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NACo Legislative Bulletin

Executive Director: Larry Naake September 18, 1992 • Number 24

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CONGRESS BACK IN SESSION

The House and Senate were in session all week and acted on a number of bills. The Senate completed action on the Labor/HHS/Education funding bill and started working on the Defense Appropriations bill. The House is expected to approve this week a conference funding bill for energy and water projects. The House also approved the cable TV conference bill.

The House and Senate leadership are aiming for an Oct. 3 adjournment and are scheduling evening and Saturday sessions to meet this deadline. This means only two more weeks to pass a tax bill, 12 appropriations bills and a number of other county priority bills including child welfare reform, RCRA, PILT and ISTEA technical corrections.

Since President Bush continues to run against Congress, Democrats have decided to wrap up the session as soon as possible. The best strategy this year appears to be talking and listening to the voters back home.

SHOWDOWN AVERTED ON APPROPRIATIONS

President Bush stated last week that he would veto any appropriations bill exceeding his budget request. Seven House-passed bills qualify (including the Agriculture funding bill signed last month). The House Appropriations Committee leadership decided this week to cut back amounts in these bills to avert a showdown with the President. The House and Senate leadership concur because it would be difficult to override the President's vetos. The planned early October adjournment also would be delayed without a compromise.

The changes would be made in House-Senate conference committees. Bills affected include Interior, Labor/HHS/Education, Transportation and Veterans/HUD and Independent Agencies. (Staff Contact: Ralph Tabor)

LOCAL PARTNERSHIP ACT

As previously reported, the Local Partnership Act (H.R. 5798) was successfully passed by the House Government Operations Committee by a 31-30 vote on August 11. Eight Republicans supported the measure that would give $3 billion in one time assistance to local governments. NACo, along with several other public interest groups, is now attempting to get the bill to the House floor for a vote. We urge you to contact your Representative in support of this legislation.

It is not clear if the Senate will act on a similar measure and if the President would sign the bill. NACo will continue to support the bill and push it as a possibility for FY93. (Staff Contacts: Ralph Tabor/Lela Harris)

BUSH TO VETO CABLE BILL

In a letter to Sen. Bob Dole (R-KS) dated Sept. 17, 1992, President Bush promised that he will veto S.12, the Cable Television Consumer Protection and Competition Act of 1992 as reported out of Conference.

Meanwhile, the House of Representatives yesterday voted 280 to 128 to support the conference report. The vote was 11 votes short of the two-thirds needed to override the President's expected veto.

The Senate is expected to vote on the measure on Monday, Sept. 21 or Tuesday, Sept. 22.

NACo along with the National League of Cities

and the U. S. Conference of Mayors supports the legislation. Counties and cities have been seriously constrained in controlling sharp rate increases and in regulating customer service. According to GAO, since 1986 cable rates have increased 61 percent. Please contact your Senators and urge them to support S. 12 overwhelmingly. (Staff Contact: Donald Murray)

TAX BILL STALLED

The fate of a tax/urban aid/child welfare bill is unclear. The bill (H.R.11) approved by the Senate Finance Committee was debated on the Senate floor before the recess and so far has not been scheduled for further floor action. It tentatively is scheduled to come up next Wednesday.

The bill will likely be scaled back to meet President Bush's latest objections to any changes that could be defined as tax increases. This may come as a committee amendment on the Senate floor or it could be handled in a Senate-House conference.

Without additional revenues, it is doubtful if the proposed urban enterprise zone provisions or the child welfare reform provisions will be kept in the bill. The big question is what tax provisions in the House and Senate versions of the legislation will survive. NACo is concerned about extending authority for at least 18 months for mortgage revenue bonds, small issue development bonds and tax credits for low income housing and targeted jobs programs. (staff Contacts: Ralph Tabor/Larry Jones)

FLSA

San Diego Supervisor Leon Williams testified before the House Labor Standards Subcommittee September 16. He urged Congress to move quickly to adopt legislation to overturn a number of recent court rulings that have held public employers liable for huge sums in back pay for over time for highly paid executive and administrative employees. While several bills have been introduced, it is unlikely that a legislative solution will be enacted before Congress adjourns this year. Williams told members of the subcommittee that the recently published DOL regulations and DOL proposed legislations do not go far enough in addressing the problems raised by all the court decisions. (Staff Contacts: Larry Jones)

SENATE PASSES HOUSING BILL

Conferees will begin reconciling differences between the two housing and community development bills (H.R. 5334 and S. 3031) next week. The Administration prefers the Senate bill, but the House version goes further in making the HOME program a more effective tool for counties. For example, S.3031 contains a two-tiered nonfederal matching requirement (35% for new construction and substantial rehabilitation and 25% for other activities) and counts debt financing for only 10% of the match. H.R. 5334 has a uniform 20 percent nonfederal match and allows 100 percent of tax-exempt financing to apply towards the match. Senate conferees are Riegle, Cranston, Sarbanes, D'Amato, Bond; House conferees are Gonzalez, Oakar, Vento, Schumer, Frank, Waxman, Wylie, Roukema and Bereuter. (Staff Contact: Haron Battle)

PILT

At this moment, the status of PILT is unchanged: Sen. Byrd (D-WV) continues his hold on S.140 and Representative Vento (D-MN) will not move the House bill until the Senate acts.

We are working with former Colorado Representative Ray Kogovsek and our House and Senate cosponsors to develop a deal with Senator Byrd to get his support. It could include a phase-in of increased PILT payments or perhaps a slightly smaller total increase. No deal will be presented without the authorization of the NACo, Public Lands Steering Committee, and WIR leadership.

If we can get indications of movement in the Senate, we will ask Rep. Vento to move the House bill immediately. Please stand by for any calls which may be needed to implement our final strategy. (Staff Contact: Rick Keister)

AMERICAN COUNTY PLATFORM

Copies of the *American County Platform and Resolutions* are available from NACo. Copies will be sent to all steering committee members in the near future.