

**This Week**  
 NACo's Annual  
 Conference in  
 Fulton County  
 (Atlanta), Ga.  
 July 8-12, 1978

Vol. 10, No. 27

# COUNTY NEWS

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

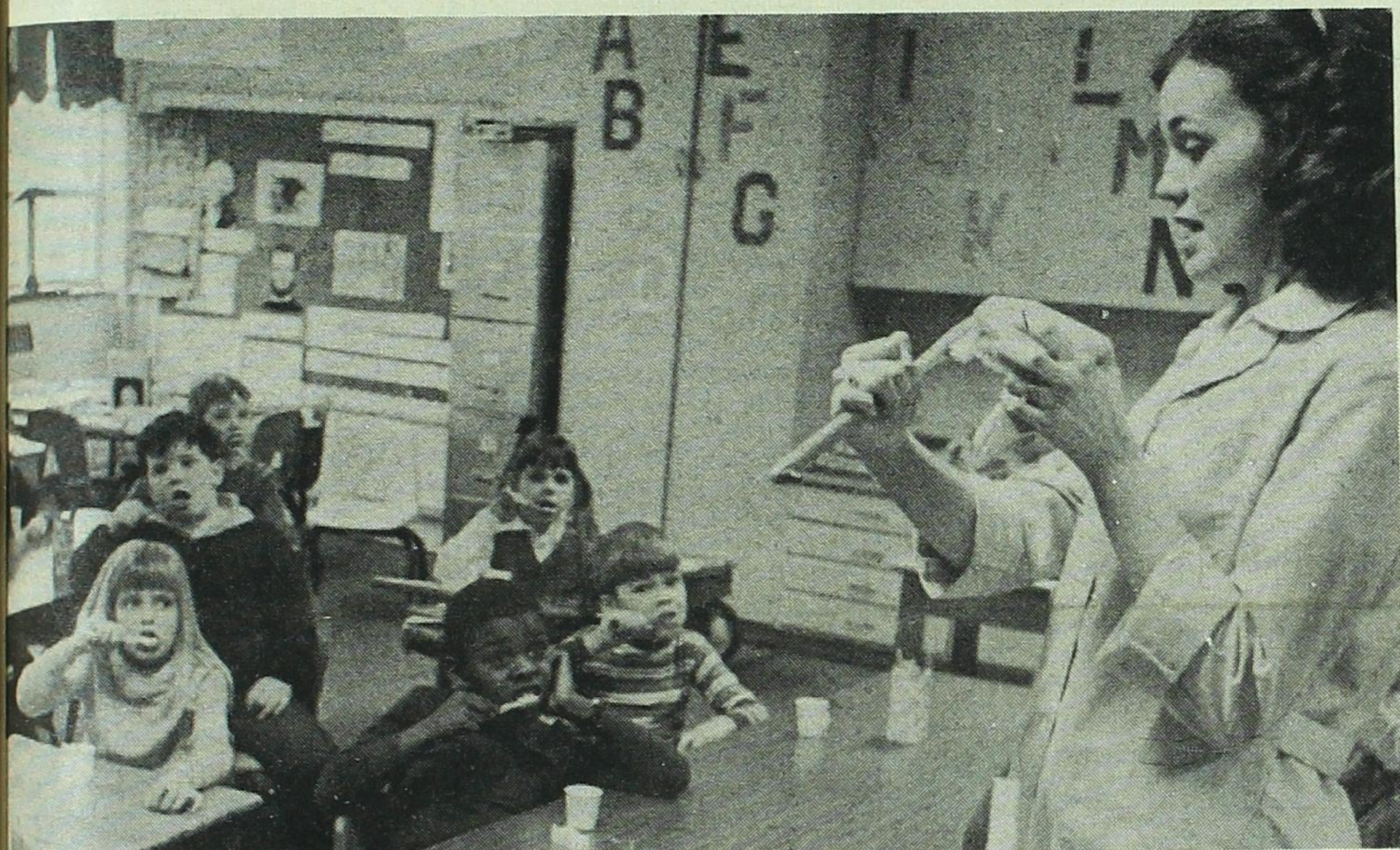
July 3, 1978

**NACo**

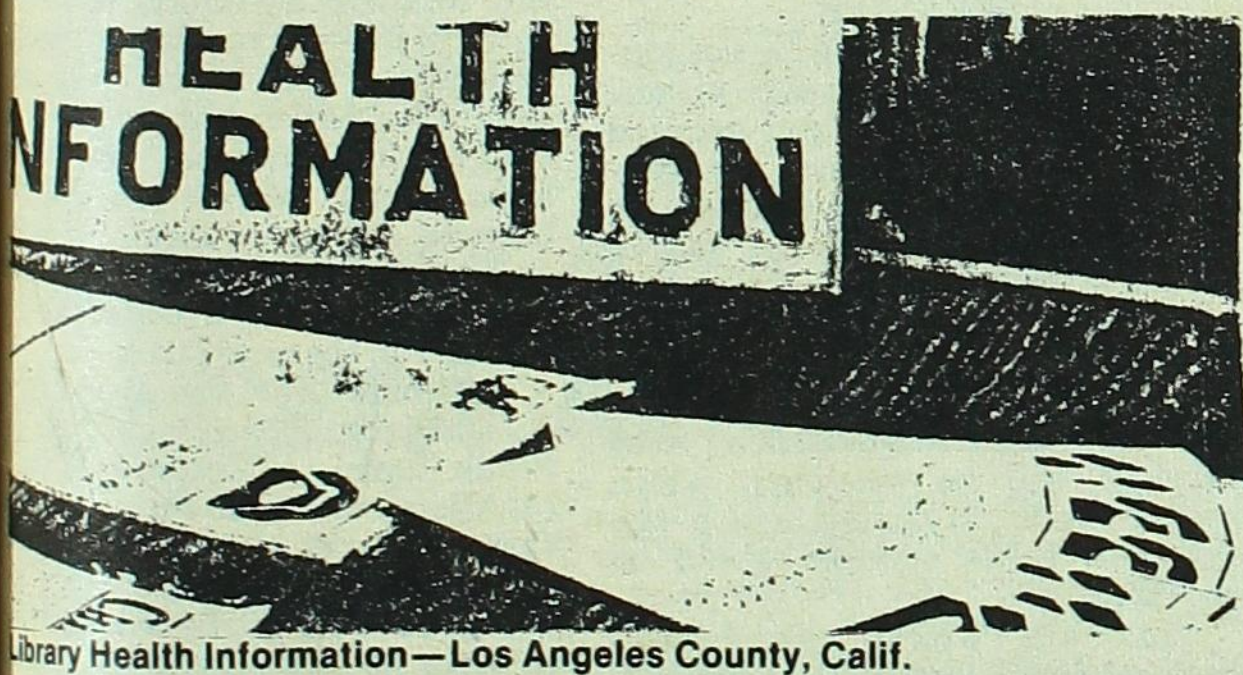
Washington, D.C.

## Salute to County Achievements

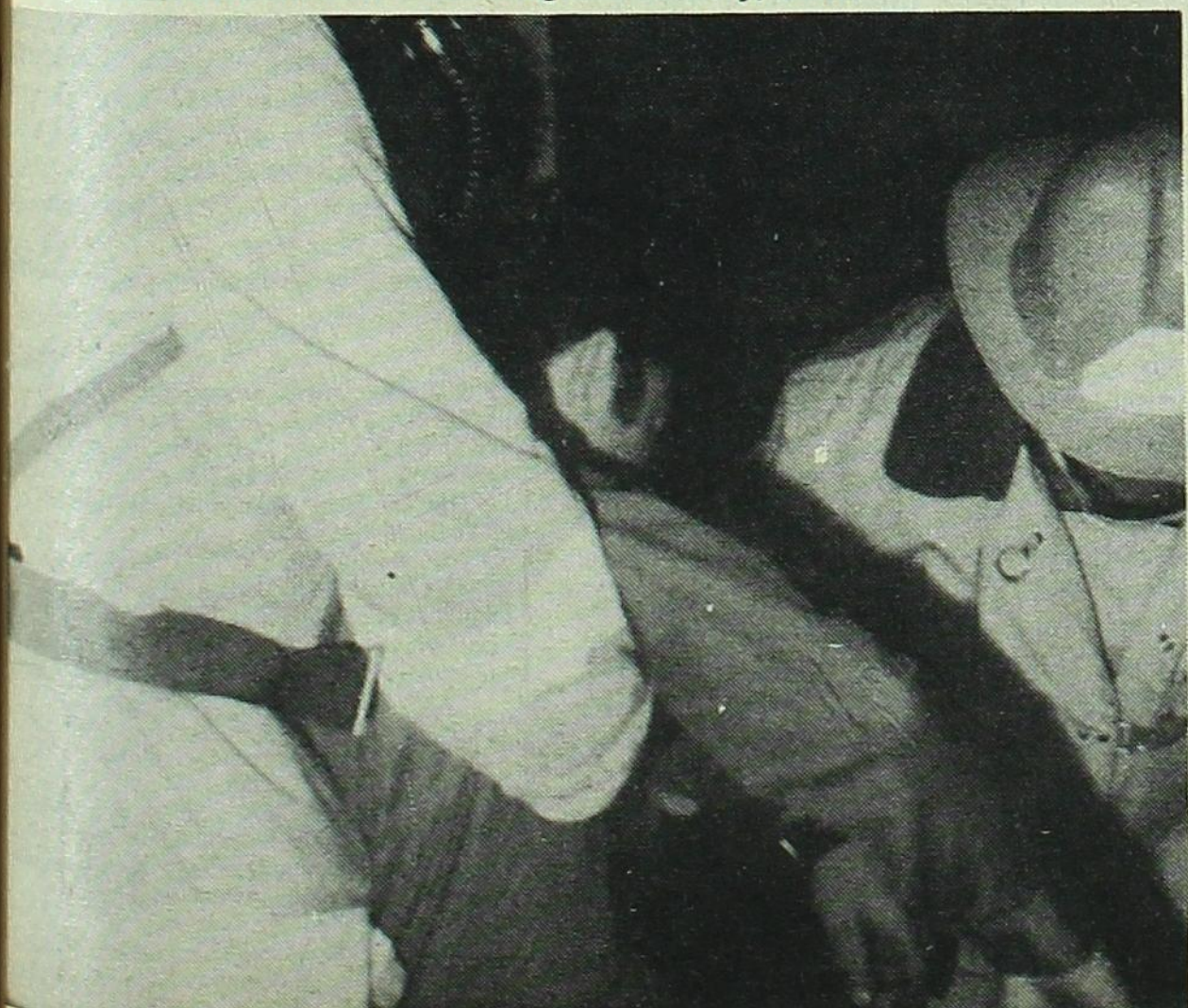
**1978 Programs Recognized, pages 9-12**



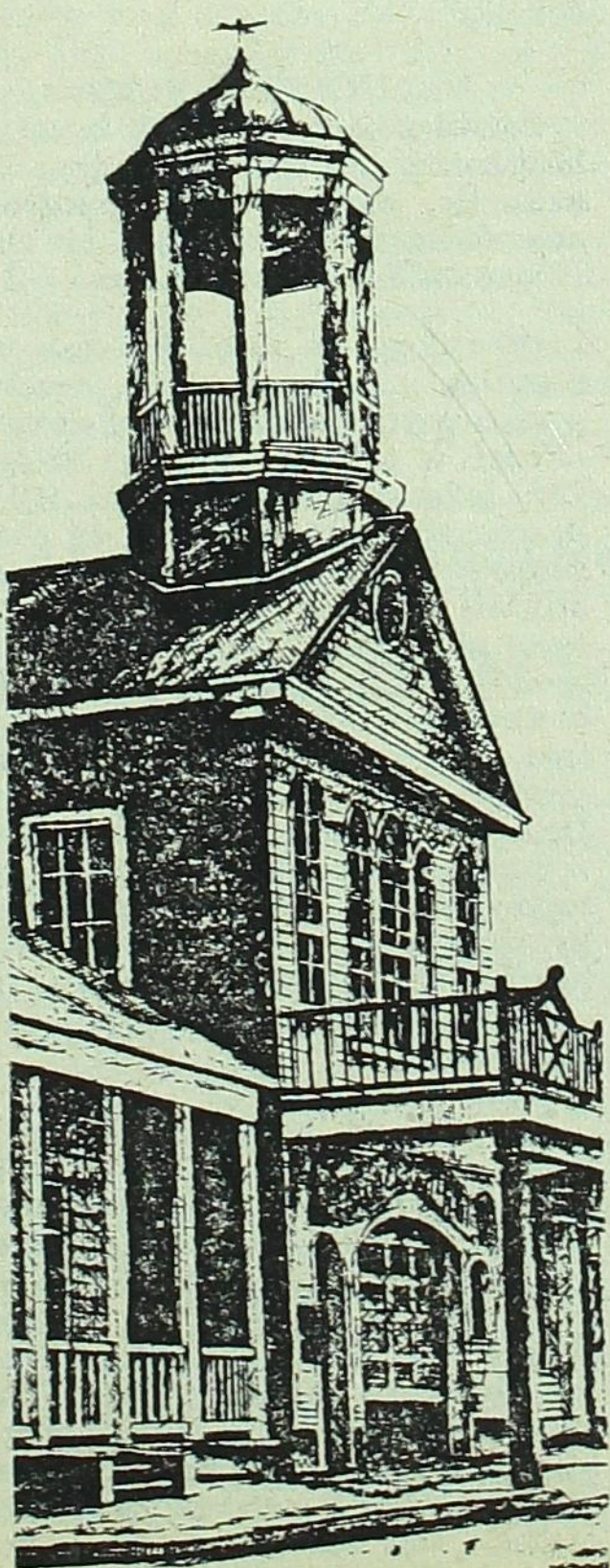
Dental Hygiene for School Children—Iredell County, N.C.



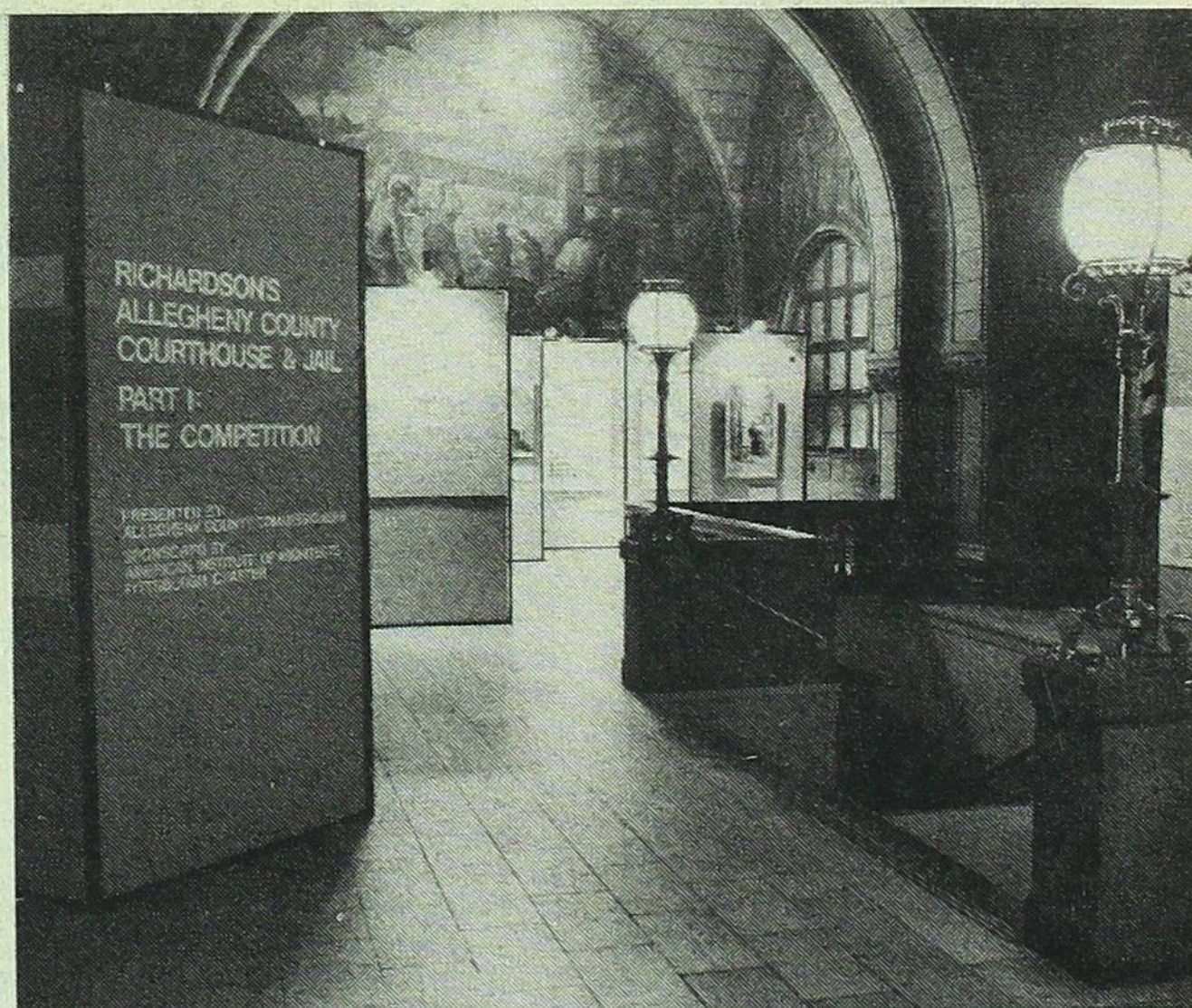
Library Health Information—Los Angeles County, Calif.



Fire Protection—Madison County, Ala.



Historical Commission—Jefferson Parish, La.



Courthouse Gallery/Forum—Allegheny County, Pa.

- **Welfare Reform: What Happened, What's Ahead?** page 2.
- **Will Bakke Decision Affect Counties?** page 3.
- **New Developments for Local Jails,** page 4.
- **Counties and Noise Control,** page 5.
- **Legislative Update,** page 7.



## WELFARE REFORM

# What Happened, What's Ahead?

WASHINGTON, D.C.—Despite efforts of county officials, governors, state legislators and city officials to achieve a compromise, welfare reform was pronounced dead by the Speaker of the House June 22.

A compromise plan at a reduced cost had been recommended by the New Coalition following a meeting May 16 with Rep. Al Ullman (D-Ore.), chairman of the House Ways and Means Committee. Ullman said that if the New Coalition could come up with a "real-world" compromise costing \$6-\$9 billion in three weeks, action might be possible in this Congress.

Following that meeting, NACo's Welfare and Social Services Steering Committee and staff agreed on a compromise in cooperation with the members of the New Coalition—the National Governors' Association, National Conference of State Legislatures, National League of Cities, and U.S. Conference of Mayors.

At a June 7 meeting of the House and Administration leaders and Massachusetts Gov. Michael Dukakis, representing the New Coalition, all parties agreed that a bill should be drafted incorporating the New Coalition compromise proposals. The first draft of a bill costing \$13.4 billion had been prepared and efforts were being made to pare down the cost to \$10 billion when the Speaker made his announcement.

### CLASH OF PHILOSOPHIES

The need for comprehensive reform of the welfare system which county officials and NACo have supported for 15 years, was caught in a clash of philosophies among key congressional committee chairmen and a reaction to all spending in light

of California's Proposition 13 tax revolt action.

In addition, the Senate has been tied up so long on labor law reform that the calendar provided a convenient excuse for Congress to avoid dealing with the issue in an election year. Many observers have noted that there are no votes back home for welfare reform.

At a NACo rally in support of the President's welfare reform proposals last September, Sen. Daniel Patrick Moynihan (D-N.Y.) warned county

officials that welfare reform failed in the past because the subject was caught between the right and the left—and there was nowhere to go but down. He noted: "Already, there are signs of misalignment among my congressional colleagues."

Rep. James Corman (D-Calif.), chairman of the special welfare reform subcommittee, was reluctant to agree to a \$10 billion compromise package which he felt would not really reform the system.

The bill that the welfare reform

subcommittee reported in February, H.R. 10950, would have established a national minimum cash benefit level (cash would have replaced food stamps) for all poor people, including singles and childless couples; provided increased fiscal relief to states and counties for welfare costs; provided public service jobs for welfare recipients; expanded the earned income tax credit for the working poor.

All of these measures were proposed by NACo in its 1976 welfare

reform plan, and had been reflected in the President's welfare reform bill (H.R. 9030). Various estimates placed the cost of H.R. 10950 at \$10 billion.

However, Rep. Ullman and Sen. Russell Long (D-La.), chairman of the Finance Committee, did not support this comprehensive approach and wanted something more incremental and less costly.

### A "VOLATILE COMMODITY"

Another continuing problem was the Administration's lack of foresight about its own bill. On May 10, NACo's Welfare and Social Services Committee had written President Carter asking him for his "personal involvement to achieve congressional action on welfare reform."

The committee had urged the President "to assign a single high ranking White House official to coordinate the legislative and policy efforts of HEW, DOL, states, counties and cities..." Such an appointment was never made, and many members of Congress felt that welfare reform was no longer a high priority of the Administration.

A *Washington Post* article of June 3 summed up the situation: "The welfare reform were listed on the Mercantile Exchange, it would trade with orange juice and coffee futures as an extremely volatile commodity. Last August, it was a major presidential initiative introduced on television from Plains. By the fall, it had slipped from public view."

"In the winter it reappeared as the subject of legislative sessions before a specially created House subcommittee..."

"The swings were, in a sense, comforting, because they kept the idea reform alive while leaving reformers apparently unlimited time to debate program details," said author Frank Levy and James R. Storey.

### THE STRUGGLE CONTINUES

Despite the final collapse of the compromise efforts the present fiscal and administrative problems of the welfare system continue and NACo will continue its efforts to salvage parts of the reform package in the Congress. Fiscal relief funds have been provided in the congressional budget and expanded tax credits have strong support. In addition, Corman and other members of the special welfare reform subcommittee plan to introduce a comprehensive bill early in the next Congress.

Chairman of NACo Welfare and Social Services Steering Committee Frank Jungas of Cottonwood County, Minn. reacted to the news about the collapse of welfare reform compromise efforts by saying: "We county officials will be here next year to press for real reform. Those of us who are responsible for administering the present system understand how important it is to those in need to have a fair, and efficient welfare system in this country."

—Aliceann Fritschler

## New Welfare Proposal Given

WASHINGTON, D.C.—A new welfare bill with \$2.2 billion of fiscal relief for counties and states for Aid to Families with Dependent Children (AFDC) costs will soon be introduced by Sens. Russell Long (D-La.), Alan Cranston (D-Calif.), and Daniel Patrick Moynihan (D-N.Y.).

At a press conference June 28, Moynihan and Cranston announced the outline of their "no-frills" bill and said Long had agreed to have the Finance Committee consider the bill. (Long is chairman of the Finance Committee.) They said the provisions will probably be added to a tax bill.

Both senators said that this bill was not a substitute for comprehensive welfare reform, but that immediate action was needed this year to relieve local property taxpayers, as evidenced by the tax revolt in California. The bill will also provide in-

centives for private employers to hire welfare recipients and increase earned income tax credits for the working poor.

**THE BILL** would significantly change the federal-state-local sharing of AFDC costs.

Under the proposal, the present matching provisions would be replaced by a block grant approach, effective Oct. 1, 1979. The block grant for the first fiscal year (1980) would equal the federal share of welfare payments, plus administrative costs, plus one-half of the matchable state and local share for this same period. (Thus, for a state now receiving 50 percent federal matching, the block grant would be 75 percent of total costs during the base period.)

In states where counties pay part of AFDC costs, the savings would have to be passed through to them

(but would not exceed 100 percent of their share).

**AFTER FISCAL '80**, the block grant amount would be adjusted at the beginning of each fiscal year by the increase or decrease in the population of the state. In addition, a state's block grant amount would be adjusted by the increase in the consumer price index. For most states, when insured unemployment in a state rises above 6 percent, the block grant would be increased.

In some states, the AFDC payment to a family with no other income when combined with the value of food stamps is less than 65 percent of the 1977 national poverty level (65 percent of the poverty level for a family of four was about \$4,000 in 1977). In those states, the block grant would be increased if payment levels are increased.

—Aliceann Fritschler

# Health Care: Enlarged Roles

WASHINGTON, D.C.—Local government officials have been called upon by the Administration to help control runaway medical care costs.

Hale Champion, under secretary of the Department of Health, Education and Welfare, told a group of state and local leaders recently that states and counties should make better use of their powers to improve the nation's health care system.

Cost controls can be achieved by ways other than cutting services, limiting eligibility or reducing fees, he said. States and counties can save money by initiating programs to control fraud and abuse, prudent buying of services and supplies, elimination of unnecessary services and improved quality of services.

On Capitol Hill, counties have been asked to become full partners in running congressionally mandated health programs. For example, in fiscal '79 counties will be able to operate federally funded programs that originally were governed by a board of consumers and volunteers.

While counties have been scoring quiet gains in the area of health care, speculation has been mounting about the President's plans for national health insurance and his chances of securing a hospital cost containment program. What follows is a roundup of legislation that will have important impacts for counties.

### NATIONAL HEALTH INSURANCE

Present plans call for a presidential statement on national health insurance principles sometime this summer. A tug-of-war is going on between the supporters of comprehensive reform—Sen. Edward Ken-

edy (D-Mass.) and organized labor—and those favoring gradual or incremental adoption of a national health program—Sens. Russell Long (D-La.) and Abraham Ribicoff (D-Conn.) and the Office of Management and Budget.

Most observers predict that no action will be taken on any form of national health insurance this year.

### HOSPITAL COST CONTAINMENT

President Carter's bill to control skyrocketing hospital costs has been experiencing rough sailing. Last year, the Administration introduced a bill that would place a 9 percent cap on hospital revenues. NACo supported the bill because counties currently subsidize a substantial proportion of this nation's health care. In addition to paying 10 percent of the national Medicaid bill, counties pay the entire cost of hospital care for unsponsored patients (those who have no private insurance and who are ineligible for Medicaid; those who seek services that are not covered).

The rapidly rising cost of hospital care has become a burden to counties which operate 10 percent of the hospitals in the United States. Local officials in many areas have imposed their own cost control programs and have voluntarily closed unneeded hospital beds in an effort to constrain their health-care budgets. The federal government, like these counties, wants to limit the rate of growth of the health care industry before other necessary programs have to be cut back or eliminated in order to meet growing health care demands.

The bill has been seriously weakened by adoption of a series of amendments supported by organized

medicine and the hospital lobby. Passage of some form of hospital cost containment legislation seems likely. But no one knows how effective it will be.

### HEALTH PLANNING

Counties have fared well in other health areas. In health planning, for example, most NACo-supported amendments were adopted by the House and Senate committees.

Provisions of most interest to counties are those which accord greater participation to local elected officials in private, nonprofit HSAs. The bills would include on HSA boards of directors, either as consumers or providers, public elected officials or other representatives of units of general purpose local government. The NACo amendment, however, provides that to be categorized as a "representative of general purpose local government" on an HSA governing body or executive committee, the elected officials or representatives must be appointed by that county or city governing board. This amendment is needed in order to make private HSAs publicly accountable.

For the 22 public HSAs, the House bill delegates all power over budget, plan approval, appointment of HSA governing body and personnel rules and practices to the sponsoring elected officials. The Senate version only allows the HSA governing board, i.e., elected officials, to appoint the HSA governing body (consumers and providers), approve the HSA's budget and set rules. An attempt will be made to have the total NACo amendment accepted during conference.

### PREVENTIVE HEALTH SERVICES

In health services, NACo was successful in having a health promotion plank introduced and adopted by the House Commerce Committee. NACo has long urged legislation which would establish a shared federal-state-local funding responsibility for public health protection and prevention programs.

The legislation would allow state and local officials to determine what services will be provided, which people would be eligible and where and how these services would be provided.

This bill would complement national health insurance. A national health insurance plan would finance personal health services; the health promotion bill finances public or communitywide concerns relating to disease control, health hazards and preventive health services which affect all the people or particular segments of the population.

The House bill also allows counties to sponsor community health centers, migrant health centers, mental health centers and hospital-based primary health care centers. Present law requires these centers to be governed by a body of consumers. The Senate bill allows greater county involvement in primary health centers only. Differences between House and Senate bills will be worked out in a conference committee in late summer.

NACo is also seeking amendments to the health maintenance organization (HMO) act which would allow a governing body of a unit of general purpose local government to be the policy-making body of an HMO.

—Mike Gemmell

### COUNTY NEWS

EDITOR: Bernard Hillenbrand  
MANAGING EDITOR: Beth Denniston  
NEWS MANAGER: Christine Gresock  
PRODUCTION MANAGER: Michael Broedbeck  
GRAPHICS: Robert Curry, Robert Redding, and Deborah Salzer  
EDITORIAL ASSISTANT: Joan Amico  
PHOTOGRAPHER: Lee LaPrelle  
CIRCULATION COORDINATOR: G. Marie Blevins  
Published weekly except during Christmas and the week following the annual conference of the National Association of Counties  
1735 New York Ave., N.W.  
Washington, D.C. 20006  
202/785-9577

Entered as second class mailing at Washington, D.C. and additional offices. Mail subscription \$35 per year for nonmembers, \$30 for members purchasing 10 or more subscriptions. Member county surplus subscriptions are \$20. Member counties purchasing 10 or more surplus subscriptions \$15. Send payment with orders above address. While utmost care is used, *County News* cannot be responsible for unsolicited manuscripts.



## Analysis

# Implications of Bakke Case

This report was prepared by Lyle Denniston, Supreme Court reporter, Washington Star.

WASHINGTON, D.C.—The Supreme Court's "Bakke decision" poses new, and probably growing, legal risks for county government.

Even though it is one of the court's less precise rulings, it is expected to affect practically every detail of any action a county may take on race and sex discrimination.

As its impact begins to become clearer, it will reach county employment, purchasing and contracting, and educational systems.

Any attempt by county government to provide an "affirmative action" program, whether voluntarily or under threat of a lawsuit or federal action, will have to be measured against the uncertain outlines of "Bakke."

LAWYERS WHO work full-time in the discrimination field do not pretend to know what the decision will require, so they are urging a cautious response until some of its implications emerge.

That caution is due, in part, to the simple fact that the ruling is uncertain in scope, because of the wide splintering of the court on the issues.

But most of the legal risk for counties stems from the fact that "affirmative action" may seem to be, at least for a time, both a legal and an illegal use of public authority.

Initial reactions to the ruling concluded in general that the court "had come down on the side of affirmative action," as Mrs. Coretta King phrased it.

After the six opinions were studied more carefully, however, it became clear that the Supreme Court probably came down on *all* sides of affirmative action.

If there is anything that is reasonably clear so far about the "Bakke decision," it is that *voluntary* efforts at affirmative action—especially by agencies of county government and subordinate state institutions—may be in trouble.

Efforts to do something about indications of race or sex discrimination, before any lawsuit or federal challenge is mounted, may actually give rise to a prompt lawsuit charge.

## Counties Anxious For CETA Action

WASHINGTON, D.C.—Senate and House bills to reauthorize the Comprehensive Employment and Training Act (CETA) have yet to be scheduled for floor votes in either House of Congress.

These votes and the subsequent House-Senate conference committee development of a compromise bill must take place before counties can make firm plans to change their programs to fit the new law. Moreover, CETA appropriations for fiscal '79 also await further action on the authorizing bills.

In the House, H.R. 12452 will probably go before the Rules Committee July 12. A floor vote is expected either the week of July 17 or July 24.

The filibuster on labor law reform earlier this month delayed consideration of CETA in the Senate, where S. 2570 may not come up for a vote until late July or early August.

COUNTY OFFICIALS are anxious to get a final bill so that CETA funding for next year can be attached to a supplemental appropriations bill scheduled for late August or September. Otherwise, CETA funds would be provided by a "continuing resolution," which would not allow for the

ing Bakke-style "reverse discrimination" by those who may be shut out of any such affirmative action program.

SOME TEST of the risk of that will come in the case involving Hillsborough County, Fla. There, officials were willing to enter into a consent order to provide more public jobs for minorities and women, but the result was promptly greeted by a lawsuit by white males.

Drew S. Days, the assistant U.S. attorney general for civil rights, told reporters at a Washington briefing June 29 that the Hillsborough County case indicates the problems that may confront public agencies, after "Bakke," when they try to take steps that civil rights law still clearly requires.

Another kind of trouble facing "voluntary" efforts by county government was spelled out in the court opinion by Justice Lewis F. Powell Jr. If an agency of government does not have the formal authority to make "official findings" that there has been racial discrimination in its programs, that agency simply has no authority to adopt a "race-conscious" program that would include some but exclude others on the basis of race. Many units of county and city government may find their official mandates to be too narrow to meet that test.

DESPITE ALL these risks, however, there is no opportunity for a unit of county government to stop fulfilling the duties imposed on it by the various civil rights laws, including Title VI on education, Title VII on jobs, and Title IX on education.

In his briefing for reporters, Days made it clear that the Justice Department and other federal enforcement agencies do not regard the court's "Bakke decision" as a license to violate civil rights law.

While conceding that federal agencies, like the Department of Health, Education and Welfare, may have to be more precise in the orders they seek to impose to remedy race and sex discrimination, Days said that "HEW should still be in a position to make certain demands."

The same would be true, he said, of the Labor Department, the Equal

Title I training increases proposed in the President's budget.

In addition, Labor Department officials face a massive rewrite of the CETA regulations once the new law is enacted. The earlier that happens, the more likely that county officials will be consulted on the development of new regulations.

In the meantime, counties can probably expect to operate CETA programs under just about the current rules for at least the first quarter of the next fiscal year while new regulations are being developed.

Congressional supporters of CETA expect some real trouble on the floor of both the House and Senate. Amendments to target public service jobs for welfare recipients, for example, are circulating among members of both Houses.

However, CETA has suffered from a spate of charges of abuses. Although most of the charges focus on a handful of incidents, the reputation of the entire program has been seriously eroded on Capitol Hill. County officials should share examples of CETA successes during the July 4th recess.

A comparison of the House and Senate bills is printed on page 20.

Employment Opportunity Commission, and other agencies.

THERE ARE some strong indications in the various "Bakke" opinions that Congress, too, will be able to go on unimpeded in drafting specific programs of required "affirma-

tive action" to deal with past or present racial discrimination.

A majority of the justices implied that there was no doubt that Congress does have the authority to make the necessary "findings" of discrimination to justify race-conscious remedial programs.

An early test of whether the court is prepared to say that in so many words will come when it deals further with the 10 percent required set-aside for minority business enterprise under the Public Works Employment Act, at issue in the Los Angeles County case.



HOUSE PANEL HEARS WAYNE COUNTY OFFICIALS—Richard Manning, vice chairman of the Wayne County (Mich.) Board of Commissioners, second from right, testified last week on funding for public works programs before the House Economic Development subcommittee. Also pictured: James Curran, director of program development, Wayne County, far left; John Murphy, NACo staff; and Victor Fischer, Wayne County's Washington representative, far right.

## Public Works Supported; Funding Formula at Issue

WASHINGTON, D.C.—Wayne County (Mich.) Commissioner Richard Manning told a House subcommittee last week that the nation's county governments support a continued and strengthened local public works program.

He said that despite overall improvement in national economic conditions, "many counties continue to suffer from unacceptably high levels of local unemployment such as 7.2 percent in Wayne County. Moreover, the future outlook, especially for our young people and minorities, is not bright," he said.

Manning, who is vice chairman of the county board, testified on H.R. 12993, the Administration's proposed "labor intensive public works" program. The legislation would provide \$1 billion for each of the next

three years to state and local governments for the repair of public facilities. Fifty percent of the jobs created must be made available to the long-term unemployed, particularly minorities and youth.

ALTHOUGH indicating NACo's general support for a public works rehabilitation program, Manning took issue with the procedure for allocating the funds. Under the bill, cities of over 50,000 population would receive a direct allocation of funds based on their unemployment rate and number of unemployed persons. Counties containing such cities would be credited with the unemployed and unemployment rate for the balance of county.

"This proposal is simply not equitable and fails to recognize that

most county services are provided countywide, very often from public facilities located within major cities. Any public works proposal must recognize this fact and give county governments an appropriate share of funds," he said.

Manning proposed that allocations of public works funds be made to county areas and that a percentage of such funds be given to county governments based on some factor, such as taxes collected, which measures the level of county responsibility. From the remaining funds a share would be given to cities of over 50,000 population based on their share of the county area's unemployed, and the remainder would be given to the county for distribution to smaller communities, schools and special districts based on the unemployed outside cities of over 50,000.

Manning also told the subcommittee on economic development that delegates to NACo's Annual Conference July 8-12 would consider whether to support a round III of the local public works construction grant program. The First Congressional Budget Resolution for fiscal '79 includes \$1 billion for the labor intensive public works program and \$1 billion for the round III local public works program.

### Note Street Change

International Boulevard is the new name for Atlanta's Magnolia Street.

The main entrance for the Georgia World Congress Center, site of NACo's 43rd Annual Conference in Fulton County, Atlanta, Ga., is located on International Boulevard.

The departure point for program tours during the conference will be located at the International Boulevard entrance. In the printed program for the conference, the departure point for these tours is listed as the Magnolia Street entrance.

### AT NACo CONFERENCE

## Members Set Policy

Each year at NACo's annual conference county officials examine their policy and determine what statements need to be added or changed.

NACo's policies are established in the *American County Platform* and Resolutions. The platform is a permanent statement of NACo's broad philosophy and objectives which are amended when necessary at the annual conference. The platform is divided into 12 policy areas, each under the jurisdiction of one of NACo's policy steering committees. Resolutions are single-purpose documents addressing a specific issue or piece of legislation and are valid from one annual meeting to the next.

Platform amendments and resolutions must first be discussed by the appropriate steering committee and

then by the NACo Board of Directors sitting as the Resolutions Committee. The Resolutions Committee recommends these amendments and resolutions to the membership assembled at the annual business meeting for final action.

Proposals rejected by steering committees may be presented to the Resolutions Committee by any NACo member. At the annual business meeting only proposals which have been previously considered (not necessarily approved) by the Resolutions Committee may be called to the floor by a 10 percent vote of all delegates present.

County officials should review the *American County Platform* and Voting and Credentials Handbook for additional information on NACo's policy-making process.



## FEDERAL STANDARDS RELEASED

# Court Ruling May Affect Local Jails

WASHINGTON, D.C. — A Supreme Court decision regarding the powers of federal district court judges to order changes in correctional facilities and the release of recommended standards by the Department of Justice Task Force on Corrections could have long-range implications for county jails.

The court held, in an 8-1 ruling, that federal district court judges could order specific improvements in jails if they found that overall conditions were unacceptable. This could be done under the Eighth Amendment to the U.S. Constitution which forbids "cruel and unusual" punishment.

**THE DECISION, *Hutto v. Finney***, which brings to conclusion litigation against the Arkansas state prison system which began in 1965, also upheld two awards of attorney's fees to lawyers for inmates. The district court had ordered \$20,000 in fees to be assessed because of the state's flagrant disregard for the original court order.

The Appeals Court tacked on an additional \$2,500 in fees under the Civil Rights Attorney's Fees Awards Act of 1976 and the high court, on a 5 to 4 decision, upheld this award. In upholding this portion of the appeals court's decision, the court stated that the act's provisions are broad enough to override any claim of state immunity under the Eleventh Amendment.

Combined with the recent decision in *Monell v. Department of Social Services of the City of New York*, which ended absolute immunity of local governments from federal liability, the decision could mean substantial costs for local governments in defense against claims of wrongdoing.

In writing the majority opinion, Justice John Paul Stevens cited the act's legislative history in affirming the Appeals Court's order. "The act itself could not be broader. It applies to any action brought to enforce certain civil rights laws."

Dissenting justices had argued that the court should not take this position without specific statutory indication of intent by Congress. As Justice Lewis F. Powell Jr. noted, "In this sensitive area of conflicting interests of constitutional dimension, we should not permit items of legislative history to substitute for explicit statutory language."

**THE SAME DAY** the Supreme Court acted in *Hutto v. Finney*, the Department of Justice released a draft of its long-awaited Federal Standards for Corrections. Closely modeled after standards of the American Correctional Association's Commission on Accreditation and the American Bar Association, among others, the 90-page report offers standards in 17 areas ranging from inmate rights to administration.

Attorney General Griffin Bell stated that the standards would not be mandatory for state and local governments, but will be "guidelines to promote the safe and humane operation of this country's correction and detention facilities." The introduction to the report, however, notes that compliance could be used as a defense in any litigation, and would be used by the Civil Rights and Criminal Division of the Justice Department when they are involved in suits concerning correctional facilities.

In his letter, the Attorney General indicated the Task Force was established because, "upon entering office as Attorney General, it became apparent to me that one of this country's most serious problems—and at the same time one of its most neglected—is the state of corrections facilities. Many such facilities are overcrowded, understaffed, and devoid of services necessary to support such facilities."

In addition to being used by state and local corrections agencies, the standards will be employed by the Federal Bureau of Prisons in review of its own programs and facilities. The bureau will be required to submit a plan of corrections emphasizing the deficiencies and costs of upgrading its facilities.

**THE STANDARDS** recognize the three categories of institutions: correctional institutions, detention facilities,

and holding facilities. Important provisions of the standards include:

- Cells and detention rooms designed for single occupancy should house only one inmate;
- Neglected or abused children should not be housed with adults;
- Programs and services should be available without regard to sex;
- Inmates able to work should be employed; and
- Institutions should meet all applicable health and safety codes.

Although the task force announced no new financial initiatives, the foreword to the report notes, "It is the

expectation that LEAA will continue its efforts in the area of standards development and that LEAA funds will be used to assist states and local governments to enhance the quality and effectiveness of their correctional facilities..."

A review and comment period on the standards lasts until Sept. 1. Anyone wishing a copy of the standards or the draft standards should contact NACo's Criminal Justice Project, 1735 New York Ave., N.W., Washington, D.C. 20004, 202/785-9577.

—Rod O'Connor  
NACo

## Long Illness Claims Md. Exec Director

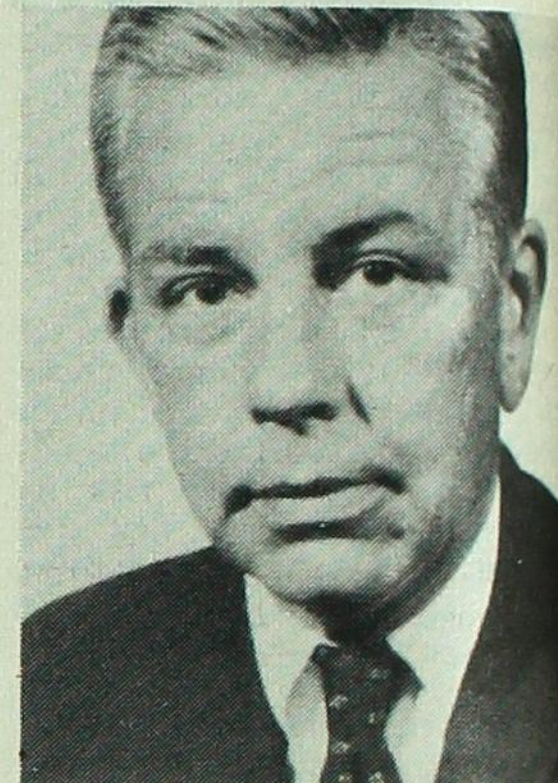
ANNAPOLIS, Md.—Joseph J. Murnane, 52, executive director of the Maryland Association of Counties, died June 27, following an extended illness.

Prior to being named executive director in 1968, Murnane was with the Better Business Bureau of Baltimore and the Chamber of Commerce of Metropolitan Baltimore.

He was a member of the Maryland Economic and Community Development Advisory Commission; the Power Plant Siting Program Advisory Committee; the Governor's Commission to Study Negotiations With Public Education Agencies; Maryland Rural Affairs Council; Public Labor Relations Conference Board;

Maryland Public Finance Officers Association; Title I Advisory Council for Higher Education; Statewide Ad Hoc Advisory Committee of the Maryland State Master Plan for Maryland Community Colleges; Advisory Committee for Environmental Education; Governor's Task Force to Study Executive Branch Reorganization and the Statewide Task Force to Review Article 77A of the Annotated Code.

"Joe Murnane made the Maryland Association of Counties a highly respected voice in Maryland," said Francis B. Francois, president of the association and NACo second vice president. "His presence will be felt



Murnane

forever through the contributions that he made such as a greatly strengthened organization with adequate staff and our own headquarters, the new respect for county government and recognition of the value of local government. His services cannot be praised too highly."

He is survived by his wife, Sara. Expressions of sympathy may be sent to her in care of the Maryland Association of Counties, 169 Conduit St., Annapolis, Md. 21401.

Services were held June 30.

## Matter and Measure

Dear NACo's:

There is a change in location for our reception, dinner and installation of officers. Contrary to information you may have already received and what is printed in your conference program, the NACE reception and dinner Monday, July 10, starting at 6:30 p.m., will be held at:

Midnight Sun (restaurant)  
225 Peachtree St.  
Peachtree Center

If you and/or your spouse will attend the dinner, please sign up in my suite at the Hyatt Regency Hotel starting at 1 p.m. Sunday, July 9 and between 9 and 11:30 a.m. Monday. There is a sign in the conference registration area indicating sign-up for the NACE dinner in my suite. The suite number should be posted on a bulletin board in the lobby of the Hyatt Regency or ask at the hotel desk.

I look forward to seeing you, not only at the reception and dinner, but in my suite, at our business meeting Monday, July 10, 10 a.m. to 12:15 p.m., and at the various transportation sessions we are sponsoring. Check the affiliate section of your conference program for more information.

—Milton L. Johnson, P.E.  
President

### 91.9 PERCENT INTERSTATE SYSTEM OPEN

The Department of Transportation recently announced that 92 percent or 39,050 miles of the 42,500 Interstate System is now open to traffic. Cost estimates indicate 67.5 percent of the projected total funds needed to complete the system had been obligated as of March 31, 1978. The total cost of the Interstate System is presently estimated at \$104.3 million.

According to the report, while considerable Interstate System mileage is now in use, a sizable portion requires safety or other improvements such as rest areas, lighting, fencing, noise abatement measures, and landscaping.

For information and a copy of the report, contact Richard L. Reilly, Office of Public Affairs, DOT, Washington, D.C. 20590, 202/426-0660.

## STATUS REPORT:

### Administration's Urban Policy Initiatives

Initiatives Sent to Capitol Hill	Implementing Agency	Status
• \$1 billion Supplemental Fiscal Assistance Program (2 years); H.R. 12293, S. 2975	Treasury	Hearings in House May 4, 5, 9; Senate May 3.
• \$200 million Intermodal Transportation Program; H.R. 11733, S. 2441	DOT	Approved by Senate, House committees.
• \$150 million increase in Section 312 Rehabilitation Loan Program; H.R. 12433, S. 3084	HUD	Approved by House committee May 4; approved by Senate committee May 5.
• \$50 million increase for Community Health Center Program; H.R. 12460, S. 2474	HEW	Approved by House committee May 3; approved by Senate committee May 4.
• \$40 million Urban Volunteer Corps Program; H.R. 11922, S. 2617	ACTION	Approved by House, Senate committees week of May 5.
• \$150 million Urban Parks and Recreation Program; H.R. 12536, not yet introduced in Senate	Interior	Approved by House committee May 10; introduced in Senate.
• \$150 million increase in Title XX Social Service Program; H.R. 12817, S. 3148	HEW	House subcommittee approves modified version.
• \$20 million "Livable Cities" Arts Program; H.R. 12859, not yet introduced in Senate	HUD with National Endowment for Arts	
• \$15 million Neighborhood Self-Help Program; H.R. 12858, not yet introduced in Senate	HUD	
• \$10 million Community Crime Control Program	LEAA/ACTION	Needs appropriation.
• Differential Investment Tax Credit for Business will be considered as part of tax reform	Treasury	
• \$1.5 billion Employment Tax Credit for Business will be considered as part of tax reform	Treasury	
• \$200 million State Incentive Grant Program (2 years); H.R. 12893, S. 3209	HUD	Senate hearings June 27, 28.
• \$3 billion Labor Intensive Public Works Program (3 years); not yet introduced in House or Senate	Economic Development Administration	Senate hearings June 15, July 12, 13; House hearings June 27, 28, 29.
• National Development Bank (Includes \$275 million for Urban Development Action Grants and \$275 million for EDA's Title IX)	Interagency (HUD, Commerce, Treasury)	

### Initiatives Not Requiring Congressional Action (done through Executive Order)

• Location of Federal Facilities in Central Cities	GSA	Order being drafted.
• Targeting of Federal Procurement in Labor Surplus Areas	GSA	Order being drafted.
• Community Impact Analysis for New Legislation	OMB	Order being drafted.



## Counties & Noise Control

# Noise task force sounds off

The NACo/National League of Cities Task Force on Noise met recently for a two-day workshop which Charles Elkins, head of the Environmental Protection Agency's (EPA) noise office, called "the most productive workshop I've attended since I started working on the noise problem."

The June 21-22 workshop brought together federal and local officials to talk over noise problems associated with highways, airports and construction equipment. Task force members stressed the nuisance and health effects of noise.

Although noise control was hailed by EPA as the "rising star" among the nation's environmental programs, task force members criticized the federal government for not matching funds with the size of the problem. Officials from the Federal Highway Administration (FHWA), Federal Aviation Administration (FAA), Housing and Urban Development (HUD) and EPA were reminded that national and local surveys show the public feels noise is a serious problem.

Task force members emphasized the need to examine the health effects of noise which "environmental policy makers consistently avoid." One member stated, "Noise is not just a nuisance that people should have to put up with, but it is a threat to health and has been shown to cause birth defects in experimental animals."

The task force recommended reduction of noise at the source, consideration of noise in federal plans and projects, and increased attention to land use planning to keep homes, schools and hospitals out of noisy areas.

NACo participants at the workshop were Jim Adams, environmental protection officer for Boulder, Colo.; Jesse Borthwick, noise control administrator for the state of Florida; Bob Close, air quality director for Nassau County, N.Y.; Andy Dudash, assistant to the county executive for Oakland County, Mich.; John Spell, Noise Pollution Office, St. Louis County, Mo.; Eric Mendelsohn, director of environmental protection for Montgomery County, Md.; John Hector, Oregon Department of Environmental Quality; Ed Gorzi, planner for Fairfax County, Va.; and Al Perez, Minnesota Pollution Control Agency.

### Highway Noise

Lead-off speaker Martin Convisser, director, Office of Environmental Affairs for the Department of Transportation (DOT), presented the department's policy on noise.

Convisser referred the task force to the February 1978 policy statement of Transportation Secretary Brock Adams which emphasizes environmental protection as an "essential goal." He then noted that "among our environmental concerns we pay greatest attention to noise."

Jerry Reagan of FHWA outlined the agency's three-part approach toward traffic noise control: source control, improved highway design, and encouragement of improved land use planning and control.

He noted that EPA has issued regulations limiting noise emitted by trucks and is considering standards for new tires. A task force member asked what was being done to regulate pavement construction.

A Minnesota study reportedly showed noise levels cut in half by use of smooth pavement surfaces. Highway officials expressed skepticism and noted that a certain amount of skid resistance must be built into the pavement design for safety and this increases noise levels. The officials also mentioned the rapid deterioration of smooth surfaces as a result of heavy truck use, high-speed traffic and studded tires.

Elkins cautioned the task force "not to expect any new breakthroughs in the next 10 to 20 years" in significantly reducing tire noise.

Highway design measures such as installing noise barriers or changing the alignment of the highway were cited as possible ways of controlling noise. New highways must meet a design noise level of 70 decibels, as set forth in FHWA May 1976 directive, the task force was told.

Several task force members remarked that FHWA noise standards are not uniform in all federal regions. And, moreover, the standard is not a valid health standard. They recommended FHWA work closely with EPA to establish a standard which protects citizens' health.

Task force members also called for thorough treatment of noise impacts and abatement measures in the environmental impact statements for new highways.

Reagan dismissed buffer zones along highways as being "not very practical," and rerouting truck traffic as "no real solution" to the noise problem since it just moves the problem to another highway or street. He said that FHWA only acquired dwellings or insulated buildings on a case-by-case basis.

A major noise control program is construction of noise barriers along highways. So far, FHWA has spent \$500 million on barriers along interstate highways.

Although interstate and primary roads comprise only 5 percent of the total number of federal-aid highway miles, these roads carry 85 percent of all the nation's traffic. "So this is where the noise is and where we must make the greatest effort," Reagan explained.

Terry Hoffman from the Minnesota Department of Transportation (MDOT) stated that by 1979 her state will construct 39 miles of noise barriers at the cost of approximately half a million dollars per mile.



**TASK FORCE SPEAKERS**—Chuck Elkins, head of EPA's noise control programs, addresses the task force, flanked by co-chairmen Walter Rockenstein and Jim Adams, and Martin Convisser, DOT's director of environmental affairs (far right).

Minnesota also has an active cooperative program between MDOT and local planning offices to keep homes, schools and hospitals out of high-noise areas. Noise maps of highway corridors are provided to local governments by MDOT. Zoning, subdivision plat review and building codes are used to control future land use.

### Aircraft Noise

A session on proposed aircraft noise reduction legislation brought together Larry Aurbach from FAA; Tom Tatum, National League of Cities (NLC); and Tom Bulger of the NACo staff. Task Force Chairman Walter Rockenstein has been lobbying Congress along with Bulger and Tatum to have the airlines adhere to the FAA noise reduction deadlines.

FAA would require existing two- and three-engine aircraft (the majority of the domestic fleet) to meet the noise standards by 1983. A bill, sponsored by Rep. Glenn Anderson (D-Calif.), would set aside an air service excise tax to retrofit existing aircraft with sound-absorbing material. Sen. Howard Cannon (D-Nev.), chairman of the aviation subcommittee, disputes the effectiveness of retrofiting. His bill calls for loan guarantees as an incentive for the airlines to buy new, quieter aircraft and it rolls back the compliance deadline to 1990.

Aurbach described Title I, which is essentially identical in both bills, as a statutory requirement of what some airport operators are currently doing on a voluntary basis—that is planning for noise-compatible land uses around airports. Bulger noted that the NACo/NLC testimony before Sen. Cannon's subcommittee recommended that the planning be a cooperative effort between airport operators and local governments, and that FAA recognize local governments as eligible for planning grants.

In testimony, NACo opposed the provision in Title I which gives the federal government authority to approve or reject local noise compatibility plans.

Senate committee staff person Dr. George Jacobson cautioned the task force that the airline deregulation legislation also before Congress has serious noise implications.

"With easier market entry some airports may have a significant increase in flights. The increased noise may cancel out any reductions achieved by aircraft retrofiting," he said.

Aurbach stated that a major increase in flight operations may necessitate an environmental impact statement. However, several task force members questioned FAA's credibility in regard to these impact statements. They contended FAA did not include local government during preparation of the statement and the documents had little impact on the final decision.

### Housing

The Department of Housing and Urban Development has set noise standards for new or rehabilitated housing receiving financial assistance or mortgage insurance from the federal government, explained Richard Brown and James Miller from the department's Office of Environmental Quality. Although HUD applies its standards to less than 10 percent of the new housing market, many mortgage bankers use the standards to lower their risk.

Brown stated that HUD has a congressional mandate to provide a decent living environment for all Americans. The HUD noise policy focuses on community and land use planning. Local governments receiving community development block grants (CDBG) and planning assistance grants ("701" funds) are required to "consider" noise in projects and plans.

The HUD standards for exterior noise require that the level must not exceed 80 decibels for 60 minutes in 24 hours. Applications for financial assistance or mortgage insurance may also be rejected if the noise exceeds 65 decibels for eight hours over a 24-hour period.

Brown informed the task force that HUD is currently reviewing the standards for possible revision.

### Urban Policy

Michael Moore, coordinator of EPA's urban policy work group, outlined the environmental aspects of President Carter's urban program. The thrust of the program is to make urban areas more attractive places to live and more attractive to financial investors.

The main environmental policies concern air quality planning, restrictions on sewerage construction to limit suburban "sprawl," resource recovery, and public service employment and minority business enterprise in environmental protection projects. Moore suggested funds may be available for public service jobs in noise programs.

Several task force members criticized the urban proposals because of the Administration's neglect of the noise problem. National and state surveys were noted which show American dissatisfaction with noisy urban areas.

Task force members recommended a shift in emphasis from the traditional EPA emphasis on water and sewerage projects. Al Perez stated, "You don't hear of anyone moving out of an urban neighborhood because the sewage plant needs upgrading, but you do hear about many people who move to get away from noise."

Montgomery County (Md.) environmental director Eric Mendelsohn stressed that noise is not just a city problem. "Anyone who thinks suburban areas are free of noise are greatly mistaken. Traffic, airport and construction noise is pervasive. You can't get away from it."

Dave Mudarri, EPA coordinator of an interagency work group on urban noise, suggested that noise is a measure of urban deterioration. "A program to revitalize neighborhoods must include an effort to lower noise levels," he stated. He is working with all federal departments to make sure noise is a consideration in all federal projects.

However, task force co-chairman Jim Adams questioned the priorities of the federal government by noting that nearly \$1 billion will be spent on highway noise barriers compared to \$10 million in authorization for research and regulation of sources of noise.

Jesse Borthwick, noise control official from the state of Florida, recommended increased federal support for local programs including equipment and training, particularly in land use planning. "We need to involve the elected and planning officials in our noise control programs," he said.

## Quieting the source?

The Environmental Protection Agency (EPA) was given the responsibility to set noise standards for major noise sources by the Noise Control Act of 1972.

So far EPA has promulgated standards for new portable air compressors and medium and heavy trucks. Proposed standards for motorcycles have been published for review and comment.

EPA has also identified garbage trucks, buses, lawn mowers, jackhammers, truck refrigeration units and bulldozers for future regulation.

The Federal Aviation Administration has regulations which require new and existing aircraft to meet noise standards.

The overall noise levels for highways or airports, however, may remain high even after implementation of source reductions. The trouble is the projected growth in highway and air traffic may cancel out any gains in quieting individual vehicles or aircraft.



# Local programs muffle noise

Many counties and cities have started noise control programs which are notably comprehensive and innovative. This often occurs out of necessity because the problem is large, while the funds are meager.

Sketches of several local programs are presented below to offer options for controlling noise. If your county would like to share its successes with other counties, or if you want more information on starting a program, contact the NACo Noise Project.

(Portions of the following are reprinted from *Nation's Cities*, May 1978.)

## Florida

"Our program is geared to local governments," says Jesse O. Borthwick, administrator for noise control for Florida. "Over the past five years we've helped more than 100 cities and counties to develop some type of noise program," he says.

The noise control section in the Department of Environmental Regulations is staffed by two people, Borthwick and an assistant, and is limited by a very small budget. Yet in five years the office has trained more than 500 officials from more than 100 state and local agencies in various aspects of environmental noise or motor vehicle noise enforcement.

"If a city is interested in noise control we provide counseling and technical assistance. First, we do an areawide survey of the city to see what kinds of noise levels they have and where the problem areas are.

"On the basis of this survey we develop an ordinance or noise level standards to recommend to the city. We also provide training for police officers or other enforcement personnel.

"We train and certify these people and try to provide the necessary noise-monitoring equipment. After that we act as a consultant to the community until the program is well underway," Borthwick says.

All of these services are provided to the community free of charge. "Noise is often a low priority," he says. "You almost have to pay people to get them involved. But once a community has been introduced to a noise program, the citizens usually become extremely interested, and become advocates for the program."

The department also has written a comprehensive plan to control motor vehicle noise.

"Our first priority is to try to reduce noise at the source. Then we try to do something at the receiver end of the noise through land use planning. As a last resort we encourage building noise barriers along highways," he says.

But Borthwick believes source control is the most effective method of controlling motor vehicle noise.

"We also have a law that went into effect in 1974 that sets standards for all new motor vehicles sold in the state. Every vehicle must meet specific standards."

Borthwick's group provides the state Department of Motor Vehicles with a list of certified vehicles. "Before you can register a new vehicle, you've got to be on that list," Borthwick says.

Florida also has a muffler certification program. All muffler and exhaust systems for motor vehicles sold in the state must be certified to meet certain noise standards.

"Regulations are the first step in handling the noise problems," Borthwick says. "The second step is having a strong enforcement program."

The Florida Highway Patrol has provided a seven-man motor vehicle noise enforcement team. The enforcement team also provides instruction to other law enforcement officers in the state.

"Our philosophy is that the problem is really a local one that can best be solved at the local level. So we've geared our whole program towards training and certifying local law enforcement officers," Borthwick says.

Florida is just beginning to plan to prevent future noise problems. "A lot of the problems we have are a result of poor planning," Borthwick says.

"When you develop a residential area under a flight pattern, or when you build a hospital next to an eight-lane interstate, you are creating noise problems."

## Orange County, Calif.

Even in the home county of Mickey Mouse and the swallows of Capistrano there's a noise problem.

Chief noise official Bob Stone has a problem with aircraft at the El Toro Marine Corps air station. High noise areas around the airport are hard to map because, unlike at a commercial airport, the flights do not follow a set routine and the student pilots do not follow regular flight patterns.

Stone would like predictable flight times and patterns and the noisy areas mapped as accurately as possible so the county can plan the adjacent land for noise-compatible land uses. He feels the mapping is the military's responsibility.

The noise office works closely with the county planning office in review of subdivision plats to make sure new homes are not located in a high noise area. The present and estimated future noise levels are calculated to determine the potential impact.

The two offices work together on comprehensive land use planning so a developer does not plan to build on land which is not suitable for residential use. "We found the state requirement for all comprehensive land use plans to have a noise element to be a great help in our noise program," explains Stone.

## Fairfax County, Va.

Fairfax County has the "distinction" of being plagued by noise from two major airports—Washington National located downtown along the Potomac River and Dulles located 30 miles away in semi-rural Fairfax and Loudon counties. Citizens are forming into two groups: Citizens for Dulles and Citizens Against Dulles.

One group wants more flights into Dulles and fewer into Washington National. The other group takes the opposite point of view. It's not hard to guess where the members of the two groups live.

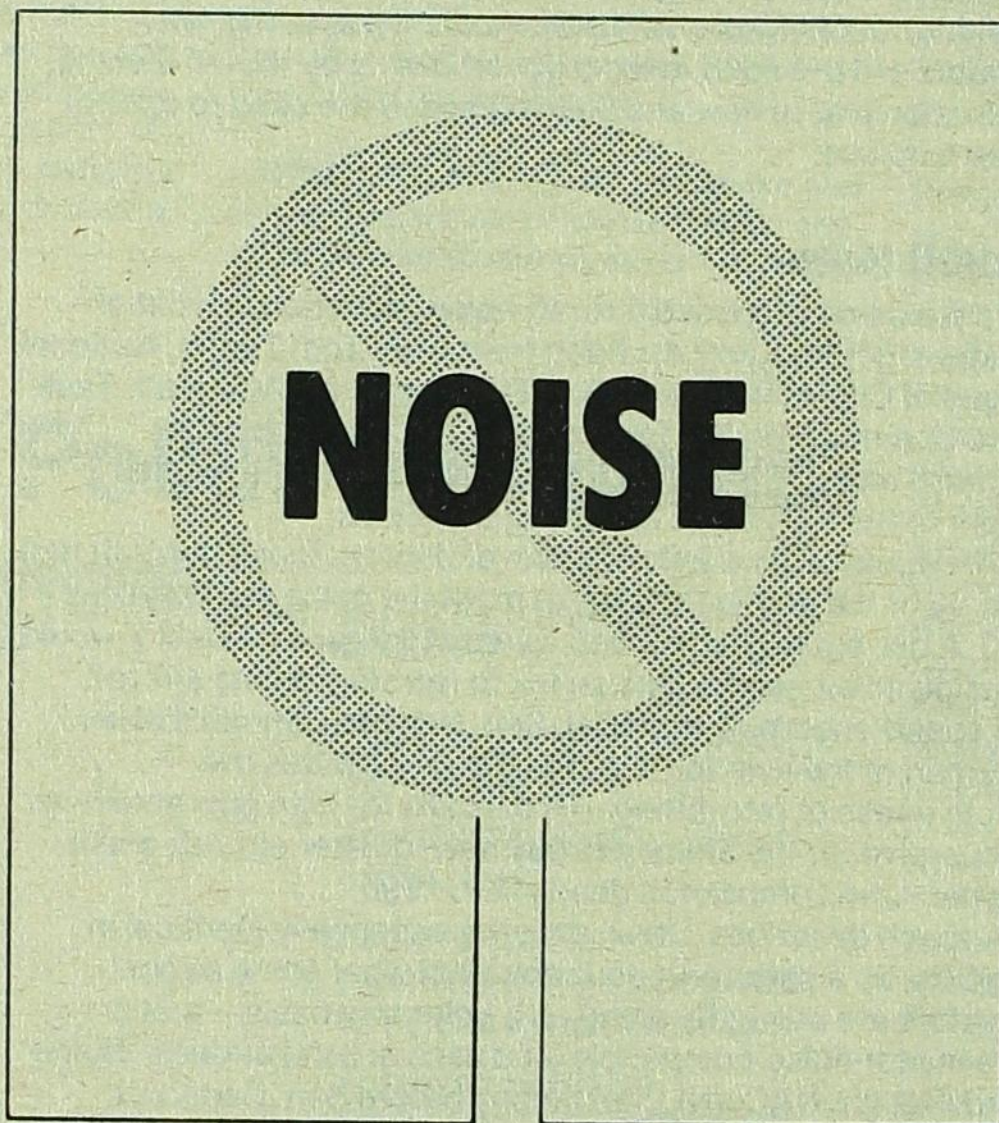
Ed Gorzi, who is in charge of noise control planning for Fairfax County, is caught in the middle. He is having trouble delineating the noise impact area around the airports which are both operated by the Federal Aviation Administration (FAA).

A new FAA environmental impact statement for the airports projects a 370 percent increase in flights at Dulles by 1990 including four Concorde (a supersonic jet) flights per day. This means Gorzi would have to throw out the old noise impact maps. "Every time the map changes, we must change our plans to fit the new one," he explains.

The county's main objection is that it was not included in early deliberations on the environmental impact statement.

The county supervisors previously rezoned land around Dulles based on the earlier map, so the process may start all over again.

The county also has a noise ordinance with property line standards for residential, commercial and industrial land use zones. Noise at the residential zone boundary must not exceed 55 decibels. Noise problems within the residential zone are controlled under nuisance provisions in the ordinance.



## Motorcycle noise limits proposed

The Environmental Protection Agency (EPA) is looking over public comments it has received on proposed noise standards for new motorcycles. The schedule is for EPA to publish final regulations in 1979 and have them go into effect in 1980.

The standards would be phased in over five years and become increasingly restrictive. In 1980, newly manufactured motorcycles could not exceed 83 decibels; in 1985 the limit is 78 decibels. There are some exceptions: large off-road motorcycles would have a noise limit of 82 decibels; moped-type street motorcycles would not exceed 70 decibels; and competition-type motorcycles would remain unregulated.

## Noise workshop set for annual conference

The noise project will enter its second stage at the NACo annual conference. The noise control session, to be held Monday, July 10 at 1:30 p.m. in Room 206, will examine land use regulations to control noise pollution.

Howard Forman, commissioner, Broward County, Fla., will moderate the session. Panelists will be Cliff Bragdon from Georgia Tech's Urban Planning Department, John Thillmann from Fairfax County (Va.) Planning Office, and Casey Caccavari representing the Environmental Protection Agency (EPA).

The first stage of the project was information-oriented. It entailed organizing a task force and holding three workshops on noise abatement and control. The second stage is research-oriented and includes production of a handbook for elected officials on specific land use strategies to control noise.

The handbook will also discuss recreation planning approaches which would designate separate areas for off-the-road vehicles.

## El Segundo, Calif.

El Segundo, Calif. has tried a different approach—purchasing only quiet equipment whenever possible.

According to City Councilman Dick Nagel, "When quiet equipment is available, we specify noise levels, and if the horsepower and size of the engine are sufficient, we buy the quietest product available." (Standards for most vehicles average under 75 decibels, 25 feet from the vehicle, 5 feet above ground).

"When we're shopping for a product, we ask the vendors who are bidding to indicate the noise level of their product. For instance, we recently contracted for quiet garbage trucks by adding noise qualifications to the bid specs and prohibiting trash pickup before 7 a.m. in residential areas," Nagel says.

All seven bidders said they could meet the qualifications, so El Segundo chose the lowest bidder.

## Noise act changes offered in Senate

Noise control is moving into a new phase.

The Noise Control Act of 1972 gave the Environmental Protection Agency (EPA) responsibility to set maximum noise limits for new equipment used in construction or transportation including any motor, engine or electrical or electronic equipment.

Congress is now considering new amendments to the act as well as reauthorization. The thrust of the Senate bill, S. 3083, is developing and strengthening local noise control programs.

Work at EPA on assisting local governments began on a demonstration basis a year ago in Allentown, Pa. The program was aptly dubbed the Quiet Communities Program (QCP). Working through a private contractor, EPA offered technical assistance to the city council and neighborhood and senior citizen organizations. Results were a community noise survey, noise control ordinance, and an overall increase in community awareness and support for noise control.

EPA has also begun a peer-matching program called Each Community Helps Others (ECHO). State, county and city officials who have developed successful programs are encouraged to help other interested communities. EPA covers nonpersonnel expenses for the program. Currently 10 communities are receiving assistance, and EPA estimates that another 20 will be involved by the end of the year.

The Senate bill proposes a greatly expanded QCP and ECHO effort. EPA's current annual budget is \$10 million. The proposed budget is \$15 million for 1979 and \$17 million for 1980.

The bill also calls for additional research on the effects of noise on people and property, development of suitable noise monitoring equipment for local governments, and use of senior citizens in the implementation of local noise control programs.

With the passage of the bill, many more local governments will be assisted by EPA. Counties interested in receiving assistance should contact EPA or Alan Magan at NACo.

Replacement exhaust systems would have to meet the same standards as the new motorcycles. Furthermore, tampering with the regulated muffler would be forbidden. Enforcement of the nontampering provision would be the responsibility of local government.

Although the regulations will pre-empt county governments from establishing new product standards different from federal levels, the authority to control the operation of motorcycles is left solely to local governments.

After all the regulations are in effect, the noise level of motorcycles will approximate that of current automobiles. EPA estimates that half of the current models sold would have to undergo major redesign. Increased use of three- and four-cylinder engines and liquid cooling are two possible design changes. The purchase price is expected to increase 7 to 10 percent. In addition, some performance, weight and fuel economy penalties are predicted.

Besides enforcing the nontampering rules, counties should be prepared to regulate use of off-road and competition motorcycles. Even though off-road cycles will be quieter under the proposed standards, they would be too noisy for street use. One approach is to set aside special areas for their use. Finally, competition motorcycles should be used only in closed-course competition.

Counties should consider adopting a street enforcement program using noise meters as radar units are presently used; linking noise and exhaust emissions inspections would make the enforcement program even more effective.

Regulation of existing motorcycles would be a county responsibility. EPA can provide reasonable standards for different types of motorcycles which could be incorporated into a county ordinance.



# Status of Legislation

## on Eve of Annual Conference

### Bill

### Issues

### NACo

### Status

### Outlook

#### Community Development

Staff Contact: John Murphy

Housing and Community Development Amendments of 1978 (H.R. 12433; S. 3084)

Reauthorizes for fiscal '79 all HUD-assisted housing programs; substantially increases Section 312 rehabilitation loans.

Supports reauthorization of housing programs and increase for Section 312.

House floor action week of June 26; Senate floor action mid-July.

Will be enacted—probably in August.

HUD Fiscal '79 Appropriations (H.R. 12936)

Appropriates the following:

- \$4.15 billion for community development block and urban action grants;
- \$245 million for Section 312 rehabilitation loans;
- \$20 million for urban homesteading;
- \$50 million for comprehensive planning grants;
- 400,000 units of assisted housing.

Supports bill.

Passed House June 19; markup by Senate subcommittee delayed until authorization bill approved.

Will be enacted—probably in September.

Labor Intensive Public Works (H.R. 12993; S. 3186)

Provides \$1 billion annually for three years for grants to state and local governments for rehabilitation of public facilities.

Supports concept but opposes allocation procedure as it affects counties.

House hearings June 27, 28, and 29; Senate hearings July 12 and 13.

Will probably be enacted.

Round III Local Public Works (H.R. 11610)

Provides \$4 billion in increased authorization for Public Works Employment Act of 1976.

Supports continuation of program, but no policy on authorization level.

House hearings June 27, 28, and 29.

Uncertain.

Increased Authorization for Economic Development Adjustment Assistance (H.R. 12994)

Increases by \$80.5 million fiscal '78 authorization for Title IX economic development adjustment assistance program to provide greater funds for urban areas.

Supports program if additional funds are available to counties within urban areas.

House hearings June 27, 28, and 29; Senate hearing June 27.

Probably will be enacted in August.

National Development Bank (H.R. 13230)

Provides \$13.5 billion in loans, loan guarantees and grants over three years for encouraging business development in distressed urban and rural areas.

No position. Will be considered during Annual Conference.

Introduced in House June 21.

Probably won't be acted upon this year.

#### Criminal Justice

Staff Contact: Herb Jones

LEAA Reauthorization (Justice System Improvement Act of 1978)

Congress has been critical of the effectiveness of the LEAA program which has suffered from turnovers in administration and conflicts in objectives since its inception in 1968. The reauthorization bill, effective in fiscal '80, would attempt to cut red tape and paperwork, streamline administration requirements, limit the use of funds for equipment, eliminate funding for construction and renovation, and increase funding to \$800 million.

Comments of Sen. Edward Kennedy (D-Mass.) and the Administration on early drafts of the bill have emphasized the need for coordination at the county level in order to achieve criminal justice system improvements. NACo opposes the disparity in eligibility criteria—100,000 population for cities and 250,000 population for counties—and supports incentives for county/city coordinating councils and advisory boards.

The Administration and Sen. Kennedy have generally agreed on a bill which is expected to be introduced in a few weeks.

Passage next year is expected after long debate but few major amendments.

Law Enforcement Assistance Administration (LEAA) Appropriations

Total appropriations have decreased from a high of \$895 million in fiscal '78. Most of the reduction occurred in block and discretionary grants to state and local governments. Funds for the Juvenile Justice and Delinquency Prevention Act, which are part of the LEAA total, increased from \$24 million in fiscal '75 to \$100 million in fiscal '78.

Testified in the House April 12 and in the Senate April 28 for a restoration of funds to \$716 million for fiscal '79 including a restoration of a \$20 million cut in Part B planning funds recommended in the President's Budget.

The House passed a bill for \$641 million with a full \$50 million earmarked for Part B funds and \$100 million for juvenile justice. The Senate subcommittee has recommended \$661 million to the Appropriations Committee.

A compromise figure between \$641 and \$661 is expected with \$50 million earmarked for Part B and at least \$100 million for juvenile justice.

Victims of Crime Act of 1978 (H.R. 7010, S. 551)

Authorizes 25 percent funding by the Attorney General to states for compensating individuals who sustain personal injuries as a result of crimes or who are surviving dependents of individuals whose deaths were the result of crimes.

Supports financial and general assistance for victims of crime.

S. 551 has been reported out of the Senate Judiciary Committee to the full Senate. House passed its version Sept. 30, 1977.

Expected to pass Senate by mid-July and go to conference committee. Final enactment is expected this year.

Continued on next page



## Bill

## Issues

## NACo

## Status

## Outlook

### Employment

Staff Contact: Jon Weintraub

**Labor-HEW Appropriations for Fiscal '79 (H.R. 12929)**

Funds for CETA are not included in this bill.

Testified in House and Senate for increases to meet cost of inflation and increased minimum wage.

CETA funds must be included in September supplemental.

House and Senate will try to cut CETA funds.

**Commerce, Small Business and Disaster Relief Supplemental (H.J. Res. 873)**

Adding funds for the summer youth employment program (SYEP) to meet the minimum wage increase.

Supported adding \$63 million for SYEP that was necessary.

Funds have been allocated to prime sponsors.

Signed into law as P.L. 95-284.

**First Budget Resolution (S. Con. Res. 80; H. Con. Res. 559)**

Budget Committee wanted to cut budget authority for CETA.

Supported sufficient budget authority for CETA appropriation. Fought attempts to cut CETA.

Conference report passed both Houses.

Current resolutions do not become law. Will be signed into law in September.

**The Comprehensive Employment and Training Amendments of 1978 (H.R. 12452; S. 2570)**

Reauthorizes CETA for four years. Creates more authority for Secretary of Labor at the expense of the local prime sponsor. Creates new private-sector title. Lowers eligibility to 70 percent of Bureau of Labor Statistics lower living standard for new Title II.

Testified before Senate March 6 and House March 16. Supports reduction in paperwork and reporting, while retaining decision-making role for chief elected official.

Bills reported in House and Senate. House Rules Committee consideration on July 12.

Will be voted on in both Houses in conference expected by August recess.

### Environment and Energy

Staff Contacts: Mark Croke, Robert Weaver

**Appropriations for Clean Air and Water, and Solid Waste for Fiscal '79**

Full appropriation of \$75 million for local clean air planning is being sought for county participation in revision of State Implementation Plans. A total of \$50 million for Section 208 water quality planning and a two-year appropriation of \$4.5 billion for construction grants is supported. An additional \$20 million for local solid waste planning under the Resource Conservation and Recovery Act is being sought in addition to \$11.2 million requested by EPA, most of which will remain at the state level.

Supports appropriation levels indicated under issues.

House has acted on appropriation providing \$25 million for clean air planning, \$25 million for 208 planning, \$4.2 billion for construction grants, \$15 million for resource recovery planning, and an extra \$25 million to be split between solid waste and clean air planning at EPA's discretion. Senate Appropriations subcommittee action is postponed until all authorizations are approved.

Senate is not likely to act until the end of the summer. Outlook for improving on House action is fair.

**National Energy Act (H.R. 844)**

Provisions for conservation of existing energy supplies, coal conversion incentives, and utility rate reform have been agreed to by House and Senate conferees. The major issues concerning natural gas pricing have also been agreed to and the conferees continue to work on the technical amendments. The energy taxes portion of the act remains in limbo.

Supports conservation provisions and impact assistance to areas experiencing population and employment increase due to increased coal and uranium mining. These parts have been agreed to by conferees.

The staff is drafting the report on the natural gas compromise while the conferees finalize action on the three sections already agreed to. The tax conferees have made no arrangements to resume negotiations and President Carter has indicated he may be willing to accept the bill without this provision.

After the staff completes the conference report, in approximately two months, it is likely that the sections agreed to will be sent to the House and Senate for final action.

**Energy Impact Assistance (S. 1493)**

Will provide assistance in the form of planning grants and loans and loan guarantees for communities experiencing energy-related impacts. The most notable feature of the bill is the impact assessment teams which are made up of an equal number of federal, state and local officials.

Supports impact assistance to areas experiencing public service shortfalls caused by increased energy development and the involvement of local governments in identifying impact and developing mitigation plans.

Before the Senate Committee on Environment and Public Works.

Some weakening amendments will be offered in the committee but favorable action by the committee is likely.

**Nuclear Licensing and Siting (H.R. 11704; S. 2775)**

The bill was introduced by the Administration to streamline the time for bringing a nuclear power plant on line. It includes early site review and advanced planning as well as standardized facility designs.

Any change in siting procedures for nuclear power plants must include local governments as full participants and provide for their input in the decision-making process.

Hearings will be completed in the House and begun in the Senate within the next two weeks.

Final congressional action is unlikely this session.

**Water Resource Policy Recommendations**

The Administration recently announced a series of water policy initiatives designed to improve planning and efficient management of federal water resource programs. Provides a national emphasis on conservation and enhanced federal-state cooperation, including state participation in financing.

The Environment and Energy Steering Committee is evaluating policy options at its meeting during the Annual Conference.

No specific proposals have been sent to Congress.

Final congressional action is highly unlikely this session. Hearings will probably be held on the President's recommendations.

### Health and Education

Staff Contact: Mike Gemmell

**HEW/DOL Appropriations for Fiscal '79 (H.R. 12929)**

Provides funds for basic health and education programs that are of concern to counties.

Seeks full funding for all programs, including education.

House voted to cut funds by 2 percent and approved bill. Senate subcommittee reported out bill which does not contain the cut.

Passage hinges on anti-abortion provisions.

**Education Bills (H.R. 15; S. 1753)**

Extension of Elementary and Secondary Education Act. Bill encompasses various education programs, including impact aid, elementary and secondary education.

Supports most provisions. Opposes attempt to cut back education impact aid. Supported amendment that promotes cooperation between school boards and county boards.

Full committee marked up bills. House and Senate floor action in July.

Passage likely in 1978.

**Health Services (H.R. 10553; S. 2474)**

Three-year extension of basic public health programs of concern to counties: health incentive program; community mental health; migrant health; V.D.; immunization; etc.

Supports the House version to establish a cost-sharing program for health incentives.

Hearings held. Markup by House and Senate full committees in March and April. House and Senate action in July.

Passage certain.

Continued on page 9

The in  
criminal  
public h  
parks a  
ment; a  
in this y  
ment Av  
These

Alaba

Associ  
Assoc

Blount  
Aging

Jeffers  
• Coun  
• Comm

Madiso  
• Empl  
• Flood  
• Water  
• Traffi  
• Keep  
• Bike  
• Pretr  
• Help  
• Court  
• Fire

Morgan  
Emer

Arizon

Cocon  
Meal

Marico  
• Parks  
• Trans  
• Rabie  
• Sheri  
• Auto

Pima C  
Deins

Califo

Alamec  
• Biling  
• Mate  
• Cons  
• Card  
• Mess  
• Daily  
• Affir  
• Work

Contra  
• Contr  
• Prepa  
• Famil  
• Wilde  
• Comp

Humbol  
• New  
• Craft  
Imperia  
Geoth

Kern C  
Ment

Kings C  
Envir

Los Ang  
• Abalo  
• Truth  
• Traffi  
• Park  
• Welfa  
• Mode  
• Rehe  
• Metha  
• Mobil  
• Solar  
• Lifegu  
• Firefi  
• Fire D  
• Fire D



# 1978 Achievement Award Winners

The increasing role of counties in the fields of: criminal justice, corrections, and witness/victim; public health, mental health, and alcoholism; parks and recreation; improving the environment; and programs for the elderly are reflected in this year's 1978 NACo New County Achievement Award program's entries and awards.

These five areas received the most program

submissions from the 215 counties, four state associations, and one manpower consortium who have been accepted to receive a 1978 Achievement Award in Atlanta, Ga. this month.

The Achievement Award program began in 1971 at the NACo conference in Milwaukee County, Wis. Since 1971, 516 counties in 45 states have received national recognition for

their outstanding programs in a multitude of service areas.

The 1978 Achievement Award program produced the greatest number of submissions, 792 programs; of these 675 awards were granted. Fifty-four counties participated for the first time.

The purpose of the program is to give national

recognition to progressive county developments that demonstrate an improvement in county government's structure, management, and/or services. The programs are judged on their own merits and not in competition with any other county.

The following is a listing by state of those counties and their programs receiving an award:

## Alabama

### Association of County Commissioners

Association's Headquarters

### Blount County

Aging Program

### Jefferson County

- County Water Products
- Community Alert System

### Madison County

- Employee Safety Program
- Flood Control
- Water Management—Test Drilling
- Traffic Safety and Operations
- Keeping of Historic Records
- Bike Path
- Pretrial Release
- Help for Emergency Medical Services
- Courthouse Mural
- Fire Protection

### Morgan County

Emergency Operating Center

## Arizona

### Coconino County

Meals on Wheels

### Maricopa County

- Parks Aerial Surveillance
- Transitional School
- Rabies/Animal Control Program
- Sheriff's Senior Volunteer Posse
- Automated Purchasing System

### Pima County

Deinstitutionalization of Status Offenders

## California

### Alameda County

- Bilingual Health Information/Referral Service
- Maternity Health Project
- Consumer Protection Program
- Card-Key Security System
- Messenger Service QIC Code
- Daily Production Control System
- Affirmative Action on Construction Projects
- Work Furlough Program

### Contra Costa County

- Contracts and Grants Unit
- Prepaid Health Plan
- Family Day Care
- Wilderness Experience for Youth on Probation
- Computerized Personnel System

### Humboldt County

- New Careers
- Crafts Market for Senior Citizens

### Imperial County

Geothermal Element Plan

### Kern County

Mental Health Services Contracting

### Kings County

Environmental Safety Program

### Los Angeles County

- Abalone Cove Ecological Reserve
- Truth in Menu Program
- Traffic Signal Blackout Plan
- Park and Ride Bus Program
- Welfare Case Management System
- Model Operational District
- Rehearing Request Program
- Methane Gas Recovery Program
- Mobile Recreation Program
- Solar Energy System
- Lifeguard Training Program
- Firefighters Minority Outreach
- Fire Department Dispatch System
- Fire Department Explorer Program



Cultural Awareness Program—San Joaquin, Calif.

- Cultural Arts Program
- Building Maintenance Training
- Free House Repair for Elderly/Handicapped
- Library Consumer Health Information/Chicano Resource Center
- Media Outreach Service Training (M.O.S.T.)
- Building Services Safety Program
- Hearing Officer Program
- Building Services Extermination Program
- High Accident Location Surveillance
- Road Department Employee Training
- Preconstruction Brochure
- International Surf Festival

### Mendocino County

- Social Services Planning
- Archaeological Protection Program
- Work Furlough Program
- Youth Project and Youth Community Service
- County Museum
- Food Stamp Information Program

### Orange County

- Junior Book Reviews Program
- Utilization of Reclaimed Water
- Consolidated Environmental Management Service
- Geodetic Control System
- Supervisory Assessment Center
- Accounting Procedures Manual Vols. 1-3
- Revenues Management
- Personnel Resource Management System
- Moneymax
- Vocational Training for Inmates
- Testing for Heroin Addiction Program
- Water and Boating Safety
- Improved Medical Care in County Jail
- Ex-Offender Employment Clearinghouse
- Conditional Release/Intensive Supervision (CRIST)
- Paramedic Program
- Joplin Boys Ranch
- Self-Awareness for Probationers
- Probation Department Management Training
- Quick Copy System

### Sacramento County

- Irrigating with Wastewater
- Land Use Planning/Regulation Process

### San Bernardino County

- Employee Productivity Measures

- Environmental Quality Indicators
- Automated Mapping/Geo-Processing
- Controlling Roof Rats
- Comprehensive Planning
- Energy Conservation Program
- Building Inspection Program
- Home Repairs for Senior Citizens
- Unified Property Records/Geographic Retrieval
- Prado Regional Park
- Helicopter Survey for Illegal Dumping
- Bird Control at Sanitary Landfill
- Fire Alert Program

### San Diego County

- Fast Track Construction Project
- Antitrust Attorney Division
- CPA Experience Parity
- Office Open Space Plan
- Border Air Quality Program
- Inspectors Workload Monitoring
- Children's Dental Program
- "Health Is" Series
- Guide Dog Program
- "California Medicine Show"
- Government Reorganization Assistance
- Auditor/Controller Training
- Public Welfare Planning
- Institution Evaluation Unit

### San Joaquin County

- EDA Industrial Assistance
- The Micke Grove Park and Zoo
- Data Processing Documentation
- The Olympic Center for Juveniles
- Road Inventory—10 Year Plan
- Cultural Awareness for Health Employees

### San Mateo County

- County Service Locator
- Youth Service Bureaus

### Santa Clara County

Senior Nutrition and Services

### Sierra County

Wildlife Conservation Program

### Sonoma County

- Consolidated Library System
- Community Hospital

## Stanislaus County

County Vehicle Rebuilding Program

## Sutter County

- Bicounty Mental Health Services
- Housing for Migrant Workers

## Tulare County

- Guidelines-Oriented Job Analysis
- "Project Thunderbolt" for Juveniles
- Circuit Planning Program

## Ventura County

- Government Move Committee
- Work Simplification Project
- Job Sharing and Part-Time Employment
- Child Development Program
- Social Services Documentation

## Yuba County

Bicounty Mental Health Services

## Colorado

### Adams County

Santa Claus Shop, Inc.

### Arapahoe County

- Senior Programs
- Community Services: Inter-Faith Task Force

### Boulder County

- Corrections Specialist
- Improved Management in Corrections
- Forest Management Program

### Colorado Counties, Inc.

- Handbook for County Officials
- Personnel Manual
- Cost Allocation Program

### Jefferson County

- Social Services Information System
- Park Security and Patrol Division
- Mapping and Surveying Network

### Routt County

Public Information Program

## Delaware

### New Castle County

- Iron Hill Park
- Vehicle Maintenance Control
- Directed Crime Deterrent Patrol
- Emergency Communication Center
- Computerized Personnel Selection

### Sussex County

- Shared Resources
- Irrigating with Wastewater
- Police Cadet Program
- Library Agency Services
- Special Housing Project

## Florida

### Brevard County

Dune Revegetation Program

### Broward County

- Helping the Handicapped
- Citizen Dispute Settlement Program
- Social Services Transportation Program
- Consumer Energy Audit Officers
- Artificial Reef
- Outreach Program Unit
- Home Improvement Program
- Housing Conditions Survey
- Bicycle Safety/Education
- Consumer Protection Code
- Mobile Communications Center

### Collier County

Transfer of Development Rights

Continued on next page



# 1978 Achievement Award Winners

Continued from previous page

## Dade County

- Unified Citizens' Participation
- Emergency Medical Training for Lifeguards
- Employee Productivity Program
- Days-Off-Sentence Work Program
- Committee on Operations and Procedures
- Police Service Recruitment Program
- Victims' Advocates Program
- Government Internship Program
- Economic Data and Research Center
- Integrated Service Delivery System
- Congregate Living for the Elderly
- Residential Homemaker Services
- South Dade Skill Center
- Art in Public Buildings
- Film and Television Coordination Program
- Consumer Advocate
- Outdoor Education and Interpretation
- Performing Arts
- Solid Waste Management
- Community Service Management Zones
- Public Facilities Management
- Administrative Variance Zoning
- Public and Private Sector Cooperation
- Six-Year Capital Improvement Program
- Family and Children Mental Health Center
- Primary Health Care Program

## DuVal County

- St. Johns River Cleanup
- Personnel System for Grant Employees
- Office of the Elderly
- Public-Private Cooperation

## Escambia County

- Dental Health Program
- Detecting Heart Disease

## Heartland Consortium

- Vocational Rehabilitation

## Hillsborough County

- Offender Family Crisis Intervention

## Monroe County

- Bicycle Path Program
- Emergency Medical Services
- Regional Criminal Justice Communicators System

## Orange County

- Risk Management/Loss Prevention
- Housing Assistance Program

## Palm Beach County

- Morikami South County Park
- Energy Program
- Loxahatchee River Acquisition
- Youth Service Bureau

## Pasco County

- Modernization of Purchasing System
- Concealed Weapons Licensing Procedures

## Pinellas County

- Heritage Park
- Police Applicant Screening Service
- Voter Outreach Registration

## Volusia County

- Communications Center
- Foot Pursuit Course
- Deltona Municipal Service District
- Mass Appraisal System
- County Corrections Facility

## Georgia

### Clayton County

- Public Works Department Reorganization
- Traffic Sign Replacement/Maintenance
- Traffic Engineering Department
- Street Maintenance and Capital Improvement
- Child Protective Services Team

### Cobb County

- Pretrial Release Program

### DeKalb County

- Stormwater Management
- Housing Weatherization Project
- 911 Program

### Fulton County

- Chattahoochee River Park
- Twin Tennis Centers
- Employees Traffic Safety Course
- County Fire Department
- Jail Library

## Hawaii

### Hawaii County

- Kailua Village Design Plan

### Honolulu County

- Neighborhood Advisory Boards

## Illinois

### Lake County

- Deferred Prosecution Program
- Videotaped Logging of Highways
- Human Services Directory
- Employer Relations Improvement Program
- Maple Sugaring
- Bruce Jenner Trail

### Madison County

- Operation Helping Hand Van
- Paper Recycling Program

### McLean County

- Community Action Program in Corrections



Performing Arts Program—Dade County, Fla.

### Piatt County

- Rural Health Care

### St. Clair County

- County Park Plan
- Self-Insured Employee Benefits Program

### Winnebago County

- Modernization of Treasurer's Office

## Indiana

### Lake County

- Service Employment for the Elderly

## Iowa

### Black Hawk County

- Integrated Crisis Services

## Kansas

### Douglas County

- Council on Services for Aging
- Health Screening for the Elderly
- Indian Services Center
- Bridge Replacement Program
- Mental Health Center
- Pre-Hospital Emergency Care
- Visiting Nurses-Homemakers Services
- Youth Jobs Program
- Emergency Preparedness Services
- Legal Aid Society

### Johnson County

- Industrial Park and Airport
- Parents Anonymous Program

### Republic County

- Rural Nursing Clinics

## Kentucky

### Jefferson County

- Automated Motor Vehicle Registration

## Louisiana

### Police Jury Association of Louisiana

- Recreation, Parks and Tourism Workshops

### Bossier Parish

- Youth Shelter Home

### Caddo Parish

- Industrial-Economic Development
- Parks/Recreation Development

## East Baton Rouge

- Recreation Program for the Elderly

## East Carroll Parish

- Rural Solid Waste System

## Jefferson Parish

- Anti-Litter Campaign
- Historical Commission and Society

## Rapides Parish

- Community Education Through Parks Department

## Richland Parish

- Civic Center

## Prince George's County

- Criminal Justice Evaluation Unit
- Documents Reference Library
- Library Service for the Deaf and Hearing Impaired

## St. Mary's County

- Financial Reporting System
- Commission for Aging

## Massachusetts

### Essex County

- Conservation Program

### Norfolk County

- South Shore Chamber Job Fair

## Michigan

### Calhoun County

- Family Practice Residency for M.D.s
- Alcohol Counseling for Inmates
- Juvenile Court Intensive Learning Program

### Genesee County

- Water Supply System
- Storm Drainage System
- Huckleberry Railroad/Crossroads Village
- Ballot Tabulation System

### Ingham County

- Pinetree Group Home
- "Youth Needs You" Program
- Domestic Abuse Program
- Equal Ground for Status Offenders
- Highway Safety/Paramedic Program
- Tri-County Offender Employment Agency
- Remonumentation Project
- Energy Office
- Grants Application Manual

### Kalamazoo County

- Family Planning Project
- Nursing In-Service Training
- Career Criminal Unit
- Screening and Plea Unit
- Witness Assistance Unit
- Pretrial Diversion
- Supplemental Food Program
- Dental Help for Developmentally Disabled

### Lenawee County

- Coordinated Human Services

### Livingston County

- Department of Internal Services

### Macomb County

- Rehabilitation Center
- Solar Energy for Satellite Center
- Youth Views Issues in Government
- Indochinese Refugee Program
- Career Readiness Center for Women
- Health-Nursing Appraisal for Elderly
- OUTREACH to the Elderly
- Crime Prevention for the Elderly

### Marquette County

- Commission on Aging

### Newaygo County

- Computerized Fiscal System

### Oakland County

- Veterans Employment Service
- Student Intake Counseling
- On-the-Job Training
- Emergency Medical Services
- Tornado Siren Warning
- Elementary School Health Education

### Saginaw County

- Community Health Education
- Public Health Newsletter
- Medical Examiner Services
- VD Awareness Month
- Tri-County Mosquito Control District

### St. Clair County

- Veterans Employment Program
- Jail Rehabilitation Program

### Wayne County

- Emergency Network Program
- Out-County Nontrial Services
- Pretrial Diversion
- Alternatives to Street Crime
- Courtflow Improvement
- Master Gardner Program
- Northwestern Guidance Clinic
- Troubled Employee's Program
- Emergency Preparedness
- The Eliza Howell Nature Center
- Air Pollution Control

## Minnesota

### Anoka County

- Salary Administration

### Cass County

- American Legion

### Dakota County

- Computerized
- Diseased
- Victim/Witness
- Community

### Hennepin County

- Criminal Justice
- DIVULGE
- Applicant
- Driver's License
- Victim/Witness
- Transport
- Trumpeter
- Computer
- Home Maintenance

### Mower County

- Housing

### Olmstead County

- Regional
- Parenting

### Ramsey County

- Child Protection
- Automation
- 4-H Program
- Work Training
- "Brick Yard"
- Park Ranger

### Washington County

- Juvenile
- Learning
- Operation
- Police

## Mississippi

### Lauderdale County

- Hilltop

## Missouri

### Jackson County

- Records

### St. Louis County

- Laumeier
- Outdoor
- "St. Louis"
- Lafayette
- Outreach
- Home
- County

## Nevada

### Washoe County

- Computer

## New Hampshire

### Merrimack County

- "Earle"

## New Jersey

### Burlington County

- Park
- Dental

### Cumberland County

- Pre-Enrollment
- Public

### Essex County

- Hospital

### Hunterdon County

- "911"

### Mercer County

- Jobs
- Prevention

### Middlesex County

- Hazard

### Monmouth County

- In-Service
- Visitor
- Women
- Dependent
- Reclamation



# 1978 Achievement Award Winners

## Minnesota

### Anoka County

Salary Administration Program

### Cass County

American Indian Foster Care

### Dakota County

- Computerized Tax System
- Diseased Tree Utilization Project
- Victim/Witness Program
- Community Health Services

### Hennepin County

- Criminal Justice Coordinating Council
- DIVULGE: County Hotline
- Applicant Flow Survey and Tracking
- Driver's License Program
- Victim/Witness Assistance
- Transportation Study System
- Trumpeter Swan Restoration Project
- Computer Terminals for the Public
- Home Management for the Mentally Retarded

### Mower County

Housing for the Elderly

### Olmstead County

- Regional Data Base for Planning
- Parenting Classes

### Ramsey County

- Child Protection Services
- Automation of Budget/Accounting Office
- 4-H Program for the Handicapped
- Work Transition for the Mentally Retarded
- "Brick Yards" Geological Park
- Park Ranger Program

### Washington County

- Juvenile Intake Program
- Learning Disability Evaluation
- Operation: Community Involvement
- Police Crisis Intervention Training

## Mississippi

### Lauderdale County

Hilltop Group Foster Home

## Missouri

### Jackson County

Records Center

### St. Louis County

- Laumeier Park Sculpture/Gallery
- Outdoor Education
- "St. Louis: The Meeting Place"
- Lafayette Community Involvement Service
- Outreach Centers
- Home Energy Conservation Program
- County Older Residents Program

## Nevada

### Washoe County

Computerized Appraisal System

## New Hampshire

### Merrimack County

"Earned Release Program"

## New Jersey

### Burlington County

- Park and Recreation Development
- Dental Health Program

### Cumberland County

- Pre-Employment Evaluation Program
- Public Awareness Pilot Program

### Essex County

Hospital Center-Model Wards Program

### Hunterdon County

"911" System

### Mercer County

- Jobs for the Mentally Handicapped
- Prevention and Employment of Dropouts

### Middlesex County

Hazardous Waste Disposal

### Monmouth County

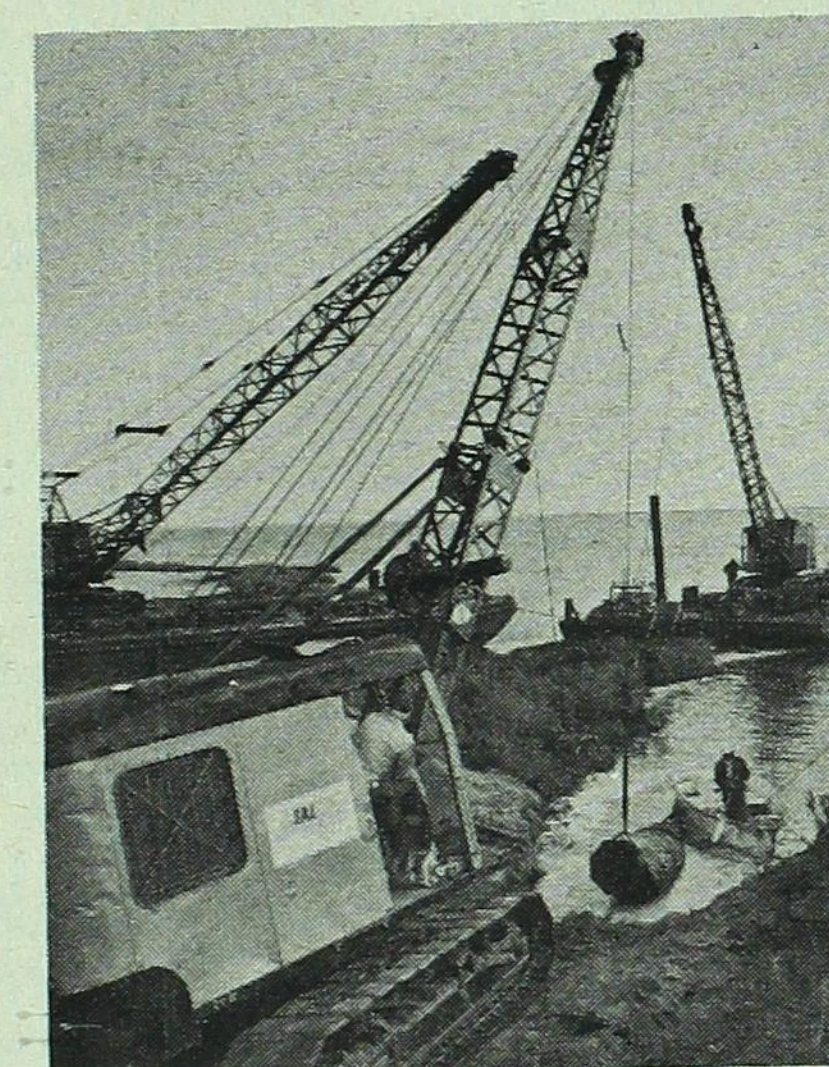
- In-Service Training in the Parks
- Visitor Services Tabloid
- Women's Training for Nontraditional Jobs
- Department of Consumer Affairs
- Reclamation Center



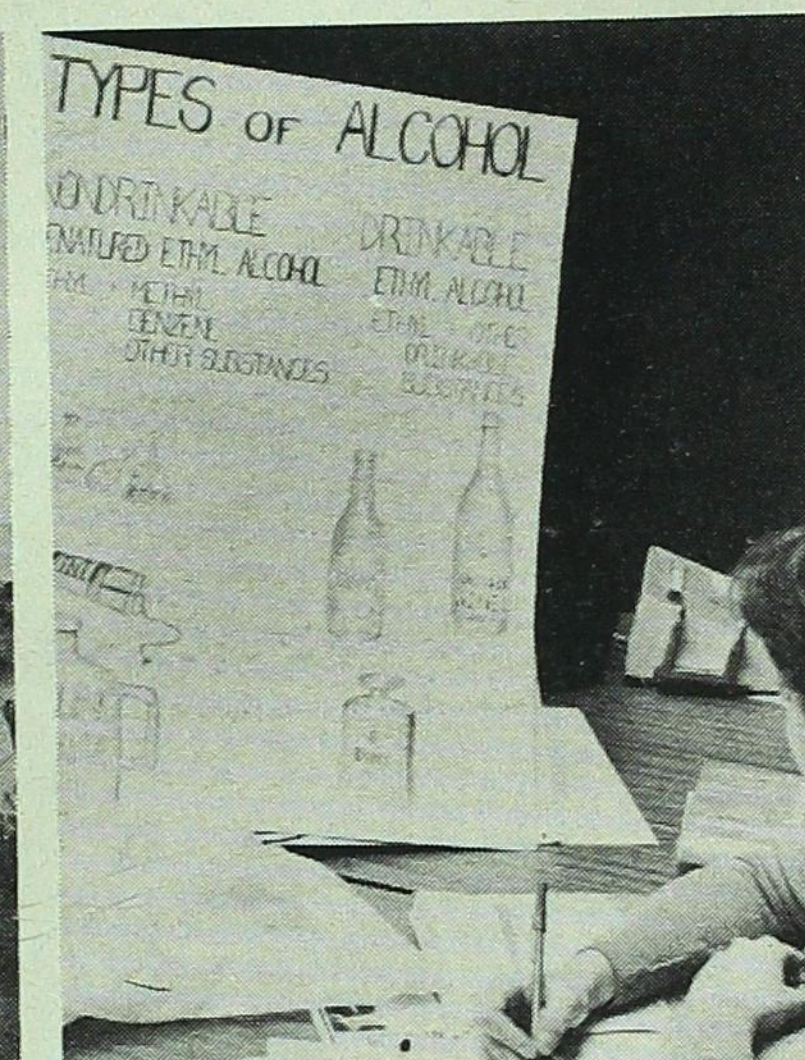
Child Protective Services—Clayton County, Ga.



Volunteer Services—Adams County, Colo.



Regional Water Supply—Dare County, N.C.



Outreach Centers—St. Louis County, Mo.

### Morris County

Public Transportation Guide

### Somerset County

Employment/Training for the Handicapped

### Sussex County

Rural Traffic Signal Installation

### Union County

- Fringe Benefits Rates for Grant Programs
- Long-Range Health Planning
- Indirect Cost Allocation Program
- Reorganization of County Government
- Alcoholism Program

## New Mexico

### San Juan County

- Answering Housing Needs
- County Fire Department
- Regional Solutions to Water Problems

### Valencia County

Comprehensive Services to the Elderly

## New York

### Madison County

County Planning Program

### Monroe County

- Public Defender
- Nursing Home Patient Advocacy
- Capital Improvement Program
- Pretrial Program
- Uniform Classification Zoning
- AFDC Mailout
- Special Employment Counseling
- Jail Disc Jockey Program

### Nassau County

- Industrial Waste Program
- Investigation of Drinking Water
- Subdivision Approval Program
- Criminal Justice Evaluation Unit
- Day Treatment for Psychiatric Patients

- Food Establishment Inspection
- Attack on Health Care Abuses
- Elementary School Drug/Health Education
- Medical Evaluation Unit
- Health Information and Referral
- School Health Reporting System
- Locating Absent Parents
- Traffic Safety for the Elderly
- Homesteading
- Senior Housing at Reduced Expense (SHARE)
- A Profitable Partnership
- Advisory Centers
- Chargeback Accounting System

### Onondaga County

Youths Criminal Activity Report

### Orange County

Office for the Aging

### Oswego County

Conservation Corps

### Rensselaer County

- Project Alert for Senior Citizens
- Welfare Fraud Bureau

### Suffolk County

- Victims Information Bureau
- Computerized Budget
- Volunteer-Operated Emergency Medical Services

### Westchester County

- Camp for the Handicapped
- Blue Mountain Trail
- Park and Recreation Training
- Muscoot Farm Park Programs
- Recreational Programs for Older Adults
- Nature Education Program
- Community Development Program
- Occupational Alcoholism Project
- Committee on Transitional Services
- Cervical Cancer Screening Program
- Community Mental Health Service
- Alcoholism Treatment Center
- Employee Alcoholism Program
- Crisis Intervention Program

- Women Working in Nontraditional Careers
- A Fitness Program for Senior Adults
- Reorganization of Social Services Department
- Social Services Development and Review
- Vocational/Educational Assessment in Social Services
- Young Artists Mural Contest
- Child Care for Young Adults
- Community Relations Safety Program
- Bureau of Sex Crimes Analysis
- Network for Status Offenders
- The Youth Shelter Program
- Corrections Training Program
- County Records Center
- Tri-Model Productivity Project
- Total Loss Control
- Employee Roster Reference Manual
- Comprehensive Services for the Handicapped

## North Carolina

### Alamance County

Employee's Credit Union

### Catawba County

- Five-Year Facilities Plan
- Sheriff's Department Reorganization
- Pre-Fire Planning

### Cherokee County

- School Renovations
- County Historical Museum
- County Mapping for Planning
- Bringing Markets to the Producers
- 911 System

### Cumberland County

Supporting Services to the Elderly

### Dare County

Regional Water System

### Davie County

Improved Water System

### Davidson County

Financial Management System

### Duplin County

Omega Enterprises

### Edgecombe County

Small Town Planning

### Forsyth County

- Computerization of Vital Statistics
- Paramedic Program
- Environmental Affairs Board
- Decentralized EEO Program

### Gaston County

Electronic Data Processing

### Guilford County

- Personnel Department
- Sludge Application on County Farm
- Hazardous Materials Storage
- Agricultural Teletip Program
- Open Space Program

### Iredell County

- Dental Hygiene for School Children
- County Library Programs

### Mecklenburg County

- Reading Project for Teenagers
- Community Energy Conservation
- Courts Information Program
- Fire Safety Education

### New Hanover County

Tree Planting Program

### Rutherford County

Farmers Curb Market

### Sampson County

- Aiding the Rural Elderly
- Maps Made Easier

### Washington County

- Multipurpose Senior Citizen Center
- Community Development/Planning Office
- High Blood Pressure Prevention
- Data Processing System

### Buncombe County

French Broad River Program

### Henderson County

French Broad River Program

### Madison County

French Broad River Program

### Transylvania County

French Broad River Program

### Wilkes County

- Cultural Arts Center
- Recreation Department

Continued on next page



# 1978 Achievement Award Winners

Continued from previous page

## Ohio

### Coshocton County

County Home

### Cuyahoga County

- Improving Property Tax Procedure
- Conditional Release Program
- Day Care for Witness/Victims Children
- Playhouse Square Restoration
- Airport Noise Abatement
- Police Chiefs Association
- Career Offender Placement
- Employee Job Position Program

### Erie County

- Employment for Welfare Recipient

### Greene County

- Water Safety and Instruction Program
- Intermediate Care Facility

### Lorian County

- Senior Citizens Association

### Marion County

- Consumer Protection Program

### Montgomery County

- Job Training for Welfare Recipients
- Management Analysis Team

### Sandusky County

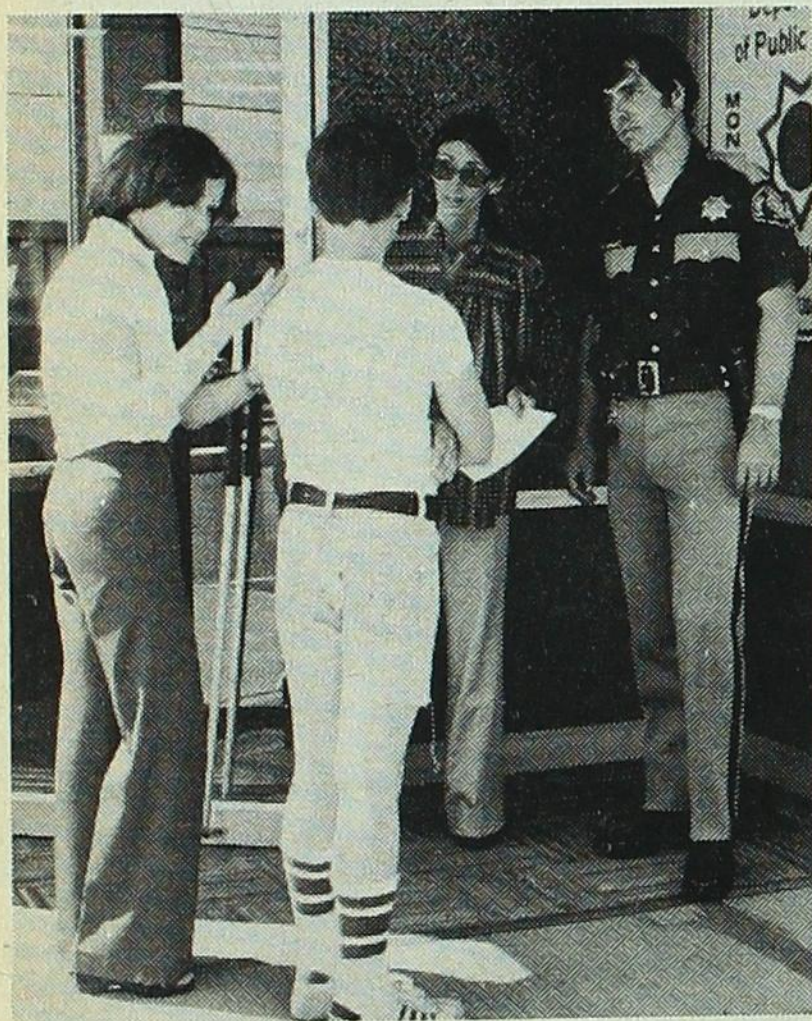
- Animal Control Management
- Disaster Services Agency
- Improved Grants Management

### Wood County

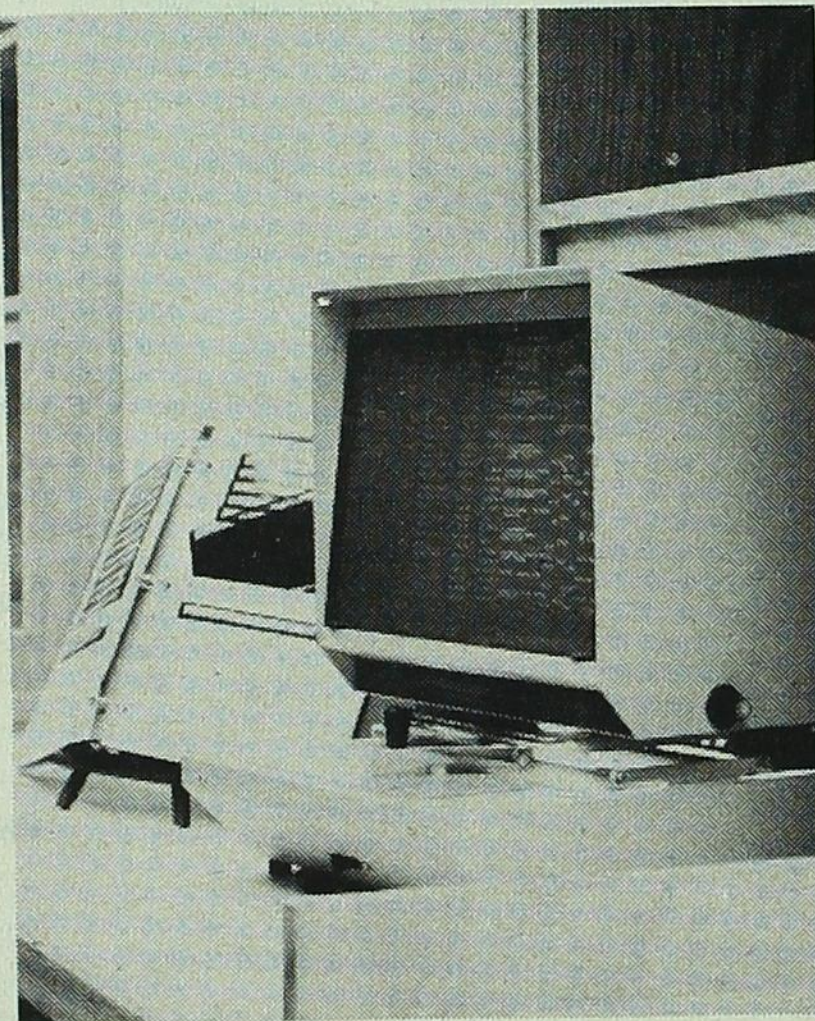
- Centralized Services Facility



Education and Rehabilitation of Chronic Drinkers—Shelby County, Tenn.



Juvenile Services Unit—King County, Wash.



Law Library—Lane County, Ore.



Reclamation Center—Monmouth County, N.J.

## Oregon

### Clackamas County

- Partnerships in County Planning
- Health Screening for the Elderly

### Josephine County

- Work Program for Inmates

### Lane County

- Law Library Reorganization
- Centralized Word Processing
- Cooperative Central Purchasing
- Interagency Rape Team

### Multnomah County

- Energy Conservation System
- Victims Assistance and Rape Victim Advocate Program
- Department of Justice Services
- Cancer Education and Screening Program
- Hypertension Control Program
- Poison Prevention/Education
- Property Tax Records Microfilming
- Records Management
- Voter Outreach Program
- Mental Health Plan
- Nursing Home Assessment

### Washington County

- Railroad Crossings Safety Drive
- County Aging Program

## Pennsylvania

### Allegheny County

- Committee for Progress—COMPAC
- Courthouse Gallery/Forum
- Vocational Exploration Program

### Centre County

- New Approach to Budgeting

### Chester County

- Groundwater Resources

### Clarion County

- Comprehensive Human Services System

### Lehigh County

- Governmental Reorganization

## South Carolina

### Beaufort County

- Daufuskie Ferry
- Drug Diversion Program

### Charleston County

- Improved Health/Medical Services

### Greenville County

- Easier Voter Registration

### Lexington County

- Elimination of Dual-Taxation

### Newberry County

- Human Services Center

### Richland County

- Sky Patrol and Pursuit

## South Dakota

### Grant County

- Visiting Neighbor Program

## Tennessee

### Cumberland County

- County Computerization

### Davidson County

- Urban Revitalization

### Hamilton County

- Consolidated Purchasing System

### Shelby County

- Public Affairs Office
- St. Louis Encephalitis Program
- Investigating Your Environment
- Microfilming of Health Records
- New Roles in Grantsmanship
- Education and Rehabilitation of Chronic Drinkers
- Child Support Bureau
- Preparing Inmates for Release
- Chaplain's Program, County Penal Farm
- Government Reorganization
- Town Meeting: Framework for Goal Setting
- Personnel Training Program

### Weakley County

- Juvenile Rehabilitation Program

## Texas

### Dallas County

- Youth Operations Unit

### Harris County

- Town Hall Meetings

## Utah

### San Juan County

- Road Construction Training Program

### Utah County

- Parks and Recreation Program

## Virginia

### Accomack County

- Powell Memorial Park
- Wallops Island Park
- Rural Health System

### Augusta County

- Toll-free Calls to County Offices

### Chesterfield County

- Fire Safety Education

### Fairfax County

- Computerized Appraisal System
- Family Day Care Training
- County Day Care Subsidy Program

### Hanover County

- Parks and Recreation Department

### Henrico County

- Volunteer Service Handbook

### Henry County

- Landfill: Multipurpose Facility
- Urban and Rural Planning

### Pulaski County

- Countywide Water System

### Rockingham County

- Utilities
- Comprehensive Planning
- Data Processing Department

## Washington

### Chelan County

- Lake Chelan Interceptor

### Clark County

- Investing Idle Funds

### King County

- Juvenile Services Unit
- Juanita Creek Basin Plan
- Community Needs Survey
- Mental Health Funding Formula
- Alcoholism Services for Native Americans and Public Employees

### Pierce County

- Solar Energy for a Senior Center
- Senior Employment Program
- Public Service Announcements

### Thurston County

- Parks and Recreation Department

## West Virginia

### Wood County

- White Oak Village

## Wisconsin

### Wisconsin County Boards Association

- Indirect Costs Allocation Assistance
- Handbook for County Supervisors

### Dane County

- Cultural Affairs Commission
- Highway Workers Job Hazards' Program
- Limited Term Employee Selection

### Eau Claire County

- Employment for Welfare Recipients

### Marathon County

- County-City Personnel Management

### Racine County

- Health Care Assistance for the Elderly

### Rock County

- Temporary Personnel Program

### Walworth County

- Land Preservation Plan

The Achievement Award case studies are an integral part of the resource-sharing function at NACo. Some of the 1978 case studies will be selected for inclusion in the *Living Library* (a catalog of case studies in four major categories). The categories include: county organization and political leadership; services; administration; and intergovernmental relations. These are further divided into functional and programmatic areas. The case studies provide information to other counties desiring to establish a similar program in their own jurisdiction. The eighth edition of *Living Library* is scheduled for publication this fall.



## Bill

## Issues

## NACo

## Status

## Outlook

## Health and Education Continued

Continued from page 8

Health Planning (H.R. 10460; S. 2410)	Three-year extension of P.L. 93-641, health planning and resources programs. Bill recommends several changes.	Supports three-year extension, but has asked for several NACo amendments to make HSAs more accountable to elected county officials.	Hearings held. Markup by both House and Senate committees. House and Senate action in July.	Passage certain.
National Health Insurance	Over a dozen bills introduced. Range from "cradle-to-grave" coverage to status quo.	Supports comprehensive bill; incremental approach by first federalizing Medicaid and covering all "unsponsored" residents.	Bills referred to appropriate congressional committees.	No action until next year. Administration is submitting a set of principles to Congress in late summer. Debate between go-slow or comprehensive approach continues.
Medicaid Reform (H.R. 3; S. 143)	Strengthens capability of federal government to control fraud and abuse in Medicaid/Medicare.	Supports bill.		President signed.
Rural Health (H.R. 422; H.R. 8422)	Provides Medicare reimbursement to rural and inner city health clinics.	Supports bill.	Regulations being developed.	President signed.
Hospital Cost Control (H.R. 6575; H.R. 1753; S. 1470; S. 1391)	Leading proposal sets a two-year voluntary program, with a 12 percent cap on hospital rates set in reserve. Others (S. 1470) seek cost control through incentives, through Medicare/Medicaid reform.	Supports bills. NACo supported amendment that prohibits "dumping" of poor patients from private hospitals.	House marking up H.R. 6575 for weeks. Many amendments added. Senate Finance began marking up S. 1470.	Passage uncertain.
Child Health Care (H.R. 6706; H.R. 7474; S. 1392)	Expands EPSDT (Early and Periodic Screening, Diagnosis and Testing program).	Supports bill with NACo amendments that encourage counties to provide service.	House marked up bill with NACo amendments. No action in Senate.	Passage uncertain.
Illegal Aliens Health Care (H.R. 2400)	Reimburses counties for health care to illegal aliens.	Supports bill.	Hearings held in House Commerce health subcommittee. No hearings in Senate.	Passage unlikely.
Health Maintenance Organizations	Expands and amends health maintenance organizations act.	Supports bill. NACo is endorsing an amendment that allows counties to operate HMOs.	Senate bill reported out by full committee. House bill is being drafted.	Passage likely.
Disease Prevention (S. 3115)	Provides funds to counties for programs to combat five leading causes of death.	Supports bill with guaranteed pass-through of funds to counties.	Hearings held in Senate. House version of bill (H.R. 10553) different.	Passage uncertain.

## Home Rule and Regional Affairs

Lobbying Disclosure (H.R. 8494; S. 1785; S. 2026) Staff Contact: Aliceann Fritschler	Associations and employees of state and local elected and appointed officials would be required to register as lobbyists. Elected and appointed federal officials and employees, and individual county representatives are exempt from registration and disclosure.	NACo urges that county, city, state officials, their associations and employees be granted same status as elected federal officials, and be exempt from registration.	House voted to include state and local officials' associations. Senate Governmental Affairs Committee marking up bill. Sen. James Sasser (D-Tenn.) to offer amendment in committee to exclude state and local associations.	Some kind of new lobbying disclosure bill probable. Many issues unresolved.
Universal Voter Registration (H.R. 5400; S. 1072)	Administration bill gives states option to allow potential voters to register at the polls on election day for federal elections.	NACo opposes same day registration.	No action scheduled.	Passage unlikely.
State Community Conservation and Development Act (State Incentive Program) (H.R. 12893; S. 3209) State Contact: Linda Church	This bill would provide \$400 million for two years for states to develop strategies and assist distressed and declining communities in their state. Funds would be available for fiscal '79 and '80.	Steering committee to review proposal at Atlanta conference. NACo to testify July 13.	Senate subcommittee on intergovernmental relations holding hearings. Senate Banking to hold hearings in July.	Administration bill is expected to be changed with substantially increased funding. Administration will most likely oppose Senate proposal.

## Labor Management Relations

Staff Contacts: Ann Simpson, Bruce Talley

Deferred Compensation Plans (H.R. 10746; H.R. 10893; S. 2627)	Reverses an IRS-proposed regulation requiring employees to pay current taxes on amounts deferred rather than at retirement.	Supports bills and opposes the Feb. 3 regulation.	Hearings held in the Senate. Opposition vigorous. House Ways and Means to consider H.R. 10746 as part of Tax Reform Act. NACo testified at IRS public hearings.	Public employee and employer support increasing. Passage this year uncertain.
Reporting and Tax Liabilities for Public Pension Plans (H.R. 9118; S. 1587)	Both bills amend the IRS Code 1954 to exempt certain state and local government retirement systems from reporting and taxation requirements. Decision made by IRS without consultation prior to issuance of regs. Raises legal questions with respect to IRS authority to regulate. (Form 5500 and/or 5500C.)	Testified in support of Senate bill, working with sponsors to obtain additional support and pressing for congressional hearings in House and Senate committees. Sent comments to IRS opposing Feb. 10 regs.	Hearings held by Senate subcommittee. No dates scheduled for House consideration. Revised bill (S. 1587) with disclosure provision referred to Senate subcommittee. No administrative decision made yet to issue final regulations.	Hearings expected this year in House and Senate. Passage uncertain.
Public Pension Plan Study	Should the federal government regulate state and local pension systems? A study released by the House Pension Task Force has been published and the report included a study of 7,000 public pension systems covering 96 percent of plan participants. Report states that generally states have failed to meet certain standards.	Will oppose federal regulations. Encourages states and localities to reform pension system to meet actuarial soundness.	Report approved by the House labor standards subcommittee. Legislation will probably be introduced covering minimum federal standards. Hearings held this summer on regulation of state and local systems. Senate has yet to act.	Hearings this year. Further consideration next year by congressional committees.



## Bill

## Issues

## NACo

## Status

## Outlook

## Labor Management Relations Continued

**Social Security Deposit Payments**  
(H.R. 11117 and H.R. 11976)

The bill amends Section 218 of the Social Security Act to require that state and local governments having agreements with the Social Security Administration continue to make FICA payments and reports on quarterly basis as opposed to monthly basis. The proposed increased payment scheduling will cause counties to lose a substantial amount in interest income and will triple administrative costs.

Labor Management Relations and Tax and Finance Steering Committees passed a resolution in support of H.R. 11976. Opposes March 30 regulations issued by HEW. Comments sent to SSA. NACo pressing for hearings in House and requests that HEW withdraw regulations.

No bill introduced in the Senate and no dates for hearings scheduled by House subcommittee on Social Security.

Hearings likely this summer. Continued opposition by public interest groups may lead to postponement of final regs.

**Intergovernmental Personnel Act Appropriation Fiscal '79** (H.R. 12930)

Increased funding for counties, cities and states for personnel training and affirmative action planning. Will also cover costs for some program expansion should efforts to amend the legislation prove successful.

NACo supports \$10 million increase. Seeks expansion of the IPA Act of 1970 to provide for grants in general management area. Also seeks change in federal match requirement from 50 percent to 66 2/3 percent. Testified before House and Senate subcommittees.

The House passed H.R. 12930 on June 7 by a vote of 297-98. Senate floor action is scheduled later in the summer. The Senate full committee concurred with House-passed level of \$20 million for fiscal '79.

Passage this year. Sen. Dale Bumpers (D-Ark.) may offer his amendment again to increase appropriation by \$10 million. Increased funding uncertain.

**Reorganization Plan No. 1, President's Civil Rights Task Force Studies on Equal Employment Opportunity**

Provides for consolidation of major enforcement activities under the Equal Employment Opportunity Commission.

NACo supports consolidation and voluntary compliance programs. Passed a resolution supporting Reorganization Plan No. 1 in March.

Approved by the House in April.

Passed.

**Civil Service Reform Act, 1978**  
(H.R. 11280; S. 2640)

Major reform of the Civil Service Commission activities. Several controversial issues are being considered, i.e., veterans preference, whistle blowers, etc.

Supports the concept of reform in the federal government. Seeking amendments to Title VI to provide for expansion to the Intergovernmental Personnel Act of 1970 to include general management assistance and change in federal match from 50 percent to 66 2/3 percent of project costs.

Currently being marked up by House and Senate committees. Major rewrite of the Administration's bill underway.

Senate plans to pass a bill this year. House uncertain.

**Social Security Amendments of 1977**  
(P.L. 95-216)

The act authorizes a joint study by HEW and other agencies on the impact and feasibility of mandatory coverage of counties, and other units of government in the Social Security system. Study to be completed by 1980. The study will also survey the legal and constitutional barriers to universal coverage.

Lobbied vigorously in support of maintaining the present option to withdraw from the system. Increased tax rates have led to further consideration of withdrawals by local governments.

Increased tax rates to go into effect in 1979. No plans have been developed to proceed with study of mandatory coverage. HEW will take the lead.

Signed by President Dec. 20, 1977.

## Land Use

Staff Contact: Robert Weaver, Mark Croke

**Department of Commerce Appropriations for Fiscal '79**  
(H.R. 12934)

Appropriations for coastal zone management program set by House subcommittee at \$57.2 million, a \$6.4 million increase over this year. No new funds were voted for the coastal energy impact program; however, a \$200 million carryover from this year is anticipated.

Supports.

Passed full House; Senate Appropriations has not scheduled markup, as of June 27.

Likely to pass Senate unchanged.

**Department of Interior Appropriation for Fiscal '79**  
(H.R. 12932)

Contained in bill is Land and Water Conservation program which provides matching funds for acquisition and development of state and local outdoor recreational facilities. The appropriations for fiscal '79 set by the House is \$645.8 million, a \$45 million increase over this year.

Supports continuation of the program.

Full House has passed H.R. 12932; Senate subcommittee markup tentatively set for week of July 10.

Final funding level is likely to be same as House bill.

**Urban Park and Recreation Recovery Act** (S. 3163)

Provides \$150 million per year for five years for planning and implementation grants to local governments to rehabilitate park and recreation facilities in distressed urban areas. This proposal is part of the Administration's urban policy package. Issues include: whether the bill will encourage the upgrading of urban park systems and take a comprehensive approach or take a facility-by-facility approach; and whether eligibility for funds will be based on the HUD Urban Development Action Grant (UDAG) standards which make program applicable only to urban counties and metropolitan cities.

The American County Platform supports additional federal assistance for urban park and recreation facilities. NACo opposes the use of the HUD/UDAG standards on eligibility. The Land Use Steering Committee will consider the specific features of S. 3163 at its July 8 meeting.

The House Omnibus Parks bill included the urban park proposal at the last moment when approved by the Interior Committee. Full House action is expected in July. The Senate Parks and Recreation subcommittee held hearings on S. 3163 and its own draft the week of June 26.

For Senate, action this summer is good. Passage depends on whether conferees can act before adjournment.

**Agricultural Land Retention**  
(H.R. 11122)

The House bill provides for a demonstration grant program authorized at \$50 million per year for four years for counties and states to develop and carry out agricultural land retention programs. The federal government is prohibited from controlling land or interfering with state and local responsibilities. A national commission including county and agriculture representatives would be established to study ways of retaining land and the effect which federal agency actions have on local efforts to prevent conversion of prime land.

The last NACo Annual Conference adopted a resolution supporting legislation like H.R. 11122.

Hearings have been held in both Houses. Markup in House Agriculture Committee was underway at press time.

Chances for approval in the House are good. Senate committee will consider it after the House committee acts.

## Bill

## Public L

Staff Contact:  
Payments-in-  
Appropriation

Payments-in-  
Refuges (H.R.

Payments-in-  
Military Lan

Payments-in-  
Trust Lands

Alaskan Lan  
S. 1782; S. 29

1872 Mining

Energy Imp  
(S. 2913)

Omnibus In  
(H.R. 9950)

Quantificat  
Water Righ

Tribal-Stat  
(H.R. 11489)

BLM Quad  
(H.R. 10787)

## Rural D

Staff Contac

Agricultur  
(H.R. 8315)

Rural Deve  
Appropriat  
and Waste  
Loans and

Rural Deve  
S. 2126)



## Bill

## Issues

## NACo

## Status

## Outlook

## Public Lands

Staff Contact: Jim Evans, Linda Bennett

Payments-in-Lieu Fiscal '79 Appropriation (H.R. 12932)	Provides for \$105 million for fiscal '79 funding of the payments-in-lieu of taxes program.	Supports the \$105 million amount together with language to allow for adjustments of prior year underpayments.	House approved.	Prospects excellent for full appropriation.
Payments-in-Lieu for Wildlife Refuges (H.R. 8394)	Similar to the original payments-in-lieu program (P.L. 94-565); provides for payments for wildlife refuges.	NACo supports.	Passed House in early June with substantial majority.	Crowded Senate calendar makes passage uncertain this year.
Payments-in-Lieu for Inactive Military Lands (S. 74)	Provides payments for inactive and semiactive military lands as entitlement lands under the payments-in-lieu of taxes program.	NACo testified in support at April hearings.	Passed Senate.	Crowded House Interior Committee calendar makes passage uncertain this year.
Payments-in-Lieu of Taxes for Indian Trust Lands (H.R. 12285; S. 1168)	Provides for payments to local governments where Indian trust lands are located.	NACo supports.	No action scheduled.	Passage unlikely.
Alaskan Lands (H.R. 39; S. 1500; S. 1782; S. 2944; et al.)	To designate certain lands in the state of Alaska as units of the national park, national wildlife refuge, national wild and scenic rivers, and national wilderness preservation system.	NACo supports certain provisions of the legislation that provide for the multiple use of federal lands.	House passed H.R. 39 in May with substantial majority. Energy Committee is drafting Senate bill.	Passage uncertain in Senate. Alaskan senators threatening filibuster to prevent a bill from reaching the floor.
1872 Mining Law Reform (H.R. 5831)	Would reform basic federal mineral leasing laws on federal lands.	NACo opposes repeal of the 1872 mining law or any modification of its fundamental principles.	House committee drafting bill. Nothing scheduled in Senate.	Passage uncertain.
Energy Impact Loan Program (S. 2913)	Legislation to implement a \$40 million Energy Impact Loan program under the Mineral Leasing Act.	NACo supports the implementation of this program.	Senate Energy Committee to consider shortly. House bill combined with BLM Quadrennial Authorization and waiting House floor action.	Passage uncertain this year.
Omnibus Indian Jurisdiction Act (H.R. 9950)	Extends civil aspects of P.L. 83-280 to all states; would provide a waiver of sovereign immunity to suit against the tribes, and restrict tribal jurisdiction within the reservations.	NACo board passed a resolution in support of the bill.	No action scheduled.	Passage unlikely.
Quantification of Federal Reserved Water Rights (H.R. 9951)	Limits tribal claims to water by quantifying Indian rights based on the highest usage by tribes over the past five years, and gives states authority over tribes in regulating water.	NACo board passed a resolution in support of the bill.	No action scheduled.	Passage unlikely.
Tribal-State Compact Act (H.R. 11489; S. 2502)	Authorizes states and Indian tribes to enter into compacts on matters involving jurisdiction and governmental operations on reservation.	No NACo policy adopted. NACo Indian Affairs Committee passed resolution opposing bill in present form.	Hearings held in March by Senate. No action in House.	Passage uncertain.
BLM Quadrennial Authorization (H.R. 10787; S. 2234)	Authorizes four-year funding for most Bureau of Land Management programs.	Supports provision to implement the Payments-in-Lieu of Taxes Act, land use planning and coordination, and energy impact loans.	Senate and House committees approved. Floor action pending.	Prospects good for passage.

## Rural Development

Staff Contact: Elliott Alman

Agricultural Credit Act of 1978 (H.R. 8315)	Legislation proposed increasing interest rates on rural development and community facility loans from existing 5 percent level up to 9-10 percent.	Opposes increase in interest rates. Supports amending bill to: increase authorization for water and waste disposal grants; and lift 50 percent ceiling on grants up to 75 percent of project cost.	House Agriculture subcommittee on conservation and credit has deleted provision that would have raised interest rates on loans (current ceiling of 5 percent will be maintained); amended Rural Development Act of 1972 to increase annual authorization for water and waste disposal grants from \$300 million to \$400 million, and to raise ceiling on maximum grant a rural county may receive from current 50 percent level up to 75 percent of project cost.	Approved by House. Currently in House-Senate Conference Committee.
Rural Development Act Appropriations for Fiscal '79—Water and Waste Disposal Grants and Loans and Other Programs	Administration proposes \$265 million for water and waste disposal grants; \$800 million for loans; \$10 million for business and industrial grants; \$1.1 billion for loans; \$250 million for community facility loans. No funding requested for rural fire protection and rural planning. Congressional Rural Caucus recommends full funding.	Supports full funding.	House subcommittee on agriculture appropriations acted in May to provide significant funding increases including full funding for water and waste disposal grants.	Senate subcommittee was set to act in June.
Rural Development Loans (S. 312; S. 2126)	Legislation would increase interest rate on rural development loans from current 5 percent ceiling to prevailing market rate plus 1 percent. New rate would therefore almost double to 9 or 10 percent.	Opposes provision in bill increasing interest rates on loans to rural counties.	Legislation amended in full Agriculture Committee to boost ceiling on grants from 50 percent up to 75 percent of project cost and to increase authorization for water and waste disposal grants from \$300 million up to \$1 billion.	Approved by Senate and currently in Conference Committee with House-passed version.



**Bill****Issues****NACo****Status****Outlook****Rural Development Continued****Rural Development Policy Act of 1978 (H.R. 10885)**

Strengthens rural development role and responsibilities of Department of Agriculture; increases rural planning grants authorization from \$10 million to \$50 million; changes name of Farmers Home Administration to Farm and Rural Development Administration and name of USDA to Department of Agriculture and Rural Development.

NACo testified in support of legislation in March.

House Agriculture subcommittee on family farms, rural development, and special studies held hearings in the spring. Subcommittee approved bill and reported it to full committee in May. Agriculture Committee held markup and referred bill back to subcommittee for changes.

Uncertain.

**Rural Community Development Act (H.R. 9983)**

Would establish a separate community development program for nonmetropolitan areas with a population of 20,000 or less.

No position.

House Agriculture subcommittee on family farms, rural development and special studies held hearings in March.

Bill reported out of subcommittee. Agriculture Committee action expected in June. House Banking Committee must also act.

**Department of Food, Agriculture, and Renewable Resources Act of 1978 (S. 2519)**

Strengthens Department of Agriculture by creating new expanded Department of Food, Agriculture, and Renewable Resources. Also authorizes transfer to new department of some functions of the Departments of Interior and HEW.

No position.

Senate Agriculture subcommittee on nutrition to conduct hearings in spring.

No change.

**Supplemental Appropriations for Rural Development for Fiscal '78**

Appropriations Committees considering additional funding for current fiscal year. For this year, \$250 million has been appropriated out of \$300 million authorization for water and waste disposal grants. Current backlog exceeds \$650 million.

Supports supplemental appropriation of \$50 million to achieve full funding for that program for fiscal '78.

Subcommittee acted in May and provided additional \$50 million in current year for water and waste disposal grants.

Senate Appropriations subcommittee was set to act in June.

**Rural Housing Act of 1977 (S. 1150)**

Provides for significant increases in Rural Housing and Development Programs of Farmers Home Administration (FmHA) including: creation of a new homeowner subsidy program for low and moderate income families; increased authorization for water and waste disposal grants from current \$300 million up to \$1 billion a year; and altered ceiling on grants to vary from 25 percent to 75 percent of project cost.

Testified before Senate rural housing subcommittee in support of increased and new rural housing programs and increases in water and waste disposal grant authorizations. NACo supports setting grant ceiling at flat 75 percent of project cost.

Bill reintroduced as Rural Housing Act of 1978 and hearings were held in House and Senate. Key provisions, including new subsidized low-income home-ownership program were incorporated into Housing Authorization Act.

House and Senate to vote on bills soon.

**Taxation and Finance***Staff Contact: Elliott Alman***Countercyclical Antirecession Fiscal Assistance (H.R. 12293; S. 2975)**

Current program expires Sept. 30. Assistance provided to 1,700 counties with unemployment rates over 4.5 percent. Administration bills propose two-year extension of program at a level of \$1.04 billion annually. Proposal would significantly change eligibility and formula for distributing funds and eliminate national trigger.

Testified in House and Senate in May supporting enactment of permanent countercyclical antirecession program.

Hearings completed in both Houses in May.

House markup hoped for in July.

**Municipal Securities Disclosure (S. 2339)**

Legislation would amend Securities Exchange Act of 1934 to mandate local governments prepare annual costs and distribution documents when issuing municipal securities.

Supports voluntary disclosure. Opposes enactment of bill. Mandatory disclosure would result in costs to local governments exceeding \$200 million annually.

Hearings not yet scheduled. House bill expected to be introduced shortly.

Uncertain.

**Taxable Bond Option (TBO)**

Administration proposes taxable bond option which would offer local governments and states the option of issuing tax-exempt bonds or taxable municipal bonds. Federal government would subsidize local governments for higher interest rates on taxable bonds.

Opposes Taxable Bond Option.

Part of the Administration's Tax Reform Package; \$7 billion requested to subsidize interest over life of bonds. Hearings not yet scheduled for TBO.

Doubtful.

**New York City Financial Assistance (H.R. 1246; S. 3111)**

Current program of seasonal financing for New York City to expire June 30. Reauthorization considered to be essential for city to attain balanced budget by 1981. Proposed bills would provide federal guarantees for New York City bonds, with no expenditure of federal funds required.

Supports provision of federal assistance in terms of loan guarantees to New York City to enable city to attain balanced budget.

House bill passed 247-155 to provide \$2 billion in federal loan guarantees. Senate Banking Committee reported out S. 3111 to provide \$1.5 billion in guarantees.

Senate floor vote expected shortly. Legislation then goes to House-Senate Conference Committee.

**Consumer Antitrust Act of 1977 (H.R. 11942; S. 1874)**

Legislation would enable units of local government to recover damages for injuries suffered as a result of private sector antitrust violations. Bills would overturn Supreme Court decision interpreting congressional intent that greatly restricted units of government from recovering.

Supports.

Senate Judiciary Committee reported bill out in early June. House Judiciary Committee reported bill in late June.

Legislation expected to reach floor of House and Senate in July.

**Glass-Steagall Act Amendments (H.R. 7485; S. 2674)**

Legislation introduced in both Houses to amend Glass-Steagall Act. The 1933 act limits authority for national banks to underwrite certain types of municipal securities.

Supports amendments to enable national banks to underwrite revenue bonds. Changes would increase competition in field and result in lower costs and bond interest rates for local governments.

No hearing scheduled by House or Senate Banking Committees.

Uncertain.



## Bill

## Issues

## NACo

## Status

## Outlook

## Taxation and Finance Continued

Civil Rights Improvement Act of 1977 (S. 35)

Legislation amends Section 1983 of Civil Rights Act of 1871 to establish liability for violations of civil rights by local and state governments. Government entities, currently immune as of recent Supreme Court decisions interpreting act, would become liable for monetary damages and court-ordered injunctions.

Opposes legislation.

Senate Judiciary subcommittee on the Constitution conducted hearings in May. NACo testified.

Supreme Court reached landmark decision that overturns 17 years of precedent. Court ruled that units of local government are liable for monetary damages and injunctions under Section 1983 of the Civil Rights Act of 1871. As a result of the decision overruling blanket immunity of local governments, key provisions in S. 35 now appear to limit, rather than expand, government liability.

Employment Tax Credit

Administration proposed to provide tax credits to private-sector employers to hire low-income young people (ages 18-24) and handicapped individuals. Credit will be one-third of employer's Federal Unemployment Tax Act wages up to \$2,000 for initial year of employment and one-fourth of those wages up to \$1,500 for second year.

No position.

No date set for House Ways and Means Committee hearing.

Uncertain.

Differential Investment Tax Credit

Administration is proposing to make the 10 percent investment tax credit permanent, and to make available an additional 5 percent tax credit for development in distressed areas. The credit would be available up to \$200 million annually for fiscal '79 and '80.

No position.

No date set for House Ways and Means Committee hearings.

Uncertain.

Small Issue Industrial Development Bonds

Administration proposes to expand size of small issue industrial development bonds in "distressed areas" from \$5 million up to \$20 million. Only those issues used for acquisition or construction upon land or depreciable property in "distressed areas" would be tax-exempt.

No position.

No date set for House Ways and Means Committee hearings.

Uncertain.

Federal Grant and Cooperative Agreement Act (H.R. 7691; S. 431)

Distinguishes federal grant and cooperative agreements from federal procurement relationships.

NACo testified in support.

Passed by House and Senate.

Signed by the President (P.L. 95-224).

Staff Contact: Linda Church

Federal Program Information Act (H.R. 6257; S. 904)

Requires the computerization and improvement of data in the federal aid catalogue by Office of Management and Budget.

NACo testified in support in House and Senate.

Passed by House and Senate.

Signed by the President (P.L. 95-220).

Staff Contact: Linda Church

Federal Assistance Reform Act of 1978

Would provide for standardization of crosscutting requirements, advanced funding, and other reforms.

NACo supports.

Bill scheduled to be introduced week of July 3. Hearings scheduled in July. NACo to testify July 13.

There is renewed interest that Congress pass a grant reform measure; however, Senate is considering adding its proposed increased funding proposal for the State Community and Development Act to this bill. Since the Administration opposes increased funding for the state incentive program, grant reform may be locked up until the debate is resolved.

Staff Contact: Linda Church

Program Reauthorization and Evaluation Act of 1978 (S. 2)

This bill would require reauthorization and reevaluation of federal programs every 10 years. Title IV would establish a Citizens Commission on the Organization and Operation of Government which would conduct a study on the economy, efficiency and quality of service of the federal executive agencies.

Supports regular evaluation of federal programs provided such evaluation is done in consultation with locally elected officials.

Reported out of Senate Rules June 21.

Senate passage possible this year. House action uncertain.

Staff Contact: Linda Church

## Transportation

Staff Contact: Tom Bulger

Public Transportation (S. 2441)

Extends mass transit funding from contract basis to an authorization/appropriation basis by providing a rolling four-year authorization cycle in which appropriations can be provided one year in advance. The formula grant program similar to present law, except routine bus replacements would come out of formula funds. Eliminates local match requirements on operating assistance—33½ percent maximum paid by federal grant, 80 percent federal share of capital projects included. Creates a small urban and rural assistance program. Federal share set at 50 percent (operating) 80 percent (capital) on interstate transfers. Federal funding at 90 percent includes \$200 million for President's urban initiative proposal.

Generally supports major portions of the bill, except direct funding of Metropolitan Planning Organizations and unanimous consent of all local governments to change MPO designation. Opposes the "Brooke Amendment" which would provide additional "discretionary" formula grants to certain large systems which have experienced increased deficits.

Senate Banking Committee has reported out bill. Senate floor action expected sometime in July.

Passage of the bill with minor amendments looks positive sometime this summer.



## Bill

## Issues

## NACo

## Status

## Outlook

## Transportation Continued

Public Transportation (H.R. 11733)	Extends mass transit funding for four years in the same manner as the Senate bill. However, bus replacement funds are provided in both Section 3 (capital) and Section 5 (operating). The current law concerning maintenance of effort and federal share of operating deficits is retained. Creates a rural public transportation program similar to the Senate bill. Limits interstate transfers to \$675 million at 80 percent federal share; includes \$100 million a year multimodal terminal and joint development program.	Generally supports the increased Section 3 authorizations of \$1.86 billion in view of the Administration's \$1.375 billion request. Opposes the current 50 percent local share of deficit requirement. Supports the rural public transportation program. Concerned that \$100 million multimodal joint development program may be biased to only distressed cities.	House Public Transportation bill is a part of the highway bill. Together they comprise H.R. 11733. The highway portion must be approved by the House Ways and Means Committee. No date has been scheduled.	Until the House Ways and Means Committee approves H.R. 11733, House floor action cannot occur.
Bridges (S. 3073)	Increases authorizations for on- and off-system bridge rehabilitation and repair. Distribution of bridge funds for off-system bridges. Increases federal share to 90 percent.	Tried unsuccessfully through amendments by Sen. John Culver (D-Iowa) to raise bridge authorizations from \$450 million a year in S. 3073 to \$650 million a year. Additionally, to specifically earmark 15 percent of these funds to counties. NACo has worked to increase the federal share from 70 percent to 90 percent.	Bill still contains \$450 million in bridge authorizations with up to 30 percent available for off-system bridges.	The bridge section of the Senate highway bill may be amended on the full Senate floor. Expected to occur during July.
Bridges (H.R. 11733)	Retains the \$2 billion bridge authorization in H.R. 11733 at 90 percent federal share.	NACo has repeatedly pointed out to Congress that current bridge needs total approximately \$26 billion. Therefore, the \$2 billion bridge authorization is justified and financeable. Furthermore, requiring a minimum of 25 percent and maximum of 35 percent of bridge funds for off-system bridges is equitable.	The House highway bill which includes bridges is stalled pending approval by the House Ways and Means Committee. This committee is concerned that revenues into the Highway Trust Fund will not be sufficient to pay for the high authorizations included in H.R. 11733.	Unclear, pending House Ways and Means Committee action. No date has been announced.
Highways (H.R. 11733)	The main issue concerning the House highway bill is increased authorizations. The bill is approximately \$3 billion higher than S. 3073 (Senate bill) and what the Administration wants. The four-year bill with six-year trust fund extension includes funding for completion of the Interstate system along with primary, secondary, urban, safety and other programs.	NACo believes that because surpluses in the Highway Trust Fund total over \$11 billion and because Congress will need to write a new highway bill for 1983, etc., there is no need to reduce the authorizations.	The bill must be approved first by the House Ways and Means Committee on the issue of financing the Highway Trust Fund.	Cannot be determined at this time.
Highways (S. 2440)	The major issue concerns bridge authorizations. Bridge funding is discussed above. Included in the bill is funding for interstate primary, urban, safety, secondary and other programs.	NACo's position is noted under "Bridges." Overall, NACo supports major portions of the bill.	The bill, supported by the Administration, awaits floor action.	The bill will not be scheduled for a full Senate vote until the House Ways and Means Committee approves H.R. 11733.
Aircraft Noise (S. 3064)	Airlines would have until 1985 to reduce noise, but could get an open-ended extension if they make their intentions known, presumably through replacement by 1983. The bill also provides for a single way to measure noise and calls for an intensive local noise planning effort.	Testified in June, before Sen. Howard Cannon (D-Nev.), and opposed extending aircraft noise compliance deadlines to 1990. (This deadline has been revised in a new draft of S. 3064.) Supports a coordinated planning effort at the local level, together with the establishment of a single noise measurement system. Strongly opposed the development by the federal government of noncompatible and compatible land uses.	Bill scheduled for markup by the full Senate Commerce Committee week of June 26.	Unclear pending full committee markup. (See <i>County News</i> for additional information.)
Aircraft Noise (H.R. 8729) Excise Tax Proposal (H.R. 11986)	The bill would stimulate aircraft noise abatement measures and provide for an accelerated local planning program. Airline costs associated with noise abatement would be offset by money generated by a 2 percent "excise tax" on airline tickets.	Of the two aircraft noise bills pending before Congress, NACo generally supports Rep. Glenn Anderson's (D-Calif.) approach. NACo believes that the airlines should not be granted compliance extensions but agrees with the "excise tax" funding proposal. Supports voluntary noise planning requirements.	House waiting for Senate's aircraft noise bill before scheduling a full House vote. Bill is further complicated because of the airline reform bill also pending full House approval.	Uncertain.
Airline Deregulation (H.R. 12611; S. 2493)	Bills allow airlines increased freedom to compete for passengers by lowering fares and providing better airline service. Senate bill provides subsidies to small communities to attract and keep airlines; allows airlines to add one new route a year for two years, and two routes a year, thereafter without CAB approval. The House bill more conservative: only one new airline route could be added in the first year following enactment of the law without prior CAB approval.	Supports need to encourage and develop a more efficient aviation system to serve the public. Favors the Senate portion concerning the small community service program. Has called for the creation of such a program based on the needs of small communities, while phasing out over seven years the current subsidy program that is based on the needs of airlines. Called for an identifiable small community program in CAB or FAA and for considerably more airline/federal government consultation with affected local governments.	Senate bill approved April 19. Awaits conference committee with the House. Since the House bill has been compromised numerous times, a conference with the Senate will be interesting.	Uncertain.

## Bill

## Welfare

## Staff Contacts

Welfare and  
(H.R. 10950)

## AFDC Fiscal

Indo-Chinese  
Program (S. 3Title XX (So  
(H.R. 12953)Public Assist  
Social SecurOlder Ameri  
Amended (H

WASHINGTON  
tion to aut  
way program  
House and  
H.R. 11733,  
mittee, awa  
and Means.  
public tran  
The Senate  
reported by  
mittee and  
Ways and M  
before going  
The legisla  
ditions comp  
System and  
tion and pre  
highway ne  
needs of the  
dressed by  
authorization  
rehabilitatio  
the House a  
med in the f

Federal-A  
The House  
on for ea  
1982. Thirty  
each state  
authorization  
resurfacing,  
ation. A Se  
the secondar  
rural routes  
on up to 5



## Bill

## Welfare

Staff Contacts: Aliceann Fritschler, Jim Koppel

## Welfare and Social Services (H.R. 10950)

## Issues

## NACo

## Status

## Outlook

## AFDC Fiscal Relief (H.R. 12838)

Administration proposed a combined cash assistance and jobs program based on NACo welfare reform proposal. Bill would consolidate income maintenance and food stamps into a federal minimum benefit cash program. For persons expected to work, a jobs program would be provided. Fiscal relief for states and counties would begin in fiscal '81 and increase through fiscal '85.

Supporting overall approach but seeking immediate and significant fiscal relief for counties.

Special House welfare reform subcommittee reported bill Feb. 8. No action taken by other committees.

Despite NACo's efforts to achieve compromise, Speaker announced House will not take up comprehensive bill this year. NACo will press for parts of bill.

## Indo-Chinese Refugee Assistance Program (S. 3205)

Congressional authority for federal responsibility and funding (now 100 percent) of assistance and services to Indo-Chinese refugees expires Sept. 30. Counties and states will be responsible for local share of assistance to refugees eligible for federally assisted programs (AFDC, SSI) and full cost for those needing general assistance under phasedown. Enacted 1977.

Supported three-year extension of program at full federal funding, and phasedown only after refugee influx stops and population stabilizes.

Bill to extend 100 percent funding for one year and then begin phasedown pending before Senate Human Resource Committee.

Companion bill being introduced in House by Rep. Pete Stark (D-Calif.).

## Title XX (Social Services) (H.R. 12953)

Increases federal funding ceiling from current level of \$2.7 billion to \$2.9 billion fiscal '79; \$3.15 billion '80; and \$3.45 billion in '81. Also increases local role in planning process.

Strongly supports.

House action expected in mid-July; Senate action in August.

Action is expected in both the House and Senate this year.

## Public Assistance Amendment to Social Security Act (H.R. 7200)

Covers minor Supplemental Security Income amendments; Title IV-A AFDC foster care and adoption changes; Title IV-B child welfare changes. Title XX social services ceiling upped to \$2.7 billion. Title IV-A foster care federal funding broadened to include voluntary as well as court placement. Title IV-B establishes entitlement program with funding ceiling of \$266 million upped from \$56.5 million prior appropriations.

Supports federal adoption subsidy provisions. Funding for voluntary foster care as well as court ordered, establish Title IV-B child welfare as an entitlement program with full authorization funding—\$266 million. Supports an additional \$200 million for Title XX social services bringing fiscal '79 ceiling to \$2.9 billion.

Senate action expected in August. House passed its version last year.

Several amendments will be offered on Senate floor. Major differences must be resolved in conference.

## Older Americans Act of 1965 as Amended (H.R. 12255; S. 2850)

Reauthorization of the act which delivers community services, provides jobs, nutrition programs and senior centers for the elderly.

Testified in Senate Feb. 3 and in House hearings March 13. Supports consolidation of the separate Title III, V, VII, and IX. Also supports multiyear planning and increased involvement of county officials.

House passed its bill; final Senate action expected in late July. Conference will be necessary to resolve the differences. Floor amendments expected in Senate before passage.

Reauthorization and federal funding is expected this year.

## House/Senate Highway Aid Bills Compared

WASHINGTON, D.C.—Legislation to authorize federal-aid highway programs is pending in both the House and Senate. The House bill, H.R. 11733, approved by full committee, awaits action before Ways and Means. (The bill also includes public transportation provisions.) The Senate bill, S. 3073, has been reported by the Public Works Committee and must wait for House Ways and Means Committee action before going to the Senate floor.

The legislation provides for expeditious completion of the Interstate system and emphasizes rehabilitation and preservation of the existing highway network. The pressing needs of the nation's bridges are addressed by providing increased authorizations for replacement and rehabilitation. Major provisions of the House and Senate bills are outlined in the following discussion.

**Federal-Aid Secondary System:** The House bill authorizes \$650 million for each fiscal year through 1982. Thirty-six percent or more of each state's secondary system authorization would be used for resurfacing, restoration and rehabilitation. A Senate provision expands the secondary system to incorporate rural routes in areas with a population up to 50,000 from the current

5,000 population limit. The Senate authorizes \$650 million for each fiscal year through 1980.

**Federal-Aid Urban System:** The urban system program included in the House bill provides \$800 million for each fiscal year through 1982. The Senate proposal, which establishes a 50,000 population cutoff for communities, provides \$700 million for fiscal '79 and '80.

**Urban High Density Program:** Both the House and Senate bills authorize \$85 million to complete routes designated under the urban density traffic program. No additional federal funds will be authorized for this program in the future.

**Federal-Aid Primary System:** The federal-aid primary system includes extensions in urban areas and priority primary routes. The House proposal authorizes \$2.1 billion, including a \$75 million discretionary fund for priority primary routes, for each fiscal year through 1982. Thirty-six percent or more of each state's primary system authorization would be used for resurfacing, restoration and rehabilitation projects. No substantive changes in the present federal-aid primary system program are included in the Senate's bill.

**Bridge Replacement and Rehabilitation:** The House bill authorizes \$2 billion at a 90 percent federal share for bridge replacement or repair. A minimum of 25 percent and a maximum of 35 percent of the amount apportioned to each state would be available for off-system projects. Funds would be distributed by the states to local governments' land or bridge needs. The Senate bill authorizes only \$450 million while allowing a state to spend up to 30 percent of its apportionment for replacement and rehabilitation of off-system bridges. The federal share of the program would be reduced from 75 to 70 percent. For the construction or replacement of bridges over major waterways 2½ percent of the annual authorizations would be available.

**Interstate System:** Environmental Impact Statements (EIS) dates of 1989 and 1982 are established respectively in the House and Senate. Both bills establish 1986 as the date when all routes on the Interstate System must be under construction. In the House bill, the federal share of the Interstate 3R (resurfacing, restoration and rehabilitation) program remains at 90 percent, while the Senate bill reduces the federal share to 70 percent. Both bills pro-

vide that no state will receive less than one-half of 1 percent of the total apportionment of the Interstate System.

**Economic Growth:** Both the House and Senate bills provide \$50 million for economic growth center development highways.

**Safety:** In the Senate bill a highway safety improvement program is established to consolidate three existing categories—those for high-hazard locations, removal of roadside obstacles, and pavement markings. This program is intended to address hazards on existing roads—both on and off the federal-aid systems. The safety provision directs that at least 30 percent of authorizations be used on projects off the federal-aid system. The administration of this part of the program is to be carried out by a state agency. In the House bill, separate funding relation to pavement markings (\$75 million) from the combined funding of high-hazard locations and removal of roadside obstacles (\$150 million) is provided.

**Traffic Control Signalization:** In the House bill, grants to states for traffic control signalization projects that are designed to conserve fuel,

decrease congestion, improve air and noise quality, and improve highway safety on any highway under the jurisdiction of a public authority are included. No Senate program is authorized.

**Carpooling:** The Senate bill provides federal financial assistance to projects designed to encourage the use of carpools. Such projects may include providing: carpooling opportunities to the elderly and handicapped, systems for locating potential riders and informing them of carpooling opportunities, acquiring vehicles for carpool use and designating existing highway lands as preferential carpool highway lanes. The House authorizes the acquisition of four-wheeled vehicles for use on public highways for the transportation of not less than eight nor more than 15 individuals.

**Railroad-Highway Crossings:** Both the House and Senate bills provide funds for projects to eliminate hazards of rail-highway crossings, including the separation or protection of grades at crossings, the reconstruction of existing railroad grade crossing structures, and the relocation of highways to eliminate grade crossings.

—Gary Raush



# Comparison of CETA Bills

**House**  
**H.R. 12452, 5/8/78**

**Senate**  
**S. 2570, 5/11/78**

**House**  
**H.R. 12452, 5/8/78**

**Senate**  
**S. 2570, 5/11/78**

## Title I (Organizational and General Provisions)

### Grant Application Process—103(a)

Reduce Administration's proposed process to a one-time master plan and an annual plan. *Master plan* includes current prime sponsor agreement information; *annual plan* submitted once a year but includes all titles—focuses on changes in proposed operation for new fiscal year, monitoring procedures, evaluation of previous year's program, budget.

### Grant Submission (104)

- Secretary must establish a grant due date by March 31 of preceding fiscal year.
- By May 15 of preceding year, Secretary must have regulations and necessary grant application information available.
- If Secretary does not have this information to prime sponsors, he/she must extend the date of grant submission.
- These requirements waived for fiscal '79.

### Planning Council (109)

- Chairperson is now "nongovernmental" rather than public member.
- Planning council staff language deleted.

### Retirement (121)

CETA funds may be used if enrolled before Jan. 1, 1979. After that, funds may be used only if participant benefits [(121)(c)(4)]. No separate job classification for CETA enrollees [(121)(c)(3)].

### Office of Audits, Investigation and Compliance (OAI) (151)

Creates new department, independent and objective, to conduct and supervise audits.

### Office of Management Assistance (158)

Creates office to provide management assistance to prime sponsors who seek these services or as a result of an OAI audit. Services may be on a reimbursable or nonreimbursable basis.

### Grant Application Process (103)

Maintains Administration's position with supplements for each title; breaks down characteristics of both clients and staff by ethnic group, age, national origin. Overall, requires more paperwork.

### Grant Submission

No corresponding provisions.

### Planning Council (109)

- Chairperson must be a public member.
- Staff language now "responsible for serving" rather than "solely accountable" to the council.

### Retirement [121(o)]

CETA funds may be used only if cost "bears a reasonable relationship" to benefits received, except per regulations. Special consideration where prime sponsor is trying to change state or local law; no separate job classifications (122).

### Office of Audits, Investigation and Compliance

No corresponding provisions.

### Office of Management Assistance

No corresponding provisions.

## Title II

### Structure (211)

**Current Title I services, training and PSE** [212(a)], 50 percent of funds may be used for PSE; authorizes 4 percent of Title II funds for upgrading and retraining [Part C (203b)].

### Eligibility

- Training:** Economically disadvantaged and unemployed, underemployed or in-school (213).
- Upgrading:** No income criterion (221).
- PSE:** Economically disadvantaged and unemployed, underemployed, in-school (213).

### Duration of Participation

- Work Experience or Training:** Not in excess of 104 weeks in any three-year period [121(c)(2)(A)].
- PSE:** 18 months in Title II and VI with waivers possible in case of unusually severe problems. 26 weeks maximum that can be counted against on-boards as of Sept. 30, 1978 [121(c)(1)(A)(i)].
- Overall:** 30 months in five years for combined time in all CETA programs [121(c)(2)(B)].

### Projects PSE

Not required (211).

### Assumed Authorization Levels

\$4 billion for Title II with maximum of \$2 billion for Title II public service employment.

### Structure

**Current Title I Training** (211); Part C authorizes 5 percent of training funds for upgrading (203); Part D authorizes PSE for economically disadvantaged and 12 weeks unemployed (231).

### Eligibility

- Training:** Economically disadvantaged and unemployed, underemployed or in-school (213).
- Upgrading:** No income criterion (221).
- PSE:** Economically disadvantaged and unemployed 12 weeks (237).

### Duration of Participation

- Work Experience:** 2,000 hours in five years (121n).
- Training:** 104 weeks in five years (121g).
- PSE:** 18 months in Title II [122(i)].

- Overall:** Same as House [121(y)].

### Projects PSE

Not required (235).

### Assumed Authorization Levels

\$5 billion for Title II; \$2 billion for training—Parts A, B and C; and \$3 billion for PSE—Part D.

## Allocation Formula

**Training and PSE:** One-third relative numbers of unemployed in Areas of Substantial Unemployment (ASU); two-third by current Title I formula (202).

## Allocation Formula

- Training:** Parts A, B and C by current Title I formula (202).
- PSE:** One-third relative number of unemployed; one-third excess of 4.5 percent; one-third excess of 6.5 percent (12-month definition of ASU will be used beginning in fiscal '80) [234(c)].

## Title III

### Structure

Special national programs specifically including Indians, migrants, the handicapped, relocation assistance, veterans, displaced homemakers, Employment Service-CETA partnerships, research, training and evaluation (301).

### Structure

Special national programs including Indians, migrants, veterans; research training and evaluation (301).

## Title IV

### Structure

**Youth programs:** A-YIEPP, YCCIP, YETP; B-Job Corps; C-summer youth (401).

### Structure

**Youth programs:** A-YIEPP, YCCIP, YETP; B-Job Corps; C-summer youth; D-YACC (401).

### Eligibility

**Youth programs:** Same as in current law.

### Eligibility

**Youth programs:** Same as in current law.

## Title V

### Structure (501)

National Commission for Employment and Training Policy.

### Structure (501)

National Commission for Employment and Training Policy.

## Title VI

### Structure (601)

Countercyclical PSE.

### Structure (601)

Countercyclical PSE.

### Eligibility (607)

100 percent of Bureau of Labor Statistics lower living budget and unemployed eight weeks.

### Eligibility (607a)

85 percent of BLS lower living standard and unemployed 45 consecutive days.

### Duration of Participation

- 18 Months:** Waivers possible in case of "unusually severe" problems; count no more than 26 weeks against those on-board Sept. 30, 1978 [121(c)(1)(A)(i)].
- Projects:** At least half of Title VI funds for projects. Prime sponsor sets limit on project duration (605a).

### Duration of Participation (607a)

- 12 Months:** With a possible six-month extension in high unemployment areas; count no more than 26 weeks against those on-board Sept. 30, 1978.
- Projects:** All Title VI jobs must be in projects; 12-month limitation on projects with extension possible (605).

### Program Agents (606)

Required.

### Program Agents (606)

Required.

### Funding (602)

"Such sums as may be necessary." Suggest enough to give jobs to 25 percent of the unemployed in excess of 4 percent nationally.

### Funding (602)

"Such sums as may be necessary."

### Administrative Costs [603(b)]

Not more than 15 percent.

### Administrative Costs (603)

Same as House.

### Salary Limitation

- \$10,000 to \$12,000 based on regional average wage index [121(c)(1)(B)].
- Local funds added to wages may not exceed 10 percent of Title VI grant [608(1)].
- Supplementation of wages may not exceed 125 percent of CETA-funded wage [608(3)].
- The percent of the number of supplemented slots must be only 25 percent of all slots in '79, 20 percent in '80, and 15 percent in fiscal '81 and '82 [608(2)].

### Salary Limitation (122j)

- Same as House.
- Same as House [609(1)].
- Supplementation may not exceed 120 percent of CETA-funded wage [609(2)].
- No similar provision.

## Title VII

### Structure (701)

Private sector initiatives for the economically disadvantaged.

### Structure (701)

Same as House.

### Eligibility (701)

Economically disadvantaged.

### Eligibility (701)

Economically disadvantaged and unemployed or underemployed.

## Title VIII

### Structure (801)

Young Adult Conservation Corps.

### Structure

No longer exists as a separate title; included as Title IV-D.