

POLITICS & GOVERNMENT

*Federalism
Triumphant*

"The Court Found That Congress Exceeded Its Power" by Sarah C. Carey, in *Nation's Cities* (Sept. 1976), 1620 Eye St., N.W., Washington, D.C. 20006.

In June 1976, the Supreme Court ruled 5 to 4 (in *National League of Cities v. Usery*) that Congress had exceeded its power in extending the wage and hour provisions of the Fair Labor Standards Act to state and municipal employees. This "unprecedented" interpretation of the Constitution is likely to have far-reaching impact on federal-state relations, writes Carey, a Washington attorney formerly associated with the National Urban Coalition.

The key issue was not that the FLSA provisions would increase the costs of state and local government by millions of dollars. Rather, it was the effect that the "budget crunch" resulting from these outlays would have on functions essential to a state or local government's independent existence. Left still undefined is the question of precisely when and how the federal government can legitimately interfere with non-federal governmental functions.

The Court's decision had the immediate effect of absolving states and localities of the costs involved in implementing the 1974 amendments to the Fair Labor Standards Act. But it remains to be seen whether public-employee unions will not achieve the same end by persuading Congress to require state and local governments to observe the FLSA provisions as a condition for receiving revenue-sharing funds and other federal grants.

However, Carey calls the Court's decision "a validation of the principles of federalism" and predicts that it may well serve "as the basis for additional decisions preserving state powers and even restoring authority that has eroded over the past decades."

*Getting a Handle
On Technology*

"Technology Policy and Democracy" by Barry M. Casper, in *Scientific American* (Oct. 1976), 415 Madison Ave., New York, N.Y. 10017.

Neither a proposed "science court" nor forums in which advocates debate the scientific aspects of public-policy proposals would be sufficient to establish democratic control of technology in America, argues Casper, a physicist at Carleton College.

Proponents of the "science court" idea, he says, assume it is desirable to separate the scientific from the non-scientific elements of policy issues (e.g., the anti-ballistic-missile and SST debates), when, in fact, this tends to give technical matters more significance than they sometimes deserve. The use of expert advocates to argue policy issues in adversary proceedings can be useful, but asking other scientists to act as judges in a "science court" ruling on the "presumptive validity" of scientific "facts" is potentially subject to abuse.

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Adversary forums, when properly structured, can promote the evaluation of expert opinion, generate debate, and further the tradition of public dialogue on policy issues. "Public adversary processes offer the best hope for a democratic alternative to 'presumptive validity,'" says Casper, who proposes such techniques for congressional hearings (where opposing experts now rarely confront each other) and on television as a public service.

Although such a mechanism might improve the quality of information provided to the public, its effects may be inconsequential if the decision-making process itself is not substantially altered. Casper sees two problems which must be overcome: The lack of "accountability" and the regrettable fact that long-range federal planning for technology is currently dominated "by alliances of bureaucrats in federal agencies, technocrats in industry and government laboratories, and their congressional patrons."

Zero-Basing the Georgia Budget

"A Look at Zero-Base Budgeting—The Georgia Experience" by George S. Minnier and Roger H. Hermanson, in *Atlanta Economic Review* (July-Aug. 1976), School of Business Administration, Georgia State University, Atlanta, Ga. 30303.

In contrast with traditional "incremental" budgeting systems, zero-base budgeting requires budget planners to "start from zero" by identifying anew each year every function of each government agency and the costs associated with each.

Governor Jimmy Carter introduced zero-base budgeting to Georgia in 1972 and predicted that the procedure would soon be copied throughout the nation. Accounting professors Minnier and Hermanson, of Georgia State University's School of Business Administration, studied the Georgia experience and, in terms of more effective government, concluded that "zero-base budgeting appears to have served the best interests of the state."

Their interviews with state government department heads, however, revealed varying degrees of dissatisfaction with the system, chiefly because of an apparent lack of say in the decision to implement it. Of 13 department heads interviewed (in 1974), only two indicated strong support for zero-base budgeting and none could provide an instance in which the new budgeting system had reallocated money in their own departments. Carter argued that the reallocation of funds was largely due to his Executive Reorganization Act of 1972 but that "the detection of need for consolidating similar functions within state government" came from zero-base budgeting.

Overall, the authors conclude, zero-base budgeting in Georgia provides improved financial planning prior to budget preparation, higher