

County News

National Association of Counties • Washington, D.C.

Vol. 26, No. 15 • July 25, 1994

GUEST EDITORIAL

Kempthorne/Glenn bill stronger deal for counties

By Yvonne Brathwaite Burke
chair, NACo Unfunded
Mandates Task Force



Yvonne Brathwaite Burke

After several weeks of intense negotiations, Senator Dirk Kempthorne (R-Idaho) and Senator John Glenn (D-Ohio) reached agreement on a proposal to relieve state and local governments from the growing burdens of unfunded federal mandates. The measure was approved by the Senate Governmental Affairs Committee on June 16 by a voice vote.

During the negotiations, members of NACo's Unfunded Mandates Task Force raised several questions about whether the Glenn-Kempthorne agreement would provide the same relief from mandates as the original Kempthorne bill.

We kept in close touch with NACo staff, as well as with our local government colleagues. At each step in the negotiations, we continued to ask whether the Glenn-Kempthorne agreement would provide the same relief from mandates as the original Kempthorne bill.

In the end, we felt confident that it would, and now wish to share with you our reasoning.

How does the Kempthorne-Glenn agreement compare with the original Kempthorne bill?

The original Kempthorne bill called for "no money, no mandate." The aim behind the bill was to free state and local gov-

ernments from obligations to comply with any future mandate unless Congress provides the funds to pay for it.

Although a strong concept, we cannot achieve the goal of no money, no mandate without significant changes in the congressional budget rules and in the legislative process for approving mandates. Changing the budget rules would be extremely difficult without strong bipartisan support.

The original bill did not call for such changes because, strategically and politically, it seemed more important to seek endorsement of the concept before wading into the choppy waters of congressional procedures and rules.

Nonetheless, without changes in the budget rules and legislative process, Congress cannot be forced to fund future mandates, and it is questionable whether or not state and local govern-

See **KEMPTHORNE/GLENN**, page 9

NACo's 59th Annual expected to bring 5,000 officials to Clark County, Nev.

Health care, welfare reform, unfunded mandates, public lands, solid waste, transportation, crime and children's issues will be at the top of the agenda when more than 5,000 county officials from across the country gather in Clark County (Las Vegas), Nev., July 31-Aug. 4, for NACo's 59th Annual Conference.

The conference, to be held at Bally's Casino Resort, will feature keynote speakers Linda Wertheimer and Lou Tice.

Wertheimer, host of National Public Radio's (NPR) "All Things Considered," will share her insider's view of Washington with delegates during the Opening General Session on Tuesday, August 2 at 9 a.m. She will draw on more than 20 years of political reporting experience to give an insider's perspective on what is happening in our nation's capital.

Tice, founder of the Pacific Institute based in Seattle, Wash., is an internationally renowned edu-



cator in human effectiveness. He will share his ardent belief that every human being can learn, change and achieve.

The major focus of the conference is on the plight of the nation's children. To highlight this effort, a video teleconference involving more than 200 down-link sites across the country will take place during the General Session on Wednesday, Aug. 3 at 9 a.m.

President Clinton and First Lady Hillary Rodham Clinton have been invited to participate via satellite. The keynote speaker for this event will be David Liederman, executive director, Child Welfare League of America.

He will focus on recognizing and solving the challenges facing America's youth (poverty, neglect, homelessness, abuse, violence, teen pregnancy and illiteracy).

Workshops will run through Wednesday and will cover a variety of topics including:

See **CLARK COUNTY**, page 9

Todd reviews presidency Announces run for Lt. governor

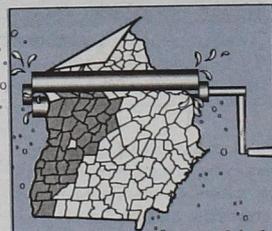
CN: How would you describe your year as NACo president?

I have had the privilege of seeing county government at its best throughout the nation. I've seen first-hand the strength and leadership of our counties as our members deal with the toughest of issues. I wish every one of you could have that opportunity ... to realize that no matter where we

live in America, and regardless of whether or not we are in an urban or rural area, most of the challenges with which we must deal are similar ... and most of the solutions are being developed in our nation's communities through the creative leadership of America's counties.

As your president, I've had the opportunity to work with our nation's leaders in Congress, in the current Administration, and in our sister organizations such as the National League of Cities, the Na-

See **TODD**, page 8



With more than a third of the state's counties under water, the Georgia county association is lending its full support in the recovery. **County News** covers their effort on page 5.



Barbara Sheen Todd

House version of Kempthorne/Glenn mandate-relief legislation is introduced. **page 2**

NACo supports proposed changes in legislation that would implement a world trade treaty. **page 4**

Technology News discusses whether Electronic Data Interchange (EDI) is appropriate for counties. **page 4**

Earlier this month, The Wall Street Journal published an editorial critical of the Kempthorne/Glenn mandate-relief agreement, prompting a response from NACo. **page 6**



NACo member programs and progress on the association's legislative issues are profiled in a special report. **pages 11-24**



Neal Peirce **page 25**

News from the nation's counties **page 25**

Job market **page 26**

House version of Kempthorne-Glenn mandate-relief bill introduced

By Larry Jones
associate legislative director

To lay the ground for the House to move legislation before Congress adjourns in October, Representative Edolphus Towns (D-N.Y.) introduced mandate-relief legislation on July 14. The bill, H.R. 4771, is very similar to legislation approved by the Senate Governmental Affairs Committee on June 16.

Four other members joined Towns in cosponsoring the House version of the bipartisan agreement (S. 993), crafted by Senator Dirk Kempthorne (R-Idaho) and Senator John Glenn (D-Ohio), in

The bill, H.R. 4771, is very similar to legislation approved by the Senate Governmental Affairs Committee on June 16.

collaboration with NACo and other state and local public interest groups.

The other cosponsors include: Representatives John Conyers (D-Mich.), who chairs the full Government Operations Committee; James Moran (D-Va.); Donald Payne (D-N.J.); and Thomas Barrett (D-Wis.).

The following is a brief summary of the major provisions in

the House bill:

- After a committee approves a mandate, the Congressional Budget Office would be required to prepare a cost estimate for any mandate estimated to cost state and local governments \$50 million or more each year.

- For mandates estimated to cost \$50 million or more, a committee would be required to authorize funds to pay for them.

- Committees approving mandates must also identify funding sources (i.e., tax increases or spending cuts in federal programs) that could be used to pay for the mandates.

- If any one of the above requirements are not met, it will not be in order to consider a mandate on the House floor, and any member can raise a point of order to delay consideration of such a mandate unless the point of order is waived by a majority vote.

Towns and Conyers were unsuccessful in their attempt to get Representative Gary Condit (D-Calif.) to cosponsor H.R. 4771.

Condit, who sponsors legislation similar to the original

Kempthorne bill, wants to add language requiring Congress to appropriate funds to pay for future mandates and to require a super majority vote to impose future mandates on state and local governments. Towns and Conyers rejected these changes, but left open to the possibility to add other bipartisan amendments that would strengthen the House bill.

Similar language was discussed and rejected by the Senate Democratic leadership in the Senate version. Towns and Conyers would like to report their version of the mandate-relief bill out of subcommittee and committee by the Aug. 12 congressional recess.

America's Counties

New Mexico association pioneers Medicaid reform

By Barbara Sheen Todd
NACo president

New Mexico, the fifth largest state in land mass in the United States, is comprised of 33 counties, ranging in population from 957 in its smallest county to 500,000 in the state's only charter county, Los Alamos.

County boards, with the exception of Los Alamos County, are comprised of three-five commissioners, each elected on a district basis. The seven-member board of Los Alamos County is elected at large. Recently, terms of office have been expanded to four years, with a term limit of eight years.

New Mexico Association of Counties

The New Mexico Association of Counties has been in existence for 59 years. During that time, the association has expanded its role into a full-service organization for all the counties of the state. Not only has the state association provided leadership in the state legislative arena, but it also provides a full array of services, insurance programs, training and education

opportunity to its membership.

All new county officials, commissioners and assessors are given orientation training the December after their election. A comprehensive library of training materials is available for the certification of jail superintendents.

An assortment of traveling seminars, on issues ranging from sexual harassment, on-the-job safety, motor vehicle safety, building safety, etc., are offered to counties upon their request. Affiliates of the association also offer training and education programs.

Additionally, the state association and the New Mexico State University Extension Service develop a handbook for county officials every two years. The book features information critical to county officials in the performance of their duties and decision-making functions.

Legislative challenges

Many of the biggest challenges the counties of New Mexico must face are related to protecting state revenue sources and seeking new sources of funding besides property taxes.

New Mexico's state association



NACo President Barbara Sheen Todd (r) is interviewed by a local radio station reporter, in conjunction with the New Mexico Association of Counties annual meeting. Looking on is Donna Smith, executive director, New Mexico Association of Counties.

and counties have already made history by being the first state in the nation to rewrite Medicaid agreements with the federal government to create sole community provider status for hospitals in rural areas, and as a result, obtained matching federal dollars on a three-to-one basis for delivery of health care services.

Potential revenue sources which counties seek include an increased share of the gross receipts tax, greater control over that money, and expansion of the tax base to include a share of the state personal income tax.

Outstanding achievements

Many of the counties in New Mexico have achieved recognition through the state association. Great emphasis and reinforcement is given to safety issues among county members through a state-

wide safety awards program. To date, Roosevelt County leads the way in winning the award for excellence in safety issues four of the last five years.

The greatest and most unique contributions that New Mexico's counties and its industries will provide to the rest of the nation are oriented to the technology of the 21st century, much of which results from the conversion of the defense industries to the private sector.

New technological innovations will have applications for county government as well. For example, it is now possible to identify voice patterns on computer. With this ability, persons will be able to vote by computer or even telephone.

Los Alamos County is home to the largest technological center in the world. As new technologi-

cal options are developed, New Mexico's counties fully anticipate the ability to tap those technological resources to find new solutions. Such advancements will enable counties to manipulate data to solve problems more quickly and efficiently.

According to the leaders of the New Mexico Association of Counties, the greatest challenges for the state must include a plan for better use of existing and new resources.

Donna Smith, association director, summarizes the vision for her state with these thoughts: "We have many opportunities in our beautiful state. The future is bright and offers us many new chances to make a difference for our citizens. Counties are the ones who will actually make it happen. Counties are the gateway to the future."

NEW PUBLICATIONS ABOUT CHILDREN IN POVERTY

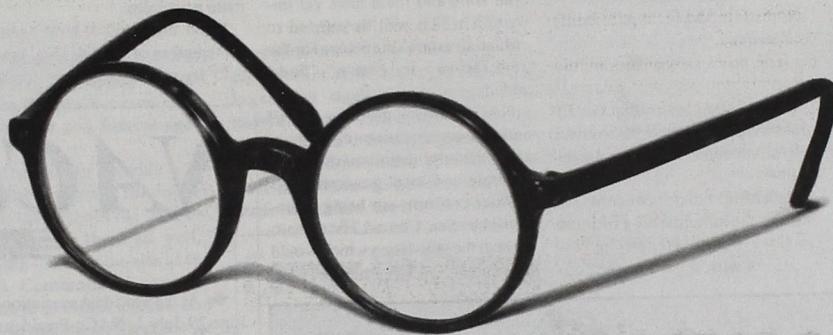
IN THE NEIGHBORHOOD: PROGRAMS THAT STRENGTHEN FAMILY DAY CARE FOR LOW-INCOME FAMILIES
by Mary Lamer
Responds to public and private sector concerns about the family day care homes that many parents must use in order to work. Analyzes strategies that local programs use to support and improve family day care providers in low-income communities. Includes ten case studies. Monograph (1994) 96 pp. \$12.95

CARING PRESCRIPTIONS: COMPREHENSIVE HEALTH CARE STRATEGIES FOR YOUNG CHILDREN IN POVERTY
by Karen Bell and Linda Simkin
Reviews strategies that eleven selected state and local health care programs use to deliver quality health care for children in poverty. Describes six attributes of quality that managed care networks can adopt within the context of health care reform. Includes case summaries. Monograph (1993) 96 pp. \$15.95

- ▶ NCCP Newsletter (triannual), *News and Issues* (FREE)
- ▶ NCCP Publications/Information Resources Brochure (FREE)

Prepayment is required. Checks payable to Columbia University. Mail to NCCP, 154 Haven Ave., NY, NY 10032, or fax purchase order.

NATIONAL CENTER FOR CHILDREN IN POVERTY
Columbia University School of Public Health
154 Haven Avenue, New York, NY 10032 (212) 927-8793 FAX (212) 927-9162



The Distinction Between Seeing and Vision.

If you've watched the world of municipal debt over the last decade, you saw it learn a lesson: What you see isn't necessarily what you get.

Governments looking to build schools, water filtration plants or hospitals were offered overly complicated

deals. And some investors took on more risks than they could clearly see.

Except for those with vision.

They demanded sound opinions based on objective analysis that offered clear guidance. From a company upon whose judgment they could rely.

So before your next major financial move, call Standard & Poor's Ratings Group, Municipal Finance Dept., at 212 208-1723.

We can give you fresh insights.

Standard & Poor's

A division of McGraw-Hill, Inc.



Corporate Finance
212 208-5931

Financial Institutions
212 208-1836

Insurance Rating Services
212 208-1367

International Finance
212 208-1912

Municipal Finance
212 208-1723

Publishing Services
212 208-1146

Structured Finance
212 208-1399

NACo supports efforts to protect local laws from GATT

By Beverly Schlotterbeck
editor

NACo is closely monitoring the fate of an amendment to legislation implementing the General Agreement on Tariffs and Trade (GATT) that would bar the World Trade Organization (WTO) or the federal government from pre-empting state or local government laws without congressional approval.

NACo supports the amendment introduced by Senator Kent Conrad (D-N.D.) last week in the Senate Finance Committee, and has gone on record with the Clinton Administration, suggesting that GATT would undermine local laws or regulations.

"Of deep concern is the proposed GATT regulation which prohibits discrimination 'between like products on the basis of production.' This provision would appear to prevent a country or a state or a local government from applying its own domestic environmental or social welfare laws and regulations to foreign-made products," NACo President Barbara Sheen Todd wrote in her letter to President Clinton, July 11.

Todd also suggested that GATT could cripple future efforts to enact federal, state and local environmental laws.

"In addition to our concerns regarding the safeguarding of local laws, we would offer strong reservations with regard to the fed-

"Of deep concern is the proposed GATT regulation which prohibits discrimination 'between like products on the basis of production.'"

Barbara Sheen Todd
NACo president

eral, state and local laws yet unwritten which will be needed to ensure a sustainable future for the generations to come," Todd added.

NACo joins a growing list of national organizations concerned about the implications of the treaty for state and local governments.

Their concerns are being championed by Sen. Conrad. His amendment to the legislation which would implement GATT embraces five

government pre-emption of state or local laws

3) no retroactive pre-emption or tax refunds

4) right of state and local governments to receive information about disputes (filed under GATT), and

5) right of state and local governments to defend their laws.

For more information, contact NACo Public Policy Director Ralph Tabor, 202/942-4254.

main principles:

- 1) no unilateral federal agency pre-emption of state or local laws
- 2) no private sector or foreign



◆ At the Florida Association of Counties meeting in Fort Lauderdale, June 29-July 1, NACo President **Barbara Todd**, Pinellas County (Fla.) commissioner, addressed her fellow Floridians. Also, **Mary Uyeda**, director of the County Health Policy Project, spoke with the Florida Association of County Social Service Executives on health reform legislation and its possible impact on county health programs. **Peter Lane**, research associate for NACo's Volunteerism Project, was also there to participate in a workshop on volunteerism.

Todd was in Washington, July 14, for meetings with Representatives Gary Condit (D-Calif.) and John Mica (R-Fla.) to urge bipartisan support of mandates legislation and to encourage any amendments that might strengthen it. Legislative Director **Reggie Todd** and Associate Legislative Director **Larry Jones** accompanied her.

◆ Information superhighway legislation was the topic of several recent meetings Associate Legislative Director **Bob Fogel** had with Senator Byron Dorgan (D-N.D.), Richard Bryan (D-Nev.) and the staff of Senator Jay Rockefeller (D-W.Va.).

◆ Associate Legislative Director **Haron Battle** attended meetings earlier this month with William Ginsberg, assistant secretary for the Economic Development Administration, on the new Competitive Communities Program and an initiative to guarantee business loans.

◆ On June 21, **Naomi Friedman**, research associate for NACo's Solid Waste and Pollution Prevention Project, served as a judge for the U.S. Department of the Navy's Resource, Recovery and Recycling Awards Program.



Can your county afford not to use EDI?

Since Electronic Data Interchange (EDI) was introduced 20 years ago, many people in business and government are now using it as a tool for fast, cost-efficient and reliable exchange of information.

Simply put, EDI speeds up everyday business transactions, such as invoices and purchase orders, by doing them electronically and eliminating the paper.

With EDI, information is transmitted between computers through an electronic network using dial-up modems or dedicated lines. Each EDI transmission is structured according to national industry standards, ensuring a common understanding between computers. EDI allows organizations to replace their traditional data entry, paper-printed, postal delivery method of conveying information with a paperless flow of information.

Benefits of EDI

The biggest advantage of using EDI is that it eliminates the need to rekey information, which saves time and money and reduces errors. For example, a government agency or business that uses EDI to purchase supplies can use its computers to electronically generate and send purchase orders to their suppliers. The suppliers can then automatically upload this information into their data base and electronically send invoices back to the agency or business.

According to a study by INPUT, a technology market research firm, EDI provides a 10-1 cost benefit—calculating that a paper document, including mailing, costs up to \$49, while an electronic document costs less than \$5.

What must also be considered, however, is whether the exchange of information is truly computer-to-computer; if not, even the most basic benefits can be lost.

For example, if a business or government agency enters into an EDI exchange with a supplier who continues to receive the information, print a facsimile of the paper document, and rekey the information from that paper document, it will actually cost more to use EDI. But when both parties are using EDI to its full potential, many benefits can result, including a reduction in paperwork; document handling; processing time; data entry errors; and business operating costs, such as postage and handling fees.

Additional benefits include better inventory control, instant confirmation of information receipt, timely information delivery, and electronic payment options via electronic funds transfer. EDI also helps to improve the quality of products, processes and customer service by requiring that users keep their files clean and restrict file access to those with security clearances only.

Who's using EDI?

EDI is applicable to all industries. For example, an EDI-based system called TaxConnect allows businesses to file returns with their state tax authorities electronically. TaxConnect, a new service offered by the TaxNet Governmental Communications Corporation, is currently being piloted in three states.

The National Institute of Governmental Purchasing, Inc. (NIGP), a non-profit educational and technical organization of governmental buying agencies of the United States,

Canada and other nations, is also using EDI. NIGP recently created an EDI network service for its members that will help to completely automate the buying process between province, state and local governments, and their suppliers. Companies such as General Motors are using EDI to integrate many areas of their inventory, ordering, production, shipping and billing systems.

As labor costs continue to increase faster than the Consumer Price Index, and telecommunications and computer costs continue to decrease, more and more businesses and governments will turn to EDI.

For businesses and governments willing to give EDI a try, the results can be remarkable: The Treasury Department reported a reduction of more than \$60 million annually in postage as a result of using EDI for transmitting payment information.

Many people believe that EDI is the most significant use of technology to improve the office environment since the introduction of the computer. Others feel that EDI will become as essential as the telephone. However, it is important to understand that EDI is not a quick fix. It takes effort, an investment, and a willingness to remain committed to the process for three to five years before realizing any gains.

For assistance from NACoNET, NACo's information technology service, call toll free: 1/800/551-2323. Any comments, questions or suggestions for future topics can be sent to: Technology News, c/o County News, 440 First St., N.W., Washington, DC 20001, or fax to: 202/737-0480.

County News

"THE WISDOM TO KNOW AND THE COURAGE TO DEFEND THE PUBLIC INTEREST"

NACo President: **Barbara Sheen Todd**

Publisher: **Larry Naake**

Public Affairs Director: **G. Thomas Goodman**

Editor: **Beverly Anne Schlotterbeck**

Editorial Staff:

Jill Conley, reporter **Susan D. Grubb**, reporter

Jay Sevidal, graphic artist

Advertising Staff:

Al Junge, Coy & Associates, national accounts representative

55 Forest St., Stamford, CT 06901

203/327-4626 • FAX 203/359-9266

Angela Sides, Job Market representative

202/942-4256 • FAX 202/393-2630

Published biweekly except August by:

National Association of Counties Research Foundation, Inc.

440 First Street, N.W.

Washington, D.C. 20001-2080

202-393-6226 FAX 202-393-2630

The appearance of paid advertisements in County News in no way implies support or endorsement by the National Association of Counties for any of the products, services or messages advertised. Second class postage paid at Washington D.C. and other offices. Mail subscriptions are \$82.50 per year for non-members. \$55 per year for non-members purchasing multiple copies. Educational institution rate, \$41.25 per year. Member county supplemental subscriptions are \$16.50 each. Send payment with order and address changes to NACo, 440 First St. N.W., Washington, D.C. 20001.

County News cannot be responsible for unsolicited manuscripts.

POSTMASTER: send address changes to County News, 440 First St. N.W., Washington, D.C. 20001

(USPS 704-620) • (ISSN: 0744-9798)

Georgia association heads flood-relief effort

ACCG launches "Operation: County Flood Rescue"

By Jill Conley
staff writer

In what seems like the sequel to last year's tragedy in the Midwest, county officials in Georgia are struggling to respond to the emergency needs of their citizens and preparing to rebuild their communities.

Fifty counties — nearly one-third of the state — have been declared disasters, with more than 55,000 homes damaged or destroyed, 175,000 people without clean drinking water, and 30 dead. Three hundred thousand acres of cropland are submerged in water, causing an estimated \$110 million in damage to tobacco, peanuts and peach farms. At least 3,000 bridges have been washed out of commission. Officials will be unable to estimate damage to other infrastructure until the water recedes.

The devastation is overwhelming. But, as in disasters past, officials in flood-stricken Georgia are finding that their counterparts in other counties stand ready and willing to help.

The Association County Commissioners of Georgia (ACCG) has taken a leadership role in a county-to-county flood-relief effort by launching "Operation: County Flood Rescue," which matches resources available in unaffected counties with relief needs in those coping with response and recovery.

As part of the operation, two association staff members — Assistant Director Ross King and Public Information Manager Thomas Smith — have been assigned to work full-time at the Georgia Emergency

The Association County Commissioners of Georgia has taken a leadership role in a county-to-county flood-relief effort by launching "Operation: County Flood Rescue."

Management Agency's (GEMA) Emergency Command Center, acting as liaisons between counties and state and federal agencies.

"We're able to provide a direct point of contact for county officials throughout the state because we know them all well," said King. "Being on-site at the GEMA Command Center enables us to get information and technical assistance directly out to the officials who need it."

Because the operation's central focus is assessing damage and restoring infrastructures as quickly as possible, ACCG began its effort by contacting all of Georgia's non-affected counties and soliciting volunteer services ranging from solid waste disposal to the loan of heavy equipment for flood-stricken counties.

To facilitate aid coordination and dispersal, the association developed special forms to match available potable drinking water, trash bags, equipment and personnel with assistance needs.

It is also sending regular faxes to all of Georgia's 159 counties, keeping officials apprised of state, federal and local flood-relief activities and needs. According to ACCG Executive Director Jerry Griffin, nearly all of Georgia's unaffected counties have offered some type of assistance.

"County governments throughout the state have been of tremen-

dous assistance to the governor's office and GEMA in their willingness to come together in a good cause to help communities that have been ravaged by unyielding flood waters," said Griffin. "County government leaders realize that lives and

property may be saved if needed services are pooled together and delivered in a timely and coordinated manner. Through this joint county effort, counties can match the resources that are volunteered by counties to the cities and towns where particular aid services are needed."

ACCG intends to remain on the flood-relief scene throughout the state's recovery. It has already scheduled workshops for county officials focusing on hazardous waste disposal and cost recovery, and is planning others addressing long-term hu-

man service and infrastructure restoration.

To volunteer services, personnel or equipment to flooded communities, please contact GEMA at 800/TRY-GEMA.

For information on ACCG efforts, call ACCG Executive Director Jerry Griffin, Assistant Director Ross King or Manager of Public Information Thomas Smith at 404/522-5022 or 404/624-7048 (GEMA). To donate funds for humanitarian relief, contact the Red Cross at 800/842-2200.

Former NACo president's county hard-hit by floods

By Jill Conley
staff writer

Home to Former NACo President Gil Barrett, Dougherty County (pop. 96,311) was among the hardest hit counties in Georgia. More than 9,200 housing units have been damaged or destroyed — fewer than 600 of those have flood insurance.

The flood also left in its wake broken sewer lines, 200 un-earthed coffins, so much road and bridge damage that emergency response personnel had to travel by helicopter, a washed-out dam accompanied by a loss of power, no safe drinking water, snakes, alligators ... The list goes beyond overwhelming.

In areas where the floodwater has receded, sink holes have begun randomly appearing, swallowing up homes and caving in streets, compounding the obstacles Dougherty County must face as it switches gears

from emergency response to recovery.

"As officials in the West who have experienced other disasters know well, this is going to be with us for a long time," says Barrett, "which is a little disheartening."

The situation has become particularly demoralizing now, he says, as residents return to their homes to see firsthand what is left of their lives. "The water rose so quickly here that people didn't have much time to prepare for what is now being called the 500-year flood," says Barrett, who chairs the county board of commissioners.

"It's been really tough. But I think it's going to get tougher," he continued. "We've got 5,000 people in shelters, which is fine for a few days, but after that, people really need a place to live. Housing is our highest priority."

Barrett and his fellow commissioners are working closely with state and federal emergency agencies to line up trailers for temporary housing and to identify tracks of land with sewerage lines

for their placement. Rebuilding permanent housing will take a long-term effort.

For now, the county is getting plenty of support from outside its boundaries. Other counties have sent police and medical detachments to Dougherty. Seven hundred National Guard troops are providing security to flood-affected areas and the Red Cross is providing emergency shelter to victims.

"At this point, we have all the equipment, personnel and security we need to do our jobs," says Barrett. "And, we're all working together, trying to make sure our efforts are coordinated and organized."

The hardest part of his job right now, says Barrett, is seeing the tremendous human suffering in his county and knowing that the road away from it is a long one. "In my 36 years in county government, this is the most stressful time I can remember."

Lower court ruling restricts flow control even further

By Steven Anderson
NACo legal intern

In a case that may foreshadow a sharp increase in litigation against counties, a federal district court in Ohio handed down the first decision applying the Supreme Court's reasoning in *C&A Carbone vs. Town of Clarkstown*, the recent "flow control" case.

On May 31, two weeks after the Carbone decision, the Ohio court granted a temporary restraining order to prevent the Solid Waste Authority of Central Ohio (SWACO), a public authority in Franklin County, from enforcing its "flow control" provisions.

In the wake of the Carbone decision, local government advocates had predicted that local flow control provisions would come under attack. So the Ohio court decision is not surprising.

However, what is surprising and alarming is the fact that the district court also struck down SWACO's financing measure, a measure that most court observers speculated would be allowed under Carbone.

In the case against SWACO, formally titled, *Mid-American Waste Systems, Inc., et al. vs. Lee Fisher, et al.*, the plaintiffs, who are landfill operators, won a temporary restraining order preventing SWACO from imposing a \$49

per ton generation fee on in-district solid waste.

The fee is collected from trash haulers delivering solid waste to the authority's facilities. It pays for SWACO's debt on its waste-to-energy facility as well as the costs of all the solid waste programs provided by the authority. It also allows SWACO to eliminate or drastically reduce disposal fees at its facilities.

Judge George C. Smith found that the authority's fee (structure) resolution was a type of economic "flow control" which "eliminates competition by other waste disposal or processing facilities that desire to receive waste in-district."

While the generation fee by itself

did not offend the commerce clause of the Constitution, Smith said it was used "to artificially lower the fees for tipping and disposal." As a result, the resolution stifled interstate competition and, therefore, runs counter to the commerce clause.

This decision seems to run counter to the Supreme Court's holding in Carbone. In her concurring opinion in Carbone, Justice Sandra Day O'Connor wrote that local governments still have several financing options available, even without "flow control" ordinances.

These included the imposition of taxes, the issuance of municipal bonds, or even the "lowering of [a town's] price for processing to a level competitive with other

waste processing facilities."

The majority in Carbone also permitted public funding of solid waste facilities. Nevertheless, Judge Smith felt that SWACO's generation fee was too anti-competitive, and was therefore unconstitutional.

If his decision is upheld by higher courts, public service authorities may no longer be able to subsidize debt financing, recycling programs, or citizen education programs by using generation fees which tend to stifle competition. Judge Smith, however, gave no indication as to what types of generation fees would be permissible or what other types of financing would be allowable.

On July 14, *The Wall Street Journal* published an editorial on the Kempthorne/Glenn proposal addressing unfunded mandates. The legislation, S. 993, was approved by the Senate Governmental Affairs Committee, June 16. The editorial, which was critical of the legislation, prompted a response from NACo and its partners, the National League of Cities and the U.S. Conference of Mayors. Following is a reprint of both the editorial and NACo's response.

THE WALL STREET JOURNAL

Mandate Malarkey

(Reprinted with permission of *The Wall Street Journal* ©1994, Dow Jones & Company, Inc. All rights reserved.)

Tout le monde in Washington professes to be simply amazed by the kick-the-bums-out mood in the country. What on earth could cause so much of the populace to be so angry with their elected representatives? We offer Exhibit A: Congress's slimy handling of the unfunded mandates issue.

Anger has been building among voters about the highhanded way in which the Imperial Congress decrees that state and local governments must perform certain tasks — without providing the money to perform them. Thus, with marching orders from Washington, local governments are forced to redirect their tax base away from such things as policing or schools and toward such Beltway obsessions as enforcing exotic environmental standards.

It is a problem that raises profound questions about accountability in the American system. For the fact is that mayors of both parties have screamed for years for relief from unfunded mandates. Here is Democratic Mayor Sharpe James of impoverished Newark this week, speaking for the League of Cities: "If something is important enough to require a state or federal mandate, we should have a voice in deciding how to do it. And if it's important enough to require a mandate, it should be important enough to have state or federal funding to help carry out the mandate."

This year the organizations representing all the major, non-federal layers of government got together and agreed it was time to seek relief. They promised to hold Congress's feet to the fire by organizing an Unfunded Mandates Week before the November election.

The cause was taken up in Congress most prominently by Senator Dirk Kempthorne (R-Idaho) and Representative Gary Condit (D-Calif.). They introduced tough-sounding bills that would give local governments a pass on new mandates unless Congress provided the bucks to comply with them. A majority of both chambers quickly signed on as cosponsors. Then the bills entered the Beltway Bog.

Senator John Glenn (D-Ohio) sat down to work out a "compromise" with Sen. Kempthorne. The resulting bill was voted out of Sen. Glenn's Governmental Affairs Committee on June 16. Sen. Kempthorne calls the result a "9 on a scale of 1 to 10" — no doubt because his name is still on it. But that's about the only resemblance between this legislation and the original, no-money-no-mandates bill.

Instead of forcing Congress to pony up the funds for its mandates, the legislation ostensibly requires the Congressional Budget Office (CBO) to report on the size of the burden lawmakers are imposing on local governments. If the cost is more than \$50 million, the bill requires the relevant committee to

come up with some idea of where the money will come from — but not to actually appropriate it.

The bill already exempts so-called civil-rights statutes, such as the Americans with Disabilities Act, which is currently imposing tremendous costs on local governments. Labor and environmental groups are now pushing to exempt their legislation as well — which, if successful, would cover virtually all mandates.

But it may not matter. For buried deep in the Kempthorne-Glenn bill is a killer amendment offered by Senator Carl Levin (D-Mich.). Under this amendment, the CBO doesn't have to calculate the costs of unfunded mandates if its analysts aren't "fully funded." Since it's a safe bet that the CBO will never be fully funded, this completely guts the legislation.

In the House, Rep. Condit has been watching this process with dismay. But he's let himself be bamboozled by the Democratic leadership, which keeps promising him that someday it will allow a vote on serious mandate reform. Sure.

Even by the standards of Washington, this is an underhanded way to operate. But it's clear why mandate-happy Democrats are terrified of having an honest debate on the issue: They know they'd lose. Mandates are deeply unpopular with everyone, Democrats and Republicans, who have to somehow run governments outside the Beltway. Even President Clinton — who is proposing the Mother of All Mandates in the form of his health care plan, has been forced to pay lip service to the cause of mandate relief.

But it's not only hypocritical liberals who are responsible for the hijacking of the Kempthorne bill. Blame also Sen. Kempthorne, Rep. Condit and all the rest who profess to want change, but when push comes to shove, are willing to settle for empty sloganeering. They are as complicit as anyone.

The voters aren't stupid. They know that these kinds of charades happen all the time. That's why in neighboring Virginia a lot of them are supporting Ollie North. They want to send a simple but blunt message to Congress: Enough is enough.

Letters to the Editor
The Wall Street Journal
200 Liberty St.
New York, NY 10281

July 15, 1994

Editor,

We are writing in response to your criticism of members of Congress who for the past year have taken the lead in an uphill fight for fairness for state and local governments.

Your July 14th editorial ("Mandate Malarkey") rightfully credits Idaho Senator Dirk Kempthorne and California Representative Gary Condit for their efforts to end unfunded federal mandates, those costs which fall to state and local governments when Congress passes national laws which must be fully implemented — without federal financial aid. As you acknowledge in your editorial, "It is a problem that raises profound questions about accountability in the American system."

State and local officials began a combined effort last year to stop unfunded federal mandates. We have never abandoned this goal and the Kempthorne-Glenn bill is one path to reach it. You characterize the Kempthorne-Glenn bill as a pale imitation of the original proposal offered by Sen. Kempthorne, when the reality is quite different.

The original Kempthorne bill called for "no money, no mandate." The driving idea was to free state and local governments from the obligation to comply with any future mandate unless Congress provides all the funds to pay for it. Although a strong concept, no legislative mechanisms were included in the bill to ensure that it would be enforced. As we examined various methods of ensuring that all federal mandates would be fully funded, we discovered that such an idea could be enforced without significantly changing the congressional budget rules and the appropriations process. Politically, such changes are not viable.

Taking into account these problems with the original Kempthorne bill, we are convinced that the Kempthorne-Glenn agreement is a significantly better approach. Not only does it require the Congressional Budget Office (CBO) to prepare cost estimates for all future mandates, but it also would require Congress to authorize and identify funding sources to pay for mandates estimated to cost state and local governments \$50 million or more on an annual basis. To force Congress to comply with these rules, the Kempthorne-Glenn bill would allow any member to raise a

point of order to delay consideration of a mandate proposal if any one of these provisions is not met.

If enacted, the Kempthorne-Glenn bill will force members to consider the fiscal impact of each new mandate on state and local budgets and services. Any member proposing a new mandate will have two difficult choices — either to convince the majority in both houses to support the authorization and identification of new funding sources (increased taxes or reduced spending in current programs), or to vote in favor of imposing the cost of the mandate on state and local governments.

Under the Kempthorne-Glenn bill, for the first time, members would be held accountable for their actions. By informing the public and the press about how proposed mandates would impact state and local taxes and services, legislation would significantly curtail the number and magnitude of unfunded mandates enacted in the future.

We agree with your opinion that Michigan Senator Carl Levin's amendment requiring funding for the CBO's mandates costs analyses has the potential to kill the bill. For this reason, we have worked with the senator to secure his commitment to remove this provision when the bill reaches the Senate floor.

We encourage any bipartisan efforts to strengthen mandates-relief legislation currently under consideration in the House. We want to enact the strongest bill we possibly can. But we cannot ignore the practical realities which are critical to getting legislation passed through both houses of Congress and signed into law.

State and local officials are not zealots for zeal's sake. We want the system to work. Making Congress more accountable with proposals like the Kempthorne-Glenn bill is an important step toward achieving the goal of mandates relief.

Sincerely,

Larry E. Naake
executive director
National Association of Counties

Donald J. Borut
executive director
National League of Cities

J. Thomas Cochran
executive director
U.S. Conference of Mayors

PEBSCO advises county employees to hold steady during market correction

Most industry analysts do agree the stock market is overvalued and there is a correction in our future. Recently, the market has declined, and this may be an early sign of a market adjustment that's long overdue.

One thing is certain, analysts don't agree on how long the correction might last, and they don't agree on the extent of the correction.

But in the event a significant stock market correction occurs, PEBSCO, as plan administrator for the National Association of Counties Deferred Compensation Program, is prepared to answer questions about such a move.

Common reaction to a market correction

If participants are investing in the mutual funds within the National Association of Counties Variable Annuity (NACoVA), they might attempt to protect their principal by moving out of stock-related funds.

Most industry experts agree that this is the wrong move to make. Essentially, the participants would be buying high and selling low — a sure way to realize a market loss.

Only two fund prices count — the price the employee initially pays for units and the price he or she sells them for. The highs and lows in between don't really mean anything because participants don't gain or lose anything until they

sell their funds.

A lesson from history

On Monday, Oct. 19, 1987, U.S. companies lost \$500 billion from the value of stocks. The day was dubbed "Black Monday" because, on that day, the stock market recorded its deepest losses and heaviest volume of buying and selling.

But how did the market do for the year? Although the stock market suffered a loss of over 20 percent during the month of October, the return for that calendar year was 5.2 percent.

Over the five-year period from 1987 through 1991, which includes the market crash, those who remained fully invested in the market earned an average 15.4 percent annually. Those who pulled out of the market weren't so fortunate. Clearly, a calm head and an eye for the long run paid off — most chose to wait it out.

The voice of reason

Here are some tips that have worked for investors in the past:

1) Don't try to time the market — County employees probably won't call it "market timing," but they may be tempted to try to beat the market by selling before or during a correction, and afterwards when prices are lower.

Manual Schiffers and Melynda Dovel Wilcox, of *Kiplinger's Personal Finance Magazine*, conclude that a simple "buy and hold strategy

will usually do better."

2) Consider the effects of long-term investing — Most deferred compensation plan participants are investing to achieve long-term retirement goals. Historically, the stock market has experienced fluctuations; participants need not be overly alarmed when a downturn occurs.

Despite all of the fluctuation, the stock market typically has provided a better long-term rate of return than bonds, Certificates of Deposit (CDs) or other types of investments. In other words, more than the long run, the positives have outweighed the negatives.

3) Make periodic investments — Participating employees are do-

ing just that with regular payroll deductions through the NACo Deferred Compensation Program. Making periodic investments (or dollar-cost averaging) guarantees that customers buy more units when the price is low and fewer when the price is high. This means that they don't have to worry about when is the best time to purchase units.

4) Diversify — Most experts agree that investments should be diversified. That way, low earnings in one type of investment may be offset by high returns in another. The NACoVA provides a range of built-in diversification opportunities. For example, participants can divide their assets among several mutual fund options, including ag-

gressive growth funds, growth funds, income funds, growth and income funds, as well as a money market fund option.

5) Remember that no investment is risk-free — Although the Nationwide fixed option offers a competitive rate of return, it is important to diversify investments to keep pace with inflation. Investors who put money in a guaranteed savings account run very little risk of losing their principal, but they do risk not keeping ahead of inflation.

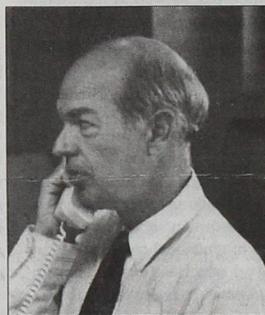
If you have questions, your local PEBSCO deferred compensation representative and the PEBSCO Customer Service Center (1/800/545-4730) will be prepared to answer any questions you might have.

New NACo fellow joins staff

Philip A. Rosenlund, university Extension Service agent from Laramie County, Wyo., has recently joined the NACo staff as the NACo fellow. The fellowship involves a one-year assignment in Washington, D.C. for an individual from the Cooperative Extension Service to work on current legislative issues.

Rosenlund is working with the Agriculture and Rural Affairs Steering Committee. "It has been exciting watching the developments with the pending farm bill legislation," said Rosenlund.

Rosenlund has a bachelor's of science degree from Utah State



Philip A. Rosenlund

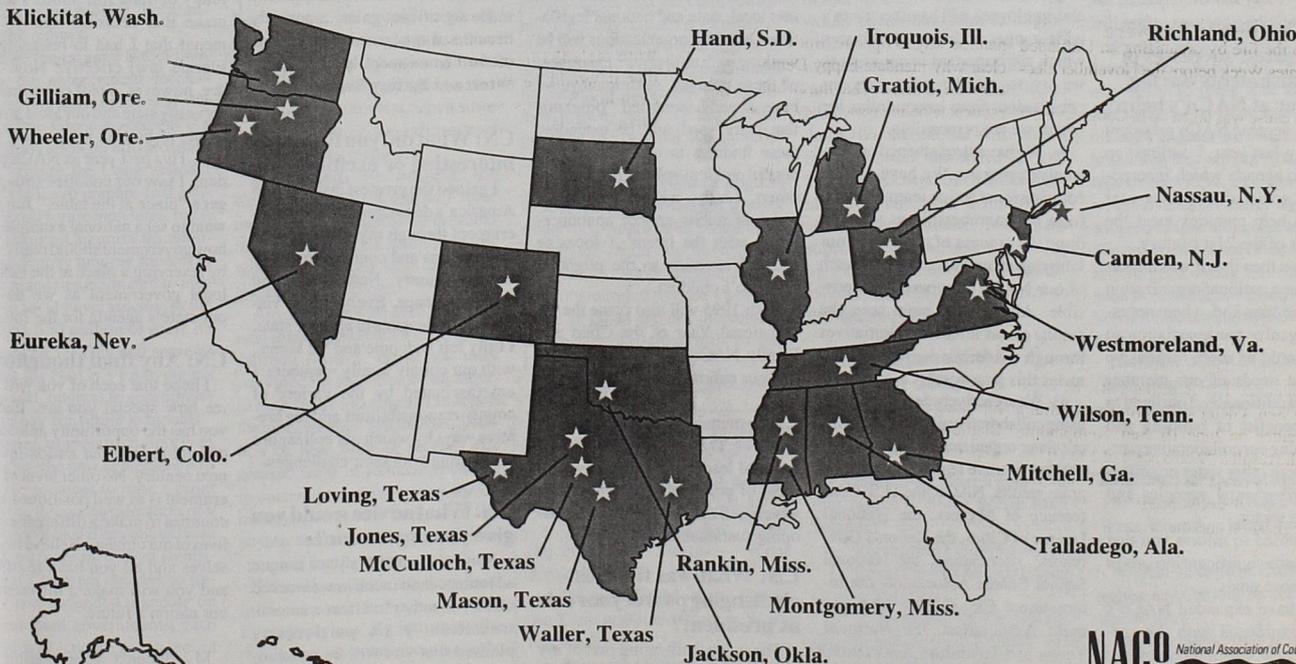
University and a master's of science degree from the University

of Wyoming. He has served as a county agent in Laramie County since 1969. His duties there were in areas of agriculture, horticulture, 4-H and community development.

He has served on the board of directors of the YMCA, as chair of the Agriculture Business Committee of the Cheyenne Chamber of Commerce, and is a past president of the Wyoming County Agents Association.

Rosenlund replaces Jack Thigpen, who has returned to Texas A&M in College Station, Texas as economic development specialist with the Texas Agricultural Extension Service.

NACo welcomes the 23 new member counties that joined between April and July 1994. Thank you for becoming part of the NACo family.



Endangered community receives adjustment grant

By Tom Mainwaring
Forest Service liaison to NACo

Dave Schmidt, county commissioner, Linn County Ore., announced that the Mill City Chamber of Commerce will receive a grant of \$280,740 from the Forest Service as part of President Clinton's Pacific Northwest Economic Adjustment Initiative. Mill City is one of NACo's 10 designated "endangered communities." The Endangered Communities List is a representative sample of rural communities across the nation that are suffering economic hardship

due to their dependency on natural resources from federal lands.

Schmidt stated that the North Santiam Canyon Economic Development Committee was awarded Forest Service funding through the Pacific Northwest Economic Adjustment Initiative.

The initiative is designed to help



Dave Schmidt
commissioner
Linn County, Ore.

communities adjust to changes in forest management on federal lands. Pacific Northwest communities with economies tied to timber are taking steps to make their economies more stable.

Schmidt stated the grant has two parts:

1) Most of the grant money, (\$223,340) will be used for historic site restoration within the city limits of Mill City. The existing railroad depot will be converted into a museum featuring the logging history of the area.

The historic railroad bridge that crosses the North Santiam River

will be rehabilitated into a facility safe for foot and bicycle use. The old existing railroad grade will be rehabilitated into a foot and bicycle trail.

Schmidt indicated there was good cooperation between Linn County and Marion County in the procurement of the grant money. Schmidt stated the future of Mill City is looking better and the community may be removed from the Endangered Communities List in the near future.

2) The remaining funds (\$57,400) will be used to develop new uses for residual wood prod-

ucts from sawmills, and also to develop inventory procedures and marketing information for non-timber forest products, such as bear grass, sword fern, vine maple and salal (used in the floral industry).

The non-timber forest products industry, a relatively new industry in North America, is called "special forest products." The special forest products industry is highly developed in Europe and is a proven high-profit industry. Present commercial operations in the United States have been limited by the lack of appraisal methods and market information.

TODD from page 1

tional Governors' Association and others. Those experiences were precious opportunities that few have the privilege of knowing.

As a member of NACo's Executive Committee and then as president, I have seen history in the making. First, through our visit to the Soviet Union, where NACo was invited to join a few top-level governmental leaders in America as we met with the emerging leaders of newly developing republics and former Soviet Union officials ... our charge — to help them understand what Democracy really is, and how it works.

Secondly, through our visit to Israel, which took place two weeks before the Hebron massacre, we got an insider's view as to the struggles among diverse cultures, governments and political perspectives. Both experiences enriched and expanded my appreciation of our own government and the heart and spirit of our American people.

CN: What do you feel were your greatest successes or accomplishments during your year at NACo's helm?

When I became NACo president in Chicago last year, I outlined an aggressive agenda which incorporated the goals of our three-year vision: to help counties meet the challenges of the 21st century.

I told you then that it was important to us as a national organization that we fine-tune and, where necessary, reorganize our association so that we would be more responsive to the real needs of our member counties. Additionally, I outlined to you the benefits of building and strengthening our collaborative partnerships with other sister organizations, governmental agencies and the private sector.

I am pleased to inform you that we have made significant inroads in meeting those goals.

1) We have expanded NACo's policy organization with the creation of a new steering committee for member programs and services. This important committee is broadly representative of NACo's top leadership. Members include the vice

chairs of each of the other steering committees, as well as representatives from each of our affiliate organizations. The committee is charged with recommending to our Executive Committee and Board those programs and services our member counties indicate they need and desire NACo to provide.

This past year, the committee has already made several recommendations, the most notable being the creation of a national communications network which will enable our member counties to be leaders in the creation of our own "information superhighway." After the program has been established, members will be able to exchange up-to-date information, such as local, state and federal legislative updates; training; conference registration; and electronic mail. The list of amenities will be limited only by our own imaginations.

2) We have created a NACo Financial Services Center. Through this program, our member counties and employees will have access to a wide range of financial services which are important to counties as we try to get the most gain for constituents from every dollar for which we are responsible.

3) We have strengthened our legislative program. We have created congressional action teams (CATs) from our membership as we continue the process of expanding our lobbying efforts to include as much of our NACo membership as possible. Already we have seen the results of our intensified initiatives through numerous legislative victories this past year!

4) We are actively developing and using collaborative partnerships with our sister organizations and others to achieve positive legislative and program results. NACo, the U.S. Conference of Mayors, the National League of Cities, the National Governors' Association, the National School Boards Association, the International City-County Management Association, the National Towns and Townships Association, and others joined forces to focus national attention on the unfunded mandates issue.

5) We have made real progress

in our major issue initiatives:

• Children's Initiative — NACo began the first of a two-year program aimed at the development of policy, programs and legislation that would make America's children a national priority. Both Randy Franke and I are committed to seeing this happen. The increase in juvenile crime, child abuse, teenage pregnancy, teenage suicide, drug abuse and high school dropouts are all indicators of a serious problem that has its roots in early childhood experiences.

Certainly we realize that government cannot provide all the answers; however, local government can more effectively provide a community "support" system for families through collaboration and better, more sensitive use of existing resources which make an "upfront investment" in our youth so that they don't become tomorrow's statistics.

As a result of this year's activities, NACo has developed policy recommendations which can be translated into local, state and national legislation. Our sister organizations will be working with us to ensure enactment of these policies. Additionally, we have already identified "programs that work" and will be extending these findings to recommend successful problem-solving programs to others. Lastly, we are initiating a series of public service announcements with the intent of focusing national attention to the plight of America's children.

With 1995 will also come the International Year of the Child and Family. NACo will be well-postured to focus national attention to our efforts.

• Sustainable Development Task Force — The task force has seized national leadership in the development of policy and program ideas which will assist counties in developing sustainable communities.

CN: What was the most challenging part of your role as president?

The most challenging part of my role as president was in assuring that implementation of our goals for the year actually occurred. It has been my experience that the differ-

ence between mediocrity and excellence is directly related to the degree of commitment to a goal, and the involvement of all parties to assure its fulfillment.

The development of the Financial Services Center began as an idea a few years ago. That idea would have remained an idea in my imagination had it not been for the support of staff leaders like Lee Ruck and the strong leadership of Second Vice President Doug Bovin. Lee is one of the most creative members of our staff ... and is a brilliant "can-do" person. Doug is a treasure, with the ability to inspire our success in making progress on the unfunded mandates legislation, which was related directly to our staff enthusiasm, which reflected the concerns of our membership. Larry Naake knows how to inspire and encourage his staff to use their talents and abilities.

Our new steering committee and our Children's Initiative Task Force made significant gains ... not only because of the issues, but because of the commitment level of Terry Wood and Barbara Shipnuck.

CN: What did you find most interesting or exciting?

I gained the greatest insights into America's democracy and our government through my visits to state associations and counties throughout the country. Nothing can top that experience. Every time I visited my colleagues in another state, I truly felt welcome and "at home" with our county family members. I am fascinated by the variety of county responsibilities and the creative ways by which our colleagues are dealing with their challenges.

CN: What advice would you give your successor?

Randy, you and I enjoy a unique advantage in so much as we worked closely together to effect a smooth transition. I am particularly pleased that you will be continuing and expanding our initiative to make a positive difference in the lives of our nation's children and families.

Enjoy your presidency ... it goes by so very quickly. Do all you can to use the talents of as many of our county members as you can. The greater their involvement, the higher the level of success. Involve the Executive Committee as much as you can ... we have a good one.

Do all you can to encourage our staff to continue to reach for the best that is within them ... our legislative staff is one of the finest on the Hill. Also, do all you can to nurture our new initiatives relating to member services and programs, research, training, etc. These programs will be the lifeblood of NACo if we are to expand our membership and remain a viable and vibrant national organization.

CN: What's next for Barbara Todd?

A few weeks ago I made the decision to run for lieutenant governor of the state of Florida with Secretary of State Jim Smith. I did not make that decision lightly, as it meant that I had to resign (under Florida law) effective Nov. 22. I see, however, a real opportunity to serve my state and our local governments in Florida in this new position. This past year as NACo president, I saw our counties struggle to get a "place at the table." Jim and I want to set a national example as to how government should really work by reserving a place at the table for local government as we develop our state's agenda for the future.

CN: Any final thoughts?

I hope that each of you will realize how special you are. Each of you has the opportunity as a county official to lead our nation into the next century. No other level of government is as well positioned as the counties to make a difference in the lives of our citizens. Believe in yourselves and all you have to offer ... and you will make a difference in our nation's future.

My deepest appreciation and thanks to all of you for granting me the privilege of serving you as president of the National Association of Counties.

NACCED 19th Annual Conference set for Sept. 10-14

By Lauren Tillman
NACCED

NACo; Cobb, DeKalb, Fulton and Gwinnett counties; and the cities of Atlanta and Marietta, Ga. have an informative, comprehensive agenda planned for the 19th Annual County Community and Economic Development Conference they will co-sponsor, Sept. 10-14, for the National Association for County Community and Economic Development (NACCED), a NACo affiliate.

The conference will cover community development, economic development and affordable housing issues, with particular emphasis on HUD and other federal funding programs. Other key national issues such as empowerment zones/enterprise communities, the "continuum of care" approach to homeless assistance, and the use of total quality management techniques will also be examined.

"Yesterday, Today ... Reaching for Tomorrow," NACCED's conference theme, is fitting in the year of HUD's Community Development Block Grant Program's (CDBG) 20th Anniversary. This flexible and enduring program has consistently provided funding for community development, economic

development and affordable housing activities in the nation's urban counties. The scope of the conference, however, extends beyond CDBG to topics ranging from community development banks to housing finance tools, from fair housing to tourism as an economic development tool.

HUD Assistant Secretary for Community Planning and Development Andrew Cuomo, after eloquently inspiring attendees of NACCED's 18th Annual Conference, is invited to address this year's conference on the latest initiatives of his department.

He will be joined by other invited HUD officials, including Jim Broughman, director of the Office of Block Grant Assistance; Gordon McKay, director of the Office of Affordable Housing Programs; and Roy Priest, director of the Office of Economic Development.

The conference locale should lend an air of excitement to the event, with the 1996 Olympics around the corner and Jimmy Carter's Atlanta Project quickly becoming a successful urban development effort.

Ann Kimbrough from the Atlanta Committee for the Olympic Games and Dan Sweat from the Atlanta Project will outline these two exciting undertakings at the conference's Opening General Session.

NACCED's conferences consistently offer a unique learning environment, and this year is no exception. As usual, panel sessions will be structured in a hollow-square format, in which all session attendees are encouraged to sit at the main table and participate.

This year, conference planners are pleased to add informal peer-matching sessions in which experts in various program areas share their knowledge in a daytime hospitality suite.

Conference hosts have also planned a full agenda of extracurricular activities for meeting, greeting and unwinding. Cobb

County will host a welcoming brunch and opening reception on Sunday at the conference hotel, the Stouffer Waverly. Fulton County will bring the conference to the heart of downtown Atlanta on Monday for the Conference-Wide Event, which consists of a reception at the county's new government center, followed by an evening at Underground Atlanta — a unique conglomeration of restaurants, bars and stores below the streets of downtown Atlanta. DeKalb County will round out the social events with a southern barbecue and country western band on Tuesday evening.

For further information on NACCED's conference or other NACCED services, please contact the association's headquarters at 202/429-5118.



Oscar Soliz, NACo Board member and district clerk of Nueces County, Texas, has been named Outstanding District Clerk of Texas by the Texas County and District Clerks Association. Soliz, who serves on the NACo Board's credentials and membership committees, was cited for his professional contributions to Nueces County and to his profession. Soliz was first elected Nueces County clerk in 1970.

Florida counties name new executive director

Rod Kendig, city manager of Pensacola, Fla., has been confirmed as the new executive director of the Florida Association of Counties (FAC).

Kendig has worked for or on behalf of local government most of his professional life, beginning with service as assistant director of the Michigan State Association of County Supervisors in 1966-67.

In 1967, he joined the NACo staff where he served as deputy executive director and director of the Department of Administra-

tion and Finance until 1978. He then took over the position of county administrator for Escambia County, Fla., where he served until November 1984.

Following a short stint as vice president of public finance for Southeastern Municipal Bonds, Inc., Kendig became Pensacola's city manager in June 1985.

One of more than 130 applicants from around the nation, Kendig was one of six final candidates for the FAC executive director post interviewed by a seven-member search committee.

KEMPTHORNE/GLENN from page 1

ments would be able to avoid liability if they decide not to comply with future unfunded mandates.

Therefore, even if the original Kempthorne bill were enacted, no mechanism would have been in place to ensure the enforcement of the no money, no mandate requirement.

Because the original bill did not include the enforcement mechanism, we are convinced that the Kempthorne-Glenn agreement is a significantly stronger bill. Not only does it require the Congressional Budget Office to prepare cost estimates for all future mandates, but it would require Congress to authorize and identify funding sources to pay for mandates estimated to cost state and local governments, in the aggregate, \$50 million or more on an annual basis. This will serve as the basis for NACo's lobbying efforts to get Congress to appropriate funds to pay for future mandates.

To force Congress to comply with these rules, the new agreement will allow any member to raise a point of order to delay consideration of a mandate proposal if any one of these provisions is not met. Most significantly, if Congress decides to impose a new unfunded mandate on state and local governments, each member will have to go on record voting in favor of imposing the mandate on state and local governments, with full knowledge of how much it will cost them.

Without a super majority vote (two-thirds), how can this bill protect state and local governments from future mandates?

Neither the new Kempthorne-Glenn agreement, nor the original Kempthorne bill would require a super majority vote to enact new mandates. Although we requested the super majority language, the leadership would not accept it since it would increase the influence of minority party members.

If enacted, we believe the Kempthorne-Glenn bill will force members of Congress to consider the fiscal impact each new mandate will have on their state and local budgets and services.

Any member who desires to get a new mandate enacted will have two difficult choices. He or she must convince the majority of members in both houses to either: 1) support the authorization and the identification of new funding sources (increased taxes or reduced spending in current programs) to pay for the mandate, or 2) vote in favor of imposing the cost of the mandate on state and local governments.

This bill will, for the first time, force members to be accountable for their actions. By informing the public and the press about how the mandate will affect state and local taxes and services, we believe this legislation will have a significant impact on curtailing the number of

future unfunded mandates that Congress enacts.

Could we have gotten a stronger bill?

Sen. Dirk Kempthorne feels, and NACo and other public interest groups agree, that the compromise bill is a strong initiative. Because of the enforcement provisions, which establish new rules and procedures for enacting mandates, the agreement in many respects is much stronger than the original Kempthorne bill.

Could we have gotten Congress to adopt language requiring a super majority to approve all future mandates? Or could we have gotten Congress to adopt language to allow any member to raise a point of order if funds are not included in future appropriations bills to pay for any new mandate?

Of course adding these provisions

would have made the bill stronger. But the chairman of the appropriations committee strongly opposed linking the appropriations process to mandates.

Without the support of the leadership and 60 solid votes in the Senate and 261 in the House, it would have been close to impossible to get either of these provisions adopted. We must keep in mind that we don't have any legislation in place now to address mandates. We started out with only a few supporters and ended up with 54 senators cosponsoring the original bill. This was a significant achievement. However, without the support of a super majority, action on a final bill could have been delayed indefinitely by a filibuster on the Senate floor.

What happens if this legislation doesn't

significantly reduce the number of mandates?

NACo will monitor future mandates very closely, and if it appears that Congress is still able to pass the same or anywhere close to the same number of mandates that it has passed in recent years, then we will seek a new legislative remedy.

Because unfunded federal mandates have forced state and local officials to increase state and local taxes and cut services, many members of Congress are aware that this is an issue that can hurt them in the November 1994 elections. They would like to see relief legislation adopted before Congress adjourns. We don't want to miss the opportunity to get a strong bill enacted as soon as possible to reduce the number of future unfunded federal mandates.

(Burke is a Los Angeles County [Calif.] supervisor.)

CLARK COUNTY from page 1

- "How Do You Spell Relief? H-E-A-L-T-H R-E-F-O-R-M"
- "Addressing the Job Training Needs of Youth — What Works?"
- "How to Get Money: Making the Transportation Process Work for You"
- "Eastern Public Lands: Same Owner, Different Challenges"
- "What's Expected of Counties Under the Motor-Voter Law?"

- "Recycling Your Trash: Current Issues in Solid Waste Management"
- "Preventing Gang Violence"
- "Rural Development: Home-Grown Solutions"
- "A Rainbow of Opportunities: Expanding the Role of Volunteers in Your County"
- "Americans with Disabilities: Model Programs"
- "The Information Highway:

- "Social Service Delivery Programs"
- "Indoor Air Quality/Radon: What Counties Need to Know," and
- "Jail Liability: Current Litigation and Current Avoidance Opportunities."

On Thursday, two general sessions are planned — one on unfunded mandates and the other on technology and the county role in the information highway.

CHANGE THE WORLD ONE FAIRY TALE AT A TIME.

A four-year-old is full of hope.
That's one of the reasons there's
Head Start.

We give low-income
preschool children what
other children already
have. The chance to
learn. To be healthy.
To be happy.

It's a big job and we
need volunteers. Especially
skilled professionals like you who



want to make a difference in the
life of a child. Come share
your special talents and
interests with Head
Start. Because if you
change the world of a
child, you change the
world.

Call 1-800-27-START
and we'll send you a
brochure on volunteer oppor-
tunities with your local Head Start.

 **HEAD
START**



A Public Service of
This Publication



National Association of Counties
**Member Programs
 & Issues Update**

**1994 Annual Conference
 Clark County, Nevada**

TABLE OF CONTENTS

MEMBER PROGRAMS
 pages 12-15

ISSUES UPDATE
 Agriculture and Rural
 Affairs page 16

Community and
 Economic Development
 page 16

Employment page 17

Environment, Energy
 and Land Use
 page 18

Health page 19

Human Services and
 Education page 20

Intergovernmental
 Relations page 20

Justice and Public
 Safety page 21

Labor and Employee
 Benefits page 22

Public Lands page 22

Taxation and Finance
 page 23

Transportation
 page 24

National Association of Counties Member Programs Update

Research Department

What are counties doing with abandoned landfills? How does our county compare with other counties our size? In what states is the county clerk elected? How many counties are there in the United States? Do all counties have a land use plan? Which counties are pursuing innovative welfare distribution methods? What is the career outlook for public servants?

These and other similar questions are often answered by the NACo research staff. NACo members rely on the research staff to answer a variety of questions ranging from animal control to zoning, and anything in between.

Whether you need a specific number — the number of county-owned landfills in Texas — a bibliography of readings about mandates, or a list of counties that have developed recreation programs for the disabled, the Research Department should be your first call. Our library of resources and knowledgeable staff are just a phone call away.

In 1993, the research staff answered more than 800 calls for information about county government. This was a 300 percent increase in requests over the previous year. Although it is rare that two individuals will ask the same question to the staff, research requests typically may be divided into a number of general categories.

In 1993, the hottest topics for research requests were mandates, consolidated governments, county populations, employee salaries, tax issues, reinventing government and elections.

The types of research requests received by staff often prompts more extensive research and the preparation of a bibliography, report or issue brief that is readily available to answer future requests on that subject.

Much of the information compiled and distributed by the research staff is the product of the annual

NACo Achievement Awards Program. Celebrating its 25th anniversary this year, the Achievement Awards Program began in 1970 to give national recognition to progressive county developments and has enabled NACo to build a storehouse of detailed case histories in a variety of program areas.

With more than 1,700 applications in 1994 alone, this program has significantly expanded NACo's research capabilities. Approximately 230 counties in 39 states submitted the 1,700 applications for

assistance to other NACo departments. The department conducts annual surveys of county fiscal conditions and responds to survey needs prompted by NACo legislative priorities. Development of additional yearly surveys is expected in the future.

This year's successful Achievement Awards Program and the addition of three new staff members are part of the solid foundation of the Research Department.

Keep the Research Department at the top of your research contact

ing, provide assistance to eligible home buyers, provide tenant-based rental assistance, perform demolition, provide site improvements, pay relocation costs, and pay administrative expenses (up to 10 percent of allocation).

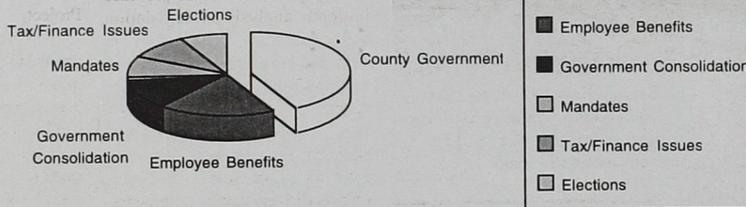
NACo and seven other public interest groups are part of a consortium called the National Affordable Housing Training Institute (NAHTI). Through NAHTI, NACo will provide technical assistance and training to county elected officials about the HOME Program.

Over the next two years, NACo will be developing a guidebook and a video for county officials on the HOME Program, providing workshops at NACo conferences, and offering training to state associations of counties that have an interest in affordable housing issues.

For further information on NACo's HOME Project, contact Project Director Rick Keister at 202/942-4231, and

look for our HOME exhibit in the registration area at the NACo Annual Conference in Las Vegas.

1993 Top Questions Asked of NACo Research Department



Achievement Awards in 1994. Four state associations of counties also participated in the program. The 25 categories of entries in 1994 span the spectrum of county government and include: fiscal management, information technology, libraries, county administration and management, parks and recreation, rural programs, volunteers, and many others.

The recent addition of three new staff members to the Research Department has greatly expanded the capabilities of the department. Hired in January of 1994, the new staff are developing specialties in a variety of topics.

Mary Bewig, research associate, concentrates on a variety of issues, including county administration and management, employee benefits and training, fiscal management, and other related issues.

Kelly Mackie, research assistant, has been developing her expertise in human services issues, including children and youth, health care, juvenile justice, and other human services issues.

Cynthia Shultz, research assistant, concentrates her research on transportation, planning, preservation and environmental issues.

Sharon Lawrence continues her director role and pursues specific research in general government issues (e.g. mandates, consolidated governments, elections).

Recently, the department has been developing an expertise in survey design and has provided survey

list when your county or department needs answers. Contacts: Sharon Lawrence, director, 202/942-4285; Mary Bewig, research associate, 202/942-4226; Kelly Mackie, research assistant, 202/942-4246; Cynthia Shultz, research assistant, 202/942-4277.

HOME Project

Ever hear of a federal program whose short title doesn't stand for something else? From CDBG (Community Development Block Grant) to PILT (Payments In Lieu of Taxes), they all try — often with not much clarity — to capture the essence of federal assistance in a brief acronym.

Well, meet one federal program named for what it is trying to accomplish. The HOME Program of the Department of Housing and Urban Development (HUD) is designed to assist communities to provide affordable housing. Used in combination with more traditional HUD and Department of Agriculture housing programs, HOME can be a potent addition to your county's affordable housing strategy.

Simply and briefly, HOME funds can be used to: acquire housing units, build new housing, rehabilitate rental or owner-occupied hous-

Volunteerism Project

Budget cutbacks. Unfunded mandates. Increased demand for services. There are very few counties that haven't faced these three issues. In recent years, counties across the nation have struggled to continue providing high-quality service in a cost-effective manner.

Establishing volunteer programs is one strategy counties are using with greater frequency to serve county residents and involve citizens in local government.

NACo's Volunteerism Project, funded by the W.K. Kellogg Foundation, promotes the concept of volunteerism in county government and helps counties establish and maintain effective volunteer programs.

A 1993 survey conducted by the Volunteerism Project found a large increase in the number of county volunteer programs compared to a similar survey conducted in 1990.

Estimates from the 1993 survey placed the monetary value of volunteer contributions to all U.S. coun-

ties at \$1.8 billion.

County governments, both large and small, are establishing innovative volunteer programs that expand and enhance the work of paid staff.

Many counties also report increased collaboration with local businesses, non-profit agencies and universities, as well as the benefits of donated materials and supplies thanks to the efforts of volunteers. Citizens are learning about local government operations while meeting and serving their neighbors.

The possibilities for volunteer service are endless. Volunteers are assisting local sheriff's departments and working with the juvenile justice system. They are serving as public defenders to ensure that everyone in the community gets competent legal representation.

Volunteers are conducting surveys and completing research for counties, promoting the importance of immunizations for children, and helping homeless families secure affordable housing. They are organizing recycling programs and preserving natural habitats, assisting senior citizens, and staffing courthouse information booths. These are just a few examples of what volunteers are doing everyday in counties across the country.

If there is an unmet need in your county, or a special project that staff would like to complete, then why not turn to volunteers with the commitment to helping get the job done?

NACo's Volunteerism Project offers resources on volunteerism-related topics and information from more than 400 county volunteer programs to help counties establish volunteer programs.

The Volunteerism Project also conducts workshops at state associations of counties meetings and at NACo conferences.

Whether you are looking for information on volunteers in a particular program area or answers to your questions about liability, policies and procedures, or any other aspect of volunteer management, NACo's Volunteerism Project will provide you with the most up-to-date resources.

For more information on the Volunteerism Project, please contact Peter Lane at 202/942-4288 or Sandy Markwood at 202/942-4235, or write: NACo's Volunteerism Project, 440 First St., N.W., Washington, DC 20001.

National Association of Counties Member Programs Update

Resources Available from NACo's Volunteerism Project

Volunteers and Counties: Partners in Service — a guide to 12 innovative county volunteer programs (free).

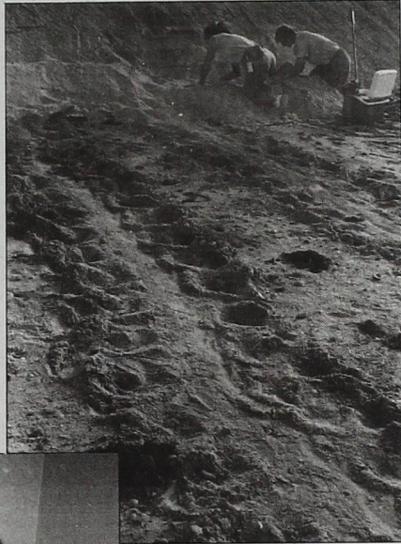
The Volunteer Toolbox — a how-to guide on establishing a county volunteer program (\$15).

A Quarterly Update — information, resources and Volunteerism Project activities (free).

Directory of County Volunteer Coordinators — over 400 volunteer coordinators listed from 46 states (\$5).

Program materials, referrals and assistance — information on volunteer management practices and examples from county volunteer programs.

If you would like information about any of the resources listed above, please contact Peter Lane at 202/942-4288 or Sandy Markwood at 202/942-4235, or write: NACo's Volunteerism Project, 440 First St., N.W., Washington, DC 20001.



Brunswick County (N.C.) volunteers monitor sea turtles and educate the public on environmental issues.



A Larimer County (Colo.) Mental Health Center volunteer works closely with paid staff. Last year, volunteers contributed more than 42,000 hours of service.

cial and job training administrators and staff.

They include:

- "Job Training Partnership Act Primer for Service Delivery Area Administrators"

- "Directory of JTPA Service Delivery Areas"

- "Compendium of JTPA Awards for Excellence Winners"

- "Peer to Peer Technical Assistance Guide," and

- "JTPA Alumni Year Book."

National Training and Employment Programs publications are available only to service program members. These include:

- "National Training and Employment Update" (formerly known as the "JTPA Update") — a bi-weekly publication that provides in-depth analysis of legislation and regulations, information on state and local job training activities, and summaries of exemplary programs.

- "National Training and Employment Supplement" — provides job training programs with copies of bills and legislation, administrative issuance, regulations, Training and Employment Guidance Letters, and Training and Employment Information Notices.

- "National Training and Employment Late Breaking News" — a fax information service published at least 12 times each year to provide local job training programs with up-to-the-minute legislative information.

In addition, service program members receive direct technical assistance, including on-site visits by National Training and Employment Programs staff to their local programs, and service members will be able to participate in NACo's electronic information service, known as Spaceworks, in the next few months.

The National Training and Employment Programs also sponsors:

- NACo's Annual Employment Policy Conference, held every year in November

- a number of award programs, including the JTPA Service Award, Exemplary Job Training Programs Award, the Joe Cooney Award for Innovation, and the National Association of County Training and Employment Professionals Distinguished County Elected Official Service Award, and

- a number of national training programs throughout the year.

For more information on the National Training and Employment Programs, please contact Neil E. Bomberg, director, at 202/942-4205, or Renata Hart Lipscomb, research assistant, at 202/942-4233.

National Training and Employment Programs

National Training and Employment Programs provides county elected officials and job training staff with diverse services.

Designed to provide county elected officials and job training administrators with a wide array of services to improve their local job training programs, NACo's National Training and Employment Programs, formerly known as the Employment and Training Program, was established nearly 25 years ago as part of NACo's ongoing commitment to provide high-quality technical assistance.

The programs are funded, in part, by the Department of Labor (DOL) and by the National Training and Employment Service Program — a fee-for-service program that local job training programs may join.

The programs' staff provide telephone and direct technical assistance, legislative and regulatory analysis, up-to-the-minute information on DOL administrative issuance, and a wide range of publications.

DOL-funded publications are available to all county elected offi-

Solid Waste and Pollution Prevention Project

NACo, under the second year of its cooperative agreement with EPA's Office of Research and Development, is providing county officials with technical information on local solid waste management issues through its Solid Waste and Pollution Prevention Project.

This year, the project has expanded to include delivery of information and assistance on pollution prevention.

Our goal is to assist county officials with environmental decision making by informing them of innovative solutions, current research findings, and the experiences of counties implementing similar programs.

Cities and counties have traditionally fulfilled their responsibility of protecting public health and safety by managing waste products through an end-of-the-pipe approach.

However, local governments are feeling increasingly pinched by the high cost of building and maintaining waste disposal and treatment facilities. They continue to have difficulty siting new facilities. Compounding the problem is that cleanup and treatment has sometimes shifted pollution from one part of the environment to another. For example, wastewater treatment plants are a source of toxic air emissions.

By adopting practices to prevent pollution and waste, counties can increase the efficiency of public service facilities and improve the ambient environment.

Facilities and businesses incorporating pollution prevention techniques can increase compliance with environmental regulations and save money in operational costs.

By implementing programs to reduce the toxicity of the municipal waste stream, counties utilizing incinerators or waste-to-energy facilities may reduce chances that the ash residue will possess hazardous characteristics.

Through our grant with EPA, NACo will be providing counties informational fact sheets and papers on pollution prevention, a Lo-

Benefits of a County Volunteer Program

Cost-effective government

Volunteer programs aid in cost-effective operations. Paid staff provides necessary ongoing continuity while volunteers fill gaps in service.

Positive perception of government operations

Volunteers see first-hand how county government functions and help promote images and a knowledge base to other citizens in the community.

Increased knowledge of county activities and officials

Volunteers learn the goals and purposes of county programs and often become personally acquainted with public officials. Volunteers can relate a sincere story of trust and understanding — better than any paid public relations campaign.

Professional skills and education

Volunteers with a variety of backgrounds and life experiences lend their expertise to county projects.

Additional resources

Volunteers often become advocates for programs and help seek donations of time, money and materials to meet the goals of a specific program.

Increased citizen participation

Volunteers from all walks of life have an opportunity to participate in local government and to have a voice in the development of their community.

If you would like information about any of the resources listed above, please contact Peter Lane at 202/942-4288 or Sandy Markwood at 202/942-4235, or write: NACo's Volunteerism Project, 440 First St., N.W., Washington, DC 20001.

National Association of Counties Member Programs Update

from previous page

cal Government Pollution Prevention Resource List, a compendium of model pollution prevention programs, and workshops on the basics in pollution prevention. NACo will ensure that EPA's pollution prevention information is widely distributed to local leaders engaged in implementing programs.

NACo is also continuing its ongoing solid waste management activities, including its work with the Composting Research Alliance, a public-private research alliance formed by NACo in the effort to expand local governments' solid waste management options.

The alliance, composed of NACo, the U.S. Conference of Mayors, EPA, The National Audubon Society, Procter and Gamble, and the grocery industry, is investigating the viability of source-separated composting through a series of local pilot projects.

The alliance will also be producing a "how-to" guide for counties and cities interested in implementing a composting pilot project, and a report describing 12 model programs written by NACo. The case study report will be available from NACo this fall.

For more information, or to share your county's experience, please contact Naomi Friedman at NACo, 202/942-4262. Pollution prevention information will be available at the Annual Conference.

Radon/ Indoor Air Project

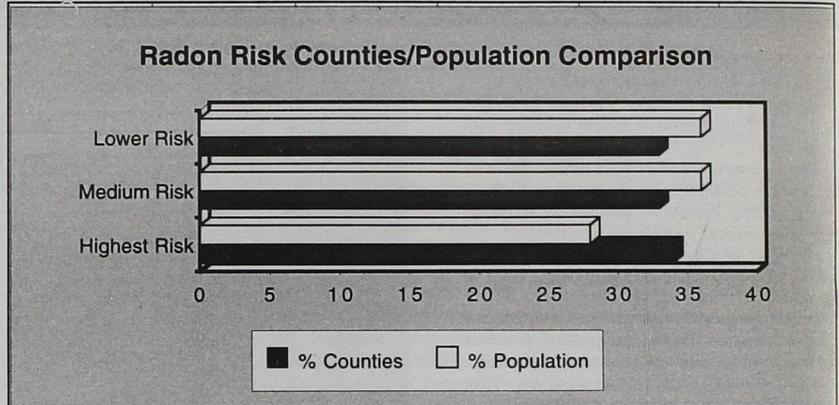
As a radon cooperative partner with the EPA, the NACo Radon/Indoor Air Project has been working with county officials to promote radon awareness and to encourage testing since 1991.

In 1994, the project broadened into other indoor air quality issues through another cooperative partnership with EPA's Indoor Air Division.

Indoor air quality is a growing environmental health concern in every county, and radon is found throughout the United States, with one-third of the nation's counties having the potential for high radon levels.

Americans spend most of their time indoors. Therefore, the quality of the air they breathe while inside can have a major impact on their health. Among indoor air pollutants, the health threat posed by prolonged exposure to radon is especially serious.

The Radon/Indoor Air Project's programs are voluntary and can involve minimal costs by counties. The NACo Radon/Indoor Air Project's activities focus on the



counties most at risk, particularly through the Radon Model County Program, while continuing to inform all counties (and all county health departments through the National Association of County Health Officials) about the health hazards of radon and poor indoor air quality. It also suggests local measures they can undertake to reduce their citizens' exposure.

The Radon Model County Program provides resources and technical assistance to high radon-risk counties to initiate either a county outreach and testing program or augment an existing one. Currently, 43 counties are participating in the program. They represent a combined population at potential risk of more than 12 million people.

Other useful materials and services available from NACo to promote radon and indoor air quality awareness includes the County Radon Action Kit, which is a self-contained public outreach package, as well as being a "sampler" of the publications and educational materials counties can freely receive; county-specific fact sheets on radon and other indoor air quality topics that counties can distribute from their offices, at health fairs or other public places; and participation in the National Safety Council's test kit mail-in coupon program that can make kits accessible to areas with low retail availability.

For information on ways your county can address these serious environmental health risks, call Lou Witt, NACo Radon/Indoor Air Project, at 202/942-4261.

Sustainable Development Task Force

When sustainable development is considered, two questions immediately arise: What is sustainability? and Why is it im-

portant to NACo and its members? There are many definitions for sustainable development, but in a very broad sense it can be defined as: development that meets the needs of the present without compromising the needs of future generations.

Awareness and recognition of sustainability are increasing — members are being confronted with the issue and realizing that the solutions to the problems of a sustainable future cannot solely be found in Washington — the complexity and diversity is too great.

In counties across the nation, there is a growing shift to civic environmentalism — an idea and practice that puts local government on the front lines of economic development and environmental protection.

Since its inception in July 1993, NACo's Sustainable Development Task Force has been gathering information on sustainable development activities, issues and opportunities, as well as serving as a link to the President's Council on Sustainable Development.

The task force will disseminate information to counties on sustainable development activities and policies that encompass the areas of: economic development, land use, resource use, air quality and energy. Some resulting task force projects include: a draft sustainable development resolution that has been sent to each of NACo's steering committees for their consideration and adoption at the 1994 Annual Conference, an eight-page supplement on various sustainable development topics that has been published in *County News* (April 21, 1994), and the identification of successful examples of local sustainability initiatives.

Counties must seize the opportunity to be proactive to avert federal/state mandates that may be well-intentioned, but cannot address the diversity that exists in the nation's counties.

To help assure the county perspective is considered in national

policy development, contact Jerry McNeil, 202/942-4237, for ways your county can be involved.

For information and activities to promote sustainable development conditions within your county, contact Nina Petrovich, 202/942-4278.

Marketing Promotions and Planning

Counties are not only members of NACo, but customers as well. It is with this thought in mind that NACo seeks to market itself as an effective association, and counties as essential players in the political arena.

Currently, all departments within NACo have been asked to take a critical look at their member services and evaluate these offerings against criteria which assesses member acceptance.

NACo hopes to foster an organization that responds even better to member needs, both individually and collectively, and serves as the catalyst for promoting its members to others.

In June, NACo began an aggressive membership marketing campaign. As a result of a mailing to all 3,043 counties requesting updated information for NACo's computer data base, 25 percent of the non-member counties responded by providing NACo with the information requested.

Each non-member county that responded to the mailing is receiving a telephone call inviting them to join NACo. Additionally, they are being asked to tell us what they like and/or don't like about NACo.

Our efforts are paying off. Non-member counties are becoming

Counties sign on to recycled-content procurement

Last fall, President Clinton issued an executive order on recycling in an effort to expand markets for recycled materials. Today, NACo, in conjunction with the U.S. Conference of Mayors, has identified 68 cities and counties that will issue a similar order.

The executive order, among other provisions, calls upon federal agencies to purchase 20 percent post-consumer paper, retread tires and rerefined oil by 1995. It is this part of the order that NACo and the U.S. Conference of Mayors are encouraging counties to voluntarily emulate. To date, 45 cities and 23 counties are meeting executive order requirements, or have committed to doing so by 1995.

Counties interested in joining NACo's buy-recycled effort or receiving information on local recycled-product procurement programs, contact Naomi Friedman at NACo, 202/942-4262.

The following counties have or will enact orders favoring recycled-content products in their procurement policies:

- Anne Arundel County, Md.
- Baltimore County, Md.
- Blue Earth County, Minn.
- Casey County, Ky.
- Denver County, Colo.
- Dougherty County, Ga.
- Fairfax County, Va.
- Frederick County, Md.
- Goodhue County, Minn.
- Gwinnett County, Ga.
- Harford County, Md.
- Hennepin County, Minn.
- Howard County, Md.
- King County, Wash.
- Knox County, Tenn.
- Montgomery County, Md.
- Palm Beach County, Fla.
- Polk County, Fla.
- Prince George's County, Md.
- San Francisco County, Calif.
- Santa Cruz County, Calif.
- Sonoma County, Calif.
- Washtenaw County, Mich.

See next page

National Association of Counties Member Programs Update

from previous page

member counties and NACo is getting an earful of very valuable information on how to serve counties better. Those counties that are still not convinced to join are encouraged to call officials in neighboring member counties to discuss the benefits of NACo membership.

NACo has begun to investigate the feasibility of publishing a NACo Courthouse Calendar for 1995. We already have many beautiful photographs of county courthouses which were submitted for the *County News* county courthouse photo contest.

We feel that the calendar would make a good promotional sales piece

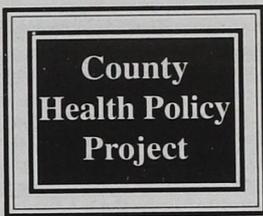
for NACo and for counties themselves, should they care to use it. As we're mulling over the pros and cons of undertaking this venture, your thoughts would be appreciated.

Wouldn't it be wonderful if the county libraries, schools and colleges stocked resource materials published by NACo? Well, that's just one of the many plans we have in the works.

NACo has collected a wealth of information, much of it original data, and is the only national organization chartered to gather that data with the interest of counties in mind.

Your ideas are solicited and wel-

comed. Please call us and share your thoughts on products, projects and services you'd like to see NACo offer. Cynthia E. Featherson, director of marketing, can be reached at 202/942-4221.



The County Health Policy Project at NACo is an initiative that was started in 1989, with funding from the W.K. Kellogg Foundation. Its purpose was to assist county officials with issues and policy related to the financing and administration of health services.

The Kellogg-funded work, which has been completed, involved

a national survey of county health programs and expenditures and a survey of county officials' opinions on health issues. These reports are both available. Technical assistance was provided to counties on targeted issues.

In 1993, the project played a major role in NACo's year-long effort involving counties and health reform. Eight regional hearings were conducted. A final report with recommendations was produced and sent to NACo's members and congressional and federal agency staff.

Currently, the project has funding from the Robert Wood Johnson Foundation to examine state/county responsibilities for a variety of health services. A survey is now in the field and will collect information from state associations of counties and health agency staff on which levels of government have responsibilities, how these responsibilities are carried out, and how coun-

ties receive funding from the state to support health service activities.

The results of the survey will be published as a chart book that will describe the state/county health system in each state.

In addition to this funded activity, the project is generating proposals for additional work and is responding to inquiries concerning the services counties provide. There is significant interest in counties and managed care health service delivery systems and the role of counties in local mental health systems.

The project works on an ongoing basis with health service researchers, federal agencies, and other organizations and private individuals interested in county health service roles.

For more information on what the project is doing, or to obtain any of its publications, please call Mary Uyeda, director, at 202/942-4257.

GASB schedules public hearings on financial reporting model projects

The Governmental Accounting Standards Board (GASB) has scheduled public hearings on the financial reporting model for state and local governments and governmental colleges and universities. The hearings will be held around the country in October and November.

The basis for the public hearings will be two Invitations to Comment, just published by the Board.

One sets forth two alternative financial reporting models for the basic financial statements of state and local governments, along with the underlying objectives and features of each.

The second Invitation to Comment sets forth three alternative financial reporting models for the basic financial statements of colleges and universities, also with information about the underlying objectives and features of each model.

Both Invitations to Comment represent a broad re-examination of the financial reporting model comprising many display, disclosure, format and recognition issues.

Constituent views on the Invitations to Comment, additional staff research, and board deliberations on the issues will form the basis for developing a comprehensive financial reporting model for state and local governments and colleges and universities.

GASB Chairman James F. Antonio said that "the board and staff have been concentrating their efforts of late on developing financial models. The alternatives laid out in the two invitations to comment are the result of extensive board and staff time over several years."

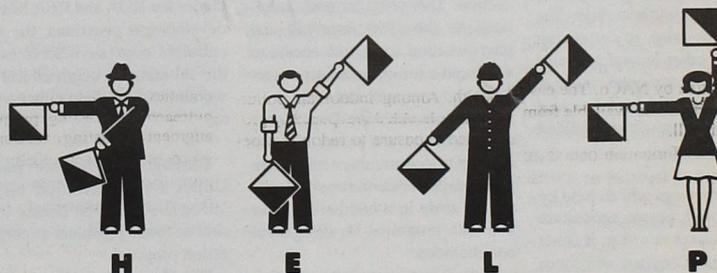
Comments on the invitations to comment are requested by Oct. 31. One copy of each is available without charge until that date from the GASB Order Department, 401 Merritt 7, P.O. Box 5116, Norwalk, CT 06856-5116, phone: 203/847-0700, ext. 555.

Rural IVHS 1994 Annual Conference

A conference on rural applications of Intelligent Vehicle Highway Systems (IVHS) will be held Sept. 11-14, 1994 in Blacksburg, Va., at Virginia Polytechnical Institute and State University. The theme for this conference is rural IVHS priorities.

The conference will focus on the examination of rural transportation issues and IVHS applications to rural areas. Until recently, IVHS has recently been associated with solving urban traffic problems. However, rural transportation issues, such as safety and the need for effective dissemination of traveler information, hold considerable potential for IVHS applications.

For more information and registration material, please call the Center for Transportation Research information officer at 703/231-9918.



We've made calling for help easier than ever.

If you're an employer with employees in the National Guard and Reserve, and you need help, give us a call. We'll answer any questions you may have concerning your responsibilities, as well as your employee's. Or if you simply have a question, we'll help you with that, too. So give us a call at 1-800-336-4590. It's that easy.



A Public Service of
This Publication

1994 ISSUES UPDATE

Agriculture and Rural Affairs



1995 Farm and Rural Development Bill

Issue: The 1990 Food, Agriculture, Conservation and Trade Act, better known as the farm bill, is up for renewal in 1995.

The Department of Agriculture has started a review of current agricultural and rural development policies in preparation for a 1995 farm and rural development bill. The White House also is convening meetings of other federal agencies to review environmental, international trade and economic development issues that could be included in the legislation.

Status: Hearings will be held by the House and Senate agriculture committees later this year. It is not expected that Congress will focus on the legislation until early 1995. The Administration may propose its own bill to Congress next year.

There has been some speculation that Congress may not act on new legislation, but only extend current programs for two years. In the prevailing budget atmosphere, some of the farm organizations are concerned about proposals to drastically reduce agricultural assistance and price supports.

NACo Policy: NACo's Agriculture and Rural Affairs Steering Committee has drafted a policy statement for the 1995 farm and rural development bill. The policy statement will be voted on by the steering committee and member counties at the NACo Annual Conference.

Rural Development Funding

Issue: President Clinton proposed a \$1.8 billion increase in FY95 for the Department of Agriculture's rural development programs, which comes on top of substantial increases approved by Congress for FY94. Many of the president's budget requests are included in legislation (H.R. 4554) passed by the House and the Senate.

The House agreed with the president to fund the water and sewer loan program at \$977 million, which is more than a 50 percent increase since FY93. The Senate approved \$834 million, the same level as FY94. The water and sewer grant program, which is used to help poor communities lower the amount of their loan request, would be increased by both the Senate and House to \$500 million.

Community facility loans would be funded at \$225 million, the same level as FY94. This is \$75 million less than proposed by the president. The loans are made to counties and cities under 20,000 population to finance hospitals, health clinics, fire and rescue services, and other essential community facilities.

The House and Senate funded rural business enterprise grants at \$47.5 million, which is \$5 million more than FY94 and close to the president's request.

The distance learning and medical link program administered by the Rural Electrification Administration would be funded at \$7.5 million. This program was authorized by the 1990 farm bill and provides rural areas with access to advanced telecommunications services and computer networks.

Later this year, the Department of Agriculture will select 30 rural enterprise communities and three rural empowerment zones. Funds are set aside in a number of grant and loan programs for designated communities.

Status: The House of Representatives and the Senate have passed the FY95 appropriations bill (H.R. 4554) for the Department of Agriculture and Related Agencies. A House-Senate conference committee is expected to reach agreement on a final bill before the August recess.

NACo Policy: NACo has been supportive of increased funding for rural development programs.

USDA Reorganization

Issue: The U.S. Department of Agriculture (USDA) is in the midst of a major reorganization both at the county and national levels. The reorganization may bring a more comprehensive approach to rural development efforts by the department.

USDA Secretary Mike Espy announced plans earlier this year to reorganize the department. Nationally, the department will be refocused along six mission lines, and the number of separate USDA agencies and offices will be reduced from 43 to 30, resulting in an anticipated annual savings of \$43 million and a seven percent decrease in

headquarters staffing.

At the county level, a new field structure is planned that will reduce the current 3,700 office locations to 2,485 "USDA Service Centers" that will focus on a one-stop shopping approach for services.

Rural development programs will be reorganized and administered by the undersecretary for rural economic and community development.

The merged agencies would include the Rural Electrification Administration (REA), Rural Development Administration (RDA) and part of the Farmers Home Administration (FmHA). Offices reporting to the undersecretary would include:

1) Rural Utilities Service — combines the telephone and electric programs of the REA with the water and sewer programs of the RDA.

2) Rural Community Development Service — includes FmHA rural housing programs as well as RDA and REA rural community loan programs.

3) Rural Business and Cooperative Development Service — includes the RDA and REA business development programs, the Agricultural Cooperative Services, and the Alternative Agricultural Research and Commercialization Center.

Status: The Senate passed USDA's reorganization bill (S. 1970) in April. The Senate bill is similar to the president's reorganization proposal.

The House Committee on Agriculture approved legislation (H.R. 3171) similar to the Senate bill.

The committee vote divided on straight party lines with Republican committee members opposed to including agricultural conservation programs in a new Natural Resources Conservation Service. It is not clear when a House vote will be scheduled.

NACo Policy: NACo joined other local government organizations in recommending ways to better coordinate rural development programs. The association has taken no position on the overall reorganization.

(Staff Contacts: Ralph Tabor and Phil Rosenlund)

Community and Economic Development



1994 Housing and Community Development Act and 1994 Housing Choice and Community Investment Act

Issue: H.R. 3838 and S. 2049 reauthorize Department of Housing and Urban Development (HUD) programs which expire on Sept. 30, 1994, for two years through FY96. Both bills reauthorize the Community Development Block Grants (CDBG) Program at its FY94 funding level of \$4.4 billion and at \$4.5 billion in FY96.

S. 2049 authorizes \$300 million both in FY95 and FY96 for the Administration's Leveraged Investments for Tomorrow (LIFT) Program to promote economic development in distressed neighborhoods.

Competitive grants are envisioned for shopping centers and other larger economic development projects. Eligibility is not limited to federally designated empowerment zones and enterprise communities. H.R. 3838 does not authorize LIFT, but makes these economic development activities eligible for funding through the CDBG Section 108 loan guarantee program.

H.R. 3838 authorizes the HOME Investment Partnerships Program at nearly \$1.8 billion in FY95 and FY96, a \$500 million increase over its current appropriation. The Senate raises the authorization to \$2 billion and \$2.3 billion in FY95 and FY96, respectively.

S. 2049 authorizes a HOME loan guarantee program that is patterned after the CDBG Section 108 loan guarantee program. Jurisdictions will be able to borrow five times the amount of their most recent HOME grant with repayment terms that do not exceed 20 years.

H.R. 3838 does not create a comparable program, but instead clarifies that loan guarantees are an eligible use of HOME funds.

Both bills convert McKinney homeless assistance categorical programs into a block grant. The Senate bill authorizes \$1.2 billion for a block grant, but delays implementation until FY96. The House Banking Committee authorizes \$635 million and \$787 million for FY95 and FY96, respectively, and retains the Section 8 Single Room Occupancy Program as a separate categorical program.

The Senate and House banking committees have modified the most objectionable aspects of the governance structure of the homeless block grant as initially developed by HUD.

They clarify that the chief local elected official will appoint the local governing board and has authority to develop and implement the plan that is a component of the jurisdiction's Comprehensive Housing Affordability Strategy (CHAS).

Status: The Senate and House banking committees have reported out their respective authorization bills. The Senate is expected to pass S. 2049 and the House to pass H.R. 3838 prior to the August recess. A House-Senate conference committee should reconcile differences between the two bills after the Labor Day recess.

NACo Policy: NACo does not have policy on the LIFT Program except to oppose HUD's initial proposal, that was retracted, to fund LIFT out of the CDBG Program.

NACo wholeheartedly supports higher authorizations for the CDBG and HOME programs and urges that the conference committee adopt the Senate provision on creating a HOME loan guarantee program and the House provision which clarifies that HOME funds may be used for loan guarantees.

During the Annual Conference, NACo will develop policy on various issues pertaining to a new homeless assistance block grant, including whether a homeless block grant should be implemented in FY95 or FY96 and what should constitute a non-federal match.

HUD Appropriations

Issue: The House passed the FY95 VA, HUD and Independent Agencies appropriations bill on June 29, and on July 14, the Senate Appropriations Committee reported out this bill.

Both fund most core housing and community development programs in FY95 at least at FY94 levels. Community Development Block Grants receives a \$200 million increase to \$4.6 billion both in the House and Senate bills. The Senate

Continued on next page.

1994 ISSUES UPDATE

FY95 appropriations bill also increases the HOME Investment Partnerships Program to \$1.5 billion. This is \$225 million more than the House bill which maintains HOME at its FY94 appropriation of \$1.2 billion.

Status: The Senate is expected to move swiftly to pass the FY95 appropriations bill for VA, HUD and Independent Agencies.

NACo Policy: NACo supports the \$200 million increase for CDBG and the \$1.5 billion appropriation in the Senate bill for the HOME Program.

Economic Development Administration Reauthorization

Issue: By an overwhelming bipartisan vote of 328-89, the House, on May 12, passed the Economic Development Reauthorization Act (H.R. 2442) that would reauthorize the Economic Development Administration (EDA) and the Appalachian Regional Commission (ARC) through FY96.

On June 30, Senate Environment and Public Works Committee Chairman Max Baucus (D-Mont.) and Senator Dave Durenberger (R-Minn.) introduced similar legislation (S. 2257) to reauthorize EDA through FY97.

S. 2257 is similar to H.R. 2442, but does not reauthorize ARC. Separate legislation reauthorizing ARC is expected to be introduced later.

Public works grants remain the largest category of EDA grants. H.R. 2442 more strictly targets areas that are eligible for funding and addresses economic dislocation, particularly caused by closing military bases. For example, the bill removes a barrier to reuse activities at military bases by specifying that communities neither are required to hold title to the property nor a lease-hold interest in order to receive EDA assistance.

The bill also provides more flexibility in use of EDA funds. For example, grants used to establish revolving loan funds will not be treated as amounts derived from federal funds after a borrower has repaid a loan to the fund as long as these funds are subsequently used for projects that are consistent with EDA purposes.

This will allow loan managers to increase their liquidity by selling loans in their portfolios to third parties or into the secondary market. S. 2257 contains this provision.

The Administration is seeking to expand ways in which EDA can help industries located in distressed areas be more competitive in global markets.

On July 12, Commerce Secretary Ronald Brown unveiled a new Competitive Communities Program in

which competitive grants would be awarded to non-profit intermediaries that submit a strategic plan for investing in high-growth, globally competitive industries that are located in distressed areas for start-ups and expansions.

EDA plans to initiate this program in FY95 with \$57 million in grants (with funds derived from the defense conversion and economic adjustment accounts).

The Administration also is seeking authorization and funding for a \$50 million business loan guarantee program. H.R. 2442 calls for a study of such a program instead of authorizing it, and the House commerce appropriations bill does not fund this initiative.

Status: Sen. Baucus plans to conduct one hearing in Washington on S. 2257 in late July or early August, and one field hearing in Montana. The Administration is refining the details of its Competitive Communities Program, and seeking support for a business loan guarantee program.

NACo Policy: NACo supports reauthorization of EDA and ARC, but has no policy on the new initiatives proposed by the Administration. Initial concerns have been raised about the role of local governments vis-à-vis non-profit organizations in developing and coordinating the strategic plan that is re-

quired in order to receive a competitive community grant.

FY94 EDA Appropriations

Issue: On June 28, the House passed the Commerce, Justice, State and the Judiciary appropriations bill, which provides \$338 million for EDA in FY95. This is an increase of \$16 million more than the appropriation for the current year. The bill includes \$175 million for public works grants, \$15 million more than in FY94, and retains defense economic conversion funding at \$80 million.

Status: On July 14, the Senate Appropriations Committee exceeded the increases that the House already had provided in EDA funds. The Senate committee funds EDA at \$412 million, which includes \$184 million for public works grants and \$140 million for defense economic conversion.

NACo Policy: NACo supports increased funding for EDA.
(Staff Contact: Haron Battle)

Employment



Summer Youth

Issue: With unemployment among economically disadvantaged youth, ages 14 to 21, remaining significantly higher than unemployment for other groups, the continued expansion of summer youth jobs is essential. The program provides work experience, education and support services during the summer.

Status: The House passed the Labor/HHS/Education appropriations bill (H.R. 4606) on June 29. The bill included President Clinton's requested FY95 appropriation of \$1.1 billion for the JTPA (Job Training Partnership Act) Title II-B summer youth jobs program. This is an increase of \$168 million

Continued on next page

SOMEBODY'S GOTTA DO SOMETHING FOR AMERICA'S CHILDREN... WILL YOU?

The National Association of Counties and The Cooperative Extension Service urge you to take part in a satellite broadcast session that's different from any other. You'll not only hear from advocates for our most vulnerable citizens, you'll take part in community-action activities in your local area.

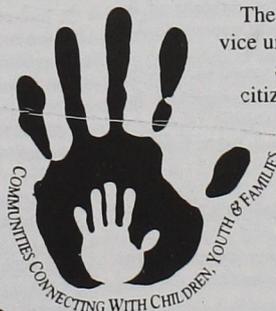
Participate at the Annual Conference or at a site near home. Be part of roundtable groups—county officials, program coordinators, experts, caregivers, mayors, state-level officials, and other public servants—that deal with the myriad problems in each community...from violence and neglect, to poverty, homelessness, and unwanted pregnancy.

Don't just worry. Help out! Attend the satellite broadcast.

"Communities Connecting with Children, Youth & Families"

August 3 9AM-12PM Pacific Time

At NACo, Contact Celeste Murphy (202) 942-4279



1994 ISSUES UPDATE

(19 percent) more than the 1994 appropriation.

Of the \$1.1 billion proposed for FY95, \$872 million would be used for the program in the summer of 1996, while \$185 million would be used for the summer of 1995. The additional sum for 1995 is on top of the \$682 million already appropriated during 1994 for use during the summer of '95.

Adult and youth training grants under JTPA Titles II-A and II-C, respectively, received a modest increase, although less than the president's FY95 request. The House bill provides FY95 funding in the amount of \$1.05 billion, \$57 million (5.7 percent) more than FY94 funding, but \$85 million less (7.5 percent) than Clinton's proposal.

Full-year youth training grants would receive the president's requested \$599 million, \$60 million (9.1 percent) less than 1994 levels.

NACo Policy: NACo policy strongly supports expanded funding of the summer youth programs.

Dislocated Worker Assistance Program

Issue: This program provides re-training for individuals who lose their jobs as a result of plant closings or massive layoffs. Funds are used to assist persons displaced by technological and other changes. Funds can also be used to provide re-employment assistance to long-term unemployed and displaced self-employed workers.

Status: The House bill would provide \$1.3 billion in FY95 for the Economic Dislocation and Worker Adjustment Assistance (EDWAA) Program. This is \$178 million (15.9 percent) over FY94 funding levels and \$169 million (11.5 percent) less than the president's proposed amount.

In March, President Clinton sent to Congress the Reemployment Act of 1994 (H.R. 4040/H.R. 4050 and S. 1951). The legislation addresses the readjustment needs of all dislocated workers through a comprehensive system of re-employment services, training and income support.

Three hearings have been held in the House, with NACo testifying at two of the hearings. The Senate is expected to hold hearings in the next few weeks. Until the Reemployment Act is passed, however, the EDWAA Program will continue to operate under current law.

NACo Policy: NACo supports the increased funding for the Title III dislocated worker program. While NACo supports the intent of the Reemployment Act, several critical issues remain to be resolved before NACo can wholeheartedly

endorse it.

The administrative structure of the career centers title, which could fracture service delivery at the local level, is one area of concern.

Under the proposal, there would be existing JTPA service delivery areas operating programs for the disadvantaged, different substate areas for dislocated worker programs, and other substate areas designated by governors for career center systems. Also, the bill would create an additional layer of bureaucracy if new Workforce Investment Boards (WIBs) were required.

NACo considers the provisions of the bill empowering local elected officials to appoint the WIBs to oversee the one-stop career centers and approve their budgets to be steps in the right direction, but insufficient. WIBs should not be independent from direct accountability to local government after appointment, as local governments will remain ultimately financially liable and accountable for the programs in their areas.

The legislation proposes that career center operators be competitively selected unless the employment service and JTPA systems collaborate. It provides that state employment agencies have the presumptive right to operate at least one of the career centers in every area, with the governor in some cases making the decision. NACo opposes the presumptive right for state employment agencies when other entities must compete to operate centers.

Finally, the bill proposes to eliminate the designation of substate areas with populations of less than 200,000 from operating dislocated worker assistance programs.

NACo opposes this, contending that the current JTPA provisions have worked well, and evidence does not support the contention that larger substate areas provide better services than areas with smaller populations.

Targeted Jobs Tax Credit (TJTC) Extension

Issue: The TJTC Program, which expired June 30, 1993, was extended to Dec. 31, 1994 in last year's reconciliation bills. Under the program, tax credits are provided to employers who hire economically disadvantaged individuals.

Status: The House, in H.R. 4606, approved the Administration's budget request of \$5 million to fund the program through its current expiration date. Additional funding will be considered later in the year if the tax credit is extended beyond Dec. 31, 1994.

NACo Policy: NACo supports a

permanent extension of the TJTC.

School-to-Work Opportunities

Issue: The School-to-Work Opportunities Act establishes a national framework for the creation of statewide school-to-work opportunities systems. The legislation is designed to promote the formation of local partnerships linking school and work among schools, employers, labor organizations, government, community-based organizations, parents and students.

Grants will be made to states in stages over several years, with the goal of making implementation grants available to all states. Local partnership grants will be made directly to local partnerships in high poverty areas or in states not yet prepared for implementation grants.

The act provides authority to waive certain statutory and regulatory requirements other than those involving basic goals, standards and protections.

Requirements under JTPA may be waived if the secretary of labor determines that a specific requirement impedes the ability of state or local partnerships to carry out the programs. Any state may request a waiver as part of the application for a statewide system. Local partnerships must submit their requests to the state for inclusion in the statewide application.

The act authorizes the combination of funds in certain cases. States may combine amounts from the JTPA statewide education coordination earmarked sums, as well as the governor's capacity-building sums. Service delivery areas may combine funds in high poverty areas as designated for purposes of the Youth Fair Chance Program.

Another provision prohibits the imposition of any unfunded mandates under the authority of the School-to-Work Opportunities Act.

Status: The School-to-Work Opportunities Act was signed into law by President Clinton on May 4, 1994, and is now Public Law 103-239.

NACo Policy: NACo supports the act.

(Staff Contacts: Donald Murray and Dick Johnson)

Environment, Energy and Land Use



Waste Flow Control

Issue: The U.S. Supreme Court has ruled that a local government may not require a private hauler to deliver municipal solid waste generated within the jurisdiction to a particular facility when the hauler prefers to take it elsewhere, including outside the state.

Because local government, under federal and state mandates as well as public expectations, has the ultimate responsibility to implement a long-term management program for municipal solid waste, they need the option to use such "flow control" authority as a management tool.

Without flow control, a county has no assurance that the waste will be delivered to an environmentally safe facility, nor can it develop with accuracy projections of future waste volumes for planning purposes.

For those counties and solid waste authorities that have invested in planning and public education programs, along with facilities to recycle, compost, process and dispose of municipal solid waste, the lack of flow control authority jeopardizes the ability to finance such programs and projects.

In particular, programs like recycling and source reduction that depend upon a public subsidy from flow-controlled disposal facilities will have to compete for scarce tax dollars without the dependable user fee revenues that flow control guarantees.

Status: Action is likely in both houses in the next few weeks. The Senate will be urged to attach a flow control bill to its interstate waste bill, now waiting for action on the Senate floor.

The Transportation and Hazardous Materials Subcommittee of the House Energy and Commerce Committee will be voting on a flow control bill shortly, although opposition to a NACo-supported bill is expected from some sectors of the waste-hauling industry and environmentalists.

NACo Policy: NACo strongly urges Congress to authorize states and local governments to control the flow of municipal solid waste, ex-

cluding recyclables. Flow control legislation must allow local governments that have undertaken solid waste management programs to be permitted to use flow control over the entire municipal solid waste stream.

Interstate Transportation of Waste

Issue: The interstate commerce clause of the Constitution prohibits states and local governments from interfering with Congress' exclusive authority to regulate the movement of trash from one state to another. Since Congress has failed to delegate its authority to states, and has failed to limit the amount of interstate transportation of waste, some states have received large volumes of out-of-state solid waste at local landfills.

Local governments that do not own their own landfills have limited ability to control the amount of out-of-state waste at private facilities within their jurisdictions. Without such control, the potential exists that capacity for the county's own solid waste will be used up prematurely or at a cost that is exorbitant.

Status: In June, the Senate Environment and Public Works Committee reported to the floor a bill that would allow governors to freeze the amount of solid waste received at any landfill or incinerator to the same amount that the facility received in 1993. Local governments could request the governor to ban out-of-state waste to a landfill that had not previously accepted out-of-state waste.

A subcommittee of the House Energy and Commerce Committee is scheduled to act on an interstate waste bill this week, in conjunction with a flow control bill.

The House bill recognizes a stronger role for local governments in authorizing out-of-state waste at private landfills, while protecting host community agreements for those communities who are willing to accept such waste.

NACo Policy: NACo believes that the local governing body with primary jurisdiction over solid waste planning should have the authority to determine whether a private facility can accept out-of-state waste. It also endorses the right of a local governing body which has approved acceptance of out-of-state waste to negotiate with the landfill operator the terms and conditions for accepting the waste.

Municipal Liability for Superfund Cleanup

Issue: The Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA),

Continued on next page

1994 ISSUES UPDATE

commonly referred to as "Superfund," imposes absolute liability on any party which owned or operated a landfill site that has been placed on the EPA Superfund cleanup list, as well as any party that transported waste to the site or generated the waste.

Such "joint and several" liability has engendered third-party lawsuits against local governments which only collected municipal trash and delivered it to a landfill which was later declared a Superfund site. It has also imposed enormous financial burdens on local governments which own sanitary landfills that have been contaminated with industrial hazardous waste.

Status: A subcommittee of the Senate Environment and Public Works Committee reported out S. 1843, sponsored by Senator Frank R. Lautenberg (D-N.J.). The bill is an Administration-supported compromise which has the support of a broad coalition of business, environmental, and state and local government interests.

Several controversial issues still remain before the bill is ready for action by the full committee, but the municipal liability provisions appear to be safe. It would limit to a maximum of 10 percent a local government's (or any other "generator's or transporter's") liability for Superfund cleanups when the city or county was merely collecting, generating or regulating the waste that ultimately was disposed of at a Superfund site.

"Owner/operator" liability would be limited to the community's ability to pay for the cleanup, taking into account its budgetary limitations and other environmental responsibilities. Third-party contribution suits by private parties against local governments would be prohibited.

The full House Energy and Commerce Committee reported out a substantially equivalent Superfund bill, H.R. 3800, which now is under consideration by the House Public Works Committee. That committee held hearings recently and is expected to act on the bill shortly. Municipal liability limitations are virtually identical to the Senate bill.

NACo Policy: NACo supports legislation limiting local government liability for Superfund cleanup costs.

Clean Water Act

Issue: The Federal Water Pollution Control Act, commonly known as the Clean Water Act (CWA), was enacted in 1972 with a goal of attaining fishable and swimmable rivers, lakes and streams by 1985, as well as eliminating the discharge of all pollutants.

The act was last authorized in 1987 when the sewage treatment construction grants program was converted into a state revolving loan program (SRF). In the last Congress, no action was taken on CWA, but as part of the water resources legislation, it extended the

compliance date for storm water discharge permits for small communities (under 100,000) until October 1994.

Major issues still to be addressed by Congress include removing or limiting the requirement for small local governments to obtain a permit for storm water discharges, extending the deadline for counties with storm water permits to meet water quality standards, maintaining funding for the SRF, new funding for storm water research and non-point source pollution control, and combined sewer-storm water overflow.

In addition, new approaches to improving and maintaining water quality, such as watershed management, are being considered. The issues of wetlands management and the Section 404 regulations continue to be controversial.

Status: The Senate Environment and Public Works Committee reported to the full Senate in March a bill to reauthorize CWA. Sponsored by Senators Max Baucus (D-Mont.) and John Chafee (R-R.I.), S. 1114 includes dozens of new mandates, primarily for states, including a requirement that states raise 60 percent of the costs of operating their permit programs, as well as developing and administering state regulations, from user fees charged to local governments and business discharge permit holders.

Expanded citizen suit provisions and extension of marine protection and national estuary programs to hundreds of miles inland, are just a few of the new sections.

In the House, the Public Works Subcommittee on Water Resources and Environment has held numerous hearings. H.R. 3948 was introduced by the chairman of the full Public Works Committee, Representative Norman Mineta (D-Calif.), but has not been well received. The bill contains a section on wetlands based upon Representative Don Edwards' (D-Calif.) bill, H.R. 350.

A "bipartisan alternative" bill, as yet unnumbered, has been circulated and has some support from business and development interests. It is more favorable to local governments in some respects, but has several of its own problems. The bipartisan alternative includes a wetlands provision based upon H.R. 1330, sponsored by Representative James A. Hayes (D-La.).

The Senate cosponsors have refused to move the bill to the floor calendar until the House Public Works Committee reports out a bill. Given the wide division in the positions of members on the committee, it appears unlikely that action will occur soon. Passage of a CWA reauthorization bill in this Congress is becoming increasingly remote.

NACo Policy: NACo supports the reauthorization of the CWA, provided that no new unfunded federal mandates are part of the package. A revised act should at least continue

the current funding for the SRF Program and expand funding for non-point source pollution abatement.

The policy further provides for a regulatory approach to storm water discharges that maximizes local control, a procedure for state authorization of local pretreatment programs, a federal regulatory scheme for sewage sludge which encourages beneficial use, a wetlands policy that defines "wetlands" to include only those areas actually functioning as wetlands, and balances environmental concerns with overriding public needs.

Safe Drinking Water Act

Issue: EPA estimates that drinking water systems nationwide will invest \$1.4 billion to \$1.7 billion annually to implement all of the Safe Drinking Water Act (SDWA) regulations currently in place or scheduled to be fully implemented by the year 2000.

To date, almost no federal funds have been authorized or appropriated to assist local governments in meeting the costly mandates. It has been assumed that SDWA would be reauthorized during this Congress, and the Administration has proposed a drinking water revolving loan program for states similar to that currently operating under the Clean Water Act.

Status: In May the Senate approved a drinking water bill, S. 2019 (formerly S. 1547), which was much improved from the version of the bill reported out by the Environment and Public Works Committee. NACo, along with a coalition of state and local government groups, was able to negotiate changes which make the bill far less costly, and for the first time, require a risk-based approach to setting new standards for contaminants in drinking water.

In the House, except for hearings, no action has been taken on the issue since a jurisdictional dispute last year locked up non-controversial legislation on the funding of the Administration-supported drinking water revolving loan fund. NACo has been making progress in getting support for H.R. 3392, sponsored by Representatives Jim Slattery (D-Kan.) and Thomas Bliley (R-Va.).

In the Energy and Commerce Committee, negotiations at the staff level between the chairman of the Subcommittee on Health and the Environment, Henry A. Waxman (D-Calif.), and supporters of the Slattery-Bliley bill have been underway for months and appear to be making progress. As in the House, the key issue is risk-based standard setting.

NACo Policy: NACo believes that the primary responsibility for achieving safe drinking water is with the state and local governments, but that the federal government should not be enacting costly new requirements without financial aid to assist local

water systems. NACo also favors a risk-based approach to regulations.

(Staff Contact: Diane Shea)

Health



Health Care Reform

Issue: Since early 1993, the White House and Congress have developed proposals to reform the nation's health system. The issues are complicated, multifaceted and interrelated. Changing one portion of a proposal affects other critical aspects of its framework. President Clinton set the stage for the debate last fall by calling for universal coverage and access, financed primarily by employers.

While there have been numerous bills, Congress has used the Clinton legislation as the reference point for comparison. NACo's participation in the 1993 White House Health Task Force laid the groundwork for many county issues, but a number of them were not resolved in the Clinton proposal.

NACo has focused its legislative energies on a select number of county-specific issues. If there were no other

natural constituencies to advocate an issue, NACo adopted it as a priority and identified and formed other coalitions of groups with similar interests.

Based on the Clinton proposal, NACo has sought to eliminate the separate treatment of counties as employers. Under Clinton's plan, counties would no longer be able to self-insure or form pooling arrangements. Nor could they benefit from caps on the percentage of payroll going to health insurance until 2002. NACo has argued that public employers be given parity with the private sector in the design and operation of health plans.

NACo is focusing on service delivery issues also. Attention has been targeted on the role of county facilities as so-called "essential community providers."

This status would guarantee reimbursement from health plans for services given by counties to individuals who continued to go to them for care, regardless of the health plan's provider network. The Clinton bill required county hospitals to apply for the status, and automatically designated only local health departments receiving certain federal discretionary health funds.

NACo is also advocating for a dedicated source of funding to support traditional public health activities. The Clinton bill renews attention to prevention, tracking disease, ensuring safe food and water supplies, and promoting healthy behaviors. However, no funding was guaranteed.

NACo has also been concerned about the lack of coverage for jail detainees and undocumented immi-

Continued on next page

Thanks for your entries!

Contest

We received more than 150 entries for our "In Search Of" photo contest. Early on, long before the deadline, we acknowledged receiving your entries. As the deadline approached, and the volume of entries soared, we fell behind.

So, to make a long story short, **THANK YOU** for supporting our search.

Judging won't be easy (we've already peeked at some of your entries), but we expect to announce the winners in our Oct. 10 issue.

1994 ISSUES UPDATE

grants. NACo has argued for mental health and substance abuse benefits offered on par with physical health services.

NACo has supported initiatives enhancing local systems of care to underserved populations, strengthening the health services requirements non-profit facilities must meet to receive tax exemption, and has urged a very cautious phase-down of the special payments to hospitals serving a disproportionate share of low-income patients, rather than its proposed elimination.

Status: Four Senate and House committees have completed action on different health reform bills. Senate and House leadership hope to craft new pieces of legislation for action on their respective floors before the Aug. 12 summer recess. This process is expected to be a very sensitive political balancing act among the Democrats to get enough votes to pass legislation.

Senate Majority Leader George Mitchell (D-Maine) will attempt to piece together a bill from provisions in legislation passed by Chairman Edward Kennedy's (D-Mass.) Labor and Human Resources Committee and Chairman Daniel P. Moynihan's (D-N.Y.) Finance Committee.

Senator Mitchell may also create entirely new provisions. He has set the end of July as the target for floor consideration. While 51 votes is his target, he may have to garner 60 votes to stop a Republican filibuster. Minority Leader Bob Dole (R-Kan.) has 44 Republicans on a draft incremental plan.

House Majority Leader Richard Gephardt (D-Mo.) will also piece together a bill from the different bills adopted by Acting Chairman Sam Gibbons' (D-Fla.) Ways and Means Committee and Chairman William Ford's (D-Mich.) Education and Labor Committee. He will also work with the House leadership and key members of the Energy and Commerce Committee which has jurisdiction over a number of health programs, but was unable to pass a bill.

Gephardt will have to find common ground or enough votes from the Congressional Black Caucus, single payor advocates, anti-abortion Democrats, those Democrats from tobacco states and others opposed to employer mandates. He will need 218 of the 256 Democrats to pass reform.

Congress has moved in the right direction on nearly all NACo priorities. While NACo is urging greater clarity on the employer issues, it appears that all the committees allow most counties to self-insure and pool, treating them the same as the private sector.

County hospitals would receive automatic essential community provider designation under all four bills. Local health departments are auto-

matically designated in the Ways and Means legislation.

In other bills, most would receive automatic designation if they received federal discretionary funds such as maternal and child health. The Finance Committee bill, however, would allow health plans to contract with only one entity from each of the categories of community providers in a service area, thus potentially locking out some traditional providers.

Community-wide traditional public health would receive an enhanced, dedicated source of funds under the Education and Labor and Labor and Human Resources bills. The other two committees did not address the issue because it was not in their jurisdiction.

Detainees would receive coverage in both House bills. In the Senate, the Labor Committee retained the president's provision denying eligibility and the Finance Committee was silent. Undocumented immigrants are not covered in any of the bills, with the exception of a proposed residual amount of funding from the phased-out disproportionate share payment program.

Mental health benefits would be expanded under most bills, but parity with physical health is not achieved.

Strengthening the requirements non-profit entities must meet for serving the poor is included in the Finance and Ways and Means bills.

NACo Policy: NACo has been lobbying the issues based on the comprehensive reform statement adopted in July 1993. This policy has been advocated on Capitol Hill through numerous office visits.

NACo has participated in a number of coalitions with other local government associations and the National Association of County Health Officials to push county concerns.

Health Appropriations

Issue: The House bill increases 1995 funding for discretionary health programs by 0.5 percent over 1994. There are significant increases for Ryan White AIDS programs (8 percent) and sexually transmitted disease control grants (8.2 percent). Most programs, such as the Maternal and Child Health Block Grant, Prevention Block Grant, and Mental Health and Substance Abuse Block Grants would receive very small cuts or increases over 1994.

Status: The House passed its version of the 1995 Health and Human Services appropriations on June 29. The Senate is not expected to take action until late summer or early fall.

NACo Policy: NACo has supported increases in health programs and protection of categorical pro-

grams during the transition to a reformed health system.

(Staff Contact: Tom Joseph)

Human Services



Welfare Reform

Issue: In his State of the Union address, President Clinton promised to send legislation to Congress this year that would "end welfare as we know it" and change it into a system of temporary assistance that would lead to work and self-sufficiency.

Status: President Clinton announced his long-awaited welfare reform proposal, the Work and Responsibility Act of 1994, on June 14. The legislation (S. 2224/H.R. 4605) was introduced June 21 in both the House and Senate by Senator Daniel Patrick Moynihan (D-N.Y.), chairman of the Finance Committee, and Representative Sam Gibbons (D-Fla.), acting chairman of the Ways and Means Committee.

Both committees had Health and Human Services Secretary Donna Shalala testify the week of July 11. Two other committees, Senate Labor and Human Resources and House Education and Labor, also have jurisdiction over some aspects of the proposal.

Senator Moynihan and Representative Gibbons have said that they want to move legislation this year. Chairman Gibbons announced at the Ways and Means hearing that he would like the Human Resources Subcommittee to hold hearings and have a welfare reform bill out by early August. The subcommittee, however, has not scheduled further action at this time and neither has the Senate Finance Committee. There is also a movement led by the Congressional Women's Caucus and Senator Bill Bradley (D-N.J.) to consider child support enforcement separately.

The president's program will cost \$9.3 billion over five years. It provides additional funding and increases the federal matching rate for the Job Opportunities and Basic

Skills (JOBS) Program, the At-Risk Child Care Program, and child support enforcement.

The president's proposal would establish a 24-month lifetime limit on AFDC (Aid to Families with Dependent Children) benefits for adult recipients. Those people who do not have an unsubsidized job after two years of benefits and participation in the JOBS Program would be placed in the WORK Program.

The WORK Program would consist of paid job assignments in either subsidized private sector jobs or public sector jobs. The Administration proposes to phase in the new requirements beginning with recipients born after Dec. 31, 1971. Other program components include major changes in the child support enforcement program and some welfare simplification measures.

The largest source of financing in the president's plan comes from limiting SSL, AFDC and food stamps, and in some instances, Medicaid eligibility for non-citizens (\$3.7 billion). The second largest cut is a cap on a state's AFDC Emergency Assistance Program (\$1.6 billion).

NACo Policy: NACo supports many aspects of the president's proposal, such as the increased funding, greater access to federal data to help child support enforcement efforts, and the welfare simplification provisions.

NACo is opposed, however, to financing provisions that would shift costs to county governments, such as the cap on the AFDC Emergency Assistance Program and provisions that would limit immigrants' current eligibility for some federal assistance programs.

Human Services Appropriations

Issue: Under the House Labor/HHS appropriations bill (H.R. 4606), the Child Care and Development Block Grant would receive \$935 million in 1995, an increase of \$42 million over the current funding level. The programs for domestic refugee resettlement would stay at the current level of \$400 million.

The Head Start Program would increase from \$3.3 billion in 1994 to \$3.5 billion in 1995. The House restored more than half of the president's proposed cuts for the Low-Income Home Energy Assistance Program and would provide \$1.2 billion in 1995, which is still a reduction of \$200 million from current funding.

Status: The House passed the Labor/HHS appropriations bill June 29. The Senate is not expected to act until later this summer or fall.

NACo Policy: NACo strongly supports increased funding for all of these programs.

(Staff Contact: Marilina Sanz)

Intergovernmental Relations



Federal Mandates Accountability and Reform Act

Issue: For more than a decade, the federal government has imposed an increasing number of costly unfunded federal mandates on state and local governments, while significantly reducing federal aid to counties. NACo has identified 185 unfunded federal mandates that affect state and local governments, 42 (22 percent) of them have been enacted since 1990.

According to a 1993 NACo survey, counties nationwide spent an estimated \$4.8 billion on 12 unfunded federal mandates in 1993 and will spend an estimated \$33.7 billion over the next five years. Each year, on average, counties spend an estimated 12.3 percent of their locally raised revenues on these 12 mandates. The most recent data from the U.S. Census Bureau shows that federal aid to counties declined from \$4.8 billion in 1978 to \$3 billion in 1991.

Counties, cities and states are seeing more and more of their tax dollars consumed by unfunded federal mandates, which leaves them fewer resources to address critical state and local services, such as police protection, health care, education and welfare.

With a \$4.5 trillion debt and a 1993 federal deficit of \$255 billion, unfunded mandates have become a popular way for members of Congress to fund national priorities. It allows members to fund their new ideas, pass the cost on to state and local officials, and dodge any accountability to their taxpayers and voters.

Status: On June 16, the Senate Governmental Affairs Committee approved the Federal Mandates Accountability Act of 1994 (S. 993), a bipartisan mandate-relief proposal coauthored by Senator Dirk Kempthorne (R-Idaho) and the committee chairman, Senator John Glenn (D-Ohio).

The bill was developed in close

Continued on next page

1994 ISSUES UPDATE

collaboration with NACo and other public interest groups, and represents a delicate, well-balanced agreement which has gained the support of the Clinton Administration. It was approved by voice vote with no opposition.

However, an amendment requiring cost estimates for mandates affecting the private sector was approved over the opposition of the committee chairman and the ranking minority member, Senator William Roth (R-Del.).

Senator Carl Levin (D-Mich.) has agreed to drop a second amendment adopted by the committee that would have caused the legislation to expire whenever the Congressional Budget Office (CBO) failed to receive adequate funds. Senate floor action may be held before the Aug. 12 summer congressional recess.

A companion bill was introduced in the House on July 14 by Representatives Edolphus Towns (D-N.Y.), John Conyers (D-Mich.), James P. Moran (D-Va.), Donald Payne (D-N.J.) and Thomas Barrett (D-Wis.). The bill is expected to be considered by the House Human Resources and Intergovernmental Relations Subcommittee and the full Government Operations Committee before the Aug. 12 recess.

NACo Policy: NACo supports legislation that would relieve state and local governments from obligations to comply with future federal mandates unless federal funds are provided.

Under the Kempthorne/Glenn bill, the CBO would be required to prepare a cost estimate for any new mandate estimated to cost state and local governments, in the aggregate, \$50 million or more on an annual basis.

The proponents of any new mandate must be able to convince a majority of members in both houses to support either: 1) authorizing and identifying the funding sources (tax increases or spending cuts) to pay for the new mandate; or 2) imposing the cost of the mandate on state and local governments with full knowledge of how much it will cost them.

A point of order can be raised by any member to delay consideration of any new mandate on the House or Senate floor that does not include a CBO cost estimate, and the authorization and identification of funds to pay for it. A majority vote will be required to overturn the point of order.

NACo supports the Kempthorne-Glenn bipartisan agreement.

Local Flexibility Act

Issue: A bipartisan proposal that would give local governments increased flexibility to administer federal programs was jointly introduced last year by Representatives John Conyers (D-Mich.) and William Clinger (R-Pa.), the chairman and ranking Republican member of the Government Operations Committee,

respectively.

The proposal (H.R. 2856) would make it easier for local governments to combine federal grants in six categories: education, employment and training, health, housing, nutrition, and social services.

Localities could apply for this demonstration program, and, if approved, they would be granted a waiver from federal regulations by developing a comprehensive plan that better meets the needs of low-income residents.

The leadership of several House committees oppose the waiver provisions because it would give an interagency board, made up of the vice president and secretaries of several federal departments, authority to waive rules and regulations that fall under their jurisdiction.

In the Senate, a similar provision was adopted in S. 4, the National Competitiveness Act, which was approved on March 16. The Senate version includes economic development as one of the six categories instead of education. It also limits the demonstration program to 30 areas.

Status: Although no action was taken on the House Local Flexibility Act (H.R. 2856), the House did approve the National Competitiveness Act (H.R. 820). The Senate version of the bill includes the local empowerment and flexibility provisions, which is the Senate's version of the House bill. Conferees have been named from the Senate, but not the House.

NACo Policy: NACo supports broad flexibility in organizing and administering programs, including those financed wholly or substantially by the federal or state funds.

ACIR Funding in 1995

Issue: The Advisory Commission on Intergovernmental Relations (ACIR) is the only federal agency committed to improving the relationship between the federal, state and local governments. Over the years, ACIR has researched a variety of intergovernmental issues and served as a valuable source of information for all levels of governments.

In the last two years, the commission has published outstanding reports on the federal regulation and statutory pre-emption of state and local governments.

These reports include valuable information on the impact of unfunded federal mandates on state and local governments. For the past two years, the House has not included any funds for the agency in its version of the appropriation bill. Fortunately, support in the Senate has kept the agency alive.

Status: The House voted on June 15 to eliminate funds for ACIR in its version of the 1995 Treasury and Postal Service appropriations bill. The Senate approved \$1 million for the agency in its version of the bill on

June 22, which would continue funding at current levels. A conference committee of members from both houses will get together soon to decide on a final amount for the agency.

NACo Policy: NACo supports full funding for ACIR in the 1995 Treasury and Postal Service appropriations bill.

(Staff Contact: Larry Jones)

Justice and Public Safety



Anti-Crime Legislation

Issue: House and Senate conferees are in the process of negotiating a comprehensive anti-crime legislative package that seeks to provide balance between those advocating increased punishment and rehabilitation of offenders and those seeking greater efforts to prevent crime.

A compromise draft, the work of Senator Joseph R. Biden, Jr. (D-Del.), chairman of the Senate Judiciary Committee, and Jack Brooks (D-Texas), chairman of the House Judiciary Committee, provides approximately \$30 billion in spending over six years. It calls for \$9 billion to fund 100,000 new police officers and \$8.4 billion for comprehensive state and local correctional programs. The draft language also contains \$7.6 billion for crime prevention programs.

Included in the Biden-Brooks prevention package is \$2 billion for the Local Partnership Act (LPA).

Under LPA, nearly all counties would receive an automatic allocation of funds based on a formula that favors the most needy jurisdictions. The local government would be required to hold at least one public hearing to decide how the funds would be used. Under LPA, funds can be used for substance abuse treatment and jobs and educational prevention programs. Counties would have considerable discretion to implement programs that address local crime prevention needs.

Another major component of the measure is a \$3 billion corrections provision pertaining to repeat and violent offenders. This provision creates space for violent and repeat offenders by funding comprehensive and integrated fa-

cilities and programs. The provision was amended in the Judiciary Committee to require collaboration between states and counties.

Status: House and Senate versions of anti-crime legislation are now pending before a House-Senate conference committee. Action is expected before the August recess.

The three major issues in controversy are the Racial Justice Act (which would allow appeals based on statistical showings of racial disparities in capital punishment cases), the size and cost of the prevention package, and whether a ban on assault weapons should be considered separately or as part of the package.

Despite the fact that a ban on assault weapons was approved by both the House and Senate, the Biden-Brooks draft does not currently contain the provision.

In the House, a resolution by Representative Bill McCollum (R-Fla.), on June 23, to strike LPA from the conference report was overwhelmingly defeated by a vote of 247-143. However, the Republican leadership at a June 30 news conference threatened a filibuster on the crime bill if it includes the Racial Act.

Also, Republicans in the Senate have advanced an alternative package that removes the ban on assault weapons, eliminates funding for drug courts and eliminates the LPA. This version calls for \$13 billion in prison construction grants and \$1.1 billion for crime prevention.

NACo Policy: NACo has fully supported a balanced anti-crime package that includes comprehensive prevention components. NACo supports the prevention package in the House bill, with particular emphasis on the LPA program. NACo has stressed the importance of maintaining local flexibility and control in the program.

NACo has urged the conferees to make clear that counties, as well as states, should be eligible to receive corrections funds for dealing with repeat and violent offenders after the state plan has been approved by the attorney general. This would permit states and counties to be on a more equal footing in prioritizing resources and in establishing state-county partnership programs. Unless such clarification is made, some states may not distribute an equitable share of the funds to local governments.

Draft legislation prepared by the Senate majority staff would allow "local governments" as well as states to receive grant funds.

Under NACo's policy, jails and prison beds are prioritized to make certain that violent offenders are locked up for long periods of time. Those convicted of non-violent offenses are dealt with through a variety of community programs such as restitution, work release, drug treatment, etc.

NACo has no policy on the death penalty and, therefore, has not taken a position on the Racial Justice Act. NACo policy does support the assault weapons ban.

Juvenile Justice and Delinquency Prevention Act

Issue: In October 1992, Congress approved comprehensive legislation reauthorizing the Juvenile Justice and Delinquency Prevention (JJDP) Act for an additional four-year period. The measure includes a new title for county-wide prevention programs (Title V).

NACo had a major role in developing this title, designed to encourage collaboration with school districts, health and social service agencies, the business community, non-profit organizations, and other units of government.

In designing and implementing prevention and early intervention efforts, the new title encourages the creation of county-wide policy boards, and contains incentives to co-locate services and to encourage states to develop or enhance state-wide prevention subsidy programs.

Although there is a growing realization that it is the community where planning should be centered, the act has not really focused on collaboration at the community level.

Until recently, the only planning requirement in the act was at the state level. Full-scale implementation of Title V will help rectify this glaring imbalance.

Status: Title V received an appropriation of \$13 million in FY94, the only new title in the act to receive funding. Total funding for the JJDP Program increased by \$30 million, for a total appropriation of \$107 million for FY94.

NACo has provided input to the Administration on their preliminary draft guidelines for Title V. The final guidelines will be issued in late July.

In the FY95 budget, the Administration requested the maximum amount authorized—\$30 million—to fund Title V. The House approved \$20 million for the program, but the Senate has not yet acted.

In FY95, the Administration requested \$172 million for the Office of Juvenile Justice and Delinquency Prevention. The House awarded \$157.7 million, or a 37 percent increase over current funding.

NACo Policy: The overall increase in the juvenile justice appropriations, as well as the new emphasis on prevention, was an important victory for county government. NACo supports full funding of the act.

(Staff Contact: Donald Murray)

Continued on next page

1994 ISSUES UPDATE

Labor and Employee Benefits



Fair Labor Standards Act Reform

Issue: Highly paid executive and administrative employees in state and local governments have been successful in winning huge settlements in overtime liability cases against their public employers. While it was intended that these employees were to be exempt from the Fair Labor Standards Act (FLSA) overtime pay requirements, many federal courts have ruled that they are entitled to time-and-a-half overtime pay.

To be exempt, the regulations require employees to meet a salary test and a duties test. In general, exempt employees must receive a salary that doesn't vary based on the number of hours they work each week and perform duties relative to managing the agency or determining its overall policies.

At issue is the federal courts interpretation of the FLSA regulations and public accountability statutes in many state and local governments. Many courts have cited public accountability statutes, which prohibit the use of public funds to pay any employee for hours not actually worked, as inconsistent with the FLSA regulations. Consequently, courts have ruled that employees subjected to these statutes are entitled to overtime pay.

In cases involving the salary test, the courts have cited a number of pay policies and practices as grounds for denying the exemption from overtime.

These include: deductions for partial-day absences, requiring employees to fill out time sheets, requiring employees to use accumulated leave to cover partial-day absences, requiring employees to work according to a fixed schedule, paying or awarding comp time to employees at their hourly rate of pay for overtime work, subjecting employees to suspensions without pay for periods of less than a week, and requiring employees to notify their superiors before leaving work during working hours.

In denying the exemption based on the duties test, courts have re-

ferred to a 1988 opinion letter issued by the Department of Labor (DOL). The letter states that "production workers" (those whose primary duties involve carrying out the mission of the agency) do not qualify for the exemption.

This presents a serious problem because many executive and administrative jobs involve duties that carry out the mission of the agency. These include: probation officers, correction workers, investigators, child welfare workers, social workers, and high-level officers in the police and fire department.

Status: On Oct. 5, 1993, the U.S. District Court for the Northern District of California in *Stewart vs. San Francisco City and County* ruled that the salary test as prescribed in the 1954 FLSA regulations is invalid because it is contrary to the intent of Congress.

If it is upheld by the U.S. 9th Circuit Court of Appeals and the Supreme Court, this ruling could lead to a significant victory for state and local governments. It will free public employers with pay policies and practices, which many courts have determined to be inconsistent with the salary test, from an enormous overtime liability.

In August of 1992, DOL issued revised regulations that clarify that state and local employees may be subjected to deductions for partial-day absences and required to use accumulated leave in hourly increments without losing their exemption from the FLSA overtime requirement. Although these regulations cleared up many of the salary test issues, they did not address them all.

The revised regulations do not, for example, address suspensions without pay for less than a week or require employees to notify superiors before taking personal leave during working hours. Subjecting employees to these policies can still cause them to lose the exemption from overtime. Also, the 1992 regulations do not address retroactive liability. DOL has stated that legislation is necessary to address retroactive liability.

Although legislation, S. 1354, was introduced by Senator Nancy Kassebaum (R-Kan.) in 1993, there is very little chance that Congress will take action without direction from the Administration. Because the Administration is focused on bigger issues, it is unlikely that it will address this issue soon. Kassebaum's bill would reverse most of the adverse court decisions by making the inconsistent pay policies and practices cited by the courts permissible for exempt employees.

The problem is the bill only addresses the issues raised by the courts thus far. The courts are likely to cite many more policies that could create additional liability for overtime. We need a comprehensive revision of the

regulations that reflect modern-day practices in the public sector.

NACo Policy: NACo supports legislation to relieve state and local governments from retroactive liability for overtime pay for managerial employees, separate and revised FLSA regulations for the public sector.

Social Security Payroll Tax Exemption for Election Workers

Issue: Under current law, election workers and other temporary and part-time employees who are not participants in a state or local pension plan are required to pay the Social Security payroll tax on their annual earnings. Both public employers and their election workers are required to pay a portion of the tax, 7.65 percent each, on annual earnings.

Although the first \$100 of annual earnings are exempt, many election workers are affected because they usually work in more than one election during an election year and stand to exceed the limit on earnings. The payroll tax has served as a disincentive to election workers and an administrative burden to their county employers.

Status: Legislation (H.R. 4277) that would exempt \$1,000 of election worker annual earnings from the Social Security payroll tax was approved by the House on May 17. The effective date of the legislation would be retroactive to Jan. 1, 1994. The exempt amount in the future would be indexed to the cost-of-living increase.

The House measure was approved as an amendment to a bill that would make the Social Security Administration an independent agency. The Senate approved a similar bill on March 2, but without the election worker amendment.

NACo sent a letter to all Senate conferees urging them to support the House language.

Conferees met on July 20 and agreed to the House language. The measure is expected to be approved by both houses and signed by the president soon.

NACo Policy: NACo supports a total exemption of election worker annual earnings from the Social Security payroll tax. However, if a total exemption cannot be achieved, NACo urges support for the \$1,000 annual exemption.

Occupational Safety and Health Act (OSHA) Reform

Issue: Legislation, H.R. 1280/S. 575, has been introduced in the House and Senate to reform the Occupa-

tional Safety and Health Act. Currently, coverage of state and local governments and their employees is optional. For the first time, the law would make coverage mandatory to all state and local employees.

Under the proposal, introduced by Representative Bill Ford (D-Mich.) in the House and Senator Edward M. Kennedy (D-Mass.) in the Senate, employers with 11 or more employees will be required to establish labor-management committees that would investigate potential hazards and recommend changes to promote a more healthy and safe work environment.

Public employers would also be required to develop health and safety programs to reduce or eliminate hazards, and prevent injuries and illness to employees. Programs must provide for employee education and training in workplace health and safety. Approximately one-half of the states have opted to participate in OSHA. The expanded coverage would impose an enormous cost on many state and local governments.

Status: The House Education and Labor Committee approved H.R. 1280 on March 10 by a vote of 26-17 almost exclusively along party lines. An amendment was offered by Representative Bill Goodling (R-Pa.) that would have relieved state and local governments from complying with the requirements of the bill unless federal funds were provided to pay for implementing it. It was rejected by a vote of 15-26.

Although the Clinton Administration has voiced support for the bill, it is unlikely it will be considered on the House floor this year due to partisan support. No action has been scheduled on the Senate companion bill.

NACo Policy: NACo opposes the OSHA reform legislation because it would impose an additional unfunded federal mandate on state and local governments.

Pension Simplification

Issue: Section 415 of the Internal Revenue Code establishes a strict limit on the amount of pension benefits that can be paid to retired public employees under a defined benefit plan. Unless this limit is changed, many state and local employees will become eligible for benefits that will exceed it.

The penalty for exceeding the limit is very severe. If one participant in a plan exceeds the limit, all the participants will be taxed on the employer contributions, vested benefits and investment earnings. Under existing law, state and local governments are faced with an untenable choice. Either they can comply with federally mandated lowering of benefits and

thereby invite litigation from disgruntled employees due to the loss of benefits, or pay the benefits and risk losing their tax-exempt status, thereby causing employees to be taxed on the contributions, vested benefits and investment earnings.

Status: The House recently passed H.R. 3419, the tax simplification legislation, which includes a measure that would change the Section 415 limit on pension contribution and make it much easier for state and local governments to comply with the limit so that benefits that have been promised can be paid without jeopardizing their tax-exempt status. No similar Senate provision has been adopted. NACo signed on to a coalition letter that was recently sent to all senators urging them to approve a similar measure.

NACo Policy: NACo supports the enactment of Section 415 pension simplification rules contained in H.R. 3419.

(Staff Contact: Larry Jones)

Public Lands



Payment In Lieu of Taxes (PILT)

Issue: PILT was first enacted in 1976 at a funding level of approximately \$96 million and has not been increased since that time, other than coverage of some new entitlement acreage. Inflation has substantially eroded the value of the program to less than half of its original authorization value to counties. The program is subject to appropriations each year, and for FY95, the funding level is approximately \$105 million. This has remained static for some years.

Status: The legislation would increase the PILT authorization to approximately \$227 million, effectively doubling the money available for distribution to counties. The Senate version would phase in the increase over five years, and the House version would become effective immediately.

The legislation would also index the authorization to the increase in inflation as to secure adequate authorization for the program's future.

Continued on next page

1994 ISSUES UPDATE

The PILT Program would still be subject to annual appropriations.

This has been a very productive year toward reaching our goal. Since last year's Annual Conference, the legislation (S. 455 in the Senate, sponsored by Senator Mark O. Hatfield [R-Ore.]) has been heard in the Senate, considered and reported by the Senate Energy and Natural Resources Committee, and considered and passed, 78-20, on the Senate floor.

Sen. Hatfield praised county officials for their hard work and assistance in getting the overwhelming support for the measure. Hatfield related the sentiment of many of his colleagues, "I had to vote with you Mark, my county officials were all over me about supporting this bill." This is indeed a tribute to all the effort put into the Senate success.

The House of Representatives version (H.R. 1181, sponsored by Representative Pat Williams [D-Mont., at-large]) was heard in the House Subcommittee on National Parks, Forests and Public Lands in late April.

This version has 92 cosponsors. We are working to see that the subcommittee acts on the measure at the earliest possible date. Twenty-five members of the Natural Resources Committee have written Subcommittee Chairman Representative Bruce Vento (D-Minn.) twice, requesting immediate consideration of the PILT legislation.

To date, they have been rebuffed. Rep. Williams and other members are reviewing their options for further action.

There are few legislative working days left in the 103rd Congress and a great deal left to accomplish.

The legislation must be considered by the subcommittee in a business session, reported to the full Committee on Natural Resources, considered and reported by this committee, and considered and passed on the House floor. Any differences with the Senate version would be worked out in a conference committee, and the conference report must be considered and passed by both houses of Congress. All of this must occur prior to the middle of October when the Congress is planning "sine die" adjournment.

If this does not happen, the legislation will die, and we will have to start over from the beginning in January.

Chairman Vento has been reticent to mark up this legislation because of concerns related to public land management reforms and the lack of county support for such reforms.

He also has expressed concern about the cost of the program and the potential effects on other natural resource programs if money is used to increase the PILT Program. County officials, NACo officers and

staff have met with Vento and his staff in an attempt to work out remaining stumbling blocks. Progress has been made, but there is still no definitive timing for completion of action on the legislation.

NACo Policy: The reauthorization increase for the PILT Program remains one of NACo's legislative priorities for 1994, and every effort at every level is being made to secure its passage in the 103rd Congress.

Rangeland Reform and Grazing Fee Increases

Issue: The Clinton Administration set rangeland reform as one of its key policy initiatives for public lands. Last year, an attempt was made by Interior Secretary Bruce Babbitt to increase grazing fees from \$1.98 per Animal Unit Month (AUM) to \$4.28 per AUM. Western senators were extremely displeased with this change and stopped the increase through the appropriations process.

Babbitt planned on introducing his rangeland reform initiative after the fee increase was in place. Instead, he spent nearly six months meeting with ranching and state interests in the grazing states, and in March, announced a new plan combining the rangeland reform initiative and grazing fee increases in a coordinated package that would provide incentives for participation in the reform management activities.

The new proposal would increase fees from \$1.98 per AUM now to \$3.96 per AUM in 1997. Ranchers who meet higher environmental standards would receive an incentive rate of \$2.77 per AUM.

Babbitt announced a new approach to managing these grazing lands, moving away from a national management regime to a more regionalized approach. He said in his statement, "There is a difference between Cut Bank, Montana and Douglas, Arizona, and this proposal addresses that difference."

The regional management regime would come from a set of national standards and goals administered by Multiple Resource Advisory Councils. These councils would be made up as follows: one-third by commodity interests; one-third environmental and conservation groups; and one-third from public land users, state and local officials and the general public. Specific tracts would be directly administered by "Rangeland Resource Teams."

Status: The proposal was published in the *Federal Register* on March 25, 1994 with the comment period scheduled to close on July

28, 1994. During the Western Interstate Region's Annual Conference, held May 18-21, 1994, in Burleigh County, N.D., the Public Lands Steering Committee considered and passed a resolution raising concerns about the proposal and asking that these concerns be included for the record in the official comments on the proposal.

NACo Policy: The current long-standing policy is to oppose any change in the existing formula for grazing fees.

However, the interim policy adopted by the NACo Board at the WIR Conference supports the concept of Multiple Resource Advisory Councils and the use of Rangeland Resource Teams and incentives for ranchers to participate in the programs that are appropriate. The resolution also states that unilaterally imposed grazing fees would hurt ranchers and negatively affect businesses that rely on the ranching economy. This, in turn would have the effect of curtailing the ability of ranchers to be good rangeland stewards and encourage the loss of open space, and finally, that retention of a permanent, viable rangeland livestock industry is essential to the economy and quality of life.

Endangered Species Act Reauthorization

Issue: The Endangered Species Act (ESA) was scheduled for reauthorization in 1992, however, due to the political climate and the presidential election, Congress chose to postpone action until the 103rd Congress.

The new Clinton Administration took longer than anticipated filling key policy positions within the Interior Department, and continuing disagreements within the Administration precluded a cohesive endangered species proposal from the White House. Given the controversial nature of the reauthorization, and the potential political battle it presented, Congress waited for the Administration to put forth a proposal, and subsequently lost the opportunity to seriously consider a reauthorization bill in the 103rd Congress.

Status: The ESA continues in force through the appropriations process. As long as the Congress continues to fund its activities, the U.S. Fish and Wildlife Service will continue to administer it according to existing rules and regulations.

The congressional committees with jurisdiction over the ESA have begun, within the last month, to hold hearings on the reauthorization. These hearings will continue through the remainder of this Congress and it is expected that a congressional proposal will be forth-

coming at the beginning of the 104th Congress in January 1995. No word on whether the Administration plans to propose changes or introduce a proposal on the subject.

NACo Policy: NACo has resolved to support amendments to the ESA which would give more weight to the human, social and economic consequences of endangered species protection and recovery, while still meeting the mandates of the act. NACo also supports amendments that would clarify the impact of the ESA on the use of federal, state, county and private lands.

(Staff Contact: Jeff Arnold)

Taxation and Finance



Mail-Order Sales Tax Collections

Issue: Senator Dale Bumpers (D-Ark.) introduced the Tax Fairness for Main Street Business Act (S. 1825) earlier this year. The legislation has 12 cosponsors. A similar bill is expected to be introduced in the House by Representative Mike Synar (D-Okla.) in July.

The legislation would authorize states to collect state and local sales taxes on interstate mail-order or catalogue sales. The bills retain the state-local agreement, reached a few years ago, that states that all local sales taxes must be collected by the state and distributed to affected local governments.

Where there are varying local sales tax rates within a state, actual taxes or a statewide local in-lieu rate would be collected. The bill covers companies with gross receipts of more than \$3 million nationwide, or more than \$100,000 in a particular state.

The U.S. Advisory Commission on Intergovernmental Relations recently estimated that the potential additional revenue to states, counties and cities as a result of Sen. Bumper's bill would be \$3.3 billion annually.

Status: The Senate Small Business Committee held public hearings on S. 1825 in April. The Senate Finance Committee, which has juris-

diction over the legislation, may hold hearings in August or September. The Judiciary Committee has jurisdiction in the House of Representatives. It is doubtful that the Judiciary Committee will consider the bill in the remaining weeks of this Congress. The bills will be reintroduced in 1995.

NACo Policy: NACo strongly supports federal legislation that will require the collection of sales taxes from all businesses, including out-of-state mail-order companies.

Tax-Exempt Bond Legislation

Issue: In November 1993, House Ways and Means Committee Member Bill Coyne (D-Pa.) introduced a comprehensive bill to amend the tax treatment of municipal securities. The legislation, the Public Finance and Infrastructure Investment Act of 1993 (H.R. 3630), includes several proposals that would ease some of the more onerous restrictions on tax-exempt bonds. Since Representative Beryl Anthony (D-Ark.) left Congress last year, Rep. Coyne has been active in advocating public finance issues on the House Ways and Means Committee.

The bill introduced by Rep. Coyne includes the following tax-exempt bond provisions:

- increase in the annual issuance limit for the arbitrage rebate exemption from \$5 million to \$10 million
- indexing statewide private-activity bond volume caps for inflation
- increase in the annual issuance limit for bank-qualified tax-exempt bonds from \$10 million to \$25 million
- clarification of the definition of investment-type property, and
- creation of a new category of tax-exempt bond, to be known as distressed community economic development bonds, for use in areas that are designated as distressed communities.

The legislation has 19 other members of the Ways and Means Committee as cosponsors, a majority of the committee.

Status: The congressional leadership postponed any major tax legislation this year because of members' concerns about having to vote on increased taxes in an election year. The budget rules require that any tax changes must be matched with new revenues.

H.R. 3630 will be reintroduced next year. The bill's supporters will try to include it in any major tax bills considered by the House Ways and Means Committee or the Senate Finance Committee.

NACo Policy: NACo strongly

Continued on next page

1994 ISSUES UPDATE

supports H.R. 3630 and worked with other state and local government organizations in getting cosponsors for the bill.

SEC Rule on Political Contributions

Issue: The Securities and Exchange Commission (SEC) approved new rules and restrictions in April 1994 on political contributions by securities dealers to state, county or city officials responsible for issuing municipal securities. The rules had been proposed by the Municipal Securities Rulemaking Board (MSRB), a self-regulating body made of securities dealers and issuers.

The new rule, G-37, prohibits brokers, dealers and municipal securities dealers from doing business with state, county and city issuers within two years after making a campaign contribution (more than \$250) to an official of that jurisdiction.

The rule also requires dealers to disclose to the MSRB any political contributions made by them or their PACs (Political Action Committees), and to list jurisdictions where the dealer has done business. The rule covers contributions made after April 25, 1994.

Status: The SEC rules are final. The MSRB issued further guidance and is answering inquiries on complying with the rules. A lawsuit was filed in Alabama by a securities dealer who also is chairman of the Alabama Democratic Party. Arguments will be heard in August in this case, but the plaintiff was exempted from the rule until the case is decided.

NACo Policy: The NACo Board of Directors considered the issue at its Dec. 10, 1993 meeting. The Board approved a resolution urging the SEC and MSRB to do a cost-benefit analysis, consult more extensively with issuers before putting out the proposed rule, and apply the rules to federal officials as well as state and local officials. A new resolution will be considered at the Annual Conference.

Bankruptcy Code Amendments

Issue: The Senate passed omnibus bankruptcy reform legislation (S. 540) in April 1994. The bill does not include any provisions on prioritizing unpaid property taxes in bankruptcy proceedings. The bill calls for a commission to review many aspects of current law, including the treatment of local property taxes under the bankruptcy code. The commission would issue a report in two years.

A number of bankruptcy reform bills have been introduced in the House, but none of them address issues affecting unpaid county and city property taxes. NACo is work-

ing with several representatives on amendments to be offered in a committee markup.

Status: The House Judiciary Committee, which has jurisdiction over bankruptcy issues, has been occupied with other pressing issues during this Congress. It is not clear if the committee will have time to consider a bankruptcy bill in the remaining weeks of the session.

NACo Policy: NACo has adopted a number of resolutions urging Congress to amend the bankruptcy code to preserve the priority of local tax liens as determined by state law.

(Staff Contact: Ralph Tabor)

Transportation



Infrastructure Investment

Issue: Counties own 1.7 million miles of roads, 217,000 bridges, and operate one-third of the nation's transit systems. There is a substantial need for federal funds to supplement what counties are already investing in their infrastructure. With the passage of the Intermodal Surface Transportation Efficiency Act (ISTEA) in 1991 came the promise of more funding for county infrastructure.

For the current fiscal year, the federal highway program was funded at a record level of \$17.6 billion, but still less than the fully authorized ISTEA level. Transit also received its highest level of funding in years, but not the fully authorized level.

With budget caps in place this year for domestic discretionary spending, there is a question of whether infrastructure spending can be increased.

Status: The House of Representatives passed H.R. 4556, the FY95 transportation appropriations bill, on June 16. Funding for the core federal highway program was set at \$17 billion, a cut of \$430 million. The transit program received overall funding of \$4.6 billion. That includes \$700 million for operating assistance, a \$102 million cut, and \$2.3 billion for the formula capital program, a slight increase.

The Senate Appropriations Committee met on July 14 and approved a funding level of \$17.6 billion for the highway program, which is the same level as the current spending. Transit spending was set at \$4.6 billion.

NACo Policy: NACo supports full funding of ISTEA.

Surface Transportation Technical Amendments

Issue: When the ISTEA legislation was enacted into law in 1991, there were a number of items which needed to be addressed in a technical corrections bill that were either omitted or overlooked in the legislation. Several of these items are important to county governments, including clarification of two issues relating to the bridge program.

Status: A technical amendment section was included in the National Highway System (NHS) legislation enacted by the House on May 25, 1994, addressing the bridge program provisions NACo was concerned with. The Senate may consider similar legislation later this year as part of their NHS bill.

NACo Policy: NACo supports passage of technical corrections legislation and has raised issues of concern to counties in testimony before the House Public Works and Transportation Committee.

National Highway System Legislation

Issue: As part of ISTEA, the NHS was created. The process for putting this system together was for the states to recommend to the Department of Transportation (DOT) what routes they wanted on the system, and then for DOT to recommend a network to Congress, which has until Sept. 30, 1995 to approve a system.

Status: DOT made its recommendation of a 159,000-mile system in December 1993. These are not new roads, but existing mileage that would be eligible for the NHS category of funding under ISTEA.

The House held hearings and approved NHS legislation, H.R. 4385, on May 25 by a vote of 412-12.

This bill also includes slightly more than \$2 billion in new highway and transit projects. The Senate Environment and Public Works Committee has begun hearings on its version of NHS, S. 1887.

It is still unclear when the Senate will act or how it will address the issue of the package of \$2 billion in new projects in the House bill, which it opposes.

NACo Policy: NACo has no policy on the NHS or the federal airport and aviation programs.

Airport Improvement Program

Issue: The authorization for the Airport Improvement Program (AIP) expired on Sept. 30, 1993. This program provides up to \$2 billion annually in

grants to mostly locally owned airports for capital improvement projects.

Status: Congress approved a 60-day extension of AIP on May 1994, which released approximately \$800 million. The Senate and House have now approved three-year extensions and the conference committee has agreed to fund AIP at \$2 billion for FY94, \$2.2 billion for FY95 and \$2.2 billion for FY96.

Another issue still outstanding is a provision which would subject those local governments which own airports to up to \$50,000 in civil penalties if diversion of airport revenue to non-airport purposes was found to take place.

Efforts by the airlines to get the Congress to overturn the *Kent County v. Northwest Airlines* Supreme Court decision were derailed, and a process was established by which airlines can go to the secretary of transportation with their concerns about charges and fees.

NACo Policy: NACo strongly supports the reauthorization of AIP, supports the *Kent County v. Northwest Airlines* decision, and opposes the civil penalties provision.

Cable Television/Information Superhighway

Issue: The Clinton Administration has made the information superhighway issue an important part of their program. The information superhighway concept is aimed at allowing the telephone, cable and long-distance industries to compete against one another by eliminating the regulatory barriers to entry into the different telecommunications services.

The theory is that if the monopolistic aspects of the cable and local telephone services are eliminated and the court-imposed restrictions on the telephone companies (telcos) are overridden, then the private sector telecommunications companies will have the economic incentive to invest and build this new information system.

NACo had endorsed the concept of competition in cable by allowing the telcos into cable services if they are required to obtain a franchise.

However, counties and other local governments were forced to look at this issue again when the telephone companies walked away from their commitment to local governments to provide cable under the same set of rules which the cable industry operates.

NACo has been concerned that without franchise authority counties could not protect and be compensated for the use of the public rights-of-way, nor would they be able to negotiate with the telcos operating as a cable company in regard to the franchise fee, public access and consumer protection provisions of the Cable Act.

Status: H.R. 3626 was approved by

the House on June 28. It allows the telcos to offer cable services without obtaining a franchise. However, the legislation does require a fee to be paid to local governments by the telcos, which is equivalent to franchise fees, and does mandate that the Federal Communications Commission issue public access requirements for telcos.

S. 1822 is currently in the Senate Commerce Committee with action expected shortly. As introduced, that legislation requires telcos to obtain a franchise from local governments if they want to offer cable services.

NACo Policy: NACo supports competition in cable if the telcos are required to obtain a franchise.

(Staff Contact: Bob Fogel)

MAY THE SOURCE BE WITH YOU

Don't let the dark forces of ignorance defeat you. Right in this galaxy, you can tap into the source -- the free Consumer Information Catalog. It lists free and low-cost government publications on cosmic topics such as federal benefits, jobs, health, housing,



educating your children, cars, and much, much more. So dispel the darkness and send for the source. Write today to Pueblo, Colorado for the free Consumer Information Catalog. Just send your name and address to:

Consumer Information Center
Department Source
Pueblo, Colorado 81009

News from the nation's counties

North

NEW YORK

The New York State Association of Counties (NYSAC) continues to press its battle for relief from state-mandated Medicare costs. The association has gone public with a call for a Medicaid Financing and Cost-Containment Commission. NYSAC accuses the state legislature of failing to seriously address a state takeover of Medicaid, despite a so-called "Medicaid relief measure" that passed last year.

"What lawmakers did not tell taxpayers is that monies allocated to counties for a partial Medicaid takeover equals less than one week of a county's Medicaid fiscal responsibility," said NYSAC Fiscal Analyst Ken Carnell. "Is this how the legislature spells relief?"

For New York's counties, the cost of the local share of Medicaid will double from \$3.5 billion to \$7 billion over the next five years.

South

FLORIDA

The Metropolitan DADE COUNTY Aviation Department has embarked on an expansion and redevelopment program estimated at more than \$2.5 billion. The project will virtually double Miami International Airport's terminal size

and nearly triple its air cargo facility.

The Dade County Aviation Department employs 1,400 people and reports an annual operating budget of nearly \$360 million. Miami International Airport is one of the busiest airports in the world, ranking 10th in passenger volume. It is also a leading gateway in international cargo volumes.

• **SANTA ROSE, ESCAMBIA and OKALOOSA COUNTIES** have been making national news as they attempt to craft ordinances aimed at enabling their citizens to keep their guns.

All located in an area with a high concentration of military retirees, the counties have decided to try to protect their citizens' right to bear arms, arguing that the federal government is infringing upon that right through more and more legislation.

Under the Second Amendment, the counties have created county militias, designating every able-bodied citizen a member. Escambia County officials are considering taking the issue one step further to create a "posse comitatus" — an armed sheriff's auxiliary allowed under Florida law that allows anyone to join by request. This, some officials believe, would satisfy the county's claim to a genuine militia whose members have the clear right

to bear arms.

SOUTH CAROLINA

The state Supreme Court recently sided with county government when it held that a county's property tax structure did not violate the state's constitution when it taxed all residents at a uniform rate, even though certain services were provided only in unincorporated areas.

Members of the court indicated that although property tax assessments must be uniform throughout the county, no law or constitutional provision requires the proceeds of that tax to be distributed uniformly throughout the county. (Source: Commerce Clearinghouse, State Tax Review, May 9, 1994.)

Midwest

MICHIGAN

The Michigan Association of Counties reports that the state legislature has decided to continue a one-year lag of passing on growth of the income tax to local governments. Earlier this year, the House of Representatives endorsed an amendment to stop the practice, but on reconsideration, voted to reject the amendment.

Counties will receive a 5.7 percent increase accrued last year. They will also receive a "bonus" in the August revenue sharing payment.



West

WASHINGTON

• A year-long **PIERCE COUNTY** construction project — a new \$5.2 million ferry — was christened July 16.

After the dedication ceremony, community leaders and residents

cruised around Anderson Island in the 213-foot, 54-car, 250-passenger M/V Christine Anderson.

The new ferry will provide public transportation between Anderson and Keaton Islands, replacing the smaller Steilacoom which will become a backup for the Christine Anderson.

More news from ...

FLORIDA — DADE COUNTY passed an ordinance, sponsored by Commissioner Larry Hawkins, that will regulate moving companies in Dade County. The new regulation will apply to all local moves that are contained within the tri-county area that originate or terminate in Dade County.

"This ordinance is designed to protect consumers in Dade County from what we are seeing as a problem not only locally, but nationwide," said Hawkins. "This ordinance is designed to eliminate the components inherent within the moving industry which sometimes allow for the consumer to be taken advantage of either financially or as it pertains to the protection of their personal possessions. This ordinance should not have any negative impact upon the many respectable moving businesses in Dade County and should improve the industry as a whole."

Key components of the ordinance include the following:

- All moving companies must register with the county.
- All moving companies must provide written estimates.
- Final billing cannot exceed 10 percent over the written estimates for unforeseen costs.
- Customers will have the option of at least two forms of payment — credit card or personal check. No "cash only" businesses will be permitted.
- An inventory of all personal items shipped is required. This requirement may be waived by the customer.
- All complaints will be reviewed by a consumer board.

Other conditions of the ordinance require that movers offer liability insurance, provide "reasonable dispatch" at the appointed day and time of the move, and have established recourse procedures for dissatisfied customers. Movers who do not comply with the ordinance will be subject to civil penalties.

"For far too long, people across the country, and especially in Dade County, have been victimized by unscrupulous movers," said Hawkins. "This ordinance requires movers to provide the service they promise at the cost they quote."

The ordinance will take effect in October. **BROWARD and PALM BEACH COUNTIES** are currently considering similar ordinances.

For more information, call Terry Murphy at 305/375-5123.

A violence Rx — if we'll listen

By Neal R. Peirce

Washington Post Writers Group

(Neal Peirce is a syndicated columnist who writes about local government issues. His columns do not reflect the opinions of County News or the National Association of Counties.)

An early fallout of the O.J. Simpson case has been to make "America's dark little secret" — domestic violence — "not so secret any more," Bill Bradley tells a visitor.

"Every man's home may be his castle, but it's not his torture chamber," says the New Jersey senator, who has been seeking for more than a year to make a national issue of violence and its malevolent, far-reaching consequences.

There's a critical question here: Is domestic violence a phenomenon all on its own? Or is it part and parcel of an American epidemic of violence that will have to be attacked on multiple fronts if it is to be reversed?

It may seem a long distance from ugly pummelings behind closed doors in affluent suburbs to staccato gunfire among drug dealers in a desperate ghetto neighborhood.

But Attorney General Janet Reno says there's a real connection: "Unless we end violence in the home, we're never going to end it on

the streets."

Bradley, along the same lines, argues that "the blaze of violence in America is fed by many fires" — and that they're all related.

Television, CDs and video games, he notes, bring violence "into the open windows of our homes" with an "empty litany of bashing and stabbing and shooting."

Guns, Bradley says, are central to the American violence phenomenon. The United States has more gun dealers than gas stations or grocery stores.

As for domestic violence, it's passed on from generation to generation. Bradley relates his conversation with a woman who had been beaten regularly by her husband. The final straw came when her husband attempted to strangle her. She scooped up her little children and fled to a shelter. But her two-year-old had seen the strangling, and in the shelter, when the children got into an argument, the women saw her two-year-old lunge for the throat of her four-year-old.

Violence will remain unfettered, Bradley suggests, until liberals and conservatives give up entrenched positions and see violence for what it is — a fundamental threat to life and liberty.

Liberals, Bradley suggests, have to admit that there are many violent criminals threatening society, who are not just drug-addicted, and that

the perpetrators of violence must face the possibility of the death penalty or lifetime incarceration.

Conservatives, by contrast, have to agree to limit the guns which cause 80 percent of homicides.

Every handgun owner, Bradley proposes, should be required to carry an identity card, with a picture like a driver's license. All gun transfers should be registered, with tough penalties for violations.

And if the country can develop heat-seeking missiles, it's time, he believes, to develop remote metal-sensing devices which will permit police to monitor people on the streets for possession of a gun. If metal is detected, police would have constitutionally permissible grounds to frisk a suspect. If a gun is found, an arrest could be made in the absence of a valid permit.

Domestic violence must be brought out of the closet and combated with friendly intervention by friends and neighbors, training of health care professionals to recognize the condition, counseling hotlines, and enough battered spouse shelters so that women will know they have a way to escape a threatening male partner.

The corporate purveyors of media violence should be hounded with letters to management and boards of directors, letters to newspapers

See PEIRCE, page 27

We invite readers to submit items for "News from the nation's counties."

Mail to us: c/o County News, 440 First St., N.W., Washington, DC 20001, or FAX to: 202/393-2630

Notices . . . notices . . . notices

CONFERENCES

■ **CLE International** is sponsoring the National Endangered Species Act Conference in Denver, Colo., Aug. 18-19. Speakers will focus on recent developments concerning the act and discuss topics such as the listing process, takings issues and recent court cases.

For more information, contact: Kim Rackley, executive director, CLE International, 1541 Race St., Suite 100, Denver, CO 80206, phone: 800/873-7130.

■ **The National Golf Foundation** will host a Golf Course Financing Conference in Boston, Aug. 28-30.

This conference will show developers how to improve their chances of raising debt and equity capital for golf course development.

For more information, contact: Holt Hackney, National Golf Foundation, 1150 South U.S. Highway One, Suite 401, Jupiter, FL 33477, phone: 407/744-6006.

■ **"Our Evolving Profession"** is the theme for the 80th Annual Conference of the **International City/County Management Association (ICMA)**. The conference will be held Sept. 18-21 in Chicago, Ill.

Educational sessions, workshops, roundtable discussions and special events will focus on: enhancing managers' relationships with their governing body and citizens, communicating more effectively at work and at home, and adopting cutting-edge management tools for the future. The registration fee is \$505 for members, \$630 for non-members and \$115 for students.

For more information, contact: ICMA, 777 North Capitol St., N.E., Suite 500, Washington, DC 20002-4201, phone:

202/289-4262, fax: 202/962-3500.

■ **IAQ Publications** has announced the debut of the Lead Tech Contractor Training Program, in conjunction with the Lead Tech '94 Conference and Exhibition, Oct. 17-19, in Washington, D.C.

The EPA training program will provide comprehensive information on lead detection/abatement methodologies and equipment, based on the latest research and field tests.

For more information, contact: IAQ Publications, 2 Wisconsin Circle, Suite 430, Chevy Chase, MD 20815, phone: 301/913-0115, fax: 301/913-0119.

■ Are you looking for a unique opportunity to build your expertise, get your questions answered, hear the latest ideas, and learn about critical issues surrounding land conservation and land trusts?

Then you should attend the **Land Trust Alliance National Rally '94** in Chattanooga, Tenn., Oct. 29-Nov. 2.

For registration information, contact: Land Trust Alliance, 1319 F St., N.W., Suite 501, Washington, DC 20004-1106, fax: 202/638-4730.

■ **The National Civic League** will be hosting its 100th National Conference on Governance, Nov. 10-12, in Philadelphia, Pa.

The theme of this year's conference will be **"American Renewal,"** a new initiative to revitalize our commitment to community problem solving.

For more information, contact: Mike McGrath, National Civic League, 1445 Market St., Suite 300, Denver, CO 80202-1728, phone: 303/571-4343.

■ **The Association of Manage-**

ment Analysts' 22nd Annual Management Analysis and Decision-Making Workshop in Rensselaerville, N.Y., Nov. 13-18, will offer intensive workshops for analysts and managers at every level of government.

For more information, contact: Barbara Eckley, Association of Management Analysts in State & Local Government, at 410/887-3612.

■ **The International City/County Management Association (ICMA)** and the EPA are sponsoring the Ninth Annual Household Hazardous Waste Management Conference in Austin Texas, Nov. 17-19. Abstracts are being sought in the following areas: source reduction, education and evaluation.

To register and to find out more about submitting an abstract, contact Barbara Schwartz, project manager, ICMA Environmental Programs, 777 N. Capitol St., N.E., Suite 500, Washington, DC 20002, phone: 202/962-3539.

PUBLICATIONS

■ **The National Crime Prevention Council** announces two new publications. The first is the 1994 guide to celebrating Crime Prevention Month, titled **"Working Together to Stop the Violence."** This guide outlines a "Turn Off the Violence" Campaign and provides tools and information to plan projects grounded in community partnership.

How community residents and government officials in seven large cities worked together to develop customized, comprehensive plans for preventing crime is described in the second publication, titled **"Taking Offensives to Prevent Crime: How Seven Cities Did It."** This book describes key as-

pects of the process in each city and highlights the results of each of the cities' plans.

For price and ordering information, contact: Jean O'Neil, National Crime Prevention Council, 1700 K St., N.W., Second Floor, Washington, DC 20006-3817, phone: 202/466-6272, fax: 202/296-1356.

■ What is the policy context of the immigration debate? Who are the recent immigrants and where do they live? What effect do they have on the labor market and the public sector?

The **Urban Institute's** report, titled **"Immigration and Immigrants: Setting the Record Straight,"** provides a factual baseline to the debate over immigration issues. The cost is \$10.

To order, contact: Urban Institute Research Sales Office, 2100 M St. N.W., Washington, DC 20037, phone: 202/857-8687.

■ **The Public Pension Coordinating Council** has released a report, titled **"Survey of State and Local Government Employee Retirement Systems."**

This report provides detailed information regarding system administration, investment, rates of return, plan benefits, actuarial valuations, pension obligations and liabilities, and employer and employee contributions.

For more information, contact: Government Finance Officers Association, 180 N. Michigan Ave., Suite 800, Chicago, IL 60601, phone: 312/977-9700.

■ **"AASHTO LRFD Bridge Design Specifications"** is the title of the new publication by the **American Association of State Highway and Transportation Officials (AASHTO)**.

The report incorporates the advanced design philosophy of load and resistance factor design (LRFD), and is expected to lead to bridges and other struc-

hibiting superior serviceability, enhanced long-term maintainability, and more uniform levels of safety. The cost is \$45 for members and \$54.50 for non-members. The two-volume set costs \$85.50 for members and \$103.55 for non-members.

To order, contact: American Association of State Highway and Transportation Officials, Executive Office, 444 N. Capitol St., N.W., Suite 249, Washington, DC 20001, phone: 202/624-5800.

■ Are avoiding being "reeled in," losing one's cool, and violating inmate's rights goals that a line officer working in corrections desires? A new training package, titled **"Correctional Officer Training: Video-Based Courses on Avoiding Manipulation, Controlling Anger and Understanding Inmate Rights,"** addresses these concerns.

The courses provide real-life scenarios that take place in a correctional institution and examine the situations from the officers', administrators', and inmates' perspectives. Member cost is \$280 and non-member cost is \$350.

For more information, contact: American Correctional Association, 8025 Laurel Lakes Court, Laurel, MD 20707-5075, phone: 1/800/926-2855.

GRANTS

■ **INSURE**, the charitable foundation of the American Council of Life Insurance and the Health Insurance Association of America, has announced the availability of grants up to \$75,000 for the delivery of prevention services to youth (ages 9 to 21).

To be eligible, the applicant must be a documented 501(c)(3) non-profit organization. Only IRS letters naming the applicant will be accepted.

To request an application, contact: Stanley Karson, executive director, INSURE, 202/624-2430. Deadline is Aug. 15, 1994.

Job market

CITY MANAGER — TALLAHASSEE, FLA.: Population: 131,845. Capital city of 4th largest state in country. A high quality of life, multi-university community with an active, involved citizenry. Full-service city in-

Job Market - Classified Rate Schedule

Rates: \$5 per line.

(You can figure the approximate cost of an ad by counting the number of characters, including spaces and punctuation marks, in your copy. One line consists of approximately 38 characters. Divide 38 into the number of characters in your ad. The resulting figure will give you the approximate number of lines. Multiply that figure by 3 to figure your approximate cost.)

Display Classified: \$30 per column inch.

Billing: Invoices will be sent after publication.

Mail advertising copy to: Job Market, *County News*, 440 First St., N.W., Washington, DC 20001.

FAX advertising copy to: Job Market, *County News*, 202/393-2630.

Be sure to include billing information along with copy.

For more information, call *County News*, National Association of Counties, 202/942-4256.

cluding airport, transit, electric, gas and municipal utilities. Salary negotiable DOQ, within a range, plus automobile and excellent fringe benefit program. Present salary \$107,000. One person has held position since 1974. \$327M budget requested for 1995, plus a 1994 capital budget of \$107M. 2804 employees, excellent staff and strong City Charter. Contracted-position reports to five member City Commission elected at large for four-year, staggered terms. Mayor elected by Commission on a rotating basis. Requires bachelor's degree in public or business administration or related field. A related master's degree preferred. Requires strong, seasoned professional management experience and skills, principally as local government manager or assistant preferred. Demonstrated experience in managing a large and complex organization, municipal utility experience, balancing economic development and environmental needs and dealing with change. Strong leadership, professional judgment, decision-making and problem-solving skills. Excellent communicator, with solid financial and budgetary skills. Knowledge of TQM, latest management techniques and effective facilitation and negotiating skills. Knowledge of land use and growth management. Position open until filled. Position Profile sent on request. Resumes should be sent by August 22,

1994 to James L. Mercer, President, The Mercer Group, Inc., 990 Hammond Drive, Suite 510, Atlanta, GA 30328. IN ACCORDANCE WITH FLORIDA'S OPEN RECORDS LAWS, RESUMES AND ALL APPLICATION MATERIALS SUBJECT TO PUBLIC DISCLOSURE. Equal Opportunity Employer. This information is available via TDD for hearing impaired at 904/891-9169.

COUNTY ADMINISTRATOR — TIFT COUNTY, GA.: (population: 35,000) Competitive pay and benefit package depending on qualifications. (Range \$48,000 to \$52,000) Tift County is located in south central Georgia about 100 miles northeast of Tallahassee, Florida. The County is politically and administratively stable. Full service county government. County Administrator reports to seven-member Board of County Commissioners. Commissioners are elected to four year staggered terms. The Chairman is elected at large; the others are elected by districts. The County Administrator is responsible for the administration of the County's financial systems as well as for the preparation and administration of the county-wide budget. The Administrator is also responsible for the operations of the following functions: Fire, Emergency Medical Services, Roads and Public Works, County Engineer,

Tax Assessor, Voter Registration, Jail, Court Reporter, Child Support Receive, Building Inspection, Zoning, Community Development, Buildings and Grounds, Electrical and Plumbing, Water, and Recycling. The 1994 County Budget is about \$12M and there are about 200 County employees. Requires appropriate college degree and at least 3-years of local governmental management experience at the CAO or assistant CAO level in an organization of comparable size and complexity (or at least 10 years of CAO experience without a degree). Strength in finance (including budget and revenue enhancement), staff development, internal and external communications and organizational analysis. Send confidential resume by August 5, 1994, to: Robert E. Slavin, President, Slavin, Nevins & Associates, Inc., 3040 Holcomb Bridge Road, Suite B-1, Norcross, Georgia 30071, (404)449-4656, Fax: (404)416-0848. An Equal Opportunity Recruiter/Employer.

COUNTY ENGINEER — WASECA COUNTY, MINN.: Waseca County, Minnesota, is seeking a County Engineer. Position supervises and manages all Road and Bridge personnel and functions, including: maintenance/construction programs, surveying, construction plans, and specifications/estimates for project bids. Prepares department budget request and long-term construction/maintenance plan. Candidates must be professionally licensed as Civil Highway Engi-

neers in Minnesota (or able to obtain) and possess strong management and administrative skills. Substantial experience in construction/maintenance of roads and bridges is preferred, especially as a County Engineer. Position will offer salary DOQ, excellent benefits package, high quality of life and supportive Board. To apply, please contact: Coordinator's Office, Waseca County Courthouse, 307 North State Street, Waseca, MN 56093, (507)835-0630, for an application. Completed applications must be received at the above address by 4:30 p.m. on Monday, August 29, 1994. An Equal Opportunity Employer.

DIRECTOR, CONSUMER AFFAIRS — PINELLAS COUNTY, FLA.: Pinellas County Government, Clearwater, Florida (Salary \$39,683 - \$65,214 plus excellent benefits package). Professional/administrative work planning, organizing, and directing a staff engaged in investigation/enforcement of regulations related to consumer affairs, weights and measures, and trade standards. Minimum Qualifications: BS in Public or Business Administration with four (4) years of responsible work (including supervisory experience) in an investigative or inspectional field dealing with the consumer public. Apply by: August 12, 1994 to: Personnel Department, Pinellas County Government, 400 So. Ft. Harrison Avenue, Clearwater, Fla., 34616-5113; Phone

See **JOB MARKET**, next page

Job market from previous page

(813)464-3367. EEO/AA/ADA.

EXECUTIVE DIRECTOR, CENTRAL PIEDMONT PRIVATE INDUSTRY COUNCIL — BROOKNEAL, VA.: The Central Piedmont Private Industry Council,

Grant Recipient for the Job Training Partnership Act funds designated for twelve jurisdictions in Southwestern Central Virginia, is receiving applications for the position of its Executive Director. Graduation from an accredited college or university with an em-

phasis in management, administration, government, or business activities, and at least five years experience in positions of increasing responsibility in managing programs is a prerequisite. The candidate must demonstrate comprehensive knowledge of the principles

and practices of effective management; knowledge of the JTPA and its implementing regulations and a history of successful and effective delivery of job training programs. Must be an innovative planner and resourceful problem solver. Resume, salary history and references must be received by August 15, 1994, by Mr. Herbert W. Guthrie, Herbert W. Guthrie Realty, Inc., P.O. Box 82, Brookneal, VA 24528. An Equal Opportunity Employer.

ment, economic development, governmental programming, and grantsmanship. Position requires knowledge of EDA programs, computers, and some knowledge of GIS mapping systems. Must have ability to work independently and to establish relationships with local officials and the business sector in both rural and urban locales. Resumes must be postmarked no later than Aug. 15, 1994. EOE/AEE. Send resumes, salary history, and references to: Executive Director, P.O. Box 846, Thibodaux, LA 70302.

PEIRCE from page 25

and churches where they live, and boycotts of their programs and products.

And, says Bradley, it's time to establish "15-month houses" — covering the last trimester of pregnancy and first year of a child's life — for young unwed mothers in poverty-afflicted inner-city communities.

While many single mothers may do heroic jobs transmitting positive values to their children, the senator warns, "many others are too young, too poor, and too unloved, and their children at birth become time bombs waiting to explode in adolescence."

He adds: "If you think violence among the young is bad now, wait until this army of neglected, often abused, sometimes abandoned, street-trained, gang-tested, friendless young people reach age 15."

The 15-month houses, says Bradley, would provide the mother with health and substance abuse screening or treatment, and education in parenting. And the infants would get not just healthy care but systemic cognitive stimulation — a nurturing practice that radically reduces later behavior problems.

Is it too much to hope that Americans of varied ideologies

could try to put aside differences and focus on an anti-violence agenda that would have a chance of working? The divisive, politically charged fight over the crime bill now before Congress doesn't give one much hope. Yet if Americans could be brought to focus on Bill Bradley's anti-violence initiatives, one suspects a majority would endorse them.

The ultimate changes have to come in families, schools, neighborhoods. But the time for a balanced, pace-setting national initiative is painfully overdue.

(c) 1994, Washington Post Writers Group

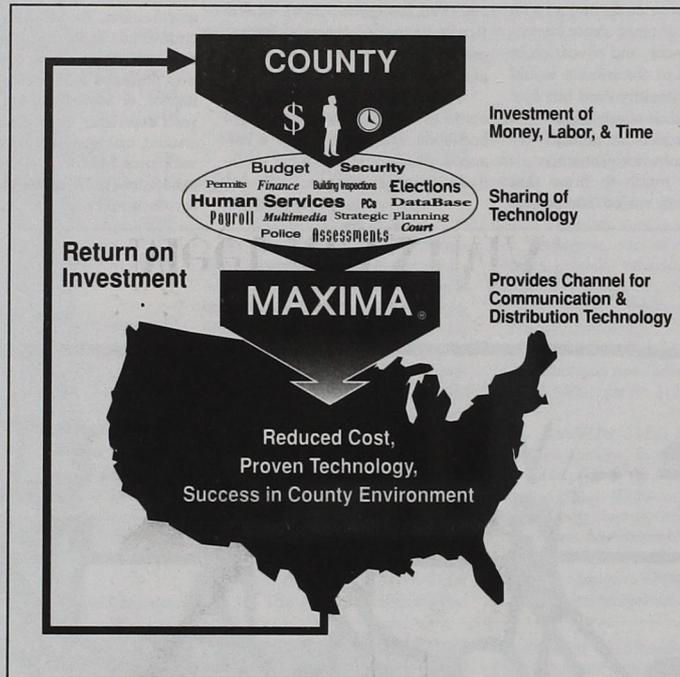
EXECUTIVE DIRECTOR, REGIONAL PLANNING COMMISSION/ECONOMIC DEVELOPMENT DISTRICT—THIBODAUX, LA.: A multi-parish regional planning commission and economic development district in southern Louisiana seeks an Executive Director. Salary and benefits commensurate with experience and qualifications. The ideal candidate is a creative and aggressive planning and economic development professional who possesses a degree in planning, finance, or administration or has ten years experience in governmental operations, management or economic development. Must have excellent communications skills, knowledge of business/industrial retention and enhance-

THE FORT ORD REUSE AUTHORITY — MONTEREY, CALIF.: Salary: \$80 - \$95k DOQ + benefits. Requires: BA degree in public/business admin., urban planning, engineering, economics, finance or a related field & 8 yrs. exp. developing public/private ventures; economic and community develop.; redevelop.; urban & transportation planning; public facilities construction; engineering design; or infrastructure development, 5 yrs. must have been with a public agency. Brochure & questionnaire available. RJA Management Services, Inc., 550 W. Duarte Rd., Ste. 6, Arcadia, CA 91007, phone: (818)447-3318. Last day to file 9/9/94. EOE/AA.



Call **1-800-729-6686** for our latest catalog of FREE materials about alcohol and other drugs. National Clearinghouse for Alcohol and Drug Information, P.O. Box 2345, Dept. PC, Rockville, MD 20852.

Are you looking for a Computer Company with a proven record of Community Involvement?



Meet MAXIMA!

MAXIMA, a "General Contractor" for information technology, is a leading systems integrator and computer services company providing alternatives for local governments nationwide. MAXIMA tailors unique solutions to match the distinct needs of each county.

MAXIMA believes communities can benefit economically from the proper utilization of technology.

MAXIMA is a NACoNET partner endorsed by the National Association of Counties.

For more information call 1-800-2-MAXIMA or 1-800-551-2323 for NACoNET.

Please stop by the NACoNET booths in the Registration Area, Exhibit Hall, and "Computer Playground" during the 1994 NACo Annual Conference.

NACoNET, the first choice for
County Information Technology Services.



See you in Las Vegas!

