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property taxes were approved in Alabama, Massachusetts, and Missouri.

In several states, Lucier says, voters were more interested in controlling the growth of state spending than in rolling back county or city taxes. Constitutional amendments approved in Hawaii, Arizona, Michigan, and Texas tied state spending increases to expansion of the state's economy or personal income.

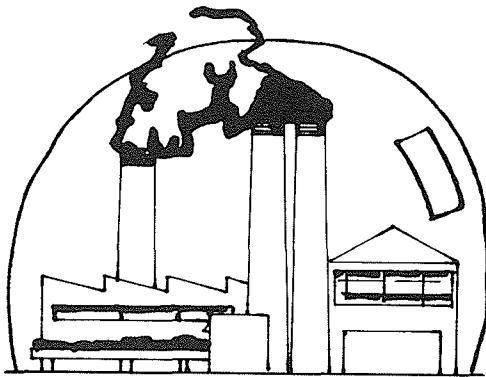
Lucier's conclusion: Voters *are* concerned about rising state spending and taxes. However, the notion that the public is "pointing a shotgun at government, pulling the trigger, and being unconcerned with the effects on government services" is highly inaccurate.

*Easing the
Regulatory Burden*

"New Approaches to Regulatory Reform—Letting the Market Do the Job" by Timothy B. Clark, in *National Journal* (Aug. 11, 1979), 1730 M St. N.W., Washington, D.C. 20036.

Federal regulators are beginning to heed the demands of businessmen for "more efficiency, less intrusion," writes Clark, a *National Journal* correspondent. Efforts to develop "alternative regulatory schemes" fall into four categories.

The *market approach*, says Clark, depends on "economic incentives." For example, the Environmental Protection Agency (EPA)—whose regulations cost business \$15.4 billion in 1978—is experimenting with the "bubble" concept. Announced in January 1979, it encourages factory owners to devise the least expensive way to meet an EPA standard for their plant's total emissions, rather than forcing them to install expensive pollution control devices for each specific pollutant. A variant of the bubble is EPA's "offsets" policy. Under it, new plants can create additional pollution if pollution levels elsewhere in the area are simul-



The EPA's "bubble" regulatory approach measures an industrial plant's total pollution emission.

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taneously reduced. The Virginia Department of Transportation, for example, lowered statewide hydrocarbon emissions from its road surfacing operations by switching to water-based asphalt, thus allowing construction of an oil refinery in Portsmouth.

Performance standards also leave industries free to reach regulatory goals in their own way. The Occupational Safety and Health Administration last year dropped 900 specific workplace regulations and replaced them with broad standards.

Information approaches are used by the Federal Trade Commission and other agencies; the idea is that if consumers are given enough information about a product (e.g., a used car), they will make intelligent choices. The Food and Drug Administration, Clark says, has proposed that drug manufacturers tell consumers in greater detail "the purposes of their products and possible adverse reactions to them."

Self-regulation (now being tested by the Consumer Product Safety Commission in the manufacture of chainsaws) asks simply that industry set and meet voluntary standards.

So far, Clark reports, reaction to new regulatory methods has not been favorable. Businessmen appear suspicious of the changes, environmentalists fear lower pollution standards, and labor unions worry about trade-offs in worker safety. Acceptance, Clark concludes, will come slowly.

Emergency Powers

"Preparing for the Hour of Need: Emergency Powers in the United States" by A. S. Klieman, in *The Review of Politics* (Apr. 1979), University of Notre Dame, Notre Dame, Ind. 46556.

American Presidents' emergency powers have been expanding since the Civil War, says Klieman, a political scientist at Tel Aviv University.

In 1861, President Abraham Lincoln adopted emergency measures "previously thought to fall entirely within the competence of the Congress or at least to require its approval," writes Klieman. But the Constitution offered no guidelines for governing during crisis. Congress was out of session, and Lincoln invoked his duty as the commander in chief to defend national security; he proclaimed a naval blockade of the Confederate States and authorized military tribunals to hear cases against civilians in non-military areas.

During World War I, Woodrow Wilson carefully sought congressional approval before issuing emergency orders (including establishment of a military draft and national administration of the railroads). His presidential proclamations were revoked soon after war's end. Franklin Roosevelt, however, greatly expanded the concept of "national security," Klieman says, when he declared a state of emergency to "wage a war" against the economic Depression. (His first measure: the national bank holiday of 1933.)

Harry S Truman declared a national emergency in 1950 to speed