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## G90-960 Laws That Impact Our Lives

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## Laws That Impact Our Lives

Laws enforced through the government's role as regulator and protector have a daily impact on our lives.

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### How Do Laws Affect Us?

Laws have a daily impact on our lives--whether they relate to social services, education, housing, nutrition, food safety, consumer rights or the environment. Public policies such as legislation, resolutions, appropriations, new regulations for a current law or court decisions are used as solutions to problems expressed by the public. These actions are the result of public issues that have been debated and compromised through the policymaking process. The basic element is the process used to solve a public problem.

There is a tendency for us to take these rules and regulations for granted as long as they keep society running smoothly. On the other hand, we tend to become more involved with public policy decision-making when a rule or regulation has a negative impact on our life.

How often have you heard someone say, "There ought to be a law!" Maybe you have heard someone else say, "We need less government involvement!" You may find that you lean toward one of these views as you talk about specific laws and how they affect your life. Your viewpoint is based on your

values which influence your analysis of a problem. You may find that your neighbor's viewpoint is very different from yours because he or she has values which differ from yours. This is why public policy decision-making is by its very nature, controversial.

In respect to the first statement, "There ought to be a law," we are finding that government's role in policymaking has increased as our society has become more complex. Technical subjects no longer have a single solution. They have become a matter of public policy debate balancing values ranging from the economy to the environment. In respect to the second statement, "We need less government involvement!" we must recognize the increased demand for government to provide fire/police protection, income guarantees such as social security, and medical support such as Medicare, all of which require rules and regulations for administering them.

Citizens are recognizing that government is not just what happens in Washington, but what happens right in their local community. Individuals can maximize their influence on government decisions by becoming informed and participating in the policymaking process that shapes everyone's life.

Understanding the complexity of public policy decision-making can be easier when we look at some legislation that relates to social services, education, housing, nutrition, food safety, consumer rights or the environment. These rules and regulations are the public policies intended to maintain the social and economic order of society. They affect the economic well-being and physical and mental health of individuals and families. Public policies, however, may help or hinder individuals and families by expanding or limiting their resources.

### **Government as Regulator and Protector**

Government's role as a regulator to keep the free enterprise system operating and to protect citizens can be seen in the following functions:

1. Regulatory functions--protect the public health; implement or enable regulations for contracts, credit and property transfer, banking; intervene in labor-management disputes; facilitate energy use; protect the public interest against unfair competition or deceptive practices.
2. Protection functions--shared risk and shared services.
  - a. Shared risk--advance the public welfare through health programs, social security, aid to needy persons, disaster relief, and nutrition education/feeding programs.
  - b. Shared services--services including streets, water quality, fire/police/military protection, and education.

Let's look at some of the major legislative milestones that daily affect our lives. Most of the legislation mentioned in this NebGuide was established by the federal government. Other examples show how state departments help implement regulations.

## Regulatory Impacts on Food/Drugs

**Federal Food, Drug, and Cosmetic Act of 1938**--insures that foods are safe, pure, wholesome, and made under sanitary conditions; that drugs are safe and effective for intended use; that cosmetics are safe and prepared from appropriate ingredients; that all of these products are informatively labeled and packaged. Added amendments through the years are administered by Food and Drug Administration (FDA).

**Federal Insecticide, Fungicide, and Rodenticide Act of 1947**--tests pesticides used and residues remaining on food as safe for humans and environment as a responsibility of Environmental Protection Agency (EPA).

**Meat and Poultry Inspection Acts**--requires live and carcass inspection of each bird produced for human consumption (1957); imposes a standard of inspection and quality on red meat produced from packinghouse to grocery store (1967); inspects egg products (1970) as a responsibility of USDA's Food Safety and Inspection Service.

**Food Additives Amendment of 1958**--evaluates individual food components for safety and adulteration. "Generally recognized as safe" (GRAS) status was given to those food additives in common use before 1958 or scientifically proven safe. The Delaney Clause forces review of carcinogenicity (cancer causing) as it relates to food ingredients by applying risk assessment principles. The Food and Drug Administration (FDA) administers these regulations.

**Fair Packaging and Labeling Act of 1967**--requires clear indication of weight/volume, serving amount, standards for descriptions, and ingredients is fed in order of proportion in food.

**Fish and Fish Products**--U.S. Department of Commerce's National Marine Fisheries Service has a voluntary inspection/grading program for fish products. Proposals are being considered to make inspection mandatory.

**Alcoholic Beverages and Tobacco Products**--U.S. Department of Treasury's Bureau of Alcohol, Tobacco and Firearms regulates these product ingredients to comply with established safety standards.

The Nebraska Department of Agriculture coordinates research and promotion of Nebraska's agricultural products and livestock, enforces consumer protection regulations for dairy and foods, and enforces weights and measures laws. Nebraska Department of Health inspects for proper sanitation in child care centers, hospitals and nursing homes.

## Regulatory Impacts on Housing

**National Housing Act of 1934**--created Federal Housing Administration insured mortgages originated by private lenders.

**Housing Act of 1937**--provides rental assistance for low-income families as a remedy for unsafe/unsanitary housing conditions.

**Real Estate Settlement Procedures Act of 1974**--requires the lender to give the buyer advance information about the costs to be paid before the property deed is transferred.

The Nebraska Real Estate Commission issues standards and license procedures for real estate brokers.

## Regulatory Impacts on Money Transactions

**Consumer Credit Protection Act of 1968 (Truth in Lending)**--describes credit cost as dollar amount of finance charge and annual percentage rate.

**Fair Credit Reporting Act of 1971**--makes personal information in credit file available to individual and sets up a procedure for correcting errors.

**Truth in Lending Amendment of 1972**--bans unsolicited mailing and limits liability of credit cards.

**Equal Credit Opportunity Act of 1975**--makes all forms of credit equally available to all credit-worthy people.

**Magnuson-Moss Warranty Act of 1975**--requires that written warranties on consumer products of more than \$15 be available to consumer prior to sale, and in readily understood language under Federal Trade Commission (FTC) justification.

**Truth in Lending Act**--helps to compare the cost and terms of one lease with another and the cost/terms for cash or credit.

Nebraska Department of Insurance regulates all insurance companies doing business in the state. Nebraska Department of Banking and Finance regulates all financial institutions chartered in the state, issues licenses for brokers, and investigates illegal stock purchase.

## Regulatory Impacts on Textiles

**Textile Product Labeling Acts**--provides labeling requirements for wool fiber products (1939), fur and fur products (1952); and requires that products bear a conspicuous label displaying constituent fiber, name or number of the manufacturer, and country of origin (1960).

**Flammable Fabrics Act of 1954**--prohibits interstate commerce of fabrics or wearing apparel so highly flammable as to be dangerous to individuals. Amended in 1967 to include interior furnishings.

**Care Labeling Act of 1972**--requires that care labels be placed in textile clothing. Amended in 1984 to provide common terms, detailed information, and one method of safe care for garment.

## Regulatory Impacts on Consumer Choices in Marketplace

**Federal Hazardous Substances Labeling Act of 1960**--requires warning labels to appear on any household product that is toxic, corrosive, or flammable.

**Toy Safety Act of 1969**--protects children from hazardous toys due to presence of electrical, mechanical or thermal hazards.

**Consumer Product Safety Commission Act of 1972**--ensures consumer protection by monitoring and recall of unsafe products.

**Freedom of Information Act of 1974 (Privacy Act)**--permits individual to have access to records within Federal agencies containing personal information on that individual.

The Nebraska Department of Social Services establishes standards and licensing procedures for child care providers. The Nebraska Office of Fire Marshall inspects and investigates fire safety regulations and enforces the requirement that buildings be accessible to the handicapped. The Nebraska Department of Labor enforces laws related to working conditions.

## Regulatory Impacts on Natural Resources

**Clean Air Act of 1969**--provides for fuel/vehicle research to eliminate air pollution.

**Safe Drinking Water Act of 1974**--requires that drinking water from municipal water systems be monitored for contaminants. Amended in 1986 to set water quality standards for additional contaminants. There are no similar regulations for private wells.

**Energy Policy and Conservation Act of 1975**--provides for development of a state energy conservation act.

**Resource Conservation and Recovery Act of 1976**--regulates hazardous waste disposal and emphasizes source reduction and recycling as a strategy for managing solid waste.

**Radon and Indoor Air Research Act of 1986**--establishes an indoor air quality research program and information to the public directed by the Environmental Protection Agency (EPA).

The Nebraska Department of Environmental Control administers all state pollution control laws and state programs to support federal laws. The Nebraska Natural Resources Commission directs and supervises programs for soil and water conservation.

## Protective Impacts

Government protective functions help consumers by sharing risks or services. Funding for shared risks which advance the public welfare may come totally from government or may be shared by the government and recipient. Health programs such as tests for rabies, aid to needy persons, Social Security, Medicare, examining boards for health-related professions and recreation facilities are examples. Traditionally, shared services are the protection functions offered by the fire/police/military and justice system, street maintenance, education, and feeding programs for the needy. Program planning for national resource conservation is a service shared with government.

### Evaluating the Impact of Laws

The following questions may be considered as guides when you evaluate the impact of laws or policies on your life:

1. What social, economic, environmental, or political values influence the development of the policy/law? How do your personal values affect your thinking?
2. Does the policy/law put one group of persons above others? Is there discrimination? What is the balance between those who are affected and those who are not?
3. What will be the impact on families and/or communities in the short or long term? What are the social and economic costs related to the benefits?
4. Does the policy develop or deter family stability? How does it contribute to the stability of the community?
5. How does the policy/law affect the individual and his or her family?

### Citizens Can Affect Policymaking

Citizens become knowledgeable about existing laws and regulations as they experience their influence on their daily lives. When we educate ourselves about public issues, policymaking processes, and opportunities for effective participation, we are brought into closer contact with the public decision-making process. As we participate, basic social institutions are kept more responsive to our needs.

Democracy functions best when we are informed and participate fully in the policymaking process. We must accept responsibility for public policy through our action or inaction. We must realize our opinions and knowledge are important to public decision-making.

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