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Vol. 9, No. 40

COUNTY NEWS

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

Oct. 10, 1977

NACo

Washington, D.C.

Committee Says Pay SS

AT WAYS AND MEANS MARKUP SESSION—Seen during Ways and Means Committee deliberations on forced Social Security coverage for state and local government employes are, from left, Reps. James Burke, Joseph Fischer, and Chairman Al Ullman.

Ways and Means Widens Coverage

WASHINGTON, D.C.—County, city and state governments received some potentially costly news when the House Ways and Means Committee voted last week to bring more than 6 million additional employes into the Social Security system on a mandatory basis. The committee also completed action on other financing provisions and voted 20 to 17 for payroll tax rate and wage base increases.

Besides local government employes the committee action also mandates coverage for federal employes and employes of nonprofit organizations who aren't currently in the Social Security system. The date for bringing all of these groups under universal coverage is Jan. 1, 1982.

Under an amendment originally introduced by Rep. Joseph L. Fisher (D-Va.) and amended by Rep. Sam Gibbons (D-Fla.), the final provision also requires the Department of Health, Education and Welfare in consultation with the Civil Service Commission to prepare a detailed study of methods for integrating the Civil Service Retirement system and health benefits with Social Security to take effect Jan. 1, 1982. The study will take into account the need to assure that federal employes will not suffer in terms of costs and benefits in the "meshing" of the two systems. The study and a detailed plan for the integration of the systems shall be submitted to Congress by Jan. 1, 1980.

THE PURPOSE of the Fisher amendment is to delay the universal coverage date in order to allow adequate adjustments in the other retirement systems. During this period, however, state and local governments may want to take this matter before the courts and challenge the constitutionality of the mandate. Still, the committee's action must go through several more steps before it becomes law. Assuming it passes the full House, there is no similar provision in the Senate Finance bill; therefore a House-Senate conference committee would have to settle the matter.

A NACo-supported amendment was offered by Rep. Bill Archer (R-Tex.) to delete state and local governments from mandatory coverage. It was defeated 6-30. A similar amendment by Rep. Joe Waggonner (D-La.) to delete federal employes failed 22 to 13. Rep. Archer argued that the committee should not act on the coverage issue without holding adequate hearings and examining what the impact would be on state and local budgets. He also warned the committee of serious constitutional questions which were never adequately discussed.

NACo has lobbied vigorously against the mandatory coverage provision in the House Ways and Means markup sessions and will now continue efforts on the House floor to have a sponsor offer an amendment deleting mandatory coverage of state and local governments.

See SOCIAL, page 6

Payments-in-Lieu a Reality

WASHINGTON, D.C.—Payments-in-lieu of taxes checks were mailed last week to nearly 1,600 counties—culminating more than 30 years' efforts by county officials to get the federal government to recognize the fiscal burden of tax exempt federally owned lands. The checks, totalling approximately $99.8 million, are the first payments to implement P.L. 94-565, the Payments-in-Lieu of Taxes Act of 1976.

Rep. Frank Evans (D-Colo.), chief sponsor of the legislation, called the payments "a historic step in the relationship between federal agencies and county governments."

"The Payments-in-Lieu of Taxes Act implements the finding of the Public Land Law Review commission who recommended to Congress a program to compensate state and local governments for the tax immunity burden of the public lands. The federal government owns more than one-third of the nation's land," he said, "and this program provides for compensation for about 90 per cent of the acreage involved."

JACK PETITTI, president of the NACo Western Region, and commissioner, Clark County, Nev., has called on counties throughout the country to use these funds. "The first NACo resolution on payments-in-lieu was in 1940," he said. "Now it is up to counties to return 'the good neighbor commitment' of the federal government and use these funds to improve local government services, and to assist federal agencies where possible to balance local and national needs in public land areas. The Department of Interior should be commended for administering this program with a minimum of overhead and paperwork," he concluded.

Final regulations to implement the act were published Sept. 29. The regulations provide that counties, as

See MICHIGAN, page 4

Senate Crucial to H.R. 7200

WASHINGTON, D.C.—H.R. 7200, the Public Assistance Amendments of 1977, was reported out of the Senate Finance Committee Sept. 30 following months of debate and amendment.

The bill now closely resembles the child welfare/social services package passed by the House last May. In recent committee action, Chairman Russell Long (D-La.) moved to separate the Moynihan provision for $1 billion fiscal relief and several amendments to the Aid to Families with Dependent Children (AFDC) program from the bill and attach them to the Social Security Financing measure. Coupling the two financing measures was an attempt to save the fiscal relief from President Carter's threatened veto of H.R. 7200, but the action failed on a tie vote in committee. The financing issue will be brought up again on the Senate floor for resolution.

Tied to the fiscal relief package are the Long-Talmadge amendments requiring AFDC recipients to work off their grants, revising the earned income disregard formula, and tightening up federal quality control requirements. These provisions are opposed by the Administration and most of the groups lobbying in support of H.R. 7200.

Removal of the above provisions, widely criticized as preempting welfare reform, leaves H.R. 7200 much the same as it left the House—a child welfare and social services bill. Chances of passage are greatly reduced if the welfare reform measures get reattached.

By amending a minor tariff bill, H.R. 3387, the committee also extended to Feb. 1, 1978 the following provisions:

- $200 million funding for child day care (H.R. 7200 would make this a permanent addition to Title XX, raising the ceiling from $2.5 to $2.7 million.);
- Authorization to use day care funds to subsidize employment of welfare recipients in child care jobs;
- Welfare recipient tax credit for employers who hire recipients for child care jobs;
- Waiver of Federal Interagency Day Care Requirements for child care facilities serving Title XX children;
- Title XX funding for certain aspects of treatment of addicts and alcoholics.

See H.R. 7200, page 6

Labor-HEW Stalled

WASHINGTON, D.C.—At press time, the House-Senate conferees considering the fiscal '78 Labor-HEW appropriations bill were still unable to resolve their dispute over the anti-abortion Medicaid provisions contained in the money measure. Both sides "agreed" to disagree on the abortion amendment and report the bill back to their respective chambers for another vote. House conferees will not approve any federal funds for abortions; Senate language is more permissive.

House conferees have decided to take the bill to the House floor Oct. 12. This is the day the Department of Health, Education and Welfare must request funds from Treasury in order to meet its Oct. 18 payroll. The delay in passage of the bill will affect HEW and Labor Department operations. Not only will employes receive half-pay, but they will be restricted from traveling. No travel means that HEW and Labor employes cannot provide technical assistance, oversight or attend professional meetings. Medicare, Medicaid and Social Security payments are not affected.

See LABOR-HEW, page 6

80/20 SHARE PROPOSED

Cash Match Out in CAA Renewal

WASHINGTON, D.C.—As urged by NACo, the House Education and Labor Committee voted Sept. 28 to eliminate a proposed requirement that 5 per cent of the local share be a cash match in a bill reauthorizing community action programs.

The bill, H.R. 7577, returns the federal/nonfederal share to 80/20 for Community Action Agencies (CAAs) and continues to allow in-kind contributions for the nonfederal share.

Decision to eliminate the cash match was a party-line vote, favored by 23 Democrats and opposed by nine Republicans.

H.R. 7577 extends for another three years the operations of 880 CAAs serving 2200 counties. CAAs administer $400 million annually in anti-poverty funds from the Community Services Administration (CSA) and about twice that amount from other federal agencies to operate community development, manpower, aging and other human services programs.

Arguing for his motion to eliminate the cash match requirement, Delegate Baltasar Corrada (D-P.R.) said only large urban CAAs could afford it.

Opposing the motion, Rep. Albert Quie (R-Minn.) said that after 12 years of community action, local governments should be expected to make modest contributions to CAAs. He called the collection of local share on an in-kind basis "the phoniest operation I've ever seen" which "makes deceitful individuals of managers of CAPs." He said county commissioners and mayors in his district would provide 5 per cent cash match if it meant the continued existence of their CAAs.

In other debates, Quie claimed the Office of Child Development in the Department of Health, Education and Welfare was violating the statutory formula for distributing preschool funds among the states. Also, Rep. John Erlenborn (R-Ill.) argued the committee had a responsibility to legislate solutions to the alleged fraud of several CAAs and the mismanagement of some CSA programs documented by their sister committee on government operations.

Subcommittee chairman Ike Andrews (D-N.C.) said the problem was administrative, and the new administration at CSA was showing good faith in its initial corrective actions. Rep. Erlenborn made one corrective amendment, which failed on voice vote.

TECHNICALLY, H.R. 7577 is an amendment to the Economic Opportunity Act (EOA) of 1964. The "Green Amendment" in 1967 mandated that one-third of CAA boards be local elected officials or their representatives. In 1975, when EOA was last extended, the Office of Economic Opportunity reporting directly to the President was changed to an independent agency and renamed the Community Service Administration. In 1977, the federal share of CAA programs dropped to a low of 60 per cent, compared to the original level of 90 per cent.

NACo supported return of the federal/non-federal share to the 80/20 level which existed from 1967 to 1975. NACo also supports continuation of community action programs, while proposing that local elected officials have full powers to decide if their area needs community action services and which agency should provide the services. NACo also proposes a "sunset" provision for community action, calling for a local review of the effectiveness and roles of community action at least every five years.

The committee leadership is uncertain whether H.R. 7577 will gain consideration by the full House before the year-end recess.

Hotline Back

NACo's Washington Report is back in service! For county officials who are unfamiliar with it, the report is NACo's hotline—a three-minute recorded message which can give you the latest information on what's happening to county issues on Capitol Hill.

The report is updated every few days and covers a range of subjects including community development, environment and energy, health, welfare, transportation, criminal justice, tax and finance and employment. At various times, the report may explain one issue in depth or touch upon several issues—whatever is breaking news at the moment.

The hotline is also your guide to those times when grassroots pressure is needed to gather congressional support for key county legislation. Call us and we'll tell you how you can help NACo represent county interests more effectively.

For county officials who were regular callers in the past, we apologize for the few months the hotline has been out of commission. The recording equipment was not working properly and we have replaced it with a new system that we hope will serve you better and with less interruptions.

To call the hotline, simply dial (202) 785-9591 or (202) 785-9598.

BEFORE CIVIL RIGHTS COMMISSION—Doris Dealaman, chosen freeholder, Somerset County (N.J.), testifi[es] on age discrimination in federal programs before the U.S. Commission on Civil Rights. On her right is Arkansas A[t]torney General William Clinton, who also testified.

IN FEDERALLY FUNDED PROGRAMS

Unintentional Age Bias?

WASHINGTON, D.C.—Doris Dealaman, chosen freeholder, Somerset County, N.J., told the U.S. Commission on Civil Rights Sept. 26 that several federally funded programs unintentionally discriminate against older Americans.

Dealaman is NACo's spokesperson for issues concerning the elderly.

The commission is studying age discrimination in federally funded programs, including those funded with general revenue sharing dollars.

The Age Discrimination Act of 1975 requires the commission to issue a report on its findings. The Department of Health, Education and Welfare (HEW) is also required to propose regulations within one year after receiving the commission's report to end "unreasonable" discrimination based on age.

Counties will then have 45 days to comment before final regulations are issued.

THE COMMISSION held three hearings with HEW Secretary Joseph Califano among those who testified. Dealaman appeared before the commission with Arkansas Attorney General William Clinton.

She singled out Title I of the Comprehensive Employment and Training Act (CETA) as an example of a measure that can discriminate against older people.

Title I provides a one-year employment program for the unemployed. One year, Dealaman said, may be sufficient for young, upwardly mobile workers, but may not be adequate for older people who need more support or training to get a new job.

No adequate employment program for senior citizens could be funded through Title I, Dealaman pointed out, because of the one-year time limitation.

However, she continued, local officials can sometimes iron out these difficulties or provide programs that help the elderly overcome such problems.

As an example, she cited a basic education course in Somerset County which helps elderly citizens with fundamental budgeting or language problems.

The commission is focusing in pa[r]ticular on vocational rehabilitati[on] programs, employment program[s,] programs funded with reven[ue] sharing money, and communi[ty] health and mental health services.

Commission Chairman Arth[ur] Flemming asked Dealaman wh[y] mental health services in New Jers[ey] reach older people more effective[ly] than services in other states.

Dealaman cited two major reaso[ns:]

- Decentralized centers allevia[te] transportation problems faced b[y] most senior citizens, and
- Mental health services are "c[o-]located" with other services—i[n]cluding legal services—to reduce th[e] stigma that may be attached [to] visiting a mental health center. C[o-]locating services also makes multi[ple] resources available to solve the co[m]plex problems of older citizens, s[he] said.

Dealaman also discussed t[he] problems in providing services fu[nd]ed by Title XX of the Social Secur[ity] Act and responded to commissi[on]ers' questions about outreach acti[vi]ties and vocational rehabilitati[on] services.

Grants Likely for Home Health

WASHINGTON, D.C.—More money will probably be available early next year for home health demonstration grants funded by the federal Public Health Service.

House-Senate conferees have doubled the funding of this program from $3 million to $6 million. This increase is not expected to be deleted by the Senate or the Administration; the House has already approved the appropriation.

Grants made under this program are intended to support the establishment or the expansion of home health services. The average grant in fiscal '77, according to program director Harold Dame, is $50,000.

"However, for establishing a new home health service," he adds, "the average is closer to $100,000."

Expanding services, Dame continues, may include increasing the geographic area served, the population served, or the array of services.

APPLICATIONS for these grants must be submitted to the Public Health Service office in each federal region. Regional offices give preference to applications from areas where at least 13.7 per cent of the population is 65 or older or where 26.9 per cent of the population is "medically indigent."

Medically indigent is defined as people below the poverty level not being served by home health services. Applications from areas that have a large number of elderly medically indigent are also given preference.

"The regional offices are instructed to fund all applications from preferred areas," Dame explains, "before they consider other applications."

Eighty-five per cent of applications approved in the past were from preferred areas. Increased funding, however, could change that ratio.

The program has two funding cycles. Applications must be submitted to a regional office by Jan. 1 to be considered in the first cycle. (No consideration is given during the first cycle to applications from non-preferred areas.)

Applications for the second cycle must be received by June 1. Awards, Dame says, are made 10 weeks later.

Services which receive awards must be certified for Medicare [re]imbursement or to obtain certifi[ca]tion within 60 days after receivin[g] grant.

County offices interested in app[ly]ing for these grants should obta[in] applications from the Public Hea[lth] Service office in their federal regi[on].

—Phil J[o...]
NACoRF Aging Prog[ram]

COUNTY NEWS

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Rural Housing Hearings Underway

WASHINGTON, D.C.—The Senate subcommittee on rural housing, chaired by Sen. Robert Morgan (D-N.C.), will be conducting hearings this month on the Rural Housing Act of 1977. The bill, S. 1150, was introduced by Sen. Hubert Humphrey (D-Minn.) and 17 co-sponsors last March.

The legislation addresses the issues of rural housing and the Water and Waste Disposal program of the Rural Development Act of 1972. It seeks to expand rural housing programs and increase the amount and percentage of water and sewer grants available. Both programs are administered by the Farmers Home Administration (FmHA).

The bill contains two key provisions of interest to county officials. Section 14 proposes to establish a new homeownership subsidy for families whose incomes are too low to qualify for the present homeownership program of FmHA ("502"). If adopted, FmHA would subsidize the difference between the family's payment (no more than 15 per cent of gross income) and the total housing costs. Total housing costs would include principal, interest, taxes, utilities and maintenance.

AN INNOVATIVE part of the program is a "recapture provision." This would permit both the family and FmHA to share in the profits at the time of sale resulting from appreciation of the house.

Sharing would be based on a formula that would consider adjusted family income, area living costs, and other factors.

To the homeowner, the recapture provision is an incentive to make improvements and live in the house for a long time in order to acquire equity. To the government, it means that a portion of the subsidy will eventually be returned and windfall profits would be avoided. All profit "recaptured" would go back into the Rural Housing Insurance Fund to be reissued to other potential homeowners.

The bill would also increase the authorizations for water and waste disposal grants from the present $300 million level to $1 billion. The increases would occur in three stages: $5 million in fiscal '77, $750 million in fiscal '78, and $1 billion in fiscal '79. The step process would enable the agency to meet the enlarged needs of the program. However, it should be noted that the largest appropriation to date has been $250 million for the current year.

The bill also proposes to raise the grants to cover up to 75 per cent of project cost, a position long advocated by NACo. The present law sets a maximum grant level of 50 per cent of project cost. However, while counties seek a flat 75 per cent grant, the bill proposes that the levels vary from 25 per cent to 75 per cent with at least one-third of the grants to be at the 75 per cent level and one-third to be at the 50 per cent level. Comparable Environmental Protection Agency (EPA) grants cover 75 per cent of project cost while Department of Housing and Urban Development grants cover 100 per cent of cost.

NACo will be testifying at the Senate hearings. No hearings have been scheduled as yet in the House.

HEALTH INSURANCE HEARINGS—Milwaukee County Supervisor Terrance Pitts testifies before a special hearing on national health insurance called by HEW Secretary Joseph A. Califano, right.

Counties Ask Control of Rising Health Costs

WASHINGTON, D.C.—At a special hearing on national health insurance, Milwaukee County Supervisor Terrance Pitts said the "main issue is control over rising medical and health costs."

Pitts told Secretary of Health, Education and Welfare Joseph A. Califano Jr., who called the Oct. 4 hearing, that Medicaid and Medicare costs are increasing $5 billion a year.

"State after state is cutting back services under Medicaid due to increasing costs," he pointed out and "counties are left with providing those services that the states cut."

"Some counties," Pitts said, "are reporting that on the average, 20 per cent of their general budget is being allocated to Medicaid.

He added that high unemployment rates make more people eligible for Medicaid and persons who normally used private care are now relying on county clinics and hospitals.

Pitts, chairman of NACo's Health and Education Steering Committee, said NACo calls for the enactment of a "single, universal, comprehensive national health insurance program on an incremental basis over the next four years.

"We advocate, as a first step, the federalization of Medicaid," he concluded.

Another Cut for LEAA?

WASHINGTON, D.C.—President Carter has asked Congress to rescind $2.7 million in budget authority for fiscal '78 from the Law Enforcement Assistance Administration (LEAA) and to transfer those funds to the general accounts of the Justice Department.

The money represents allocations to state and local governments that, for one reason or another, have remained unused for a period of three years. These unused funds usually result from completed projects that show slight surpluses or allocations never spent because the projects for which they were obligated never materialized or were never fully implemented. By law such funds go back to the states where they are reobligated for approved projects and thus remain in the criminal justice system.

The Administration, by totally removing this money from the LEAA program, has, in effect, reduced badly needed funding for state and local criminal justice programs. The unobligated funds would be used to supplement the federal payroll at the Department of Justice.

If Congress obliges the President by removing funds from the fiscal '78 budget, 1978 programs may not actually be reduced, since the rescinded money that would normally go back to the states will be retained at LEAA for obligation against next year's programs.

The $2.7 million proposed cut comes on the heels of a fiscal '78 appropriation to LEAA which already had been cut some $100 million. Congress, reacting to growing criticism of LEAA, is likely to grant the President's request for the rescission and reallocation.

2 Legislators Scrutinize LEAA Reorganization

WASHINGTON, D.C.—House hearings on a controversial Justice Department study calling for a reorganization of the embattled Law Enforcement Assistance Administration (LEAA) have produced calls from two key legislators for a new, more informed study of the agency before any reorganization plans are pursued.

Both Rep. John Conyers (D-Mich.), chairman of the House Judiciary subcommittee on crime and Rep. Elizabeth Holtzman (D-N.Y.), a long time supporter of LEAA, have noted that the study was done "in house" and did not include direct participation of the "user" (i.e., state and local government officials). Holtzman criticized the "very narrow viewpoint and limited experience" of the study group.

The only member of the six-person study group with recent state or local experience, Paul Nejelski, did in fact object to the main recommendations of the study group, thus giving credence to Holtzman's charge.

Conyers concurred with Holtzman, also noting that the study group did not include any minority members and that the study did not address affirmative action considerations in its work, despite "the inordinantly high involvement of minorities in the criminal justice system." The study group was composed of officials from both LEAA and the Justice Department.

A major recommendation of the study drew fire from both committee members and witnesses. The study group recommended replacing the present LEAA block grant program with a program of direct assistance to state and local governments that would be used to implement national program models developed through a national program of criminal justice research. Many expressed the fear that a "revenue sharing" program without federal strings would produce the kind of excesses that marked the early years of the LEAA program when much of the money was spent on equipment and not in strengthening the capacity and quality of the criminal justice systems.

Criticism was also leveled at the Administration for leaving the three top administrative posts at LEAA vacant for the past eight months.

The LEAA reorganization study was made public in June but not acted upon for 60 days to allow public comment. Attorney General Griffin Bell, to whom the study was directed, indicated at that time that no policy decisions would be made pending receipt of the public comments. Nevertheless, by administrative order, the Justice Department has already closed 10 regional offices of LEAA which, in itself, represents a significant reorganization step.

The current House hearings are as much a result of the closing of the regional offices as they are a reaction to the Justice Department report, since the regional office closings were a surprise to Congress and precipitated a great deal of public outcry. Congress is determined to retain control over the form and substance of LEAA and the Conyers' hearings are regarded as a means of making certain that the White House understands this fact.

THE NEXT STEP toward reorganization, barring a restudy, will probably be a formal recommendation by the Administration to Congress with respect to the federal government's criminal justice efforts. Disenchantment with LEAA and its crime fighting efforts has grown in recent years as more money (almost $5 billion) has gone into the program without a perceptible decrease in crime rates.

Independent of the Justice Department study, Sen. Edward Kennedy (D-Mass.) is close to introducing a direct assistance bill of his own and, although there is no similar measure in the House, there is growing support for the concept.

No action will occur on this or similar measures this year but as LEAA's reauthorization runs out in 1979, considerable activity is expected during the second session of the 95th Congress.

County Opinion

Unfair Burden

State and local governments should not be used to bail out the Social Security system at a time when they are faced with shrinking tax bases.

The House Ways and Means Committee voted to mandate universal coverage and prohibit future withdrawals from the Social Security system, effective Jan. 1, 1982. The committee also agreed to increase the tax rate and wage base above current levels to help maintain the fiscal soundness of the system.

There are a number of local governments that have opted out of the Social Security system and four states (Massachusetts, Maine, Ohio and Nevada) that have never participated, but those jurisdictions have established their own Public Retirement Systems which offer as much or more than the employe would receive under Social Security.

If Congress forces these governmental bodies to start contributing to Social Security, it will be a financial hardship on both the employes and employers. It will be impossible to continue both systems.

In Cuyahoga County, Ohio, for example, the county currently contributes 13.95 per cent in taxes and the employe pays 8.5 per cent in taxes under the Public Employes Retirement System. Under Social Security, the county estimates it would have to pay an additional $15 million in one year.

Harris County, Texas figures it will incur an additional cost over the next 10 years of over $2 million, based on tax rate and wage base increases recommended by the Social Security subcommittee.

Counties and other jurisdictions that have never participated in Social Security, most of whom are faced with very strict legal and/or political prohibitions against property tax increases, will have to respond with a cutback in services and workforce thereby reducing both the amount of covered payrolls and the potential wage base.

NACo is currently working to gather cost impact figures from counties across the nation. The financial implications may prove to be sobering for all local governments.

Mich. Townships Try to Block 'Payments'

Continued from page 1

the main provider of local government services in public land areas, are the recipient units of government for this program in all but six New England states where towns would receive the payments.

In Michigan, townships have filed for an injunction to block payments to counties in that state. A federal circuit court hearing is scheduled for Oct. 21. Any decision, however, would only affect payments in Michigan.

The townships have apparently taken issue with the finding of Interior in its final regulations that "an analysis of the statistical data available indicates that the county is the principal taxing body and provider of general government services on the local level in the State of Michigan."

Funds under this program can be spent for any government purpose. NACo is recommending that counties spend funds as they would local property tax revenues, and in accordance with state laws. Although there is no federal restriction, NACo recommends that funds not be used for lobbying or to match federal grant programs which contain prohibitions for local matching with federal funds.

There is a 90-day protest period for counties that question their payments. Counties are urged to contact NACo for advice on protest procedures.

THE 94TH CONGRESS approved the legislation, H.R. 9719, by a two-thirds vote in the House and unanimously in the Senate on the eve of adjournment last year. The bill was signed by the President on Oct. 20, 1976, becoming P.L. 94-565. A supplemental appropriation of $100 million was approved this year to implement the act.

The act authorizes minimum payments to counties and other local governments to partially compensate them for the tax immunity of natural resource lands including: national forests, national parks, wilderness areas, Bureau of Land Management (BLM) lands, and water resource lands such as Army Corps of Engineers and Bureau of Reclamation projects. However, lands held in state or local government ownership at the time of federal acquisition are excluded.

Payments are based on the amount of entitlement acreage within a county and limited by a per capita population factor. A county receives the greater amount of either 75 cents per acre of entitlement lands less current timber, mineral or grazing payments or 10 cents per acre in addition to current payments.

There is also a population factor to limit payments and prevent any "windfall" payment that might exceed revenues the lands would generate if they were privately owned and subject to state and local taxes.

Approximately 200 counties will actually receive two checks.

AN ADDITIONAL payment under Section 3 of the act of one per cent of market value is made for up to five years for parks and wilderness areas purchased by the federal government since 1971. This payment recognizes the sudden tax loss when the lands were taken off the tax rolls. Only this payment is to be prorated between counties and schools. The payments are not divided between counties and schools, since schools receive separate education impact aid funds.

A regular appropriation of $100 million was also approved by Congress and signed by the President this year. This will provide funding for the second year of the program. It is anticipated that these payments would be made in September 1978. Annual appropriations will be necessary in future years.

Summary of First Year Payments-in-Lieu of Taxes to Counties under P.L. 94-565

State	Entitlement Acres	Payment
Ala.	725,564	$322,955
Alaska	72,280,428	3,844,016
Ariz.	26,721,685	8,402,702
Ark.	3,068,472	1,289,837
Calif.	41,041,041	10,353,646
Colo.	23,299,408	7,483,637
Conn.*	6,680	4,921
Del.	11,945	8,807
D.C.	6,818	5,114
Fla.	1,664,509	1,094,587
Ga.	1,225,154	764,740
Hawaii	28,127	·23,098
Idaho	32,554,420	7,214,759
Ill.	440,115	315,748
Ind.	287,761	270,401
Iowa	137,687	103,221
Kan.	533,109	361,725
Ky.	1,038,792	672,399
La.	679,377	117,095
Maine*	73,147	53,634
Md.	35,820	102,862
Mass.*	29,259	122,743
Mich.	1,965,439	1,544,782
Minn.	2,871,504	1,320,533
Miss.	1,431,545	456,478
Mo.	2,000,652	608,479
Mont.	26,718,514	8,838,854
Neb.	472,110	303,851
Nev.	53,692,958	4,482,697
N.H.*	704,278	301,166
N.J.	34,566	133,205
N.M.	22,572,749	10,246,388
N.Y.	26,192	22,495
N.C.	1,316,332	800,923
N.D.	1,823,950	621,650
Ohio	268,577	195,118
Okla.	1,251,549	786,791
Ore.	29,207,064	3,538,060
Pa.	625,974	227,817
R.I.	5	1,497
S.C.	709,394	96,496
S.D.	3,075,453	1,747,504
Tenn.	869,505	558,059
Tex.	1,741,291	757,681
Utah	32,261,274	7,471,599
Vt.*	263,836	149,095
Va.	1,748,049	1,261,745
Wash.	11,266,497	2,357,816
W.Va.	1,073,095	709,152
Wis.	1,262,002	805,699
Wyo.	29,366,769	6,419,619
P.R.	27,900	2,500
V.I.	12,448	13,552

*Payments to towns, all other payments to counties.

CD Bill: Key Provisions Outlined

WASHINGTON, D.C.—The House last week gave final approval to H.R. 6655, the Community Development Amendments of 1977. The bill had been approved earlier by the Senate. President Carter was scheduled to sign the bill Oct. 7.

The following is a breakdown of the key provisions of the bill relating to community development.

Authorization Level

Provides a three-year authorization of the following total amounts: $4 billion for fiscal '78, $4.15 billion for fiscal '79, and $4.3 billion for fiscal '80. These amounts include funding for the regular block grant program, completion of existing urban renewal projects and a new Urban Development Action Grant program.

Entitlement Eligibility

- Towns within New York state may become entitled to funds (entitlement communities) if their population exceeds 50,000 persons and they secure cooperation agreements with all incorporated villages within them.
- Urban county entitlement status is extended to any county within a metropolitan area whose population exceeds 100,000 persons, has a population density of 5,000 or more persons per square mile, and contains within it no incorporated units of general purpose local government. (This provision applies only to Arlington County, Va., which will join 78 urban counties (over 200,000 in population exclusive of cities over 50,000 within them) currently participating in the program.)
- "Opt out" communities are presumed to be part of the urban county's community development program unless they, on their own initiative, specifically opt out, after annual notification by the urban county of their right to do so.

Eligible Activities

- Eligible community development activities are broadened to include economic development when such activities are necessary or appropriate for meeting community development needs and objectives through a comprehensive strategy. Grants may be made to local development corporations.
- Recipients may not use funds as a substitute for other revenues for providing service such as police and fire protection.

Application Requirements

- Requires a summary three-year community development plan to identify housing as well as community development needs.
- Requires applicants to prepare and follow a written citizen participation plan that provides an opportunity for citizens to participate in monitoring and evaluating the implementation of the community development program.
- Requires the identification of housing stock which is deteriorated and can be reclaimed through a range of rehabilitation techniques. Communities must ensure that the majority of families benefiting from subsidized housing rehabilitation are of low and moderate income.
- Requires applicants to certify that their community development programs have been developed to give maximum feasible priority to activities benefiting low and moderate income persons or aid in the elimination or prevention of slums and blight. (Draft HUD regulations would require that 75 per cent of a community's entitlement must be spent on activities directly benefiting low and moderate income persons.)
- Defines "urgent needs" as those existing conditions which pose a serious and immediate threat to health or welfare of the community, and where financial resources are not available.
- Requires rejection of block grant applications when they do not comply with the act's requirements specifically regarding the primary purpose of principally benefiting persons of low and moderate income or eliminating or preventing slums and blight.
- Permits the secretary to waive the application requirements for communities under 25,000 population where the application does not involve a comprehensive community development program.

Discretionary Funds

- Metropolitan and nonmetropolitan discretionary funds are allocated among the states on the basis of a dual formula (the higher of an amount determined under the existing formula of population, poverty and overcrowded housing or an alternative formula including aged housing, population and poverty).
- Metropolitan (SMSA) discretionary balances are aggregated on a statewide rather than individual SMSA basis.
- Multiyear grant commitments of up to three years may be made for comprehensive community development programs. Priority for multiyear commitments is given to hold harmless phase-out communities.
- HUD must strike a reasonable balance between funding comprehensive and single purpose discretionary grant applications.

Loan Guarantees

- Authorizes federal guarantees for the issuance of taxable bonds by communities for activities eligible under the community development program. One-third of the interest rate for issuing taxable bonds will be federally subsidized.

Rehabilitation

- Extends the Sec. 312 Rehabilitation Loan program through fiscal '79, adds $60 million in additional authorization for fiscal '78, and raises the loan limit to $27,000/unit.
- Permits a community to draw a "lump sum" of community development funds to deposit in a private financial institution for the purpose of maximizing financial returns.

Urban Development Action Grants

- Authorizes a new discretionary grant program for distressed cities and distressed urban counties to enable them to take advantage of a unique opportunity to join public and private resources in programs aimed at neighborhood revitalization and expansion of employment opportunities.
- Applicants must demonstrate a "track record" in providing equal housing and employment opportunities for low and moderate income persons.
- Eligibility criteria will include population migration, housing abandonment, tax base stagnation and level of unemployment. Selection criteria for awarding grants are to be based primarily on a community's aged housing (measured in percentage terms), poverty, and population growth lag.
- Funding must be coordinated through economic development programs, such as those of the Department of Commerce.
- Twenty-five per cent of the funds are reserved for cities of under 50,000 population.
- The annual authorization level is $400 million.

Formula Funding

- Authorizes a dual formula system for providing entitlement (guaranteed) funding to metropolitan cities and urban counties. Under this system an entitlement community receives the higher amount determined under either the existing formula (population, poverty, overcrowded housing) or an alternative formula (aged housing built before 1940, poverty and population growth lag).

TESTIFYING ON SURFACE TRANSPORTATION—Representatives of the Oakland County (Mich.) Road Commission appeared before the House subcommittee on surface transportation Sept. 27 in hearings on legislation for continuation of highway and mass transit programs. Rep. James J. Howard, subcommittee chairman, left, greets John R. Gnau Jr., chairman, Oakland County Road Commission, center, and Paul Van Roekel, Oakland County highway engineer and National Association of County Engineers representative to the NACo Board of Directors.

Matter and Measure

The National Safety Council will hold its 65th National Safety Congress and Exposition Oct. 17-20, in Chicago, Ill.

There will be workshop training sessions on problems of emergency vehicle operations for police, fire and ambulance personnel; basic traffic procedures for communities; and safety and engineering aspects of the "right turn on red" system.

A workshop on the safety of mopeds, which are now legal in more than 30 states, will be presented by the council's traffic conference together with its school and college conference.

Ms. Joan Claybrook, new administrator for the National Highway Traffic Safety Administration, will be a featured speaker at the opening session Monday, Oct. 17. She will discuss "Future Direction of the National Highway Safety Program."

For more information, contact Hayden Lynch, National Safety Council, 440 No. Michigan Avenue, Chicago, Ill. 60611, (312) 527-4800 Ext. 20.

SEND IN R-R-R COMMENTS

This is a second reminder urging you to submit comments on FHWA's proposed rule on establishing geometric design standards for resurfacing, restoration and rehabilitation (R-R-R) projects. We wrote about this proposed rulemaking in the Sept. 19 column. FHWA is asking for our suggestions and proposals for establishing design standards and offers three alternatives for comment.

Alternative 1 is "no change" which would provide for continued operation under existing provisions and exceptions to existing design standards on an individual project basis.

Under alternative 3, state highway officials and FHWA division administrators would develop individual state criteria by using AASHTO's "Purple Book" and other guides. Final approval would be by FHWA on an individual state basis.

Alternative 2 suggests adoption of AASHTO's "Purple Book," which you should have received from past president Gordon Hays. Under this alternative, the "Purple Book" would be the guide for federal-aid R-R-R projects other than Interstate. The "Purple Book" provides the flexibility we all seek, but there may be opposition from some federal and state highway people.

We should let FHWA know our stand. Send your comments on this proposed rule (published in Aug. 25 *Federal Register*) and use of the "Purple Book" to Marian Hankerd at NACoRF by Oct. 17. Marian will then send them to FHWA. If you need a copy of the "Purple Book" or the proposed rule, please let Marian know.

Milton L. Johnson, P.E.
NACE President

FINAL RULE ON MASS TRANSIT AND SPECIAL USE HIGHWAY PROJECTS

The Federal Highway Administration (FHWA) has issued a final rule (*Federal Register*, Sept. 21) that allows flexibility in use of federal-aid highway funds for mass transit and transit-related facilities and for special use highways. (The final rule takes effect Oct. 20).

The purpose of the rule is to implement certain provisions of the Federal-Aid Highway Act of 1973 and 1976, as amended.

The rule allows exclusive and preferencial busways, fringe and corridor parking facilities, and other highway-related mass transit facilities to be approved on any federal-aid system. In addition, nonhighway public mass transit projects can be approved as part of the federal-aid urban system.

For more information, contact: Federal Highway, Vince Ciletti, Chief, Programs Branch (202) 426-0450 or Frank Calhoun, Attorney, Office of the Chief Counsel (202) 426-0762; or in the Urban Mass Transportation Administration (UMTA) Sam Rea, Office of Transit Assistance (202) 472-2435, or David Rukin, Attorney, Office of the Chief Counsel (202) 426-1906, all located at 400 Seventh Street, S.W., Washington, D.C. 20590.

FINAL RULING ON TRANSPORTATION FOR ELDERLY AND HANDICAPPED PERSONS

The Urban Mass Transportation Administration (UMTA) has issued a final ruling on Transportation for Elderly and Handicapped Persons (Sept. 23 *Federal Register*).

This regulation amends the UMTA regulations to reflect the Secretary of Transportation's recent decision to mandate the use of a Transbus specification, after Sept. 30, for all new standard size buses purchased with UMTA assistance. (A decision paper describing the Secretary's reasons for mandating Transbus is available from the Office of Public Affairs, Urban Mass Transportation, 400 Seventh Street, SW., Washington, D.C. 20590.)

The specifications include a requirement for a stationary floor height of not more than 22 inches, for an effective floor height including a kneeling feature of not more than 18 inches, and for a ramp for boarding and exiting. The specifications resulted from UMTA research aimed at developing a bus to attract mass ridership, provide accessibility to elderly and handicapped persons for whom the high floor and stairs of current buses prove serious obstacles, and encourage continued competition among manufacturers of transit buses.

For more information contact Joseph Marshall, Acting Director, Office of Public Affairs, Urban Mass Transportation Administration, 400 Seventh Street, SW., Washington, D.C. 20590 (202) 426-4043.

Juvenile Justice Bill Becomes Law

WASHINGTON, D.C.—President Carter has signed into law legislation which extends the Juvenile Justice and Delinquency Prevention Act of 1974 for an additional three years.

Calling the measure a "great step forward," the President decried practices in many states that treat status offenders in the same manner as adults guilty of robbery and rape. (Status offenses are crimes that if committed by an adult would not be crimes at all such as running away, truancy and promiscuity.)

The reauthorization measure, H.R. 6111, sponsored by Sen. Birch Bayh (D-Ind.) and Rep. Ike Andrews (D-N.C.), does not incorporate major changes into the 1974 law but does include a number of amendments designed to better administer and implement the widely acclaimed programs made possible by the legislation. Key provisions include:

- Expanding the range of persons eligible to serve on the National Advisory Committee for Juvenile Justice and Delinquency Prevention to include persons with special experience in juvenile related matters;
- Increasing the minimum state allotment from $200,000 to $225,000;
- Specifying that not more than 7 1/2 per cent of a state's annual formula grant allotment can be used to pay the cost of planning, administration, monitoring and evaluation, beginning in 1979;
- Increasing financial assistance under the formula grant program from 90 per cent to 100 per cent approved program costs, beginning in October 1978;
- Broadening the role of the state advisory group to include review and comment on grant applications submitted to the state planning agency;
- Allowing local private agencies, for the first time, to be funded directly by the state if the private agency has been denied funding by a local government and the state overrules that decision;
- Requiring that status offenders be "substantially" deinstitutionalized within three years of the submission of an initial plan with complete deinstitutionalization within 5 years (Language contained in the 1974 law which appeared to require that all status offenders removed from juvenile detention or correctional facilities be placed in shelter facilities was deleted.);
- Specifying that formula grant funds cannot be used to match other LEAA funds.

THE NEW LAW EXPANDED the definition of prevention programming to include all youth who would benefit from delinquency prevention services. Additionally, the formula grant program has a new emphasis on programs and services designed to encourage 24 intake screening, volunteer and crisis home programs, day treatment and home probation and youth advocacy programs.

Funding authorization for the act has been set at $150 million for fiscal '78; $175 million for fiscal '79; and $200 million for fiscal '80. Actual appropriations for 1978 are $100 million, an increase of $25 million over fiscal '77.

NACo testified before both Senate and House committees urging the reauthorization of the 1974 legislation. Donald Payne, freeholder from Essex County, N.J., noted that "the act offers the single most promising federal commitment to our national effort to salvage thousands of our youngest citizens from the ravages of a deteriorating system of juvenile justice."

The law will be administered by the Office of Juvenile Justice and Delinquency Prevention at the Law Enforcement Assistance Administration. John Rector, administrator, was Sen. Bayh's chief staff person on the Senate juvenile justice subcommittee prior to accepting his present post. Consequently, he played a major role in writing the law he is now administering.

FmHA Is Faced with Staff Cuts

WASHINGTON, D.C.—The Farmers Home Administration (FmHA) is faced with staff reductions as a result of an Office of Management and Budget (OMB) order to the Department of Agriculture. FmHA, which is seriously understaffed, may be forced to forego necessary staff increases provided for by Congress and, instead, may be forced to decrease its personnel.

OMB has directed Agriculture to reduce its ceiling of full-time employes by 825. The department, in turn, will be forced to reduce staffing in its various agencies in order to comply.

Over the past five years, FmHA has been accorded greater program responsibilities without accompanying staff support. In an attempt to correct this problem of an estimated need of 2,000 new employes, Congress provides the agency with $4.5 million in its current budget to hire 300 additional staff.

If FmHA is prevented from hiring the necessary staff and is forced to absorb further reductions, it will greatly hinder the agency's ability to adequately administer its expanded rural development program.

County officials are urged to contact their congressmen and to write President Carter opposing the OMB recommended cuts and urging that the FmHA be permitted to hire the 300 additional employes as provided by Congress.

Electric Bill Relief for Elderly Passed

WASHINGTON, D.C.—A last-minute letter from NACo to key senators helped secure Senate approval of Sen. Gary Hart's (D-Colo.) Electrical Lifeline for the Elderly Rate Reform Act (S. 1364).

The bill requires utility companies to provide elderly citizens a "subsistence quantity of electricity" at the same low rate large companies are charged.

NACo's Welfare and Social Services Steering Committee recently endorsed the measure after three conferences sponsored by the Aging Program at NACo's Research Foundation revealed that utility bill relief is a high county priority for the elderly.

The Senate approved Hart's bill by a vote of 56 to 36.

The next step is a House-Senate conference on the measure. The House version of this bill allows, but does not mandate, reduced rates for residential consumers.

Social Security Mandate OKed

Continued from page 1

NACo supports the optional inclusion of the public sector work force in the Social Security system and opposes legislative efforts to bar, limit or inhibit the voluntary withdrawal of government employers who deem it in their best interests to withdraw.

In an attempt to provide additional financing for the Social Security trust funds, the committee also adopted a detailed plan drafted by Jim Guy Tucker (D-Ark.) and Abner J. Mikva (D-Ill.) which calls for increases in the payroll tax rate and wage base shared equally by employer and employe. The plan calls for a tax increase of 6.45 per cent from 1981 to 1984; 6.9 per cent in 1986 and 7.45 per cent in 1990. These levels exceed the amount currently scheduled in the present bill and are above the Social Security subcommittee's recommendations.

THE FULL COMMITTEE also approved a wage base increase on which the tax is levied, from the present $16,500 to $19,900 in 1978; $22,900 in 1979 with gradual increases thereafter and reaching $37,500 by 1986.

The committee voted 20-17 to change the earnings limitation test (the amount a beneficiary can earn from a job without loss of benefits) from $3,240 in 1978 under current law to $4,000 and $4,500 in 1979. This increase would apply only to those persons 65 or over. This level is less than the proposed increase recommended by the Social Security subcommittee.

The mandatory coverage of state and local governments which have not joined the Social Security system (approximately 4 million state and local employes) plus the increased tax rate and wage base will cost those units an estimated $27 billion by 1984 according to the subcommittee report.

The bill, reported out of the committee, has not been scheduled for House floor action and there will be several attempts to change some of the major financing provisions. Counties are urged to contact their congressional delegations opposing this new "mandated" federal expense.

The Senate Finance Committee is still working on their financing plan and thus far it does not contain the mandatory coverage provision. It does, however, contain payroll tax rate increases and a higher annual wage base on which only employers pay the taxes.

For additional information on both House and Senate bills contact Ann Simpson of the NACo staff or call the NACo Hotline for an update. In the meantime, make your views known on this potentially costly provision.

Labor-HEW Deadlocked

Continued from page 1

The Labor Department has taken reasonable steps to minimize disruption to CETA Title I programs. Prime sponsors have been authorized to spend fiscal '77 carry-over funds either through their new fiscal '78 Prime Sponsor Agreements or through extensions of the old grants. Where carry-over is insufficient, they may "borrow" from Title II or VI funds, which were appropriated as part of the economic stimulus package during fiscal '77. If state or local law prohibits spending without cash in hand, however, this solution will do no good.

The deadlock also interferes with county grant and contract operations. Grants and contracts scheduled to be newly awarded or renewed in October are being withheld. New equipment cannot be purchased. Funds will continue to flow only if the grant or contract was obligated prior to Sept. 30.

Usually after the fiscal year expires, a continuing resolution is passed to maintain funding at current levels until the final appropriation is passed. That wasn't done this time during the abortion funding controversy.

Both House and Senate versions on the abortion issue state: "None of the funds in this act shall be used to perform abortions except where the life of the mother would be endangered if the fetus were carried to term."

The Senate would allow funds to abort in cases of rape or incest and in the event of serious health damage to the woman or fetus.

The House would allow funds for immediate medical procedures (but not abortions) to treat rape or incest victims and only if the rape or incest is reported to a law enforcement agency.

H.R. 7200

Continued from page 1

Also included in the tariff bill are forgiveness of incorrect AFDC vendor payments from January 1968 to April 1977, and authorization for nonrepayment by states of the federal share of incorrect Medicaid payments arising from federal mistakes. The bill was expected to be approved by the Senate at press time.

Final Senate action on H.R. 7200 is expected this week, although actual bill language is not available at press time. NACo is monitoring progress of fiscal relief and H.R. 7200 to ensure passage of both. Major differences on AFDC income disregards and quality control requirements are expected to be ironed out in conference.

THE NYSAC MEETING—New York State Association of Counties met in Sullivan County just before the NACo Welfare Action Rally in Washington last month. New York county officials chartered a plane to go from the NYSAC meeting to the NACo rally and took petitions to the rally signed by hundreds of thousands of New York State residents urging "Welfare Reform Now." Bill Murphy, Rensselaer County executive and chairman of the NYSAC task force on welfare reform, receives reports on the petition drive. Also pictured are, from left: Rexford Richards, chairman of the county legislature, Schuyler County; Dom DiScala, board of supervisors, Otsego County; Dr. Charles Clark, board of supervisors, Washington County and NYSAC president-elect; Murphy; Elizabeth Bean, board of supervisors, Wayne County; Fred Hequembourg, board of supervisors, Saratoga County; and Joe Gerace, Chatauqua County executive.

Kentucky Names State Exec

KENTUCKY—Fred Creasey, 42, assumed his new position as executive director of the Kentucky Association of Counties Oct. 1.

He replaces the association's first executive director, Jerry Frockt, who resigned to direct charter efforts in Palm Beach County, Fla.

Creasey, who has been with the Kentucky Department of Commerce since 1974, was assistant director of the Existing Industries Division. He represented the department in western Kentucky to better labor-management relations. Creasey also served as chairman of the Kentucky Industrial Development Council and the Department of Commerce's 1977 Industrial Tour. He has worked extensively with county and city officials during the past three years and is familiar with all areas of the state.

A former teacher and basketball coach in the Bourbon County school system, he was chosen "Mid-State Coach of the Year" in 1965. Creasey also has worked in the Kentucky Department of Education, been a partner in a construction business and two retail stores and served four-and-a-half years as a department manager for a major construction firm. He was presented an "Outstanding Community Service Award" from the city of North Middletown in 1963.

Creasey is the son of a former legislator and mayor of Sebree, Ky. He graduated from Transylvania College in 1957. There he was a member of the Pi Kappa Alpha Fraternity and participated in athletics.

He and his wife Dale live in Frankfort. Their two children, Tom and Terri Lynn, attend the University of Kentucky.

Creasey

Newsmakers

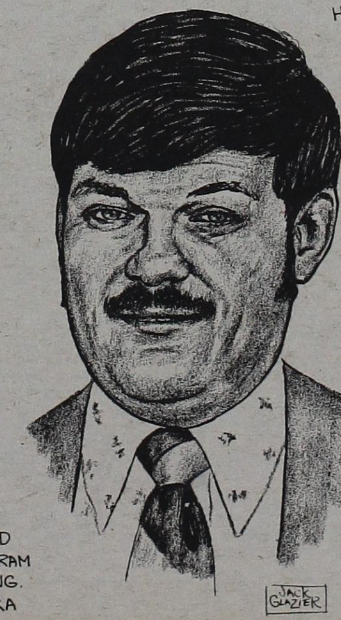
Gerald A.
STROMER

EXECUTIVE DIRECTOR
NEBRASKA ASSOCIATION
OF COUNTY OFFICIALS

WAS BORN
DECEMBER 25, 1942

HE EARNED A BACHELOR OF ARTS DEGREE IN EDUCATION (1965) AND A MASTER OF SCIENCE IN EDUCATION (1966) AT KEARNEY STATE COLLEGE. HE DID ADDITIONAL GRADUATE WORK AT THE UNIVERSITY OF NEBRASKA-LINCOLN.

HE WORKED AS A GRADUATE ASSISTANT AT KEARNEY STATE COLLEGE. HE ASSISTED IN THE COUNSELING AND PERSONNEL PROGRAM AND TAUGHT CLASSES IN REMEDIAL READING. HE ALSO WAS A CONSULTANT FOR NEBRASKA BOY'S TRAINING SCHOOL.



HIS EMPLOYMENT RECORD SHOWS TIME SPENT ON THE FAMILY FARM WHERE HE ASSISTED IN THE GENERAL OPERATION OF THE FARM, WORK WITH THE HASTING GRAIN ELEVATOR, A JOB AS CROP HAIL INSURANCE ADJUSTER, EMPLOYMENT WITH HALL COUNTY AGRICULTURE STABILIZATION COMMITTEE.

IN 1970 HE WAS ELECTED TO THE NEBRASKA NON-PARTISAN LEGISLATURE WHERE HE SERVED ONE TERM. HE WAS ON THE EXECUTIVE BOARD FOR TWO YEARS AND REPRESENTED THE LEGISLATURE IN WASHINGTON SEVERAL TIMES.

HE IS PRESIDENT OF PIONEER AGRICULTURE, INC., AND EXECUTIVE SECRETARY OF NEBRASKANS FOR PROGRESSIVE AGRICULTURE.

HE WON THE GOODYEAR CONSERVATION MERIT AWARD, WAS THE AREA CONTEST WINNER FOR TOASTMASTERS, WON THE 4-H ALUMNI AWARD, THE NEBRASKA PERSONNEL AND GUIDANCE ASSOCIATION SERVICE AWARD AND WAS NAMED IN THE OUTSTANDING YOUNG MEN OF AMERICA, 1971-1974.

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NAME	ADDRESS
National Association of Counties, 1735 New York Ave., Wash., D.C. 20006	

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NAME	ADDRESS
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☐ Have changed during preceding 12 months (If changed, publisher must submit explanation of change with this statement.)

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11. I certify that the statements made by me above are correct and complete.
SIGNATURE OF EDITOR, PUBLISHER, BUSINESS MANAGER, OR OWNER
(Signed) Michael Breeding

County Bulletin Board

Coming Events

Please Clip and Save for Easy Reference to NACo Happenings

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

October 16-19—Association of Counties and Regions of Ontario, annual meeting, Sheraton-Brock Hotel, Niagara Falls, Canada. Sheila Richardson, 705-325-5064.

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

October 19-20—Association of County Commissioners of Georgia, better informed public officials conference, Marriott Motor Hotel, Atlanta. Hill Healan, 404-522-5022.

October 25-26—Idaho Association of Commissioners and Clerks, annual meeting, Holiday Inn, Pocatello. Dean Huntsman, 208-345-9126.

October 25-28—County Supervisors Association of California, annual meeting, Convention Center, Sacramento. Allan P. Burdick, 916-441-4011.

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

November 2-4—Arizona Association of Counties, 11th annual winter meeting, Safari Hotel, Scotsdale. Richard W. Casey, 602-252-6563.

November 3-5—Alaska Municipal League, annual meeting, Baranof Hotel, Juneau. Marilyn Miller, 907-586-6526.

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

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

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

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

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

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

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

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

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

December 5-7—County Commissioners' Association of Ohio and County Engineers' Association of Ohio, annual joint winter convention, Neil House, Columbus. A.R. Maslar, executive director, 614-221-5627.

December 6-8—Association of Indiana Counties Inc., annual statewide meeting, Downtown Hilton, Indianapolis. Shirl K. Evans Jr., 317-632-7453.

December 7-9—Maryland Association of Counties, winter meeting, Hunt Valley Inn, Baltimore County. Joseph J. Murnane, 301-268-5884.

December 7-9—Hawaii State Association of Counties, annual meeting, Keauhou Beach Hotel, Kailua, Kona. Burt Tsuchiya, president, 808-245-4771.

December 11-14—Manpower Conference, Fairmont Hotel, San Francisco, Calif. Nancy ReMine, staff contact, 202-785-9577.

December 15-16—Association of County Commissions of Alabama, mid-winter conference, Grand Hotel, Point Clear. O.H. "Buddy" Sharpless, executive director, 205-263-7594.

January 19—Association of County Commissioners of Georgia, annual legislative breakfast, Peachtree Plaza, Atlanta. Hill Healan, 404-522-5022.

February 7-9—County Judges and Commissioners Association of Texas, 20th annual A&M conference, Ramada Inn, College Station. Sam Clonts, 512-478-8753.

February 22-24—Utah Association of Counties, annual meeting, St. George. Jack Tanner, 801-359-3332.

Proposed Regs

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

77-52 USDA "Formulated Grain-Fruit Products in the School Breakfast Program." This notice proposes to withdraw authorization for the use of a class of products referred to as "formulated grain-fruit products" in the School Breakfast program. This action results from the questioned need for such products. The department feels that the withdrawal of "formulated grain-fruit products will promote the development of good food habits through a well-balanced diet of conventional foods. Copies available.

77-53 Labor "Regulations for Subparts 2 and 3 of the Youth Employment and Demonstration Projects Act of 1977." This subpart contains the Department of Labor's regulations governing the establishment and operation of Youth Community Conservation and Improvement Projects under Title III, Part C, Subpart 2, of the act. The program seeks to provide youths with well supervised work opportunities projects that produce tangible benefits to the community. It also places emphasis on the development and provision of jobs. Training is to be provided only as a component of the job. When regulations in this subpart conflict with other regulations promulgated under the act in 29 CFR Parts 94 through 99, the regulations contained in this part shall prevail. Copies available.

77-54 EPA "Hazardous Waste Guidelines and Regulations, Subpart F Guidelines for State Hazardous Waste Programs". The Resource Conservation and Recovery Act of 1976 (P.L. 94-580) amended the Solid Waste Disposal Act (42 U.S.C. 3251 et seq.) to include a new section 3006 (42 U.S.C. 6926) which provides in Subsection (a) as follows:

"Not later than 18 months after the date of enactment of this act, the administrator, after consultation with state authorities, shall promulgate guidelines to assist states in the development of state hazardous waste programs." Copies are available.

77-55 EPA "Hazardous Waste Guidelines and Regulations, Subpart C Standards Applicable to Transporters." These regulations establish standards which apply to any person who transports hazardous waste from the point of generation, or storage to the point of treatment, storage, or disposal, within the United States, or recieves for shipment, hazardous wastes (which have been identified as such by generators, and require a manifest as defined under sub-Part B). These regulations do not apply to the transportation of hazardous wastes on the premises of the hazardous waste generator, or on the premises of a permitted hazardous waste management facility. Copies are available.

77-56 EPA "Hazardous Waste Guidelines and Regulations, Subpart G Procedures for Preliminary Notification of Hazardous Waste Activities." These proposed rules set forth the procedures for preliminary notification of hazardous waste activities. They define administrative procedures under which some states may be granted the authority to receive notifications of hazardous waste activities, and they specify the procedures for filing such notifications by persons conducting hazardous waste activities. Copies are available.

77-57 HEW State Adult Education Programs—Maintenance of Effort (45 CFR Part 166)". The proposed regulation provides that the state shall certify that expenditures are available for adult education from non-federal sources for the preceding fiscal year. Copies are available.

77-58 USDA "Special Supplemental Food Program for Women, Infants, and Children (WIC Program)." These regulations promulgate various changes in requirements for the operation of the Special Supplemental Food Program for women, infants and children. The major changes concern certification of persons, selection of local agencies and food delivery systems and are included to better ensure that program benefits reach the neediest persons as well as to further ensure program accountability and operating efficiency. Copies are available.

77-59 FHA "Part 625 on Interim Design Standards for Highways." The Federal Highway Administration solicits suggestions and comments on establishing geometric design standards for resurfacing, restoration, and rehabilitation projects. Copies are available.

77-60 LEAA "LEAA Revolving Fund". This guideline sets forth the responsibilities and procedures for the operation of the LEAA revolving fund established by Title I, Part F, Section 521 (e) of the Omnibus Crime Control and Safe Streets Act of 1968 as amended. Copies are available.

FINAL ISSUANCE:

76-103 HEW "Quality Control Review of Negative Case Actions - Parts 205 and 250." Social Service and Rehabilitation Regulations, 42 FR 37205 dated July 20, 1977. For copies please contact the agency.

76-70 and 77-1 HEW "Education of Handicapped Children - Implementation of Part B of the Education of the Handicapped Act - Parts 100b, 121, 121a and 121m." 42 F.R. 42474 dated August 23, 1977. For copies please contact agency.

Washington Briefs

Labor-HEW Appropriations. The fiscal '77 Labor-HEW appropriations bill is still stalled in conference over abortion language. Congress decided not to pass a continuing resolution in order to put pressure on the conferees to reach a compromise. The House will vote Oct. 12 on new language on the abortion issue. See page 1.

• **Social Security Financing.** The House Ways and Means Committee reported out the Social Security financing bill, H.R. 9346, on Oct. 5 by a vote of 20-17. The measure calls for mandatory coverage of federal, state and local government employes and nonprofit organizations. The measure also includes increases in the payroll tax rates and wage base levels. The Senate Finance Committee is currently working on its version. See page 1.

• **Public Assistance.** Senate Finance Committee reported out H.R. 7200 without fiscal relief and Social Security financing. Senate floor action expected this week. See page 1.

• **Welfare Reform.** House Ways and Means special subcommittee on welfare reform will be holding hearings this month and November. Public witnesses are scheduled for Oct. 11-14. Local government officials are scheduled for Oct. 31-Nov. 4. Tentative date of NACo testimony is Oct. 31.

• **Food Stamps.** The Department of Agriculture will be holding hearings this month on proposed regulations for implementing the new food stamp program. Persons wishing to testify should contact USDA through toll free numbers for hearing information. Written testimony is also welcomed.

• **Indochinese Refugees.** A special Cranston-Kennedy bill, which will extend the program for six months with 100 per cent federal reimbursement, followed by 75 per cent, 50 per cent and 25 per cent in succeeding years, has been delayed by the Senate filibuster. Action is expected soon.

• **Employe Selection Guidelines.** The Equal Employment Opportunity Coordination Council is nearing agreement on uniform federal selection guidelines setting forth hiring standards that govern federal grant recipients. The new revision should be available for comment within the next two weeks. The Office of Revenue Sharing will withhold its publication planned for Oct. 1 until the new guidelines are approved. Counties should continue the use of interim regulation until further notice.

• **Labor Reform Package.** The House is considering H.R. 8410. A number of amendments are expected by Republicans who are opposed to the union-backed proposal. A final vote is imminent. The reform package would revamp the National Labor Relations Act and make it easier for unions to organize.

• **Juvenile Justice.** The Juvenile Justice and Delinquency Prevention Act of 1974 has been reauthorized for an additional three years with increased funding. See page 5.

• **LEAA Budget.** Another $2.7 million in budget authority has been taken from the programs administered by the Law Enforcement Assistance Administration. See page 3.

• **LEAA Reorganization.** House hearings on the reorganization of LEAA have resulted in calls for another study of the beleaguered federal criminal justice agency. See page 3.

• **Water Pollution.** House and Senate conferees will meet again early this week. House and Senate staff have been working together throughout to resolve many of the differences in the water bills. Major differences concern 404 dredge and fill permit program and "BAT" requirement for industrial polluters. Possible compromise has been worked out on user fee/ad valorem issue.

• **Rural Development.** Senate subcommittee on rural housing has scheduled hearings on S. 1150, the Rural Housing Act of 1977. Bill provides new program for low and moderate income housing and expands water and waste disposal grant. NACo to testify. See page 3.

• **Rural Planning Grant.** Regulations are expected to be issued in October, with applications available in late November. The $5 million program, to be administered by the Rural Development Service, will be directed to demonstration and planning efforts.

• **Economic Development.** EDA has taken steps to accommodate those counties incorrectly notified as qualified "redevelopment areas" under the agency's regular programs, due to the use of 12-month rather than 24-month unemployment data. The agency will designate those who qualify under the new criteria. The remaining counties will be designated under a separate section of EDA's program. County officials will be contacted shortly regarding necessary steps and procedures.

• **Rural Clinics.** H.R. 8422, a bill that extends Medicare reimbursement for physician extender services in rural areas, is being held up by the House leadership. NACo has urged House leaders to put the bill on the Suspension Calendar so members can vote on the measure.

• **Hospital Costs.** House health subcommittees continued markup of H.R. 6575 and H.R. 8121, the hospital cost containment bills. Senate Human Resources Committee has issued a committee print (S. 1391) which must be acted on by the Senate Finance Committee. Hearings have been scheduled. Passage of a hospital cost containment bill this year seems doubtful.

• **Highways and Transit.** NACo will testify Oct. 11 before Senate subcommittee on transportation on extension of federal-aid highway act and trust fund. House surface transportation subcommittee continues its hearings. Rep. Jim Howard (D-N.J.) has introduced a comprehensive surface transportation proposal, H.R. 8648. It includes a $2 billion bridge program, increases for interstate, primary and secondary roads, and increases for all sections of the urban transit program. It adds a new transit program for rural areas at $150 million annually. NACo has completed a section-by-section analysis of the bill. Contact Susan Thornhill at NACo for a copy.

• **Aircraft Noise.** The House aviation subcommittee has completed markup of H.R. 8927, a revised aircraft noise bill introduced by Rep. Glenn Anderson (D-Calif.). The Committee on Public Works and Transportation is expected to begin its markup of the proposed legislation within the next several weeks.

• **Penn Central Tax Bill.** Carter administration testified in opposition to H.R. 8882, a bill to guarantee notes issued to counties and others for unpaid Penn Central taxes. Markup imminent. Contact Public Works members now.