, a plan of study must be submitted which describes the scope of work to be covered in the facility plan. Some counties and cities without adequate professional staff may find it necessary to hire a consulting engineer to prepare this document. This cost must be paid entirely out of local funds since it is not grant eligible.

A-95 clearinghouse review. Once an application is completed, but before submission, it must be reviewed by either a state or areawide "A-95 clearinghouse" which has responsibility for reviewing all federal grant proposals. Many such agencies merely "rubberstamp" grant proposals, without any comments, while other A-95 agencies may seriously examine a project to determine if it might have an adverse effect on the area or if it is inconsistent with existing plans. In a few cases, projects have been delayed by this review process either at this stage or when a draft facility plan is later submitted, although most of the delays have not been due to substantive criticisms.

State review. An application should be sent to the state water pollution control agency which will determine if the proposed project has a sufficiently high priority in the state. If it has, the application will be sent to EPA. All other grant documents should also be sent directly to the state which will review them and send them to EPA. Close monitoring of the state agency review process may be necessary in order to avoid delay at that level.

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Wastewater Construction Grants

Step I—Facility planning

Hiring a consultant. The major expense of a Step I facility plan is the cost of a consulting engineer. Some counties or cities may be able to perform all of the technical planning with their own staff (known as force account work) but this is discouraged by EPA.

The consultant must be chosen on the basis of competitive bids after advertising (though the advertising requirement does not apply in communities of less than 25,000). A demonstrable effort must be made to allow small and minority-owned businesses to compete for contracts and sub-contracts. Contracts involving payment based on per cent-of-construction-costs or cost-plus-percentage-of-cost are not allowed because they provide less incentive to minimize costs than other types of contracts.

Because of the complexity of the regulations, hiring a consultant under EPA rules can be a difficult task. Nevertheless, choosing the appropriate consultant is important since he or she must be both qualified and able to devote sufficient time to the project. In dealing with a large consulting firm, it is a good idea to meet with the person or persons who will actually be performing the work on the project since they may not be the same ones who prepared the initial proposal.

As a final caution about consultants, it should be kept in mind that the county and not the consultant is legally responsible for everything submitted to EPA. This means that the county must keep pressure on the consultant to meet compliance schedules, maintain cost accounts in a form that will satisfy EPA auditors, and follow all applicable rules.

Selecting among alternatives. In conjunction with the work done by the consultant, the county must determine what form of waste treatment it wishes to adopt, including size, type, location, and timing. In some cases, simply rehabilitating an old system may be the best and cheapest alternative. In other cases a county may wish to try an innovative approach, such as land treatment or small collection and treatment facilities with low capital costs.

Public participation. The choice of options must be based not only on technical criteria but also on public input. This may range from a single formal public hearing which is required by EPA to a full-blown political battle which may take years to resolve. Since the public will generally have to approve the bond issue for payment of the local share of construction, the public participation element of a facility plan should not be treated as a mere formal obligation. A number of communities around the country have had to drop their plans for a facility late in the planning process or even at the construction stage because of citizen protests and bond issue defeats. Thus, it is essential that the most controversial issues be raised and resolved early in the planning process so they will not cause serious delays later.

Interlocal agreements. Whenever a project encompasses two or more units of local government, these governments will need to enter into an interlocal service agreement which defines the rights and responsibilities of each jurisdiction. For example, a city may buy treatment services from a county-wide treatment system, or an unincorporated portion of a county may pay a city to treat its sewage. These agreements are necessary in some cases to achieve the economies of scale possible with regional treatment systems, yet there are serious difficulties involved in reaching the agreements. Even without much conflict about the content of an agreement, it may take a great deal of time to work out its details, especially if a large number of jurisdictions are involved or if special state legislation is required. When combined with controversies about allocation of costs among participating jurisdictions or arguments within any one jurisdiction about how or whether to meet certain provisions of the law, the delays can take months or years.

Environmental assessment. As part of each facility plan, an environmental assessment must be performed to determine if there is a need for EPA to prepare a full Environmental Impact Statement (EIS). If an EIS is required, a delay of a number of months may occur. However, that delay can be shortened considerably if the need for an EIS is recognized from the outset, and it is prepared simultaneously with the facility plan. Also, an initial environmental assessment does not have to be as voluminous as some applicants have made it, according to EPA officials, although requirements seem to vary from region to region. For most small projects, EPA regional offices require only a few pages of explanation and analysis.

Archaeological and historic investigations. At some point during the facility planning process, the proposed location for both the treatment plant and major interceptors should be examined to determine if they will have adverse impacts on

historical or archaeological sites or artifacts. This is a requirement of all federally funded construction projects. This preliminary investigation may cause some delays at this stage in a project, but it is far better to lose a few months at an early point than to be stopped by the discovery of artifacts when construction is already under way.

Infiltration/inflow—analysis and correction. When a new treatment facility is being considered in an area served by existing sewer lines, a determination must be made as to whether those lines are allowing much groundwater to seep into them after a rainstorm (infiltration) or whether illegal hookups to the system cause significant flows (inflow). If significant levels of either problem exist, a calculation should be made as to whether it would be cheaper to treat the additional flow or correct it. If some correction is deemed appropriate, tests can be carried out to discover precisely the location of the excessive infiltration/inflow so that repairs can be made or the illegal hookups may be restricted.



Photo courtesy of EPA Documenter, John Neubauer

Step II—Detailed design and specifications

Design and specifications. A Step II grant is primarily preparation for a set of detailed drawings, specifications, and cost estimates which can be used as the basis for bidding and actual construction. A number of technical specifications and legal assurances including bonding on construction contracts, flood insurance, and civil rights compliance must be agreed to at this stage as well.

Value engineering. For projects costing more than \$10 million, EPA requires that a study be performed by an outside team of experts to determine whether any savings are possible in the proposed facility design. EPA believes that this "value engineering" review will reduce costs by significant amounts on some projects, though it may impose another costly delay on a project as the design engineers and the value engineering team debate technical alternatives. Also some county officials have expressed concern that value engineering will focus on reducing capital costs, but that it will allow operating and replacement costs to climb.

Step III—Construction

Bidding and award contracts. After a county or city has received a Step III grant and authorization to proceed from EPA, it can advertise for bids for construction. No preference may be given to local contractors. When bids are received, they must be reviewed by EPA before a construction contract may be awarded. This contract does not necessarily have to be awarded to the lowest bidder if that decision can be justified in terms of sound criteria for award of contracts. If an unsuccessful bidder does not receive the contract, he or she may formally protest, and the grantee is required to resolve the protest according to EPA's procedures before construction proceeds.

Davis-Bacon Act. The Davis-Bacon Act requires that prevailing wages in various crafts in the private sector be used as the pay scale on federally funded projects. The wage levels are set by the Department of Labor, and due to inflation, they are subject to frequent change. If wage rates change, a contract may be awarded under the old rates—only if it is made within 10 days. Otherwise, it may be necessary to

readvertise the bid, though sometimes a simple amendment can be added to the contract.

Land acquisition. As a city or county acquires property or easements on which to build facilities or install sewer lines, it is required to follow the procedures of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970. The procedures involve property appraisals, notification of owners, and record-keeping, all of which are administratively burdensome for any county, but especially for ones without a large professional staff. The appraisal procedures combined with the notification requirements have raised the cost of easements to as high as \$50,000 per parcel in some situations where they might formerly have been obtained at no cost.

A portion of final grant payments may be held up if the following requirements are not met during Step III:

Plan of operation. A plan of operation and an Operation and Maintenance Manual must be prepared which describe in detail all of the technical matters pertaining to operating the treatment facility. In addition, technical assistance from the design engineer during the first months of start-up of operations are now grant eligible. These measures are aimed at insuring the efficient operation of the new facility from the outset.

Sewer use ordinance. The county or city must adopt a sewer use ordinance which prohibits new sources of inflow to the sewer system and which requires specified techniques for making new connections. Also, restrictions must be placed on the kinds of waste that may be discharged into the sewers by industry. These "pre-treatment" requirements which the county or city impose on industry will become far stricter in the next few years. Although sound in principle, all of these requirements are difficult to enforce once they have been adopted.

User charges. A system of user charges to pay for operation and maintenance costs must be developed whereby each user pays in proportion to the amount of effluent it discharges to the sewer system. This proportionality requirement applies only to funds collected for operation and maintenance. Ad valorem (property) taxes or any other source of revenue may be used for payment of capital costs. There are two main problems with user charges in many counties. First, the high visibility may cause political problems although the equity of charging according to use may offset potential criticism to some extent. Second, they are often administratively burdensome to establish because of the difficulty coordinating the billing practices of numerous water supply agencies or because of other bookkeeping problems.

Industrial cost recovery. The federal government does not want to subsidize water pollution control for industry. Therefore, a city or county must collect from each industry that portion of the federal grant which goes toward construction of the treatment capacity used by that industry. For example, if an industry uses 8 per cent of the capacity of a county treatment facility, it must repay 8 per cent of the federal share of the cost of building it. One-half of those industry payments may be kept by the local government, but four-fifths of that amount must be set aside for future sewage treatment projects. The main problem with industrial cost recovery for counties is the enormous administrative burden of monitoring flows and assessing charges. In several counties, the costs of running the program are higher than the payments by industry.

After construction

Inspections and audits. While construction is under way, EPA conducts audits and on-site inspections. Before final payment is made, EPA inspects the completed treatment system to determine if it will function properly. In addition, a final audit is carried out to insure that all legal assurances signed by the grantee are being met. In particular, EPA checks on the implementation of the user charge and industrial cost recovery procedures. If EPA discovers any gross violations of regulations after final payment has been made, it may sue a grantee to return all or part of the federal share of the cost of a facility. Few cases of this have arisen, but it does happen.

Operation and maintenance. Operating and maintaining a treatment facility efficiently is as important to water quality as its proper design and construction. It is important to dedicate funds for this purpose and to hire qualified treatment plant operators. Many of the facilities built with federal assistance have been operated well below their design capabilities. EPA is very concerned about this, but it has no funds to provide technical assistance to operators. Federal money may be used to pay the design engineer for certain start-up costs during the first few months of operation, but beyond that all financing is purely local.

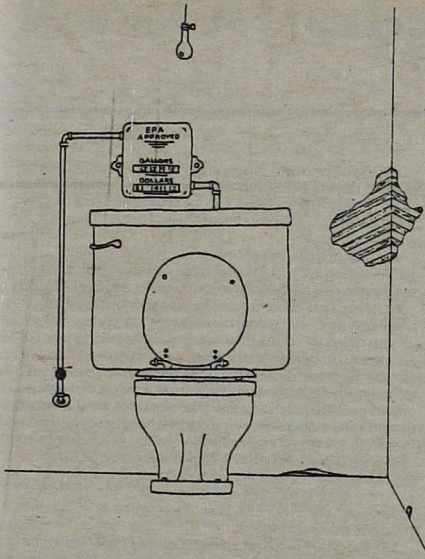


Photo courtesy of Supervisor Dennis Hansberger, San Bernardino County, Calif.

July is deadline enforcement month

On July 1, a major deadline under the Federal Water Pollution Control Act of 1972 becomes effective. On that date city and county governments operating sewer systems must treat domestic sewage at the secondary treatment level or better. As of this spring, approximately 40 per cent of all city, county and other so-called municipal discharges are expected to meet this deadline.

In contrast, nearly 80 per cent of industrial and commercial discharges which are required to have wastes treated by Best Practical Control Technology are expected to be in compliance with a similar July 1 deadline.

Discharge permits

Every point source discharger is required to obtain a permit under the National Pollutant Discharge Elimination System (NPDES). A permit regulates the amount of various pollutants which may be discharged and establishes a time-table for building wastewater treatment facilities in order to achieve effluent limitations and water quality goals.

NPDES is administered by the Environmental Protection Agency (EPA) and some 27 state water pollution control

agencies. It is the principle means of enforcing the July 1 deadline.

Legislative relief

Within a year Congress will be considering for the third time a proposal to extend the deadline for city and county discharges on a case-by-case basis. Guidelines would be developed under this extension that require local governments to make good faith attempts to meet the secondary treatment goal. The earliest Congress is expected to take up this proposal is late this year.

Current enforcement policy

A year ago, EPA directed its regional administrators to take "firm and prompt enforcement actions." The 1972 act subjects public dischargers not meeting secondary treatment by July to possible civil and criminal penalties.

In a letter to Congress last week, EPA declared its intention to target enforcement against larger pollution sources. Prime targets for enforcement are (1) dischargers with permits that fail to meet the July 1 deadline and are not proceeding expeditiously to install treatment facilities despite the availability of federal funding, and (2) permitted dischargers that have treatment facilities that significantly exceed permit effluent limitations because of inadequate operation and maintenance.

EPA also stated that enforcement would not be appropriate where cities or counties have made "all reasonable good faith efforts to achieve the deadline but fail to do so because of processes within the control of EPA or NPDES states." Such cities and counties include "(1) those for whom no federal funding is available and, (2) those without a finally effective permit, either because one has not been issued or because the effluent limitations or compliance schedule in the permit has been stayed pending the resolution of an adjudicatory hearing."

EPA's objective appears to be to get non-complying public dischargers on a compliance schedule to achieve secondary treatment or better at the earliest reasonable date after July 1.

Enforcement Compliance Schedule Letters (ECSLs)

Since Congress is not expected to provide relief until late this fall or next spring, EPA's solution is (1) to issue a permit to local governments requiring the achievement of secondary treatment or better by July 1, but (2) to issue simultaneously an Enforcement Compliance Schedule Letter requiring secondary treatment in the shortest period of time after July 1.

A compliance schedule letter will also state EPA's intention not to enforce the secondary treatment requirement as long as the public discharger complies with its terms and all other terms of the permit. This policy is based on the legal proposition that EPA and states with NPDES permit authority can exercise discretion not to prosecute.

An ECSL will be issued only after public notice and an opportunity for a public hearing. It will be available to a local government discharger which meets three conditions: it cannot meet the July deadline for secondary treatment despite reasonable good faith efforts; it has or is likely to have a Step 1, 2, or 3 construction grant; and it has no permit, its permit expires before July 1, or the permit is in some form of adjudication.

In any case, an ECSL is not available to local government dischargers which are violating compliance schedules under finally effective permits or which are not funded for a grant. The city or county concerned has the burden of proving that it cannot achieve the deadline despite all reasonable good faith efforts.

Application and potential problems

Applications for a permit and Enforcement Compliance Schedule Letter are to be made to the EPA regional administrator or the state enforcement office for those states which have assumed responsibility for the NPDES permit program. Issuance of an ECSL is at the discretion of the EPA regional administrator or state. Some states may not use the ECSL policy.

Though EPA enforcement officials appear optimistic about the legal viability, their ECSL's may not be effective in cases where citizens or citizen organizations bring individual enforcement actions against non-complying local government dischargers after July 1. Court determination of this question may occur late this summer. EPA believes that courts would favorably regard good faith attempts on the part of local governments. If not, congressional relief may be the only effective way to avoid enforcement actions.

Continued on next page

Where to go for money

There are four sources of federal funds for construction of sewers and treatment facilities: the Environmental Protection Agency (EPA), the Farmers Home Administration (FmHA) in the Department of Agriculture, the Department of Housing and Urban Development (HUD), and the Economic Development Administration (EDA) in the Department of Commerce. In addition, a number of states have grant or loan programs designed to supplement federal funds.

Environmental Protection Agency (EPA)

The largest and most important federal grant program for sewage treatment is EPA's \$18 billion Construction Grants Program. Begun in 1972, this program's authority will run out in September unless Congress re-authorizes funding. Over 21 states have already used up their allotments of the original \$18 billion and must wait for a new authorization to continue the program. (The \$1 billion supplemental appropriation for 1977 is inadequate to meet this year's construction needs for those states which have run out of funds.)

In order to apply for a grant, a county must initially contact the appropriate state environmental or water pollution agency. EPA sets general criteria based on pollution control needs which are to be followed by states in the distribution of grants among competing projects. A project will be eligible for a grant only if it is high enough on a state's priority list, which defines the order in which projects will receive EPA grants. Furthermore, when a 208 Area-wide Water Quality Management Plan has been adopted and approved by the governor, projects in any planning area will also have to conform to the plan for that particular area.

After a grant is awarded, EPA will reimburse 75 per cent of eligible project costs. This means that money does not flow until work is begun. It also means that cities and counties receive less than 75 per cent funding because such major costs as land, operation and maintenance, and interest on indebtedness are not eligible.

The EPA grant process is divided into three steps: an initial planning grant; a grant to produce a detailed design and specifications; and a grant for actual construction work. A grant for each step may be obtained only upon successful completion of the prior steps. Although this step-by-step procedure is necessary for administrative reasons, delays in the review process for each step can be very time consuming.

Treatment facilities and interceptor projects (major trunk sewers) are generally top priorities for EPA funding. Since collector sewers (the pipes to which wastes are discharged from households) are a low priority in many states, EPA recommends that cities and counties apply to other agencies for those projects. These are discussed below.

Farmers Home Administration (FmHA)

A potential source of funding for rural areas is the Farmers Home Administration's Community Facility Loan and Grant Program. A total of \$200 million in loans and \$600 million in grants is available in fiscal '77 under this program. A community with fewer than 10,000 residents is eligible for assistance, and priority is given to towns smaller than 5,500 which have an inadequate sewer or water supply. Loan

applicants must be unable to obtain financing at reasonable rates. Loans are made at a 5 per cent interest rate, with a maximum term of 40 years.

Grants of up to 50 per cent of project costs are made to supplement loans. The federal share is set according to what is known as the "one per cent rule." This sets the federal grant at a level which will impose a construction cost on users of no more than 1 per cent of the median income of the families in the service area. This formula does not take into account the operating and maintenance costs which must also be borne by the community. Thus, in fiscal '76, loans covered an average of 71 per cent of project construction costs and grants provided the remaining 29 per cent.

Applications for loans and grants should be sent to the nearest FmHA county office.

Department of Housing and Urban Development (HUD)

Under the Housing and Community Development Act of 1974, HUD assists both urban and rural areas in building housing and other community development projects, including sewers. A total of \$3.24 billion is available in fiscal '77 for 100 per cent grants under this program. Out of \$1.9 billion in fiscal '75 (the latest year for which a breakdown is available), a total of approximately \$257 million was spent on water and sewer projects. Almost a third of the latter amount went to non-metropolitan counties.

Since the main purpose of this program is to assist low and moderate income families with their housing needs, grant applicants must generally have completed a housing assistance plan to qualify for funding. In communities over 25,000, the grant proposal must also conform to an overall community development plan.

Approximately 20 per cent of authorized funds are set aside for non-metropolitan areas. These areas have a greater chance than metropolitan areas of receiving a water or sewer grant which is not in direct conjunction with a housing project for low and moderate income families. The grant application process is also simpler for these small communities.

HUD's 35 area offices set priorities for types of projects that will be funded within the overall department guidelines. Therefore, any information on requirements or priorities for a given area should be addressed to one of those offices.

Economic Development Administration (EDA)

The Economic Development Administration has two programs through which it is possible to obtain funds for sewers and sewage treatment. The older program is a 5 per cent add-on grant to an EPA or FmHA or HUD grant if the applicant is in a designated Economic Development District. The more recent source of funding is through the new public works employment act. Grants of up to 100 per cent may be obtained under that program for construction projects which are ready to be under construction within 90 days. A total of \$4 billion is available for fiscal '77, but based on last year's experience, little of that will go towards sewer projects. Applications for either type of grant may be sent to an EDA area office, but almost all of the money under the public works program will go to applications already on file.

What is 208 planning?

Section 208 of the Water Pollution Control Act established a national program and source of funding to assist cities and counties in areawide efforts to plan and implement water pollution abatement measures. The federal requirements are broad and institutional rather than narrow and technical. The law and regulations specify only the general decision-making framework and the types of issues to be addressed. Congress was aware in 1972 that uniform national solutions could not effectively and equitably be imposed on the diversity of local problems that exist across the country. Thus, the 208 program was established to allow citizens and local officials to identify their own water quality needs and to develop programs that would be acceptable to them.

Designation of planning agencies

Approximately 175 areawide agencies have been designated as 208 planning agencies through one of two mechanisms:

- Designation by the governor (or governors for interstate agencies), or
- Joint agreement of the chief elected officials of local governments in the planning area.

The state is expected to do the planning for the remaining, non-designated portion of each state.

Role of elected officials

Local elected officials are to play a key role in the planning process, both at the state level and in areawide agencies. The act requires that the policy board of areawide agencies include local elected officials or their designees, and EPA regulations have stipulated that a majority of the members of state 208 policy advisory committees must be local elected officials. These requirements were established to insure that plans would be workable when they are completed, by focusing on what is politically feasible.

Delegation of planning responsibility

The state is encouraged to delegate its planning authority to other agencies where appropriate. This applies particularly to agreements with federal agencies, such as the Soil Conservation Service or Forest Service, which may express an interest as well as ability in performing specific planning functions. Local elected officials in the affected areas must be consulted before any delegation takes place.

Public participation

A central feature of the 208 planning process is its emphasis on public participation. EPA regulations require public hearings before designation of planning agencies. In addition, both state and areawide planning agencies must have policy advisory groups composed in part of citizens. Portions of all grants to areawide agencies are earmarked for public participation programs, indicating EPA's belief that citizens must be actively involved in the process.

Plan elements

The act and the regulations (40 CFR 131.11) list a series of considerations (in varying detail) in each plan.

The plan elements required by Section 208 (b) (2) of the act include:

- Identification of needed treatment works in the planning area and priorities for their construction;
- Establishment of a regulatory program for the treatment works in the area and assurance that industrial wastes discharged into those facilities have been adequately "pretreated";
- Identification of "management agencies" to carry out the plan;
- Determination of problems and potential solutions in the area of non-point pollution from farming, forestry, mining, and construction activities as well as in the areas of salt-water intrusion and ground-water contamination; and
- Development of a process to deal with the disposal of sludge (residuals).

The 16 planning elements in the regulations elaborate on these requirements, particularly the kinds of needs that should be assessed, in terms of both pollution problems and institutional programs.

Workplans and grant agreements

In general, 208 agencies' formal workplans and their grant agreements with EPA indicate that they expect to accomplish only a specified number of the planning elements set forth in the regulations within the first two or three years. Thus, for example, a number of areawide agencies will not address the issue of non-point pollution in their initial planning efforts. Such exclusions may be based either on a formal certification by the

state that no problem exists in that area, or on an informal agreement with EPA that it would be more effective to concentrate on more serious problems or on those most susceptible to solution with current funding. Though not the comprehensive approach envisioned in the act initially, everyone recognizes the need to limit an agency's scope of work in order to accomplish anything of value. In addition, certain elements such as water quality assessments, allocation of point source discharges, or population and economic projections may have already been covered adequately by state plans or individual facility plans and, thus, would not have to be duplicated.

State/EPA agreements

Each state is ultimately responsible for coordinating the water quality planning within its boundaries. Therefore, EPA requires every state to sign a formal agreement with the regional administrator delineating how water quality planning will be delegated among various levels of government. The agreement must describe the integration of areawide agencies' products with state planning efforts. Ideally, this "sorting out" process should have taken place even before areawide agencies were designated and funded. EPA is attempting to avoid future duplication and confusion with this decision-making process.

A public hearing must be held before adoption of a state/EPA agreement. Nevertheless, many local governments are concerned that there is no formal process by which they can participate in the development of an agreement. This is of particular concern in those states which have shown an open disregard for the interests of cities and counties in the entire 208 program.

Designation of management agencies

The management agencies, which will carry out a 208 plan once it has been approved, must be identified during the planning process. The governor, however, makes the final determination of which agencies will be assigned responsibility for implementation. Thus, there is no guarantee that the recommendations of an areawide agency will be adopted or that the state-designated agencies will be politically acceptable at the local level.

Nevertheless, identification of existing and proposed agencies and their legal and political limitations is perhaps the most important element of each 208 plan. The act requires that each management agency have the necessary legal and fiscal authority to carry out the duties assigned to it.

Successful implementation of a plan will also necessitate political support for the management agency. Thus, it is wise to determine possible management agencies early in the planning process and to work with them in developing recommended actions. Discussions between the state officials who will recommend management agencies, the governor, and the county and city officials who will be affected by the governor's decisions should also take place during the planning process.

Plan certification and approval

At the end of two years, the act requires plans to be submitted to the governor for certification and to EPA for approval. Both state and areawide plans are to be submitted for review and recommendations to "chief elected officials of local units of government that have responsibility for or are directly affected by the plan." In the case of an areawide plan, local officials are given 30 days to review it prior to its formal submission to the governor. If no comment is sent to the governor within those 30 days, the regulations state that "a favorable recommendation on adoption of the plan shall be assumed."

As far as state and EPA review of plans is concerned, both seem to be trying to determine the criteria to judge whether plans are formally acceptable. EPA regulations make reference to approval, conditional approval, and disapproval of plans. The meaning of these three categories is now being formulated by EPA. In part, approval will probably depend on the technical adequacy of each element, based on review by specialists within state and EPA regional offices.

Another aspect of approval, which EPA has been stressing recently, is the "implementation" of plan elements, although this term has not been defined precisely.

It is not clear whether "implementation" refers to passage of an ordinance by affected jurisdictions to regulate certain polluting activities; establishment of an agency capable of enforcing such an ordinance; allocation of funds for personnel to enforce such an ordinance; or any of a range of other local government actions based on plan elements that might be considered significant accomplishments.

In those areas where a 208 areawide agency encompasses dozens of local governments, approval will depend on "implementation" by all of those jurisdictions.

This is not meant as a criticism of EPA, because the transition from planning to implementation is an inevitable

stumbling-block in any program of this kind. Also, aside from any EPA requirements, this issue is important because it may be necessary to demonstrate to local citizens some visible achievements to gain continued political support for an areawide agency.

The lack of a precise definition of "implementation" is disconcerting in light of the fact that approval of plan elements appears to rest on that concept. A certain amount of confusion exists about whether a plan element must be "implemented" at the time of review, or merely be "implementable" in the near future. On this distinction, appears to rest the difference between full approval and conditional approval of plans. The confusion implicit in this language will be magnified many times when EPA regional offices begin to judge whether plan elements are acceptable, because the ambiguities will increase, not decrease, when these vague criteria are applied to real-life situations. Even if they were better defined, the significance of approving individual plan elements, as opposed to entire plans (as called for in the act and regulations), is not at all clear. These issues have been raised with EPA in an effort to clarify its upcoming policy on plan approval.

Leaving that confusion aside, EPA has clearly stated that any plan which meets the conditions set out in a 208 agency's workplan or grant agreement or other formal agreements with the state or EPA may at least be conditionally approved.

Significance of plan approval

Once a plan has been certified and approved, it provides a formal basis for guiding state decisions. To begin with, approval of the element involving the areawide designation of construction grants priorities will establish the priorities within the planning area on the State Project Priority List. However, if the areawide priorities differ from the state's, agreement must be reached before that element can be approved.

Similarly, after the plan element dealing with municipal sewage treatment needs has been approved, all construction grants must conform to the plan. The importance of this is not clear until some mechanism is defined for determining conformity, because areawide plans are not likely to have detailed facility plans with which to compare proposed new facilities seeking grants. In addition, it must be remembered that the state must certify the plan before this provision can be enforced.

In these areas and others, such as areawide proposals concerning compliance schedules for discharge permits or identification of management agencies to carry out water quality programs, areawide plans are, in effect, mere recommendations that must be accepted by the state and or EPA to become effective. Thus, despite being an essentially local planning program which may be used to achieve local goals, the states and EPA have the ultimate authority. Unfortunately, some states have already begun to show signs of abusing that authority. It is, therefore, important that city and county officials be aware of this possibility and recognize the importance of working closely with the state throughout the planning process.

Continuing planning process and refunding

EPA's concept of the future for 208 planning is the maintenance of a "continuing planning process" to complete those elements which were not addressed in the initial plan or which received only conditional approval. Some of all of this work may qualify for additional funding from EPA, if an areawide agency has been deemed successful in its current efforts by the state and EPA. Also, some agencies may be able to receive funding during the planning process if they identify critical new tasks which must be performed, or if they submit an interim product which has been certified by the state and conditionally approved by EPA. In addition, those agencies underfunded from the outset (at 75 per cent rather than 100 per cent) due to EPA budget constraints may be eligible for further funding.

This supplement was developed by NACoRF's Water Quality Project:

Bob Weaver, Project Director
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Panel Attacks Lack of Agency Cooperation

SAN DIEGO, Calif.—Alcoholism and drug abusers have more than their addictions to contend with when seeking treatment. They sometimes suffer from a lack of resource coordination and staff training, reinforced by the unwillingness of local alcohol and drug abuse agencies to work together.

The above problem and the need for substance abuse agencies to communicate and cooperate was set forth at a panel discussion during the recent annual conference of the National Council on Alcoholism (NCA).

"In our tri-county area, we've been able to, with good backing from county officials, take out the ill feeling from those involved in drug abuse and alcoholism services, and develop a well-planned treatment strategy. We're moving toward a time when both alcohol and drug problems will be taken care of in the same agency," said Barry Johnson, executive director of the NCA of Central New Jersey.

The panelists noted that resentment between alcohol and drug abuse agencies can be fostered by

inherent differences. Drugs are mostly abused by youth, while alcoholism plagues adults. Competition for funding creates problems and, the panelists agreed, a lack of understanding of each other's field hurts the multiple drug user.

"We must learn to deal with the pill-popping drinker," added Johnson.

Michael Benjamin emphasized the need to train all social service providers in such diverse areas as alcohol, drugs, child care, employment, mental health, and housing. As a result, appropriate referrals can be made to help the whole person.

"Professionals must not label their clients as druggies, alkie, or crazies. We must not use labels that stir up emotional connotations and prevent us from dealing effectively with the client," said Benjamin. He is director of the alcoholism and drug abuse program of NACO's Research Foundation.

Another panelist attacked the lack

of communication between service providers:

"We (alcoholism and drug abuse professionals) need to work on a team basis to help the client. We jealously guard clients because they are statistics for a form, whether the treatment provided is appropriate or not. What we should see are more cross referrals," said Richard Wenner, director of the Monmouth County, N.J., Comprehensive Employment and Training Agency.

A county official described how one council coordinates services and why its accomplishments are meaningful to local government and taxpayers:

"TAXPAYERS understand the problem if it is put in terms they relate to, such as lost earnings for workers and industry, and the waste in money and lives through highway accidents and police involvement. Alcoholism costs the state well over

\$200 million a year, yet the state invests only \$4 million to treat the problem," said Bruce Hamilton, chairman of the Lancaster County, Neb. board of commissioners.

The Lincoln Council on Alcoholism and Drugs, which serves Lancaster County, was established over 10 years ago. Its original purpose was to increase the public's understanding of alcoholism as a disease and to demonstrate that the alcoholic can be helped, according to Hamilton. In 1971, it was reorganized as a planning and coordinating agency for alcoholism and drug abuse service programs.

"We've created something that doesn't just represent peaceful coexistence, but comes close to being a model of cooperation between and coordination of these services," he added.

According to Hamilton, Lancaster County has a population of 180,000, with the city of Lincoln accounting for 150,000. There are 11,000 alcohol-

ics in the county, 80,000 in the state.

"FOR EVERY alcoholic, there are four persons who are negatively affected by him or her," he added.

Accomplishments of the council include:

- Employ assistance programs serving more than 40 companies;
- Community awareness programs to confront negative attitudes;
- Research and collection of data;
- Implementation of a safety action program to get the alcoholic off the highway;
- Creation of a drug rehabilitation program and a detoxification center;
- Ongoing planning and coordination assistance for local government.

NCA is the only national voluntary health agency founded to combat the disease of alcoholism. The council's major areas of activity are community development, medical aspects, labor management, minority affairs, women, public information, education, and research and evaluation programs.

—Barbara Rice, NACoRF



PARAMEDIC PROGRAM FUNDED—Milwaukee County Executive William F. O'Donnell (seated) recently signed a resolution providing for a county-funded paramedic program. Looking on during ceremonies held at the county courthouse were (left to right): Supervisor Bernadette Skibinski, co-sponsor of the resolution; Supervisor Richard D. Nyklewicz, sponsor of the resolution; Supervisor James A. Krivitz, a co-sponsor of the resolution; Harold C. Gunter, member of County Emergency Medical Services Council; Werner J. Schaefer, chairman of County Emergency Medical Services Council; Supervisor Terrance L. Pitts, a co-sponsor of the resolution, chairman of County Board's Health Committee, and chairman of the NACO Health Policy Steering Committee; and Dr. Joseph Darin, county director of Emergency Medical Services.

Center Studies Health Services

WASHINGTON, D.C.—A recent study of the impact of certificate-of-need laws showed that they did not reduce the rate of hospital cost increases. Investment, according to the authors of the study, David Salkever and Thomas Bice, merely shifted from the expansion of beds to the purchase of expensive and highly sophisticated equipment. In fact, the authors note that equipment expenditures may actually worsen the rate of inflation due to the staff increases that invariably accompany them.

Certificate-of-need laws exist in a majority of states and stringent new laws are required by the National Health Planning and Resources Development Act of 1974. These laws were passed under the assumption that planning and the review of proposed construction would reduce unneeded expenditures, thereby reducing inflation in hospital costs.

Support for this study and other research is provided by the National Center for Health Services Research, a division of the Department of Health, Education and Welfare. The center was established in 1974 to undertake research, demonstration and

evaluation activities in virtually all aspects of health services. It is interested in research and demonstration in a number of areas of concern to county officials.

In the field of Emergency Medical Services the center will be selecting proposals for the development of criteria to measure the effectiveness, as well as to supply descriptions, of various model systems for delivering these services. The center will also evaluate new techniques and procedures for delivering emergency medical services.

IN ANOTHER area of interest to counties, the center has identified the provision of health care to the disadvantaged as a priority area. Research in that area will focus on how to assure the disadvantaged equal access to care. County hospitals and other public facilities presently provide these services to the disadvantaged.

Other areas of interest by the center include research on:

- How to measure the quality of health care;
- Factors which contribute to

rising health care costs and techniques of cost control;

- How to measure the adequacy of health manpower and the impact of unionization on health care costs;
- The effect on cost and service delivery of various proposed national health insurance plans; and
- Methods by which health planning agencies can analyze expenditures and techniques to reduce costs.

The center is accepting proposals from counties for research, evaluation or demonstration projects in the above areas. Specific program announcements and an application kit can be obtained from the Review and Advisory Services Office, National Center for Health Services Research, Federal Center Building, #2 Prince Georges Plaza, 3700 East West Highway, Hyattsville, Md. 20782.

For more general information on the center, contact Tony McCann, director of the National Association of Counties Research Foundation's Health Planning and Resources Development Program.

—Gil Kline

NACoRF Health Program



Matter and Measure

Final regulations on the Federal Highway Administration's (FHWA) Safer Off-System Roads (SOS) Program have been published, effective May 19. You should begin working with your state highway agency to fund projects in your county. As you know, the principal objective of the program is to construct, reconstruct, or otherwise improve off-system roads and streets, with special emphasis on low-cost projects which contribute significantly to the safety of the traveling public. Basic elements of the regulations include:

- A provision that funds be used "essentially to improve the safety and capacity of existing roads . . . and where feasible, should be low-cost improvements and whenever possible, provide significant safety benefits."

Some commenting on the draft regulations questioned the lack of emphasis on safety projects, but FHWA points out that the regulations are in conformance with a conference report preceding the Federal-Aid Highway Act of 1976.

- A 70 per cent federal share for SOS projects.

Some comments recommended a 90 per cent federal share, as with several other safety programs. FHWA says that since the SOS program was not established specifically for correction of safety hazards, the federal share is 70 per cent, under Title 23 U.S.C. 120.

- A minimum width of 20 feet for bridges to remain in place on bus routes.

Those commenting questioned this requirement but FHWA explains that this is in the interest of safety, and so retains the 20 foot minimum width on bridges used as regular school and/or commercial bus routes. This applies only on bridges retained within, or immediately adjacent to, a project which otherwise alters the physical elements of the roadway. Projects such as those for installing or upgrading traffic control devices on a route or system basis are exempt from the requirement.

Funds will be apportioned by each state highway agency, throughout the state, on a fair and equitable basis.

FHWA stresses simplified procedures in administration of the SOS program, similar to procedures for the Off-System and Federal-Aid Secondary Programs. All projects should be submitted through your state highway agency.

The final regulations were published in the *Federal Register*, Vol. 42, No. 107, June 3. If you would like a copy and cannot obtain one from your state highway agency or the *Federal Register*, write Marian Harker at NACoRF for a copy. If you have any questions on the regulations or procedures, contact your state highway agency.

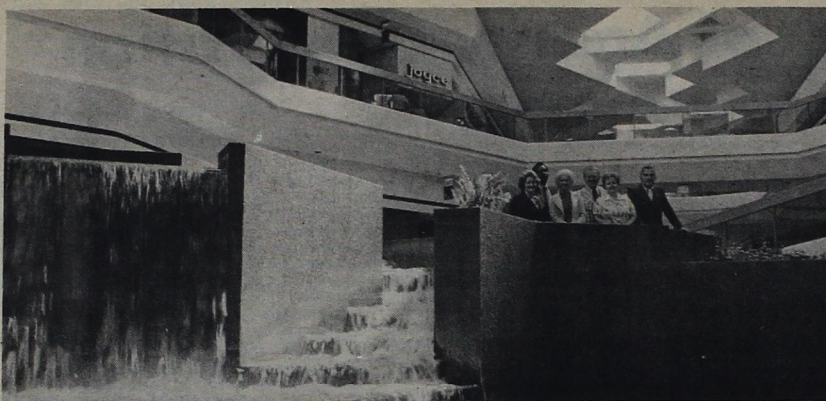
HIGHWAY ENVIRONMENT PROGRAM

It is time, once again, for the Federal Highway Administration's (FHWA) "The Highway and Its Environment" program. As you know, through this annual program, FHWA recognizes projects which contribute effectively to a more esthetic highway environment. The 10 program categories to be judged for excellence are:

- Section of highway in its rural environment;
- Section of highway in its urban environment;
- Major highway structural feature;
- Safety rest area and/or information center;
- Example of highway-oriented public or private enterprise adjacent to the highway right-of-way;
- Example of mass transportation within or adjacent to highway right-of-way;
- Example of multiple use of highway right-of-way in urban or rural areas;
- Example of sympathetic treatment of historic, cultural or natural environment;
- Example of landscape treatment along roadsides and interchanges; and
- Facility providing motorist services adjacent to highway right-of-way.

Eligible are highway or highway-oriented improvement projects in the United States and its possessions, accomplished by county, state and local agencies; civic organizations; business and industry. Projects must have been completed since 1970. Federal projects are ineligible.

Entries must be submitted to your FHWA regional office by July 15. For more information on the program and an application form, write FHWA, Office of Engineering, Highway Design Division, Washington, D.C. 20590, (202) 426-0314.



UNBELIEVABLE FAIRLANE—The Fairlane Shopping Mall is the finest in 20th Century shopping—and reflects Michigan's recognition as the Water Wonderland state. It is the second largest shopping mall in the nation, and is conveniently reached via a space-age people-mover from the Hyatt Regency, only one of the luxury hotels where NACo '77 conference delegates will be staying. Standing by the cascading falls are: Mrs. Peg Foley, William Mills, Mrs. Eleanor Manning, Commissioner Alex Pilch, Mrs. Pilch, and Commissioner George Z. Hart.

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 703-471-6180
- **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 _____

NACo's ANNUAL CONFERENCE

Attractions for Spouses, Youth

While delegates to NACo's 42nd Annual Conference listen to prominent speakers and take part in a variety of program and business sessions, their spouses and children will have the chance to explore many exciting facets of Detroit.

Detroit's fame for automobile production is certainly not its only asset. Detroit is also a sophisticated metropolitan center with fine restaurants, theatres, shopping malls, and cultural and recreational centers.

Sure to fascinate both youth and adults is Greenfield Village and the Henry Ford Museum, a 200 acre living history of Americana located in nearby Dearborn. The complex stands as a tribute by one of America's inventive giants, Henry Ford, to the creative genius of the man he considered to be our greatest American, Thomas Alva Edison.

Greenfield Village

The Menlo Park compound in Greenfield Village consists of five buildings: the laboratory, office and library, little glass house where the first successful light bulb was blown, carbon shed, carpenter shed and machine shop, all surrounded by a white picket fence. Each building was reconstructed from, or is a replica of, those used by Edison at Menlo Park, N.J. Visitors may note a reddish color in the soil inside the picket fence that differs from the rest of the village. The soil was brought to the village from Menlo Park, prime example of Henry Ford's meticulous attention to detail.

Greenfield Village is composed of over 100 buildings. Most of them were painstakingly dismantled, transported from many areas of the country and reassembled at the village. They range from the bleak slave huts from the Hermitage Plantation of Georgia to the gracious home of Noah Webster; from the blacksmith shop with its glowing forge, to the small converted shed that was the birthplace of the Ford automobile. Visitors can watch silk thread being produced directly from cocoons, the cooper fashioning wooden buckets without the aid of glue or nails, or pose, as grandmother did for a tintype portrait.

Henry Ford Museum, on the other hand, deals more with the specifics of human and technical history. It provides in three-dimensional form, and presents in chronological sequence, the tools, machinery and artifacts pertinent to three and one-half centuries of American life. The visitor is able to explore in depth, at close range, the step-by-step development of transportation, communication, agriculture, furniture making, or any form of Americana that interests him. Little or nothing is missing.

Motion is a recurring theme in

Greenfield Village and rides are available on a 1913 carousel, a century old steam train, a paddlewheel steamboat, a Model T and a horse-drawn carriage. Over 200 antique autos and thousands of machines and implements that helped build America are displayed in the Henry Ford Museum.

Other Places

A great deal of Michigan's history was written in the Detroit area and much of it is preserved in places like Fort Wayne Military Museum. Built over 100 years ago, this is the city's most significant monument and one of the nation's best-preserved Civil War forts—complete with ramparts and underground tunnels, military and Indian history.

Youngsters won't want to miss Detroit's Zoological Park that offers exhibits without bars, making it one of the most attractive parks in the world. More than 5,000 animals roam free in a natural environment covering 122 acres.

Still another highlight is the Detroit Institute of Art, one of the world's great museums with a comprehensive collection of art telling the story of man's creative endeavors from pre-historic to modern times.

Founded in 1885, the art institute has 101 galleries containing many masterpieces. Two recent wings have made it one of the largest fine arts museums in the country.

And for a change of scene, spouses and youth can "go abroad" in just five minutes to the sister-city of Windsor, Ontario by way of the Ambassador Bridge or Detroit-Windsor Tunnel.

Windsor is a cosmopolitan city, where French is the second official language. Visitors can shop Canadian boutiques for imported English china, woolsens, glassware and linen. Other distinctly "Canadian" items include wood carvings, pottery and woodware. One of Windsor's showplaces is the Sunken Gardens of Jackson Park.

It is suggested that visitors crossing over to Canada carry some identifying paper such as copies of birth, baptismal or voter's certificate which shows their citizenship. Passports are not required, but are acceptable documents.

For the young there's also a beach and picnic outing, ice skating and a trip to Tiger Stadium for autographs and photographs.

And spouses can select from tours that include an optional outing to Cranbrook Institute and a shopping trip to Somerset Mall which houses such famous stores as Saks Fifth Avenue, Bonwit Teller, and F.O.A. Schwartz.

Attention: GOLFERS

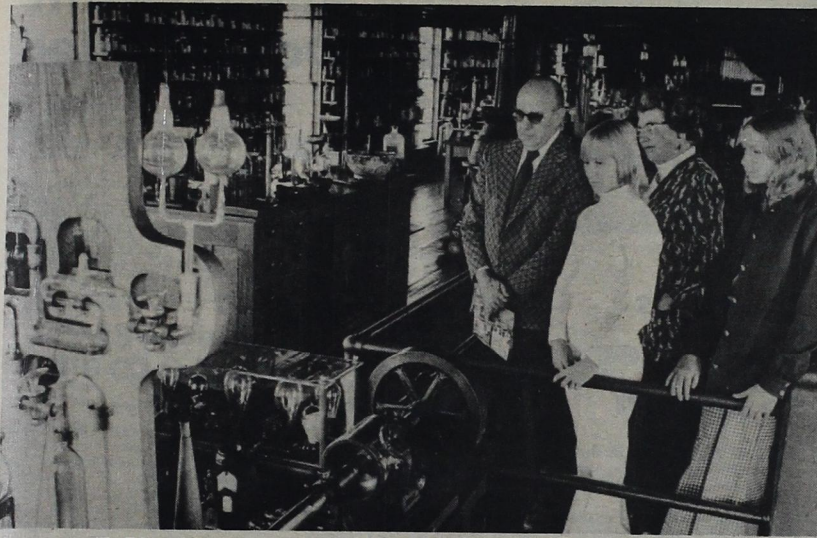
Sign-off for those who wish to participate in the July 23 golf outing prior to the annual conference has to be made on or before July 10. Arrangements have to be made to secure tee-off time and transportation to and from country club.

This is on a Saturday and it is imperative to secure starting time; normally all courses are quite busy on weekends. Those who are interested in playing should arrive on Friday, July 22.

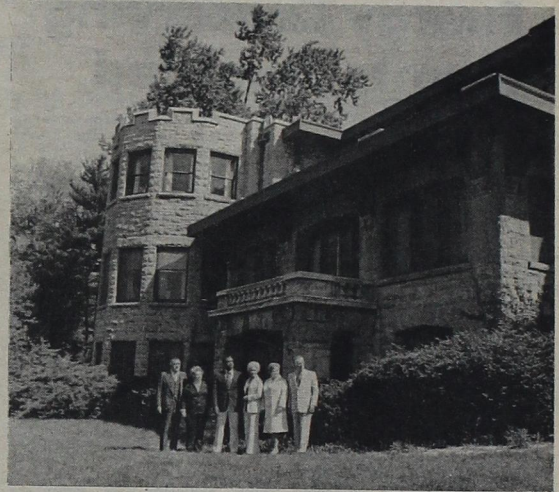
If you wish to be included, contact Commissioner Harold R. Hayden, 1101 Beach St., Flint, Mich. 48502 or Commissioner Samuel A. Turner, 728 City-County Building, Detroit, Mich. 48226.

The Calloway System will be used for the benefit of the sandbaggers like Jack Simmers and Dick Conder. We would like to make this an annual outing prior to our annual conferences, so please indicate as soon as possible if you desire to play.

—Commissioner Harold R. Hayden
 and
 Commissioner Samuel A. Turner



The Edison Laboratory at Greenfield Village is sure to please both youth and adults.



Spouse, Youth Programs

There are several options each day for spouse and youth of delegates attending the conference. It will be necessary to sign up in advance during the time of general registration.

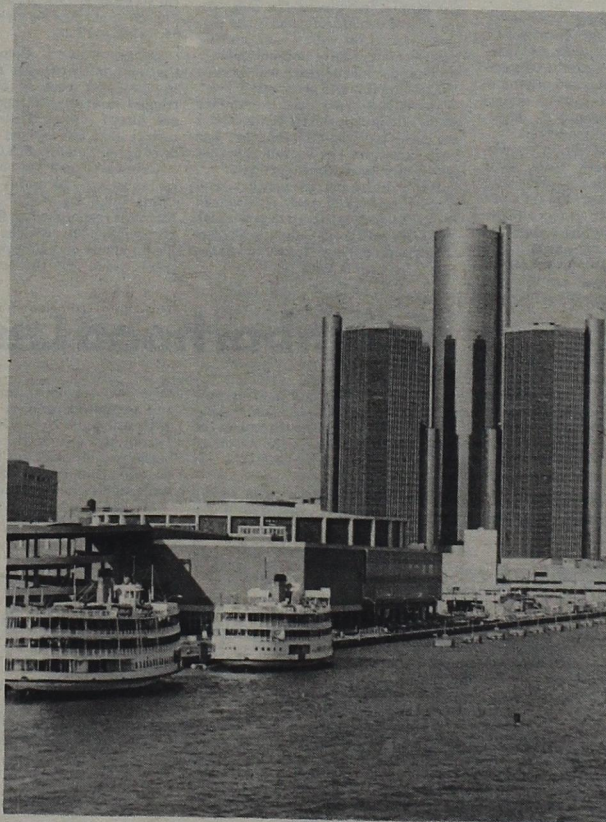
Youth Program

- Double decker bus tour of Windsor, Canada including the Royal Canadian Mounted Police Headquarters
- Greenfield Village/Henry Ford Museum
- Metropolitan Beach and picnic
- Detroit Zoo
- Fairlane Ice Skating
- Fort Wayne Military Museum
- Tiger Stadium autographs and photographs
- Youth Lounge activities

Spouse Program

- Greenfield Village/Henry Ford Museum
- Wayne County Library, including facilities for blind and handicapped
- Fairlane Manor home of Henry Ford
- Fort Wayne Military Museum
- Windsor, Canada including Hiram Walker Distillery Museum, Art Gallery, Garden tours
- University of Michigan Campus at Ann Arbor
- Cranbrook Institute and Shopping Tour at Somerset Mall
- Civic Center Tour, Chinatown, Art Institute, Greektown
- Champagne social, fashion show and ethnic entertainment
- Spouse Lounge activities
- Meadowbrook Hall

SUMMER AND ICE—Wayne County Commissioner George Z. Hart thought a spin on the ice with two fellow skaters was appropriate before the Spouse-Youth NACo committee recommended the Fairlane Ice Arena as a convention activity. Mrs. Eleanore Manning, watching the action, has included it in the Youth Program as an option. With her is Commissioner Alex Pilch.



TOUR FAIR LANE—Seen above is the former home of Henry Ford, on the banks of the Rouge River in Dearborn, now part of a University of Michigan Environmental Study Area. Nature buffs will want to walk along the Sycamore-Willow, Apple Orchard, Dogwood and White Oak Trails. There's a Rose Garden Arboretum, a colony of Sassafras trees (Indians used the roots to make tea) and a unique Braille Trail offering everyone an opportunity to appreciate nature on sensory levels other than sight. Pictured are, from left: Commissioner George Z. Hart, Mrs. Peg Foley, William Mills, Mrs. Eleanore Manning, Mrs. Alex Pilch, and Commissioner Pilch. Fair Lane Manor has been selected as one of several optional spouse tours for NACo '77.

INTERNATIONAL CRUISE IS CONVENTION-WIDE SOCIAL EVENT—Delegates and families attending NACo '77 in Detroit will sail past the Detroit and Windsor skylines to the Midwest's international playground, Bob-Lo Island. The fun evening will include good food, swinging entertainment, super thrill rides at the amusement center—and quiet places on the island's shores to chat with old friends and meet new ones. The two white "all-weather" boats will be boarded next to Cobo Hall. You can count on a superb view of Renaissance Center!



LOCAL COORDINATION RECOGNIZED

Energy Conserving Grants Awarded

WASHINGTON, D.C.—The first of the Federal Energy Administration (FEA) implementation grants for state-wide energy conservation programs have been awarded to Massachusetts, North Carolina, and Oklahoma. North Carolina has singled out intergovernmental coordination as a major component of the program.

Recognizing the importance of local governments to conservation efforts, North Carolina charges them with assuming "a major role in practicing and promoting energy conservation." According to the plan, "The basis for this is two-fold:

- First, the 17 regional and nearly 600 municipal and county governmental units in North Carolina comprise a large number of energy-consuming, service-providing agencies, employing thousands of individuals and expending millions of dollars annually. Thus, the impacts of local governmental decisions relating to energy conservation are significant.

- Second, as the governmental units closest to the people themselves, local governments are in a strong position to influence actions in the private sector which affect the consumption of energy. This may be accomplished through public information programs, regulatory activities, and local government's capacity to establish trends and to set an example for others."

The North Carolina plan goes yet one step further, and includes the NACoRF Energy Project's Local Energy Management Program as a major component in its intergovernmental coordination program. A Guide to Reducing . . . Energy Use Budget Costs was developed by NACo's Research Foundation and the National League of Cities—U.S. Conference of Mayors, with FEA support; it includes a slide-tape show and a guidebook featuring the whys and hows of local energy management.

THIRTY-EIGHT states have submitted their conservation plans and await FEA approval, and the

remaining states are expected to apply before June 30. The Energy Policy and Conservation Act (EPCA) which was signed into law in December 1975, requires that state energy conservation programs include: mandatory lighting efficiency standards for public buildings; programs to promote carpools, vanpools, and public transportation; energy efficiency standards to govern procurement practices at the state and local level; mandatory thermal efficiency standards for new and renovated buildings; a traffic law or regulation which permits right-turn-on-red. To be eligible for funds, the implementation of the state plan must result in reductions of at least 5 per cent of projected 1980 energy use.

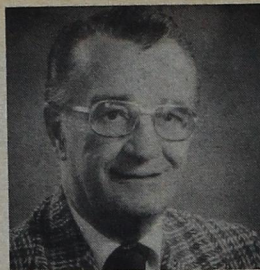
Although all of the state plans were designed to satisfy the five mandatory requirements, there is wide variation on voluntary programs and intergovernmental cooperation.

The State of Washington's energy conservation proposal calls for a state contract with the State Association of Counties and the Municipal League so that the two organizations can provide technical assistance to local governments implementing conservation measures.

Other states, however, have not worked very closely with local governments in developing the plans. Counties should contact their state energy offices for more information on the status and provisions of the plans in the area. The NACoRF Energy Project wants to hear from counties that are working with the state energy offices on their plan.

Energy conservation will be the topic of a workshop at the NACo Annual Conference in Detroit. The panel of local and federal officials will discuss "Reducing Your Energy Wasteline" and highlight conservation programs that have saved counties energy and money. The NACoRF slide-tape show will also be featured and copies of the guidebook will be available.

—Felicity Evans
NACoRF Energy Program



Berry

Alaska's State Exec to Resign

JUNEAU, Alaska—Don M. Berry, first executive director of the Alaska Municipal League, has resigned effective Aug. 30.

Berry, who was named executive in 1961, will be moving to Denver to be with his new wife, Eva.

Berry said that his 16 years with the league "have been the most enjoyable of my life. However, the personal reason for which I am leaving and the plans I have in mind guarantee that my future years will be even more enjoyable and productive."

He added that "the league has come a long way in 16 years, and I am positive that this progress has been based on the foundation that will assure its continued growth."

Berry attended elementary and high schools in Colorado. He received his bachelor of arts degree in English and literature from Colorado College in Colorado Springs. He served in the U.S. Air Force in W.W. II.

Illegal Alien Health Burden Documented

Continued from page 3

receive free medical services.

• Even the sparsely populated county of Merced has expenditures of about \$150,000.

Cook County General Hospital also reports the use of its obstetrical service by many illegal aliens. Cook County, Ill. has the second largest Mexican-American community in the nation, Gemmell told subcommittee members.

Illegals shun preventive care services, fearing detection. They do, however, seek emergency medical services when their illnesses become acute. The cost of their treatment is covered by a deficit appropriation from counties, he pointed out.

He gave other examples:

In Bexar County, Tex. the Robert B. Green Memorial Hospital estimates the annual cost for the provision of health services to illegal aliens to be \$500,000 to \$1 million. Harris County, Tex. estimates that 10 per cent of its total medical services and 20 per cent of its obstetrical services are furnished to illegals. The value of these services is price at \$4.5 to \$5 million.

Denver County, Colo. estimates that approximately two and one-half to three per cent of the patients treated in Denver General Hospital are illegal aliens. Their treatment results in an annual cost to the county of approximately \$75,000.

Gemmell urged the subcommittee to report out favorably H.R. 2400. "This bill," he said, "would place financial responsibility for the emergency medical services needed by illegal aliens on the level of government which has the authority and

responsibility to control that cost through the regulation of immigration. Counties would be freed from a cost, over which they have no control."

Also attending the hearing were: James G. Houghton, M.D., Health and Hospital Governing Commission of Cook County, Chicago, Ill.; Glen Peterson, Jackson Memorial Hospital, Miami, Fla. (Dade County); and Ira Clark, Kings County Hospital, New York City, N.Y.

Senate Passes Major CD Bill

Continued from page 1

The program was further amended on the Senate floor to reserve 25 per cent of the funds for cities of under 50,000 population.

Total funding for the action grant program, however, will not be the \$400 million annually requested by the Administration. The Senate bill, by providing three formulas, will take funding from the action grants. Thus, only \$270 million will be available in fiscal '78, \$200 million in fiscal '79 and \$100 million in fiscal '80.

This provision differs from those in a recent House-passed bill, H.R. 6655, and will be a major issue of disagreement in a House-Senate Conference Committee which will meet soon to resolve differences in the two bills.

The bill also extends the Section 701 Comprehensive Planning and Management Program, the Section 312 Rehabilitation Loan Program and the Section 8 and conventional public housing programs.

Neighborhood Leaders Convene

JACKSONVILLE, Fla.—The role of the citizen in the decision making process of local government was the focus of the second National Conference on Neighborhood Councils, held here May 17-20.

The keynote address was given by Msgr. Geno Baroni, assistant secretary for neighborhood, consumer, and regulatory affairs, Department of Housing and Urban Development.

Baroni has been active in the neighborhood movement for the past two decades, bringing a wealth of experience into his new position at HUD. Baroni emphasized the need to

recognize the diversity of American life, and the need to cope with the increasing alienation of large segments of our society. Neighborhoods, he suggested, serve as an interfacing mechanism between the individual and today's "mega-society," and the federal government must begin to recognize neighborhoods as a vital "mediating institution."

A number of small-group workshops were held, covering topics from neighborhood planning, crime prevention, and the community development block grant program to coalition building, community schools and neighborhood information systems.

Representatives from San Diego County, Calif.; Broward County, Fla.; DeKalb County, Ga.; Jefferson County, Ky.; and Hennepin County, Minn. were among the 140 attending the conference. The National Association of Neighborhoods, The National Municipal League, and NACo were also represented. Jack Walsh, former chairman of NACo's Health and Education Steering Committee and currently a member of the National Council of Health Planning, participated in a symposium on citizen-government relations.

The conference, which was held without the benefit of a national organization as backer, elected a steering committee to plan for next year's meeting to be held in Portland, Ore. Chairman of the steering committee is Lem Jackson of Dayton (Ohio) Department of Housing and Neighborhood Affairs.

For further information, contact either Robert Platky at NACo, c/o Howard Hallman, president, Center for Governmental Studies, P.O. Box 34481, Washington, D.C. 20034.

—Robert A. Platky
New County, USA Center
NACo

Newsmakers

DONALD L.
CLEVELAND
EXECUTIVE DIRECTOR
IOWA STATE ASSOCIATION
OF COUNTIES

WAS BORN 1938 IN COUNCIL BLUFFS, IOWA. HE GRADUATED FROM THOMAS JEFFERSON HIGH SCHOOL, COUNCIL BLUFFS, IN 1956 HE THEN WENT TO CREIGHTON UNIVERSITY, OMAHA, NEBRASKA FOR HIS BACHELOR DEGREE. HE WAS NAMED SUPERIOR CADET FOR THREE CONSECUTIVE YEARS AND WAS APPOINTED CADET COMMANDER OF THE ROTC WITH THE RANK OF CADET COLONEL. HE ALSO WAS THE NATIONAL OPERATIONS OFFICER FOR PHALANX FRATERNITY, WAS A MEMBER OF THE INTER-FRATERNITY COUNCIL AND WAS PLACED ON THE DEANS HONORABLE MENTION LIST AND THE DEAN'S HONOR ROLL FOR SCHOLASTIC ACHIEVEMENT. HE THEN WENT TO THE UNIVERSITY OF NEBRASKA AND GOT HIS MASTERS DEGREE.



6'4" CLEVELAND SERVED FOUR YEARS IN THE U.S. ARMY, RISING TO THE RANK OF CAPTAIN. HE SERVED AS AID-DE-CAMP FOR TWO GENERAL OFFICERS AND COMMANDED THE HEAD-QUARTERS COMPANY OF THE FOURTH ARMORED DIVISION.

IN 1967 HE BECAME THE ADMINISTRATIVE ASSISTANT FOR THE ASSOCIATION OF MINNESOTA COUNTIES IN 1968 HE BECAME A RESEARCH ASSISTANT FOR THE MINNESOTA HOUSE OF REPRESENTATIVES AND LATER AN ASSISTANT DIRECTOR OF THIS DEPARTMENT.

IN HIS CURRENT POST AS THE EXECUTIVE DIRECTOR OF THE IOWA STATE ASSOCIATION OF COUNTIES WHICH HE ASSUMED IN 1971, HE IS RESPONSIBLE FOR COORDINATING ALL MEETINGS, MAINTAINING A LIAISON WITH N.A.C. ESTABLISHING A GENERAL SERVICE AND INFORMATION CENTER FOR COUNTIES AND COUNTY OFFICERS ALL TO PROVIDE MORE EFFICIENT COUNTY GOVERNMENT.

MR CLEVELAND MARRIED CRISTA ANITA WAHL OF EISLINGEN, WEST GERMANY IN 1965. THEY HAVE TWO CHILDREN, CHRISTOPHER, NINE, AND STEPHAN, SEVEN. THEY RESIDE IN DALLAS COUNTY, IOWA.

County Bulletin Board

Coming Events

Please Clip and Save for Easy Reference to NACo Happenings

June 14-17—Washington State Association of County Auditors and Treasurers, joint annual meeting, Thunderbird Inn, Wenatchee. Lyle T. Watson, executive director, Washington Association of County Officials, 206-943-1812.

June 16-18—Association of County Commissioners of Alabama, 49th annual convention, Sheraton, Mobile. O.H. "Buddy" Sharpless, executive director, 205-263-7594.

June 21-24—Washington State Association of Counties, annual conference, Wenatchee Thunderbird, Wenatchee. Jack Rogers, executive director, 206-491-7100.

June 22-24—Hawaii State Association of Counties, mid-year meeting, Maui. Burt Tuschy, president, 808-245-4771.

June 26-29—County Officers Association of Georgia, annual meeting, DeSoto Hilton, Savannah. Probate Judge Calvin "Mac" Simpson, 912-452-3123.

June 26-30—Pennsylvania State Association of County Commissioners, annual meeting, Host Farm, Lancaster County. Jack Minnich, executive director, 717-232-7554.

June 29-30 and July 1—New Jersey Association of Counties annual meeting, Howard Johnson Hotel-Motel, Atlantic City. Jack Lamping, executive director, 609-394-3467.

July 7-9—Mississippi Association of Supervisors, annual meeting, Sheraton Biloxi. Contact Lynda Callender, 601-353-2471.

July 12-15—Washington State Association of County Clerks, annual meeting, Hanford House, Richland. Lyle T. Watson, executive director, Washington Association of County Officials, 206-943-1812.

July 13-15—South Texas County Judges and Commissioners Association, annual meeting, Columbia Lakes Conference Center, West Columbia. John Gayle Jr., Brazoria County Commissioner, Angleton.

July 23-27—NACo Annual Conference, Detroit, Mich. Rod Kendig, (202) 785-9577.

July 28-30—Mississippi Chancery Clerks' Association, annual meeting, Ramada Inn, Tupelo. Jerry Lee Clayton, president, Box 1785, Tupelo 38801.

August 3-5—South Carolina Association of Counties, annual meeting, Landmark Inn, Myrtle Beach. Russell B. Shetterly, executive director, 803-252-7255.

August 4-6—Michigan Association of Counties, summer conference, Boyne Mountain, Boyne Falls. A. Barry McGuire, 517-372-5374.

August 7-10—County Commissioners' Association of Ohio, annual summer convention, Canton. A.R. Maslar, executive director, 614-221-5627.

August 11-13—Mississippi Assessors' and Collectors Association, annual meeting, Sheraton, Biloxi. Sue Husband, president, Raleigh, Miss. 39153.

August 14-17—West Virginia Association of County Officials, annual meeting of county commissioners, Lakeview Country Club, Morgantown. Gene Elkins, 304-346-0592.

August 18-20—Maryland Association of Counties, summer meeting, Convention Center, Ocean City. Joseph J. Murnane, executive director, 301-268-5884.

August 18-20—Mississippi Circuit Clerks' Association, annual meeting, GTL Motel, Sardis. William E. McKinley, 601-355-0653.

August 18-21—North Carolina Association of County Commissioners, annual meeting, Radisson Hotel, Charlotte. C. Ronald Aycock, 919-832-2893.

August 21-23—Virginia Association of Counties, Local Government Officials Conference, Ramada Inn, Charlottesville. George Long, 804-973-7557.

September 9-11—Maine County Commissioners Association, annual meeting, Downtown Holiday Inn, Bangor. Roland Landry, 207-782-6131.

September 9-11—New Hampshire Association of Counties, annual meeting, Brickyard Mountain, Laconia. Peter Spaulding, 603-228-0331.

September 12-16—Washington State County Assessors Association, annual meeting, Rosario, Orcas Island. Lyle T. Watson, executive director, Washington State Association of Counties, 206-943-1812.

September 13-16—South Dakota Association of County Commissioners, 63rd Annual Conference, New Convention Center, Rapid City. Neal Strand, executive director, 605-224-8654.

September 14-16—Federal Aid Briefing, Hyatt Regency, Washington, D.C. Linda Church, 202-785-9577.

September 18-21—New York State Association of Counties, fall seminar, Hotel Concord, Kiamasha Lake. Edwin Crawford, executive director, 518-465-1473.

September 21-22—Association of Arkansas Counties, annual meeting, Arlington Hotel, Hot Springs. Courtney Langston, 501-372-7550.

September 22-24—State Association of County Commissioners of Florida, annual conference, Carlton House Resort Hotel, Orlando. E.R. "Eddie" Hafner, executive director, 904-224-3148.

September 25-28—Wisconsin County Boards Association, annual convention, Holiday Inn, Stevens Point. Robert Mortensen, executive director, 608-256-2324.

September 29-30—Tennessee County Services Association, fall meeting, Read House and Motor Inn, Chattanooga. Ralph J. Harris, 615-242-5591.

October 5-7—Iowa State Association of Counties, annual school of instruction, Hilton, Des Moines. Donald Cleveland, 515-244-7181.

October 11-13—Washington Association of County Officials, annual conference, SeaTac Motor Inn, Seattle. King County. Lyle T. Watson, 206-943-1812.

October 18-20—Idaho Association of Counties, annual meeting, Holiday Inn, Pocatello. Dean G. Huntsman, 208-345-9126.

October 18-20—County Judges and Commissioners Association of Texas, 55th annual conference, Gunter Hotel, San Antonio. Derwood Wimpee, president, 214-722-5152.

October 19-20—Association County Commissioners of Georgia, Better Informed Public Officials Conference, Marriott Motor Hotel, Atlanta. Hill Healan, 404-522-5022.

October 25-26—Idaho Commissioner and Clerks, convention, Holiday Inn, Pocatello.

October 26-28—County Supervisors Association of California, annual meeting, Sacramento. Richard Watson, 916-441-4011.

October 27-28—Idaho Association of Counties, annual meeting, Holiday Inn, Pocatello. Dean G. Huntsman, 208-345-9126.

November 8-10—Association of Minnesota Counties, annual meeting, Arrow Wood Lodge, Alexandria. James Shipman, 612-222-5821.

November 10-12—Nevada Association of County Commissioners, annual meeting, Cal-Neva Lodge, Crystal Bay, Lake Tahoe. Harold P. Dayton Jr., 702-588-2463.

November 13-15—Virginia Association of Counties, annual meeting, Ft. Magruder Quality Inn, Williamsburg. George Long, 804-973-7557.

November 13-15—Kansas Association of Counties, annual meeting with the Kansas Officials Council, Broadview Hotel, Wichita. Fred Allen, executive secretary, 913-233-2271.

November 15-18—Colorado Counties Inc., annual meeting, Four Seasons, Colorado Springs. Clark Buckler, executive director, 303-534-6326.

November 16-18—Association of Oregon Counties, annual meeting, Valley River, Eugene. P. Jerry Orrick, executive director, 503-585-8351.

November 16-18—Kentucky Association of Counties, annual meeting, Galt House, Louisville. Jerry Froct, 502-223-7668.

November 29-30 and December 1—Nebraska Association of County Officials, annual meeting, Holiday Inn, Omaha. Gerald Stromer, executive director, 402-477-8291.

November 30-December 1-2—Missouri Association of Counties, annual meeting, Lodge of the Four Seasons, Lake of the Ozarks. Tony Hiesberger, 314-634-2120.

Proposed Regs

The following proposed regulations are being analyzed by county officials and the NACo staff to determine their impact on counties. For copies, contact the Grants and Regulations Office at NACo.

77-26 HEW "State Vocational Education Programs and Commissioners' Discretionary Programs in Vocational Education (45 CFR Parts 100a, 100b, 100c, 104 and 105)." The regulations are designed to assist states to improve planning in the use of all resources for vocational education and to overcome sex discrimination in vocational education. Also, the regulations permit consolidation of programs to provide greater flexibility to the states in conducting vocational education programs.

77-27 LEAA "Community Anti-Crime Discretionary Grant Guidelines, M 4500.1E CFC-2." This change transmits supplementary pages to the Guide for Discretionary Grant Programs (M 4500.1E) consisting of program guidelines for the new Community Anti-Crime Program.

77-28 Justice "Instructions for Applying for Federal Assistance and Grants to Aid State Antitrust Enforcement." This manual provides guidelines designed to facilitate application for federal assistance and grants to aid state antitrust enforcement. It provides guidance to prospective applicants about the steps to be taken in making application for such funds and

guidance to applicants regarding assuring observation of applicable federal laws and regulations. It provides the basic criteria the Antitrust Division will follow in awarding grants under this program. Copies are available.

77-29 HEW "Grants to State Agencies for Programs to Meet the Special Needs of Children in Institutions for Neglected or Delinquent Children—Part 116, Title 45." Copies of all the above regulations are available.

77-30 Justice "Instructions for Financial Administration of Federal Assistance and Grants to Aid State Antitrust Enforcement." This financial manual has been prepared as a reference source and guide for program and financial questions which arise in administration of grants made in accordance with the provisions of Section 116 of the Crime Control Act of 1976. Copies are available.

77-31 USDA "Amendments to the Brucellosis Regulations Contained in Part 78, Title 9." This document amends the brucellosis regulations contained in 9 CFR, Part 78, to include restrictions on the interstate movement of swine because of brucellosis. Copies are available.

77-32 EPA "Part 39, 40 CFR, Interim Regulations on Loan Guarantees for Construction of Treatment Works." Under this amendment municipalities may apply for a loan guarantee from EPA for a loan from the Federal Financing Bank to finance the local share of grant-funded wastewater treatment works. These regula-

tions set forth the criteria that must be met to qualify for a loan, as well as conditions of the loan guarantee. This amendment provides a source of last resort financing when municipalities are unable to sell bonds or other maturities at reasonable interest rates on the open market. Copies are available.

77-33 Labor "Regulations on State Plans Covering Public Employees Where There Is No State Coverage of Private Employees." The proposed revisions would increase the level of federal funding for contracts with states for on-site consultation activities from the present 50 per cent to 90 per cent. The revisions would also expand eligibility for the program to include states with approved state plans under Section 18 of the Occupational Safety and Health Act of 1970. This action would permit every state to enter into such contracts. The proposed revisions would set out new requirements for monitoring state performance under the contract, further describe the state's obligation to publicize the availability of the program, and prescribe new requirements for the qualification of consultants. The proposal would also clarify and simplify the existing regulation. Copies are available.

77-34 EDA "Consultation with Heads of State and Local Governments in Developing Federal Regulations." The purpose of this regulation is to set forth the requirements and procedures pursuant to which eligible applicants may receive grants under the "Local Public Works Capital Development and Investment Act of 1976," as amended by the "Public Works Employment Act of 1977." Copies are available.

Job Opportunities

Executive Director, State Association of County Commissioners of Florida, Tallahassee, Fla. Salary negotiable up to \$30,000 plus automobile and other fringe benefits. Requires bachelors degree, preferably in public administration or political science; extensive experience in association management including lobbying and convention management; and familiarity and/or experience with county government. Deadline June 20. Apply: E.R. Hafner, Executive Director, State Association of County Commissioners of Florida, P.O. Box 549, Tallahassee, Fla. 32302.

Regional Planner II or III, Los Angeles County, Calif. Salary: \$1,136 to \$1,799 per month. Position holder reports to AQMP program manager; responsibilities include coordination and operation of air quality diffusion/simulation models. Requires familiarity with EPA UNIMAP and state-of-the-art photo chemical oxidant modeling, computer programming/operations. Degree in environmental engineering/planning or related field and three years experience required. Deadline June 27. Send resume to: Sam White, Administrative Officer, 600 South Commonwealth Ave., Suite 1000, Los Angeles, Calif. 90005.

Director of Solid Waste, Broward County, Fla. Salary: \$19,499-\$27,852, plus excellent fringe benefits. Position requires a graduate engineer or equivalent with degree in sanitary, civil or environmental engineering and experience with management, fiscal and reporting techniques. Responsible for administration of land fill and artificial tire reef, also responsible for establishment of resource recovery program. Resume with complete salary history to Carl S. Burbridge, Utilities Department, Governor's Club Annex, 236 S.E. 1st Ave., Fort Lauderdale, Fla. 33301. Deadline June 30.

Finance Director, Fairbanks, Alaska. Salary \$35,000. Requires five years demonstrated ability and progressively responsible work experience in municipal finance. Must have strong management skills. Send resumes to Personnel Office, Fairbanks North Star Borough, P.O. Box 1267, Fairbanks, Alaska 99707.

Housing Rehabilitation Director, Suffolk County, N.Y. Salary commensurate with experience. To develop and manage a new housing rehabilitation program under a large HUD block grant. Broad knowledge of rehabilitation approaches and HUD programs and experience in Section 312, NDP or CD rehabilitation programs required. Submit resume with salary requirements to Kerron Barnes, Community Development Project Director, County Center, Riverhead, N.Y. 11901.

Civil Engineer, Kent County, Mich. For working in the area of sanitary engineering in the department of public works. Qualifications include graduation from a four year college with a degree in civil engineering. Applicants should have prior administrative and maintenance responsibilities in field construction of municipal water, sanitary sewer systems, and sanitary landfills. Salary is \$14,000 to \$19,000 per year dependent upon qualifications. Apply or send resumes by June 24 to: Kent County Personnel, 300 Monroe, N.W., Grand Rapids, Mich. 49503.

Executive Director, Alaska Municipal League, Juneau, Alaska. Salary negotiable. Experience in local government and knowledge of the legislative process preferable. Must be able to work with state and federal agencies and be familiar with intergovernmental relations. Submit resume to Executive Director, 204 North Franklin, Juneau, Alaska 99801. Applications will be accepted until June 20.

Washington Briefs

NACo Box Score... Priority Issues

• **Public Works/EDA Regs.** Economic Development Administration released local government allocations for public works grants. Eligible counties to receive official notice with guidelines and applications in mid-June. Applicants have 28 days from date of notice to apply for grants. County share of funding to vary for each state. See page 3.

• **Countercyclical.** Because of questions of interpretation of legislative language, amount available for July 8 payment is not determined. Amount will be either \$515 or \$545 million. Final amounts for each jurisdiction will not be known until July 8. Bureau of Labor Statistics (BLS) will not be able to provide unemployment data for jurisdictions under 25,000 population for July payment. BLS plans to develop a system to allow governors to provide data for these jurisdictions for the October payment. House Appropriations Committee approved \$1.4 billion for fiscal '78.

• **Youth Legislation.** House-Senate conference committee on youth jobs legislation scheduled to start June 14.

• **Community Development.** Senate passes S. 1523, a three year extension of the Community Development Block Grant program, through fiscal '80. 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 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. See page 1.

• **Title XX.** H.R. 7200 Public Assistance Amendments of 1977 were approved by the House Ways and Means Committee with strong NACo support.

• **Food Stamps.** Markup continues in House Agriculture Committee. NACo successfully defeated amendment requiring food stamp recipients to work off benefit.

• **Welfare Reform.** NACo welfare and CETA directors participating in 10 meetings during June for initial drafting of Administration bill. See page 3.

• **Clean Air.** Senate considering Clean Air Act Amendments, S. 252. NACo strongly opposing Griffin/Riegle amendment to unnecessarily weaken and delay the auto emission standards. Votes leaning in favor of Griffin/Riegle. Sen. Howard Baker (R-Tenn.) was to offer a compromise. Carter may veto bill if it relaxes auto standards too much.

• **Safer Off System Roads.** H.R. 7557 appropriates \$90 million for safer off system roads and bridges. Bill passed House June 8. Senate subcommittee voted to go along with the House level, but will include language in its report indicating willingness to vote supplemental funds later if states and counties can utilize the \$200 million recently appropriated for fiscal '77.

• **Bridges.** Ohio County Engineers testified before the House surface transportation subcommittee June 7, adding support to NACo testimony earlier on the need for vastly increased bridge funds. Art

Haddad (Miami County), Bert Dawson (Columbiana County), and John McDevitt (Jefferson County) represented the County Engineers Association of Ohio. During questioning, subcommittee chairman Rep. Jim Howard (D-N.J.) expressed expectation that a significant proportion of the \$2 billion annual bridge program he is supporting would go for repair and replacement of deficient off-system structures.

• **Payments-in-Lieu.** House Appropriations Committee approves full \$100 million request for payment-in-lieu program for fiscal '78. See page 3.

• **Medicaid Reform.** Sen. Herman Talmadge (D-Ga.), chairman of the Senate Finance health subcommittee, held four days of hearings last week on S. 1470, a bill to reform the Medicare and Medicaid program. Commissioner Liane Levettan, DeKalb County, Ga. testified for NACo in favor of the bill. House health subcommittee will mark up similar legislation in two weeks.

• **Illegal Aliens.** NACo testified last Thursday on H.R. 2400, a bill to reimburse medical facilities for emergency services to illegal aliens. Commerce health subcommittee held one-day hearing on the subject. Passage seems unlikely. See page 3.

• **Universal Voter Registration.** Action on same-day registration proposal, H.R. 5400 and S. 1072, postponed for lack of House support. Vote now expected for last week in June. Substantial compromises expected. Senate action unscheduled. Enactment questionable at this point.

Rocky Mountain Regional Office

Regional Director
Suite 505
Title Building
909 17th St.
Denver, Colo. 80202
(303) 837-4714

States—Colorado, Iowa, Kansas, Missouri, Montana, Nebraska, North Dakota, South Dakota, Utah and Wyoming

Western Regional Office

Regional Director
Lake Union Building, Suite 500
1700 Westlake Ave., N.
Seattle, Wash. 98109
(206) 442-0596

States—Alaska, Arizona, California, Hawaii, Idaho, Nevada, Oregon, and Washington, and territories of Guam and Samoa.

What if my county is eligible, but does not receive an application package for the new round of funding?

EDA advises such applicants to contact the appropriate EDA regional office (noted above) as soon as possible but no later than June 24. Counties in this situation should also contact the Office of the Assistant Secretary for Economic Development at the Department of Commerce, Economic Development Administration, 14th and Constitution Ave., Washington, D.C. 20230, and should notify their congressmen.

How will EDA select projects to be funded?

The agency will select projects in accordance with the priority rankings submitted by each applicant.

Must all public works projects be accessible to the handicapped?

Yes. Any project, whether a resubmitted or new application, must be certified to be accessible to the physically handicapped and elderly.

Welfare Reform. President's goals outlined; August legislation target.
Employment. Youth bill to House and Senate conference June 14.
Public Works. Regs out, dollars allocated.
Antirecession. Carter signs; checks out in July.
Health Insurance. NACo supporting hospital cost cap.
Payments-in-Lieu. House committee approves '78 funds.
Community Development. House and Senate Conference in June.
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 voting.
Land and Water Conservation. House committee approves doubled funding.
Energy Reorganization. Senate conference in June.
LEAA. House floor vote next week on funding.

• **Hatch Act Reform.** The House passed H.R. 10, the Hatch Act Reform Bill, after a procedural motion that suspended action on it several weeks ago. June 7 vote was 244-164. Future action on the bill still unclear. Sen. Abraham Ribicoff (D-Conn.), chairman of the Senate Government Operations Committee, which has jurisdiction over the bill, has opposed it and said that he would not push for action.

• **Intergovernmental Personnel Act (IPA) Appropriations.** Senate Appropriations subcommittee marked up fiscal '78 funding for IPA and recommended the budget request of \$15 million. Full committee to mark up bill June 14. House has appropriated \$20 million for IPA. NACo strongly supports that level. Bill goes to conference sometime early July. Senate expected to recede on the House-passed level.

• **Airports.** The 1978 transportation appropriations bill, H.R. 7557, passed by the House June 8, includes the full \$540 million authorized for airport development grants. It also includes \$10 million for planning grants. Senate subcommittee, chaired by Sen. Birch Bayh (D-Ind.), has already voted to support full funding of the planning grant program as well as \$16.25 million.

• **Aircraft Noise.** House aviation subcommittee chairman Rep. Glenn M. Anderson (D-Calif.) is expected to introduce this week a revised version of H.R. 4539 providing funds for retrofit or replacement of noisy aircraft or aircraft engines, increasing airport grants, and providing for a voluntary local noise abatement program. Anderson has amended most aspects of the bill to which NACo objected.

• **Transit.** Senate leadership has placed S. 208 low enough on the priority list that it did not appear likely it would reach the floor last week. Bill increases transit funds for

fiscal '78 through '82 and makes rural areas eligible for operating subsidies. House surface transportation subcommittee plans no action until next year, after lengthy hearings on all aspects of surface transportation.

• **State and Local Pension Plans.** Sen. Richard Stone (D-Fla.) has introduced legislation, S. 1587, to amend the Internal Revenue Code of 1954 to exempt certain state and local government retirement systems from federal income tax liability and the burden of unnecessary reporting requirements, in response to recent IRS rulings. IRS recently announced that government units and churches with employee pension benefit plans must file annual returns. NACo contends that the provisions in ERISA do not apply to state and local governments and is working with other public interest groups to get IRS to rescind their position.

• **Rural Development.** County officials testified before Joint Economic Committee on need for increased assistance for rural economic development. NACo panel urged full funding for Rural Development Act Grant and Loan programs and elimination of inequities in rural assistance programs. Senate Appropriations subcommittee on agriculture to meet June 16 to recommend fiscal '78 funding levels for rural development programs. House Appropriations Committee has recommended highest levels to date, including \$250 million for water and waste disposal grants, \$750 million for water and waste disposal loans, \$250 million for community facility loans, \$1 billion for business and industrial loans, \$10 million for rural development grants, and \$3.5 million for rural fire protection.

• **Drought.** EDA and FmHA are administering companion drought assistance programs to aid communities above 10,000 and below 10,000 respectively. EDA is providing \$60 million in grants, and \$115 million in loans, and FmHA is administering \$75 million in grants, and \$150 million in loans.

Public Works Q. & A.

How will we receive our applications and other material?

EDA will forward to each eligible county a "Public Works Application Supplement" which may be used for new or resubmitted projects. Accompanying this form will be a set of "Guidelines" explaining the program and a list of allocations to all eligible applicants within that state.

The regulations for the program appeared in the *Federal Register* on May 27, and may be obtained by contacting EDA or NACo. It should be noted that in Round I of the public works program, the regulations were revised four times.

How can I determine the percentages of funding for counties within each state?

EDA will release this data at the same time the allocations are released. The counties' share will be based on the proportion of the dollar amount of county applications on file within each state.

What unemployment period will be used to determine eligibility?

The 12 month average from March 1, 1976, through Feb. 28, 1977 will be used. The Bureau of Labor Statistics has provided this information for every county in the nation.

Can counties with unemployment below 6.5 per cent qualify using pockets of poverty?

No. The EDA regulations specify that pockets of poverty are only applicable to cities over 50,000 whose unemployment is below 6.5 per cent.

How long do we have to resubmit a revised or new application?

EDA will forward all material by return-receipt certified mail. All resubmitted or new applications must be received by the appropriate EDA regional office by midnight of the 28th calendar day from the date indicated on the return receipt.

Which regional office has jurisdiction over my county?

The EDA regional offices are set up as follows:

Atlantic Regional Office

Regional Director
600 Arch St.
Philadelphia, Pa. 19106
(215) 597-4603

States—Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, Pennsylvania, Rhode Island, Vermont, Virginia, and West Virginia, plus territory of Puerto Rico and Virgin Islands.

Southeast Regional Office

Regional Director
Suite 700
1385 Peachtree St., N.E.
Atlanta, Ga. 30309
(404) 526-6401

States—Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee.

Midwest Regional Office

Regional Director
1025 Civic Towers Building
32 West Randolph St.
Chicago, Ill. 60601
(312) 353-7706

States—Illinois, Indiana, Michigan, Minnesota, Ohio, and Wisconsin.

Southwest Regional Office

Regional Director
Suite 600
American Bank Tower
221 West Sixth St.
Austin, Tex. 78701
(512) 397-5461

States—Arkansas, Louisiana, New Mexico, Oklahoma, and Texas.

EDA School Revisions

Continued from page 3

First, the school district must be countywide. Next, if the particular school project applied for "principally served" a city or cities that will receive funding, then it could only share in the funding of those cities, and not the county. If it principally served a city or cities not receiving funding, its only option would be to seek "endorsement" of the project by the county or another municipality.

It is important to note that the key consideration here is of the proposed project, not the school district. "Principally served" is defined to mean that at least 50 per cent of the students in the school project come from a particular municipality or municipalities with planning targets.

A school could only share in the allocation for a county if the school district is countywide and the particular project does not "principally serve" a city or cities. When this occurs, the county and the school district are to jointly rank county and school projects.

Where an agreement cannot be reached, EDA will rank the projects. In accomplishing this, EDA will consider funds requested, size of allocation, Round I funding to the area, projects from other communities and schools within the area, number of projects being considered from each applicant, affected population, construction employment impact, speed to which construction can commence, energy conservation, critical local needs, and long-term benefits.