This Week

- House acts to raise food stamp benefits for elderly, disabled, see page 3.
- NACo testifies on welfare reform, see page 3.

COUNTY NEWS

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

NACo

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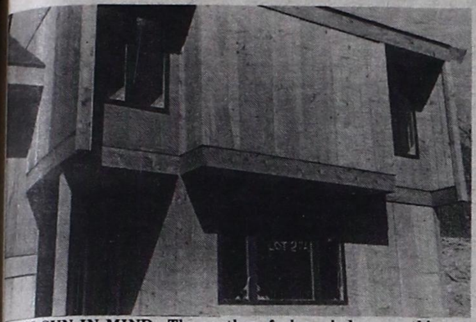


WITH SUN IN MIND—The southern-facing windows on this contemporary redwood house in Fairfax County, Va. allow the sun's rays to contribute a significant portion of the winter heating requirements. The deep overhangs keep out the intense radiation of the summer sun.

Energy Conservation in Buildings: County Role

While recent shortages of gasoline have sparked public outcries to solve the "energy crisis," transportation represents less than one-fourth of the total energy consumption in the United States. Another important source of energy consumption is buildings. Heating, cooling, illumination and other services for commercial and residential buildings can be translated into one-third of the total U.S. demand for energy. Fully half of this building sector demand is for space heating and cooling.

Counties can act to reduce gas consumption in public vehicles and they can implement rationing plans for the private sector when given the authority to do so. Apart from educational programs, however, there are limits to what a county can do in influencing the public to reduce its dependence on automobiles and other gas guzzling vehicles.

Counties are in a much better position to control the consumption of energy in buildings. Many counties are already enforcing energy conservation codes for new buildings, as part of their building code and inspection responsibilities. Several counties have developed unique energy codes, particularly suited to their climate and building activity. Many others are implementing statewide codes, required by the Energy Policy and Conservation Act (P.L. 94-163), passed by Congress in 1975.

Other approaches, including incentives to developers and tax credits, are possible, and can be an effective approach. Counties that do not have building code responsibility may find these other types of approaches to be particularly effective.

SCOPE OF PROBLEM

Since the beginning of this decade, new homes have been built at an approximate rate of 1.7 million per year. And because a substantial number of post-World War II "baby boom" children are still entering adulthood, the demand for housing should be very strong for at least another decade. Assuming an average of 1.5 million new homes per year for the remainder of the century, there will be 30 million new homes built between now and the year 2000.

See MAKING, page 2

House Totally Funds '80 Revenue Sharing

The hotly contested issue of whether or not to eliminate states from the general revenue sharing program in fiscal '80 was settled in the House last week when members approved an appropriations bill which includes the full $6.85 billion authorized by current law, including the states' share of $2.285 billion.

The key test of support for the program came on a move by Rep. Bill Nelson (D-Fla.) to cut $685 million, directed at the states' share. By a lopsided vote of 302 to 102, the House rejected the amendment. Earlier a Nelson amendment to slash $684 million lost on a division vote.

Counties, who had watched the revenue sharing program suffer badly at the hands of the House Budget Committee, received a vote of assurance early this month when the House Appropriations Committee approved full funding for the program.

This action, however, was in contrast to previous moves in the House to knock states out of revenue sharing one year ahead of schedule. (Without reauthorization, the program will expire in September 1980.)

Supporters of full funding for revenue sharing were five votes shy when the full House voted May 7 to reverse its Budget Committee's recommendation to eliminate states. Later budget conferees restored $1.75 billion of the money eliminated and specified that another $150 million could be added if a countercyclical aid bill failed to be enacted. The combined $1.9 billion figure represented a $385 million cut.

Even though Nelson's attack on the revenue sharing program was aimed at states, the cut, had it been approved, would not automatically have come from the states' portion. Congress would have had to amend the current law, specifically exempting states. The current law specifies that states are entitled to one-third of the general revenue sharing funds; counties and municipal governments share the remaining funds.

Debate over whether or not to eliminate states from the program centered on the existence of surpluses in some states and the need to hold down federal spending. Many observers feel that the current attack on the states is a foreshadowing of their probable elimination in any effort to renew revenue sharing.

Committee consideration of funding for the program will begin in the Senate after the July 4 recess.

Labor-HEW Bill

House Votes Waste Cuts, PSE Same Level

The House last week voted to stick with tough language prohibiting federal funding of abortion except where the life of the mother is endangered, and then went on to pass the $73.6 billion Labor-HEW appropriations bill, 327 to 84.

The action on abortion means that once again Congress will become entangled in a prolonged battle over abortion language which for the past several years has held up final approval of the huge Labor-HEW appropriations bill until the last days of the session.

The House also passed, 263 to 152, an amendment by Republican Whip Robert H. Michel (Ill.) to require the Department of Health, Education and Welfare (HEW) to cut out $500 million of waste, fraud and abuse in Medicaid, welfare and other HEW programs.

HEW said last week that it would have to reduce Medicaid and welfare payments during the next quarter by $831 million to meet the $1 billion waste amendment Michel pushed through last year. But Tuesday the Senate voted to allow HEW to borrow the money from fiscal '80 funds instead.

The new Michel amendment means that HEW will have to find the $831 million, plus another $500 million from the fiscal '80 budget. Michel said he offered the amendment because HEW did not comply with last year's directive and made reductions of only $169 million.

The House has traditionally voted for strict anti-abortion language, while the Senate has voted for much more liberal language. House-Senate conferees then have traditionally wrangled over the wording for months.

Rep. David R. Obey (D-Wis.) attempted to get the House to accept the compromise language the House and Senate conferees wound up with last year. The language prohibited federal funding of abortions except when the mother's life is endangered, where severe and lasting physical health damage would result when so determined by two physicians, and for promptly reported cases of rape and incest.

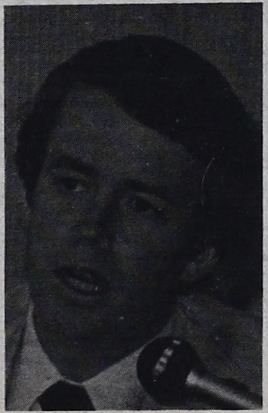
The House rejected further cuts in CETA public service employment by defeating an amendment offered by Rep. Mickey Edwards (R-Okla.) to transfer $100 million from CETA Title VI to Title II A, B, and C. The House also defeated another Michel amendment to cut Title VI by $271 million by a division vote of 35-46.

In other CETA action, the House approved an amendment by Rep. William Clay (D-Mo.) which reserves a minimum of $5 million for criminal offender programs out of the funds appropriated for CETA Title III. The House also approved an amendment offered by Rep. John Cavanaugh (D-Neb.) which prohibits using CETA funds to pay prisoners for work performed 180 days prior to their scheduled release date.

By a vote of 191-222, the House defeated an amendment offered by Rep. John Ashbrook (D-Ohio) which would have prohibited CETA funds from going to any recipient who is named as a "violator of law" in a special report by the Comptroller General under the Budget and Accounting Act.

Action on the Labor-HEW appropriations bill for fiscal '80 moves to the Senate after the July 4 recess.

—Jon Weintraub



Hawkins

BUSINESS AS USUAL?

Clean Air Deadline Arrives

onstruction and federal funds l not grind to a halt in dirty air s next month, according to Barbara Blum, EPA deputy administrator. want to make it clear that new struction will not stop anywhere is country on July 1," said Blum. he Clean Air Act of 1977 states unless revised state clean air s for non-attainment areas (those meeting national ambient air lity standards) are approved by y 1, no new construction making ajor contribution to air pollution be approved. Transportation, age and air pollution control ts could also be withheld from e areas.

David Hawkins, EPA air chief, reports that few state implementation plans (SIPs) will have been fully approved by the July 1 deadline, although 35 states have submitted all or portions of their plans. Although these areas are technically subject to construction and federal funding sanctions, the impact of the sanctions will not be immediate.

The processing time for permit issuance and for funding sanctions could provide a two-to-four month cushion, notes Hawkins, and by September or October more state air plans will be approved.

In addition, many state plans will be approved for some non-attainment areas, though not for others (area specific approvals). Sanctions will apply only in those areas without an approved plan, not for the whole state.

Conditional approvals will be granted for those plans needing only minor revisions, and no sanctions will take effect during the period revisions are to be made. Also, some areas designated "non-attainment" in March 1978 may be now meeting air standards for one or more pollutants. If the state then decides that no additional emission reductions are required and EPA concurs, the construction prohibitions will not apply.

See NO RUSH, page 3

Making Buildings Energy-Efficient

Continued from page 1

Where will the energy for these homes come from? There will also be many office and commercial buildings built: how will energy be provided for these? Clearly, the past building practices, originated in a period of cheap energy, will have to be modified. Much advancement in the area of insulation and weatherization has already begun, but there are many other design ideas that must be further developed and incorporated into new construction.

The best opportunity lies with the use of a renewable energy source which automobiles cannot presently use directly—solar energy. Solar systems, incorporating specific components such as collectors, storage tanks and pump systems can use the sun's energy to provide hot water and space heating. Passive solar design can be used to create a building which makes the most of the sun's energy without special equipment. During cold months, buildings built in such a manner can greatly increase the sun's heat energy within a house; in the summer, the same building can significantly reduce the heat gain from the sun.

DOUBLE-FRAMING TECHNIQUE—In order to provide room for the two batts of insulation being installed in this wall, the builder has used a double-framing technique. The result is a wall with a thermal resistance two and a half times that of standard light frame construction. This wall construction technique is a major component of the Lo-Cal House, a design by the Small Homes Council of the University of Illinois that uses one-third the energy of a traditional house.

EXISTING BUILDINGS

There are a variety of approaches that counties can take to reduce energy consumption in buildings. Many counties have energy audit programs, weatherization programs, and other similar means of reducing energy consumption in existing buildings. Control of energy demand in county buildings, of course, is the most direct approach that can be taken.

For an excellent analysis of these types of programs in several counties, contact NACo headquarters for a copy of a brand-new publication titled *Establishing an Energy Office: Seven County Programs.* This publication provides valuable suggestions and ideas for getting a wide variety of energy conservation programs under way in county buildings and facilities, as well as in the community.

ENERGY CODES

For new construction the most direct approach to reducing energy consumption is to require buildings to incorporate energy conserving components or systems. The vast majority of energy codes in use today are variants of the *Model Code for Energy Conservation,* which was derived from the ASHRAE standard 90-75. These codes either require specific components, such as double-glazed windows, or they may specify an energy loss value for a system of the building, e.g., the building envelope—walls, doors and windows.

There is also a more comprehensive energy code approach—a total building design performance. This concept allows an architect or designer to add up the energy consumption of all components and systems in the building—HVAC systems, walls, windows, doors, lights, etc. With this approach, the building designer can make tradeoffs between different parts of the building.

For example, a designer may choose to place a building in an orientation to the sun which maximizes winter heat gain and minimizes summer heat gain. The designer may then calculate the total energy savings, and possibly use less insulation to compensate. The performance code would set a limit of total building energy consumption—on a BTU/square foot/year basis. The designer is free to go as far below this requirement as he would like—but is given the choice of which aspects of the building to utilize for reducing energy consumption.

California already has a statewide energy code which incorporates a performance option for plan review. The federal government is developing its own building energy performance standards (BEPS).

Several counties have unique building code requirements. Florida's Dade County has adopted its own local energy code, sponsored by Commissioner Harvey Ruvin. This code meets specific requirements of the local climate, as well as local types of construction. A Board of Energy Regulation has been set up, which will grant exemptions and provide flexibility to builders.

San Diego County, Calif. has gone one step further than required by the very progressive statewide energy code. In all new residential construction, solar water heating systems are required. While this approach would not be feasible in all areas of the country, it clearly shows the value of a "county initiative" in reducing energy consumption.

Several states other than California have complex and far-reaching energy codes. Notable examples include Minnesota and North Carolina. Counties in these and other states have made aggressive changes in their building code enforcement process in order to effectively enforce these energy codes.

WHAT ELSE CAN BE DONE?

Only for the past few years have builders and developers been willing to alter their construction practices in order to save energy. Where codes required specific changes, they were often accomplished at a minimum, whereas changes in the entire design of a building, as well as its site orientation, were never considered.

Builders and developers are in business to make a profit, and they would not alter the appearance of their homes in order to save energy, if they felt that consumers would not buy such a home. The design of commercial and office structures has been more readily altered, because their owners want to reduce the tremendous energy costs typical in the operation of large buildings.

Counties could possibly offer builders and developers an incentive to construct more energy-efficient designs—and still benefit the county itself. Such an approach has never been used to improve energy conservation, but it has been employed to increase water conservation. How can such an incentive be developed to encourage energy conservation? Many variations could be developed, but the following represents an example:

A builder may submit a subdevelopment plan to the county for review. The builder must meet many requirements, with density, sewers and water lines as a few examples. Suppose a builder submits a plan for 80 homes, which is the maximum density allowed for a particular landsite. The county could review the plan and determine the energy consumption of the planned units. Then a determination could be made of the capacity of support services in that area. The builder is told that his plans are approved, but if he were to incorporate energy-conserving features into his homes, he could put five additional units into the subdivision development.

The builder would then have an incentive to use energy conservation as a main factor in his designs. He makes a certain profit on each unit, so he would increase his total profits on the development. The county wins also: it collects property taxes from five more homes. The builder w most certainly incorporate en conserving designs in all his f projects.

This example is only a prot but it is a feasible approach counties can develop a tremen program on this principle of tives.

NACo CAN HELP

The research arm of NACo three projects which can help cou

- Energy Project, directed by Guenther;
- Building Energy Conserva Project, directed by Brian M. S
- Energy Technology Project directed by Don Spangler.

These projects have valuable mation and expertise to assist ties in developing the types of grams outlined in this article counties which are seeking assi with energy conservation prog of any type can look to these pr for help. We even have ext information on energy-efficient ing designs.

For assistance, contact the named projects at NACo head ters, 1735 New York Ave., Washington, D.C. 20006, 202 9577.

—Brian M. Stolar, NA

Harford is Pioneer with Solar Energy Tax Credit

Harford County, population 145,000, is located in the northeastern corner of Maryland. In May of 1977, the county passed a law providing tax credits for solar energy equipment. The credit is the cost of the materials and installation or construction of the solar energy unit, or the total amount of the real property taxes levied against the buildings or structures (not land) that is to be paid by the taxpayer for a consecutive three-year period, whichever is less.

In the current 1979-1980 tax credit year, Harford has approved some 55 applications for a total rebate of approximately $38,000. Harford has been a pioneer in this endeavor. NACo is not aware of any other local government with such a program. The tax credit concept would work well with new homes, as well as existing homes. The increased cost of the solar system would be paid in installments, as part of the mortgage. The homeowner would have greatly reduced property tax bills in the financially critical first few years of home ownership.

If the tax credit became extremely popular, and loss of tax revenues became too great, the program could be scaled back, or even eliminated. The goal of accelerating the use of solar energy would have been accomplished.

NACo IDENTIFIES PROBLEMS

BEPS Still Awaited

The federal government will soon promulgate building energ performance standards (BEPS), a program that has experienc considerable delay. First due in proposed form this past Februar the standards were delayed largely because of the many unanswer problems concerning the impact on local governments. In additio the Department of Energy has taken over the development of t standards and the regulations for implementation. The regulatio were originally being developed by the Department of Housing a Urban Development.

The latest information is that an Advanced Notice of Public Ru Making on BEPS will be published in August. NACo has complet an analysis of four statewide case studies designed to determine t acceptability of the new federal standards. The studies, which cover California, Colorado, Massachusetts and Virginia, were conducted b the National Institute of Building Sciences for the Department Energy.

The experience of county officials interviewed in the studies in cates that there may be several problems:

Cost/Funding:
- Start-up;
- Increased workload and/or additional staff;
- Potential negative impacts on building market;
- Local government funding limitations due to Proposition mentality.

Training:
- Burden of expense;
- Limitations on staff time for training;
- Lack of qualified personnel to provide training/technical ass tance;
- Need for local input.

Enforcement:
- Certification process;
- Existing code equivalency with BEPS;
- Provision of waivers for jurisdictions of low construction;
- Potential conflicts with health and safety codes.

The results of this analysis clearly call for a detailed assessment the benefits and costs of the BEPS program. When the Departme of Energy publishes the Advanced Notice of Public Rule-Making August, NACo will ask for comments so that we can make the coun voice heard before the final regulations will be written.

NACoR's Building Energy Conservation Project has been worki with DOE on the development of the BEPS regulations. As part this continuing effort, NACoR is conducting a study of all coun energy codes for buildings. Questionnaires for this study are bei sent out to all county building code offices. An excellent response ra on this questionnaire will provide the best insurance that DOE have the necessary information available in order to address coun needs and interests in the BEPS regulations.

The U.S. Conference of Mayors and the National League of Cities collaborating with NACoR on this study by conducting a similar s vey of cities.

President's Welfare Plan Called 'Good Base'

n testimony before the House committee on public assistance d unemployment compensation ne 22, NACo joined with other key oups in supporting the Social lfare Amendments of 1979, the sh assistance half of the Administration's welfare reform oposal.

Frank Jungas, NACo's Welfare d Social Services Steering Comttee chairman and Keith Comrie, s Angeles County welfare director, pported provisions of H.R. 4321 d H.R. 4122, introduced by arles Rangel (D-NY), as "responre to our welfare problems which n be supported as steps in the ht direction."

While the proposed welfare amendnts are greatly scaled down from lfare reform measures supported NACo in the 95th Congress, hey do form a very good base for a of welfare amendments that will p greatly to make more sense out the welfare programs that we have d that will improve the circumances of many of the nation's poor ople," Jungas said. He is a comssioner of Cottonwood County, inn.

Jungas added that NACo strongly pports the intent of the bill to arantee substantial fiscal relief, d that a clear and continuing hold rmless provision must protect ates and counties from experiencg higher welfare costs resulting om program changes.

AN ALTERNATIVE measure inoduced by Rep. John H. Rousselot (R-Calif.), ranking minority committee member, would have the potentially adverse effect of placing a lid on federal costs rather than on state and local costs, Jungas said. The proposed block grant approach, H.R. 4460, is similar to a Senate initiative in the 95th Congress sponsored by Sen. Russell B. Long (D-La.), Alan Cranston (D-Calif.) and Daniel Patrick Moynihan (D-N.Y.). It has been reintroduced in the Senate this year with a number of cosponsors.

Both Jungas and Comrie requested that provision for states to cash out food stamps for recipients of Aid to Families with Dependent Children (AFDC) be included in the bill. The proposed bill would require a cash-out only for SSI recipients.

Los Angeles County and the state of California have advanced a major welfare simplification proposal to reduce the AFDC and food stamps application process to two pages. Waiver authority under existing law does not allow for the testing of the AFDC cash-out necessary to carry out the simplified approach. Cashing out AFDC food stamps in Los Angeles County would reduce staff by 500 positions and save $10 million, Comrie told the subcommittee.

Other groups supporting the current welfare measure in recent testimony include the National Governors Association, the National Conference of State Legislatures, the National League of Cities, and the National Association of Social Workers. All of these groups are advocates of major comprehensive welfare reform; yet they exercised restraint in suggesting amendments, in the hope of preserving the chances for passing a low-cost bill. Cost of the combined welfare and jobs proposal is estimated at $5.7 billion.

Rep. James Corman (D-Calif.), subcommittee chairman, cautioned that changes that increase the cost of the bill jeopardize its chances for enactment. The spirit of cooperation from public interest groups in last week's hearings was characterized by John T. Dempsey, director of Michigan's Department of Social Services, who said, "It's not a perfect bill. While I would like to see certain changes, I would much prefer to see this bill pass as written, than create a 'perfect' bill which will not pass."

Hearings were concluded June 27 and markup by subcommittee is expected to take place prior to NACo's annual conference. Conference programs and steering committee meetings in Kansas City will provide update on the measure.

TESTIMONY IN HOUSE—Frank Jungas, right, and Keith Comrie called the Administration's new welfare reform bill, "a step in the right direction."

Clean Air Project Aims to Keep Counties Up to Date

NACo, through its research arm, ACoR, will be continuing to watch er clean air activities through a w effort funded by the U.S. Environmental Protection Agency. The new Clean Air Project will be nducting two sessions at this ar's NACo Annual Conference in ansas City. On Monday, July 16, e workshop entitled "Other eople's Pollution and Mother ature: Problems in Air Quality" ll look at three confusing aspects federal policy: natural sources of llution, transport of pollutants om adjacent urban areas, and windown ("fugitive") dust. A top EPA ficial will talk about what counties e required and not required to do to ddress these issues.

On Wednesday, July 18, the rkshop entitled "Planning for ean Air and Growth" will feature a nel of federal, state and local ofials to discuss this complicated ue. Topics to be discussed include missions offsets" strategies and the involvement of local governments in determining growth in clean air areas.

FUTURE ACTIVITIES

The Clean Air Project will also be developing a pamphlet on reconcilation of economic development and clean air attainment, in conjunction with the National League of Cities. In addition, watch for more "Counties and Clean Air" inserts to *County News*, and articles on new developments in federal policy.

The project will also be monitoring the effectiveness of the intergovernmental consultation legally required and the impacts of the new revisions of state clean air plans.

Arleen Shulman will direct the project's activities for NACoR. Prior to this appointment, she was involved with the NACoR water projects for the past three years.

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No Rush for EPA Sanctions

Continued from page 1

The construction prohibition applies only to a source emitting the type of pollutant for which the area does not meet national standards, and for which the state plan is still inadequate. For example, a new plant which will discharge only particulate matter is not affected by the construction prohibition if the area meets standards for that pollutant, even though sulfur dioxide emissions are still too great. Furthermore, the prohibition applies only to major sources of pollution (as defined by Section 302 of the act).

The prohibition will apply only to those industries applying after June 30, 1979. An air pollution control agency may review and grant permits to applications received on or before that date, and construction may begin. In addition, the agency can process applications received on or after July 1, and even issue a permit which prohibits construction until after the SIP is approved. Since the average permit processing time is three months, it is possible that the SIP will be approved by the time the permit is granted and no delay in construction would occur.

EPA will soon propose an interpretation of the law requiring that construction which takes place outside a non-attainment area but significantly affects air quality inside the area will be subject to the same permit prohibitions.

FEDERAL FUNDING SANCTIONS

Air pollution control program grants (which go to both state and local agencies) and federal highway funds will not stop immediately as of July 1 for those non-attainment areas with SIP revisions yet to be approved, says Hawkins.

These funding limits, described in Section 176(a) of the Clean Air Act, will only be applied if the governor has not submitted, or is not making good faith efforts to submit, a revised SIP. Any decision to stop funding will be made after careful consideration and coordination among EPA headquarters and regional offices and affected state or local governments.

Safety, mass transit, and transportation improvement projects related to air quality are not included in the limitations.

EPA will be publishing a discussion of their criteria for applying the limitations on a case-by-case basis. County officials in affected nonattainment areas should make sure that their comments on the procedure are received by EPA. Watch *County News* for a description of the policy when it is issued.

Unlike the 176(a) limits, Section 316 limitations on wastewater treatment grants are not mandatory on July 1. The act states that EPA may condition or restrict these grants in areas where a SIP has not been approved or where the SIP does not account for direct or indirect (growth-inducing) emissions from the plant. Again, affected county officials should prepare to comment on EPA's procedures for these restrictions.

STATE DOING ITS JOB?

"Although we will do everything possible with the constraints of the law to avoid economic disruption, it is clearly the intent of Congress for us to impose sanctions in areas where states are making no reasonable efforts to protect the health of their citizens," warned Blum. County officials should do all they can to ensure submission and approval of state SIPs which reflect local considerations; at stake could be millions of dollars in federal funds and local taxes.

Status of 1979 State Implementation Plans (SIPs) as of June 19, 1979

Plans Officially Submitted to EPA:

New Jersey*	Georgia	South Dakota
District of Columbia*	South Carolina	Utah*
Maryland	New Mexico	Wyoming
Viginia	Colorado	Nevada
Tennessee*	Arizona*	Mississippi
Vermont	Oklahoma	Texas
Arkansas	Alabama*	Maine
Louisiana	Massachusetts*	Montana
Delaware	New York*	Pennsylvania*
Washington*	Florida*	Minnesota*
Rhode Island*	Michigan* (I/M)	New Hampshire
		Wisconsin*
		North Carolina

Plans Expected in June:

Iowa	Missouri	West Virginia
Oregon		

Plans Expected in July:

Kansas	Illinois	Connecticut
California	Puerto Rico	Kentucky

Plans Expected in August:

Indiana	Alaska

Plans Expected in September:

Ohio	Idaho

Note: Nebraska expected June-August. No plans required for North Dakota and Hawaii.

*Note all required portions of the plan have been submitted. Many of these plans will be given "conditional" approvals. Local governments should work with states to make sure required revisions are submitted on schedule.

Food Stamp Benefit for the Elderly Raised

The House voted 405-8 last week to allow the elderly and disabled to deduct their medical and dental expenses over $35 a month and to deduct shelter costs when computing their eligibility for food stamps.

The bill, H.R. 4303, requires that states implement these provisions by Jan. 1, 1980. It is expected to increase participation by 12,000 persons at a cost of $60 million.

The 1977 Food Stamp Act replaced itemized deductions with standardized deductions in order to increase program efficiency. Unfortunately, when these changes went into effect this past March, many needy citizens, especially the handicapped and the elderly, were suffering severe cutbacks in their allotments.

Counties, in many cases, have been providing the additional relief to these needy persons through their general assistance and emergency assistance programs.

NACo actively supported H.R. 4303 and testified in support of it. The Senate Agriculture Committee passed a similar bill which is now awaiting floor action.

Also awaiting House floor action as NACo went to press is H.R. 4057, which raises the food stamp ceiling by $620 million for fiscal '79 to avoid cutbacks in benefits during the final months of the fiscal year.

Special Report 7

NACo COMMUNITY DEVELOPMENT TEAM

We think once in a while organizations should grade themselves and, if the record reflects it, smile and say, "You've come a long way, baby!"

In recent weeks in this newspaper we've been trying to tell you the NACo story as reflected by our staff teams. Today our community development team is featured.

To put this report together, we went back five years, compared the situation then with today, and we concluded that you county officials and those of us at NACo have taken giant strides in the areas of community and economic development and housing.

The Housing and Community Development Act of 1974 was the breakthrough for urban counties, making them eligible for a guaranteed share of block grant funds.

A Good Growth Rate

The first year the act took effect, 73 urban counties qualified and they cooperated with 1,875 communities in projects to make life better for low- and moderate-income residents.

This year there are 84 eligible urban counties and they are working with 2,400 separate communities within their jurisdictions. As Wall Street likes to say, that's a good growth margin.

John Murphy, a NACo associate director, heads the community development team. Paula Jarvis is the housing and community development specialist; Geraldine Crawford is a new coordinator for a technical assistance program for urban counties.

The team relies on assistance from the 58-member Community Development Steering Committee, chaired by Jim Scott, Fairfax County (Va.) supervisor, and the important NACo affiliate, the National Association of County Community Development Directors, headed by Los Angeles County's Roy Hoover.

A review of the legislation the community development team has successfully lobbied for shows how far we've come together:

- Celebrated passage of the 1974 Housing and Community Development Act that NACo had worked hard for since 1971 which finally recognized that urban counties face many of the same problems as central cities. The act also gave hundreds of other counties eligibility to apply for discretionary funds.
- Persisted in assuring that the act gave a predictable and sustained level of housing assistance to counties for low- and moderate-income people, another priority of NACo's and yours. It also linked housing to community development, a long overdue merger.
- Persuaded Congress in 1977 when the act was reauthorized to include urban counties along with cities in the new urban development action grant program (UDAG) which joins public and private resources to redevelop distressed areas.
- Worked effectively in 1976 for congressional approval of the $2 billion Local Public Works Construction Act to combat construction industry high unemployment and build needed public facilities. Counties got over 12 percent of that money.
- Urged successfully that funding for the public works act be upped $4 billion in 1977 with counties reaping 13 percent of those funds.

And here is what the community development team is doing now:

- Predicting that Congress at NACo's prodding will move to broaden the UDAG program to include pockets of poverty in urban counties and cities, as the House of Representatives already has done.
- Working to ensure as much predictability for housing funds as possible with Congress in a budget-paring mood.
- Pushing to greatly expand grant and loan programs administered by the Economic Development Administration and to increase from the present 2,200 the number of counties eligible to apply.
- Preparing for congressional debate next year when the Housing and Community Development Act is up for reauthorization to make sure the county role is protected, understood, and enhanced.
- Formulating strategy to ensure that legislative change is included in the 1980 reauthorization to stabilize urban county participation in the program.

12 Ways NACo Helps You

NACo's Community Development Team takes its lead from the Community Development Steering Committee, chaired by James M. Scott, supervisor, Fairfax County, Va. The steering committee, made up of county officials from all parts of the country, determines legislative policy which is then reviewed by the NACo Board of Directors and voted on by our members at the annual conference.

NACo's 12 Steering Committees are:
Community Development
Criminal Justice and Public Safety
Employment
Environment and Energy
Health and Education
Home Rule and Regional Affairs
Labor Management Relations
Land Use
Public Lands
Taxation and Finance
Transportation
Welfare and Social Services

Service Fee Program

The community development team works directly with you, too.

Last October, a service fee program offering intensive technical assistance was begun for urban counties qualifying for community development block grants. Forty-eight have signed up and the reviews have been good.

Every two weeks, participants get the *CD Relay*, a thick newsletter of analysis, research, new developments affecting programs, regulations from the Department of Housing and Urban Development, announcements of new available money, and solicitations of county views on HUD program changes.

The service fee program includes an information exchange so you can learn how other counties handle problems troubling you. Now a survey is under way to find out which HUD regulations are the least effective and most burdensome, and suggestions for change will be submitted at HUD's invitation.

But perhaps the most important role NACo's community development team fills is as ambassador to HUD, analyzing how the department sees urban counties in relationship to a specific program and advocating change if the county viewpoint isn't strongly represented.

The new service fee program was leverage to get a $188,000 HUD contract. It will provide self-help as NACo likes to put it. It sets up an exchange program for staff and others from an urban county needing expertise on a special problem with a county where a similar problem has been solved.

Have we put our message across?

The NACo community development team and county officials have come a long way together. If you haven't signed up yet, try us. We're good people to know.

GIVE US A CHANCE TO SOLVE YOUR PROBLEMS!

RETURN THIS COUPON TODAY!

Name____________________ Title____________

Address____________________________

________________________ Zip____________

Telephone__________________________

Your Community Development Problem________________

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Counties Meeting the Housing and Community Development Challenge

Deteriorating housing. Darkened shopping districts. Crime and the plight of the poor. These problems have crept from the confines of the inner city to the inner ring of the county, blurring the once sharp boundary between city and suburb.

Urban problems have become county problems, catapulting county government into the housing and community development ring.

NACo has long recognized the important urban role that counties play. We worked hard to include counties in the original housing and community development legislation in 1974, and in every major housing and development program since.

Counties are building new housing and rehabilitating the old. Counties are opening the doors of senior citizens centers, attracting job-generating industry, removing barriers to the handicapped, rebuilding neighborhoods, and attacking pockets of blight and decay. This year alone, urban counties are providing $400 million in block grant benefits to over 32 million low- and moderate-income persons.

Counties have rallied to the community development challenge, yet we still find our hands tied.

Urban counties are plagued by a qualifying process that allows a county's eligibility to hinge on the consent of the constituent units of government. This process promotes instability and uncertainty over whether a county project will be funded from year to year. NACo will work hard to change this in the 96th Congress.

Only 11 counties meet HUD's criteria for an urban development action grant (UDAG) and only two have been funded. NACo is working to allow the funding of pockets of poverty in the UDAG program, certainly a change that could bring benefits to more counties.

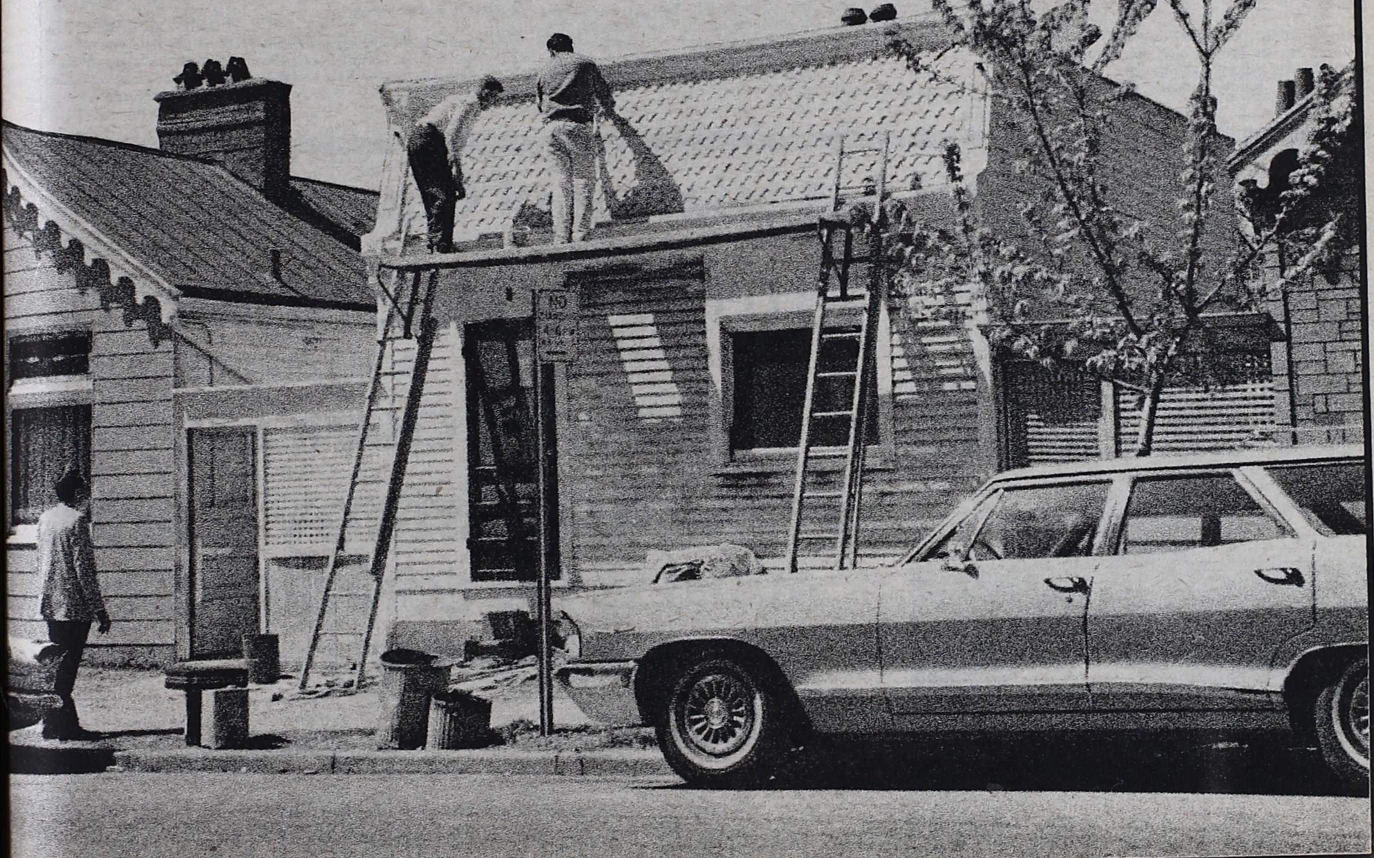
In addition, HUD is strongly encouraging the dispersal of low- and moderate-income housing throughout metropolitan areas—a policy that will directly affect urban counties. As the pressure to provide more assisted housing increases, the need for a sufficient and predictable level of housing funds for counties becomes critical. NACo has been battling for a sustained level of funding in a budget-cutting year. NACo is also working on the idea of a housing entitlement and new housing technology and financing methods.

Counties are already playing a strong role in housing and community development and NACo will be there to make sure they continue to do so.

NACo is your voice in Washington. To make sure that voice is heard—to make sure it speaks for you—join the National Association of Counties.

Get Your Fair Revenue Share

JOIN THE NATIONAL ASSOCIATION OF COUNTIES



Matter and Measure

COMMENTS ON PROPOSED STATE HIGHWAY SAFETY AGENCY

The National Highway Traffic Safety Administration (NHTSA) and the Federal Highway Administration (FHWA) are seeking comments on a proposal for a State Highway Safety Agency that appeared in the June 21 *Federal Register*. Contact Marlene Glassman at NACo for a copy.

The House Committee on Public Works and Transportation has amended the Highway Safety Act of 1976 "to ensure that program responsibilities presently fragmented and diffused among several different state agencies are brought together and coordinated by a single state agency with explicit authority for highway safety programs."

The proposed rule sets forth the authority that the State Highway Safety Agency should be given and specifies the functions it must perform. Take care to review the proposal fully; the following language under "functions" should provide "food for thought":

• "Programming, to include negotiating with state and local agencies to develop detailed tasks and to refine the goals, objectives and evaluation plans associated with these tasks for inclusion in the State's Highway Safety Plan ..."

• "Monitoring and review, to include monitoring of each task and program ..."

Since this proposal reflects a new initiative—the establishment of a new state agency—your comments are extremely important. Please consider the authority and autonomy you need, as county transportation officials responsible for highway safety, when you review this proposal.

Please submit your comments to Marlene Glassman no later than July 25. For more information contact: George Reagle, Office of State Program Assistance, NTS-20, 400 Seventh Street, S.W., Washington, D.C. 20590, 202/426-0068.

COUNTY RIDESHARING A SUCCESS

Getting the gas for commuting to work may get tougher every week but 31,160 employees of 11 Nassau County firms may lick the problem by ridesharing.

The 11 firms received citations June 20 from County Executive Francis T. Purcell for their outstanding cooperation with the Nassau Planning Commission in setting up ridesharing programs for their workers.

"Organized ridesharing saves money for the employees and helps reduce gasoline consumption on Long Island," Purcell said.

Ridesharing includes carpooling and transportation by company-owned buses and vans.

Under the U.S. Emergency Highway Energy Conservation Act, the Nassau County Planning Commission received a federal grant for 30-month program to promote ridesharing among Long Island firms. The program began in November 1976 and has been given a six-month extension to this November. The program is supervised by the New York State Department of Transportation.

TRANSPORTATION QUESTIONS AND ANSWERS

We want to initiate a new section for this column to address your transportation questions. The format would be question and answer published periodically and based on your input.

Questions, for example, could address issues such as: the highway bridge replacement and rehabilitation program; energy-saving highway construction and rehabilitation techniques; and federal transportation regulation.

If you have ideas or if you have any transportation question to include in our first column, please send them to me.

—Marlene Glassman

AT ANNUAL CONFERENCE

Planners to Vote on Bylaw Revision

In addition to scheduling a full range of activities at NACo's annual conference in Kansas City, Mo., July 15-18, the National Association of County Planning Directors (NACPD), a NACo affiliate, will vote on proposed changes to their constitution.

The annual NACPD membership meeting is set for 4 to 6 p.m. Tuesday, July 17, in the convention center where the following constitutional changes will come before the membership:

• The president is given the new duties of developing adequate NACo staff services, recommending members for NACo steering committee assignments, and appointing two members of the board as liaison representatives to the American Planning Association and the National Association of Regional Councils.

• The vice president will chair the program committee that will plan the membership meetings.

• The regional vice presidents will hold office for one year instead of two, be responsible for recommending state representatives for board approval, establish a state-level network, and maintain a directory of county planning offices and executives.

• State representatives serve the regional vice president until replaced but are not considered members of the board of directors.

• The following committees are established: nominations, program, information, and legislation.

• General membership meetings will be held during the NACo annual conference and during the annual APA conference.

This summary fulfills the requirement that amendments be submitted to the membership two weeks prior to the vote. Copies of the proposed amendments can be obtained from Alan Magan at NACo.

Other items on the agenda for the business meeting include:

• Election of officers and committee assignments;

• Future of the "701" planning assistance program, including substitute legislative proposals;

• Proposed regional workshops on farmland preservation and other critical issues;

• Discussion of NACo research project on farmland preservation; and

• NACPD relationship to newly formed American Planning Association.

Prior to the meeting NACPD members are invited to join two tours of the Kansas City area. In the morning members will travel to limestone caves outside the city which are being developed for commercial and light industrial uses. In the afternoon there will be a guided tour of the city including the parkways, Country Club District and Crown Center. Bus will leave from the convention center at 9 a.m. for the cave trip and at 1 p.m. for the city tour.

Finally, the NACPD board of directors will hold a breakfast meeting at 7:30 a.m. in the convention center on July 17 to make final preparations for affiliate activities.

Juvenile Justice Training to Be Offered

Juvenile justice training workshops will be held Aug. 20-21 in Denver, Colo. and Oct. 1-2, in Louisville, Ky.

The training, conducted by the Juvenile Justice Project of NACo's research arm, will involve joint participation by county officials and juvenile justice professionals in areas of alternative programs for youth; coordination of local resources; planning functions and development of a strategy for change; and developing action models and strategies for change.

Participants will work in both small and large groups during the two days of training: sometimes with their counterparts from other counties, sometimes with their partner from their home county. Lectures will be kept to a minimum, and the progress of the training will depend on informal and open discussion among participants.

Participant counties will be responsible for their own travel and hotel expenses. There will be no cost for training and materials.

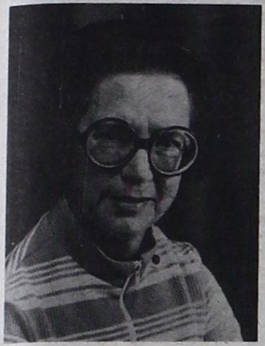
Any county team wishing to attend either workshop should contact Choice Richardson at NACo at 202/785-9577.

Fourth VP Candidates Speak Out

Doris Dealaman

Somerset County, New Jersey

I believe that county government is the keystone to our federal system. My experience at all levels of government, including municipal, state and federal, convinces me that counties are the vital link in the delivery of services to the American public. For the last 12 years, I have been deeply involved as an elected county official. As a member of the Board of Directors of NACo since 1973, I am most aware of the necessity of a county voice. By frequent testimony representing NACo before congressional committees and as a member of the Advisory Committee on Intergovernmental Relations (ACIR), I have been proud to be part of that voice. Our slogan, "Think County," serves as a reminder of the significance of our level of government.



For NACo, I present four major goals:

- Effective intergovernmental relations;
- Increased fiscal support for county programs;
- Increased county input into state and federal legislative regulations;
- 100 percent membership in NACo nationwide.

The necessity of close intergovernmental relations was clearly demonstrated in the late 1970s and will be even more more vital in the 1980s. Due to the demand for increased services, especially human services, coupled with shrinking funding availability, the state and federal governments must be forced to recognize the responsibility for basic fiscal support.

In my judgment, NACo must assume a more positive role by insisting on opportunities for input to legislation affecting county government operations. We must insist on providing input *before* the drafting stage, and during the process, and react either negatively or positively upon proposals.

The Older Americans Act, which my committee participated in drafting, is a prime example of intergovernmental cooperation.

I feel it is very important that NACo continue to actively seek membership from counties across the nation. It is encouraging to see that Oklahoma counties may now join with us. In unity there is, most definitely, strength.

In my many years of involvement in county government affairs at all levels, I have consistently worked for strengthening county government's role.

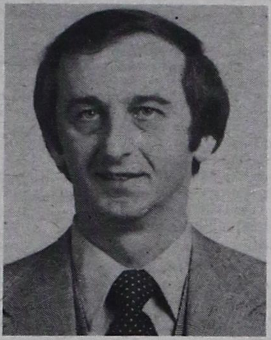
County government is my full time job. I am very fortunate to have the full support of my own county board for my activities within NACo and in the New Jersey Association of Counties (NJAC).

Counties are moving. Counties are being recognized as never before. The National Association of Counties has grown tremendously and is highly respected in Washington. Our platform positions are not only respected but actively solicited by the Administration. Our impact—our voice—must be constantly strengthened.

The NACo membership will vote on officers and directors on Tuesday, July 17 at the Annual Business Meeting, 2 p.m. in Bartle Hall, as part of the 44th NACo Annual Conference in Kansas City, Mo.

William Murphy

Rensselaer County, New York



I am seeking NACo's fourth vice presidency because I believe that a strong NACo means a better quality of life for the citizens of each of our counties.

Together, as county officials, we have had to face tremendous challenges in recent years. Rather than showing signs of abating, these challenges are growing by leaps and bounds in both nature and size. Among them are excessive federal regulations, mandated program costs, the energy crisis, inflation, and the extension of federal revenue sharing. All are issues that impact greatly upon us and could indeed affect our viability as responsive governments.

Compounding our problem is the fact that we are plagued by low public visibility, a fact that hurts our ability to muster popular support for vital legislative programs. Isn't it a sad irony, that as main providers of services to the public, we are often relegated to honorable mention status in terms of visibility. Things clearly must change!

I am firmly convinced that since these national problems greatly affect counties, then counties must have a role in determining the solutions that will solve these problems. Stated frankly, those who are affected by a decision should be involved in the decision-making process.

The meeting of the challenges that we face demands leadership at the national level and the enhancement of the visibility of county governments at the local level. I believe that I am equal to the challenge of providing that leadership, and that is why I am a candidate for NACo fourth vice president.

In meeting my county's challenges as its first elected county executive, I have become heavily involved in the key issues facing NACo and my home state association of counties. I have been honored to serves as a:

- Member, NACo Board of Directors
- Vice chairman, NACo Home Rule Steering Committee
- Past chairman, NACo Welfare subcommittee on income maintenance
- Second vice president, New York State County Executives Association
- Past chairman, New York State Association of Counties Welfare Reform Committee

These involvements, in addition to aiding me in surmounting my county's problems, have provided me with the necessary insights and experience to exhibit the type of leadership NACo must have.

I believe in the future of our county governments, and I believe that NACo must play a key role in that future. To underscore my commitment to county government, I have twice declined the nomination of my party to run for Congress (which in my district is tantamount to election) because I believe there is vital work to be done here at the county level, and I fully intend to stay in the fight!

My own upstate New York county may be separated by many miles of geography from yours, but our problems are very much similar. I believe that I have something to contribute to that future and I'd like to work for *your* county, as NACo's next fourth vice president.

Sandra Smoley

Sacramento County, California

In the years ahead, our nation will undoubtedly struggle with a new federal era of fiscal austerity. This struggle will place even greater strain on the federal-county relationship as the Congress and the Executive Branch seek to apply federal budget constraints.

Unless NACo has effective leadership in this austere new era, the important discretionary powers and duties of county officials will be severely curtailed. Federal budget restrictions must not be enacted at the expense of the important law enforcement, transportation, environmental, health and family support services counties provide.

NACo will need leadership with first-hand experience in the tough decision-making that accompanies governmental spending limits and revenue reductions.

I have that experience. As president of my state association last year when Proposition 13 was enacted, I was deeply involved in the debate on the issues and the subsequent hard choices during implementation.

I understand the complexities of governmental revenue reductions and have the essential "know-how" born of practical experience to advocate counties' urgent needs to Congress and the bureaucracies.

It's also important in the coming years that NACo officers be widely representative of the geographic and philosophical diversity of the nation's counties. As a native Iowan "transplanted" to Sacramento County, I understand the differences as well as the many similarities. My own county—although its 700,000 population classifies it as "urban"—has its roots in agriculture and is experiencing the difficulties associated with suburban growth. The counties in California range in population from less than 1,000 to more than 7 million, and in my seven years as a county supervisor I have learned the need to balance the diverse needs of widely varying counties.

I believe that NACo provides a unique forum for addressing the problems of counties across the country, and I have been a strong NACo participant and supporter for six years. I have served as a member of the NACo Board of Directors for two years; NACo representative to the New Coalition; NACo Committee on the Future; vice chairman, NACo Health and Education Steering Committee; and chairman, Health Planning Task Force. I have also been active with the County Supervisors Association of California as president, member of the Board of Directors, and Executive Committee member.

The fiscal debates now sweeping the nation must not be allowed to overshadow the pressing needs of counties—community development and housing, assistance to the unemployed and underemployed through CETA and the Economic Development Act, law enforcement programs with sufficient local control, expansion of payments-in-lieu, rural development funding, roads and public transportation, and effective welfare reforms. We must also convey to Congress the importance and effectiveness of the many local services and programs supported by general revenue sharing.

As NACo fourth vice president, I can advocate vigorously and effectively on behalf of counties in the intense national debates to come.

Washington Briefs

Community Development

Community Development—HUD Appropriations. The House has passed H.R. 4394, the HUD Appropriations bill for fiscal '80. The bill includes $27.6 billion in contract authority for Section 8 and conventional public housing programs and sets a mix of 60 percent new construction and 40 percent existing housing, down from the 64/34 requested by the Administration. It is estimated that this will produce 300,000 to 316,000 housing units to be assisted. The bill also contains $3.9 billion, the full amount authorized for the community development block grant program. On a procedural objection the House cut the $275 million increase proposed for the urban development act grant program, leaving $400 million. The bill also includes $130 million for the Section 312 housing rehabilitation loan program. The Senate HUD Appropriation subcommittee will consider its HUD Appropriations bill after the Senate acts on its version of the housing authorization bill.

Economic Development. The Senate subcommittee on community and regional development has approved legislation extending the economic development grant programs of the Department of Commerce for four years. The bill adopts revised eligibility criteria for the program recommended by the Administration which would reduce the number of counties eligible for the program, but would phase them out over a three-year period. The full Environment and Public Works Committee will consider the legislation on July 10. The House Public Works Committee approved a two-year bill in May which broadens county eligibility for EDA programs. That bill is awaiting House floor action.

Housing and Community Development Amendments of 1979. The House has approved H.R. 3875, the Housing and Community Development Amendments of 1979. The Senate version of this legislation is expected to go to the Senate floor in mid-July.

Environment and Energy

EPA Appropriations. House Appropriations Committee has approved $3.4 billion for wastewater construction grants, $30 million for Section 208 water quality management planning, $10 million for Subtitle D state and local solid waste planning, $10 million for resource recovery feasibility studies; no additional appropriation for Section 175 local clean air planning. Senate Appropriations subcommittee on HUD-Independent Agencies is expected to mark up its bill after the July 4 recess.

Energy Impact Assistance. The Hart-Randolph energy impact assistance proposal was to be introduced this week as part of the Senate Environment and Public Works Committee's markup of the EDA reauthorization bill. However, Sen. Alan K. Simpson (R-Wyo.) asked that consideration of this item be postponed. Senate Appropriations subcommittee on Interior will be considering funding for the Section 601 energy impact program after the July 4 recess.

Local Energy Management Act. Sen. John A. Durkin (D-N.H.), chairman of the Senate subcommittee on energy conservation and supply, has agreed to schedule hearings in early July. Hearings will be held in conjunction with hearings on the Administration's proposed Energy Management and Partnership Act.

Nuclear Waste Management. Hearings on S. 742 have been postponed until after the July 4 recess. NACo will be rescheduled as a witness when a date becomes available.

Interior Appropriations. The House Appropriations subcommittee made the following recommendations for the fiscal '80 budget for the Department of Interior: $200 million for the state share of the Land and Water Conservation Fund budget, a $169 million cut from last year; agreed to a 15 percent limitation on use of Historic Preservation funds for state and local government buildings still in public use and a budget level for the fund of $50 million; $125 million for the urban parks program, a cut of $25 million from the Administration's request, a fiscal '79 supplemental of $20 million for the program was enacted earlier this month. Full House Appropriations Committee action is expected early in July with Senate floor action to follow in late summer.

Health

Hospital Cost Containment. At press time, Sen. Herman Talmadge's Medicaid/Medicare Reimbursement Reform Act, S. 505, and an amended version of the Senate bill, S. 570, were scheduled for markup.

Catastrophic Health Insurance. Markup in Senate Finance Committee of catastrophic health insurance proposals continued last week.

National Health Insurance. House Commerce health subcommittee will be holding hearings in September on the Kennedy/Waxman proposal.

314(d) Health Incentive Grants Program Appropriations. Markup in Senate Appropriations Committee is expected to take place after the July 4 recess. The subcommittee recommendation was for $80 million. At press time, the House was scheduled to be voting on the HEW/Labor Appropriations for 314(d) which was set at $52 million.

Child Health Assurance Programs (CHAPs). House Commerce health subcommittee markup of CHAP proposals were scheduled to occur at press time.

Health Planning. H.R. 3917 is scheduled for House floor action June 29. The Senate has passed a three-year, $997 million reauthorization of the Health Planning and Resources Development Act, S. 544.

Labor Management

Labor Enforcement. President Carter last week signed Executive Order 12144 transferring enforcement of the Age Discrimination in Employment and the Equal Pay Acts from the Labor Department to the Equal Employment Opportunity Commission (EEOC). The transfer is effective July 1, as provided by the President's civil rights reorganization plan which cleared Congress last year.

Wage-Price Controls. A resolution sponsored by Rep. Ted Weiss (D-N.Y.) and 19 other House Democrats placing the House Democratic Caucus on record as supporting legislation giving the President standby authority to impose mandatory wage and price controls was stalled last week in the caucus. The resolution may again be considered when the caucus meets again July 18. Sen. George McGovern (D-S.D.) has introduced the only piece of legislation to date, S. 1022, calling for mandatory controls. McGovern has so far been unsuccessful in obtaining cosponsors for the bill or scheduling committee action on the proposal.

Mine Safety and Health Act Regulations. H.R. 1603 and S. 625 would amend the Federal Mine Safety and Health Amendments Act of 1977 to remove from MSHA jurisdiction the sand, gravel and stone industries including counties which are involved in such operations for purposes of road maintenance and construction. The House legislation has been referred to Education and Labor Committee's health and safety subcommittee which is holding hearings this summer. NACo plans to testify in support of legislation exempting state and local governments.

Frequency of Social Security Deposit Payments by State and Local Governments. Regulations go into effect July 1 requiring state and local governments to deposit their Social Security payment 12 times a year rather than quarterly. Rep. Robert A. Roe (D-N.J.) has introduced H.R. 1115 which would retain the current quarterly deposit schedule. The Senate Finance subcommittee on Social Security held hearings Jan. 29 on the HEW regulations. Sen. Gaylord Nelson (D-Wis.), chairman of the subcommittee, is expected to introduce legislation this week modifying the HEW regulations.

Universal Social Security Coverage. A HEW study group has held hearings on mandating inclusion of state and local governments under the Social Security system. NACo testified in opposition to mandatory coverage. The study group's final report, to be issued in December, is expected to serve as the basis of legislation later in this Congress.

Repeal/Reform of the Davis-Bacon Act. Legislation, H.R. 49, H.R. 53, S. 29, would repeal the Davis-Bacon Act, which requires federal and federally assisted contractors to pay employees the wages prevailing in the local area. Prospects for outright repeal are extremely slim. Opponents of the act have instead been attempting to waive the Davis-Bacon requirements for selected programs. Supporters of the act have introduced H.R. 3670 which would clarify the responsibilities of the Secretary of Labor and the Comptroller General and specify that prevailing collective bargaining agreements in local communities would be the prevailing wage rates under the act. Hearings were held recently before the House Labor Standards subcommittee.

PERISA. A modified version of last year's Public Employee Retirement Income Security Act (PERISA) is expected to be introduced this fall by Reps. Frank Thompson (D-N.J.) and John Erlenborn (R-Ill.). The legislation, would propose federal standards for state and local government pension plans in the areas of reporting and disclosure, fiduciary responsibility, and plan administration. Hearings on the legislation have tentatively been scheduled for the fall. NACo plans to testify.

Transportation

Trucking Deregulation. The President and Sen. Edward Kennedy (D-Mass.) have joined together to offer the long-awaited trucking deregulation legislation.

Transportation Appropriation. Rep. James Howard (D-N.J.) is expected to offer a $152 million amendment to the '80 transportation appropriations bill, H.R. 4440. The amendment, divided equally between highways and public transportation, attempts to add additional funds to the safer off-system roads program and for bus and commuter rail services. County officials are asked to contact their representatives immediately in support of the Howard amendment.

Welfare

Food Stamps. House passed H.R. 4303 allowing elderly and disabled to deduct medical and dental expenses over $35 and all shelter costs when determining eligibility. A similar bill, S. 1309, was reported out of the Senate Agriculture Committee and is pending floor action. H.R. 4057, raising the ceiling from $6.1 billion to $6.778 billion for fiscal '79, is awaiting floor action in the House.

Final Age Discrimination Regs Effective Now

Final regulations barring discrimination on the basis of age, which became effective July 1, will have widespread implications for counties as "recipients" of federal funds.

This set of rules, implementing the Age Discrimination Act of 1975, as amended, will guide the development of specific regulations by each federal agency which administers federal funding programs. All counties that use federal money, including general revenue sharing funds, will be affected.

Though NACo has long and earnestly supported the protection of the rights of aging citizens, the imprecise language of the act, coupled with cumbersome details in the regulations, was viewed by NACo as an awkward way of dealing with a basic right.

The final regulations incorporate a definition of "any law"—referring to the allowable legislative authority for making distinctions on the basis of age—which is of significant importance to counties.

IN WRITING AND in public testimony presented by Chosen Freeholder Doris Dealaman, Somerset County, N.J., NACo's primary spokesperson on aging, NACo argued against limiting the legislative authority to make age distinctions to federal law alone, federal and state laws, or federal laws and regulations.

It was argued that "any law" clearly must be interpreted as state and federal laws and local ordinances —that the authority of elected officials to make laws is fundamental to the federal system of federal, state and local levels of government.

Another significant point in the final rule, a targeted rather than comprehensive approach to data collection for annual reports by each agency (beginning in 1979) is welcomed by NACo and will be more manageable at the county level. (A caveat here, however—the language limiting the data ends with the open-ended "whatever other data the Secretary (of HEW) may require.")

HEW'S GENERAL regulations will follow the approximate timetable below:

- **September 1979:** Each federal agency must publish its own proposed regulations;
- **January 1980.** Each agency must submit to HEW its final regulations and a list of all age distinctions provided by federal statute or regulation affecting financial assistance it administers;
- **January 1981:** Each agency must have reviewed all age distinctions it makes to determine if they are permissible and be prepared to report on the results of the review, report on and justify distinctions to be continued and identify those to be eliminated and those to be adopted as administrative procedures;
- **June 1981:** Each recipient with 15 employees or more must produce a written self-evaluation, identifying and justifying all age distinctions it imposes and take corrective and remedial action if the process indicates a violation of the act. In effect, this includes all counties.

The rules were published in the June 12 *Federal Register.* County officials interested in further information should contact Mary Brugger Murphy at NACo.

Labor Bulletin Has Age Bias Answers

The final form of the Interpretive Bulletin on the Age Discrimination in Employment Act of 1967 was published in the May 25 issue of the *Federal Register* (Vol. 44, No. 103). The Wage and Hour Division of the Department of Labor is responsible for the bulletin which mostly concerns employee benefit plans.

It answers questions such as: what kinds of employee benefit plans fall within Section 4(f)(2) of the act; what kinds of cost data may be relied on to show that age is an actuarially significant factor in plan design; and can benefit levels be reduced on the basis of average cost for older employees?

Since the Equal Employment Opportunity Commission will take on administrative and enforcement responsibilities for the act effective July 1, all counties should be aware of their duty under the act. The County Employee/Labor Relations Service (CELRS) of NACo is making single copies of the interpretive bulletin available upon written request to Barbara Radcliff, CELRS, National Association of Counties, 1735 New York Avenue, N.W., Washington, D.C. 20006.