

# **THE BOOK OF THE STATES**

**1978-1979**

**VOLUME 22**



**THE COUNCIL OF STATE GOVERNMENTS**  
**LEXINGTON, KENTUCKY**



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## THE COUNCIL OF STATE GOVERNMENTS

The Council is a joint agency of all the state governments—created, supported and directed by them. It conducts research on state programs and problems; maintains an information service available to state agencies, officials and legislators; issues a variety of publications; assists in state-federal liaison; promotes regional and state-local cooperation and provides staff for affiliated organizations.

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## FOREWORD

SINCE 1935, *The Book of the States* has provided authoritative information on the structures, working methods, financing, and functional activities of state governments. The legislative, executive, and judicial branches are surveyed along with intergovernmental relations and the major areas of public service performed by the states. In the past, emphasis has been given to developments of the two years preceding this biennial publication. This remains the case in the 1978-79 edition.

Coverage in this edition, which is Volume 22, extends to late 1977. Supplemental rosters of state legislators and other officials are published by the Council of State Governments as part of its mission of service to the states. The next editions of these two supplements are now scheduled to appear in early 1979 (for legislators and statewide elected officials) and in mid-1979 (for major administrative officials and others).

The Council of State Governments wishes to acknowledge the invaluable help of many state officials and members of the legislative service agencies who furnished information on a wide variety of subjects. We likewise extend our thanks to the many individual authors whose contributions appear in this edition.

Lexington, Kentucky  
April 1978

Herbert L. Wiltsee  
*Executive Director*  
*The Council of State Governments*

# THE BOOK OF THE STATES

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# Section I

## THE LEGISLATURES

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### THE STATE LEGISLATURES

By William Pound and Carl Tubbesing\*

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THE DEVELOPMENT OF legislative strength and independence and the improvement of state legislatures evident during the past 20 years continued in 1976-77. A major aspect of current legislative development is the heightened interest and capability for reviewing and analyzing the activities of government and overseeing the performance of the executive branch in program administration. This growth of legislative oversight activity is a logical result of three themes which have been repeatedly stressed in articles on state legislatures appearing in this book.

First, the development of legislative independence and equality with the executive branch has greatly contributed to the growth of legislative oversight activities. Second, modernization of legislative procedures, such as the removal of many constitutional restrictions on legislative activity, increased legislative compensation, increased time spent by legislatures in session and interim work, and the growth of professional legislative staffs, have made such oversight activity possible. Third, the realization by state legislatures of their need to influence state-federal relations and the programs and policies of Congress and the national administration has led to increased legislative scrutiny of the operation and impact of federal programs within the states. In particular, the effect of federal grants on state programs and priorities has become the subject of legislative attention.

This chapter will focus on the major developments in legislative oversight: the growth of legislative post audit and program evaluation activity, the rapid expansion in legislative review of administrative rules and regulations, sunset laws, and the movement by legislatures to review and control federal aid funds granted to state agencies and programs. Innovations in the legislative budget process will also be delineated.

Other major features of legislative development will also be reviewed: innovations in legislative rules and procedures, scheduling and the use of legislative time, legislative staff patterns, and the legislative response to concern about federal programs.

#### **Legislative Oversight**

#### **Post Audit and Program Evaluation**

Legislatures have most often sought to carry out oversight of the executive branch through the development of the post audit and program evaluation functions. The trend has

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been to place the state post auditor within the legislative branch, rather than having this official independently elected or under the executive branch. At present there are 40 states where there is an auditor selected by the legislature. In states where the post auditor is not a legislative employee, some auditing may be done by fiscal or research staff.

Program and performance evaluation units have also been established in numerous states, either as part of the legislative post audit staff or as independent legislative staff offices. This is a reflection of the rapidly growing interest of legislatures in evaluating agency performance and program effectiveness as contrasted to simply auditing for fiscal or legal compliance. With the enactment of sunset laws in 24 states, the task of evaluating agencies and programs subject to sunset has frequently been assigned to audit and performance evaluation committees.

As evaluation techniques and measures of performance become more sophisticated, and as the results of such systematic review of agencies and programs become evident, it appears likely that additional legislatures will equip themselves to oversee executive branch actions by utilizing these modern auditing and evaluation tools. States which have made significant progress in this area of legislative oversight include California, Connecticut, Hawaii, Kansas, Montana, New York, Tennessee, and Virginia.

### **Legislative Review of Administrative Regulations**

Interest in the exercise of legislative review over the administrative rulemaking process has resulted in the spread of legislative regulation review committees to 34 states during the last few years and in proposals for this review process in numerous other legislatures. A number of such rules have been vetoed.

As legislatures assert a legitimate role in reviewing administrative regulations, a number of questions occur. Among these are:

- What is the most advantageous legislative procedure for reviewing administrative rules?
- To what extent should review be exercised?
- Does the legislature have the authority to suspend or veto proposed rules, or is its proper role limited to making comments or recommendations on proposed rules?
- What staff resources are necessary to effectively review administrative regulations?
- What constitutional restraints exist on legislative review of administrative regulations?

The authority to review administrative rules may alternatively be placed in the regular standing committees of a legislature or given to a committee created specifically for that purpose, usually a joint committee. In some cases a combination of special and standing committees is used with initial review by a special committee which refers any questionable rules to the relevant standing committee for further consideration and comment.

A second variable is the extent to which the review power is exercised: Does it extend to all proposed or promulgated regulations or is review exercised selectively? Another problem involves the authority of the review committee and of the legislature itself in the regulation review process. In some cases committees have the power to suspend proposed rules. Such suspensions are usually effective for a limited time unless sustained by the full legislature. In other states, the legislative power is only that of making comments or "legislative observations" on proposed rules and recommending changes to agencies. The legislature, of course, has the power to amend the statute under which the rule or regulation in question was issued.

Staffing patterns for rule review committees also vary. Most committees have a staff member assigned part-time from a central agency such as a legislative research council. In a few states, regulation review committees have permanent full-time staff. Adequate review of rules of a very technical nature issued by administrative agencies, such as environmental or occupational safety regulations, requires that the legislative review committee have the necessary technical expertise at its disposal.

Legislative review of administrative rules and regulations has frequently been questioned as a violation of the separation of powers concept. In several states bills providing for legislative review of rules have been vetoed for that reason. Other questions have concerned the constitutionality of vesting the power to suspend administrative rules in a legislative committee and provisions for the legislature to nullify proposed rules by resolution rather than in the form of a bill.

### **Sunset**

The most dramatic effort at legislative oversight in the last two years has been the passage of sunset legislation in 24 states. This concept mandates the automatic termination of executive branch agencies at certain intervals. Unless reestablished by the legislature, agencies cease to exist on dates specified in the sunset law. Proponents of the concept call it an "action-forcing mechanism" requiring legislatures to review agencies on a periodic basis. Critics, on the other hand, point out that sunset will often misdirect the attention of the legislature to agencies that are functioning well.

The specific provisions of the sunset laws vary considerably. One major difference in the laws concerns their scope or coverage. Seven of the laws affect virtually all state agencies, 14 apply primarily to regulatory agencies, and three are more limited than the others and were created as pilot projects to test the feasibility of including more agencies at a later date. The Alaska and Washington laws give joint legislative committees authority to schedule agencies for termination. The New Hampshire law, which applies to all state agencies, gives a joint legislative review committee the authority to recommend a termination schedule.

The laws differ in other respects, including exemptions for certain agencies and programs, the termination schedules, the phase-out periods provided for terminated agencies, and the life of renewed agencies.

Except for Alabama and Colorado, states did not begin terminating agencies prior to 1978. One half of these states, in fact, have not scheduled terminations before 1979. Thus, many legislatures have not yet begun to implement their sunset laws. Most plan to adapt traditional program evaluation and post audit techniques for the reviews required by most sunset laws.

### **Legislative Control of Federal Funds**

At least 40 legislatures now have some provision for review of federal funds which funnel into their states' budgets. Because federal funds comprise an average of 25 percent of state budgets, legislatures have become increasingly concerned with how this money is received by state agencies, how it is spent, and how it is integrated with state funds appropriated to the same agencies.

Review of these funds is accomplished in a variety of ways by the legislatures. In some, including Pennsylvania and Oregon, a systematic, active, and regular review occurs. These states require a detailed itemization of all federal funds in the appropriation act and that funds be appropriated to specific agency units. They set legislative priorities for expenditure

of noncategorical grant funds and establish procedures for review of federal funds during the legislature's interim period. In other words, these legislatures typically require that all federal funds going to state government must be appropriated in the normal manner by the legislature.

Some states have created mechanisms to review grant-in-aid applications by state agencies. Other states, including Maine, South Dakota, and Tennessee, provide for a moderate level of review of federal funds. In these, most federal funds are usually itemized in the appropriations act and are appropriated by the legislature to a fairly specific unit of operation. These legislatures have also established at least some procedures for review of federal funds during the interim. Other legislatures, including New York, Rhode Island, and Wisconsin, have somewhat limited review procedures which automatically appropriate the funds or make nonspecific appropriations to a limited number of agencies. These legislatures have few or no mechanisms for review of federal funds in the interim.

Interim authority to review federal funds is especially crucial because state legislatures typically complete their appropriations process each year before Congress has done so and because several states have biennial budget cycles. Legislatures, such as Pennsylvania and Michigan, which meet throughout most of the year do not face this problem. In others, such as Louisiana, Oregon, and South Dakota, legislative committees are authorized to make such reviews.

Attempts to control federal funds have raised constitutional issues and have generated court challenges in several states. In the most notable challenge, the Commonwealth Court of Pennsylvania upheld the Pennsylvania law authorizing legislative appropriation of federal funds. A key question is the power which can be delegated to a legislative committee to act on behalf of the full legislature.

### **Legislative Budget Process**

The growing concern of state legislatures with the state budget process manifested itself in a number of ways during the past biennium. The requirement of economic impact statements on certain types of legislation, the growing use of fiscal notes on legislation, and a widespread legislative interest in zero-base budgeting techniques were evident. Economic impact statements are now required in Florida on legislative proposals and proposed agency rules. Several other states, including California and Illinois, have provided for procedures similar to economic impact statements on certain types of legislation. Nevada and Wisconsin have required that certain bills be accompanied by projections of their impact on local government finances. Requirement of fiscal notes on legislation is now a practice in many legislatures. The growth of these practices increases demands upon legislative staff but is a logical result of the demand by legislators for more and better information on which to base decisions. Zero-base budgeting has been legislatively implemented in Arkansas, Montana, and Texas, and applied to selected budget areas in several other states.

Yet another aspect of the demand for better budget information has been the initiation in several states of computerized legislative fiscal information systems. The acquisition and understanding of fiscal information by state legislatures can have a significant impact on the relationship between the legislative and executive branches. The most effective method of legislative control is the approval of appropriations and the oversight of expenditures.

Computerized fiscal information systems in states such as Colorado, Florida, Michigan, and Washington have the objectives of increasing the legislature's ability to track the budget through the decision process, of better identification of policy choices for

legislators, and of more effective review of expenditures after legislative budget decisions have been made. Fiscal information systems also allow more legislators to participate knowledgeably in fiscal policy decisions, thus diluting the concentration of power which may occur in budget or appropriations committees.

The desire to involve more members of the legislature in the fiscal process is also visible in those instances where review of areas of the budget has been referred to the appropriate substantive standing committees (Hawaii, Wisconsin) or where budget consideration is undertaken in appropriations subcommittees with all members of the legislative body serving on at least one such subcommittee (Iowa, Utah).

### **Managing Legislative Time**

#### **Legislative Sessions**

The movement of state legislatures toward increased time spent in session and more flexibility in scheduling session time has slowed somewhat in the mid-1970s. Rather than a reversal of a trend, however, this reflects the fact that many of the restrictions on legislative sessions have been removed. In 1976, North Dakota voters approved an increase in legislative session days from 60 to 80 and provided that the days did not have to be used consecutively, while Oregon voters gave the legislature the power to call itself into special session. Forty-three states by formal or informal arrangements now hold regular sessions in both years of the biennium, while 28 legislatures may call themselves into special session.

The effect of these changes has been to increase the amount of time spent in session which, coupled with the expansion in recent years of pre-session and interim legislative activities, has greatly increased the pressure on the time of most legislators. One of the most troublesome questions facing many legislatures at present is how to maintain the "citizen" legislature—where legislators have sufficient time to pursue careers outside the legislative body. Growth of legislative staff and increased interest in oversight activity also heighten the need for legislators to devote time to legislative tasks.

One result of this concern about use of legislative time has been the study by several legislatures of their scheduling procedures. Pennsylvania and Iowa have implemented new committee and scheduling procedures, and Delaware, Kansas, Montana, and North Dakota have such matters under study. The nature of the changes in Pennsylvania and Iowa has been to set aside large blocks of time during the early weeks of legislative sessions for committee meetings, with a reduction in floor sessions during this period. This practice reduces time conflicts for legislators between committee work and floor debates, allows committees more time for consideration of bills, and has been credited in Iowa with reducing the length of the 1977 session by several weeks.

#### **Procedures**

Legislatures have also sought to reduce the time spent in session by adopting procedures which expedite the consideration of bills. Forty-four legislatures allow bills to be filed by members prior to the beginning of the session. This allows committees to begin consideration of bills as soon as the session begins and, in some cases, even before the start of the session. The rules of some legislatures, including Indiana, Louisiana, Maine, New Jersey, Pennsylvania, and Washington, specifically extend this option to newly elected members prior to their officially taking office.

A few legislatures have experimented with limitations on the number of bills which



members may introduce. The Nebraska legislature places a limit of 10 bills that each senator may introduce. However, committees may introduce an unlimited number of bills. A rule in the Indiana house limits bill introductions during the 60-day session to 34 for each legislator. In short session years (30 legislative days) members are allowed only five bill introductions. Prefiled bills do not count toward the totals in either session, so the rule is primarily designed to encourage pre-filing. A rule in Colorado allows an unlimited number of prefiled bills, but limits each legislator to six bill introductions once the session begins.

All but five legislatures impose some type of deadline for the introduction of bills during the session. Other states have more elaborate systems of deadlines. For example, 31 legislatures employ deadlines for final committee action on bills in the house of origin; 18 impose deadlines for final committee action on bills from the other house; and 16 use deadlines for conference committee action. In Missouri, appropriation bills must pass both houses at least seven days before adjournment.

Allowing bills considered during the first session to carry over to the next session saves time in committee and floor consideration. This procedure is used in at least 24 legislatures. In Virginia, the constitution specifically provides for continuity between legislative sessions. The legislature has adopted rules which allow bills remaining in committee after the first session to be continued on the committee's agenda for hearings and action during the interim or for action during the next session. Minnesota utilizes a similar system which allows committees to meet between sessions and to consider bills continued from the first session.

Committee action on bills also affects the expeditious flow of legislation. There are two contrasting practices which legislatures use with regard to committee action. In several states, including Florida, Nevada, and New Hampshire, legislative rules require that committees report out all bills referred to them. In other legislatures, however, rules explicitly provide that committees may table, kill, or indefinitely postpone bills under their consideration. These include Colorado, Michigan, Nebraska, Oregon, and Wisconsin. This practice is designed to minimize floor consideration of bills — especially those that have little chance of passage.

Bills with a high probability of passage — that is, those of a noncontroversial nature — are treated by several states through consent calendar procedures. Consent calendar provisions vary considerably. In California, Kentucky, and Missouri, for example, bills must receive a unanimous vote in committee to be placed on the consent calendar. In Maine and Iowa, bills and resolutions are considered adopted after spending a specified period of time on the consent calendar. Legislative rules also specify the number of members who must object to remove bills from the consent calendar. These range from only one (in most states) to as many as five (in Kentucky, Louisiana, Missouri, and Texas).

## **The Legislators**

### **Terms of Service**

No changes in the length of terms served by state legislators occurred in 1976-77. State senators in all but 12 states serve four-year terms, while representatives in the lower house serve two years in all states except Alabama, Louisiana, Maryland, and Mississippi, where terms are four years.

### **Party Affiliations**

The Democratic party has maintained and increased the fairly substantial control it

gained in state legislatures in the early 1970s. Thirty-eight senates are now controlled by the Democrats, 10 by the Republicans, one is evenly divided, and one is nonpartisan. The comparable figures for the lower houses are 39 (Democrats), nine (Republicans), and one (evenly divided). Democrats had a net gain of nine state senates and eight lower houses between 1973 and 1977. While Republicans made modest gains in legislative elections in Kentucky, New Jersey, and Virginia in 1977, the victories were not enough to affect partisan control of these legislatures.

### **Legislative Compensation**

There continues to be a wide variation in levels of legislative compensation. Legislative salaries have been raised in most states in recent years as an outgrowth of the increased demands upon legislators. However, in nine states legislative compensation is still determined by constitution rather than statute and tends to be at lower levels, such as the \$200 provided per biennium in New Hampshire.

Legislative salary increases were approved in at least eight states during the past biennium and are under consideration in several other states. In 1977 four states had legislative salary levels in excess of \$40,000 per biennium, while 19 states still had salary levels of less than \$10,000 per biennium. Salary levels are also supplemented in many instances by the provision of vouchered or unvouchered expenses. The trend is clearly toward compensating legislators through salary rather than by expenses or per diem payments. Several states now provide allowances for district office expenses for legislators and for the hiring of staff.

### **Membership Turnover**

State legislatures historically have experienced high turnover in their memberships. This often has resulted in a lack of members with experience in the legislative process and with expertise in policy areas. Several of the reforms of legislatures in recent years — for example, higher compensation, more staff, better facilities, rational scheduling — have been designed to attract qualified citizens to the legislature and retain them. Although the data is not conclusive, it suggests that turnover is beginning to decline in many legislatures. For example, turnover in the lower houses for the 1971 and 1972 elections was 38 percent. In 1975 and 1976, turnover was 25 percent. While the 1971 and 1972 figures were affected by reapportionment, the later figure was affected by upheavals in many states caused by voter reaction to Watergate.

Turnover in 1975-76 is also considerably lower when compared to average figures compiled for the elections of the 1960s.<sup>1</sup> In five states, the 1975-76 turnover figures are more than 20 percentage points lower than the 1960s average; in 13 states 1975-76 turnover is 10 to 19 percentage points lower than the 1960s figures; in only nine states was turnover in the 1960s lower than turnover in 1975-76. Although these differences may be caused by several things, it is likely that changes which have occurred within state legislatures over the last decade have had an impact on their composition.

### **Occupations of Legislators**

The changing composition of state legislatures is also reflected in the occupational backgrounds of their members. Although information on occupations is not comprehensive, it is evident that substantial changes have occurred in the occupations represented in many state legislatures. Attorneys have been particularly affected. In 1966, 26 percent of all state

legislators were lawyers. By 1976 this figure had dropped to 22 percent.<sup>2</sup> On the other hand, the proportion of educators has increased from 3 to 8 percent. There are, of course, considerable state-by-state variations in occupational composition. For example, over 40 percent of the members of the New York, South Carolina, Texas, and Virginia legislatures are attorneys. However, only 2 percent of the Delaware and New Hampshire legislators are lawyers. The Idaho, Iowa, Montana, North Dakota, and South Dakota legislatures have greater than 25 percent of their membership from agricultural backgrounds.

### **Size and Apportionment**

The Massachusetts legislature is scheduled to be reduced in size from 240 to 160 members effective with the 1978 elections. No other size reductions have occurred in the past biennium. Several legislatures have begun planning for reapportionment following the 1980 census. Seventeen states have submitted plans to the U.S. Bureau of the Census so that they may receive census data in 1980 based on precinct boundaries. Reapportionment after 1980 will also be aided by Bureau of the Census plans to provide data for city blocks in all urbanized areas with 10,000 or more inhabitants. The Bureau of the Census is required to supply data for the purposes of reapportionment to the states by April 1, 1981.

### **Staff Services**

#### **Research and Policy Analysis**

The research function in state legislatures has been considerably affected by a trend toward decentralization. This is evident in movement toward more substantial and permanent staffing of standing committees, division of research responsibilities between the two houses, and greater partisan staffing of this function.

As Karl Kurtz has pointed out<sup>3</sup>, the predominant vehicle for research in state legislatures has been a central, nonpartisan agency, known variously as a legislative council, service bureau, reference bureau, or service commission. Created originally to perform the work of the legislature in the interim, these agencies often bore most of the legislature's staffing responsibilities, including those of bill drafting, management, and fiscal analysis.

As the demand for more services in many legislatures grew in the 1960s and early 1970s, these responsibilities were often dispersed to other legislative staff agencies. The research function at times has been retained by the legislative council but in other instances has been moved to committee staff, to partisan staff, and to research agencies in the separate houses.

The research function has been especially affected by the trend in many legislatures toward strengthening committees. While there are idiosyncrasies in every legislature's staffing system, certain patterns have now emerged with regard to the research function and particularly with regard to the ways in which staff are provided to committees. There are two extreme models or patterns. On the one hand, several legislatures, including Alabama, Idaho, and North Dakota, have small staffs with responsibilities for nearly all staff functions. The staff has so many functions that they are not assigned permanently to individual committees. On the other hand some legislatures, including those of Florida and California, provide substantial staff to committees. These committees usually have several majority and minority party staff members who are primarily responsible to the committee chairman or ranking minority member and work full time for them and are more or less independent of control from a central staff agency.

A number of legislatures have adopted patterns which fall between these two extremes.

One fairly common pattern is committee staff coordination by a central, nonpartisan agency. With this pattern, the legislature commits staff to all or most of its standing committees. They are, however, assigned to the committees by a central, nonpartisan agency and their activities are coordinated by the agency.

The Ohio, Louisiana, and Washington legislatures represent different variations on this pattern. In Ohio, the Legislative Service Commission is in charge of all committee staffing. The director has the authority to assign each staff member to a committee. He also assigns each staff member to a group of staffers who are assigned to committees with compatible jurisdictions. For example, the staff member assigned to the energy committee is also assigned to a group with assignments to the agriculture, environment, conservation, and natural resources committees. Each staff member assigned to a committee with a light work load is able to help a colleague with a heavy work-load committee.

The Louisiana Legislative Council also provides staff to committees but has less flexibility built into the committee assignments. The committee chairman makes the final decision on assignment of a staff member to a committee. Once assigned, the council has little or no authority to move the staff member to another committee unless released by the committee chairman. Although overall coordination of committee staff is provided by the council, this system is more decentralized than the Ohio structure and provides more authority in staffing questions to the standing committee chairmen.

The Washington system of committee staffing differs from the Ohio and Louisiana systems because it has split the committee staffing responsibilities between house and senate. During a major revision of its committee system and staff structure in 1973, the Washington legislature abolished the legislative council and placed control of staffing with each house. This resulted in the creation of the Senate Research Center and the House Office of Program Research. These two research agencies have responsibilities for staffing committees on a permanent basis.

Another pattern is provision of committee staff by the party caucuses. The Illinois system is a good example of this. Each party caucus in each house is responsible for providing staff to each standing committee. Coordination of these staff activities is handled by a staff director in each caucus. The Wisconsin pattern is a hybrid of the nonpartisan and partisan patterns. The legislative council assigns staff to each committee, much in the same way as the Ohio Legislative Service Commission, but the caucuses assign their own staff to committees as well. Even in states in which the party caucuses do not supply committee staff, caucus staffs have developed to provide general research and other services to members.

### **Legal Services**

Although bill drafting may occur informally throughout the legislature, most legislatures have retained central legal services staffs which draft bills, prepare bill summaries, and revise statutes. These staffs have been augmented in recent years with the adoption of sophisticated computer technology. Thus, 37 legislatures now utilize computers for statutory retrieval, 38 use them for bill status reporting, 27 use them in bill drafting, and 20 revise statutes with the help of computers. Other legislatures currently are planning to develop computer systems for use in carrying out these duties.

As illustrated in earlier sections of this chapter, legislatures increasingly are involved in various kinds of litigation. Several legislatures have hired full-time legal counsels to provide legal advice, represent the legislature in court, and perform other legal services. The Kansas legislature, for example, has created the position of legislative counsel. The counsel is

authorized to represent the legislature in court, render unofficial advisory opinions on legal questions submitted by legislators, provide investigative assistance to committees, and conduct examination of witnesses.

### **Fiscal, Audit, and Evaluation Staff**

The growth in importance of legislative fiscal staff has been indicated in the prior discussion of the assertion by legislatures of a greater budgetary role in state government. All state legislatures today have a fiscal analysis staff which may range from two or three professionals to a fiscal staff component of more than 50. Fiscal staff are increasingly being called on to perform functions other than budget development or review such as revenue estimating, the preparation of financial impact statements, and the conduct of sunset or other performance reviews. Audit and evaluation staff are likewise employed in some form by every legislature.

### **Services and Security Staff**

The social disruptions of the late 1960s and the early 1970s caused a number of legislatures to give greater attention to legislative personnel performing security and related duties. These staff members are now better trained and utilize sophisticated security techniques. However, many of them also provide other services to the legislature, including medical assistance, public information, building maintenance, inventory control, personnel management, and other administrative duties.

### **Administrative and Management Service**

As with numerous other aspects of state legislatures, the past biennium has been a period of consolidation rather than great change in the nature and structure of administrative services. The office of the legislative clerk or secretary is the oldest of legislative staff positions and continues to perform many of the formal functions of the legislative process such as the reading of bills, calling the roll, maintaining records, and production of the journal. General administrative management of the legislature is often vested in the clerk or secretary, although there has been a movement in recent years to place the management functions and coordination of legislative staff under the supervision of a management or coordination committee which may employ an administrator and staff specifically to perform these functions. Management committees have developed more formal personnel systems for legislatures with job descriptions and salary plans and have brought centralized employment and purchasing practices to legislatures.

### **Public Information**

Many legislatures have added substantially to the number of staffers assigned to public information activities. Services provided by these staff members are quite varied. Legislative administrative officers — the secretary of the senate and clerk of the house — usually are responsible for providing information to the public about bill calendars, floor agendas, and committee schedules. In 11 states, residents can dial a state government WATS line and receive bill status, committee scheduling, floor action, and bill sponsorship information. Legislative staff in several states, including Minnesota, Pennsylvania, and West Virginia, prepare narrative summaries and newsletters covering legislative activities for the use of the press and the public.

Development of facilities for electronic media coverage of legislatures represents one of

the more dramatic attempts to increase public understanding of the legislative process. Several states have in-depth public television coverage of the legislature. Legislative sessions in Georgia have been televised daily for six years. Nightly coverage of the legislature is provided in Alaska, Florida, Hawaii, Idaho, Indiana, Kentucky, Maine, Nebraska, and Washington. Weekly public broadcast programming about the legislature takes place in Nevada, New York, Minnesota, and Pennsylvania. Occasional programming occurs in California, New Jersey, Oregon, Virginia, and Wisconsin. Radio coverage of legislatures has been enhanced by the provision of taping facilities. These are used to disseminate information to radio stations and to citizens who call the capitol. In Alaska, key committee hearings are broadcast over a statewide network and citizens may call in to question witnesses and committee members.

### Personal Staff

Legislators in several states now utilize personal staff assistants to handle tasks resulting from the increasing time demands of their jobs. The staff performs a variety of tasks, including responding to constituent requests, arranging committee testimony, handling press relations, analyzing bills, and staffing district offices. In some legislatures, staff is hired only for the duration of the session; in others, staff is employed year round. In 25 legislatures, senators have personal assistants and in 20 legislatures house members have some kind of personal staff assistance.

### State-Federal Relations

The increased assertion of state legislative power over numerous programs that have been mandated or are substantially funded by the federal government has been previously discussed. The growing interest of state legislators in state-federal relations is visible in other ways. Several houses have established committees or subcommittees on this subject, notably in Florida and Pennsylvania. Other legislatures, such as Illinois and Wisconsin, have charged their intergovernmental cooperation committees with monitoring federal programs.

The State-Federal Assembly of the National Conference of State Legislatures has involved a large number of legislators in the development of policy positions on behalf of state legislatures. This committee, composed of more than 800 legislators from the 50 states and divided into nine specific policy areas, has had a significant influence on the development of federal policy in many areas. The frequency of state legislators testifying before Congress and being involved with federal agencies in developing policy recommendations has dramatically increased.

### Footnotes

1. See, Alan Rosenthal, "And So They Leave: Legislative Turnover in the States," *State Government* (Summer 1974), p. 149.
2. See, *Occupational Profile of State Legislators*, New York Insurance Information Institute, 1976.
3. Karl T. Kurtz, "The State Legislatures," *The Book of the States*, 1974-75, p. 61.

## NAMES OF STATE LEGISLATIVE BODIES AND CONVENING PLACE

<i>State or other jurisdiction</i>	<i>Both bodies</i>	<i>Upper house</i>	<i>Lower house</i>	<i>Convening place</i>
Alabama .....	Legislature	Senate	House of Representatives	State Capitol
Alaska .....	Legislature	Senate	House of Representatives	State Capitol
Arizona .....	Legislature	Senate	House of Representatives	State Capitol (a)
Arkansas .....	General Assembly	Senate	House of Representatives	State Capitol
California .....	Legislature	Senate	Assembly	State Capitol
Colorado .....	General Assembly	Senate	House of Representatives	State Capitol Building
Connecticut .....	General Assembly	Senate	House of Representatives	State Capitol
Delaware .....	General Assembly	Senate	House of Representatives	Legislative Hall
Florida .....	Legislature	Senate	House of Representatives	State Capitol (b)
Georgia .....	General Assembly	Senate	House of Representatives	State Capitol
Hawaii .....	Legislature	Senate	House of Representatives	State Capitol Building
Idaho .....	Legislature	Senate	House of Representatives	State Capitol Building
Illinois .....	General Assembly	Senate	House of Representatives	State House
Indiana .....	General Assembly	Senate	House of Representatives	State House/State Capitol
Iowa .....	General Assembly	Senate	House of Representatives	State Capitol
Kansas .....	Legislature	Senate	House of Representatives	State House
Kentucky .....	General Assembly	Senate	House of Representatives	State Capitol
Louisiana .....	Legislature	Senate	House of Representatives	State Capitol
Maine .....	Legislature	Senate	House of Representatives	State House
Maryland .....	General Assembly	Senate	House of Delegates	State House
Massachusetts .....	General Court	Senate	House of Representatives	State House
Michigan .....	Legislature	Senate	House of Representatives	State Capitol
Minnesota .....	Legislature	Senate	House of Representatives	State Capitol
Mississippi .....	Legislature	Senate	House of Representatives	New Capitol (c)
Missouri .....	General Assembly	Senate	House of Representatives	State Capitol
Montana .....	Legislature	Senate	House of Representatives	State Capitol
Nebraska .....	Legislature	(d)	...	State Capitol
Nevada .....	Legislature	Senate	Assembly	Legislative Building
New Hampshire .....	General Court	Senate	House of Representatives	State House
New Jersey .....	Legislature	Senate	General Assembly	State House
New Mexico .....	Legislature	Senate	House of Representatives	State Capitol
New York .....	Legislature	Senate	Assembly	State Capitol
North Carolina .....	General Assembly	Senate	House of Representatives	State Legislative Building
North Dakota .....	Legislative Assembly	Senate	House of Representatives	State Capitol
Ohio .....	General Assembly	Senate	House of Representatives	State House
Oklahoma .....	Legislature	Senate	House of Representatives	State Capitol
Oregon .....	Legislative Assembly	Senate	House of Representatives	State Capitol
Pennsylvania .....	General Assembly	Senate	House of Representatives	Main Capitol Building
Rhode Island .....	General Assembly	Senate	House of Representatives	State House
South Carolina .....	General Assembly	Senate	House of Representatives	State House
South Dakota .....	Legislature	Senate	House of Representatives	State Capitol
Tennessee .....	General Assembly	Senate	House of Representatives	State Capitol Building
Texas .....	Legislature	Senate	House of Representatives	Capitol
Utah .....	Legislature	Senate	House of Representatives	State Capitol Building
Vermont .....	General Assembly	Senate	House of Representatives	State House
Virginia .....	General Assembly	Senate	House of Delegates	State Capitol (e)
Washington .....	Legislature	Senate	House of Representatives	Legislative Building
West Virginia .....	Legislature	Senate	House of Delegates	State Capitol
Wisconsin .....	Legislature	Senate	Assembly (f)	State Capitol
Wyoming .....	Legislature	Senate	House of Representatives	State Capitol
American Samoa .....	Legislature	Senate	House of Representatives	Maota Fono
Guam .....	Legislature	(d)	...	Congress Building
Northern Mariana Is. ....	Legislature	Senate	House of Representatives	Civic Center
Puerto Rico .....	Legislative Assembly	Senate	House of Representatives	Capitol
TTPI .....	Congress of Micronesia	Senate	House of Representatives	Kolonia
Virgin Islands .....	Legislature	(d)	...	Government House

(a) Senate Wing, House Wing.

(b) Senate: Capitol South Wing, House: Capitol North Wing.

(c) New Capitol Senate Chamber; New Capitol House Chamber.

(d) Unicameral legislature. Members go by the title Senator.

(e) Senate addition; House addition.

(f) Members of the lower house go by the title Representative.

# THE LEGISLATORS Numbers, Terms, and Party Affiliations As of January 1978

State or other jurisdiction	Senate					House					House and senate totals
	Democr- ats	Repub- licans	Vacanc- ies	Total	Term	Democr- ats	Repub- licans	Vacanc- ies	Total	Term	
Alabama .....	34	0	...	35(a)	4	103	2	...	105	4	140
Alaska .....	12	8	...	20	4	25	15	...	40	2	60
Arizona .....	16	14	...	30	2	22	38	...	60	2	90
Arkansas .....	34	1	...	35	4	95	5	...	100	2	135
California .....	26	14	...	40	4	57	23	...	80	2	120
Colorado .....	17	18	...	35	4	30	35	...	65	2	100
Connecticut .....	22	14	...	36	2	91	60	...	151	2	187
Delaware .....	13	8	...	21	4	26	15	...	41	2	62
Florida .....	30	9	...	40(a)	4	93	27	...	120	2	160
Georgia .....	52	4	...	56	2	156	24	...	180	2	236
Hawaii .....	18	7	...	25	4	41	10	...	51	2	76
Idaho .....	15	20	...	35	2	22	48	...	70	2	105
Illinois .....	34	25	...	59	(b)	94	83	...	177	2	236
Indiana .....	28	22	...	50	4	48	52	...	100	2	150
Iowa .....	26	24	...	50	4	59	41	...	100	2	150
Kansas .....	19	21	...	40	4	65	60	...	125	2	165
Kentucky .....	29	9	...	38	4	78	22	...	100	2	138
Louisiana .....	38	1	...	39	4	101	4	...	105	4	144
Maine .....	12	21	...	33	2	89	62	...	151	2	184
Maryland .....	39	8	...	47	4	125	15	...	141	4	188
Massachusetts .....	34	6	...	40	2	192	44	1	240(a)	2	280
Michigan .....	24	14	...	38	4	68	42	...	110	2	148
Minnesota .....	48	19	...	67	4	100	34	...	134	2	201
Mississippi .....	50	2	...	52	4	117	3	1	122(a)	4	174
Missouri .....	22	12	...	34	4	112	51	...	163	2	197
Montana .....	25	25	...	50	4(c)	57	43	...	100	2	150
Nebraska .....	Nonpartisan election			49	4	Unicameral legislature			49	2	49
Nevada .....	17	3	...	20	4	35	5	...	40	2	60
New Hampshire .....	12	12	...	24	2	175	219	6	400	2	424
New Jersey .....	27	13	...	40	4(d)	54	26	...	80	2	120
New Mexico .....	33	9	...	42	4	48	22	...	70	2	112
New York .....	21	36	3	60	2	87	58	4	150(a)	2	210
North Carolina .....	47	3	...	50	2	114	6	...	120	2	170
North Dakota .....	18	32	...	50	4	50	50	...	100	2	150
Ohio .....	21	12	...	33	4	62	37	...	99	2	132
Oklahoma .....	39	9	...	48	4	79	22	...	101	2	149
Oregon .....	24	6	...	30	4	37	23	...	60	2	90
Pennsylvania .....	28	20	2	50	4	118	84	1	203	2	253
Rhode Island .....	45	5	...	50	2	83	17	...	100	2	150
South Carolina .....	43	3	...	46	4	111	12	1	124	2	170
South Dakota .....	12	23	...	35	2	22	48	...	70	2	105
Tennessee .....	23	9	...	33(a)	4	66	32	...	99(a)	2	132
Texas .....	27	4	...	31	4	131	19	...	150	2	181
Utah .....	17	12	...	29	4	35	40	...	75	2	104
Vermont .....	9	21	...	30	2	75	74	...	150(a)	2	180
Virginia .....	35	5	...	40	4	76	21	...	100(a)	2	140
Washington .....	29	20	...	49	4	62	36	...	98	2	147
West Virginia .....	28	6	...	34	4	91	9	...	100	2	134
Wisconsin .....	22	11	...	33	4	66	33	...	99	2	132
Wyoming .....	12	18	...	30	4	29	32	...	62(a)	2	92
All States .....	1,306	618	5	1,981(a)	...	3,772	1,783	15	5,581(a)	...	7,562
American Samoa .....	Nonpartisan election			18	4	Nonpartisan election			21	2	39
Guam .....	14	7	...	21	2	Unicameral legislature			21	2	21
Puerto Rico .....	14(e)	13(f)	1	28	4	32(e)	17(f)	2	51	4	79(g)
TTPI .....	(h)	(h)	...	12	4	(h)	22	...	22	4	34
Virgin Islands .....	(i)	(i)	...	15	2	Unicameral legislature			15	2	15

(a) The following members in current legislatures are not Democrats or Republicans: Alabama 1; Florida 1; Massachusetts 3; Mississippi 1; New York 1; Tennessee senate 1, house 1; Vermont 1; Virginia 3; Wyoming 1. Total: senate 3, house 11.

(b) All senators ran for election in 1972 and all will run every 10 years thereafter. Senate districts are divided into thirds. One group elects senators for terms of 4 years, 4 years, and 2 years; the second group for terms of 4 years, 2 years, and 4 years; the third group for terms of 2 years, 4 years, and 4 years.

(c) After each decennial reapportionment, lots will be drawn for 1/2 the senators to serve an initial 2-year term. Subsequent elections will be for 4-year terms.

(d) Senate terms beginning in January of second year following the U.S. decennial census are for 2 years only.

(e) New Progressive Party.

(f) Popular Democratic Party.

(g) The constitution provides for selection of additional members from the minority party after a general election in which it elects fewer than 9 members in the senate and 17 members in the house. Total house and senate composition can reach 104 members.

(h) At present there is no organized national party.

(i) Party affiliations were not available.



## APPORTIONMENT OF LEGISLATURES: SENATE

State or other jurisdiction	Initial reapportion- ing agency	Present apportion- ment by	Year of most recent apportion- ment	Num- ber of seats	Num- ber of districts	Number of multi- member districts	Largest number of seats in district	Percent deviation in actual v. average population per seat		Average popu- lation each seat(a)
								Greatest		
								+	-	
Alabama .....	L	FC	1972	35	35	0	1	0.67	0.72	98,406
Alaska .....	G, B	SC	1974	20	16	3	3	14.0	8.4	15,118
Arizona .....	L	L	1972	30	30	0	1	0.4	0.4	59,083
Arkansas .....	B	B	1971	35	35	0	1	2.0	1.49	54,923
California .....	L	SC	1973	40	40	0	1	1.92	1.02	499,322
Colorado .....	L	L	1972	35	35	0	1	2.48	0.67	63,129
Connecticut .....	L(c)	B	1971	36	36	0	1	0.88	0.93	84,228
Delaware .....	L	L	1971	21	21	0	1	1.4	0.9	26,100
Florida .....	L(c)	L	1972	40	19	14	3	0.62	0.53	169,773
Georgia .....	L	L	1972	56	56	0	1	2.3	2.0	81,955
Hawaii .....	B	B	1973	25	8	7	4	16.2	13.8	13,513(d)
Idaho .....	L	L	1974	35	35	0	1	5.45	5.03	20,371
Illinois .....	L(c)	L	1973	59	59	0	1	0.8	0.6	188,372
Indiana .....	L	L	1972	50	50	0	1	1.7	1.6	103,872
Iowa .....	L(c)	SC	1972	50	50	0	1	0.0	0.0	56,507
Kansas .....	L	FC	1972	40	40	0	1	2.56	2.02	56,231
Kentucky .....	L	L	1972	38	38	0	1	2.86	2.82	84,756
Louisiana .....	L(c)	FC, L	1972	39	39	0	1	5.6	8.8	93,415
Maine .....	L(c)	SC	1972	33	33	0	1	1.52	1.54	30,111
Maryland .....	G	SC	1974	47	47	0	1	5.3	4.7	83,455
Massachusetts .....	L	L	1977	40	40	0	1	2.86	3.35	144,737(e)
Michigan .....	B	SC	1972	38	38	0	1	0.0	0.0	233,753
Minnesota .....	L	FC	1972	67	67	0	1	1.88	1.83	56,870
Mississippi .....	L	FC	1975	52	39	12	3	1.12	0.92	42,000
Missouri .....	B	B	1971	34	34	0	1	4.9	4.9	137,571
Montana .....	B	B	1974	50	50	0	1	6.33	6.75	13,888
Nebraska .....	L	L	1971	49	49	0	1	1.4	1.1	30,280
Nevada .....	L	L	1973	20	10	3	7	7.7	9.6	24,437
New Hampshire .....	L	L	1971	24	24	0	1	3.25	4.0	30,154(f)
New Jersey .....	B	B, SC	1973	40	40	0	1	2.85	1.39	179,278
New Mexico .....	L	L, SC	1972	42	42	0	1	4.85	4.48	24,190
New York .....	L	L	1971	60	60	0	1	0.9	0.9	304,021
North Carolina .....	L	L	1971	50	27	18	4	6.30	6.89	101,641
North Dakota .....	L	FC	1975	50	49	1	2	3.16	3.1	12,355
Ohio .....	B	B	1971	33	33	0	1	1.05	0.95	322,788
Oklahoma .....	L(c)	L	1971	48	48	0	1	0.5	0.5	53,317
Oregon .....	L(c)	S, SC	1971	30	30	0	1	1.2	0.7	69,713
Pennsylvania .....	B	B	1971	50	50	0	1	2.29	0.03	235,949
Rhode Island .....	L	L	1974	50	50	0	1	17.0	0.0	17,800
South Carolina .....	L	L	1972	46	16	13	5	3.18	6.75	56,316
South Dakota .....	L(c)	L	1971	35	28	3	5	2.4	3.3	19,035
Tennessee .....	L	L	1973	33	33	0	1	7.1	7.4	118,914
Texas .....	L(c)	B	1971	31	31	0	1	2.3	2.2	361,185
Utah .....	L	L	1972	29	29	0	1	4.64	6.38	36,527
Vermont .....	L(c)	L	1973	30	13	11	6	8.17	8.48	14,824
Virginia .....	L	FC	1971	40	38	1	3	5.2	4.5	116,212
Washington .....	L	FC	1972	49	49	0	1	0.91	0.7	68,428(b)
West Virginia .....	L	L	1976	34	17	17	2	11.8	11.1	102,602
Wisconsin .....	L	L	1972	33	33	0	1	0.71	0.55	133,877
Wyoming .....	L	L	1971	30	16	9	5	27.9	21.6	11,080
Guam .....	L	L	N.A.	21	1	1	21	N.A.	N.A.	4,762
Virgin Islands .....	L	L	1972	15	3	2	7	N.A.	N.A.	4,461

## Key:

B—Board or commission  
 FC—Federal court  
 SC—State court  
 G—Governor  
 L—Legislature  
 S—Secretary of state  
 N.A.—Not available.

(a) Population figures in most instances are based on the 1970 federal census. West Virginia: population figures valid at time of last legislative apportionment.

(b) Based on civilian or nonstudent population.

(c) Constitution or statutes provide for another agent or agency to reapportion if the legislature is unable to do so.

(d) Average number of registered voters per seat.

(e) Based on 1975 special State Decennial Census of state citizens.

## APPORTIONMENT OF LEGISLATURES: HOUSE

State or other jurisdiction	Initial reapportion- ing agency	Present apportion- ment by	Year of most recent apportionment	Num- ber of seats	Num- ber of districts	Number of multi- member districts	Largest number of seats in district	Percent deviation in actual v. average population per seat		Average popu- lation each seat(a)
								Greatest		
								+	-	
Alabama	L	FC	1972	105	105	0	1	1.08	1.15	32,802
Alaska	G, B	SC	1974	40	22	10	6	14.0	15.0	7,559
Arizona	L	FC	1972	60	30	30	2	0.4	0.4	29,541
Arkansas	B	B	1971	100	84	10	3	6.3	3.1	19,233
California	L	SC	1973	80	80	0	1	1.94	1.90	249,661
Colorado	L	L	1972	65	65	0	1	0.97	1.09	33,993
Connecticut	L(c)	B	1971	151	151	0	1	3.9	3.9	20,081
Delaware	L	L	1971	41	41	0	1	2.6	2.3	13,368
Florida	L(c)	L	1972	120	45	24	6	0.2	0.1	56,591
Georgia	L	L	1974	180	154	17	4	4.87	4.79	25,502
Hawaii	B	B	1973	51	27	22	3	8.2	21.0	6,624(d)
Idaho	L	L	1971	70	35	35	2	5.45	5.03	10,186
Illinois	L(c)	L	1973	177	59	59	3	0.8	0.6	62,791
Indiana	L	L	1972	100	73	20	3	1.0	1.0	51,936
Iowa	L(c)	SC	1972	100	100	0	1	0.0	0.0	28,253
Kansas	L	L	1973	125	125	0	1	6.5	4.8	18,223
Kentucky	L	L	1976	100	100	0	1	7.06	7.14	32,207
Louisiana	L(c)	FC, L	1972	105	105	0	1	4.6	4.6	34,697
Maine	L(c)	SC	1974	151	119	11	10	5.0(e)	5.0(e)	6,581
Maryland	G	SC	1974	141	47	47	3	5.3	4.7	27,818
Massachusetts	L	L	1977	160	160	0	1	9.75	10.24	36,184(f)
Michigan	B	SC	1972	110	110	0	1	0.0	0.0	80,751
Minnesota	L	FC	1972	134	134	0	1	1.99	1.97	28,404
Mississippi	L	FC	1975	122	84	27	4	1.06	0.93	18,171
Missouri	B	SC	1971	163	163	0	1	1.2	1.3	28,696
Montana	B	B	1974	100	100	0	1	7.83	7.65	6,944
Nebraska	L	L	1973	40	40	0	1	10.9	12.1	12,218
Nevada	L	L	1975	400	161	127	11	25.3	19.3	1,813(g)
New Hampshire	B	B, SC	1973	80	40	40	2	2.85	1.39	89,639
New Mexico	L	L, SC	1972	70	70	0	1	4.92	4.95	14,514
New York	L	L	1971	150	150	0	1	1.8	1.6	121,608
North Carolina	L	L	1971	120	45	35	8	8.2	10.2	42,350
North Dakota	L	FC	1975	100	49	49	4	3.16	3.1	6,178
Ohio	B	B	1971	99	99	0	1	1.05	0.95	107,596
Oklahoma	L(c)	L	1971	101	101	0	1	1.0	1.2	25,338
Oregon	L(c)	S, SC	1971	60	60	0	1	1.33	0.88	34,856
Pennsylvania	B	B	1971	203	203	0	1	2.98	0.04	58,115
Rhode Island	L	L	1974	100	100	0	1	17.0	0.0	8,900
South Carolina	L	L	1974	124	124	0	1	4.98	4.97	20,819
South Dakota	L(c)	L	1971	70	28	28	10	2.4	3.3	9,518
Tennessee	L	L	1973	99	99	0	1	2.0	1.6	39,638
Texas	L(c)	L	1975	150	150	0	1	5.8	4.7	74,645
Utah	L	L	1972	75	75	0	1	6.72	5.95	14,124
Vermont	L(c)	L	1974	150	72	39	15	10.58	9.36	1,820(d)
Virginia	L	L	1972	100	52	28	7	9.6	6.8	46,485
Washington	L	FC	1972	98	49	49	2	0.91	0.7	34,214(b)
West Virginia	L	L	1973	100	36	25	13	8.17	8.01	17,442
Wisconsin	L	L	1972	99	99	0	1	0.96	0.93	44,626
Wyoming	L	L	1971	62	23	12	11	41.16	45.47	5,362
Guam						Unicameral				
Virgin Islands						Unicameral				

## Key:

B—Board or commission

FC—Federal court

SC—State court

G—Governor

L—Legislature

S—Secretary of state.

(a) Population figures in most instances are based on the 1970 federal census.

(b) Based on civilian or nonstudent population.

(c) Constitution or statutes provide for another agent or agency to reapportion if the legislature is unable to do so.

(d) Average number of registered voters per seat.

(e) Approximate. No exact figures were available.

(f) Based on 1975 special State Decennial Census of state citizens.

## MEMBERSHIP TURNOVER IN THE LEGISLATURES: 1976\*

State or other jurisdiction	Senate			House		
	Total number of members	Number of membership changes	Percentage of total number of members(a)	Total number of members	Number of membership changes	Percentage of total number of members(a)
Alabama .....	35	No election	...	105	No election	...
Alaska .....	20(b)	2	10	40	18	45
Arizona .....	30	11	37	60	17	28
Arkansas .....	35(b)	3	8	100	20	20
California .....	40(b)	13	33	80	20	25
Colorado .....	35(b)	8	23	65	17	26
Connecticut .....	36	12	33	151	57	38
Delaware .....	21(b)	5	24	41	10	24
Florida .....	40(b)	6	15	120	33	28
Georgia .....	56	9	16	180	46	26
Hawaii .....	25	No election	...	51	14	27
Idaho .....	35	8	23	70	25	36
Illinois .....	59(b)	17	29	177	46	26
Indiana .....	50(b)	17	34	100	26	26
Iowa .....	50(b)	13	26	100	19	19
Kansas .....	40	15	38	125	48	38
Kentucky (1977) .....	38(b)	7	18	100	25	25
Louisiana (1975) .....	39	16	41	105	33	31
Maine .....	33	16	48	151	55	36
Maryland .....	47	No election	...	141	No election	...
Massachusetts .....	40	5	13	240	57	24
Michigan .....	38	No election	...	110	15	14
Minnesota .....	67	21	31	134	30	22
Mississippi (1975) .....	52	16	31	122	52	43
Missouri .....	34(b)	13	38	163	44	27
Montana .....	50(b)	10	20	100	41	41
Nebraska .....	49(b)	15	31	Unicameral legislature		
Nevada .....	20(b)	4	20	40	10	25
New Hampshire .....	24	3	13	400	175	44
New Jersey (1977) .....	40	18	45	80	23	29
New Mexico .....	42(b)	15	36	70	21	30
New York .....	60	7	12	150	31	21
North Carolina .....	50	17	34	120	30	25
North Dakota .....	50(b)	16(c)	32(c)	100	35(c)	35(c)
Ohio .....	33(b)	10	30	99	15	15
Oklahoma .....	48(b)	8	17	101	15	15
Oregon .....	30(b)	3	10	60	17	28
Pennsylvania .....	50(b)	7	14	203	52	26
Rhode Island .....	50	13	26	100	37	37
South Carolina .....	46	18	39	124	35	28
South Dakota .....	35	13	37	70	28	40
Tennessee .....	33(b)	8	24	99	27	27
Texas .....	31(b)	5	16	150	47	31
Utah .....	29(b)	9	31	75	25	33
Vermont .....	30	8	27	150	52	35
Virginia (1977) .....	40	No election	...	100	18	18
Washington .....	49(b)	6	12	98	35	36
West Virginia .....	34(b)	5	15	100	38	38
Wisconsin .....	33(b)	11	33	99	24	24
Wyoming .....	30(b)	9	30	62	22	35
Guam .....	21	8	38	Unicameral legislature		
Puerto Rico .....	29	19	66	54	39	72
TTPI .....	12(b)	3	25	22	9	41
Virgin Islands .....	15	4	27	Unicameral legislature		

\*Data is for the 1976 elections except for Louisiana and Mississippi (1975); and Kentucky, New Jersey, and Virginia (1977). Data was obtained by comparing the 1975 and 1977 editions of *State Elective Officials and the Legislatures*, published by the Council of State Governments.

(a) These columns reflect percentage turnovers on total membership of each house.

(b) Entire senate membership not up for election. See the table on pages 238 and 239 for the exact number of senators to be elected.

(c) The North Dakota legislature was reapportioned in 1975 with a loss of one seat in both the house and senate.

## ELECTED AND APPOINTED LEGISLATIVE OFFICERS AND LEADERS\*

<i>State or other jurisdiction</i>	<i>Chamber</i>	<i>Leaders</i>
Alabama .....	Senate House	Pres. (Lt. Gov.); PRES. PRO TEM. SPKR.; SPKR. PRO TEM.
Alaska .....	Senate House	PRES.; Maj. Ldr.; Min. Ldr. SPKR.; Maj. Ldr.; Min. Ldr.
Arizona .....	Senate House	PRES.; Pres. Pro Tem.; Maj. Ldr.; Maj. Whip; Min. Ldr.; Min. Whip; Min. Flr. Ldr. SPKR.; Spkr. Pro Tem.; Maj. Ldr.; Maj. Whip; Min. Ldr.; Min. Whip; Min. Flr. Ldr.
Arkansas .....	Senate House	Pres. (Lt. Gov.); PRES. PRO TEM.; Maj. Ldr.; Min. Ldr. SPKR.; SPKR. PRO TEM.; Maj. Ldr.; Min. Ldr.
California .....	Senate Assembly	Pres. (Lt. Gov.); PRES. PRO TEM.; Maj. Flr. Ldr.; Maj. Caucus Chmn.; Min. Flr. Ldr.; Min. Caucus Chmn. SPKR.; SPKR. PRO TEM.; Asst. Spkr. Pro Tem.; Maj. Flr. Ldr.; Maj. Whip; Maj. Caucus Chmn.; Min. Flr. Ldr.; Min. Whip; Min. Caucus Chmn.
Colorado .....	Senate House	PRES.; PRES. PRO TEM.; Maj. Ldr.; Asst. Maj. Ldr.; Maj. Caucus Chmn.; Min. Ldr.; Asst. Min. Ldr.; Min. Caucus Chmn. SPKR.; Maj. Ldr.; Asst. Maj. Ldr.; Maj. Caucus Chmn.; Min. Ldr.; Asst. Min. Ldr.; Min. Caucus Chmn.
Connecticut .....	Senate House	Pres. (Lt. Gov.); PRES. PRO TEM.; Maj. Ldr.; Dpty. Maj. Ldr.; Asst. Maj. Ldrs. (8); Chief Dpty. Min. Ldr.; Min. Ldr.; Dpty. Min. Ldr.; Asst. Min. Ldrs. (2); Min. Whip SPKR.; Dpty. Spkr.; Maj. Ldr.; Dpty. Maj. Ldr.; Asst. Maj. Ldrs. (6); Maj. Whip; Min. Ldr.; Asst. Min. Ldrs. (6); Min. Whip
Delaware .....	Senate House	Pres. (Lt. Gov.); PRES. PRO TEM.; Maj. Ldr.; Maj. Whip; Min. Ldr.; Min. Whip SPKR.; Maj. Ldr.; Maj. Whip; Min. Ldr.; Min. Whip
Florida .....	Senate House	PRES.; PRES. PRO TEM.; Min. Ldr.; Min. Ldr. Pro Tem.; Min. Flr. Ldr. (Whip) SPKR.; SPKR. PRO TEM.; Maj. Ldr.; Min. Ldr.; Min. Ldr. Pro Tem.; Min. Flr. Ldr.; Min. Flr. Ldr. (Whip); Min. Caucus Chmn.
Georgia .....	Senate House	Pres. (Lt. Gov.); PRES. PRO TEM.; Maj. Ldr.; Maj. Caucus Chmn.; Maj. Caucus V-Chmn.; Maj. Caucus Secy.; Maj. Whip; Admin. Flr. Ldr. (a); Min. Ldr.; Min. Caucus Chmn.; Min. Caucus Secy.; Min. Whip SPKR.; SPKR. PRO TEM.; Maj. Ldr.; Maj. Whip; Maj. Caucus Chmn.; Maj. Caucus Secy.; Admin. Flr. Ldr. (a); Min. Ldr.; Min. Caucus Chmn.; Min. Whip; Min. Caucus V-Chmn.; Min. Caucus Secy.
Hawaii .....	Senate House	PRES.; V-PRES.; Maj. Ldr.; Asst. Maj. Ldrs. (3); Maj. Flr. Ldr.; Asst. Maj. Flr. Ldrs. (3); Maj. Policy Ldr.; Min. Ldr.; Min. Flr. Ldr. SPKR.; V-SPKR.; Maj. Ldr.; Maj. Flr. Ldr.; Asst. Maj. Flr. Ldrs. (12); Min. Ldr.; Min. Flr. Ldr.; Asst. Min. Flr. Ldrs. (2)
Idaho .....	Senate House	Pres. (Lt. Gov.); PRES. PRO TEM.; Maj. Ldr.; Asst. Maj. Ldr.; Min. Ldr.; Asst. Min. Ldr. SPKR.; Maj. Ldr.; Asst. Maj. Ldr.; Maj. Caucus Chmn.; Min. Ldr.; Asst. Min. Ldr.; Min. Caucus Chmn.
Illinois .....	Senate House	PRES./ Maj. Ldr.; Asst. Maj. Ldrs. (4); Min. Ldr.; Asst. Min. Ldrs. (3) SPKR.; Maj. Ldr.; Asst. Maj. Ldrs. (3); Maj. Whips (2); Min. Ldr.; Asst. Min. Ldrs. (3); Min. Whips (2)
Indiana .....	Senate House	Pres. (Lt. Gov.); PRES. PRO TEM.; Maj. Flr. Ldr.; Maj. Caucus Chmn.; Min. Flr. Ldr.; Asst. Min. Flr. Ldr.; Min. Caucus Chmn. SPKR.; Spkr. Pro Tem.; Maj. Flr. Ldr.; Asst. Maj. Flr. Ldr.; Maj. Caucus Chmn.; Maj. Whip; Min. Flr. Ldr.; Asst. Min. Flr. Ldr.; Min. Caucus Chmn.
Iowa .....	Senate House	Pres. (Lt. Gov.); PRES. PRO TEM.; Maj. Ldr.; Asst. Maj. Ldrs. (2); Min. Ldr.; Asst. Min. Ldrs. (2) SPKR.; SPKR. PRO TEM.; Maj. Ldr.; Asst. Maj. Ldr.; Maj. Whips (2); Min. Ldr.; Asst. Min. Ldr.; Min. Whips (2)
Kansas .....	Senate House	PRES.; V-PRES.; Maj. Ldr.; Min. Ldr. SPKR.; SPKR. PRO TEM.; Maj. Flr. Ldr.; Asst. Maj. Ldr./Maj. Caucus Chmn.; Maj. Caucus Secy.; Min. Flr. Ldr.; Asst. Min. Ldrs. (2); Min. Caucus Chmn.
Kentucky .....	Senate House	Pres. (Lt. Gov.); PRES. PRO TEM.; ASST. PRES. PRO TEM.; Maj. Flr. Ldr.; Maj. Caucus Chmn.; Maj. Whip; Min. Flr. Ldr.; Min. Caucus Chmn.; Min. Whip SPKR.; SPKR. PRO TEM.; Maj. Flr. Ldr.; Maj. Whip; Maj. Caucus Chmn.; Min. Flr. Ldr.; Min. Whip; Min. Caucus Chmn.
Louisiana .....	Senate House	PRES.; PRES. PRO TEM. SPKR.; SPKR. PRO TEM.
Maine .....	Senate House	PRES.; Maj. Flr. Ldr.; Asst. Maj. Flr. Ldr.; Min. Flr. Ldr.; Asst. Min. Flr. Ldr. SPKR.; Maj. Flr. Ldr.; Asst. Maj. Flr. Ldr.; Min. Flr. Ldr.; Asst. Min. Flr. Ldr.
Maryland .....	Senate House	PRES.; PRES. PRO TEM.; Maj. Ldr.; Maj. Whip; Min. Ldr.; Min. Whip SPKR.; Maj. Ldr.; Maj. Whip; Min. Ldr.; Min. Whip
Massachusetts .....	Senate House	PRES.; Maj. Flr. Ldr.; Asst. Maj. Ldr.; Min. Flr. Ldr.; Asst. Min. Flr. Ldr.; 2nd Asst. Min. Flr. Ldr.; 3rd Asst. Min. Flr. Ldr. SPKR.; Maj. Ldr.; Maj. Whip; Min. Ldr.; Asst. Min. Ldr.; Min. Whip; Asst. Min. Whip
Michigan .....	Senate House	Pres. (Lt. Gov.); PRES. PRO TEM.; ASST. PRES. PRO TEM. (2); ASSOC. PRES. PRO TEM.; Maj. Ldr.; Asst. Maj. Ldr.; Maj. Flr. Ldr.; Asst. Maj. Flr. Ldr.; Maj. Caucus Chmn.; Asst. Maj. Caucus Chmn.; Maj. Caucus Whip; Asst. Maj. Caucus Whip; Min. Ldr.; Asst. Min. Ldr.; Min. Flr. Ldr.; Asst. Min. Flr. Ldr.; Min. Whip; Min. Caucus Chmn. SPKR.; SPKR. PRO TEM.; ASSOC. SPKR. PRO TEM.; Maj. Flr. Ldr.; Asst. Maj. Flr. Ldrs. (3); Maj. Caucus Chmn.; Asst. Maj. Caucus Chmn. (2); Maj. Caucus Secy.; Maj. Whips (8); Min. Ldr.; Asst. Min. Ldr.; Min. Flr. Ldr.; Asst. Min. Flr. Ldr.; Min. Caucus Chmn.; Asst. Min. Caucus Chmn.; Min. Flr. Whip

# ELECTED AND APPOINTED LEGISLATIVE OFFICERS AND LEADERS\*—Continued

<i>State or other jurisdiction</i>	<i>Chamber</i>	<i>Leaders</i>
Minnesota .....	Senate House	PRES.; Maj. Ldr.; Maj. Whip; Asst. Maj. Whips (2); Min. Ldr.; Min. Whip; Dpty. Min. Whip; Asst. Min. Whips (3) SPKR.; Maj. Ldr.; Asst. Maj. Ldrs. (4); Min. Ldr.; Asst. Min. Ldrs. (5)
Mississippi .....	Senate House	PRES. (Lt. Gov.); PRES. PRO TEM. SPKR.
Missouri .....	Senate House	PRES. (Lt. Gov.); PRES. PRO TEM.; Maj. Flr. Ldr.; Asst. Maj. Flr. Ldr.; Min. Flr. Ldr. SPKR.; SPKR. PRO TEM.; Maj. Flr. Ldr.; Asst. Maj. Flr. Ldr.; Maj. Whip; Maj. Caucus Chmn.; Maj. Caucus Secy.; Min. Flr. Ldr.; Asst. Min. Flr. Ldr.; Min. Whip; Min. Caucus Chmn.; Min. Caucus Secy.
Montana .....	Senate House	PRES.; PRES. PRO TEM.; MAJ. FLR. LDR.; Maj. Whip; MIN. FLR. LDR.; Min. Whip SPKR.; SPKR. PRO TEM.; MAJ. FLR. LDR.; Maj. Whip; MIN. FLR. LDR.; Min. Whip
Nebraska .....	Legislature	PRES. (Lt. Gov.); SPKR.
Nevada .....	Senate Assembly	PRES. (Lt. Gov.); PRES. PRO TEM.; Maj. Flr. Ldr.; Asst. Maj. Flr. Ldr.; Min. Flr. Ldr. SPKR.; SPKR. PRO TEM.; Maj. Flr. Ldr.; Min. Flr. Ldr.
New Hampshire .....	Senate House	PRES.; <i>V-Pres.</i> ; Maj. Ldr.; Asst. Maj. Ldr.; Whip; Min. Ldr.; Asst. Min. Ldrs. (2); Min. Whip; Dpty. Whip SPKR.; Maj. Ldr.; Asst. Maj. Ldrs. (3); Maj. Whip; Min. Ldr.; Asst. Min. Ldrs. (4); Dpty. Min. Ldr.; Asst. Dpty. Min. Ldr.; Min. Whip.
New Jersey .....	Senate General Assembly	PRES.; PRES. PRO TEM.; Maj. Ldr.; Asst. Maj. Ldrs. (3); Min. Ldr.; Asst. Min. Ldr.; Min. Whip SPKR.; SPKR. PRO TEM.; Maj. Ldr.; Asst. Maj. Ldrs. (2); Maj. Whips (2); Dem. Conf. Chmn. (caucus chmn.); Min. Ldr.; Asst. Min. Ldr.; Min. Whip; Dpty. Min. Whip
New Mexico .....	Senate House	PRES. (Lt. Gov.); PRES. PRO TEM.; Maj. Flr. Ldr.; Maj. Whip; Min. Flr. Ldr.; Min. Whip SPKR.; Maj. Flr. Ldr.; Maj. Whip; Min. Flr. Ldr.; Min. Whip
New York .....	Senate Assembly	PRES. (Lt. Gov.); PRES. PRO TEM./ MAJ. LDR.; Dpty. Maj. Ldr.; Min. Ldr.; Dpty. Min. Ldr. SPKR.; Spkr. Pro Tem.; Maj. Ldr.; Dpty. Maj. Ldr.; Asst. Maj. Ldr.; Maj. Whip; Min. Ldr.; Dpty. Min. Ldr.; Asst. Min. Ldr.; Min. Whip
North Carolina .....	Senate House	PRES. (Lt. Gov.); PRES. PRO TEM./ MAJ. LDR.; Dpty. Spkr./ Chmn. Stnd. Cmtes.; Asst. Maj. Ldr.; Min. Ldr. SPKR.; SPKR. PRO TEM./ MAJ. LDR.; Maj. Whip; Min. Ldr.; Min. Whip
North Dakota .....	Senate House	PRES. (Lt. Gov.); PRES. PRO TEM.; Maj. Flr. Ldr.; Asst. Maj. Flr. Ldr.; Maj. Caucus Chmn.; Min. Flr. Ldr.; Asst. Min. Flr. Ldr.; Min. Caucus Chmn. SPKR.; Maj. Flr. Ldr.; Asst. Maj. Flr. Ldr.; Maj. Caucus Chmn.; Min. Flr. Ldr.; Asst. Min. Flr. Ldr.; Min. Caucus Chmn.
Ohio .....	Senate House	PRES. (Lt. Gov.); PRES. PRO TEM./ MAJ. LDR.; ASST. PRES. PRO TEM.; MAJ. WHIP; MIN. LDR.; ASST. MIN. LDR.; MIN. WHIP SPKR.; SPKR. PRO TEM.; MAJ. FLR. LDR.; ASST. MAJ. FLR. LDR.; MAJ. WHIP; MIN. LDR.; MIN. WHIP
Oklahoma .....	Senate House	PRES. (Lt. Gov.); PRES. PRO TEM.; MAJ. FLR. LDR.; ASST. MAJ. FLR. LDR.; MAJ. WHIP; Maj. Caucus Chmn.; Min. Flr. Ldr.; Asst. Min. Flr. Ldr.; Min. Whip; Min. Caucus Chmn. SPKR.; SPKR. PRO TEM.; Maj. Flr. Ldr.; Asst. Maj. Flr. Ldrs. (3); Maj. Whip; Maj. Caucus Chmn.; Maj. Caucus Secy.; Min. Flr. Ldr.; Asst. Min. Flr. Ldrs. (2); Min. Whip; Min. Caucus Chmn.; Min. Caucus Secy.
Oregon .....	Senate House	PRES.; PRES. PRO TEM.; Maj. Ldr.; Asst. Maj. Ldrs. (2); Min. Ldr.; Asst. Min. Ldr.; Min. Whip SPKR.; SPKR. PRO TEM.; Maj. Ldr./Maj. Flr. Ldr.; Asst. Maj. Flr. Ldrs. (3); Maj. Whip; Min. Ldr.; Asst. Min. Ldr.; Min. Flr. Ldrs. (3); Min. Whip
Pennsylvania .....	Senate House	PRES. (Lt. Gov.); PRES. PRO TEM.; Maj. Ldr.; Maj. Whip; Maj. Caucus Chmn.; Maj. Caucus Secy.; Maj. Caucus Admin.; Maj. Policy Chmn.; Min. Ldr.; Min. Whip; Min. Caucus Chmn.; Min. Caucus Secy.; Min. Caucus Admin.; Min. Policy Chmn. SPKR.; Maj. Ldr.; Maj. Whip; Maj. Caucus Chmn.; Maj. Caucus Secy.; Maj. Caucus Admin.; Maj. Policy Chmn.; Min. Ldr.; Min. Whip; Min. Caucus Chmn.; Min. Caucus Secy.; Min. Caucus Admin.; Min. Policy Chmn.
Rhode Island .....	Senate House	PRES. (Lt. Gov.); PRES. PRO TEM.; DPTY. PRES. PRO TEM.; Maj. Ldr.; Dpty. Maj. Ldrs. (6); Maj. Whip; Min. Ldr.; Dpty. Min. Ldr. SPKR.; Spkr. Pro Tem.; 1st Dpty. Spkr.; Maj. Ldr.; Dpty. Maj. Ldrs. (10); Maj. Whip; Min. Ldr.; Dpty. Min. Ldrs. (4); Min. Whip
South Carolina .....	Senate House	PRES. (Lt. Gov.); PRES. PRO TEM. SPKR.; SPKR. PRO TEM.; SPKR. EMERITUS; Maj. Ldr./Maj. Caucus Chmn.; Maj. Caucus V-Chmn.; Min. Ldr.; Asst. Min. Ldr.; Min. Whip
South Dakota .....	Senate House	PRES. (Lt. Gov.); PRES. PRO TEM.; Maj. Ldr.; Asst. Maj. Ldr.; Min. Ldr.; Asst. Min. Ldr. SPKR.; SPKR. PRO TEM.; Maj. Ldr.; Asst. Maj. Ldr.; Min. Ldr.; Asst. Min. Ldr.
Tennessee .....	Senate House	SPKR.; Maj. Ldr.; Asst. Maj. Ldrs. (2); Maj. Whips (4); Maj. Caucus Chmn.; Maj. Caucus V-Chmn.; Maj. Caucus Secy.; Min. Ldr.; Asst. Min. Ldr.; Min. Whips (2); Jt. Caucus Chmn.; Min. Caucus Chmn.; Min. Caucus V-Chmn.; Parliamentarian SPKR.; SPKR. PRO TEM.; Maj. Ldr.; Asst. Maj. Ldr.; Maj. Flr. Ldr.; Maj. Whips (5); Maj. Caucus Chmn.; Maj. Caucus V-Chmn.; Maj. Caucus Secy.; Maj. Caucus Treas.; Min. Ldr.; Asst. Min. Ldrs. (3); Min. Whip; Asst. Min. Whips (4); Min. Caucus Chmn.; Min. Caucus V-Chmn.; Min. Caucus Secy.
Texas .....	Senate House	PRES. (Lt. Gov.); PRES. PRO TEM. SPKR.; Spkr. Pro Tem.
Utah .....	Senate House	PRES.; Maj. Ldr.; Maj. Whip; Min. Ldr.; Min. Whip SPKR.; Maj. Ldr.; Maj. Whip; Asst. Maj. Whip; Min. Ldr.; Min. Whip; Asst. Min. Whip
Vermont .....	Senate House	PRES. (Lt. Gov.); PRES. PRO TEM./Maj. Ldr.; Min. Ldr.; Min. Whip SPKR.; Maj. Ldr.; Maj. Whip; Min. Ldr.; Min. Whip

# ELECTED AND APPOINTED LEGISLATIVE OFFICERS AND LEADERS\*—Concluded

<i>State or other jurisdiction</i>	<i>Chamber</i>	<i>Leaders</i>
Virginia .....	Senate House	<b>PRES. (Lt. Gov.); PRES. PRO TEM.;</b> Maj. Ldr.; Min. Ldr. SPKR.; Maj. Ldr.; Maj. Caucus Chmn.; Min. Ldr.; Min. Caucus Chmn.
Washington .....	Senate  House	<b>PRES. (Lt. Gov.); PRES. PRO TEM.; V-PRES. PRO TEM.;</b> Maj. Caucus Chmn.; Maj. Ldr.; Asst. Maj. Ldr.; Maj. Caucus V-Chmn.; Maj. Caucus Secy.; Min. Ldr.; Min. Caucus Chmn.; Min. Flr. Ldr.; Min. Whip; Min. Asst. Flr. Ldr.; Min. Caucus V-Chmn. SPKR.; SPKR. PRO TEM.; Maj. Flr. Ldr.; Maj. Caucus Chmn.; Maj. Caucus V-Chmn.; Maj. Caucus Secy.; Maj. Whip; Asst. Maj. Whips (2); Asst. Maj. Flr. Ldrs. (2); Min. Ldr.; Min. Caucus Chmn.; Min. Whip; Asst. Min. Ldr.; Min. Org. Ldr.; Asst. Min. Caucus Chmn.; Min. Caucus V-Chmn.; Asst. Min. Whips (2); Asst. Min. Org. Ldr.
West Virginia .....	Senate House	<b>PRES.; Pres. Pro Tem.; Maj. Ldr.;</b> Min. Ldr. SPKR.; Maj. Ldr.; Maj. Caucus Chmn.; Maj. Whip; Min. Ldr.; Min. Whip
Wisconsin .....	Senate  Assembly	<b>PRES. (Lt. Gov.); PRES. PRO TEM.;</b> Maj. Ldr.; Asst. Maj. Ldr.; Maj. Caucus Chmn.; Maj. Caucus Secy.; Min. Ldr.; Asst. Min. Ldr.; Min. Caucus Chmn.; Min. Caucus Secy. SPKR.; SPKR. PRO TEM.; Maj. Flr. Ldr.; Asst. Maj. Flr. Ldr.; Maj. Caucus Chmn.; Maj. Caucus V-Chmn.; Maj. Caucus Secy.; Maj. Caucus Sgt. at Arms; Min. Flr. Ldr.; Asst. Min. Flr. Ldr.; Min. Caucus Chmn.; Min. Caucus V-Chmn.; Min. Caucus Secy.; Min. Caucus Sgt. at Arms
Wyoming .....	Senate House	<b>PRES.; V-PRES.;</b> Maj. Flr. Ldr.; Min. Flr. Ldr.; Min. Whip SPKR.; SPKR. PRO TEM.; Maj. Ldr.; Maj. Whip; Min. Ldr.; Min. Whip
American Samoa .....	Senate House	<b>PRES.; PRES. PRO TEM.</b> SPKR.
Guam .....	Legislature	SPKR.; V-SPKR.; Maj. Ldr.; Maj. Whip; Min. Ldr.; Min. Whip
Puerto Rico .....	Senate House	<b>PRES.; V-Pres.</b> SPKR.; V-Pres.
TTPI .....	Senate House	<b>PRES.; V-PRES.</b> SPKR.; V-SPKR.
Virgin Islands .....	Legislature	<b>PRES.; V-PRES.; MAJ. LDR.; MIN. LDR.; PRES. PRO TEM.</b>

\*"Legislative Officers and Leaders" refers to elected members of the chambers only.

*Key:*

Titles in capital letters are formally elected or confirmed by all members of their respective chambers.

Titles in upper and lower case roman are formally elected by the respective caucuses.

Titles in upper and lower case italics are appointed by presiding officer or party leader.

Titles in boldface serve ex officio.

(a) Appointed by governor.

## CONSTITUTIONAL PROVISIONS ON LEGISLATIVE COMPENSATION

State or other jurisdiction	Set by constitution	Set by compensation commissions and legislatures, or referendum	Set by law			No restrictions
			Not effective during legislature adopting law(a)	Not effective during session adopted	Not effective during members' terms(b)	
Alabama .....	★	...	...	...	...	...
Alaska .....	...	...	...	...	...	★
Arizona .....	...	★	...	...	...	...
Arkansas .....	★	...	...	...	...	...
California .....	...	...	★(c)	...	...	...
Colorado .....	...	...	★	...	...	...
Connecticut .....	...	...	...	...	...	★
Delaware .....	...	...	...	...	...	★
Florida .....	...	...	...	...	...	★
Georgia .....	...	...	★	...	...	...
Hawaii .....	...	...	★	...	...	...
Idaho .....	...	★	...	...	...	...
Illinois .....	...	...	...	...	★	...
Indiana .....	...	...	...	★	...	...
Iowa .....	...	...	★	...	...	...
Kansas .....	...	...	...	...	...	★
Kentucky .....	...	...	★	...	...	...
Louisiana .....	...	...	...	...	...	★
Maine .....	...	★	...	...	...	...
Maryland .....	...	...	...	...	...	...
Massachusetts .....	...	...	...	...	...	★
Michigan .....	...	★	...	...	...	...
Minnesota .....	...	...	★	...	...	...
Mississippi .....	...	...	...	★	...	...
Missouri .....	...	...	★	...	...	...
Montana .....	...	...	★	...	...	...
Nebraska .....	★	...	...	...	...	...
Nevada .....	...	...	...	...	★	...
New Hampshire .....	★	...	...	...	...	...
New Jersey .....	...	...	★	...	...	...
New Mexico .....	★	...	...	...	...	...
New York .....	...	...	...	...	★	...
North Carolina .....	...	...	★	...	...	...
North Dakota .....	★	...	...	...	...	...
Ohio .....	...	...	...	...	★	...
Oklahoma .....	...	★	...	...	...	...
Oregon .....	...	...	...	...	...	★
Pennsylvania .....	...	...	...	...	★	...
Rhode Island .....	★	...	...	...	...	...
South Carolina .....	...	...	★	...	...	...
South Dakota .....	...	...	...	...	...	★
Tennessee .....	...	...	★	...	...	...
Texas .....	★	...	...	...	...	...
Utah .....	★	...	...	...	...	...
Vermont .....	...	...	...	...	...	★
Virginia .....	...	...	...	...	★	...
Washington .....	...	...	...	...	★	...
West Virginia .....	...	★	...	...	...	...
Wisconsin .....	...	...	...	...	★	...
Wyoming .....	...	...	...	...	★	...
American Samoa .....	...	...	...	...	★	...
Guam .....	...	...	...	...	...	★

(a) Effective after intervening election.

(b) Senators serving the second half of a 4-year term cannot receive the increase until they are reelected.

(c) Amount of increase limited by constitution.

## LEGISLATIVE SALARIES AND RETIREMENT SYSTEMS

State or other jurisdiction	Regular sessions			Other salaried compensation			Retirement	
	Per diem		Salary (biennial total)	Special sessions		Committee business, amount per day	Retirement system— type	Member- ship— type
	Amount per day	Limit on days		Amount per day	Limit on days			
Alabama	\$10	105C	...	\$10	30C	\$50	None	...
Alaska	...	...	\$23,500	...	...	...	PE	OP
Arizona	...	...	12,000(a)	...	...	...	PE	CM
Arkansas	20	None	15,000	20L	None	45	PE(b)	CM
California	...	...	46,464(c)	...	...	...	SL	OP
Colorado	...	...	24,000	...	...	50(d)	PE	OP
Connecticut	...	...	11,000(c)	...	...	...	SL	OP
Delaware	...	...	18,000	...	...	...	PE	CM
Florida	...	...	24,000	...	...	...	(e)	(e)
Georgia	...	...	14,400	...	...	...	PE	CM
Hawaii	...	...	24,000	...	...	...	PE	CM
Idaho	...	...	6,000	...	...	25	PE	CM
Illinois	...	...	40,000	...	...	...	SL	OP
Indiana	...	...	12,000	35	30L	...	PE	OP
Iowa	...	...	16,000(c)	40	None	40	PE(q)	OP(q)
Kansas	35	None(f)	...	35	None	35	PE	OP
Kentucky	50	60L(g)	...	50	None	50	PE	CM
Louisiana	50	85C	...	50	30C	50	PE	OP
Maine	...	...	7,000	25	None	25	PE	OP
Maryland	...	...	25,000(c)	...	...	...	SL	OP
Massachusetts	...	...	29,879(h)	...	...	...	PE	OP
Michigan	...	...	46,500	...	...	...	SL	OP
Minnesota	...	...	16,800(c)	...	...	...	SL	CM
Mississippi	...	...	16,200	50	...	22.50	PE	CM(i)
Missouri	...	...	16,800(c)	...	...	...	SL	CM
Montana	33.22(h)	90L	...	...	None	33.22(h)	PE	OP
Nebraska	...	...	9,600	...	...	...	None	...
Nevada	60(c)	60L	...	60(c)	20L	40(j)	SL	CM
New Hampshire	...	...	200	3	15L	...	None	...
New Jersey	...	...	20,000(c)	...	...	...	PE,SL	CM
New Mexico	40	60C(f)	...	40	30C	40	PE(b)	OP
New York	...	...	47,000	...	...	...	PE	OP(k)
North Carolina	...	...	9,600	...	...	...	None	...
North Dakota	5	80N	...	5	None	45	PE(b)	OP
Ohio	...	...	35,000	...	...	...	PE	OP
Oklahoma	...	...	25,896	...	...	25(l)	PE	CM
Oregon	...	...	15,696	...	...	...	PE	OP
Pennsylvania	...	...	37,440(m)	...	...	...	PE	OP
Rhode Island	5	60L	...	...	...	...	PE(b)	OP
South Carolina	175	40L	...	175	40L	25	SL	CM
South Dakota	...	...	5,000	67.67	None	25	None	...
Tennessee	...	...	15,602(n)	...	...	...	PE	OP
Texas	30	140C	...	30	30C	...	SL	OP
Utah	25	60C(f)	...	25	30C	25	SL	OP
Vermont	40(c)	(o)	...	...	...	45C	None	...
Virginia	...	...	16,000	...	...	50	PE	CM
Washington	...	...	14,400	...	...	...	PE	OP
West Virginia	...	...	9,600	35	None	35(j)	PE	OP
Wisconsin	...	...	35,686(c)	...	...	...	PE	CM
Wyoming	30	(p)	...	30	None	30	None	...
American Samoa	...	...	18,000	...	...	...	PE	OP
Guam	...	...	36,000	...	...	...	PE	OP
Puerto Rico	...	...	19,200	...	...	...	PE	CM
Virgin Islands	...	...	30,000	...	...	...	PE	CM

## Key:

PE—Statewide public employee

SL—Special legislative

OP—Optional

CM—Compulsory

C—Calendar day

L—Legislative day

N—Natural day (24 hours)

(a) A November 1978 referendum, if approved by voters, will raise legislative salaries to \$22,000 for the biennium.

(b) Special provisions for legislators.

(c) Effective after 1978 election: California—\$51,110; Connecticut—\$15,000; Iowa—\$24,000; Maryland—\$32,750 (if approved by legislature); Minnesota—\$35,000; Missouri—\$30,000; Nevada—\$80; New Jersey—\$36,000 (effective 1980); Vermont—\$45 (effective July 1978); Wisconsin—\$39,534.

(d) \$50 per day for committee attendance up to \$2,500 maximum. Joint Budget Committee and Legislative Audit Committee members have a \$5,000 maximum at \$50 per day for such committee attendance in addition to \$2,500 maximum.

(e) Legislators may choose to join the compulsory statewide public employee pension system or the optional (elected officers' class) special legislative retirement system.

(f) Limit on first session; second session limitation: Kansas 90C unless extended by 2/3 vote of all members; New Mexico 30C; Utah 20C.

(g) Legislators are paid for Sundays and holidays during sessions; thus, compensation period usually is 72 to 74 days.

(h) Legislative salaries are tied to the salary of classified state employees (Massachusetts: Group 19). Any salary increases obtained through the collective bargaining process accrue to state legislators (Montana: Grade 8, Step 1); salaries are adjusted annually on July 1 to reflect cost-of-living changes (1978—\$34.98).

(i) Unless over age 64.

(j) Nevada: paid during interim on official business only by approval of Legislative Commission. West Virginia: payable only to members of Joint Committee on Government and Finance and Commission on Interstate Cooperation to a limit of \$1,050 per year.

(k) CM for members elected after July 1, 1976.

(l) For 20 days, unless authorized by the Executive Committee of the Legislative Council.

(m) Senators elected in 1974 will continue to receive \$31,200 salary; see the table on pages 24-27 for additional allowances.

(n) Income will be adjusted annually on July 1 to correspond with the percentage of change in the per capita personal income in the state for the preceding fiscal year.

(o) Effective July 1978: paid \$225 per week during session for a maximum of \$6,750 during odd-numbered years and \$1,800 during even-numbered years.

(p) The legislature is limited to meeting no more than 40L in the odd year out of 60L during the biennium. The legislators are paid on a calendar-day basis.

(q) Effective January 1979.



## COMPENSATION COMMISSIONS FOR STATE OFFICIALS

State or other jurisdiction	Commission	Number of members	Jurisdiction		Recommendation submitted to	Authority of recommendations
			Salaries	Benefits and/or expenses		
Alabama .....	...	...	...	...	...	...
Alaska .....	Alaska Salary Commission	5	EO, AO, L, J	EO, AO, L, J	Gov., chief justice, senate pres., house spkr.	May be accepted or rejected; no ac- tion constitutes rejection
Arizona .....	Commission on Salaries for Elected Officers	5	EO, L, J	...	L—referendum; EO, J—gov.	Advisory only
Arkansas .....	...	...	...	...	...	...
California .....	...	...	...	...	...	...
Colorado .....	Colorado State Officials' Compensation Commission	9	EO, AO, L, J	EO, AO, L, J	Sen. pres., house spkr., gov., chief justice	Advisory only
Connecticut .....	Compensation Commission for Elected State Officials and Judges	11	EO, L, J	EO, L, J	Legislature	Advisory only
Delaware .....	...	...	...	...	...	...
Florida .....	State Officers Compensation Commission	9	EO, L, J	EO, L, J	Legislature	Advisory only
Georgia .....	State Commission on Compensation	12	EO, AO, L, J	...	Gov., lt. gov., house spkr., house clerk, senate secy., leg. counsel, chief justice of S.C. and Ct. of Appeals	Advisory only
Hawaii .....	Commission on Legislative Salary	10	L	...	Legislature	Advisory only
Idaho .....	Citizen's Committee on Legislative Compensation	6	L	L	Legislature	May be reduced or rejected; no ac- tion constitutes acceptance
Illinois .....	Commission on Compensation of State and Local Gov- ernmental Officials	5	EO, AO, J	...	Legislature, governor	Advisory only
...	Advisory Committee on Compensation of General Assembly Members	7	L	...	Legislature (first session)	Advisory only
Indiana .....	...	...	...	...	...	...
Iowa .....	Commission on Compensation Expenses and Salaries for Elected State Officials	15	EO, L, J	EO, L, J	Legislature	Advisory only
Kansas .....	...	...	...	...	...	...
Kentucky .....	Public Officials Compensation Commission	5	EO, L, J	EO, L, J	Legislature	Advisory only
Louisiana .....	Compensation Review Commission	19	EO, AO, L, J	EO, AO, L, J	Legislature, governor	Advisory only
Maine .....	...	...	...	...	...	...
Maryland .....	General Assembly Compensation Commission	9	L	L	Legislature	May be reduced, accepted, or re- jected; no action constitutes ac- ceptance
...	Governor's Salary Commission	7	(a)	...	Legislature	May decrease but not lower than salary of current incumbent
Massachusetts .....	Advisory Board on Legislative & Constitutional Of- ficers' Compensation	7	EO, L	EO, L	Legislature	Advisory only
Michigan .....	State Officers Compensation Commission	7	EO(a), L, J(b)	EO(a), L(c), J(b)	Legislature	May be rejected by 2/3 vote of mem- bers in each house
Minnesota .....	...	...	...	...	...	...
Mississippi .....	...	...	...	...	...	...
Missouri .....	...	...	...	...	...	...

Montana	Montana Salary Commission	8	EO, L, J(e)	EO, L, J(e)	Legislature	Advisory only
Nebraska	...	...	...	...	...	...
Nevada	...	...	...	...	...	...
New Hampshire	...	...	...	...	...	...
New Jersey	...	...	...	...	...	...
New Mexico	...	...	...	...	...	...
New York	State Commission on Legislative and Judicial Salaries	9	L, J	L, J	Governor	Advisory only
North Carolina	Advisory Budget Commission	12	AO	...	Legislature	May be accepted or rejected only;
North Dakota	Legislative Compensation Commission	5	...	L	Legislature	no action constitutes acceptance
Ohio	Elected Official and Judicial Compensation Review Commission	9	EO, L, J	EO, L, J	Gov., legislature	May be reduced, accepted, or rejected
Oklahoma	Board on Legislative Compensation	11	L	...	Legislature	Advisory only
Oregon	Commonwealth Compensation Commission	3	EO, AO, L, J	EO, AO, L, J	Gov., chief justice, senate pres. pro tem, house spkr.	Final unless legislative action within 30 days of submission date
Pennsylvania	...	...	...	...	...	...
Rhode Island	...	...	...	...	...	...
South Carolina	...	...	...	...	...	...
South Dakota	Commission on Salaries for Elective State Officials	5	EO, L, J	...	Legislature, governor	Advisory only
Tennessee	...	...	...	...	...	...
Texas	...	...	...	...	...	...
Utah	Utah Executive Compensation Commission	5	EO, AO, J	EO, J	Legislature, Board of Examiners	Advisory only
Vermont	Legislative Pay Board	5	L	L	Legislature	Advisory only
Virginia	...	...	...	...	...	...
Washington	State Committee on Salaries	7	EO, AO, L, J	...	Governor, other salary authority	Advisory; may be reduced or rejected
West Virginia	Citizens Legislative Compensation Commission	7	L	L	Legislature	May be reduced, accepted, or rejected
Wisconsin	Personnel Board/Director, Bureau of Personnel	...	(d)	...	Jt. Cmte. on Employment Relations	(f)
Wyoming	...	...	...	...	...	...
American Samoa	...	...	...	...	...	...
Guam	Executive, Judicial and Legislative Compensation Commission	9	EO, AO, L, J	EO, AO, L, J	Legislature	Advisory only
Virgin Islands	...	...	...	...	...	...

## Key:

EO—Elected officials  
 AO—Administrative officials  
 L—Legislators  
 J—Judges  
 ...—None

(a) Governor and lieutenant governor only.  
 (b) Judges of supreme court only.  
 (c) Expenses only.  
 (d) All state officials—elected, appointed, and employees under classified service—are grouped for salary purposes. The state officials compensation plan consists of 10 executive salary ranges.  
 (e) The Commissioner of Campaign Finances and Practices.  
 (f) Joint Committee on Employment Relations must approve plan and submit it as a bill for a vote of the full legislature.

# LEGISLATIVE TRAVEL AND EXPENSE ALLOWANCE

## EXPENSE ALLOWANCE

### TRAVEL ALLOWANCE

### Living expenses per day

#### During session (Regular & special)

#### During session (Regular & special)

#### Between sessions on official business

State or other jurisdiction	During session (Regular & special)		Between sessions, per mile	During session (Regular & special)		Between sessions on official business		Other
	Per mile	Round trips home to capitol		Vouchered	Not vouchered	Vouchered	Not vouchered	
Alabama .....	10¢	One	10¢	...	\$40 up to 105 C days	...	...	\$300/mo., 12 mo./ yr. (unvouchered)
Alaska .....	20¢(a)	One	20¢	...	\$50	...	\$50 overnight	\$4,000/yr. for secretarial services, stationery & postage (unvouchered)
Arizona .....	15¢	Unlimited	15¢	\$30; \$15 for legislators from Maricopa County	...	\$15 max. inside county of residence and \$30 outside; \$40 max. out of state	...	...
Arkansas .....	15¢	Weekly	15¢	\$308/wk.	...	...	...	Members are entitled to reimbursement not to exceed \$350/mo. for expenses incurred in the interim (vouchered)
California .....	(b)	(b)	(b)	...	\$40/7 day wk.	...	\$40	...
Colorado .....	14¢	Daily(c)	14¢	(c)	...	(d)	...	Not more than \$50/ mo. for Denver metro. members, \$125/ mo. other members (vouchered) for expenses incurred in carrying out legislative functions between sessions
Connecticut .....	12¢	Unlimited	12¢	...	...	...	...	\$1,000/yr. expenses (unvouchered)
Delaware .....	15¢	Unlimited	...	...	...	...	...	\$25 supplies per yr. and \$1,500/yr. expenses (unvouchered)
Florida .....	14¢	Weekly	14¢	...	\$35/7 day wk.	\$35	...	\$500 max./mo. for intradistrict expenses; office rental equip., supplies & travel (vouchered)
Georgia .....	10¢	Weekly	10¢	...	\$36/7 day wk.	\$36/day	...	Stationery
Hawaii .....	20¢	Unlimited	20¢	...	\$20 for legislators from outside Oahu	...	\$10 inside island of residence; \$30 away from residence; \$45 away from state	\$1,500 total allowance for incidental expenses connected with legislative duties
Idaho .....	15¢	Five	15¢	...	\$40 up to 60 C days, \$30 after 60 C days if residence in capital; \$25 up to 60 C days, \$20 after 60 C days if lives at home	(d)	...	...
Illinois .....	15¢	Weekly	15¢	...	\$36/L day	...	...	Not more than \$17,000/yr. for legislative staff, secretarial, clerical, research, technical, telephone & other utility services, stationery, postage, office equip. rental and office rental costs (vouchered)
Indiana .....	15¢	Weekly	15¢	...	\$44/7 day wk.	\$44	...	\$12.50/day, 6 days/wk., paid monthly during interim only for supplies, etc. (unvouchered)
Iowa .....	15¢	Weekly	15¢	...	\$20/7 day wk.(e)	(d)	...	...
Kansas .....	13¢	Weekly	13¢	...	\$44/7 day wk.	...	\$44	\$200/mo. April through Dec. to defray expenses, travel, postage, telephone, office (unvouchered)
Kentucky .....	15¢	Ten	15¢(d)	...	\$50/7 day wk.	(d)	...	\$50 supplies per regular & special session, \$550 monthly expense allowance between sessions (unvouchered)

Louisiana .....	16e	Weekly	16e	...	\$50/7 day wk.	\$50	...	\$150/mo. for rent, utilities and expenses of dist. office (vouch- ered); \$12,000 annual for office expense, secretarial assis- tance, travel, telephone, other (unvouchered); \$1,000 one-time allowance for office equipment and furniture which reverts to state when legislator leaves office
Maine .....	13e(f)	Weekly	13e(f)	\$25 meals and hous- ing, or \$12/day meals; mileage up to \$13/day	...	\$25 meals and hous- ing, or \$12/day meals; mileage up to \$13/day	...	Telephone & telegraph services, postage, newspapers: \$200/ yr. allowance for constitutional services (unvouchered)
Maryland .....	12e(e)	Daily if not lodging; weekly if lodging	12e(e)	\$35(g)	...	\$35(g)	...	
Massachusetts .....	(h)	Unlimited	...	...	(h)	...	...	
Michigan .....	17e	Weekly	...	1977 maximum \$4,250; 1978 maxi- mum \$4,600	...	...	...	Senate \$5,500 and house \$8,138 annual for office rent, staff, equipment, telephone (vouchered)
Minnesota .....	16e	Weekly	15e	...	\$40, \$48(e) for legis- lators who change residence during session; paid for 7 day wk.	\$48(i)	...	\$1,200 annual expense allowance (unvouchered)
Mississippi .....	12e	Weekly	12e	...	\$30 actual daily attendance	(d)	...	\$210 monthly during interim (unvouchered)
Missouri .....	15e	Weekly	15e	\$35	...	(d)	...	Senate: actual, necessary, and reasonable office expenses paid directly by Senate Accounts Cmte. House: up to \$450/ mo. for office expenses (vouchered)
Montana .....	15e	One	15e	...	\$40/7 day wk.	In state: \$18 lodging, \$10 meals; out of state: \$37 lodging, \$13 meals(d)	...	
Nebraska .....	16e at state's convenience. 12e at em- ployee's convenience	One	16e	...	...	(d)	...	\$200 postage/yr.
Nevada .....	17e	One	17e	...	\$40/C day	In state: \$17 food, \$13 room; out of state: \$17 food, lodging(d)	...	Travel out of state at reasonable rate: \$60 postage & sta- tionery, \$60 printing allowance; \$500 regular session; \$200 special session; telephone allowance; additional travel al- lowance \$1,700 regular; \$710 special session (unvouchered); chmn. of standing cmtes. are allowed up to \$100/regular session, \$40/special session additional for postage, tele- phone, and other communication charges
New Hampshire .....	30e 1st 45 mi.; 15e/mi. in excess of 45 mi. to max. of \$40/C day	Unlimited	12e	...	...	(d)	...	
New Jersey .....	Railroad pass for interstate travel.			...	...	...	...	Free stationery, postage, Western Union telegraph, telephone; \$20,000 annually for salaries (vouchered) provided one staff member shall be hired full time; up to \$3,000 annually for office facilities; up to \$2,000 total for office equipment (vouchered)

# LEGISLATIVE TRAVEL AND EXPENSE ALLOWANCE—Concluded

## EXPENSE ALLOWANCE

State or other jurisdiction	TRAVEL ALLOWANCE			Living expenses per day					Other
	During session (Regular & special)		Between sessions, per mile	During session (Regular & special)		Between sessions on official business			
	Per mile	Round trips home to capitol		Vouchered	Not vouchered	Vouchered	Not vouchered		
New Mexico .....	10c	One	10c	...	...	...	...	Stationery, postage, telephone & telegraph	
New York .....	13c	Weekly	13c	\$25/day on business part of day outside NYC; \$40/day on business overnight outside NYC; \$50/ day on business overnight in NYC or out of state	...	\$25/day on business part of day outside NYC; \$40/day on business overnight outside NYC; \$50/ day on business overnight in NYC or out of state	...	\$5,000 district office expenses (vouchered); \$10,000 staff allowance—Albany (vouchered)	
North Carolina .....	15c(a)	Weekly	15c	...	\$35/7 day wk.	...	\$35	\$100/mo., annually, for office expenses and other miscella- neous expenses in home district office (unvouchered)	
North Dakota .....	10c	Weekly	15c	...	\$60/7 day wk.	\$16 lodging, up to \$10 food	...	\$3,600 biennially for expense allowance (unvouchered)	
Ohio .....	15c	Weekly	...	...	...	...	...	...	
Oklahoma .....	12c	Weekly	12c	...	\$15/4 day wk.(j)	...	...	Telephone credit card up to \$600/yr.; 4,000 13c stamps	
Oregon .....	...	...	14c cmte. business only	...	\$44/7 day wk.	\$44	...	\$225/mo. interim expenses (unvouchered); where technically possible, may have state centrex line whose rental does not exceed \$50/mo.; also \$10/mo. for toll charge calls up to \$180 (vouchered). Where centrex would cost more than \$50/mo., receives a phone credit card and may charge up to \$75/mo. (vouchered)	
Pennsylvania .....	15c	Weekly	15c	...	...	...	\$44 nonlegisla- tive days, in or outside capital	\$7,500 annually for expenses (vouchered) during 1977-78 only. Senators elected in 1974 will receive \$6,240 biennial expense payment (unvouchered)	
Rhode Island .....	8c	Each day of attendance	...	...	...	...	...	...	
South Carolina .....	14c	Weekly	14c	\$25	...	\$25	...	\$200/session for postage	
South Dakota .....	16c	Weekly	16c	...	\$25	\$23	...	...	
Tennessee .....	18c	Weekly	18c	...	\$62.41/90 L days	...	\$62.41/90 days	\$156.01/mo. for telephone, secretary, and other assistance (unvouchered)	
Texas .....	18c cars, 23c airplanes	Weekly	18c cars, 23c airplanes	...	\$30/7 day wk.	(d)	...	Senate: all necessary office expenses except \$6,500/mo. in session and \$4,900/mo. interim limit on staff salaries (vouch- ered). House: \$4,000/mo. in session, \$3,000/mo. interim office expenses	
Utah .....	15c	Weekly	15c	...	\$15	\$25 in state; \$35-40 out of state	...	...	
Vermont .....	13c	Weekly	13c	...	\$15 if lives at home; \$35 if housed in capital	(d)	...	...	

Virginia.....	15¢	Weekly	15¢	...	Up to \$50 but no more than is allowed as a nonvouchered expense by the federal Internal Revenue Service (\$44)	...	(d)	\$5,200 annually for secy. or admin. asst. (vouchered)
Washington .....	10¢	One	14¢	...	\$40/L day	...	\$40	Postage, stationery, \$100/mo., interim only (unvouchered)
West Virginia.....	15¢(a)	Weekly	15¢(a)	\$22/7 day wk. lodging, \$15/7 day wk. meals and misc. (k)	...	\$22 lodging, \$15 meals and misc.	...	...
Wisconsin.....	15½¢	Weekly	(d)	\$25	...	(d)	...	\$75 senators, \$25 representatives monthly interim expense allowance (unvouchered)
Wyoming .....	12¢	One	12¢	...	\$36/7 day wk.	...	\$36(l)	Stationery, postage, telephone credit cards, miscellaneous supplies
American Samoa ....	(i)	...	(i)	(i)	...	(i)	...	...
Guam .....	...	...	...	...	...	...	...	Out-of-state travel \$60/day, 13¢/mi.
Puerto Rico .....	30¢/km. and no less than \$20	Weekly	30¢/km.	...	\$35 if residence within 50 km. of capitol; \$45 if over 50 km.	...	\$35 if residence within 50 km. of capitol; \$45 if over 50 km.	\$500 in postage stamps per fiscal year; \$1,300 annually (vouchered)
Virgin Islands .....	(m)	Unlimited	(m)	\$30(n)	...	\$30(n)	...	...

**Key:**

L—Legislative day

C—Calendar day

(a) In lieu of air fare/common carrier.

(b) Each legislator is allowed the use of a car purchased and maintained by the state for use on legislative business. Each legislator is also reimbursed for the actual expense of any public transportation used.

(c) For legislators living outside the Denver metropolitan area only; daily round trip at 12¢ per mile and \$10 per diem vouchered for actual expenses or one weekly round trip at 12¢ per mile and \$20 per diem vouchered for lodging and actual expenses. Legislators from Denver \$10 per diem vouchered for actual expenses and travel.

(d) Actual and necessary expenses incurred for attendance at official legislative functions.

(e) Effective January 1979: Iowa—\$30; Maryland—14¢ (effective July 1, 1978); Minnesota—\$17, \$27.

(f) May be reimbursed for turnpike tolls.

(g) Effective January 1979, upon approval by legislature: \$50 overall lodging and meals maximum (no more than \$20 for meals); \$75/diem maximum for out-of-state travel (vouchered).

(h) Each member depending on where he lives receives a per diem allowance for mileage, meals, and lodging from \$2 to \$32 per legislative day.

(i) Same as all other government employees. Minnesota travel and lodging reimbursement in addition to per diem.

(j) Paid only to legislators spending the night.

(k) In lieu of lodging, member may be reimbursed for daily round trip from his residence and capitol at 15¢/mi. not to exceed \$22/day.

(l) Limit may be exceeded for out-of-state travel.

(m) Use of legislative cars, travel vouchers.

(n) For senators who must engage in interstate travel to attend sessions.

## ADDITIONAL COMPENSATION FOR LEGISLATIVE LEADERS\*

<i>State or other jurisdiction</i>	<i>Chamber</i>	<i>Leader</i>	<i>Additional salary and/or expenses</i>
Alabama .....	Senate	Pres. (a)	\$ 2/diem
	House	Spkr.	2/diem
Alaska .....	Senate	Pres.	500/year
	House	Spkr.	500/year
Arizona .....	...	...	...
Arkansas .....	Senate	Pres. Pro Tem.	2,500/year
	House	Spkr.	2,500/year
California .....	...	...	...
Colorado .....	Senate	Pres., Maj. Ldr., Min. Ldr.	50/diem (b)
	House	Spkr., Maj. Ldr., Min. Ldr.	50/diem (b)
Connecticut .....	Senate	Pres. Pro Tem.	4,000/biennium
		Maj. Ldr., Min. Ldr.	3,000/biennium
		Dep. Maj. Ldr., Dep. Min. Ldr.	2,000/biennium
		Asst. Maj. Ldr., Asst. Min. Ldr.	1,000/biennium
	House	Spkr.	4,000/biennium
		Dep. Spkr., Maj. Ldr., Min. Ldr.	3,000/biennium
		Dep. Maj. Ldr., Dep. Min. Ldr.	2,000/biennium
		Asst. Maj. Ldr., Asst. Min. Ldr.	1,000/biennium
Delaware .....	Senate	Pres. Pro Tem.	3,000/biennium
		Maj. Ldr., Min. Ldr., Jt. Finance Cmte. Chmn.	2,500/biennium
		Maj. Whip, Min. Whip	2,000/biennium
		Jt. Finance Cmte. members	1,000/biennium
	House	Spkr.	3,000/biennium
		Maj. Ldr., Min. Ldr., Jt. Finance Cmte. Chmn.	2,500/biennium
		Maj. Whip, Min. Whip	2,000/biennium
		Jt. Finance Cmte. members	1,000/biennium
Florida .....	Senate	Pres.	3,000/year
	House	Spkr.	3,000/year
Georgia .....	Senate	Pres. Pro Tem.	2,800/year
		Maj. Ldr., Min. Ldr., Admin. Flr. Ldr., Asst. Admin. Flr. Ldr.	(c)
	House	Spkr.	17,800/year
		Spkr. Pro Tem.	2,800/year
		Maj. Ldr., Min. Ldr., Admin. Flr. Ldr.	(c)
Hawaii .....	...	...	...
Idaho .....	...	...	...
Illinois .....	Senate	Pres., Min. Ldr.	10,000/year
		Asst. Maj. Ldrs. (4), Asst. Min. Ldrs. (3)	6,000/year
	House	Spkr., Min. Ldr.	10,000/year
		Maj. Ldr.	7,500/year
		Asst. Maj. Ldrs. (3), Asst. Min. Ldrs. (3)	6,000/year
		Maj. Whips (2), Min. Whips (2)	5,000/year
Indiana .....	Senate	Pres. Pro Tem.	3,000/year
		Min. Flr. Ldr.	2,000/year
		Maj. Flr. Ldr., Asst. Min. Flr. Ldr., Maj. Caucus Chmn.,	1,500/year
		Min. Caucus Chmn., Finance Cmte. Chmn.	
	House	Spkr.	3,000/year
		Min. Flr. Ldr.	2,000/year
		Spkr. Pro Tem., Maj. Flr. Ldr., Maj. Whip, Asst. Min. Flr. Ldr.,	1,500/year
		Maj. Caucus Chmn., Min. Caucus Chmn., Ways & Means	
		Cmte. Chmn.	
Iowa .....	Senate	Pres. (a)	4,000/year (d,e)
		Maj. Flr. Ldr., Min. Flr. Ldr.	1,500/year (d)
	House	Spkr.	4,000/year (d,e)
		Maj. Flr. Ldr., Min. Flr. Ldr.	1,500/year (d)
Kansas .....	Senate	Pres.	4,200/year
		Maj. Ldr., Min. Ldr., Ways & Means Cmte. Chmn.	3,240/year
		V-Pres.	1,800/year
	House	Spkr.	4,200/year
		Maj. Ldr., Min. Ldr., Ways & Means Cmte. Chmn.	3,240/year
		Spkr. Pro Tem.	1,800/year
Kentucky .....	Senate	Pres. Pro Tem.	25/day
		Flr. Ldrs.	20/day
		Asst. Pres. Pro Tem., Caucus Chmn., Whips	15/day
	House	Spkr.	25/day
		Flr. Ldrs.	20/day
		Spkr. Pro Tem., Caucus Chmn., Whips	15/day
Louisiana .....	Senate	Pres.	25,000/year (f)
	House	Spkr.	25,000/year (f)
Maine .....	Senate	Pres.	1½ x reg. salary/biennium (g)
		Maj. Ldr., Min. Ldr.	1¼ x reg. salary/biennium
		Asst. Maj. Ldr., Asst. Min. Ldr.	1½ x reg. salary/biennium
	House	Spkr.	1½ x reg. salary/biennium (g)
		Maj. Ldr., Min. Ldr.	1¼ x reg. salary/biennium
		Asst. Maj. Ldr., Asst. Min. Ldr.	1½ x reg. salary/biennium
Maryland .....	Senate	Pres.	5,000/year
	House	Spkr.	5,000/year

## ADDITIONAL COMPENSATION FOR LEGISLATIVE LEADERS\*—Continued

State or other jurisdiction	Chamber	Leader	Additional salary and/or expenses
Massachusetts .....	Senate	Pres.	2¼ x reg. salary/year (h)
		Ways & Means Cmte. Chmn.	2 x reg. salary/year (i)
		Maj. Flr. Ldr., Min. Flr. Ldr.	1¾ x reg. salary/year (j)
		Asst. Maj. Flr. Ldrs. (2), Asst. Min. Flr. Ldrs. (2), Ways & Means	1½ x reg. salary/year (k)
		Cmte. V-Chmn., Post Audit & Oversight Cmte. Chmn.	
	House	Chmn. Jt. Standing Cmtes., Chmn. Bills in Third Reading Cmte., 3rd Asst. Min. Flr. Ldr.	1-1/3 x reg. salary/year (l)
		Spkr.	2¼ x reg. salary/year (h)
		Chmn. Ways & Means Cmte.	2 x reg. salary/year (i)
		Maj. Ldr., Min. Ldr.	1¾ x reg. salary/year (j)
		Maj. Asst. Flr. Ldrs. (3), Min. Asst. Flr. Ldrs. (3), Ways & Means	1½ x reg. salary/year (k)
		Cmte. V-Chmn., Post Audit & Oversight Cmte. Chmn.	
		Jt. Standing Cmtes. Chmn., Bills in Third Reading Cmte. Chmn., Post Audit & Oversight Cmte. V-Chmn., Ways & Means Cmte.	1-1/3 x reg. salary/year (l)
		Asst. V-Chmn.	
Michigan .....	Senate	Maj. Ldr.	5,000/year
	House	Min. Ldr.	3,000/year
		Spkr.	5,000/year
Minnesota .....	Senate	Min. Ldr.	3,000/year
	House	Pres.	35/week (g)
		(m)	(m)
Mississippi .....	Senate	Spkr.	35/week (n)
	House	(m)	(m)
		Pres. (a)	6,900/year
Missouri .....	Senate	Spkr.	6,900/year
	House	Pres. Pro Tem.	2,500/year (d)
		Maj. Flr. Ldr., Min. Flr. Ldr.	1,500/year (d)
Montana .....	Senate	Spkr.	2,500/year (d)
	House	Spkr. Pro Tem., Maj. Flr. Ldr., Min. Flr. Ldr.	1,500/year (d)
		Pres.	5/day while in session
Nebraska .....	...	Spkr.	5/day while in session
Nevada .....	Senate	Pres. (a)	...
	Assembly	Spkr.	2/diem (o)
New Hampshire .....	Senate	Spkr.	2/diem (o)
	House	Pres.	50/year
New Jersey .....	Senate	Spkr.	50/year
	Assembly	Pres.	1-1/3 x reg. salary/year
New Mexico .....	...	Spkr.	1-1/3 x reg. salary/year
New York .....	Senate	...	...
		Temporary Pres.	21,000/year
		Dep. Maj. Ldr., Min. Ldr.	18,000/year
		Maj. Conf. Chmn.	14,000/year
		Dep. Min. Ldr.	9,500/year
		Min. Conf. Chmn.	7,500/year
		Maj. Conf. Secy.	5,000/year
		Min. Conf. Secy.	3,500/year
		Cmte. chmn. & ranking min. members:	
		Finance Cmte.	18,000 & 8,500/year
		Judiciary Cmte., Codes Cmte.	9,000 & 5,000/year
		Banks Cmte., Education Cmte., Health Cmte., Cities Cmte.	7,000 & 4,000/year
		All other cmtes.	5,000 & 3,500/year
	Assembly	Spkr.	21,000/year
		Maj. Ldr., Min. Ldr.	18,500/year
		Spkr. Pro Tem., Cmte. on Cmtes. Chmn.	14,000/year
		Ranking Min. Member, Cmte. on Cmtes., Dep. Maj. Ldr., Dep.	10,000/year
		Min. Ldr., Asst. Maj. Ldr., Asst. Min. Ldr.	
		Maj. Whip, Min. Whip	9,000/year
		Maj. Conf. & Min. Conf. Chmn.	8,000/year
		Maj. Conf. & Min. Conf. V-Chmn.	4,000/year
		Cmte. chmn. & ranking min. members:	
		Ways & Means Cmte.	18,000 & 9,500/year
		Judiciary Cmte., Codes Cmte.	9,000 & 5,000/year
		Banks Cmte., Cities Cmte., Education Cmte., Health Cmte.,	7,000 & 4,000/year
		Local Govt. Cmte.	
		Labor Cmte. Chmn.	6,000/year
		All other cmtes.	5,000 & 3,500/year
North Carolina .....	Senate	Pres. Pro Tem., Min. Ldr.	1,200/year (p)
	House	Spkr.	4,200/year (p)
		Spkr. Pro Tem., Min. Ldr.	1,200/year (p)
North Dakota .....	Senate	Maj. Flr. Ldr., Min. Flr. Ldr.	5/diem (o)
	House	All Standing Cmte. Chmn.	3/diem (o)
		Spkr., Maj. Flr. Ldr., Min. Flr. Ldr.	5/diem (o)
		All Standing Cmte. Chmn.	3/diem (o)



## ADDITIONAL COMPENSATION FOR LEGISLATIVE LEADERS\*—Concluded

<i>State or other jurisdiction</i>	<i>Chamber</i>	<i>Leader</i>	<i>Additional salary and/or expenses</i>
Ohio .....	Senate	Pres. Pro Tem.	7,500/year
		Asst. Pres. Pro Tem., Min. Ldr.	5,000/year
		Asst. Min. Ldr.	1,500/year
		Min. Whip, Cmte. Chmn.	750/year
	House	Spkr.	7,500/year
		Spkr. Pro Tem	5,000/year
		Maj. Flr. Ldr., Min. Ldr.	4,500/year
		Asst. Min. Ldr.	1,500/year
Oklahoma .....	Senate	Maj. Whip, Min. Whip, Cmte. Chmn.	750/year
	House	Pres. Pro Tem.	6,000/year
		Maj. Flr. Ldr., Min. Flr. Ldr.	4,200/year
Oregon .....	Senate	Spkr.	6,000/year
	House	Maj. Flr. Ldr., Min. Flr. Ldr.	4,200/year
Pennsylvania .....	Senate	Pres.	600/month (d)
		Spkr.	600/month (d)
		Pres. Pro Tem.	10,500/year (q)
		Maj. Ldr., Min. Ldr.	8,500/year (r)
		Maj. Whip, Min. Whip	4,000/year (s)
		Maj. Caucus Chmn., Min. Caucus Chmn.	3,500/year (s)
		Maj. Caucus Secy., Min. Caucus Secy., Maj. Caucus Admin. (t), Min. Caucus Admin. (t), Maj. Policy Chmn. (t), Min. Policy Chmn. (u)	2,000/year (s)
	House	Maj. Appropriations Chmn., Min. Appropriations Chmn.	6,000/year (o)
		Spkr.	10,500/year (q)
		Maj. Ldr., Min. Ldr.	8,500/year (r)
		Maj. Whip, Min. Whip	4,000/year (s)
		Maj. Caucus Chmn., Min. Caucus Chmn.	3,500/year
		Maj. Caucus Secy., Min. Caucus Secy., Maj. Caucus Admin. (t), Min. Caucus Admin. (t), Maj. Policy Chmn. (t), Min. Policy Chmn. (u)	2,000/year (s)
		Maj. Appropriations Chmn., Min. Appropriations Chmn.	6,000/year (o)
Rhode Island .....	House	Spkr.	5/diem
South Carolina .....	Senate	Pres. (a)	1,575/year
		Pres. Pro Tem.	3,600/year
	House	Spkr.	4,075/year
		Spkr. Pro Tem.	1,200/year
South Dakota .....	House	Spkr. Emeritus	1,500/year
Tennessee .....	Senate	Spkr.	3,900.48/year (v)
	House	Spkr.	3,900.48/year (v)
Texas .....	House	Spkr.	...
Utah .....	House	Spkr.	...
Vermont .....	House	Spkr.	100/biweekly (w)
Virginia .....	Senate	Pres. (a)	8,000/year
	House	Spkr.	8,000/year
Washington .....	House	Spkr.	...
West Virginia .....	Senate	Pres.	25/diem (x)
		Min. Ldr.	12.50/diem (x)
	House	Spkr.	25/diem (x)
		Min. Ldr.	12.50/diem (x)
Wisconsin .....	House	Spkr.	25/month
Wyoming .....	Senate	Pres.	3/diem
	House	Spkr.	3/diem
American Samoa .....	Senate	Pres.	2,250/year
	House	Spkr.	2,250/year
Guam .....	House	Spkr.	500/year
Virgin Islands .....	House	Spkr.	...

\*Compensation is paid in addition to base legislative pay and expenses.

- (a) Lieutenant governor.
- (b) Limited to 100 days.
- (c) Provided by resolution up to \$2,800/year.
- (d) Effective January 1979: Iowa—Pres., Spkr., \$6,000; Maj. Flr. Ldrs., Min. Flr. Ldrs., \$2,000. Oregon—\$656.
- (e) \$20/diem salary for special sessions and interim business.
- (f) In lieu of all per diem salary and monthly expense allowances.
- (g) Additional expense payment paid at discretion of president as lump sum at end of session.
- (h) Not to exceed 95% of annual salary of governor.
- (i) Not to exceed 85% of annual salary of governor.
- (j) Not to exceed 80% of annual salary of governor.
- (k) Not to exceed 70% of annual salary of governor.
- (l) Not to exceed 60% of annual salary of governor.

(m) Effective 1979, each chamber may designate 3 leaders to receive compensation of up to 140% of base salary.

(n) Expense reimbursement is made at the highest rate (\$48/diem) regardless of distance from speaker's district to capitol.

- (o) Additional expenses only.
- (p) Additional expenses \$150/month.
- (q) Additional expenses \$20,000.
- (r) Additional expenses \$6,000.
- (s) Additional expenses \$3,000.
- (t) No additional expenses.
- (u) Additional expenses \$2,000.
- (v) Upon request, the speaker of each house may also receive \$750 ex officio payment, \$2,400 annual office allowance, \$3,000 county office allowance, \$300 supplies.
- (w) \$20/diem expenses.
- (x) Regular and special sessions, paid for 7 days per week.

# ESTIMATED BIENNIAL COMPENSATION FOR LEGISLATORS 1977-1978(a)

State or other jurisdiction	Biennial compensation	State or other jurisdiction	Biennial compensation
Alabama	\$17,700	Nevada	\$10,460
Alaska	43,500	New Hampshire(e)	200
Arizona	12,000(b)	New Jersey	20,000
Arkansas	16,640(b)	New Mexico	3,600
California	61,599	New York	47,000(b)
Colorado	24,000(b)	North Carolina	19,035
Connecticut	13,000	North Dakota(c)	9,710
Delaware	21,050	Ohio	35,000
Florida	28,200	Oklahoma	25,896 or 28,536(g)
Georgia	17,280	Oregon(c)	24,657
Hawaii	27,000 or 30,640(c)	Pennsylvania	37,440(h)
Idaho	9,440 or 11,570(d)	Rhode Island	600
Illinois	46,192(H); 45,904(S)	South Carolina	14,400(b)
Indiana	23,903	South Dakota	6,875
Iowa	21,280	Tennessee	24,963
Kansas	18,294	Texas(c)	18,640
Kentucky(e)	19,100	Utah	3,200
Louisiana	32,500	Vermont	6,300 or 8,480(g)
Maine	7,400(b)	Virginia	21,700
Maryland	25,000(b)	Washington(i)	25,420
Massachusetts	32,280(f)	West Virginia	9,600(b)
Michigan	46,500(b)	Wisconsin	36,011(H); 36,661(S)(b)
Minnesota	25,160 or 26,832(d)	Wyoming	4,686
Mississippi	22,430	American Samoa	18,000(b)
Missouri	16,800(b)	Guam	36,000
Montana(c)	7,124	Puerto Rico	26,900(H); 30,645(S)(j)
Nebraska	10,000	Virgin Islands	29,100(H); 33,915(S)(j)
			30,000(b)

Key:  
H—House  
S—Senate

(a) Includes salary, daily pay, and unvouchered session and interim expense allowances. Excludes special session compensation, per diem business allowances during interim, mileage and transportation, and all vouchered expenses. The figures in this table vary slightly from figures published by the Council in 1977 *American State Legislatures* because actual days in session for 1977 and estimated days in session for 1978 are used rather than days in session for the 1975-76 biennium.

(b) Legislators receive additional session expense allowance paid by voucher.

(c) The larger figure includes daily expenses paid only to legislators living outside Oahu.

(d) The larger figure is paid to legislators establishing a second residence in the capital.

(e) Legislature actually meets in biennial sessions only.

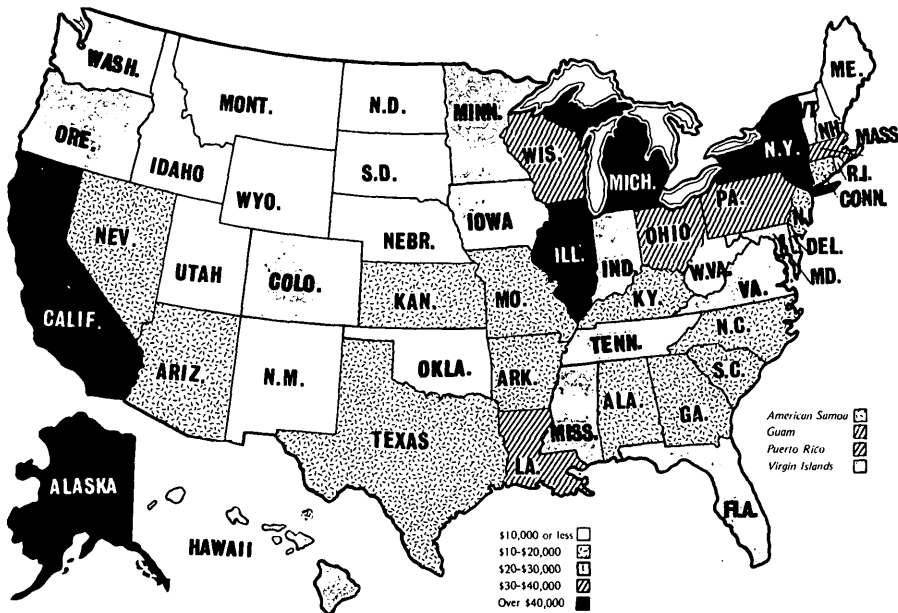
(f) Not included is an unvouchered expense allowance paid on a sliding scale depending on the legislator's distance from the capitol.

(g) Larger amount is unvouchered allowance paid to legislators spending the night only. Vermont: meal expenses are always paid.

(h) Senators elected in 1974 will receive a salary of \$31,200 and an unvouchered biennial expense allowance of \$6,400 for the 1977-78 biennium.

(i) Technically, the legislature meets biennially. In practice, through the traditional use of special sessions immediately after the regular session and during the even year of the biennium, the legislature is considered to be an annual session legislature for compensation purposes.

(j) Larger amounts are for legislators living more than 50 kilometers from the capitol.



## RETIREMENT PROGRAMS FOR STATE LEGISLATORS

State or other jurisdiction	Legislator contribution as percentage of compensation	Contribution made by state government	Optional (O) or Compulsory (C) membership	Minimum years legis- lative service for retirement	Age normally required for retirement
Alabama .....			No program		
Alaska .....	7.0	Yes	O	5	55
Arizona .....	5.0	Yes	C	15	65
Arkansas .....	6.0	Yes	C	10	60
California .....	8.0(a)	Yes	O	4	60
Colorado .....	7.75	Yes	O	5	65
Connecticut .....	10.0	No	O	10	55
Delaware .....	1.7(b)	Yes	C	5	60
Florida .....	8.0	Yes	C	8	62
Georgia .....	3.8(c)	Yes	C	10	60
Hawaii .....	6.0(d)	Yes	C	5	55(e)
Idaho .....	4.5	Yes	C	0	65
Illinois .....	10.0	Yes	O	4	62
Indiana .....	3.0	Yes	O	10	65
Iowa (f) .....	3.6	Yes	O	4	65
Kansas .....	4.0	Yes	O	10	65
Kentucky .....	4.0	Yes	C	8	65
Louisiana .....	11.0	Yes	O	10	60
Maine .....	6.5	Yes	O	10	60
Maryland .....	5.0	Yes	O	8	60
Massachusetts .....	7.0(g)	Yes	O	6	55
Michigan .....	5.0	Yes	O	8	55
Minnesota .....	8.0	No	C	8	60
Mississippi .....	5.5	Yes	C	15	65
Missouri .....	0.0	Yes	C	6	60
Montana .....	6.0	Yes	O	5	60
Nebraska .....			No program		
Nevada .....	15.0	Yes	C	8	60
New Hampshire .....			No program		
New Jersey .....	5.0	Yes	C	8	60
New Mexico .....	\$100/year	Yes	O	5	65
New York .....	0.0(h)	Yes	O(h)	10	62
North Carolina .....			No program		
North Dakota .....			No program(i)		
Ohio .....	8.0	Yes	O	5	55
Oklahoma .....	4.5	Yes	C	6	65
Oregon .....	5.0	Yes	O	5	65
Pennsylvania .....	5.0	Yes	O	10	50
Rhode Island .....	30.0	Yes	O	8	55
South Carolina .....	10.0	Yes	C	8	60
South Dakota .....			No program		
Tennessee .....	5.0	Yes	O	2	55
Texas .....	8.0	Yes	O	12	55
Utah .....	3.15	Yes	O	4	65
Vermont .....			No program		
Virginia .....	5.0	Yes	C	5	65
Washington .....	7.5(j)	Yes	O	5	60(j)
West Virginia .....	4.5	Yes	O	5	62
Wisconsin .....	5.5/7.0(k)	Yes	C	0	62
Wyoming .....			No program		
Guam .....	6.5	Yes	O	10	...

(a) 4% for members elected prior to March 4, 1972.

(b) 5% of earnings over \$500 per month.

(c) 3% of \$4,200 and 5% of \$3,000.

(d) Additional contribution to post-retirement fund: 1.8%.

(e) Mandatory retirement at age 70. Hawaii: at age 65 legislator may receive service retirement allowance while retaining office.

(f) Effective January 1979.

(g) 5% for members elected prior to January 1, 1975.

(h) For members elected after July 1, 1976; 3% contribution, compulsory membership.

(i) Legislative authority for a retirement program exists. Implementation has never taken place.

(j) For members entering plan after October 1, 1977: 5.51% contribution, 65 retirement age.

(k) 5.5% of earnings subject to OASDHI, plus 7% of earnings above OASDHI.

**TOTAL STATE LEGISLATIVE BRANCH EXPENDITURES AS A  
PERCENTAGE OF TOTAL EXPENDITURES FOR GENERAL  
CONTROL OF STATE GOVERNMENT AND AS A PERCENTAGE OF  
TOTAL GENERAL EXPENDITURES FOR ALL FUNCTIONS\***  
(In thousands)

Fiscal year	Legislative branch(a)	General control of state government		General expenditures for all functions	
		Total	Percent	Total	Percent
1963.....	\$ 87,671	\$ 299,478	29.3	\$ 34,376,751	0.255
1964.....	70,557	301,242	23.4	37,242,113	0.189
1965.....	97,717	350,146	27.9	40,314,973	0.242
1966.....	90,382	377,463	23.9	46,010,291	0.196
1967.....	128,449	450,469	28.5	53,155,093	0.242
1968.....	130,037	509,647	25.5	60,395,357	0.215
1969.....	166,621	600,936	27.9	68,014,127	0.245
1970.....	179,477	717,115	25.0	77,641,671	0.231
1971.....	224,558	843,046	26.6	89,118,419	0.252
1972.....	236,131	944,463	25.0	98,809,850	0.239
1973.....	289,167	1,112,269	26.0	108,086,178	0.268
1974.....	321,459	1,273,017	25.3	119,891,358	0.268
1975.....	388,497	1,496,008	26.0	138,303,990	0.281
1976.....	411,454	1,688,045	24.4	181,966,149	0.226

\*Source: *State Government Finances* for selected years, Series GP, No. 3, Table 9, U.S. Department of Commerce, Social and Economic Statistics Administration, Bureau of the Census.

(a) Most states experience their heaviest legislative activity in odd-numbered years.

# LEGISLATIVE SESSIONS: LEGAL PROVISIONS

State or other jurisdiction	Regular sessions				Special sessions		
	Legislature convenes*			Limitation on length of session			
	Year	Month	Day		Legislature may call†	Legislature may determine subject	Limitation on length of session
Alabama	Annual	Feb.	First Tues.(a,b)	30 L in 105 C	No	2/3 vote each house	12 L in 30 C
Alaska	Annual	Jan.	2nd Mon.(c)	None	2/3 vote of membership	Yes(e)	30 C
Arizona	Annual	Jan.	2nd Mon.	None	Petition 2/3 members, each house	Yes(e)	None
Arkansas	Odd(f)	Jan.	2nd Mon.	60 C(f)	No	(g)	None(g)
California	Even(h)	Dec.	1st Mon.	None	No	No	None
Colorado	Annual(i)	Jan.	Wed. after 1st Tues.	None	Vote 2/3 members, each house	Yes(e)	None
Connecticut	Annual(i)	Odd: Jan. Even: Feb.	Wed. after 1st Mon. Wed. after 1st Mon.	(j) (j)	No	No	None
Delaware	Annual(d)	Jan.	2nd Tues.	June 30	Jt. call, presiding officers, both houses	Yes	None
Florida	Annual	Apr.	Tues. after 1st Mon.(b)	60 C(f)	Jt. call, presiding officers, both houses	Yes	20 C(f)
Georgia	Annual(d)	Jan.	2nd Mon.	40 L	Petition 3/5 members, each house	Yes(e)	(k)
Hawaii	Annual(d)	Jan.	3rd Wed.	60 L(f)	Petition 2/3 members, each house	Yes	30 L(f)
Idaho	Annual	Jan.	Mon. on or nearest 9th day	None	No	No	20 C
Illinois	Annual(d)	Jan.	2nd Wed.	None	Jt. call, presiding officers, both houses	Yes	None
Indiana	Annual	Jan.	2nd Mon.(b)	Odd: 61 L or Apr. 30 Even: 30 L or Mar. 15	No	Yes	30 L in 40 C
Iowa	Annual(d)	Jan.	2nd Mon.	None	Petition 2/3 members, each house	Yes	None
Kansas	Annual(d)	Jan.	2nd Mon.	Odd: none Even: 90 C(f)	Petition to governor of 2/3 members, each house	Yes	None
Kentucky	Even	Jan.	Tues. after 1st Mon.	60 L	No	No	None
Louisiana	Annual	Apr.	3rd Mon.	60 L in 85 C	Petition majority, each house	Yes(e)	30 C
Maine	Annual(i)	Jan.	1st Wed. after 1st Tues.	None	Vote of majority of each party, each house	Yes(e)	None
Maryland	Annual	Jan.	2nd Wed.	90 C(f)	Petition majority, each house	Yes	30 C
Massachusetts	Annual	Jan.	1st Wed.	None	Yes	Yes	None
Michigan	Annual(d)	Jan.	2nd Wed.	None	No	No	None
Minnesota	Odd(n)	Jan.	Tues. after 1st Mon.	120 L	No	Yes	None
Mississippi	Annual	Jan.	Tues. after 1st Mon.	(f,m)	No	No	None
Missouri	Annual	Jan.	Wed. after 1st Mon.	Odd: June 30 Even: May 15	No	No	60 C
Montana	Odd	Jan.	1st Mon.	90 L	Petition majority, each house	Yes	None
Nebraska	Annual(d)	Jan.	1st Wed. after 1st Mon.	Odd: 90 L(f) Even: 60 L(f)	Petition 2/3 members	Yes	None
Nevada	Odd	Jan.	3rd Mon.	60 C(l)	No	No	20 C(l)
New Hampshire	Odd	Jan.	1st Wed. after 1st Tues.(b)	(l)	Yes	Yes	None(l)
New Jersey	Annual(d)	Jan.	2nd Tues.	None	Petition majority, each house	Yes	None
New Mexico	Annual(i)	Jan.	3rd Tues.	Odd: 60 C Even: 30 C	Petition 3/5 members, each house	Yes(e)	30 C
New York	Annual(d)	Jan.	Wed. after 1st Mon.	None	Petition 2/3 members, each house	Yes(e)	None
North Carolina	Odd(n)	Jan.	Wed. after 2nd Mon.	None	Petition 3/5 members, each house	Yes	None
North Dakota	Odd	Jan.	1st Tues. after 3rd day(b)	80 N	No	Yes	None
Ohio	Annual	Jan.	1st Mon.(n)	None	Jt. call, presiding officers, both houses	Yes	None

Oklahoma	Annual(d)	Jan.	Tues. after 1st Mon.	90 L	No	No	None
Oregon	Odd	Jan.	2nd Mon.	None	Petition majority, each house	Yes	None
Pennsylvania	Annual(d)	Jan.	1st Tues.	None	Petition majority, each house	No	None
Rhode Island	Annual(d)	Jan.	1st Tues.	60 L(l)	No	No	None
South Carolina	Annual(d)	Jan.	2nd Tues.(b)	None	No	Yes	None
South Dakota	Annual	Jan.	Odd: Tues. after 3rd Mon. Even: Tues. after 1st Mon.	45 L 30 L	No	No	None
Tennessee	Odd(o)	Jan.	1st Tues.(b)	90 L(l)	Petition 2/3 members, each house	Yes	30(l)
Texas	Odd	Jan.	2nd Tues.	140 C	No	No	30 C
Utah	Annual(f)	Jan.	2nd Mon.	Odd: 60 C Even: 20 C	No	No	30 C
Vermont	Odd(o)	Jan.	Wed. after 1st Mon.	None(l)	No	Yes	None
Virginia	Annual(d)	Jan.	2nd Wed.	Odd: 30 C(f) Even: 60 C(f)	Petition 2/3 members, each house	Yes	None
Washington	Odd	Jan.	2nd Mon.	60 C	No	Yes	None
West Virginia	Annual	Jan.	2nd Wed.(p)	60 C (f, q)	Petition 3/5 members, each house	Yes(r)	None
Wisconsin	Annual	Jan.	1st Tues. after Jan. 8(s)	None	No	No	None
Wyoming	Annual(i)	Jan. Feb.	Odd: 2nd Tues. Even: 2nd Tues.	40 L 20 L	No	Yes	None
American Samoa	Annual	Jan. July	2nd Mon. 2nd Mon.	30 L 30 L	No	No	None
Guam	Annual(d)	Jan.	2nd Mon.	None	No	No	None
Puerto Rico	Annual(d)	Jan.	2nd Mon.	Apr. 30(f)	No	No	20
TTPL	Annual(d)	Jan.	2nd Mon.	50 C	No	No	None
Virgin Islands	Annual(d)	Jan.	2nd Mon.	75 L	No	No	None

## Key:

L—Legislative day

C—Calendar day

N—Natural day

\* All states elect new legislatures in November of even-numbered years except Kentucky, Louisiana, Mississippi, New Jersey, and Virginia. Alabama, Louisiana, Maryland, and Mississippi elect all legislators at the same time to four-year terms (see the table on pages 238 and 239).

† The following states provide for a special session to only consider bills vetoed after adjournment sine die: Connecticut, Hawaii, Louisiana, Missouri (even years only), and Washington.

(a) During the quadrennial election year, sessions convene on the 2nd Tues. in Jan.

(b) Legislature meets in organizational session. Alabama: second Tuesday in January after quadrennial election; Florida: 14th day following each general election; Indiana: third Tuesday after first Monday in November for one day only; New Hampshire: first Wednesday of December, even-numbered years; North Dakota: December following general election to reconvene at a time prescribed by law, but no later than January 8; South Carolina: first Tuesday after certification of the election of its members for no more than 3 days; Tennessee: first Tuesday in January for no more than 15 C days to organize and introduce bills, reconvenes on fourth Tuesday in February.

(c) Except in the January immediately following the quadrennial general election, the first regular session will convene on the third Monday in January.

(d) The legislature meets in two annual sessions, each adjourning sine die. Bills carry over from first to second session.

(e) Only if legislature convenes itself. Special sessions called by the legislature are unlimited in scope in Arizona, Georgia, Maine, and New Mexico.

(f) Session may be extended for an indefinite period of time by vote of members in both houses. Arkansas: 2/3 vote (this extension can permit the legislature to meet in even years); Florida: 3/5 vote; Hawaii: petition of 2/3 membership for not more than 15 days; Kansas: 2/3 vote elected members; Maryland: 3/5 vote for 30 additional days; Mississippi: 2/3 vote of those present may extend for 30 C days, no limit on extensions; Nebraska: 4/5 vote; Virginia: 2/3 vote for up to 30 days; West Virginia: 2/3 vote; Puerto Rico: joint resolution.

(g) After the legislature has disposed of the subject(s) in the governor's call, it may by a 2/3 vote of members of both houses take up subject(s) of its own choosing in a session of up to 15 days.

(h) Regular sessions commence on the first Monday in December of each even-numbered year (following the general election) and continue until November 30 of the next even-numbered year. It may recess from time to time, and may be recalled into regular session.

(i) Second session of legislature is basically limited to budget and fiscal matters. Maine: In addition, legislation in the governor's call, study committee legislation, and initiated measures. New Mexico: legislature may consider bills vetoed by the governor at the preceding session. Utah: legislature may consider nonbudget matters after 2/3 vote of each house.

(j) Odd years: not later than first Wednesday after first Monday in June; even years: not later than first Wednesday after first Monday in May.

(k) Limited to 70 days if called by governor and 30 days if called at petition of legislature, except for impeachment proceedings.

(l) Indirect restrictions only since legislators' pay, per diem, or daily allowance stops, but session may continue. Nevada: no limit on allowances; New Hampshire: constitutional limit on expenses of 90 days or July 1, whichever occurs first, 15 days salary and expenses for special sessions; Tennessee: constitutional limit on per diem and travel allowance only, excluding organizational session.

(m) The first session of a new legislature, every other even year at the beginning of the gubernatorial term, is limited to 125 C days; other years 90 C days.

(n) First Monday in January or the day after if the first Monday falls on a legal holiday.

(o) The legislature may and in practice has divided the session to meet in even years also.

(p) Following each gubernatorial election, the legislature convenes on the second Wednesday of January to organize, but recesses until the second Wednesday in February for the start of the 60-day session.

(q) Governor must extend until the general appropriation is passed.

(r) According to a 1955 attorney general's opinion, when the legislature has petitioned to the governor to be called into session, it may then act on any matter.

(s) The legislature by joint resolution establishes the calendar dates of session activity for the remainder of the biennium at the beginning of the odd-numbered year. These dates may be subject to change.

# 1975 AND 1976 SESSIONS, INTRODUCTIONS, AND ENACTMENTS

State or other jurisdiction	Duration of session*	Regular sessions						Extra sessions							
		Introductions		Enactments		Measures vetoed	Length of session†	Introductions		Enactments		Measures vetoed	Length of sessions†		
		Bills	Resolutions	Bills	Resolutions			Bills	Resolutions						
Alabama†	Jan. 14-Jan. 21, 1975(a) May 6-Oct. 9, 1975 May 4-Aug. 16, 1976	0 3,231 2,058	63 400 357	0 977 499	47 273 272	0 4 10	8L 36L 30L	Jan. 27-Jan. 31, 1975 Mar. 3-Mar. 7, 1975 Mar. 18-May 1, 1975 Nov. 3-Nov. 18, 1975	40 148 366 433	64 56 160 101	18 41 107 90	42 45 118 60	0 0 0 0	5L 5L 14L 12L	
Alaska	Jan. 20-June 7, 1975 Jan. 12-June 1, 1976	1,010 686	... 376	220 220	... 192	... 19	139L 142L	None	...	...	...	...	...	...	
Arizona	Jan. 13-June 13, 1975 Jan. 12-June 24, 1976	821 927	49 58	170 185	11 13	1 3	152C 165C	Jan. 12-Mar. 1, 1976	1	0	1	0	0	50C	
Arkansas	Jan. 13-Mar. 27, 1975 Jan. 12-Jan. 28, 1976	2,098	315	1,238	N.A.	43	93C	Sept. 8-Sept. 10, 1976	1	0	1	0	0	3C	
California	Dec. 2, 1974 Jan. 6-Mar. 20, 1975 Mar. 31-June 27, 1975 Aug. 4-Sept. 12, 1975 Jan. 5-Apr. 18, 1976 Apr. 19-July 1, 1976 Aug. 2-Aug. 31, 1976 Nov. 30, 1976	6,747	869	2,767	415	332	256L	Feb. 17-June 27, 1975 May 19-Sept. 12, 1975 May 20-May 29, 1975	12 59 2	6 7 5	2 2 1	5 6 5	0 1 0	76L 56L 7L	
Colorado	Jan. 8-July 1, 1975 Jan. 7-May 28, 1976	1,224 415	164 155	389 157	81 80	5 1	175C 143C	Sept. 15-Sept. 18, 1976	11	6	7	6	0	3L	
Connecticut	Jan. 8-June 4, 1975 July 21-Aug. 8, 1975(c) Feb. 4-May 5, 1976 June 21, 1976(c)	5,818 3 1,657 0	305(b) 17(b) 118(b) 5(b)	726(e) 3 508 0	217(b) 17(b) 92(b) 5(b)	19 0 16 0	86L 6L 59L 1L	Dec. 1-Dec. 4, 1975	31	9	2	7	0	3L	
Delaware	Jan. 14-June 30, 1975 Jan. 13-June 30, 1976	2,185	705	722	N.A.	6	(d)	July 28, 1975 } Aug. 11, 1975 } July 1, 1976 } July 22-July 23, 1976 } Sept. 2, 1976 }	N.A.						
Florida	Apr. 8-June 5, 1975 Apr. 6-June 4, 1976	3,463 4,098	194 237	552 525	46 52	33 29	59C 60C	None	...	...	...	...	...	...	
Georgia	Jan. 12-Mar. 25, 1975 Jan. 14-Mar. 5, 1976	1,630 1,182	693 799	756 709	88 153	20 19	45L 40L	June 23-July 3, 1975	9	0	6	0	0	11L	
Hawaii	Jan. 15-Apr. 11, 1975 Jan. 21-Apr. 20, 1976	3,723 2,753	1,587 1,425	199 242	669 804	7 9	60L 60L	None	...	...	...	...	...	...	
Idaho	Jan. 13-Mar. 22, 1975 Jan. 5-Mar. 19, 1976	563 738	115 92	270 367	52 41	10 6	69C 75C	None	...	...	...	...	...	...	
Illinois	Jan. 8-July 1, 1975 Oct. 22-Nov. 21, 1975 Jan. 14-July 2, 1976 Nov. 17, 1976-Jan. 12, 1977	4,746 1,334	0 0	1,024(e) 340(e)	0 0	224 23	114L 74L	Oct. 22-Nov. 21, 1975 } Jan. 14-June 11, 1976 } Nov. 5-Nov. 21, 1975 } Jan. 14-June 23, 1976 } Nov. 18-Nov. 21, 1975 } July 9, 1976 } July 9, 1976 } Sept. 8-Sept. 23, 1976 }	9 10 10 10 2 1 14	0 0 0 0 0 0 0	0 1 0 0 2 0 5	0 0 0 0 0 0 0	0 0 0 0 0 0 0	23L 26L 4L 1L 1L 9L	
Indiana	Nov. 19, 1974(a) Jan. 6-Apr. 30, 1975 Nov. 18, 1975(a) Jan. 5-Feb. 20, 1976	1,705 953	226 166	351 159	120 99	26 6	61L 30L	None	...	...	...	...	...	...	

Iowa	Jan. 13-June 20, 1975 Jan. 12-May 29, 1976	1,502 941	35 13	256 261	3 2	4 3	105L 94L	None	...	...	...	...	...	...
Kansas	Jan. 13-May 6, 1975 Jan. 12-May 4, 1976	1,246 1,076	154 140	509 440(e)	106 99	6 21	70L (d)	None(f)	...	...	...	...	...	...
Kentucky	Jan. 6-Mar. 20, 1976	1,245	225	368	22	4	60L	Dec. 1-Dec. 18, 1976	81	61	35	4	0	14L
Louisiana†	May 10-Aug. 2, 1976 Apr. 18-July 11, 1977	2,334 2,780	482 557	710 759	375 399	23 45	60L 60L	Aug. 15-Aug. 20, 1976 Oct. 5-Oct. 13, 1976 Aug. 7-Aug. 17, 1977	4 39 90	29 51 95	4 10 38	24 34 43	0 0 0	6C 9C 11C
Maine	Jan. 1-July 2, 1975	1,823	125	733(e)	47	26	109L	Jan. 19-Apr. 29, 1976 June 14, 1976	388 9	24 2	188(e) 7	15 2	10 0	68L 1L
Maryland†	Jan. 8-Apr. 7, 1975 Jan. 14-Apr. 12, 1976	2,868 3,350	182 260	898 925	83 88	89 86	90C 90C	May 12, 1975	22	1	3	0	0	1L
Massachusetts	Jan. 1, 1975-Jan. 6-1976 Jan. 7-Oct. 16, 1976	9,100 7,160	N.A. N.A.	892(e) 553(e)	71 26	12 3	191L 128L	None	...	...	...	...	...	...
Michigan	Jan. 8-Dec. 31, 1975 Jan. 14-Dec. 30, 1976	3,125 1,277	62(b) 23(b)	336 454	0 1	8 14	(d) (d)	None	...	...	...	...	...	...
Minnesota	Jan. 7-May 19, 1975 } Jan. 27-Apr. 7, 1976 }	5,397	N.A.	785	2	2	(d)	None	...	...	...	...	...	...
Mississippi†	Jan. 6-May 9, 1976 Jan. 4-Apr. 3, 1977	2,557 2,615	400 365	627 681	203 147	3 1	125C 90C	June 18-June 20, 1976	5	1	4	0	0	3C
Missouri	Jan. 8-June 30, 1975 Jan. 7-May 15, 1976	1,440 1,294	72 73	150 129	2 4	9 4	(d) (d)	Sept. 22-Sept. 30, 1975	1	0	1	0	0	(d)
Montana	Jan. 6-Apr. 19, 1975	1,124	114	572	68	1	86L	Aug. 4, 1975	2	2	2	1	0	1L
Nebraska	Jan. 8-Apr. 10, 1975 Jan. 7-Apr. 9, 1976	613 398	102 100	306(e) 216(e)	N.A. N.A.	10 11	89L 62L	Oct. 22-Nov. 11, 1975	7	4	4	4	0	8L
Nevada	Jan. 20-May 21, 1975	1,426	303	768	195	0	83L	None	...	...	...	...	...	...
New Hampshire	Jan. 1-July 7, 1975	1,371	N.A.	507	N.A.	17	(d)	Dec. 30, 1975-June 10, 1976	113	30	60(e)	N.A.	1	10L
New Jersey†	Jan. 12, 1976-Jan. 11, 1977 Jan. 11, 1977-Jan 10, 1978	3,226 1,127	462 116	142 468	35 26	3 86	(d) 32L	None	...	...	...	...	...	...
New Mexico	Jan. 21-Mar. 22, 1975 Jan. 20-Feb. 19, 1976	1,066 317	68 19	383 61	7 3	31 0	60C 30C	Mar. 22-Mar. 25, 1975 Feb. 20-Feb. 22, 1976	25 69	0 1	18 58	0 1	1 0	4C 3C
New York	Jan. 8-July 12, 1975 Jan. 7-July 30, 1976	15,916 17,997	377 484	895 966	258 391	192 120	186C 206C	Sept. 4, 1975-Jan. 7, 1976 Aug. 4-Aug. 5, 1976	118 4	38 20	28 1	36 20	0 0	126C 2C
North Carolina	Jan. 15-June 26, 1975 May 3-May 14, 1976	2,236 75	N.A. N.A.	975 8	121 7	(g) (g)	117L 10L	None	...	...	...	...	...	...
North Dakota	Jan. 7-Mar. 26, 1975	1,112	197	597	118	10	57L	None	...	...	...	...	...	...
Ohio	Jan. 6-Dec. 9, 1975 } Jan. 6-Dec. 14, 1976 }	1,180	2,045	447	1,853	20	(d)	July 27-Aug. 17, 1976 Sept. 2, 1976	2 4	32 4	0 1	32 4	0 0	22C 1C
Oklahoma	Jan. 7-June 6, 1975 Jan. 6-June 9, 1976	1,105 689	222 196	371 248	155 134	8 6	88L (d)	July 19-July 23, 1976	1	2	1	2	0	5L
Oregon	Jan. 13-June 14, 1975	2,449	181	795(e)	62	10	153C	Sept. 16, 1975	3	2	1	2	0	1C
Pennsylvania	Jan. 7, 1975-Jan. 6, 1976 Jan. 6-Nov. 17, 1976	3,311 1,105	291 164	228 342	75 71	20 24	(d) (d)	None	...	...	...	...	...	...
Rhode Island	Jan. 7-May 15, 1975 Jan. 6-May 28, 1976	2,678 2,033	N.A. N.A.	477 834	429 478	28 11	71L 80L	None	...	...	...	...	...	...
South Carolina	Jan. 1-June 25, 1975 Jan. 13-July 22, 1976	1,392 1,088	N.A. N.A.	456(e) 466	N.A. N.A.	2 7	97L 109L	None	...	...	...	...	...	...
South Dakota	Jan. 21-Mar. 21, 1975 Jan. 6-Feb. 15, 1976	675 662	51 63	351 332	36 42	4 12	45L 30L	None	...	...	...	...	...	...



# 1975 AND 1976 SESSIONS, INTRODUCTIONS, AND ENACTMENTS—Concluded

State or other jurisdiction	Duration of session*	Regular sessions						Duration of session*	Extra sessions					
		Introductions		Enactments		Measures vetoed	Length of session†		Introductions		Enactments		Measures vetoed	Length of sessions†
		Bills	Resolutions	Bills	Resolutions				Bills	Resolutions	Bills	Resolutions		
Tennessee	Jan. 7-Jan. 18, 1975	...	...	...	...	...	12C(a)	None	...	...	...	...	...	...
	Feb. 25-June 12, 1975	2,698	524	580(e)	390	15	(d)							
	Jan. 13-Mar. 19, 1976	2,157	462	568	274	20	(d)							
Texas	Jan. 14-June 2, 1975	3,375	448	762	195	17	140C	None	...	...	...	...	...	...
Utah	Jan. 13-Mar. 13, 1975	706	91	216	23	5	60C	June 23-June 25, 1975	15	6	11	5	1	3C
	Jan. 12-Jan. 31, 1976	169	40	42	7	3	20C							
Vermont	Jan. 8-Apr. 18, 1975	582	70	128	43	3	63L	Oct. 15-Oct. 16, 1975	2	0	1	0	0	2L
	Jan. 6-Mar. 27, 1976	191	61	126	37	0	50L							
Virginia†	Jan. 14-Mar. 13, 1976	1,833	285	822	126	41	60C	None	...	...	...	...	...	...
	Jan. 12-Mar. 4, 1977	1,645	295	719	185	34	52C							
Washington	Jan. 13-Mar. 13, 1975	2,949	142	518(e)	6	10	60C	Mar. 14-June 9, 1975 July 18-July 21, 1975 Aug. 9, 1975 Sept. 5-Sept. 6, 1975 Jan. 12-Mar. 26, 1976	(h)	(h)	(h)	(h)	(h)	(d)
West Virginia	Jan. 8-Mar. 9, 1975							July 29-Aug. 5, 1975						
	Apr. 11-Apr. 14, 1975	1,477	198	223(e)	57	60	96C	Nov. 1-Nov. 5, 1975	167	36	12	22	1	13C
	Jan. 14-May 15, 1976	1,744	197	138(e)	40	11	123C	June 21-June 24, 1976 July 26-July 30, 1976 Nov. 9-Nov. 10, 1976	91 143	15 21	8 11	13 12	0 0	4C 7C
Wisconsin	Jan. 6, 1975							Dec. 9-Dec. 11, 1975	13	1	7	0	1	3L
	Jan. 14-Feb. 20, 1975							May 18, 1976	2	2	1	1	0	1L
	Feb. 24-Mar. 28, 1975							June 15-June 17, 1976	13	4	8	1	0	3L
	Apr. 1-July 16, 1975	2,325	169	414	28	36	(d)	Sept. 8, 1976	4	1	2	0	0	1L
	Sept. 2-Sept. 26, 1975													
	Jan. 28-Mar. 26, 1976													
	June 15-June 17, 1976													
Wyoming	Jan. 14-Mar. 1, 1975	758	N.A.	202	N.A.	12	40L	None	...	...	...	...	...	...
	Feb. 10-Mar. 1, 1976	63	N.A.	35	N.A.	3	20L							
American Samoa	Jan. 13-Feb. 28, 1975	120	62	23	N.A.	21	30L	Apr. 2-Apr. 4, 1975	2	0	1	N.A.	N.A.	3C
	July 14-Sept. 13, 1975	70	44	12	N.A.	12	30L	June 23-June 30, 1975	2	1	1	N.A.	N.A.	8C
	Jan. 12-Feb. 20, 1976	62	49	8	N.A.	7	30L	Oct. 22-Oct. 30, 1975	3	0	2	N.A.	N.A.	9C
	July 12-Aug. 27, 1976	73	35	5	N.A.	N.A.	30L	June 14-June 30, 1976	2	6	1	N.A.	N.A.	17C
								Aug. 23-Aug. 27, 1976	2	6	1	N.A.	N.A.	5C
								Oct. 18-Oct. 20, 1976	4	3	2	N.A.	N.A.	3C
Guam	Jan. 13-Dec. 24, 1975							Mar. 16, 1976	1	0	0	0	0	1L
	Jan. 5-Dec. 3, 1976	994	388	209	283	28	87L	Apr. 30, 1976	5	0	0	0	0	1L
								May 7, 1976	1	2	0	0	0	1L
								May 24-May 25, 1976	8	12	0	0	0	2L
								July 21, 1976	0	0	1	0	0	1L
Puerto Rico	Jan. 13-May 31, 1975	980	834	148	85	17	139C	June 18-July 7, 1975	85	13	22	9	6	20C
	Jan. 12-Apr. 30, 1976	381	501	160	85	26	110C	Sept. 22-Oct. 11, 1975	60	47	26	8	1	20C
								Oct. 20-Nov. 8, 1975	20	14	15	3	0	20C
								May 1-May 20, 1976	3	16	25	7	0	20C
								May 24-May 26, 1976	0	6	0	1	1	3C
								June 14-June 16, 1976	1	4	1	1	0	3C
								July 28-July 30, 1976	0	4	0	1	0	3C
Virgin Islands	Jan. 13-Dec. 18, 1975	289	51	128(e)	39	21	76L	None	...	...	...	...	...	...

\*Actual adjournment dates are listed regardless of constitutional limitations. Legal provisions governing legislative sessions, regular and special, are reflected in the table on pages 34 and 35.

†C—Calendar days; L—Legislative days.

‡Legislatures in these states begin new legislatures in even-numbered years. These figures reflect this calendar. Alabama, Louisiana, Maryland, Mississippi have 4-year legislatures.

N.A.—Not available.

(a) Organizational session. Tennessee: Not included in legislative day limitation.

(b) Substantive measures only.

(c) "Trailer session" or special veto session.

(d) Delaware: Reg. sess. 1975 54L; Reg. sess. 1976 H—57L, S—58L; Extra sess. H—4, S—3. Kansas: H—70L, S—69L. Michigan: 1975 H—142L, S—141L; 1976 H—128L, S—122L. Minnesota: 1975 57L; 1976 51L. Missouri: 1975 H—89L, S—94L; 1976 H—68L, S—67L; Extra sess. H—7L, S—6L. New

Hampshire: H—70L, S—69L. New Jersey: 1976 A—42L, S—38L; 1977 A—L, S—L. Ohio: H—173L, S—193L. Oklahoma: H—89L, S—90L. Pennsylvania: 1975 H—92L, S—71L; 1976 H—69L, S—54L. Tennessee: 1975 H—48L, S—46L; 1976 H—31L, S—32L. Washington: H—170C, S—169C. Wisconsin: A—125L, S—124L.

(e) Includes measures passed over the governor's veto. Connecticut: 5. Illinois: 1975—17, 1976—9. Kansas: 1. Maine: Reg. sess.—14, Extra sess.—6. Massachusetts: 1975—10, 1976—1. Nebraska: 1975—12, 1976—9. New Hampshire: 1. Oregon: 1. South Carolina: 1. Tennessee: 3. Washington: 1. West Virginia: 1975—55, 1976—6. Virgin Islands—1.

(f) Special one-day session August 22, 1975, to elect president of the senate.

(g) Governor has no veto power.

(h) Data for regular and extra sessions combined.

## LEGISLATIVE PROCEDURE: STANDING COMMITTEES

State or other jurisdiction	Committee members appointed by		Committee chairmen appointed by		Number of standing committees during regular 1977 session*			Average number of committee assignments per legislator	
	House	Senate	House	Senate	House	Senate	Joint	House	Senate
Alabama	S	P(a)	S	P(a)	21	16	...	3	5
Alaska	CC, E	CC, E	CC, E	CC, E	9	9	...	2	3
Arizona	S	P	S	P	14	10	...	3.5	3.2
Arkansas	S	CC	S	CC	10	10	2	2	2
California	S	CR	S	CR	20	17	...	3	4
Colorado	S, MnL	MjL, MnL	S	MjL	11	10	...	3	2
Connecticut	S	Pt	S	Pt	...	...	22	3	3
Delaware	S	Pt	S	Pt	18	16	1	3	4
Florida	S	P	S	P	22	16	...	3	3
Georgia	S	CC	S	CC	28	19	...	3	3
Hawaii	(b)	(b)	(c)	(c)	20	17	...	4(d)	4
Idaho	S	P, E	S	P, E	13	9	...	2.4	2.3
Illinois	S, MnL	P, MnL	S	P	20	15	...	2.5	4
Indiana	S	Pt	S	Pt	22	16	...	3	4
Iowa	S	MjL	S	MjL	15	15	...	4	3.5
Kansas	S	CC	S	CC	19	16	...	2.6	4.4
Kentucky	CC	CC	CC	CC	15	15	...	3	3
Louisiana	S	P	S	P	15	15	...	2.3	2.9
Maine	S	P	S	P	...	...	22	1.5	2
Maryland	S	P	S	P	6	5	...	1	1
Massachusetts	S	P	S	P	4	4	21	(e)	(e)
Michigan	S	CC	S	CC	33	17	5	3.3	2.6
Minnesota	S	(f)	S	(f)	16	15	...	3	3
Mississippi	S	P(a)	S	P(a)	25	31	4	4	7
Missouri	S	Pt(g)	S	Pt	33	20	...	3	7
Montana	S	CC	S	CC	15	16	...	2.2	2.9
Nebraska	U	CC	U	(h)	U	13	...	U	2.1
Nevada	MjL, MnL	MjL, MnL	S	MjL	13	9	...	3	3
New Hampshire	S	P	S	P	23	20	...	1	3
New Jersey	S	P	S	P	18	14	2	2.6	1.9
New Mexico	S	CC	S	CC	12	7	...	2	2
New York	S	Pt	S	Pt	26	24	...	3.8	4
North Carolina	S	P	S	P	45	32	...	7	8
North Dakota	S	CC	(c)	(c)	12	11	1	2	2
Ohio	S	CC	S	CC	17	11	...	3	3
Oklahoma	S	Pt	S	CR	34	25	...	4	4
Oregon	S	P	S	P	16	13	...	2	3
Pennsylvania	CC	Pt	S	Pt	24	20	...	3	5
Rhode Island	S	MjL	S	MjL	6	6	6	1	2
South Carolina	S	E	E	E	10	15	2	1	5
South Dakota	S	MjL	S	MjL	10	10	...	2	2.5
Tennessee	S	S	S	S	11	8	...	2	2
Texas	S(i)	P(a)	S	P(a)	28	9	...	3	3
Utah	S	P	S	P	11	11	2	3.2	3
Vermont	S	CC	S	CC	14	12	1	1	3
Virginia	S	E	S	(j)	17	10	...	3	4
Washington	S	P, CC	S	CC	22	17	...	3	3
West Virginia	S	P	S	P	14	17	...	3	6
Wisconsin	S, MnL	(k)	S	(k)	29	12	6	3	2
Wyoming	S(b)	P(b)	S(b)	P(b)	12	12	1	2	2
American Samoa	S, E	P, E	S	P	19	12	1	5	5
Guam	U	(l)	U	E	U	11	...	U	5
Puerto Rico	P	P	P	P	19	19	...	N.A.	N.A.

\*Committees which regularly consider legislation during a legislative session.

Key:

S—Speaker  
CC—Committee on Committees  
P—President  
CR—Committee on Rules  
MjL—Majority leader  
Pt—President pro tem  
MnL—Minority leader  
E—Election  
U—Unicameral  
N.A.—Not available

(a) Lieutenant governor.  
(b) Party caucus.  
(c) Majority caucus.  
(d) Maximum assignments: 5.  
(e) House: Democrats 1.5, Republicans 1.8. Senate: Democrats 3.5, Republicans 5.  
(f) Subcommittee of Rules Committee.  
(g) Minority caucus.  
(h) Secret ballot by legislature as a whole.  
(i) Modified seniority system.  
(j) Senior member of the committee is automatically chairman.  
(k) Committee on Senate Organization.  
(l) Chairman of each committee.

## LEGISLATIVE PROCEDURE: STANDING COMMITTEE ACTION

State or other jurisdiction	Uniform rules of committee procedure			Public access to committee meetings required		Advance notice (in days)		Recorded roll call on vote to report bill to floor	
	House	Senate	Joint	Open to public		House	Senate	House	Senate
				House	Senate				
Alabama	Yes	No	...	Yes	Yes	...	...	Nv	Al
Alaska	No	No	...	Yes	Yes	...	...	Sm	Sm
Arizona	Yes	No	...	Yes	Yes	(a)	5	Nv	Nv
Arkansas	Yes	Yes	Yes	Yes	Yes	2	2	Al	Al
California	Yes	Yes	...	Yes	Yes	4	4	Al	Al
Colorado	Yes	Yes	...	Yes	Yes	2	2	Al	Al
Connecticut	Yes	Yes	Yes	Yes(b)	Yes(b)	...	...	Al	Al
Delaware	Yes	Yes	No	Yes	Yes	...	...	Nv	Nv
Florida	Yes	Yes	...	Yes	Yes	2(c)	7	Al	Al
Georgia	No	No	...	Yes	Yes	...	...	Nv	Nv
Hawaii	Yes	Yes	...	Yes	Yes	2	2	Al	Al
Idaho	Yes	Yes	...	Yes	Yes	...	...	Us	Us
Illinois	Yes	Yes	...	Yes	Yes	6.5	6	Al	Al
Indiana	No	No	...	Yes	Yes	1	3	Al	Al
Iowa	Yes	Yes	...	Yes	Yes	...	...	Al	Al
Kansas	Yes	Yes	...	Yes	Yes	(d)	...	Sm	Sm
Kentucky	No	No	...	Yes	Yes	3	3	Al	Al
Louisiana	Yes	Yes	...	Yes	Yes	1(e)	1(e)	Al	Sm
Maine	No	No	Yes	Yes	Yes	(d)	(d)	Sm	Sm
Maryland	Yes	Yes	...	Yes	Yes	(d)	(d)	Al	Al
Massachusetts	Yes	Yes	Yes	Yes	Yes	(f)	(f)	Nv	Nv
Michigan	Yes	No	...	Yes	Yes	(g)	(g)	Al	Al
Minnesota	Yes	Yes	Yes	Yes	Yes	3	3	Sm	Sm
Mississippi	No	No	No	Yes	Yes	...	...	Sm	Sm
Missouri	Yes	Yes	...	Yes	Yes	1	1	Al	Al
Montana	No	No	...	Yes	Yes	(h)	(h)	Al	Al
Nebraska	U	Yes	...	U	Yes	U	5-7	U	Al
Nevada	Yes	Yes	...	Yes	Yes	5(i)	(d)	Sm	Al
New Hampshire	Yes	No	...	Yes	Yes	3	3	Al	Al
New Jersey	Yes	Yes	...	Yes	Yes	5	5	Al	Al
New Mexico	No	No	...	Yes	Yes	...	...	Al	Sm
New York	Yes	Yes	...	Yes	Yes	7	7	Al	Sm
North Carolina	No	No	No	Yes	Yes	(d)	(d)	Sm	Sm
North Dakota	No	No	...	Yes	Yes	...	...	Sm	Sm
Ohio	Yes	Yes	...	Yes	Yes	(d)	...	Al	Al
Oklahoma	Yes	Yes	...	Yes(b)	Yes(b)	...	...	Sm	Sm
Oregon	Yes	Yes	...	Yes	Yes	1(j)	1(k)	Al	Al
Pennsylvania	No	No	...	Yes	Yes	3	3	Al	Al
Rhode Island	Yes	Yes	Yes	Yes	Yes	...	2(l)	Al	Al
South Carolina	Yes	Yes	...	Yes	Yes	1	...	Nv	Nv
South Dakota	Yes	Yes	...	Yes	Yes	2	2	Al	Al
Tennessee	Yes	Yes	...	Yes	Yes	(m)	(m)	Sm	Al
Texas	Yes	No	...	Yes	Yes	5	2	Al	Sm
Utah	Yes	Yes	Yes	Yes	Yes	(d)	(d)	Sm	Al
Vermont	Yes	Yes	Yes	Yes	Yes	...	...	Sm	Sm
Virginia	Yes	Yes	...	Yes(n)	Yes	(d)	(d)	Al	Al
Washington	Yes	Yes	...	Yes	Yes	5	5	Sm	Sm
West Virginia	No	No	...	Yes	Yes	...	...	Sm	Sm
Wisconsin	Yes	Yes	No	Yes	Yes	7	7	Al	Al
Wyoming	No	No	No	No(c)	No(c)	...	...	Sm	Sm
American Samoa	No	No	No	Yes	Yes	N.A.	N.A.	Nv	Nv
Guam	U	Yes	...	U	Yes	U	N.A.	U	Al
Puerto Rico	Yes	Yes	...	Yes	Yes	N.A.	N.A.	Nv	Nv

## Key:

U—Unicameral

Al—Always

Us—Usually

Sm—Sometimes

Nv—Never

N.A.—Not available.

(a) Rules: Thursday of previous week; Statute: 24 hours.

(b) Certain matters specified by statute can be discussed in executive session upon a 2/3 vote of committee members present and voting and stating the reason for such executive session.

(c) During session, 2 days notice for first 45 days, 2 hours thereafter.

(d) No specified time. Kansas: "due notice" is required by house rules. Maine: usually 7 days notice given. Maryland: "from time to time," usually 7 days. Nevada: "adequate notice." North Carolina: usually about 2 days. Ohio: "due notice," usually 7 days. Utah: "reasonable notice" is required by law. Virginia: notice is published in the daily calendar.

(e) One day during session, 5 days during interim.

(f) Special bills only.

(g) Committees meet on regular schedule during sessions. Eighteen-hour notice for rescheduled or special meetings unless legislature is adjourned or recessed for less than 18 hours.

(h) There is an informal agreement to give 3 days notice.

(i) Public hearings on bills or resolutions of "high public importance" must receive 5 calendar days notice. All other committee meetings must have 24 hours notice.

(j) In case of actual emergency, a meeting may be held upon such notice as is appropriate to the circumstances.

(k) If notice is given at least one hour prior to the meeting and posted outside the senate chamber and in the press room, and committee members given written notice.

(l) Up to 42nd day; discontinued thereafter.

(m) Committees meet on a fixed schedule during sessions. Five days notice required during interim.

(n) Committee meetings are open only for final vote on bill.

# LEGISLATIVE PROCEDURE: HOUSE AND SENATE ACTION

State or other jurisdiction	Requirements for reading bills		Formal floor debate is after reading number	Bills amended from floor during formal floor debate	Use of consent cal- endars (a)	Recorded vote on final passage				Tabulation of recorded vote		Minimum members required to pass bill: majority of those (b)
	Number	On separate days				Recorded vote required on all bills		Required on request of members		Senate	House	
						Senate	House	Senate	House			
Alabama	3	Yes	2	*	...	Yes	Yes	...	...	M	E	Present
Alaska	3	Yes(c)	2	*	...	Yes	Yes	...	...	E	E	Membership
Arizona	3	Yes	(d)	*	H	Yes	Yes	...	...	M	E	Elected
Arkansas	3	Yes(e)	3	*	B	Yes	Yes	...	...	M	E	Elected
California	3	Yes(e)	3	*(n)	B	Yes	Yes	...	...	M	E	Membership
Colorado	3	(f)	(d)	*	...	Yes	Yes	...	...	M	E	Elected
Connecticut	3	(g)	2	*	B	No(h)	No(h)	8	31	E	E	Present & voting (i)
Delaware	2	Yes	2	*	H	Yes	Yes	...	...	M	M	Elected
Florida	3	Yes(e)	2	*	B	Yes	Yes	...	...	E	E	Present
Georgia	3	Yes	3	*	...	Yes(j)	No(h)	5	1/5	E	E	Elected
Hawaii	3	Yes	2	*(k)	B	Yes	Yes	...	...	M	M	Membership
Idaho	3	Yes(e)	3	*(l)	...	Yes	Yes	...	...	M	E	Present
Illinois	3	Yes	3	*(m)	B	Yes	Yes	...	...	E	E	Elected
Indiana	3	Yes(e)	3	*(n)	...	Yes	Yes(o)	...	...	E	E	Elected
Iowa	2	Yes	2	*	B	Yes	Yes	...	...	E	E	Elected
Kansas	2	Yes(e)	(d)	*	B	Yes	Yes	...	...	M	E	Elected
Kentucky	3	Yes(p)	3	*	B	Yes	Yes	...	...	M	E	Voting, which includes 2/5 elected
Louisiana	3	Yes	3	*	H	Yes	Yes	...	...	E	E	Elected
Maine	2	Yes(e)	2	*(n)	H	No	No	1/5	1/5	M	E	Present & voting
Maryland	3	Yes(e)	2	*	B	Yes	Yes	...	...	E	E	Elected
Massachusetts	3	Yes(q)	2	*(r)	(s)	No(i)	No(i)	1/5	30	M	E	Present & voting (i)
Michigan	3	(f)	(t)	*	...	Yes	Yes	...	...	M	E	Elected & serving
Minnesota	3	Yes(e)	2	*	B	Yes	Yes	...	...	E	E	Elected
Mississippi	3	Yes(e)	3	*	...	Yes	Yes	...	...	M	E	Present & voting (i)
Missouri	3	Yes	(u)	*	B	Yes	Yes	...	...	M	E	Elected
Montana	3	Yes	2	*	...	Yes	Yes	...	...	E	E	Present & voting
Nebraska	2	Yes	1	*	...	Yes	Unicameral	...	...	E	...	Elected
Nevada	3	Yes(e)	3	*	B	Yes	Yes	...	...	E	E	Elected
New Hampshire	3	(f)	2	*	B	No	No	...	...	E	E	(v)
New Jersey	3	Yes(w)	3	*	B	Yes	Yes	...	...	E	E	Elected
New Mexico	3	(x)	3	*	B	Yes	Yes	...	...	M(y)	M(y)	Present
New York	3	(z)	(t)	*(n)	B	No	Yes(y)	5	1(aa)	M(y, aa)	M(y, aa)	Elected
North Carolina	3	Yes(e)	2, 3	*	...	No	No	1/5	1/5	E	M	Present & voting (i)
North Dakota	2	Yes	2	*(n)	B	Yes	Yes	...	...	E	E	Elected
Ohio	3	Yes(c)	(d)	*	...	Yes	Yes	...	...	M	E	Elected
Oklahoma	3	Yes	3	*(n)	...	Yes	Yes	...	...	E	E	Elected
Oregon	3	Yes(e)	3	*(n)	B	Yes	Yes	...	...	M	E	Elected
Pennsylvania	3	Yes	2	*	B	Yes	Yes	...	...	E	E	Elected
Rhode Island	2	Yes(ab)	2	*	...	No	No	1/5	1/5	E	E	Present & voting (i)
South Carolina	3	Yes	2	*	H	No(ac)	No(ac)	5	10	M	E	Present & voting (i)

South Dakota	2	Yes	2	★	B	Yes	Yes	...	...	M	E	Elected
Tennessee	3	Yes	3	★	B	Yes	Yes	...	...	E	E	Membership
Texas	3	Yes(e)	2	★	B	No	No	3	3	M	E	Present & voting (i)
Utah	3	Yes(e)	(t)	★	B	Yes	Yes	...	...	M	E	Elected
Vermont	3	Yes(ad)	2	★	...	No(i)	No(i)	1	5	M	M	Present & voting (i)
Virginia	3	Yes(ae)	3	★	S	Yes	Yes	...	...	E	E	Voting, which includes 2/5 elected
Washington	3	Yes(e)	2, 3	★(m)	B	Yes	Yes	...	...	M	E	Elected
West Virginia	3	Yes(e)	3	★(n)	...	Yes	No	...	1/10	M	E	Present & voting (af)
Wisconsin	3	(ag)	2	★	B	No(i)	No(i)	1/6	16	E	E	Present & voting (i)
Wyoming	3	Yes(e)	(d)	★	B	Yes	Yes	...	...	M	M	Elected
American Samoa	3	Yes	2	★	...	Yes	Yes	...	...	M	M	Membership
Guam	3(ah)	Yes	2(ai)	★	S	Yes	Unicameral	...	...	M	...	Present & voting
Puerto Rico	3	No	N.A.	N.A.	...	Yes	Yes	...	...	M	M	Elected

## Key:

H—Lower house

S—Senate

B—Both chambers

M—Manually

E—Electronic vote tabulation

★—Frequently

N.A.—Not available

(a) "Consent calendar" means any special calendar for consideration of routine or noncontroversial bills, usually by a shortened debating or parliamentary procedure.

(b) Special constitutional provisions requiring special majorities for passage of emergency legislation, appropriation, or revenue measures not included.

(c) Except by ¾ vote. Alaska: second and third readings on same day.

(d) During Committee of the Whole.

(e) Except by 2/3 vote. Texas, West Virginia: except by 4/5 vote.

(f) Second and third readings on separate days. New Hampshire: first and second readings are by title upon introduction and before referral to committee. Bill remains on second reading until acted on by house or senate.

(g) Bills or joint resolutions originating with a committee may receive second reading the same day.

(h) Roll call is not required, but is usually taken. Georgia House: vote is frequently taken.

(i) Not based on constitutional requirement.

(j) Except on "local" bills.

(k) No floor amendment can be voted upon until a copy of the amendment has been presented to each member.

(l) In order for a bill to be amended, it must be transferred from the third reading calendar to another order of business.

(m) Amendments may be submitted at second reading only.

(n) Seldom. North Dakota: seldom in house only.

(o) Except concurrence in senate amendments.

(p) Except by majority vote, in which case the 2nd and 3rd readings may be skipped.

(q) If rules are suspended, all readings may be on same days.

(r) Unless engrossed.

(s) Usually once a week the regular daily calendar is used as a consent calendar.

(t) Michigan—Senate: during Committee of the Whole; House: 2; New York—Senate: during Committee of the Whole; Assembly 3; Utah—House: 3; Senate: 2 and 3.

(u) After committee report and formal printing.

(v) House: a majority of the members is a quorum for doing business, but when less than 2/3 members are present, the assent of 2/3 of those members present is necessary to render acts and proceedings valid. Senate: not less than 13 senators shall make a quorum for doing business; the assent of 10 is necessary to render acts and proceedings valid.

(w) First and second readings may be on same day. Upon roll call of ¾ members, second and third readings on same day.

(x) Limited to two readings on the same day.

(y) By show of hands. New York: "fast" roll call by show of hands.

(z) Senate: first and second readings are upon introduction before referral to committee; Assembly: second and third readings on same day by unanimous consent or special provision of Rules Committee.

(aa) "Slow" roll call by individual "aye" or "nay."

(ab) Except by unanimous consent.

(ac) Recorded vote required by constitution on veto override vetoes.

(ad) If bill is advanced at second reading, it may be read third time on the same day.

(ae) Dispensed with for a bill to codify the laws and by a 4/5 vote.

(af) A majority of elected members is needed to repass a bill amended by the other house.

(ag) Senate: no two readings on the same day. Assembly: second and third readings on separate days.

(ah) Bills are occasionally passed with two readings and rarely with one.

(ai) Budget legislation in Committee of the Whole.

# LEGISLATIVE PROCEDURE: EXECUTIVE ACTION

## Gubernatorial Vetoes

State or other jurisdiction	Days after which bill becomes law (before adjourn- ment) unless vetoed*	Fate of bill after adjournment		Legislature may recall bill before governor acts	Governor may return bill before action	Item veto on appro- priation bills		Votes required in house and senate to pass bills or items over veto(a).
		Days after which bill becomes law unless vetoed*	Days after which bill dies unless signed*			Amount	Other	
Alabama .....	6	...	10	★	★	★	★	Majority elected
Alaska .....	15	20	...	...	...	★(b)	...	Three-fourths elected
Arizona .....	5	10	...	★	...	★	...	Two-thirds elected
Arkansas .....	5	20(c)	...	★	...	★	...	Majority elected
California .....	12(c)	(d)	...	...	★	★(b)	...	Two-thirds elected
Colorado .....	10(c)	30(c)	...	★	...	★	★	Two-thirds elected
Connecticut .....	5(e,f)	15(c,f)	...	...	...	★	...	Two-thirds elected
Delaware .....	10	...	30(c)	★(g)	...	★	...	Three-fifths elected
Florida .....	7(c,f)	15(c,f)	...	...	...	★	★	Two-thirds present
Georgia (h) .....	5	30(i)	...	...	...	★	...	Two-thirds elected
Hawaii (h) .....	10(e)	45(e,j)	(e,j)	★	...	★(k)	...	Two-thirds elected
Idaho .....	5	10	...	...	...	★	...	Two-thirds present
Illinois .....	60(f)	90(l)	...	...	★(m)	★(b)	...	Three-fifths elected
Indiana .....	7	...	...	★	...	...	...	Majority elected
Iowa .....	3	(n)	...	★	★	★	★	Two-thirds elected
Kansas .....	10	10	...	★	...	★	...	Two-thirds elected
Kentucky .....	10	10	...	...	...	★	...	Majority elected
Louisiana (h) .....	10(c,f)	20(c,f)	...	...	...	★	...	Two-thirds elected
Maine .....	10	(o)	...	★	...	...	...	Two-thirds present
Maryland (h) .....	6	30	...	...	★	★(p)	★	Three-fifths elected
Massachusetts .....	10(e)	...	10(f)	★	★(m)	★(b)	★	Two-thirds present
Michigan .....	14(c,f)	...	14(c,f)	★	...	★	★	Two-thirds elected and serving
Minnesota .....	3	...	14	★	...	★	...	Two-thirds elected
Mississippi .....	5	15(q)	...	...	...	...	★	Two-thirds elected
Missouri .....	(r)	(s)	...	...	...	★(b)	...	Two-thirds elected
Montana .....	5(c)	25(c)	...	...	★(m,t)	★	★	Two-thirds present
Nebraska .....	5	5	...	★	...	★(t)	...	Three-fifths elected
Nevada .....	5	10	...	★	★	...	...	Two-thirds elected
New Hampshire .....	5	...	5(f)	★	...	...	...	Two-thirds present
New Jersey .....	10(u)	45(v)	45(v)	...	...	★(b)	...	Two-thirds elected
New Mexico .....	3	...	20(w)	★	★(x)	★	...	Two-thirds present
New York .....	10(f)	...	30(c)	★	...	★	...	Two-thirds elected
North Carolina .....	(y)	(y)	(y)	...	...	(y)	...	...
North Dakota .....	3(c)	15(c)	...	...	...	★(b)	★	Two-thirds elected
Ohio .....	10	10	...	★	★	★	...	Three-fifths elected
Oklahoma .....	5	...	15	★	...	★	...	Two-thirds elected(z)
Oregon .....	5	20	...	★	...	★	★	Two-thirds present
Pennsylvania .....	10(c)	30(c)	...	★	...	★(b)	...	Two-thirds elected
Rhode Island .....	6	10(c)	...	...	...	...	...	Three-fifths present
South Carolina .....	5	(o)	...	★	...	★	★	Two-thirds present

South Dakota	5	15	...	★	★	★	★	Two-thirds elected
Tennessee	5	10	...	★	...	★(b)	...	Majority elected
Texas	10	20	...	★	★	★	...	Two-thirds present
Utah	5	10	...	★	...	★	...	Two-thirds elected
Vermont	5	...	(aa)	★	...	...	...	Two-thirds present
Virginia	7(c)	...	30(c)	...	★	★	★	Two-thirds present(ab)
Washington	5	20	...	...	...	...	★	Two-thirds present
West Virginia	5	15(ac)	...	★	...	★(b)	★	Majority elected(ad)
Wisconsin	6(f)	...	6(f)	★	...	★	★	Two-thirds present
Wyoming	3	15(c,ae)	...	★	★	★	...	Two-thirds elected
American Samoa	10	...	30	★	★	★	...	Two-thirds elected(af)
Guam	10	...	30	...	...	...	...	14 members
Puerto Rico	10	10	30(c)	...	...	★	★	Two-thirds elected
TTPI	10(f)	30	...	...	...	★	...	Three-fourths elected
Virgin Islands	10(f)	...	30(c,f)	...	★	★	★	Two-thirds elected

\*Sundays excluded.

(a) Bill returned to house of origin with objections.

(b) The governor can also reduce items in appropriations measures.

(c) Sundays included. Pennsylvania, if the last day falls on Sunday, governor has following Monday in which to act.

(d) Regular sessions: The last day which either house may pass a bill, except statutes calling elections, statutes providing for tax levies or appropriations for usual current expenses of the state, and urgency statutes, is August 31 of even-numbered years. All other bills given to the governor during the 12 days prior to August 31 of that year become law unless vetoed by September 30. Special sessions: 12 days.

(e) Except Sundays and legal holidays; Hawaii: except Saturdays, Sundays, holidays, and any days in which the legislature is in recess prior to its adjournment.

(f) After receipt by governor.

(g) Only by originating house.

(h) Constitution withholds right to veto constitutional amendments.

(i) Vetoed bills shall be returned to the presiding officer of the house in which they originated within 35 days from date of adjournment. Such bills may be considered at any time within the first 10 days of the next regular session for the purpose of overriding the veto.

(j) If bill is presented to governor less than 10 days before adjournment and he indicates he will return it with objections, legislature can convene on 45th day after adjournment to consider the objections. If, however, legislature fails to convene, bill does not become law.

(k) The governor can only reduce items in the executive appropriations measures. Neither legislative nor judicial budgets may be altered or vetoed.

(l) From passage. If a recess or adjournment prevents the return of the vetoed bill, the bill and the governor's objections shall be filed with the secretary of state within 60 calendar days of receipt by governor. The secretary of state shall return the bill and the objections to the originating house promptly upon the next meeting of the same legislature.

(m) Amendatory veto.

(n) Bills forwarded to governor during the last three days of the session must be deposited by governor with secretary of state within 30 days after the adjournment of the legislature. Governor must give his approval or his objections if disapproved.

(o) Bill passed in one session becomes law if not returned within three days after the next meeting in Maine, and within two days after convening of the next session in South Carolina.

(p) Maryland: right of item veto on supplementary appropriation bills and capital construction bill only. The general appropriation bill is law when it passes the legislature and thus may not be vetoed.

(q) Governor is required to return bill to legislature with his objections within three days after beginning of the next session.

(r) If governor does not return bill in 15 days, a joint resolution is necessary for bill to become law.

(s) When the legislature adjourns, or recesses for a period of 30 days or more, the governor may return within 45 days any bill or resolution to the office of the secretary of state with his approval or reasons for disapproval. A bill vetoed in odd years shall be returned for consideration when the legislature reconvenes the following year. In even years legislature to reconvene first Wednesday following first Monday in September for not more than 10 days to consider vetoed bills.

(t) Items vetoed in any appropriations bills may be restored by 3/5 vote. No appropriations can be made in excess of the recommendations contained in the governor's budget unless by a 3/5 vote. The excess approved by the 3/5 vote is subject to veto by the governor.

(u) If house of origin is in temporary adjournment on 10th day: Sundays excepted, after presentation to governor, bill becomes law on day house of origin reconvenes unless returned by governor on that day. Governor may return bills vetoed, suggesting amendments, and bills may be passed in amended form, subject to approval by governor in amended form within 10 days after presentation to him.

(v) Bills not signed by governor do not become law if the 45th day after adjournment sine die comes after the legislative year.

(w) Vetoed bills of odd-year session are subject to override at the following even-year session.

(x) Informal practice.

(y) No veto; bill becomes law 30 days after adjournment of session unless otherwise expressly directed.

(z) Three-fourths in case of an emergency measure.

(aa) If adjournment occurs within three days after passage of a bill and governor refuses to sign it, the bill does not become law.

(ab) Including majority elected.

(ac) Five days for appropriations bills.

(ad) Budget bill and supplementary appropriation bill require 2/3 elected.

(ae) Bill becomes law if not filed with objections with the secretary of state within 15 days after adjournment.

(af) Requires approval by Secretary of the Interior.



## LEGISLATIVE PROCEDURE: TIME LIMITATIONS ON BILL INTRODUCTION

<i>State or other jurisdiction</i>	<i>Time limit on introduction of legislation</i>	<i>Exceptions granted to time limits on bill introduction</i>
Alabama .....	30th L day.	House: 4/5 vote of quorum present and voting. Senate: unanimous vote.
Alaska .....	2nd session only; 35th C day.	2/3 vote of membership. Standing committees. Governor's legislation introduced through Rules Committee.
Arizona .....	1st session: 36th day. 2nd session: 29th day. Special ses- sion: 10th day.	2/3 vote of quorum. Permission of Rules Committee.
Arkansas .....	Appropriations bills, 50th day; other bills, 55th day.	2/3 vote of membership.
California .....	None, except legislative schedule established for committee action.	.....
Colorado .....	1st session: 60th L day. 2nd session: 30th L day.	Committee on Delayed Bills. Appropriations bills.
Connecticut .....	Fixed by legislature when adopting rules for the bi- ennium.	Bills at request of governor for emergency or necessity. Emergency legislation designated by presiding officers. Legislative revision and omnibus validation acts.
Delaware .....	House: fixed during month of May by resolution proposed by majority leader. Senate: none.	Majority vote.
Florida .....	House: 2nd Friday after 1st Tuesday for general bills and joint resolutions; 7th Friday after 1st Tuesday for local bills. Senate: 18th L day.	2/3 vote. Recommendation of Rules Committee.
Georgia .....	33rd L day.	3/5 vote.
Hawaii .....	Deadlines are established during the course of the session.	2/3 vote.
Idaho .....	House: 25th day for individual members; 45th day for com- mittees except for Appropriations, State Affairs, Revenue and Taxation, and Ways and Means. Senate: 20th day for individual members; 35th day for committees except for Finance, State Affairs, Judiciary, and Rules.	Speaker may designate any committee to serve as a privileged committee either temporarily or for the re- mainder of the session.
Illinois .....	Odd years: April 3. Even years: all bills shall be referred to Rules Committee.	3/5 vote. Odd years: all bills exempted by Rules Com- mittee. Even years: committee bills, revenue and ap- propriations bills.
Indiana .....	House: odd year, 16th session day; even year, 4th session day. Senate: odd year, 12th session day; even year, 4th session day.	House: 2/3 vote. Senate: consent of Rules and Legisla- tive Procedure Committee.
Iowa .....	House: odd year, 61st C day; even year, 15th C day. Senate: odd year, Friday of 7th week; even year, Friday of 2nd week.	Majority vote of membership, unless written request for drafting the bill was submitted before deadline. Commit- tee bills. Senate: bills cosponsored by the majority and minority floor leaders.
Kansas .....	Odd year: 36th C day for individuals; 45th C day for com- mittees. Even year: 14th C day for individuals; 30th C day for committees.	Majority vote. Committees on Ways and Means. Sen- ate Committee on Organization, Calendar, and Rules. Senate Committee on Federal and State Affairs. House Committee on Calendar and Printing. Authorized sel- ect committees.
Kentucky .....	No introductions during final 10 days.	Majority vote of elected members.
Louisiana .....	15th C day.	2/3 vote of elected members.
Maine .....	4th Friday after convening for drafting requests to Legis- lative Research; final form to be introduced no later than the 6th Tuesday following.	Approval of a majority of the members of the Legisla- tive Council. Committee bills. Bills to facilitate legisla- tive business.
Maryland .....	No introductions during last 35 days. Appropriations bills, 3rd Wednesday of January or, for new governors, 10 days after convening of legislature.	2/3 vote.
Massachusetts .....	1st Wednesday of December.	4/5 vote. Request of governor, special commissions or com- mittees with specific reporting dates, and home rule petitions.
Michigan .....	None.	.....
Minnesota .....	None.	.....
Mississippi .....	90-day session: 16th day. 125-day session: 51st day.	2/3 present and voting. Revenue, local and private bills.
Missouri .....	Odd year: 60th L day. Even year: 30th L day.	Majority of elected members. Request of governor. Appropriations bills.
Montana .....	18th day regular bills. 25th day revenue bills.	2/3 vote. Appropriations bills.
Nebraska .....	10 L days.	3/5 vote. Request of governor. With approval of major- ity of members of a committee and 3/5 elected members of legislature.
Nevada .....	Bill drafting request only. 30th C day.	House: 2/3 present. Committee bills.
New Hampshire .....	Must be received for drafting by the 4th Thursday of April.	2/3 vote of membership or approval of Joint Rules Com- mittee.

## LEGISLATIVE PROCEDURE: TIME LIMITATIONS ON BILL INTRODUCTION—Concluded

<i>State or other jurisdiction</i>	<i>Time limit on introduction of legislation</i>	<i>Exceptions granted to time limits on bill introduction</i>
New Jersey .....	None.	.....
New Mexico .....	30th L day, 1st session only; Appropriations bill, 50th L day.	At request of governor.
New York .....	Assembly: 1st Tuesday in March for unlimited introduction. Each member may introduce up to 10 bills until the last Tuesday in March. Senate: temporary president may designate a final date but not prior to 1st Tuesday of March. Bills recommended by a state department or agency must be submitted to the temporary president by the 3rd Tuesday of February.	Assembly: unanimous vote except for Fridays. Committee on Rules. By message from senate. Members elected at special elections after 1st Tuesday in March. Friday introductions only. Bills from governor, senate, Committee on Rules. Senate: bills by governor, attorney general, or comptroller must be to temporary president by the 1st Tuesday of April.
North Carolina .....	House: none. Senate: state agency bills by March 15 in 1st annual session.	2/3 vote.
North Dakota .....	Bills: 15th L day. Resolutions: 18th L day.	2/3 vote. Approval of Committee on Delayed Bills.
Ohio .....	House: after March 15 of the second regular session, a resolution to end introduction of bills may be passed by a majority vote. Senate: none.	House: majority vote on recommendation of bill by Reference Committee.
Oklahoma .....	House: 1st session, 19th L day; 2nd session, 10th L day. Senate: 1st session, none; 2nd session, February 1.	2/3 vote. Revenue and appropriations bills.
Oregon .....	House: 29th C day. Senate: 36th C day.	Approval of House Committee on Legislative Operations and Procedures. Senate Rules Committee, speaker of house, Jt. Committee on Ways and Means, bills sponsored by a committee, priority bills.
Pennsylvania .....	None.	.....
Rhode Island .....	42nd L day.	House: 2/3 members present. Senate: majority members present. Individual local and private bills.
South Carolina .....	House: May 1 or if received from senate prior to May 15. Senate: none.	House: majority vote. General or deficiency appropriations act.
South Dakota .....	45-day session: 20th day. 30-day session: 8th day. All committee bills 1 day later.	2/3 vote. General appropriations act.
Tennessee .....	House: general bills, 20th L day. Senate: general bills, 15th L day. Resolutions, 30th L day.	House: 2/3 vote. Senate: unanimous consent of Committee on Delayed Bills or 2/3 vote.
Texas .....	60 C days.	4/5 vote. Local bills. Emergency appropriations. Emergency matters by governor.
Utah .....	30th day.	Majority vote.
Vermont .....	House: odd year, 5 weeks except proposals delivered to the Legislative Drafting Division by that time, then 12 weeks; even year, by agreement of Rules Committee may be pre-filed by September 1 of odd year for next year. Senate: odd year, 53rd C day; even year, must be filed with the Legislative Drafting Division 25 days before session begins.	2/3 vote. Consent of Rules Committee. Appropriations and revenue bills. House only: committee bills introduced within 10 days after 1st Tuesday in March.
Virginia .....	Deadlines are set during the session. Municipal charter bills must be introduced on 1st day of session.	Unanimous vote.
Washington .....	Individual members: must be on request list of code revisor; House 35th day, Senate 38th day, introduced by 40th day. Committee bills: none.	2/3 vote of elected members.
West Virginia .....	House: 50th C day. Senate: 41st C day.	House: 2/3 vote of all members of each house present and voting (permission of both houses must be granted by concurrent resolution setting out title of bill). Senate: 2/3 vote of senate members present and voting.
Wisconsin .....	None.	.....
Wyoming .....	Odd year: 18th L day. Even year: 5th L day.	Unanimous vote of elected members.
American Samoa .....	10th L day.	2/3 vote of elected members.
Guam .....	None.	.....
Puerto Rico .....	60th day.	Majority vote.

## Key:

L—Legislative day  
C—Calendar day

## LEGISLATIVE PROCEDURE: BILL INTRODUCTION AND REFERENCE

State or other jurisdiction	Pre-session bill filing		Bills referred to committee by		Bill referral restricted, by rule		Bill carryover*
	1st session	2nd session	House	Senate	House	Senate	
Alabama	B	B(a)	Spkr.	Pres.	...	...	No
Alaska	B	B	Spkr.	Pres.	★	★	Yes
Arizona	B	B	Spkr.	Pres.	...	...	No
Arkansas	B	...	Spkr.	Rules Cmte.	★	★	...
California	(b)	(b)	Spkr.	Rules Cmte.	...	★	Yes(b)
Colorado	B	B	Spkr.	Pres.	...	...	No
Connecticut	B	B	Spkr.	Pres. Pro Tem.	★	★	No
Delaware	B	B	Spkr.	Pres. Pro Tem.	★	...	Yes
Florida	B	B	Spkr.	Pres.	★	...	No
Georgia	No	No	Spkr.	Pres.	...	...	Yes
Hawaii	No	B	Spkr.	Pres.	★	★	Yes
Idaho	S	S	Spkr.	Pres.	...	...	No
Illinois	B	B	Cmte. on Assign.	Cmte. on Assign.	...	...	Yes(c)
Indiana	B	B	Spkr.	Pres. Pro Tem.	...	...	No
Iowa	B	B	Spkr.	(f)	...	★	Yes
Kansas	B	B	Spkr.	Pres.	★	★	Yes
Kentucky	B	...	Cmte. on Cmtes.	Cmte. on Cmtes.	★	★	...
Louisiana	B	B	Spkr.	Pres.	★	★	No
Maine	B	No	Secy. of Senate & Clerk of House (g,h)		...	...	No
Maryland	B	B	Spkr.	Pres.	(i)	(i)	No
Massachusetts	B	B	Clerk(h)	Clerk(h)	★	★	No
Michigan	No	No	Spkr.	Pres.(h)	...	...	Yes
Minnesota	No	B	Spkr.	Pres.	(j)	(j)	Yes
Mississippi	B	B	Spkr.	Pres.	...	...	No
Missouri	B	B	Spkr.	Pres. Pro Tem.	★	★	No
Montana	B	...	Spkr.	Pres.	...	...	...
Nebraska	S	S	U	Ref. Cmte.	...	★	Yes
Nevada	B	...	Introducer	Introducer	...	★	...
New Hampshire	B	...	Spkr.	Pres.	★	★	...
New Jersey	B	No	Spkr.	Pres.	...	...	Yes
New Mexico	No	No	Spkr.	Presid. Offr.(c)	(d)	(d)	No
New York	B	...	Spkr.	Pres. Pro Tem.	...	...	Yes
North Carolina	No	No	Spkr.	Pres.	(d)	(d)	Yes
North Dakota	B	...	Spkr.	Pres.	★	★	...
Ohio	B	B	Ref. Cmte.	Rules Cmte.	...	...	Yes
Oklahoma	B	B	Spkr.	Pres. Pro Tem.	...	...	Yes
Oregon	B	...	Rules Cmte.	Pres.	...	...	...
Pennsylvania	B	B	Spkr.	Pres.	...	...	Yes
Rhode Island	No	B	Spkr.	Pres.	...	...	Yes
South Carolina	B	B	Spkr.	Presid. Offr.	★	★	Yes
South Dakota	B	B	Spkr.	Pres.	...	...	No
Tennessee	B	B	Spkr.	Spkr.	...	★	Yes
Texas	B	...	Spkr.	Pres.	★	...	...
Utah	B	B	Spkr.	Pres.	...	...	No
Vermont	B	B	Spkr.	Pres.	★	★	Yes
Virginia	B	B	Spkr.	Clerk	★	★	Yes
Washington	B	B	Spkr.	Pres.	...	...	Yes
West Virginia	B	B	Spkr.	Pres.	★	...	No
Wisconsin	B	B	Presid. Offr.	Presid. Offr.	...	...	Yes
Wyoming	B	No	Spkr.	Pres.	...	...	No
American Samoa	B	B	Spkr.	Pres.	★	★	Yes
Guam	S	S	U	Rules Cmte.	...	★	Yes
Puerto Rico	B	B	Pres.	Pres.	★	★	Yes

\*Bills carry over from the first year of a legislature to the second. Bills generally do not carry over after an intervening legislative election.

## Key:

B—Both chambers

S—Senate

H—House

U—Unicameral

(a) Alabama has a four-year legislature which meets biennially.

(b) California has a continuous legislature. Bills may be introduced at any time during the biennium. However, legislative schedule is established for committee action.

(c) At request of sponsoring senator.

(d) Except appropriations and taxation committees.

(e) Limited to emergency bills, appropriations bills; those placed on interim study calendar, by motion.

(f) Majority leader, president pro tem, 2 assistant majority leaders.

(g) Should there be no agreement between the clerk and secretary, the speaker and president make the assignment. If they cannot agree, the Legislative Council resolves the issue.

(h) Subject to approval or disapproval: Maine, by membership of either house; Massachusetts, by presiding officer; Michigan, by senate membership.

(i) No, except for local bills in house and local bills and bills creating judgeships in senate.

(j) No, except for bills on government structure which go to governmental operations committees and bills appropriating funds which go to finance committees.

## LEGISLATIVE APPROPRIATIONS PROCESS: BUDGET DOCUMENTS AND BILLS

State or other jurisdiction	Budget document submission							Budget bill introduction			Usual number of budget bills
	Legal source of deadline		Submission date relative to convening date					Same time as budget document	Another time	None until cmte. review	
			Prior to session	Within one week	Within two weeks	Within one month	Over one month				
Alabama	...	★	...	★	...	...	...	★	...	...	2
Alaska	...	...	...	★	...	...	...	★	...	...	1
Arizona	...	★	...	★	...	...	...	...	...	★	3-4
Arkansas	...	...	...	...	★(a)	...	...	...	...	★	450
California	★	...	...	...	★	...	...	★	...	...	1
Colorado	★	...	...	...	★(b)	...	...	...	...	★	1
Connecticut	...	★	...	...	...	★(c)	...	★	...	...	1
Delaware	...	★	...	...	...	Feb. 1	...	★(d)	...	...	1
Florida	...	★	30 da.	...	...	...	...	...	...	★(e)	1
Georgia	★	...	...	★	...	...	...	★	...	...	2(f)
Hawaii	...	★	20 da.	...	...	...	...	...	★(g)	...	1
Idaho	...	★	...	★	...	...	...	...	...	★	120
Illinois	...	★	...	...	...	...	★	...	★(h)	...	100
Indiana	...	★	7 da.(i)	...	...	...	...	★	...	...	3(j)
Iowa	...	...	...	...	...	★	...	...	...	★(e)	150
Kansas	...	★	...	...	...	★(c)	...	...	★(h)	...	10-20
Kentucky	...	...	...	★(a)	...	...	...	★	...	...	1
Louisiana	...	★	...	1st da.	...	...	...	...	(k)	...	1
Maine	...	★	...	...	★(l)	...	...	...	...	...	2
Maryland	★	...	...	★(l)	...	...	...	★(m)	...	...	1
Massachusetts	★	...	...	...	...	★	...	★(n)	...	...	5
Michigan	...	★	...	...	★(o)	...	...	★	...	...	18
Minnesota	...	...	...	...	...	★	...	...	...	★	7
Mississippi	...	★	Dec. 15	...	...	...	...	...	...	★	240
Missouri	...	★	...	...	...	★	...	★	...	...	13-16
Montana	...	★	Dec. 1	...	...	...	...	...	★	...	6
Nebraska	...	...	...	...	...	★	...	...	...	★(e)	5-8
Nevada	...	★	...	...	★	...	...	...	...	★	5
New Hampshire	...	...	...	...	...	...	★	...	...	...	1
New Jersey	...	★	...	...	...	★(l)	...	...	...	★	1
New Mexico	...	★	...	★(p)	...	...	...	★	...	...	1
New York	★	...	...	...	★(l)	...	...	★(q)	...	...	30-40
North Carolina	...	...	...	★(a)	...	...	...	★	...	...	2
North Dakota	...	★	...	3rd da.(r)	...	...	...	...	...	...	30
Ohio	...	★	...	...	...	★(l)	...	★	...	...	3-4
Oklahoma	...	...	...	★	...	...	...	★	...	...	90
Oregon	...	★	Dec. 1(l)	...	...	...	...	...	★(g)	...	150
Pennsylvania	...	...	...	...	...	...	★(a)	...	...	★	55
Rhode Island	...	★	...	...	...	...	★(s)	★	...	...	1
South Carolina	...	★	...	★	...	...	...	...	...	★	2
South Dakota	...	★	Dec. 1	...	...	...	...	...	...	...	1
Tennessee	...	★	...	...	★(l)	...	...	...	★(t)	...	1
Texas	...	...	...	★	...	...	...	★	...	...	1
Utah	...	★	(u)	...	★(c)	...	...	...	...	★	1
Vermont	...	★	...	...	...	★	...	...	...	★	1
Virginia	...	...	...	★	...	...	...	★	...	...	1
Washington	...	...	Dec. 20	...	...	...	...	...	★	...	2 or more
West Virginia	★	...	...	1st da.(l)	...	...	...	★	...	...	1
Wisconsin	...	...	...	...	...	★(v)	...	★	...	...	1
Wyoming	...	★	Jan. 1	...	...	...	...	...	...	★	1
American Samoa	...	...	...	...	★(a)	...	...	...	★(g)	...	1
Guam	...	...	...	...	...	★	...	★	...	...	1
Puerto Rico	...	★	...	...	...	...	...	...	...	★	2
Virgin Islands	★	★	...	...	...	★(w)	...	★	...	...	8-10

(a) By custom only.

(b) Copies of agency budgets to be presented to the legislature by November 1. Governor's budget usually is presented in January.

(c) Even year. Connecticut: 1st day; Kansas: 2nd day; Utah: 1st day.

(d) Executive budget bill is introduced and used as working tool for committee. After hearings on executive bill, a new bill is then introduced. The committee bill is considered by the legislature.

(e) Executive submits bill, but it is not introduced; used as a working tool by committee.

(f) One appropriations bill amends the current appropriation, the other appropriates funds for the coming fiscal year.

(g) Budget presented prior to session. Hawaii: 20 days; Oregon: one month.

(h) Within one month. Kansas: most bills; however, some are introduced later.

(i) Budget document submitted prior to session does not necessarily reflect budget message which is given sometime during the first three weeks of session.

(j) There are three basic budget bills: one for conduct of state government, one for construction of state properties, one for highways.

(k) Subject to same 15-day constitutional limit as other bills.

(l) Later for first session of a new governor. Maine: 6 weeks; Maryland: 10 days; New Jersey: February 15; New York: February 1; Ohio: March 16; Oregon: February 1; Tennessee: 2 months; West Virginia: 1 month.

(m) Appropriations bills other than the budget bill (supplementary) may be introduced at any time. They must provide their own tax source, and may not be enacted until the budget bill is enacted.

(n) General Appropriations Act only.

(o) Long-range capital budget: 30 days.

(p) Statutes provide for submission by 25th legislative day; however, the executive budget is usually presented by the first day of the session. The legislative budget is usually presented on the first day or at the prelegislative session conference of the standing finance committees.

(q) Governor has 30 days to amend or complete submission bills which enact the recommendations contained in his executive budget, computed from the designated submission date for the budget.

(r) For whole legislature the Legislative Council only receives budget on December 1.

(s) 24th legislative day. Legislature normally meets for four legislative days per week.

(t) Within two weeks.

(u) Must submit confidential copy to fiscal analyst 30 days prior to session.

(v) Last Tuesday in January. A later submission date may be requested by the governor.

(w) Organic Act specifies at opening of each regular session; statute specifies on or before February 1.

## APPROPRIATIONS AND REVENUE CONFERENCE COMMITTEES

State or other jurisdiction	Free conference	Limited conference	Size		All conferees are also on appropriations cmte.		Bills seldom or never go to conferences
			House	Senate	Yes	No	
Alabama .....	...	★	3	3	★	...	...
Alaska .....	★	...	3	3	★	...	...
Arizona .....	...	...	...	...	...	...	★
Arkansas .....	...	...	...	...	...	...	★
California .....	★	...	3	3	★	...	...
Colorado .....	★	...	3	3	★	...	...
Connecticut .....	...	...	...	...	...	...	★
Delaware .....	...	...	...	...	...	...	★
Florida .....	...	★	7	7	...	★	...
Georgia .....	★	...	3	3	★	...	...
Hawaii .....	★	...	Varies	Varies	★	...	...
Idaho .....	...	...	...	...	...	...	★
Illinois .....	★	...	5	5	...	★	...
Indiana .....	★	...	2	2	★	...	...
Iowa .....	★	...	5	5	★	...	...
Kansas .....	...	★	3	3	★	...	...
Kentucky .....	...	...	...	...	...	...	★
Louisiana .....	★	...	3	3	...	★	...
Maine .....	...	...	...	...	...	...	★
Maryland .....	...	★	3	3	★	...	★
Massachusetts .....	...	★	3	3	★(a)	...	...
Michigan .....	...	★	3	3	...	★	...
Minnesota .....	★	...	5	5	★	...	...
Mississippi .....	...	★	3	3	★	...	...
Missouri .....	...	★	5	5	★	...	...
Montana .....	★	★	3	3	...	★	...
Nebraska .....	...	...	Unicameral		...	...	...
Nevada .....	...	...	...	...	...	...	★
New Hampshire .....	★	...	5	3	...	★	...
New Jersey .....	...	...	...	...	...	...	★
New Mexico .....	★	...	3	3	★	...	...
New York .....	...	...	...	...	...	...	★
North Carolina .....	...	★	15	11	★	...	...
North Dakota .....	★	...	3	3	★	...	...
Ohio .....	...	★	3	3	...	★	...
Oklahoma .....	★	...	15	15	...	★	...
Oregon .....	★	...	2	2	★	...	★(b)
Pennsylvania .....	★	...	3	3	★	...	...
Rhode Island .....	...	...	...	...	...	...	★
South Carolina .....	★(c)	★	3	3	...	★	...
South Dakota .....	...	...	3	3	...	...	★
Tennessee .....	...	★	11	11	...	★	...
Texas .....	...	★	5	5	★	...	...
Utah .....	...	...	...	...	...	...	★
Vermont .....	★	...	3	3	★	...	...
Virginia .....	...	★	3	3	★	...	...
Washington .....	★	★	3	3	...	★	...
West Virginia .....	★	...	5	5	★	...	...
Wisconsin .....	...	★	3	3	...	★	...
Wyoming .....	...	...	...	...	...	...	★
American Samoa .....	★	...	Varies	Varies	...	★	...
Guam .....	...	...	Unicameral		...	...	...
Puerto Rico .....	...	★	5	5	N.A.	N.A.	...
Virgin Islands .....	...	...	Unicameral		...	...	...

N.A.—Not available.

(a) Usually, but not always.

(b) Appropriations, seldom; revenue bills, more often.

(c) Both houses must, by 2/3 vote, give free conference powers when differences cannot be resolved.

# APPROPRIATIONS AND REVENUE STANDING COMMITTEES: STRUCTURE AND SIZE

State or other jurisdiction	Committees organized by house						Joint committees			
	Appropriations		Revenue		Combined appropriations and revenue		Appropriations		Revenue	
	House	Senate	House	Senate	House	Senate	House	Senate	House	Senate
Alabama	...	...	...	...	15	15	...	...	...	...
Alaska	...	...	...	...	11	7	...	...	...	...
Arizona	15(a)	14(a)	15	9	...	...	...	...	...	...
Arkansas	...	...	20	7	...	...	9	6	...	...
California	21	13	15	9	...	...	...	...	...	...
Colorado	11	16	11	9	...	...	...	...	...	...
Connecticut	...	...	...	...	...	...	30	9	23	5
Delaware	6	6	6	6	...	...	6(b)	6(b)	...	...
Florida	29	19	18	13	...	...	...	...	...	...
Georgia	42	19	30	17	...	...	42(c)	19(c)	...	...
Hawaii	...	...	...	...	13	13	...	...	...	...
Idaho	...	...	17	9(d)	...	...	10	10	...	...
Illinois	54(e)	34	25	11	...	...	...	...	...	...
Indiana	...	...	...	...	20	17	...	...	...	...
Iowa	13(f)	13(f)	39	14	...	...	...	...	...	...
Kansas	23	11	21	11	...	...	...	...	...	...
Kentucky	...	...	...	...	17(c)	9(c)	...	...	...	...
Louisiana	15	9	17	9	...	...	...	...	...	...
Maine	...	...	...	...	...	...	10	3	10	3
Maryland	24(a)	...	24	...	...	12(a)	...	...	...	...
Massachusetts	25	14	...	...	...	...	...	...	15	6
Michigan	18	11	17	5	...	...	...	...	...	...
Minnesota	29	26	29	21	...	...	...	...	...	...
Mississippi	33	21	33	21	...	...	...	...	...	...
Missouri	26(g)	10(g)	10	7	...	...	...	...	...	...
Montana	17	16	17	10	...	...	...	...	...	...
Nebraska	...	9	...	8	...	...	Unicameral			
Nevada	9	7	9	6	...	...	...	...	...	...
New Hampshire	23	8	23	7	...	...	...	...	...	...
New Jersey	13	...	5	...	...	10	13(b)	10(b)	...	...
New Mexico	17	...	16	...	...	16	...	...	...	...
New York	...	23	...	11	...	...	...	...	...	...
North Carolina	64(h)	36(h)	56(h)	22(h,i)	28	...	...	...	...	...
North Dakota	21	12	16	8	...	...	...	...	...	...
Ohio	25(c)	11(c)	19	9	...	...	...	...	...	...
Oklahoma	30	14	18	13	...	...	...	...	...	...
Oregon	...	...	9	7	...	...	7	7	...	...
Pennsylvania	31	20	23	10	...	...	...	...	...	...
Rhode Island	...	...	...	...	17	18	...	...	...	...
South Carolina	...	...	...	...	27	18	...	...	...	...
South Dakota	10	10	13	9	...	...	...	...	...	...
Tennessee	...	...	...	...	26(j)	9(j)	...	...	...	...
Texas	21	13	13	13	...	...	...	...	...	...
Utah	...	...	22	5	...	...	75	29	...	...
Vermont	11	6	11	6	...	...	...	...	...	...
Virginia	20(c)	...	20	...	...	15(c)	...	...	...	...
Washington	26	...	15	...	...	19	...	...	...	...
West Virginia	...	...	...	...	25	18	...	...	...	...
Wisconsin	...	...	...	...	7(k)	7(k)	...	...	...	...
Wyoming	...	...	9	5	...	...	7	5	...	...
American Samoa	7	5	...	...	...	...	5(b)	5	...	...
Guam	...	...	...	...	...	7	Unicameral			
Puerto Rico	...	...	15	14	...	...	...	...	...	...
Virgin Islands	...	...	...	...	...	7	Unicameral			

(a) Committees meet jointly on the General Appropriations Bill to work out differences after each committee has approved its version of the budget. Maryland: subcommittees meet jointly.

(b) On major budget bills only.

(c) Committees meet jointly for hearings only. Kentucky: appropriations hearings only; Ohio: large departments, overview of the budget and selected issues.

(d) All revenue legislation must originate in the house.

(e) The house and senate rules provide for two appropriations committees in each house—Appropriations I (state government operations and construction), and Appropriations II (human services).

(f) Central Budget Committee which acts on bills reported by budget subcommittees. All members except leaders serve on either the budget committee or a budget subcommittee.

(g) New programs which cost \$50,000 or more must also be considered by Senate Budget Control Committee and House Revenue & Economic Committee.

(h) There have always been separate house and senate committees on appropriations and finance, but they customarily meet jointly.

(i) In addition to the Senate Finance Committee, there is a Senate Ways and Means Committee with 50 members.

(j) The number of members on the committees may vary from session to session, but senate committees shall have no more than 11 members and house committees no more than 30 members.

(k) This is a single joint committee, with senate and assembly cochairpersons for both appropriations and revenue.

# LEGISLATIVE REVIEW OF ADMINISTRATIVE REGULATIONS\* As of November 1977

State	Structures and procedures			Committee powers			Legislative powers		
	Type of reviewing committee	Rules reviewed		Review of proposed rules prior to effective date	Review of existing rules	Automatic approval of proposed rules without objections	Legislature must sustain action or recommendation	Time limit for legislative affirmation	Legislature can amend or modify
		All	Selective						
Alaska .....	Joint	★	...	45 days	★	★	★	None	...
Arizona .....	(a)	...	★(b)	Immediately after adoption	...	★	★	1 yr.	★
Arkansas .....	Joint	★	...	10 days before agency hearing	★	★	N.A.	N.A.	(c)
Colorado .....	Joint	★(d)	...	20 days after approval by atty. gen.	...	★	★	None	★
Connecticut .....	Joint bipartisan	★	...	Simultaneously with filing with atty. gen.	★	★	(e)	...	★(f)
Florida .....	Joint	★	...	21 days	★	★	N.A.	N.A.	(c)
Georgia .....	Standing cmtes. (in session)	★	...	20 days	...	★	★	End of regular sess.	...
Idaho .....	Standing cmtes. (in session)	★	...	Beginning of each session	...	N.A.	★	End of regular sess.	★
Illinois .....	Joint bipartisan	★	...	45 days	★	★	N.A.	N.A.	(c)
Iowa .....	Joint	★	...	35 days (g)	★(h)	★	N.A.	N.A(h)	(c, h)
Kansas .....	Joint	★	...	By Dec. 31 of each year	★	★	★	End of regular sess.	★
Kentucky .....	Joint	★	...	(i)	★	★	(j)	N.A.	(c)
Louisiana .....	Standing cmtes.	★	...	15 days prior to adoption of rule (k)	...	★	N.A.	N.A.	(c)
Maine .....	Joint standing cmtes.	★(l)	...	None	...	★(l)	★(l)	None	...
Maryland .....	Joint	★	...	None, but cannot go into effect without being printed in Maryland Register	★	★	★	End of regular sess.	★
Michigan .....	Joint	★	...	20 days before adoption	...	...	...	...	...
Minnesota .....	Joint	★	...	None	...	N.A.	★	End of regular sess.	...
Missouri .....	Joint	★	...	None	...	N.A.	N.A.	N.A.	(c)
Montana .....	Joint bipartisan	★	...	None	...	N.A.	★(m)	None	★
Nebraska .....	Special cmte.	★	...	By Jan. 1 of each year	...	N.A.	N.A.	N.A.	(c, n)
Nevada .....	Joint	★	...	After adoption	...	N.A.	N.A.	N.A.	(c)
New York .....	Joint (s)	★	...	21 days prior to effective date	★	★	★	None	...
North Carolina .....	Joint	★	...	Simultaneously with filing with atty. gen.	...	★	N.A.	N.A.	(c, o)
Ohio .....	Joint	★	...	60 days before adoption by agency	★	★	★	60 days	★
Oklahoma .....	Standing cmtes.	★	...	10 days after adoption	...	★	★	30 days	...
Oregon .....	Joint	★	...	Simultaneously with filing with secy. of state	★	★	N.A.	N.A.	(c)
South Carolina .....	Standing cmtes.	★	...	None, but cannot go into effect until 90 days after submission	★	...	★	90 days after rule filed with legislature	...
South Dakota .....	Joint	★	...	20 days before agency hearing	★	★	★	30 days after convening of regular session	★(p)
Tennessee .....	House: Govt. Operations Cmte. Senate: Standing cmtes.	...	★	After adoption	...	★	N.A.	...	...
Texas .....	Standing cmtes.	★	...	30 days prior to adoption	★	...	★	N.A.	(c)

# LEGISLATIVE REVIEW OF ADMINISTRATIVE REGULATIONS\*—Concluded

## As of November 1977

State	Committee powers										Legislative powers	
	Structures and procedures				Committee powers						Legislative powers	
	Type of reviewing committee	Rules reviewed		Time limit for submission of proposed rules to legislature	Review of proposed rules prior to effective date	Review of existing rules	Automatic approval of proposed rules without objections	Legislature must sustain committee action or recommendation	Time limit for legislative affirmation	Legislature can amend or modify		
		All	Selective									
Vermont . . . . .	Joint	★	...	2 weeks before adoption	★	★	★	★	End of next regular sess.	★		
West Virginia . . . . .	Joint	★	...	None, but cannot go into effect unless filed with cmte.	★	...	★	(q)	(q)	...		
Wisconsin . . . . .	Joint	★	...	None	...	★	N.A.	★	End of next regular sess.	★		
Wyoming . . . . .	Joint	★	...	20 days prior to adoption	...	★	N.A.	★(r)	...	...		

\*Source: National Conference of State Legislatures.

N.A.—Not available.

(a) Not specified; presumably, review done by appropriate committee.

(b) Provides for legislative review of only the rules promulgated by State Parks Board.

(c) Advisory powers only.

(d) Staff reviews all new rules and makes recommendations to committee.

(e) Legislature "may...either sustain or reverse a vote of disapproval" by the committee, but it is not mandatory.

(f) Committee may disapprove a part of a rule.

(g) Published in Iowa Administrative Code 35 days prior to adoption.

(h) If the committee objects to a rule on the grounds it is "unreasonable, arbitrary, capricious or otherwise beyond the authority delegated to that agency," the burden of proof is then on the agency in any judicial review.

(i) No time limit, but proposed rule cannot go into effect unless it is filed with the LRC and reviewed by the Administrative Regulations Review Subcommittee.

(j) If proposed rule is found objectionable by the Administrative Regulations Review Subcommittee and by an interim or standing committee, it is submitted to the house and senate "for such action as [they] may determine to be appropriate."

(k) Also, agencies must submit, 30 days prior to regular session, an annual report to the legislature on all rules adopted over the past year.

(l) Under a 1977 law, joint standing committees review all existing rules and introduce legislation stating an expiration date of five years or less for each rule. All new rules automatically expire in five years unless legislation is enacted to terminate them within five years.

(m) During the interim, the committee may poll the members of the legislature by mail to determine if a rule is consistent with legislative intent.

(n) Legislature has power to repeal or amend statute granting promulgating authority upon recommendation of the committee.

(o) If a rule is found objectionable by the committee and the agency refuses to modify, the rule is reviewed by the Legislative Research Commission. If LRC objects and the agency refuses to modify, LRC reports to the General Assembly, recommending "legislative action."

(p) Legislature has authority to amend, but it has never been used.

(q) Disapproval of a rule by committee prevents the agency from taking any "action to implement such disapproved rule or regulation" unless committee action is reversed by the legislature. However, disapproval of a rule implementing a federally subsidized program must be sustained by the legislature before the end of the regular session, or the committee's action is reversed.

(r) The Legislative Management Council submits its report to the governor. If the governor objects to the report, he must file his objections with the council within 15 days. The council reports to the legislature each session, at which time the legislature can prohibit implementation of rule by "legislative order."

(s) Currently operating under a joint resolution. Legislation to make committee and procedures statutory was vetoed by governor.



## FISCAL NOTES: CONTENT AND DISTRIBUTION

State or other jurisdiction	Content					Distribution						
	Intent or purpose of bill	Cost involved	Projected future cost	Proposed source of revenue	Other	Legislators						
						All	Available on request	Bill sponsor	Appropriations committee		Fiscal staff	Executive budget staff
									Members	Chairman only		
Alabama	...	★	...	★	...	★(a)	...	...	...	...	...	...
Alaska	...	★	★	★	...	...	★	★	★	...	★	★
Arizona	...	...	...	...	★(b)	...	★	...	★	...	...	...
Arkansas	★(c)	★(c)	★(c)	...	...	★	...	...	...	...	...	...
California	...	★	★	★	...	★	...	...	...	...	★	★
Colorado	★	★	★	★	...	★	...	...	...	...	...	...
Connecticut	★	★	★	★	★(d)	★(e)	...	...	...	...	★	★
Delaware	...	★	★	★	★(f)	★	...	...	...	...	...	...
Florida	...	★	★	★	★(d)	★	...	...	...	...	★	★
Georgia	...	★	★	★	...	...	★	...	...	...	...	...
Hawaii	...	...	...	...	...	...	...	...	...	...	...	...
Idaho	★	★	★	★(g)	...	★	...	...	...	...	...	...
Illinois	★	★	★	★	...	...	★	★	★	...	★	...
Indiana	...	★	★	★	...	★	...	...	...	...	★	★
Iowa	...	★	★	★	...	★	...	...	...	...	...	...
Kansas	...	★	★	★	...	...	★	...	★(h)	...	★	★
Kentucky	...	★	★	★	...	...	★	★	★	...	...	...
Louisiana	...	★	★	★	...	...	★	★	...	...	★(i)	...
Maine	...	★	★	★	...	...	...	...	...	...	...	...
Maryland	...	★	★	★	...	...	★	★	★(h)	...	★	★
Massachusetts	...	★(j)	...	...	...	★	...	...	...	...	...	...
Michigan	...	★	★	★	★	...	...	...	...	...	★	...
Minnesota	...	★	★	★	...	...	★	...	★	...	...	...
Mississippi	...	★	★	★	...	...	★	...	...	★	...	...
Missouri	...	...	★	★	...	★	...	...	...	...	...	...
Montana	★(k)	★	★	★	★(d)	★	...	...	...	...	...	...
Nebraska	...	★	★	★	...	★	...	...	...	...	★	...
Nevada	...	★	★	★	...	★	...	...	...	...	...	★
New Hampshire	...	★	★	★	...	...	★	...	...	...	★	...
New Jersey	...	★	★	★	★(l)	★(m)	...	...	...	...	★	...
New Mexico	...	★	★	★	...	...	(o)	...	...	★(o)	...	...
New York	...	★	★(p)	...	...	...	★	★	★	...	★	...
North Carolina	...	...	...	...	★(b)	...	...	...	...	...	...	...
North Dakota	...	★	★	★(q)	...	...	★	...	...	★	...	...
Ohio	...	★	★	★	...	★(r)	★	...	★	...	...	...
Oklahoma	...	...	...	...	★(s)	...	★	...	★	...	...	...
Oregon	...	★	★	★	...	★	...	...	...	...	...	...
Pennsylvania	...	★	★	★	...	...	...	...	...	...	★	...
Rhode Island	...	...	★	...	...	...	★	...	...	★	...	...
South Carolina	...	...	...	...	...	...	...	...	...	...	...	...
South Dakota	...	...	★	★	...	★	...	...	...	...	...	...
Tennessee	...	...	★	...	★(t)	...	...	...	...	...	★	...
Texas	...	...	★	★	...	...	★	★	★(h)	...	...	★
Utah	...	...	★	★	...	...	...	...	...	...	...	...
Vermont	...	★	★	★	...	...	★	...	...	★	...	...
Virginia	...	...	...	...	★(b)	...	★	...	★	...	...	...
Washington	...	★	★	★	...	...	★	...	...	...	★	...
West Virginia	...	★	★	★	...	...	...	...	...	£	...	...
Wisconsin	...	...	★	★	...	...	...	...	...	...	...	...
Wyoming	...	...	★	★	...	...	...	...	...	...	...	...
American Samoa	...	...	...	...	...	...	...	...	...	...	...	...
Guam	...	★	...	★	...	...	...	...	...	...	★	...
Puerto Rico	...	...	...	...	...	...	...	...	...	...	...	...
Virgin Islands	...	★	...	★	...	...	...	...	...	...	...	...

(a) Fiscal notes are included in bills for final passage calendar. A computerized fiscal note status, tally, and reporting system is currently being implemented. Printout information will be distributed to fiscal committees and will be available on request.

(b) No formal fiscal note. Staff prepares summary.

(c) Required on retirement bills only.

(d) Mechanical defects in bill and effective date.

(e) Normally fiscal notes are printed with appropriate bill. However, in cases where fiscal notes are not available at printing time or in the case of floor amendments, copies are distributed as follows: leadership, chairman of committee reporting bill, chairman of Finance or Appropriations Committee, and others upon request.

(f) Relevant data and prior fiscal year cost information.

(g) Occasionally.

(h) Or to committee to which referred.

(i) Prepared by fiscal staff. One copy sent to Legislative Council.

(j) Fiscal notes are prepared only if cost exceeds \$100,000 or matter has not been acted upon by the Joint Commission on Ways and Means.

(k) Comment or opinion on the merits of the bill is prohibited.

(l) Cost to local government, if available.

(m) Sponsor may disapprove fiscal note; if disapproved, fiscal note is not printed or distributed.

(n) Impact of revenue bills reviewed by Legislative Council Service and executive agencies.

(o) Legislative Finance Committee staff prepares fiscal notes for Appropriations Committee chairman; other fiscal impact statements prepared by Legislative Council Service and executive agencies are available to anyone upon request.

(p) Rules of the Assembly require sponsors' memoranda to include estimate of cost to state and/or local government. Fiscal note required by law to be included on all pension bills.

(q) A two-year projection.

(r) If a bill comes up for floor consideration.

(s) Recent appropriations for same program or agency, agency request and justification, executive recommendation, conference notes, and summary of bill's progress through legislature.

(t) Effects of revenue bills.

## PARLIAMENTARIAN AND AUTHORITY

State or other jurisdiction	Senate					House				
	Parliamentarian is		Operates under			Parliamentarian is		Operates under		
	Clerk or secy.	Other	Own rules exclus.	Rules & parliam. manual	Name of parliamentarian manual	Clerk	Other	Own rules exclus.	Rules & parliam. manual	Name of parliamentarian manual
Alabama	★			★	MAS, ROB	★			★	MAS, ROB
Alaska	★	PRE		★	MAS		PRE		★	MAS
Arizona		(a)		★	MAS		(a)		★	MAS, USH, JEF(b)
Arkansas	★		★				PAR		★	MAS
California	★			★	MAS	★			★	MAS
Colorado	★			★	MAS	★		★		
Connecticut	★			★	MAS(c)	★			★	MAS(c)
Delaware		PRE		★	ROB		PRE		★	ROB
Florida		(d)		★	MAS, HIN, JEF	★		★		JEF
Georgia	★			★	(e)	★			★	(e)
Hawaii	★			★	CUS	★			★	CUS
Idaho	★			★	MAS	★			★	MAS
Illinois		PAR		★	ROB		PAR		★	ROB
Indiana		PAR		★	JEF		PAR		★	JEF
Iowa	★			★	MAS	★			★	MAS, ROB
Kansas		PRE		★	ROB		PRE		★	ROB
Kentucky		PRE		★	MAS		PRE		★	MAS
Louisiana	★			★	MAS	★			★	MAS
Maine	★			★	REE, MAS	★			★	REE, MAS
Maryland		(f)		★	MAS		(f)		★	MAS
Massachusetts	★		★			★		★		
Michigan	★			★	MAS	★			★	MAS
Minnesota	★			★	MAS		PRE		★	MAS
Mississippi	★			★	CAN, HIN		PRE		★	USH
Missouri		PRE		★	USS		PRE		★	DES
Montana		PRE		★	MAS		PRE		★	MAS
Nebraska	★		★					Unicameral		
Nevada	★			★	MAS	★			★	MAS
New Hampshire	★			★	MAS				★	MAS
New Jersey		PAR		★	ROB		PAR		★	ROB
New Mexico		(a)		★	MAS		(a)		★	MAS
New York		PRE		★	ROB		PAR		★	ROB
North Carolina	★			★	USH	★			★	USH
North Dakota		PRE		★	MAS		PRE		★	MAS
Ohio	★			★	MAS, HUG	★			★	HUG
Oklahoma		PRE		★	JEF	★			★	MAS
Oregon	★			★	MAS	★			★	MAS
Pennsylvania	★			★	MAS		PAR		★	JEF, MAS
Rhode Island		(g)		★	ROB		(h)		★	ROB
South Carolina	★			★	JEF	★			★	JEF
South Dakota		PRE		★	MAS		PRE		★	MAS
Tennessee	★			★	ROB	★			★	ROB
Texas		PAR		★	MAS		(i)		★	USH, HIN, CAN, MAS
Utah		PRE		★	ROB		PAR		★	ROB
Vermont	★			★	MAS	★			★	MAS
Virginia		PRE		★	JEF, USS		PRE		★	JEF, ROB
Washington	★			★	REE	★			★	REE
West Virginia		PRE		★	JEF, USH		(j)		★	JEF, USH
Wisconsin		PRE		★	(k)		PRE		★	JEF
Wyoming	★			★	MAS	★			★	MAS
American Samoa		(l)		★	MAS		(l)		★	MAS
Guam		(m)		★	MAS			Unicameral		
Puerto Rico		PRE	★				PRE	★		
Virgin Islands	★			★	ROB			Unicameral		

## Key:

MAS—Mason's Manual  
 ROB—Robert's Rules of Order  
 CUS—Cushing's Manual  
 HIN—Hind's Precedents  
 CAN—Cannon's Manual  
 REE—Reed's Manual  
 JEF—Jefferson's Manual  
 USH—Rules of the United States House of Representatives  
 USS—Rules of the United States Senate  
 HUG—Hughes American Parliamentary Guide (F. J. Heer Printing Co., Columbus, Ohio, 1929)  
 DES—Descher's Procedure  
 PRE—Presiding officer of the body  
 PAR—Official parliamentarian  
 (a) Member of chamber.

(b) Constitution, statutes, House Rules, judicial decision, Mason's Manual, Rules of the U.S. House of Representatives, and Jefferson's Manual, in that order.

(c) Constitution, statutes, House and Senate Rules, Joint Rules, and Mason's Manual.

(d) Assistant secretary of the senate.

(e) No designated manual. Governed by rules "usually governing legislative bodies."

(f) Unofficially, director of the Department of Legislative Reference.

(g) Assistant secretary of state for law revision.

(h) Reading clerk.

(i) Executive director of the Legislative Council.

(j) Assistant clerk of the house.

(k) All published sources of parliamentary law.

(l) Unofficially, the Legislative Counsel.

(m) Legal counsel.

# LEGISLATIVE APPLICATIONS OF ELECTRONIC DATA PROCESSING

State or other jurisdiction	Statutory, bill systems, legal applications								Fiscal, budget, economic applications								Legislative management						
	Statutory retrieval	Bill drafting (preparation)	Bill typing	Bill status reporting	Statutory revision	Case law retrieval	Reapportionment & re-districting	Other	Revenue forecasting	Revenue analysis	Budget comparison	Effects of legis. amend. on budget	Fiscal note on bills	Local fiscal note	Economic impact note	Impact of salary & fringe changes	State aid formulas	Tracking federal dollars	Other	Computer-assisted printing	Legislative accounting	Mailing lists	Other
Alabama				*					*				*							*	*		
Alaska	*	*	*	*					*		*	*	*					*		*	*		
Arizona			*										*							*	*		
Arkansas																							
California	•	*	*	•	•	•						*								*	*	*	
Colorado	*	*	*	*	*	*			*											*			
Connecticut	*	*	*	*	*				*	*	*	*								*			(a)
Delaware										*	*	*	*							*	*	*	
Florida	*	*	*	*	*		*	(b)		*	*	*	*			*	*			*	*	*	
Georgia	*	*	*	*	*		*														*		
Hawaii				*				(c)											(d)			*	
Idaho	*	*	*									*	*									*	
Illinois	*	*	*	*	*					*	*	*	*	*	*		*			*	*	*	
Indiana	*	*	*	*	*		*		*	*	*	*	*	*	*	*	*	*		*	*	*	
Iowa	*	*	*	*	*	*	*		*	*	*	*	*	*	*	*	*	*		*	*	*	
Kansas	*	*	*	*	*															*		*	
Kentucky	*	*	*	*	*	*	*													*	*	*	
Louisiana				*			*		*	*										*	*	*	
Maine	*			*																*	*	*	
Maryland	*	*	*	*	*				*		*	*				*	*	*		*	*	*	
Massachusetts	*			*					*						*		*	*		*			
Michigan	•								*	*	*				*		*	*	(h)(i)	*	*		
Minnesota	*	*	*	*	*					*	*						*	*		*	*		
Mississippi	*																	*					
Missouri				*																			

★—Actual application  
●—Planned application  
...—No application

(b) Lobbyist registration, law book distribution appropriations, calendar preparation, audit reports.

reports.

(c) Bill index.

(d) Budget preparation.

(e) Photo composition.

(f) In use for attorney general.

(g) Camera-ready copy from high-speed printing.

(h) Higher education/community college budget requests.

(i) Payroll only.

(i) Appropriations (experimental).

(k) Status of bill in committee.

(l) Inventory control.

(m) Bill registry—tracking method for bills being drafted.

(n) Act name file (word searching); statute chronology session history publication; senate congratulatory resolutions.

(o) Present election results and survey tabulations.

(p) Data files include federal and state constitutions, attorney general opinions, supreme court reports.

(q) Text processing for interim committee agencies.

(r) Public opinion questionnaire analysis.

## STAFF FOR INDIVIDUAL LEGISLATORS

State or other jurisdiction	Senate				House			
	Capitol				Capitol			
	Shared				Shared			
	Personal	Number(a)	Pool	District	Personal	Number(a)	Pool	District
Alabama	...	...	SO	...	...	...	...	...
Alaska	YR(b)	...	...	YR(b)	YR(b)	...	...	YR(b)
Arizona	YR	5	...	...	...	YR 6-8	...	...
Arkansas	...	...	SO	IO(b)	...	...	SO	IO(b)
California	YR	...	...	YR	YR	...	...	YR
Colorado	...	...	SO	(c)	...	...	SO	(c)
Connecticut	...	...	SO	...	...	...	SO	...
Delaware	...	...	...	...	...	...	...	...
Florida	YR	...	...	YR(b)	YR	...	...	YR(b)
Georgia	...	...	YR	...	...	...	YR	...
Hawaii	SO(d)	YR(d)	...	...	SO(d)	YR(d)	...	...
Idaho	...	...	...	...	...	...	...	...
Illinois	...	SO 1-2	...	YR(b)	...	SO 2-3	...	YR
Indiana	...	...	SO	...	...	...	SO	...
Iowa	SO	...	...	...	SO	...	...	...
Kansas	SO	...	SO	...	...	SO 1-3	SO	...
Kentucky	...	...	...	...	...	...	...	...
Louisiana	SO(e)	...	...	YR(e)	SO(e)	...	...	YR(e)
Maine	...	...	SO	...	...	...	SO	...
Maryland	YR(b)	SO 3	...	YR(b)	SO, YR(b)	...	...	YR(b)
Massachusetts	YR	...	...	...	YR	...	...	...
Michigan	YR	...	...	...	YR	...	...	...
Minnesota	YR	YR 2	SO	...	YR	YR 3	...	...
Mississippi	...	...	YR	...	...	...	YR	...
Missouri	YR	...	...	YR	SO	...	IO	...
Montana	...	...	SO	...	...	...	SO	...
Nebraska	YR	...	...	...	Unicameral			...
Nevada	...	...	SO	...	...	...	SO	...
New Hampshire	...	...	SO	...	...	...	YR	...
New Jersey	YR(b)	...	...	YR(b)	YR(b)	...	...	YR(b)
New Mexico	...	SO 2-10	...	...	...	SO 2-10	...	...
New York	YR, SO(b)	...	...	YR(b)	YR(b)	...	...	YR(b)
North Carolina	SO	...	...	...	SO	...	...	...
North Dakota	...	...	SO	...	...	...	SO	...
Ohio	YR	...	...	...	YR	...	...	...
Oklahoma	SO	...	...	...	SO	...	...	...
Oregon	SO	...	...	...	SO	...	...	...
Pennsylvania	YR	...	...	YR	...	YR 2	...	...
Rhode Island	...	...	SO	...	...	...	SO	...
South Carolina	...	...	...	...	...	...	SO	...
South Dakota	...	...	...	...	...	...	...	...
Tennessee	...	SO 2-3	SO	...	...	SO 2-4	SO	...
Texas	YR(b)	...	SO	YR(b)	YR(b)	...	...	YR(b)
Utah	...	SO 4-5	YR	...	...	SO 7	YR	...
Vermont	...	...	YR	...	...	...	YR	...
Virginia	YR(b)	SO 2	...	YR(b)	YR(b)	SO 3	...	YR(b)
Washington	SO	...	...	...	SO	...	...	...
West Virginia	...	...	SO	...	...	...	SO	...
Wisconsin	YR	...	...	YR(b)	...	YR 2	...	...
Wyoming	...	...	SO	...	...	...	SO	...
American Samoa	...	...	SO	...	...	...	SO	...
Guam	YR	...	...	...	Unicameral			...
Puerto Rico	YR	...	...	...	YR	...	...	...
Virgin Islands	SO	...	...	...	Unicameral			...

## Key:

YR—Year round

SO—Session only

IO—Interim only

(a) Number of legislators per staff assistant.

(b) Staff is provided by the legislator through an expense allotment given for this purpose. All other staff is hired directly by the legislature.

New Jersey: The same staff assistants are used in district offices and in the capitol on legislative days.

(c) Offered on limited pool basis during interim.

(d) Varies. Hawaii: during interim, each legislator is allowed staff assistance for not more than 20 hours a week.

(e) District legislative assistants are often used at the capitol during the session, and in the district the rest of the year. In some cases this is not the same person.

## STAFF FOR LEGISLATIVE STANDING COMMITTEES

State or other jurisdiction	Committees receiving staff assistance				Organizational source of staff services†									
	Professional		Secretarial/ clerical		Joint central agency(a)		Chamber agency(b)		Caucus or leadership		Committee or committee chairman			
	Senate	House	Senate	House	Prof.	Clerk	Prof.	Clerk	Prof.	Clerk	Prof.	Clerk	Prof.	Clerk
Alabama	(c)	(c)	*	*	B	...	...	...	...	...	B	B	B	B
Alaska	*	*	*	*	B	...	B	...	B	...	B	B	B	B
Arizona	*	*	*	*	B(d)	...	S	...	H	...	H	...	H	...
Arkansas	*	*	*	*	B	B	B	...	B	...	...	...	...	...
California	*	*	*	*	...	...	B	B	...	...	...	...	...	...
Colorado	*	*	...	...	B	...	...	...	...	...	...	...	...	...
Connecticut	*(e)	*(e)	*(e)	*(e)	(e)	...	...	...	(e)	...	...	...	...	...
Delaware	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Florida	*	*	*	*	...	...	...	...	...	...	B	B	B	B
Georgia	*	*	*(f)	*(f)	B	...	...	...	...	...	B	...	...	...
Hawaii	(g)	(g)	*	*	...	...	...	...	B	B	B	B	B	B
Idaho	(c)	(c)	*	*	B	...	...	...	...	...	...	...	B	...
Illinois	*	*	*	*	...	...	...	...	B	B	...	...	...	...
Indiana	*	*	*	...	B	...	...	...	...	S	...	...	...	...
Iowa	*	*	*	*	B	...	...	B(h)	B	...	...	...	B(h)	...
Kansas	*	*	*	*	B	B	...	...	...	...	...	...	...	...
Kentucky	*	*	*	*	B	B	...	...	...	...	...	...	...	...
Louisiana	*	*	*	*	B	B	...	B	...	...	B(i)	B(i)	B(i)	B(i)
Maine	*(e)	*(e)	*(e)	*(e)	L	...	...	...	...	...	...	...	B	...
Maryland	*	*	*	*	B	...	...	...	...	...	...	...	B	...
Massachusetts	*(e)	*(e)	*(e)	*(e)	(e)	(e)	...	...	...	...	(c,j)	(c,j)	(c,j)	(c,j)
Michigan	*	*	*	*	...	...	...	H	B	...	B	S	B	S
Minnesota	*	*	*	*	...	...	...	...	...	...	...	...	B	B
Mississippi	*	*	*	*	B	B	...	...	...	...	...	...	...	...
Missouri	(c)	(c,k)	*	*	...	...	...	...	B	B	...	...	...	...
Montana	*	*	*	*	B	B	...	...	...	...	...	...	B	...
Nebraska	*	U	*	U	...	...	L	L	...	...	L	L	L	L
Nevada	(c)	(c)	*	*	B	...	...	B	...	...	...	...	...	...
New Hampshire	*	*	*(f)	*(f)	B	B	...	...	H	...	...	...	...	...
New Jersey	*	*	*	*	B	B	...	...	...	...	...	...	...	...
New Mexico	*	*	*	*	B	...	...	B	...	...	...	...	...	...
New York	*	*	*	*	B	B	B	B	B	B	B	B	B	B
North Carolina	*	*	*	*	B	...	...	B	...	...	...	...	...	...
North Dakota	(c)	(c)	*	*	B	...	...	B	...	...	...	...	...	...
Ohio	*	*	*	*	B	...	...	...	B	B	...	...	...	...
Oklahoma	*	*	*	*	B	...	...	B	...	...	...	...	B	B
Oregon	*	*	*	*	...	...	...	...	...	...	...	...	B	B
Pennsylvania	*	*	*	*	...	...	H	H	...	...	S	S	S	S
Rhode Island	*	*	*	*	...	...	...	...	...	...	B	B	B	B
South Carolina	*	*	*	*	...	...	...	...	H	H	S	S	S	S
South Dakota	*	*	*	*	B	...	...	...	...	B	...	...	...	...
Tennessee	*	*	*	*	B	...	...	...	...	...	S	B	B	B
Texas	*	*	*	*	B	B	...	B(f)	...	...	B	B	B	B
Utah	*	*	*	*	B	...	...	...	...	B	...	...	...	...
Vermont	*	*	*	*	B	B	...	...	...	...	...	...	...	...
Virginia	*	*	*	*	B	...	...	B	...	...	...	...	...	...
Washington	*	*	*	*	...	...	B	B	...	...	B	...	...	...
West Virginia	*	*	*	*	B	...	...	B	...	...	...	...	...	...
Wisconsin	*	*	*	*	B	...	B	...	...	...	B	B	B	B
Wyoming	*(f)	*(f)	*	*	B	...	...	B	...	...	...	...	...	...
American Samoa	*	*	...	...	B	...	...	...	...	...	...	...	...	...
Guam	*	U	*	U	L	L	...	...	...	...	L	L	L	L
Puerto Rico	*	*	*	*	B	...	...	...	...	...	B	L	L	L

† Multiple entries reflect a combination of organizational location of services.

Key:

H—House  
S—Senate  
B—Both chambers  
L—Legislature  
U—Unicameral  
\*—All committees  
•—Some committees  
...—None.

(a) Includes legislative council or service agency, central management agency.

(b) Includes chamber management agency, office of clerk or secretary and house or senate research office.

(c) Financial Committee(s) only.

(d) The Joint Budget Committee provides staff assistance to both appropriations committees.

(e) Standing committees are joint house and senate committees.

(f) Provided on a pool basis.

(g) All professional committee staff (except Finance Committee) in session only.

(h) The senate secretary and house clerk maintain supervision of committee clerks. During the session each committee selects its own clerk.

(i) Some committees are provided additional funding for special studies for the purpose of hiring expanded staff.

(j) Rules Committee(s) only.

(k) Judicial Committee only.

## OFFICE SPACE FOR STATE LEGISLATORS: SENATE

State or other jurisdiction	Private offices			Shared offices
	All legislators	Some legislators		
Alabama .....	...	Pres., Pres. Pro Tem., Flr. Ldrs., Cmte. Chmn.	★	
Alaska .....	★	...	...	
Arizona .....	★	...	...	
Arkansas .....	...	★(a)	★(a)	
California .....	★	...	...	
Colorado .....	...	Pres., Flr. Ldrs.	★	
Connecticut .....	...	Pres., Pres. Pro Tem., Maj. Ldr., Dep. Maj. Ldr., Min. Ldr.	Asst. Maj. Ldrs., Chief Dep. Min. Ldr., Dep. Min. Ldr., Asst. Min. Ldrs.	
Delaware .....	★	...	...	
Florida .....	★	...	...	
Georgia .....	...	Pres., Pres. Pro Tem., Maj. & Min. Ldrs., Admin. Flr. Ldr.	★	
Hawaii .....	★	...	...	
Idaho .....	...	Pres., Pres. Pro Tem., Maj. & Min. Ldrs., Finance Cmte. Chmn.	...	
Illinois .....	★	...	...	
Indiana .....	...	Pres., Pres. Pro Tem., Finance Cmte. Chmn.	★	
Iowa .....	...	Pres., Pres. Pro Tem., Flr. Ldrs., Asst. Flr. Ldrs., Cmte. Chmn.	...	
Kansas .....	...	Pres., V-Pres., Maj. & Min. Ldrs., Ways & Means Chmn.	★	
Kentucky .....	...	Pres., Pres. Pro Tem., Asst. Pres. Pro Tem., Flr. Ldrs., Caucus Chmn., Whips	Cmte. Chmn.	
Louisiana .....	★	...	...	
Maine .....	...	Pres., Flr. Ldrs., Cmte. Chmn.	...	
Maryland .....	★	...	...	
Massachusetts .....	...	Pres., Flr. Ldrs.	★	
Michigan .....	★	...	...	
Minnesota .....	★	...	...	
Mississippi .....	...	Pres., Pres. Pro Tem., some Cmte. Chmn.	...	
Missouri .....	★	...	...	
Montana .....	...	Pres., Flr. Ldrs., Finance & Claims Chmn.	...	
Nebraska .....	★	...	...	
Nevada .....	★	...	...	
New Hampshire .....	...	Pres., Flr. Ldrs., some Cmte. Chmn.	...	
New Jersey .....	...	Pres.	Maj. & Min. Ldrs., Asst. Maj. Ldr.	
New Mexico .....	...	Pres., Pres. Pro Tem., Flr. Ldrs., some Cmte. Chmn.	★	
New York .....	★	...	...	
North Carolina .....	★	...	...	
North Dakota .....	...	Pres., Flr. Ldrs.	...	
Ohio .....	★	...	...	
Oklahoma .....	★	...	...	
Oregon .....	★	...	...	
Pennsylvania .....	★	...	...	
Rhode Island .....	...	Maj. Ldr., Min. Ldr., Maj. Whip, Cmte. Chmn.	...	
South Carolina .....	...	Pres., Pres. Pro Tem., Cmte. Chmn.	...	
South Dakota .....	...	Pres., Pres. Pro Tem., Maj. & Min. Ldrs.	...	
Tennessee .....	★	...	...	
Texas .....	★	...	...	
Utah .....	...	Pres., Maj. & Min. Ldrs., Rules Chmn.	...	
Vermont .....	...	Pres.	...	
Virginia .....	★	...	...	
Washington .....	★	...	...	
West Virginia .....	...	Pres., Maj. & Min. Ldrs., some Cmte. Chmn.	...	
Wisconsin .....	★	...	...	
Wyoming .....	...	Pres., Maj. & Min. Ldrs.	...	
American Samoa .....	★	...	...	
Guam .....	★	...	...	
Puerto Rico .....	★	...	...	

(a) Five senators are awarded private offices based on their seniority in the senate. The remaining 30 senators share 2-man offices.

## OFFICE SPACE FOR STATE LEGISLATORS: HOUSE

State or other jurisdiction	Private offices		Shared offices
	All legislators	Some legislators	
Alabama .....	...	Spkr., Spkr. Pro Tem., Flr. Ldrs., Cmte. Chmn.	★
Alaska .....	...	Spkr., Flr. Ldrs., Cmte. Chmn.	★(a)
Arizona .....	★	...	...
Arkansas .....	...	Spkr.	...
California .....	★	...	...
Colorado .....	...	Spkr.	★
Connecticut .....	...	Spkr., Depy. Spkr., Maj. Ldr., Depy. Maj. Ldr., Min. Ldr.	Asst. Maj. Ldrs., Asst. Min. Ldrs.
Delaware .....	...	Spkr.	★
Florida .....	★	...	...
Georgia .....	...	Spkr., Spkr. Pro Tem., Maj. & Min. Ldrs., Admin. Flr. Ldr.	...
Hawaii .....	★	...	...
Idaho .....	...	Spkr., Maj. & Min. Ldrs., Appropriations Cmte. Chmn.	...
Illinois .....	★	...	...
Indiana .....	...	Spkr., Spkr. Pro Tem., Flr. Ldrs., Ways & Means Cmte. Chmn.	...
Iowa .....	...	Spkr., Spkr. Pro Tem., Flr. Ldrs., Asst. Flr. Ldrs., Cmte. Chmn.	...
Kansas .....	...	Spkr., Spkr. Pro Tem., Maj. & Min. Flr. Ldrs., Ways & Means Cmte. Chmn.	★
Kentucky .....	...	Spkr., Spkr. Pro Tem., Flr. Ldrs., Caucus Chmn., Whips	Cmte. Chmn.
Louisiana .....	...	Spkr., Budget Cmte. Chmn., Leg. Council Chmn., Standing Cmte. Chmn.	...
Maine .....	...	Spkr., Flr. Ldrs., Cmte. Chmn.	...
Maryland .....	★	...	...
Massachusetts .....	...	Spkr., Flr. Ldrs.	★
Michigan .....	★	...	...
Minnesota .....	★	...	...
Mississippi .....	...	Spkr., some Cmte. Chmn.	...
Missouri .....	...	Spkr., Spkr. Pro Tem.	★
Montana .....	...	Spkr., Flr. Ldrs., Appropriations Chmn.	...
Nebraska .....	...	Unicameral legislature	...
Nevada .....	★	...	...
New Hampshire .....	...	Spkr., Flr. Ldrs., some Cmte. Chmn.	...
New Jersey .....	...	Spkr.	Maj. & Min. Ldrs., Asst. Maj. & Min. Ldrs.
New Mexico .....	...	Spkr., Flr. Ldrs., some Cmte. Chmn.	★
New York .....	★	...	...
North Carolina .....	★	...	...
North Dakota .....	...	Spkr., Flr. Ldrs.	...
Ohio .....	★	...	...
Oklahoma .....	...	Spkr., Spkr. Pro Tem., Flr. Ldrs., major Cmte. Chmn.	★
Oregon .....	★	...	...
Pennsylvania .....	...	Spkr., Ldrs., Cmte. Chmn.	★
Rhode Island .....	...	Spkr., Maj. & Min. Ldrs., Cmte. Chmn.	Dep. Maj. Ldrs.
South Carolina .....	...	Spkr., Spkr. Pro Tem., Spkr. Emeritus, major Cmte. Chmn.	...
South Dakota .....	...	Spkr., Spkr. Pro Tem., Maj. & Min. Ldrs., Cmte. Chmn.	...
Tennessee .....	★	...	...
Texas .....	★	...	...
Utah .....	...	Spkr., Flr. Ldrs.	...
Vermont .....	...	Spkr., Maj. & Min. Ldrs.	...
Virginia .....	★	...	...
Washington .....	★	...	...
West Virginia .....	...	Spkr., Maj. & Min. Ldrs., some Cmte. Chmn.	...
Wisconsin .....	...	Spkr., Ldrs., Cmte. Chmn.	★
Wyoming .....	...	Spkr., Spkr. Pro Tem., Maj. & Min. Ldrs.	...
American Samoa .....	★	...	...
Guam .....	...	Unicameral legislature	...
Puerto Rico .....	★	...	...

(a) Most have private offices, but a few share. Offices are allocated by Rules Committee action.



## LEGISLATIVE INTERNSHIP PROGRAMS

State	Admin- istrator	Eligible participants	Length of internship	Number of interns	Salary	Interns assigned	
						To whom	By whom
Alabama .....	...	...	...	...	...	...	...
Alaska .....	...	...	...	...	...	...	...
Arizona .....	L/U	Undergraduates & graduates: all disciplines; Law	1 semester	37	★	Bipartisan, in-house staffs; legislative leaders; cmtes.; legislators	Intern coordinators
Arkansas .....	...	...	...	...	...	...	...
California .....	L	Graduates (full time) & undergraduates (part-time)	9 mos. full time 6 mos. (part time)	16	★	Full time: standing cmtes. Part time: legislators	Coordinator from staff of Rules Cmte.
Colorado .....	U	Undergraduates & graduates	Varies. Depends on agreement between instructor, legislator, & intern	72	...	Interested legislators	Intern coordinators
Connecticut .....	L/U	Graduates & undergraduates: 15 academic areas	1 semester Full time: 35 hrs./wk. Part time: 6-20 hrs./wk.	29-34	★	Legislative cmtes. & agencies; legislators	Intern coordinator
Delaware .....	L/U	Graduates; Law	1 year	26	★	Legislative leaders; cmtes.	Legislative staff; Internship cmte.
Florida .....	L/U	Upperclassmen & graduates: social sciences; Law	1 quarter (full time)	30	★	Cmtes.	Member from house, senate & faculty advisor
Georgia .....	L/U	Upperclassmen & graduates: social sciences; Law	1 quarter (full time)	30	★	Cmtes.	Member from house, senate & faculty advisor
Hawaii .....	L/U	Undergraduates: unrestricted	1 semester	12	★	Legislative leaders; standing cmtes.; legislators	Leadership
Idaho .....	L/U	Undergraduates: unrestricted	1 session	20	...	Legislative leaders; standing cmtes.; legislators	Legislative Intern Cmte.
Illinois .....	L/U	Graduates: unrestricted	9½ mos.	18	★	Legislative leadership; standing cmtes.; legislative commissions	Legislative Council
Indiana .....	L/U	Undergraduates & graduates: 11 academic areas	1 session	12-14	★	Legislative leadership; legislators	Senate administrative assistant; university professor
Iowa .....	L/U	Undergraduates & graduates; 11 academic areas; Law	Varies	60	...	Legislative leadership; legislators; legal counsel	Joint Intern Cmte.
Kansas .....	U	Political science; Law	1 semester: 6-20 hrs./wk.	Varies	...	Legislative leadership; standing cmtes; legislators	Academic advisors
Kentucky .....	L/U	Undergraduates; unrestricted	1 semester	20	★	Cmtes.	Director, Legislative Research Comm.
Louisiana .....	...	...	...	...	...	...	...
Maine .....	...	...	...	...	...	...	...
Maryland .....	L/U	Undergraduates & graduates: primarily social science areas	1 session: 20-25 hrs./wk.	125	★	Cmtes; legislators	Academic advisor; intern coordinator
Massachusetts .....	L/U	High school (volunteers); Undergraduates & graduates; High school teachers	8 wks. to 2 semesters	30-200	★	All legislative areas	Director, Intern Program
Michigan .....	(a)	Undergraduates & graduates: all academic areas	1 quarter-1 semester	Varies	...	Interested legislators	Coordinator, Intern Program
Minnesota .....	A	High school & undergraduates	Varies	Varies	...	Legislators; staff offices	Individual arrangements
Mississippi .....	L/U	Upperclassmen: government, law & political science	1 semester	1-10	(b)	Legislative leaders; legislators	Mutual selection
Missouri .....	L/U	Undergraduates & graduates: all academic areas	1 semester: 6-20 hrs./wk.	100	...	Legislative leaders; legislators	Cmte. of 3 legislators or mutual selection

Montana	L/U	Upperclassmen: all academic areas	10 weeks	11	*	Primarily legislators	Legislative Council
Nebraska	L(c)	Undergraduates & graduates	1 session	8	*	Cmtes.	Dir. of Research, Legislative Council
Nevada	L/U	Undergraduates & graduates: business, journalism, history & political science	1 semester	40	...	Legislators; Research Division	University chairperson; director, Intern Program
New Hampshire	L/U	Upperclassmen & graduates: business, political science & public administration; Law	1 session	17	...	All legislative areas except legislative commissions	Office of Legislative Services
New Jersey	L/U	Graduates	Varies	Varies	...	Partisan staff; legislative services agencies	Individual arrangements
New Mexico	...	...	...	...	...	...	...
New York	L/U	Undergraduates; graduate students: all disciplines (d)	2 mos. to 1 yr.	375+	*(e)	Legislative leaders; cmtes.; various research & fiscal staffs	Assembly Internship Cmte., Senate Student Programs Office
North Carolina	L/U	Upperclassmen: social sciences	1 session	10	*	Legislative leaders; cmtes.; non- and bi-partisan staffs	Supervisor of Interns
North Dakota	L/U	Graduates: agriculture, economics & government-related areas; Law	1 session	18	*	Legislative leaders; cmtes.	Self-selection
Ohio	L	Graduates: 16 academic areas	13 mos.	16	*	Party caucuses for reassignment to legislators; cmte. chmn.	Legislative Service Commission
Oklahoma	...	...	...	...	...	...	...
Oregon	L/U	High school; Undergraduates: 10 academic areas	1 semester	24-36	...	All legislative areas	Academic and legislative staff
Pennsylvania	...	...	...	...	...	...	...
Rhode Island	L/U	High school; Upperclassmen & graduates: all academic areas	1 semester; 6-20 hrs./wk.	60+	*	Legislative leaders; cmtes.; commissions; legislators; judges; administrators; governor	Administrative Assistant on Govt. Internships
South Carolina	L	High school; Undergraduates & graduates: all academic areas	N.A.	90-100	N.A.	N.A.	N.A.
South Dakota	L/U	Undergraduates	1 semester	20	*	Legislative leadership; standing cmtes.	Caucus leadership and director, Legislative Cmte.
Tennessee	L/U	Upperclassmen & graduates: 17 academic areas; Law	Approx. 1 wk. before session to 2 wks. after session	19	*	Legislative leaders; cmtes.	
Texas	L/U	Graduates: 6 academic areas	1 semester-1 yr.; 6-40 hrs./wk.	10	*	Legislative leaders; cmtes.	Academic advisor; legislative admin. head
Utah	L/U	Upperclassmen & graduates: all academic areas; Law	3 mos. and session	30-50	*(f)	All legislative areas except non- or bipartisan staffs	Director; leadership
Vermont	L/U	Undergraduates: history & government	1 session	N.A.	...	Legislative Council; cmtes.; Legislative Commission	Legislative Council
Virginia	...	...	...	...	...	...	...
Washington	L/U	Upperclassmen: political science	1 quarter-1 semester	70	*	Legislators; cmtes.	Intern coordinators: senate secretary, house chief clerk
West Virginia	L/U	Upperclassmen: journalism; Graduates: political science; Law students	1 semester; 3 mos.	13	*	Legislative Office of Public Information; Legislative Services & Cmtes.	Legislative Office of Public Information; Legislative Services
Wisconsin	L	Graduates at U. of Wis.: science & engineering	1 yr.	1-3	*	Legislative Council staff	executive secretary, Legislative Council
Wyoming	...	...	...	...	...	...	...

## Key:

L—Legislature

U—University

A—Academic

N.A.—Not available

(a) State Department of Civil Service.

(b) Law students expenses only.

(c) Legislative Council.

(d) The New York Assembly and Senate each operate four separate internship programs which have been summarized in this table.

(e) Undergraduate interns receive no pay.

(f) Paid to 6 interns only.

# SELECTED SERVICES OFFERED BY PRINCIPAL LEGISLATIVE STAFF OFFICES\*

<i>State or other jurisdiction and staff office or organizational entity</i>	<i>Legisla- tive refer- ence library facilities</i>	<i>Bill draft- ing</i>	<i>Statute &amp; code revision</i>	<i>Bill analysis &amp; legal research</i>	<i>Council to legisla- ture</i>	<i>Adminis- trative manage- ment</i>	<i>Fiscal review &amp; analysis</i>	<i>Post audit</i>	<i>Re- search &amp;/or policy analysis</i>	<i>Com- mit- tee staffing</i>	<i>Legis- lative elec- tronic data pro- cessing</i>	<i>Public in- forma- tion</i>
<b>Alabama</b>												
Legislative Council .....	...	...	...	...	...	★	...	...	...	...	...	...
Legislative Reference Service .....	★	★	★	●	●	...	...	...	★	★	★	★
Alabama Law Institute .....	...	...	★	●	...	...	...	...	★	...	...	...
Legislative Committee on Public Accounts Dept. of Examiners of Public Accounts .....	...	...	...	...	...	...	...	★	●	...	...	...
Joint Fiscal Committee Legislative Fiscal Office .....	...	...	...	...	...	...	★	...	★	...	...	...
Senate Secretary .....	...	...	...	...	...	★	...	...	...	...	...	★
House Clerk .....	...	...	...	...	...	★	...	...	...	...	...	★
<b>Alaska</b>												
Legislative Council Legislative Affairs Agency .....	★	★	★	★	★	★	...	...	★	★	★	★
Legislative Budget & Audit Committee Div. of Legislative Audit .....	...	...	...	...	...	...	...	★	...	...	...	...
Div. of Legislative Finance .....	...	●	...	★	...	...	★	...	★	★	★	...
<b>Arizona</b>												
Legislative Council .....	★	★	★	★	...	...	...	...	★	●	...	...
Joint Legislative Budget Committee .....	★	●	●	...	...	...	★	●	●	●	...	●
Auditor General .....	...	...	...	...	...	...	...	★	...	...	...	...
Library, Archives, & Public Records Div. ....	★	...	...	...	...	...	...	...	★	...	...	...
Senate Research Staff .....	●	●	...	★	★	●	●	...	★	★	...	★
House Research Staff .....	●	●	...	★	★	●	★	●	★	★	...	●
<b>Arkansas</b>												
Legislative Council Bureau of Legislative Research .....	★	★	...	★	★	...	★	...	★	★	...	...
Legislative Joint Auditing Committee Div. of Legislative Audit .....	...	...	...	...	...	...	...	★	...	...	...	...
Senate Public Information Office .....	...	...	...	...	...	...	...	...	...	...	...	★
House Legislative Information Office .....	...	...	...	...	...	...	...	...	...	...	...	★
<b>California</b>												
Legislative Counsel Bureau .....	...	★	★	★	★	...	...	...	...	...	★	...
Administrative-Legislative Service, State Library .....	★	...	...	...	...	...	...	...	...	...	...	...
Law Revision Commission .....	...	...	●	...	...	...	...	...	★	...	...	...
Joint Legislative Budget Committee Office of Legislative Analyst .....	★	...	...	...	...	...	★	★	★	...	...	...
Joint Legislative Audit Committee Office of Auditor General .....	...	...	...	...	...	...	...	★	...	...	...	...
Joint Rules Committee Chief Administrative Officer .....	...	...	...	...	...	★	...	...	...	...	★	...
Senate Rules Committee .....	...	...	...	...	...	★	...	...	...	...	...	...
Senate Office of Research .....	...	...	...	...	...	...	...	...	★	★	★	★
Assembly Rules Committee .....	...	...	...	...	...	★	...	...	...	★	★	★
Chief Administrative Office .....	...	...	...	...	...	★	...	...	...	...	...	...
Assembly Office of Research .....	★	...	...	...	...	...	...	...	★	...	...	...
Assembly Ways & Means Committee .....	...	...	...	...	...	...	★	★	...	...	...	...
<b>Colorado</b>												
Legislative Council .....	★	...	...	...	...	★	...	...	★	★	...	★
Committee on Legal Services Office of Revisor of Statutes .....	...	...	★	★	★	...	...	...	...	...	...	★
Legislative Drafting Office .....	...	★	...	★	★	...	...	...	...	...	★	...

**Colorado (Continued)**

Joint Budget Committee .....	...	...	...	...	...	...	★	...	...	★	...	...
Legislative Audit Committee .....	...	...	...	...	...	...	...	★	...	...	...	...
Senate Secretary .....	...	...	...	...	...	...	★	...	...	...	...	★
House Clerk .....	...	...	...	...	...	...	...	...	...	...	...	★

**Connecticut**

Joint Committee on Legislative Mgt. ....	...	...	...	...	...	...	★	...	...	...	★	...
Office of Fiscal Analysis .....	...	...	...	...	...	...	★	...	...	...	★	...
Office of Legislative Research .....	●	...	...	★	...	...	...	...	★	...	★	...
Office of Legislative Program Review & Investigations .....	...	...	...	...	...	...	...	...	★	...	...	...
Legislative Commissioners' Office .....	●	★	★	★	★	...	...	...	●	★	●	●
Auditors of Public Accounts .....	...	...	...	...	...	...	...	...	★	...	...	...
Law and Legislative Reference Unit, State Library .....	★	...	...	...	...	...	...	...	...	...	●	●
Senate Chamber & Caucus Staff .....	...	...	...	...	...	...	...	...	...	...	...	★
House Chamber & Caucus Staff .....	...	...	...	...	...	...	...	...	...	...	...	★

**Delaware**

Legislative Council .....	★	★	...	●	●	★	★	...	★	★	...	★
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**Florida**

Joint Legislative Mgt. Committee .....	★	...	★	...	...	★	...	...	...	...	★	●
Joint Legislative Auditing Committee .....	...	...	...	...	...	...	...	...	...	...	...	...
Office of Auditor General .....	...	...	...	...	...	...	...	★	...	...	...	...
Joint Administrative Procedures Committee .....	...	...	●	...	...	...	...	...	★	...	...	...
Senate President's Office .....	...	...	...	★	...	★	★	★	★	★	...	★
Senate Legislative Services & Information Office .....	...	★	...	★	★	●	...	...	●	...	...	★
House Speaker's Office .....	...	...	...	...	...	...	...	...	...	...	...	★
House Bill Drafting Services .....	...	★	...	★	...	...	...	...	●	...	★	...

**Georgia**

Legislative Services Committee .....	...	...	...	...	...	...	...	...	...	...	...	...
Office of Legislative Counsel .....	★	★	★	★	★	...	...	...	★	★	★	...
Legislative Fiscal Office .....	...	...	...	...	...	★	...	...	...	...	...	...
Legislative Budget Analyst .....	...	...	...	...	...	...	★	...	...	...	...	...
Dept. of Audits & Accounts .....	...	...	...	...	...	...	...	★	...	...	...	...
State Library .....	★	...	...	...	...	...	...	...	★	...	...	...
Senate Secretary .....	...	...	...	...	...	...	...	...	...	...	★	...
Senate Research Staff .....	...	...	...	...	...	...	...	...	★	...	...	...
Senate Information Office .....	...	...	...	...	...	...	...	...	...	...	...	★
House Clerk .....	...	...	...	...	...	...	...	...	...	...	★	...
House Information Office .....	...	...	...	...	...	...	...	...	...	...	...	★

**Hawaii**

Office of Legislative Reference Bureau .....	★	★	★	●	...	...	...	...	●	...	●	●
Office of Legislative Auditor .....	...	●	...	●	...	...	●	★	●	●	...	...
Senate Chamber & Majority Staff .....	...	...	...	★	...	...	...	...	★	●	...	...
Senate Minority Research .....	...	●	...	★	...	...	...	...	★	●	...	...
House Research Office .....	...	...	...	★	...	...	...	...	★	●	...	...
House Minority Research .....	...	●	...	★	...	...	...	...	★	●	...	...

**Idaho**

Legislative Council .....	●	★	...	●	●	●	...	...	★	●	★	★
Joint Finance-Appropriations Committee .....	...	...	...	...	...	...	...	...	...	...	...	...
Legislative Auditor .....	...	...	...	...	...	...	...	...	★	...	...	...
Legislative Fiscal Officer .....	...	...	...	...	...	...	...	...	★	...	...	...

**Illinois**

Legislative Audit Commission .....	...	...	...	...	...	...	...	★	...	...	...	...
Office of Auditor General .....	...	...	...	...	...	...	...	★	...	...	...	...
Economic & Fiscal Commission .....	...	...	...	...	...	...	...	★	...	★	...	...
Legislative Council .....	●	...	...	●	●	...	...	...	...	★	●	●
Legislative Reference Bureau .....	★	★	★	★	...	...	...	...	...	...	●	...
State Library .....	★	...	...	...	...	...	...	...	...	●	...	...
Legislative Information System .....	...	...	...	●	●	...	...	...	...	...	★	★
Commission on Intergovernmental Cooperation .....	●	...	...	●	...	...	...	...	★	...	●	...
Senate Chamber & Majority Staff .....	...	...	...	★	★	★	★	...	★	★	...	★

# SELECTED SERVICES OFFERED BY PRINCIPAL LEGISLATIVE STAFF OFFICES\*—Continued

<i>State or other jurisdiction and staff office or organizational entity</i>	<i>Legisla- tive refer- ence library facilities</i>	<i>Bill draft- ing</i>	<i>Statute &amp; code revision</i>	<i>Bill analysis &amp; legal research</i>	<i>Council to legisla- ture</i>	<i>Adminis- trative manage- ment</i>	<i>Fiscal review &amp; analysis</i>	<i>Post audit</i>	<i>Re- search &amp; or policy analysis</i>	<i>Com- mit- tee staffing</i>	<i>Legis- lative elec- tronic data pro- cessing</i>	<i>Public in- forma- tion</i>
<b>Illinois (Continued)</b>												
Senate Minority Staff .....	...	...	...	★	★	•	★	...	★	★	...	★
House Chamber and Majority Staff .....	...	...	...	★	★	★	★	...	★	★	...	★
House Minority Staff .....	...	...	...	★	★	•	★	...	★	★	...	★
<b>Indiana</b>												
Legislative Council .....	...	★	★	★	★	★	★	★	★	★	★	•
Commission on State Tax & Financing Policy .....	...	...	...	...	...	...	★	...	★	...	...	...
Indiana State Library .....	★	...	...	...	...	...	...	...	...	...	...	...
Senate Chamber & Partisan Staff .....	...	...	...	...	...	★	...	...	...	...	...	★
House Chamber & Partisan Staff .....	...	...	...	...	...	...	...	...	...	...	...	...
<b>Iowa</b>												
Legislative Council												
Legislative Service Bureau .....	•	★	...	★	★	...	...	...	★	★	★	...
Legislative Fiscal Bureau .....	...	...	...	...	...	...	★	...	...	...	...	...
State Law Library .....	★	...	...	...	...	...	...	...	...	...	...	...
Office of Code Editor, Supreme Court .....	...	...	★	...	...	...	...	...	...	...	...	...
Senate Secretary .....	...	...	...	★	...	★	...	...	...	★	...	★
Senate Majority Staff .....	...	...	...	...	...	...	...	...	★	...	...	...
Senate Minority Staff .....	...	...	...	...	...	...	...	...	★	...	...	...
House Chief Clerk .....	...	...	...	★	...	★	...	...	...	★	...	...
Public Information Office .....	...	...	...	...	...	...	...	...	...	...	...	★
House Majority Staff .....	...	...	...	...	...	...	...	...	★	...	...	...
House Minority Staff .....	...	...	...	...	...	...	...	...	★	...	...	...
<b>Kansas</b>												
Legislative Coordinating Council												
Div. of Legislative Administrative Services .....	...	...	...	...	...	★	...	...	...	★	...	...
Legislative Research Dept. ....	...	...	...	★	...	...	★	...	★	★	...	...
Legislative Counsel .....	...	...	...	...	★	...	...	...	...	...	...	...
Revisor of Statutes .....	...	★	★	...	•	...	...	...	★	★	★	...
Legislative Post Audit Committee .....	...	...	...	...	...	...	...	★	...	...	...	...
State Library, Legislative Reference .....	★	...	...	...	...	...	...	...	...	...	...	★
<b>Kentucky</b>												
Legislative Research Commission .....	★	★	★	★	•	★	★	★	★	★	★	★
<b>Louisiana</b>												
Legislative Council .....	★	★	•	★	•	...	•	...	★	★	...	★
Office of Legislative Auditor .....	...	...	...	...	...	...	★	★	...	•	...	...
Legislative Controller's Office .....	...	...	...	...	...	★	...	...	...	...	...	...
Legislative Budget Committee .....	...	...	...	...	...	...	★	...	★	...	...	...
Legislative Fiscal Office .....	...	...	...	...	...	...	★	...	...	•	...	...
State Law Institute .....	...	•	★	★	★	...	...	...	•	...	...	...
Senate Secretary .....	...	...	...	...	...	...	...	...	...	...	★	★
House Clerk .....	...	...	...	...	...	...	...	...	...	...	★	★
<b>Maine</b>												
Legislative Council .....	...	...	...	...	...	★	...	...	...	...	...	...
Legislative Research Office .....	...	★	★	★	...	...	...	...	★	...	...	...
Legislative Information Office .....	...	...	...	...	...	...	...	...	...	...	★	★
Legislative Finance Office .....	...	...	...	...	...	...	...	...	...	...	...	...
Office of Legislative Assistants .....	...	...	...	...	...	...	...	...	...	★	...	...
Law & Legislative Reference Library .....	★	...	...	•	...	...	...	...	•	...	...	...
Dept. of Audit .....	...	...	...	...	...	...	...	★	...	...	...	...

<b>Maine (Continued)</b>													
Senate Secretary .....	...	...	...	...	...	...	...	...	...	...	...	...	★
House Clerk .....	...	...	...	...	...	...	...	...	...	...	...	...	★
<b>Maryland</b>													
Legislative Policy Committee .....	...	...	...	...	...	...	...	...	...	...	...	...	...
Dept. of Legislative Reference .....	★	★	★	★	...	...	...	...	★	★	★	★	★
Dept. of Fiscal Services .....	...	...	...	...	...	...	★	★	★	★	...	...	...
Office of Asst. to Senate Pres. & House Speaker .....	...	...	...	...	...	...	★	...	...	...	...	...	...
Legislative Studies Group .....	...	...	...	...	...	...	...	...	★	...	...	...	★
<b>Massachusetts</b>													
Legislative Service Bureau	...	...	...	...	...	...	...	...	...	...	...	...	...
Joint Committee Staff .....	...	★	...	★	...	★	...	...	...	★	★	...	★
Office of Legislative Data Processing .....	...	...	...	★	...	...	...	...	...	...	...	★	...
Legislative Bulletin .....	...	...	...	...	...	...	...	...	...	...	...	...	★
Science Resource Network .....	●	...	...	...	...	...	...	...	...	★	●	●	●
Legislative Research Council	...	...	...	...	...	...	...	...	...	...	...	...	...
Legislative Research Bureau .....	★	...	...	...	●	...	...	...	...	★	...	...	●
Legislative Reference Div., State Library .....	★	...	...	...	...	...	...	...	...	...	...	...	...
Joint Committee on Post Audit & Oversight	...	...	...	...	...	...	...	...	...	...	...	...	...
Legislative Post Audit & Oversight Bureau .....	...	●	...	...	...	...	●	★	●	...	...	...	●
Senate Clerk & Leadership Staff .....	...	...	...	...	...	...	...	...	...	...	...	★	★
Senate Counsel .....	...	★	★	★	★	...	...	...	...	...	...	...	...
Senate Committee Staff .....	...	...	...	...	...	★	★	...	●	★	...	...	...
House Clerk & Leadership Staff .....	...	...	...	...	...	...	...	...	...	...	...	★	★
House Counsel .....	...	★	★	...	★	...	...	...	...	...	...	...	...
House Committee Staff .....	...	...	...	...	...	★	★	...	●	★	...	...	...
<b>Michigan</b>													
Legislative Council	...	...	...	...	...	...	...	...	...	...	...	...	...
Legislative Service Bureau .....	★	★	...	...	...	★	...	...	★	...	...	★	...
Law Revision Commission .....	...	★	★	...	...	...	...	...	...	...	...	...	...
Joint Committee on Administrative Rules .....	...	...	...	★	...	...	...	...	...	★	...	...	...
Office of Auditor General .....	...	...	...	...	...	...	...	...	★	...	...	...	...
Consumer Council .....	...	...	...	...	...	...	...	...	...	★	...	...	★
Legislative Retirement .....	...	...	...	...	...	★	...	...	...	...	...	...	...
Legislative Corrections Ombudsman .....	...	...	...	...	...	...	...	...	...	★	...	...	...
Legislature of Mich., Washington Office .....	...	...	...	...	...	...	...	...	...	...	...	...	★
Senate Chamber Staff .....	...	...	...	★	★	...	...	...	...	★	★	...	★
Senate Fiscal Agency .....	...	...	...	...	...	★	...	...	...	...	...	★	...
House Chamber Staff .....	...	...	...	...	★	★	...	...	...	★	★	...	★
House Fiscal Agency .....	...	...	...	...	...	★	...	...	...	...	...	...	...
House Bill Analysis Div. ....	...	...	...	★	...	...	...	...	...	...	...	...	...
<b>Minnesota</b>													
Joint Coordinating Committee	...	...	...	...	...	...	...	...	...	...	...	...	...
Office of Legislative Research .....	...	...	...	...	...	★	...	...	...	...	...	...	...
Revisor of Statutes .....	...	★	★	...	●	...	...	...	●	...	...	...	...
Legislative Reference Library .....	★	...	...	...	...	...	...	...	...	...	...	...	●
Legislative Audit Commission .....	...	...	...	...	...	...	★	★	...	★	...	...	...
Senate Office of the Secretary .....	...	...	...	...	...	★	...	...	...	★	...	...	★
Senate Majority Research .....	...	...	...	...	...	...	...	...	...	★	...	...	●
Senate Minority Research .....	...	...	...	●	...	...	...	...	...	★	...	...	●
House Chamber Staff .....	...	...	...	...	...	★	...	...	...	...	...	★	★
House Research Div. ....	...	...	...	★	●	...	●	...	...	★	★	...	...
House Majority Leadership & Caucus Staff .....	...	...	...	●	...	●	...	...	...	★	...	...	●
House Minority Leadership & Caucus Staff .....	...	...	...	●	...	...	...	...	...	★	...	...	●
<b>Mississippi</b>													
State Law Library	...	...	...	...	...	...	...	...	...	...	...	...	...
Legislative Reference Bureau .....	★	...	...	●	...	...	...	...	...	★	...	...	...
Revisor of Statutes, Dept. of Justice .....	...	...	★	...	...	...	...	...	...	...	...	...	...
Commission of Budget & Accounting .....	...	...	...	...	...	...	★	...	...	...	...	...	●
Joint Legis. Cmte. on Performance Eval. & Expen. Review .....	...	...	...	...	...	...	...	★	...	★	...	...	...
State Central Data Processing Authority .....	...	...	...	...	...	...	...	...	...	...	...	★	★
Senate Chamber Staff .....	...	...	...	...	...	★	...	...	...	...	★	★	★

# SELECTED SERVICES OFFERED BY PRINCIPAL LEGISLATIVE STAFF OFFICES\*—Continued

<i>State or other jurisdiction and staff office or organizational entity</i>	<i>Legisla- tive refer- ence library facilities</i>	<i>Bill draft- ing</i>	<i>Statute &amp; code revision</i>	<i>Bill analysis &amp; legal research</i>	<i>Council to legisla- ture</i>	<i>Adminis- trative manage- ment</i>	<i>Fiscal review &amp; analysis</i>	<i>Post audit</i>	<i>Re- search &amp;/or policy analysis</i>	<i>Com- mit- tee staffing</i>	<i>Legis- lative elec- tronic data proc- essing</i>	<i>Public in- forma- tion</i>
<b>Mississippi (Continued)</b>												
Senate Legislative Services Office .....	...	★	...	★	●	...	●	...	★	★	★	...
House Chamber Staff .....	...	★	...	★	...	★	...	...	★	★	...	★
House Management Committee .....	...	★	...	★	...	...	...	...	★	...	...	...
<b>Missouri</b>												
Committee on Legislative Research .....	★	★	★	★	...	...	...	...	★	★	●	...
Committee on State Fiscal Affairs .....	...	...	...	...	...	...	★	...	...	...	...	...
State Library .....	★	...	...	...	...	...	...	...	...	...	...	★
Senate Chamber Staff .....	...	...	...	...	...	...	★	...	★	...	...	★
House Chamber Staff .....	...	●	...	★	...	...	★	●	★	●	...	★
<b>Montana</b>												
Legislative Council .....	★	★	★	●	★	●	...	...	★	★	★	●
Legislative Audit Committee .....	...	...	...	...	...	...	...	...	...	...	...	...
Office of Legislative Auditor .....	...	...	...	...	...	...	...	★	...	...	...	...
Legislative Consumer Counsel .....	...	...	...	...	●	...	...	...	★	...	...	...
Legislative Finance Committee .....	...	...	...	...	...	...	...	...	...	...	...	...
Office of Legislative Fiscal Analyst .....	...	...	...	...	...	...	★	...	...	●	...	...
Environmental Quality Council .....	...	...	...	...	●	...	...	...	★	●	...	...
<b>Nebraska</b>												
Legislative Council .....	...	...	...	...	...	...	...	...	...	...	...	...
Research Division .....	★	...	...	●	...	...	...	...	★	★	...	...
Fiscal Analyst .....	...	...	...	...	...	...	★	★	★	★	●	...
Revisor of Statutes .....	...	★	★	...	●	...	...	...	●	...	★	...
Clerk of the Legislature .....	...	...	...	...	...	★	...	...	...	...	...	★
<b>Nevada</b>												
Legislative Commission .....	...	...	...	...	...	...	...	...	...	...	...	...
Legislative Counsel Bureau .....	★	★	★	●	★	★	★	★	★	★	...	●
<b>New Hampshire</b>												
Office of Legislative Services .....	★	★	★	★	★	...	...	...	★	●	●	...
Fiscal Committee of the General Court .....	...	...	...	...	...	★	★	★	★	★	...	...
State Library .....	★	...	...	★	...	...	...	...	★	...	...	...
<b>New Jersey</b>												
Law Revision & Legis. Services Commission .....	...	...	...	...	...	...	...	...	...	...	...	...
Legislative Services Agency .....	●	★	★	★	★	...	...	...	★	★	★	★
Office of Fiscal Affairs .....	...	★	...	★	...	●	★	★	★	★	...	★
Bureau of Law & Legis. Reference, State Library .....	★	...	...	...	...	...	...	...	...	...	...	...
Senate Majority Party Policy Staff .....	...	...	...	...	...	...	...	...	...	...	...	...
Senate Minority Party Policy Staff .....	...	...	...	...	...	...	...	...	...	...	...	...
House Majority Party Policy Staff .....	...	...	...	...	...	...	...	...	...	...	...	...
House Minority Party Policy Staff .....	...	...	...	...	...	...	...	...	...	...	...	...
<b>New Mexico</b>												
Legislative Council .....	...	...	...	...	...	...	...	...	...	...	...	...
Legislative Council Service .....	★	★	●	★	...	●	...	...	★	...	...	●
Legislative Finance Committee .....	...	●	...	★	...	...	★	...	★	★	...	...
<b>New York</b>												
Law Revision Commission .....	...	●	★	●	...	...	...	...	★	...	...	...
Legislative Bill Drafting Commission .....	...	★	...	...	●	...	...	...	...	...	★	...
Legislative Library .....	★	...	...	...	...	...	...	...	...	...	...	...
Legislative Commission on Expenditure Review .....	...	...	...	...	...	...	★	★	...	...	...	...

Administrative Regulations Review Committee												
State Library												
Legislative Reference Library	★											
Legislative Research Service	★											
Senate Leadership Staff					★				★			★
Secretary of the Senate						★						
Senate Research Staff	★								★			
Senate Program Office					★							
Senate Communications Office									★			★
Senate Standing Committees							★		★	★		
Assembly Leadership Staff	●			●	★	★			★			★
Assembly Administrations & Operations						●			★		★	●
Assembly Program & Committee Staff	●			★	★	●		●	★	★		●
Assembly Ways & Means Committee Staff	●			★			★	★	★	★	●	●
Assembly Office of Legislative Research				★	★							
Assembly Oversight & Analysis	●							★	★			
Assembly Member Services				●		●			★	★		●
Assembly Research Services				●					★			●
Assembly Public Information Office												★
Assembly Chamber Staff						★						★
Assembly Editorial Services												
Assembly Minority Committee Research Staff		★							★	●		
North Carolina												
Legislative Services Commission												
Legislative Services Office	●	★				★			●		★	●
General Research & Information	★	●							★	★		
Legislative Library	★					★						★
Fiscal Research Div.	●	●					★	★	★			
Legislative Research Commission	★								★			
Div. of Legislative Drafting, Dept. of Justice	★	★	●	●								
General Statute Commission, Dept. of Justice	★	★	★	★								
University of North Carolina	●	●		★						★		
State Library	★											
North Dakota												
Legislative Council	★	★	★	★	★	★	★		★	★	★	★
Ohio												
Legislative Reference Bureau	★	★							★			★
Legislative Service Commission	★	★	★	★	★				★	★	★	
Legislative Budget Committee							★	★				
Senate Chamber Staff					★	★				★		★
House Chamber Staff					★	★			★	★		★
Oklahoma												
Legislative Council		★	★	★	★		★	★	★	★	★	
Legislative Reference Div., Dept. of Libraries	★				★				★			★
Oregon												
Legislative Administration Committee												
Legislative Research	★								★			
Legislative Information Systems											★	★
Legislative Media Systems												
Administrative Services						★						
Legislative Counsel Office		★	★	★	★							
Legislative Fiscal Office							★			★		
Legislative Revenue Office					★				★	★		
Joint Committee on Trade & Economic Development					★				★	★		
Senate Chamber Staff		★								★		
House Chamber Staff		★								★		
Pennsylvania												
Legislative Reference Bureau	★	★	★	★	★				★			
Local Government Commission		★	★	★	★				★			



# SELECTED SERVICES OFFERED BY PRINCIPAL LEGISLATIVE STAFF OFFICES\*—Concluded

State or other jurisdiction and staff office or organizational entity	Legisla- tive refer- ence library facilities	Bill draft- ing	Statute & code revision	Bill analysis & legal research	Council to legisla- ture	Adminis- trative manage- ment	Fiscal review & analysis	Post audit	Re- search &/or policy analysis	Com- mit- tee staffing	Legis- lative elec- tronic data pro- cessing	Public in- forma- tion
<b>Pennsylvania (Continued)</b>												
Joint State Government Commission .....	★	...	★	...	...	...	★	...	★	...	...	★
Legislative Budget & Finance Committee .....	...	...	...	...	...	...	...	...	...	...	...	...
Legislative Data Processing Committee .....	...	...	...	...	...	...	...	...	...	...	★	...
Jt. Legis. Air & Water Pollut. Control & Conserv. Cmte. ....	...	...	...	...	...	...	...	...	...	...	...	...
Senate Chamber Majority Staff .....	...	★	...	★	★	...	...	...	★	★	...	★
Senate Chamber Minority Staff .....	...	★	...	★	★	★	★	...	★	★	...	★
House Chamber Majority Staff .....	...	...	...	...	...	★	...	...	...	★	...	...
House Chamber Minority Staff .....	★	★	★	★	★	★	★	...	★	★	...	★
<b>Rhode Island</b>												
Legislative Council .....	★	★	...	★	★	...	...	...	★	...	...	...
Law Revision, Dept. of State .....	★	★	★	★	★	...	...	...	★	...	...	...
State Library, Dept. of State .....	...	...	...	●	...	...	...	...	●	...	...	...
Joint Committee on Legislative Affairs .....	...	...	...	...	...	★	★	★	...	★	...	★
<b>South Carolina</b>												
Legislative Council .....	★	★	...	★	★	...	...	...	★	●	...	...
Committee on Statutory Laws .....	...	...	★	...	...	...	...	...	...	...	...	...
Legislative Audit Council .....	...	...	...	...	...	...	★	★	...	...	...	...
Legislative Information System .....	...	...	...	...	...	...	...	...	...	...	★	★
Senate Chamber Staff .....	...	...	...	...	★	★	...	...	...	...	...	...
Senate Standing Committee Staff .....	...	...	...	...	...	...	★	...	★	★	...	...
House Chamber Staff .....	...	...	...	★	★	★	★	...	★	...	...	●
House Office of Research & Personnel .....	...	...	...	★	●	★	★	...	★	★	...	★
<b>South Dakota</b>												
Legislative Research Council .....	★	★	★	★	★	★	★	...	★	★	●	★
Dept. of Legislative Audit .....	...	...	...	...	...	...	...	★	...	...	...	...
Senate Chamber Staff .....	...	...	...	...	...	...	...	...	...	★	★	●
House Chamber Staff .....	...	...	...	...	...	...	...	...	...	★	★	●
<b>Tennessee</b>												
Joint Legislative Services Committee												
Office of Legislative Services .....	...	...	...	...	...	...	...	...	★	★	★	★
Office of Legal Services .....	★	★	...	★	★	...	...	...	●	...	...	...
Office of Legislative Administration .....	...	...	...	...	...	★	...	...	...	...	...	...
Fiscal Review Committee .....	...	...	...	...	...	...	★	●	★	●	...	●
State Library & Archives .....	★	...	...	...	...	...	...	...	...	...	...	...
Code Commission .....	...	...	★	...	...	...	...	...	...	...	...	...
Comptroller of the Treasury .....	●	●	...	●	...	...	★	★	●	●	...	●
<b>Texas</b>												
Legislative Council .....	...	★	★	●	★	...	...	...	★	●	★	...
Legislative Reference Library .....	★	...	...	...	...	...	...	...	...	...	...	...
Legislative Audit Committee .....	...	...	...	...	...	...	...	★	...	...	...	...
Legislative Budget Board .....	...	●	...	●	●	...	★	★	●	...	...	...
Senate Chamber & Committee Staff .....	...	...	...	★	●	★	...	...	...	...	...	★
House Chamber & Committee Staff .....	...	...	...	★	●	★	...	...	★	★	...	★
<b>Utah</b>												
Legislative Management Committee .....	★	★	★	★	★	★	★	★	★	★	...	★
<b>Vermont</b>												
Legislative Council .....	★	★	...	★	...	★	...	★	★	★	★	★
Statutory Revision Commission .....	...	...	★	...	...	...	...	...	...	...	...	...
Joint Fiscal Committee .....	...	...	...	...	...	...	★	★	...	...	...	...

<b>Virginia</b>													
Advisory Legislative Council .....											★		
Code Commission .....			★										
Committee on Rules .....													
Div. of Legislative Services .....	●	★	●	●	●					●	★	★	●
Joint Legislative Audit & Review Commission .....	●			●					★	●			
Auditor of Public Accounts .....								●					
Senate Chamber & Committee Staff .....						★	★			★	★		●
House Chamber & Committee Staff .....						★	★			★	★		●
<b>Washington</b>													
Statute Law Committee .....		★	★									★	
Legislative Budget Committee .....									★				
Senate Chamber & Committee Staff .....				★	★	★	★			★	★		★
Senate Research Center .....	★	●		★	★	●				★	★		
House Chamber & Committee Staff .....				●		★	★			★	★		★
House Office of Program Research .....	●	●		●	★	●				★	★	★	
<b>West Virginia</b>													
Joint Committee on Government & Finance .....													
Office of Legislative Services .....		★	●	●	●					★	★	★	★
Legislative Auditor .....	★					★	★	★		●	●		
Legislative Reference Library .....	★									●			
Legislative Office of Information .....		★											★
Senate Chamber Staff .....											★		
House Chamber Staff .....		★									★		
<b>Wisconsin</b>													
Legislative Council .....			●	●	●					★	★		
Joint Committee on Legislative Organization .....						★							
Legislative Reference Bureau .....	★	★		★	●					★	●	★	★
Revisor of Statutes Bureau .....			★								●		
Legislative Audit Bureau .....								★		★			
Legislative Fiscal Bureau .....				●				★		★	★		
Interstate Cooperation Commission .....										★			
Senate Democratic Caucus Staff .....				★				●			●		★
Senate Republican Caucus Staff .....				★				●		★	●		★
Assembly Democratic Caucus Staff .....				★				●		★	●		★
Assembly Republican Caucus Staff .....				★				●		★	●		★
<b>Wyoming</b>													
Legislative Management Council .....													
Legislative Service Office .....		★	★	★	★	★	★	★	★	★		★	
Documents & Legislative Reference, State Library .....	★									★			
<b>American Samoa</b>													
Legislative Reference Bureau .....	★	★	★	★	★	★	●	●	★	★			★
<b>Guam</b>													
Legislative Counsel .....		★	★	★	★					★	★		
Office of Administrative Director .....	★					★			★				★
Finance & Taxation Committee .....													
Fiscal Services Div. ....		★	●	★				★	●	●	★		
<b>Puerto Rico</b>													
Office of Legislative Services .....	★	★	★	●	★	★	★			★	★		
Joint Legislative Committee on Reports from Controller .....													
Office of Controller .....		●		●					★				
Commission for the Codification of Laws .....			★										

\*Organizations with major independent status are listed with offices subordinate to them indented. A function is shown as being performed if an office performs any aspect of this function.

★—Primary responsibility.

●—Secondary responsibility.

# ORGANIZATIONAL STRUCTURE OF LEGISLATIVE PUBLIC INFORMATION OFFICES

State or other jurisdiction	Nonpartisan				Partisan		
	Centralized separate office for entire legislature	Offices in one or both houses	Function in central council or research office	Function in clerk's or secretary's office	Function performed by caucus staff	Function performed by leadership staff	Function performed by staff to individual legislators
Alabama .....	...	...	★	★	...	...	...
Alaska .....	...	...	★	...	...	...	...
Arizona .....	...	H	...	S	...	...	...
Arkansas .....	...	★	...	...	...	...	...
California .....	...	...	...	...	★	★	★
Colorado .....	★(a)	...	★	★	...	...	...
Connecticut .....	...	...	...	...	★	...	...
Delaware .....	...	...	★	...	★	...	...
Florida .....	...	...	★	...	...	★	...
Georgia .....	...	★	...	...	...	...	...
Hawaii .....	...	...	★	...	...	...	...
Idaho .....	★(a)	...	★	...	...	...	...
Illinois .....	...	...	★	...	★	★	...
Indiana .....	...	...	★	...	...	...	...
Iowa .....	...	H	...	S	...	...	...
Kansas .....	★	...	...	...	...	...	...
Kentucky .....	...	...	★	...	...	...	...
Louisiana .....	...	...	★	★	...	...	...
Maine .....	...	...	★	★	...	...	...
Maryland .....	...	...	★	...	...	...	...
Massachusetts .....	...	...	★	...	...	★	...
Michigan .....	...	...	...	...	★	...	★
Minnesota .....	...	★	...	...	...	...	...
Mississippi .....	★(a)	...	...	S	...	...	...
Missouri .....	...	★	...	...	...	...	...
Montana .....	...	...	★	...	...	...	...
Nebraska .....	★(d)	...	...	★(d)	...	...	...
Nevada .....	...	...	★	...	...	...	...
New Hampshire .....	...	H	★	S	...	...	...
New Jersey .....	★	...	★	...	★	★	★
New Mexico .....	...	...	...	...	...	...	...
New York .....	...	H	...	S	★(b)	...	S
North Carolina .....	...	...	★	...	...	...	...
North Dakota .....	...	...	★	...	...	...	...
Ohio .....	★(c)	...	...	...	...	...	...
Oklahoma .....	...	...	★	...	...	...	...
Oregon .....	...	...	★	...	...	...	...
Pennsylvania .....	...	...	...	...	...	★	...
Rhode Island .....	...	...	★	...	...	...	...
South Carolina .....	★	...	...	...	...	...	...
South Dakota .....	...	...	★	...	...	...	...
Tennessee .....	...	...	...	...	...	★	...
Texas .....	...	★	...	...	...	...	...
Utah .....	...	...	...	H	...	S	...
Vermont .....	...	...	★	★	...	...	...
Virginia .....	★	H(a)	★	H(a)	...	...	...
Washington .....	...	...	...	...	★	...	...
West Virginia .....	★	...	...	...	...	...	...
Wisconsin .....	...	...	★	...	★	...	...
Wyoming .....	...	...	★	...	...	...	...
Guam .....	★	...	...	...	...	★	...

## Key:

S—Senate

H—House

★—Both houses

(a) During session only.

(b) Senate communications director hired by majority oversees both majority and minority caucus public information activities.

(c) Centralized office with two officers, one hired by senate, one by house. Provides information through toll-free WATS line.

(d) Unicameral.

**LEGALIZED GAMING IN THE STATES\***  
As of October 1977

State	Lotteries	Numbers	Sports betting	Off-track betting	Horse racing	Dog racing	Jai alai	Casinos	Card rooms	Bingo
Alabama	...	...	...	...	...	★	...	...	...	...
Alaska	...	...	...	...	...	...	...	...	...	★
Arizona	...	...	...	...	★	★	...	...	...	★
Arkansas	...	...	...	...	★	★	...	...	...	...
California	...	...	...	...	★	...	...	...	★	★
Colorado	...	...	...	...	★	★	...	...	...	★
Connecticut	★	★	...	★	●	★	★	...	...	★
Delaware	★	...	●	...	★	...	●	...	...	★
Florida	...	...	...	...	★	★	★	...	...	★
Georgia	...	...	...	...	...	...	...	...	...	★
Hawaii	...	...	...	...	...	...	...	...	...	...
Idaho	...	...	...	...	★	...	...	...	...	...
Illinois	★	...	...	...	★	...	...	...	...	★
Indiana	...	...	...	...	●	...	...	...	...	...
Iowa	...	...	...	...	...	...	...	...	★	★
Kansas	...	...	...	...	...	...	...	...	...	★
Kentucky	...	...	...	...	★	...	...	...	...	...
Louisiana	...	...	...	...	★	...	...	...	...	★
Maine	★	...	...	...	★	...	...	...	...	★
Maryland	★	★	...	...	★	...	...	...	...	★
Massachusetts	★	★	...	...	★	★	...	...	...	★
Michigan	★	★	...	...	★	...	...	...	...	★
Minnesota	...	...	...	...	...	...	...	...	...	★
Mississippi	...	...	...	...	...	...	...	...	...	...
Missouri	...	...	...	...	...	...	...	...	...	...
Montana	...	...	★	...	★	...	...	...	★	★
Nebraska	...	...	...	...	★	...	...	...	...	★
Nevada	...	(a)	★(b)	★(b)	★	★	★	★	...	★
New Hampshire	★	★	...	...	★	★	...	...	...	★
New Jersey	★	★	...	...	★	...	...	●	...	★
New Mexico	...	...	...	...	★	...	...	...	...	★
New York	★	...	...	★	★	...	...	...	...	★
North Carolina	...	...	...	...	...	...	...	...	...	★
North Dakota	...	...	...	...	...	...	...	...	...	★
Ohio	★	...	...	...	★	...	...	...	...	★
Oklahoma	...	...	...	...	...	...	...	...	...	★
Oregon	...	...	...	...	★	★	...	...	★	★
Pennsylvania	★	★	...	...	★	...	...	...	...	...
Rhode Island	★	★	...	...	★	★	★	...	...	★
South Carolina	...	...	...	...	...	...	...	...	...	★
South Dakota	...	...	...	...	★	★	...	...	...	★
Tennessee	...	...	...	...	...	...	...	...	...	★
Texas	...	...	...	...	...	...	...	...	...	...
Utah	...	...	...	...	...	...	...	...	...	...
Vermont	●	...	...	...	★	...	...	...	...	★
Virginia	...	...	...	...	...	...	...	...	...	★
Washington	...	...	...	...	★	...	...	...	★	★
West Virginia	...	...	...	...	★	...	...	...	...	...
Wisconsin	...	...	...	...	...	...	...	...	...	★
Wyoming	...	...	...	...	★	...	...	...	...	★

\*Source: Adapted from Public Gaming Research Institute, *Public Gaming Newsletter*.

★—Legalized and operative.

●—Legalized but not now operative.

(a) Keno.

(b) Operated by bookmakers licensed by state.

## SUMMARY OF SUNSET LEGISLATION\*

<i>State</i>	<i>Scope</i>	<i>Termination schedule</i>	<i>Preliminary evaluation conducted by</i>	<i>Other legislative review</i>	<i>Other oversight mechanisms in bill</i>	<i>Phase-out period</i>	<i>Life of each agency</i>	<i>Other provisions</i>
Alabama .....	Comprehensive	18 in 1977 34 in 1978 18 in 1979 28 in 1980	Select Joint Committee	...	Zero-base budgeting	180 days	4 years	2-hour time limit on floor debate on each bill
Alaska .....	Regulatory	13 in 1979 13 in 1980 1 in 1981	Standing committees	...	Performance audit	1 year	4 years	In addition to regulatory agencies, programs in other broad areas terminate in 1980-1983; specific programs authorized for termination by Legislative Budget and Audit Committee
Arkansas .....	Comprehensive	160 in 1979 130 in 1981 100 in 1983	Joint interim com- mittees	...	Performance audit	1 year	Permanent	...
Colorado .....	Regulatory	13 in 1977 12 in 1979 14 in 1981	Legislative Audit Com- mittee 3 months prior to termination	Standing committees	Performance audit	1 year	6 years	...
Connecticut .....	Primarily regulatory	19 in 1980 17 in 1981 16 in 1982 20 in 1983 22 in 1984	Legislative Program Re- view and Investigations Committee	Joint Committee on Government Adminis- tration	Performance audit	1 year	5 years	...
Florida .....	Regulatory	12 in 1978 25 in 1979 24 in 1980 36 in 1982	Select Joint Committee appointed by speaker of house and president of senate beginning 1 year prior to repeal date	Appropriate substan- tive committee of both house and senate, sitting jointly, designated by speaker of house and president of senate	...	1 year	5 years	Provides for periodic review of limitations on the initial entry into a profession, occupation, business, industry, or other endeavor
Georgia .....	Regulatory	10 in 1978 17 in 1980 17 in 1983	Standing committees	...	Performance audit	1 year	6 years	...
Hawaii .....	Regulatory	6 in 1978 6 in 1979 6 in 1980 7 in 1981 7 in 1982 7 in 1983	Joint Legislative Review Committee	Not specified	...	None	6 years	Joint legislative review
Indiana .....	Selective/ pilot	21 in 1978	Select Joint Committee on Organization of State Government	...	...	None	...	Pilot study of 21 mental health facilities, plus each newly created agency subject to termination with 10-year life span
Louisiana .....	Comprehensive	5 in 1979 5 in 1980 6 in 1981 4 in 1982 All other groups which receive state funds expire in 1982	Standing committees of house and senate or joint committee created for that purpose; Re- view process begins at least 2 years prior to termination date	Bill authorizing re-crea- tion of an agency is re- ferred to same committee which did preliminary review	Zero-base budgeting	None	4 years	...
Maine .....	Regulatory	7 in 1980 23 in 1982 11 in 1984 14 in 1986 11 in 1988	State auditor	To be defined	Performance evaluation	1 year	10 years	Legislative Council to make recommendations on implementation by May 1978. Performance reviews also scheduled for executive departments (no terminations)

Montana	Regulatory, plus Departments of Social and Rehabilitative Services, Community Affairs, and Institutions	14 in 1979 21 in 1981 11 in 1983	Legislative Audit Committee	Standing committees	...	1 year	6 years	...	
Nebraska	Regulatory	6 in 1978 5 in 1979 7 in 1980 5 in 1981 5 in 1982 8 in 1983	Performance Review and Audit Committee	Standing committees	Performance review	1 year	6 years	Act itself terminates in 1983	
New Hampshire	Discretionary/comprehensive	All by 1985	Legislative budget assistant	Standing committees	...	9 months	6 years	Joint Legislative Committee to recommend termination schedule for all agencies by January 1, 1978	
New Mexico	Regulatory	19 in 1978 9 in 1979 16 in 1980	Legislative Finance Committee	Not specified	...	1 year	6 years	...	
North Carolina	Regulatory	35 in 1979 34 in 1981 34 in 1983	Governmental Evaluation Commission	Standing committees	Performance evaluation	1 year	...	Governmental Evaluation Commission with legislative and public members, specially created to supervise sunset review; commission terminates in 1983	
Oklahoma	Comprehensive	21 in 1978 15 in 1979 18 in 1980 16 in 1981 20 in 1982 21 in 1983	Standing or interim committees	...	Zero-base budgeting	1 year	6 years	Rules and regulations of terminated agencies continue in effect unless terminated by law; includes agencies created by executive order	
Oregon	Regulatory	9 in 1980 10 in 1982 10 in 1984 15 in 1986	Interim committees	...	...	None	8 years	...	
Rhode Island	Regulatory	31 in 1979	Oversight Commission	...	Zero-base budget review	1 year	5 years	Oversight Commission specially created to conduct sunset review	
South Dakota	Selective/pilot	8 in 1978	Special interim committee	...	Performance audit	180 days	None specified	Voting on re-creation bills constitutes the "primary business" of each house; Legislative Research Council authorized to determine feasibility of enacting similar legislation for other agencies	
Tennessee	Comprehensive	35 in 1980 12 in 1981 20 in 1982 66 in 1983 43 in 1984 46 in 1985	Special evaluation committee in each house	Standing committees (in case of tie vote in evaluation committee)	Limited program review	1 year	6 years	Creation of new agencies subject to review by evaluation committee	
Texas	Comprehensive	26 in 1979 29 in 1981 28 in 1983 35 in 1985(a) 25 in 1987(a) 24 in 1989(a)	Legislative Board	Budget	Not specified	Performance evaluation	1 year	12 years	Initial review conducted by agencies themselves
Utah	Regulatory	1979 1981 1983	Interim study committee	...	Interim committee's discretion	1 year	6 years	Applies to legislation, not agency	
Washington	Selective/pilot	4 in 1978 5 in 1979 plus others	Legislative Board	Budget	Standing committees	Program review	1 year	6 years	New select joint committee given authority to schedule agencies for termination in 1979, 1981, 1983

\* Basic source of information is the National Conference of State Legislatures. Minnesota has not enacted sunset legislation in the same sense as the other 24 states listed in this table. The legislature, however, has included sunset clauses in selected programs.

(a) An additional 8 entities are scheduled for review but not for automatic termination (2 in 1985, 3 in 1987, and 3 in 1989).

# LOBBYING LEGISLATION

Activity reports								
Who is lobbyist			Activity reports					
State	Who is lobbyist		Registers with	Filed with	Frequency	Expenditures reported	Penalties for noncompliance	
	Definition	Exceptions						
Alabama	A	H, I, J, L, O	Ethics Commission	Ethics Commission	Monthly (a,b)	★	Fine of not more than \$10,000 or more than 10 years imprisonment, or both.	
Alaska	A	H, I, M	Public Offices Commission	Public Offices Commission	Monthly (c)	★	Fine of not more than \$1,000 or more than 1 year imprisonment, or both.	
Arizona	A, B, F	H, N, O	Secretary of State	Secretary of State	Annually (d,e)	★	Prosecuted as a misdemeanor.	
Arkansas	A, C	...	Clerk of House, Secy. of Senate	...	...	★	None specified.	
California	A, F	H, L, M	Secretary of State	Secretary of State	Monthly (d)	★	Prosecuted as a misdemeanor. Fair Practices Board may also impose civil fines.	
Colorado	A, F	H, I, N	Secretary of State	Secretary of State	Monthly (f)	★	None specified. Cease and desist order is specified remedy.	
Connecticut	A	H, M, T	Ethics Commission	Ethics Commission	Quarterly	★	Fine of not more than \$1,000 or more than 1 year imprisonment, or both.	
Delaware	A, B	H, I, J, L, O	Legislative Council	Legislative Council	Quarterly	★	Prosecuted as a Class C misdemeanor.	
Florida	E	I	Clerk of House, Secy. of Senate	Clerk of House, Secy. of Senate	Monthly(g); Semi-annually	★	Reprimand, censure, or prohibit from lobbying (h).	
Georgia	A, C, D, E, N	H, I, J	Secretary of State	...	...	...	Prosecuted as a misdemeanor	
Hawaii	A, F	H, J, M, O	Clerk of either House	Legislative Auditor	Biannually	★	Prosecuted as a misdemeanor.	
Idaho	A	H, I, L, M	Secretary of State	Secretary of State	Quarterly(c)	★	Prosecuted as a misdemeanor subject to civil fines and possible per diem penalty.	
Illinois	A, C	H, I, J, L, M, O	Secretary of State	Secretary of State	April & July (during session)	★	Prosecuted as a Class 3 felony	
Indiana	A	F, H, P	Secretary of State	Secretary of State	Following session	★	Prosecuted as a felony	
Iowa	A, B, C, E(g), H	H, J(g), M, P	Clerk of House, Secy. of Senate	Clerk of House, Secy. of Senate	Monthly	★	House: suspension from lobbying. Senate: cancellation of registration.	
Kansas	A, B, C	H, R	Secretary of State	Secretary of State	Jan.-April(i)	★	Prosecuted as a Class B misdemeanor.	
Kentucky	D	T	Attorney General	Attorney General	Following session	★	Fine up to \$5,000 or up to 5 years imprisonment, or both.	
Louisiana	A	H, I, M	Clerk of House, Secy. of State	...	...	...	Fine of not more than \$1,000 nor more than 11 months imprisonment, or both.	
Maine	A	H, I, J	Secretary of State	Secretary of State	Monthly following session & annually	★	Prosecuted as a misdemeanor.	
Maryland	A, B	H, I, J, L, M, N, O, Q, S, T	Secretary of State	Secretary of State	Semiannually	★	Fine of not less than \$100 or more than \$5,000.	
Massachusetts	A	H	Secretary of State	Secretary of State	Semiannually	★	Prosecuted as a felony.	
Michigan	A	F, H, I, J	Secretary of State	Secretary of State(j)	...	★	Prosecuted as a misdemeanor.	
Minnesota	A, B(k)	H, M, S	Ethical Practices Board	Ethical Practices Board	Five times yearly	★	Fine of not more than \$1,000 or 6 months in county jail for first offense, or both.	
Mississippi	A	H, J, M, O	Secretary of State	Secretary of State	Following session	★	Prosecuted as a misdemeanor.	
Missouri	A	...	Clerk of House, Secy. of State	Secretary of Senate	Three times/session	★	...	
Montana	A	I	Secretary of State	...	...	...	Prosecuted as a misdemeanor.	
Nebraska	C, F	I, M	Clerk of Legislature	Clerk of Legislature	Monthly	★	Prosecuted as a misdemeanor.	
Nevada	A, C	H, I, J, M	Secretary of State	Secretary of State	Monthly	★	Prosecuted as a misdemeanor; failure to file final report is a felony.	
New Hampshire	A	...	Secretary of State	Secretary of State	Following session	★	Prosecuted as a misdemeanor.	
New Jersey	A	H, L, P	Attorney General	Attorney General	Quarterly	★	Prosecuted as a misdemeanor.	

New Mexico	A	H, O	Secretary of State	Secretary of State	(l)	★	Prosecuted as a misdemeanor; revocation of registration and prohibited from enjoining in lobbying activities for up to 3 years.
New York	A	H	N.Y. Temporary State Commission on Regulation of Lobbying	N.Y. Temporary State Commission on Regulation of Lobbying	Following session	★	Prosecuted as a misdemeanor.
North Carolina	A	H, J, M, O	Secretary of State	Secretary of State	Annually	★	Prosecuted as a misdemeanor.
North Dakota	A, C	H	Secretary of State	Secretary of State	Annually	★	Prosecuted as a Class B misdemeanor.
Ohio	A, B, C, D, E, F, H, K, L, N, P	G, I, J, M, O	Senate Clerk	Senate Clerk	Annually Jan. & June	★	Prosecuted as a first or fourth degree misdemeanor.
Oklahoma	A(g), C	H	Clerk of House, Secy. of Senate	Clerk of House, Secy. of Senate	Annually	★	Fine of \$500-\$2,000 or 5-10 years imprisonment, (g). Deemed in contempt of house: excluded from legislative halls.
Oregon	A, B, F	I, M	Ethics Commission	Ethics Commission	Monthly (a,c)	★	Civil penalty not to exceed \$1,000.
Pennsylvania	A, B, C, D, E	H, I	Clerk of House, Secy. of Senate	Clerk of House, Secy. of Senate	Biannually	★	Prosecuted as a third degree misdemeanor.
Rhode Island	A, B, E	H	Secretary of State	Secretary of State	Three times/session	★	Fine of not less than \$100 or more than \$1,000.
South Carolina	A, C	H, J, L, M, O	Secretary of State	Secretary of State	Annually	★	Prosecuted as a misdemeanor.
South Dakota	C, D, F	H, L	Secretary of State	Secretary of State	Annually (m)	★	Fine of not less than \$200 or more than \$5,000 per offense.
Tennessee	B, F	H, L, M, N	State Library & Archives	State Library & Archives	Following session	★	Prosecuted as a misdemeanor.
Texas	A, B	H, I, M	Secretary of State	Secretary of State	Monthly (d)	★	Prosecuted as a Class A misdemeanor.
Utah	A, B, F	H, I, L, M, N, P	Secretary of State	...	...	...	Prosecuted as a Class C misdemeanor.
Vermont	A	H, I, M	Secretary of State	Secretary of State	Annually(n)	★	Fine of not less than \$100 or more than \$500.
Virginia	C	H, I, U	Secretary of Commonwealth	Secretary of Commonwealth	Following session	★	Penalty of \$50/day for late filing for lobbyist and employer individually.
Washington	E	I, M, T	Public Disclosure Commission	Public Disclosure Commission	Monthly	★	Prosecuted as a civil offense. Fine of not more than \$10,000. Registration can be revoked.
West Virginia	A, C	P	Clerk of House, Clerk of Senate	Clerk of House, Clerk of Senate	Following session	★	None specified.
Wisconsin	A	I	Secretary of State	Secretary of State	Monthly	★	Fine ranges from \$100 to \$5,000 depending on offense.
Wyoming	A	H	Director, Legislative Service Agency	...	...	...	Prosecuted as a misdemeanor. Subject to fine of not more than \$200.

## Key:

A—Anyone receiving compensation to influence legislative action  
 B—Anyone spending money to influence legislation  
 C—Anyone representing someone else's interests  
 D—Anyone attempting to influence legislation affecting private pecuniary interests  
 E—Anyone attempting to influence legislation  
 F—Any executive branch employee attempting to influence legislation  
 G—Anyone who employs someone to influence legislation  
 H—Public officials acting in an official capacity  
 I—Persons who speak only before committees or boards  
 J—Any person with professional knowledge acting as a professional witness  
 K—Charitable organizations  
 L—Religious organizations  
 M—Members of the media  
 N—Attorneys representing clients on legal matters  
 O—Professional bill drafters  
 P—Political parties  
 Q—Any individual who expends or directs expenditures of less than \$200  
 R—Nonprofit interstate organizations  
 S—Any paid expert witness whose testimony is requested  
 T—Any lobbyist not compensated and not making expenditures  
 U—Any individual who expends or directs expenditure of less than \$100

- (a) Established by secretary of state.  
 (b) During session.  
 (c) In months when lobbying occurs.  
 (d) During session; quarterly during interim.  
 (e) Supplemental reports shall be filed monthly, on or before the tenth day of the following month, to list any expenditures in excess of \$25 occurring during the month and which must be reported pursuant to this section.  
 (f) Plus cumulative statement yearly.  
 (g) For senate only.  
 (h) For house only.  
 (i) Quarterly basis thereafter; only when required expenses are made.  
 (j) Name and address of person retaining records (lobbyist, his employer, or agent).  
 (k) More than \$250 or 5 hours in any month.  
 (l) Upon filing of registration statement and prior to the sixtieth day after the end of any regular or special session.  
 (m) Following year of registration.  
 (n) And after 2 months of session (see the table on pages 34 and 35).



## Section II

# THE JUDICIARY

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### THE STATE OF THE JUDICIARY

By Jag C. Uppal\*

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*Preservation of liberty requires the three great departments of power should be separate and distinct. James Madison, Federalist Paper No. 47.*

AT THE BEGINNING of our third century as a nation governed by laws, it is important to pause and review the status of the institutions responsible for the application of these laws—the courts. The survival of the democratic form of government, as it is known in the United States, requires that the adjudicative process be equitable, effective, efficient, and of the highest integrity. This is especially important because courts in the American system are forums not only for resolution of private and public disputes but also for decisions on basic issues of social policies and programs. Dependence on the courts for processes outside of those generally associated with traditional common law has escalated as the American people deal with civil rights and discrimination disputes and other kinds of litigation in which the societal stakes are large.

Judicial improvements and reform continue to preoccupy judges, lawyers, and others concerned about the quality and speed of justice dispensed in the courts.

Many of the developments and changes, such as separate funding for the courts and separate personnel systems, are instrumental in maintaining and strengthening the independent nature of the courts as a separate branch of government, and allowing the supreme courts and chief justices to fulfill their constitutional responsibilities to manage the affairs of the judiciary. A review of the trends shows that the pace of structural and management improvements is accelerating, and that judges are increasingly recognizing the value and need of asserting themselves as managers responsible for providing adjudicative services instead of relying only on legislative initiatives. Chief Justice C. William O'Neill of Ohio recently stated that judicial reforms and resolution of specific problems facing the courts are not designed for the convenience of judges and lawyers; rather, they are the responsibility of judges and are designed for the benefit of litigants and to serve the public interest.<sup>1</sup>

The increasing case dockets of recent years have accelerated long-standing efforts to make court systems more economical, efficient, and effective in their operations. As such, the courts have been a major target for legislative reform measures. These consisted of the following actions by state legislatures: Kansas created a unified court, to be administered by the state supreme court; Missouri approved consolidation of its lower courts by 1979; New York assumed the costs of operating local courts; California and Connecticut reorganized their lower courts; Georgia divided the state into districts to better equalize court burdens;

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South Carolina created new statewide family and probate courts as a step toward eventually establishing a uniform court system; South Dakota required appeals within 60 days of judgment; Texas created 48 new state district courts; and North Carolina established time limits to ensure a speedy trial of charged criminal offenders.

The significant features of court developments cover these 12 areas: unification of courts, judicial rulemaking powers, administration and management, continuing legal education and training, new appellate courts, disciplinary boards and commissions, court observer movement, public information, intermediate appellate courts, role of lay and para-judges which increasingly reflect the involvement of the public in the judicial process, rulemaking powers, and administration and management.

### **Unification of Courts**

The primary purpose for the unification of courts is to enable the state judiciary to have a more consistent and uniform structure throughout the state system and to provide for administrative direction by the state's highest court within that system. There are different patterns of unification: providing a state supreme court or the chief justice authority for operation of a judicial system; the establishment of a central judicial policymaking agency, such as a judicial council or conference; consolidation of all trial courts; adoption of tier systems; and a combination of these and other methods.

States which recently adopted forms of court unification by constitutional and statutory means include Minnesota, Montana, Nevada, New York, North Dakota, Texas, and Utah. Other states which accomplished varying degrees of court unification in recent years are Alabama, Florida, Kentucky, Louisiana, Maine, South Dakota, and Wisconsin. Many of the developments, such as the legislative creation of a statewide office of court administration in Maine and Texas, are expected to have a favorable unifying impact on the courts and how they serve the public, even though some critics consider managerial techniques as "slow and arduous."<sup>2</sup> Massachusetts is another state considering overall administrative changes which should, when implemented, increase the administrative capacity of the court system.

### **Funding the Courts**

For the judiciary to be independent and impartial, it must be adequately financed. Traditionally, however, the courts have been reluctant to get involved in the political process to compete for public funds.

Recent developments show four trends in the area of funding for the courts. First, an increasing number of state courts are being fully financed by general revenue funds. Second, requests for judicial appropriations are directly presented to state legislatures, a development indicating greater judicial independence from the executive branch. Presently 11 states, Guam, and Puerto Rico submit their judicial appropriation requests directly to their legislatures. The 11 states are Arkansas, Colorado, Hawaii, Idaho, Illinois, Indiana, Mississippi, Missouri, Montana, North Dakota, and Texas. Third, unitary or unified budgeting, encompassing all operating costs administered by the judicial branch, is being used as one of the instruments for centralized management of the courts. Fourth, judges are increasingly recognizing the direct relationship between the adequacy of funding for the courts and the degree of organizational and administrative management techniques necessary for identifying needs of the courts and presenting them clearly to obtain appropriations.

Generally, these trends can be observed in almost all state court systems. Specifically,

there are at least 20 states where the courts are totally or almost totally financed by legislative appropriations. The 20 states are Alabama, Alaska, Colorado, Connecticut, Florida, Hawaii, Illinois, Kentucky, Maine, Maryland, Montana, Nevada, New Mexico, New York, North Carolina, North Dakota, Oklahoma, Rhode Island, South Dakota, and Vermont.

### **Discipline and Removal Commissions**

Judges must maintain a constant vigilance lest their personal conduct reflect bias or misconduct in the exercise of judicial responsibility. Canons or standards of judicial ethics have been a part of all state court systems for many years.

To monitor judicial conduct for the effective functioning of the courts as social institutions, the creation of discipline and removal commissions has been an extraordinary development during the past decade or so.

California was the first state to create a Commission on Judicial Qualifications in 1960. Within 10 years, 16 such commissions were established.

Forty-eight states, the District of Columbia, and Puerto Rico have now established procedures for disciplining and monitoring the performances of judges other than by impeachment, address, and recall—cumbersome and rarely used methods. Mississippi and Maine are the two states which use these methods for disciplinary purposes.

Arkansas, Connecticut, Massachusetts, New Hampshire and Texas established qualifications commissions in 1977. These disciplinary boards are known by different names. For example, in Louisiana it is called Judiciary Commission. Maryland has a Commission on Judicial Disabilities. Most often, however, they are known as judicial qualifications commissions.

These commissions receive complaints about sitting judges and are empowered to investigate judicial conduct. Usually these commissions make recommendations to their supreme courts for any action needed against a judge. Disciplinary commissions provide an important means for periodic review of judicial performance instead of a vote of "no confidence" by the electorate at the time of the next election. All but five of these commissions include lay persons in their membership and reflect a growing recognition that community participation is essential for effective administration of justice and judicial accountability.

### **Court Observer Movement**

Perhaps the most visible and popular vehicle of public participation in efforts to make the courts more accountable to the public is court monitoring. Beginning with a scattering of programs in the 1960s, the court consumer movement has been gaining popularity during the 1970s. Supported by community groups, state agencies, federal funds, national organizations, and on occasion by the judiciary itself, court monitoring programs are staffed by volunteers drawn primarily from the ranks of students, housewives, and retirees. Some groups focus on evaluating judicial performance, others concentrate on upholding defendants' rights. Many groups ultimately formulate and press for court reform legislation using data gathered in the monitoring process.

The Indianapolis Federation of Women's Clubs court monitoring program began in 1962 with citizen education as its main objective. Two women sat in each of the municipal and criminal courtrooms recording such information as types of delay and whether the assigned judge or a substitute was present. After establishing their credibility as impartial observers, they were asked by judges to expand the program to include the juvenile courts.

As awareness of the courts' needs grew, the program became concerned with the improvement of the day-to-day management of the courts. As a result, it was instrumental in formulating and gaining passage of 15 legislative bills. In addition, the project won a test case before the supreme court of Indiana to establish the right of court monitors to sit in court.

Illinois and New York are the other states where court observer movements are demonstrating that courts should be accountable and judges should be held to certain standards and values acceptable to the community. In Wisconsin, for example, in the summer of 1977 a judge was replaced by the recall method because of his remarks in a rape case.

### **Public Information**

Informing the public about the functioning and the needs of the courts is another important area where many significant developments have occurred in most states. Information for the public involves two fundamental points: accountability, which has been previously discussed, and communication with the public about court operations and needs. It is essential for the courts to articulate their needs to muster public support in resolving the problems facing them and for obtaining adequate resources, especially since the public and institutions in the United States are increasingly becoming litigants in the justice system.

State courts use different methods for effectively communicating with the public. Some of the major techniques are "state of the judiciary" messages, annual reports, public relations and information offices, judges addressing civic groups, student visits to the courts, etc.

*State of the Judiciary Messages.* There are 32 states, the District of Columbia, and Puerto Rico where a "state of the judiciary" message is delivered by the chief justice. Eighteen of these messages are delivered to the respective state legislatures, 12 to state bar associations, and four to judicial conferences or civic groups.

*Annual Reports.* Annual court reports, as a part of the public information and accountability process, are published in 45 states, the District of Columbia, and Puerto Rico. Of the 45, Connecticut and New Hampshire publish biennial reports. Nevada, South Carolina, Vermont, West Virginia, Wyoming, and American Samoa do not, as yet, publish any annual report.

*Public Information Offices.* Currently 11 states and Puerto Rico have created separate public information or relations offices within the departments of judicial administration. The states are Alabama, Alaska, California, Hawaii, Massachusetts, Michigan, Missouri, New Jersey, New York, Oregon, and Washington. The District of Columbia has an open public information policy. Illinois established a public relations office in 1969 but abolished it in 1973. North Carolina also had a public relations office which was discontinued because federal funding expired.

### **Intermediate Appellate Courts**

The increasing rate in litigation has resulted in a proliferation of appeals before the highest state courts. To lighten this growing burden, 27 states have established intermediate appellate courts by constitutional changes or statutes. These courts are known by different names: in Florida they are called District Courts of Appeal; in Illinois, Appellate Courts; in Maryland, Court of Special Appeals. In most states which have created intermediate appellate courts, they are called court of appeals. The states are Alabama, Arizona, California, Colorado, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Missouri, New Jersey, New Mexico, New York, North Carolina, Ohio, Oklahoma, Oregon, Pennsylvania, Tennessee, Texas, and

Washington. Arkansas and Nevada established intermediate appellate courts in 1977 and Wisconsin's will be operational in mid-1978.

Jurisdiction exercised by intermediate appellate courts is as varied as the number of judges, their terms, and salaries. The number of judges, for example, varies from five in Iowa to 56 in California. The terms of judges varies from four years in Kansas, to 10 years in Maryland; to age 70 in New Jersey and New York (when reappointed). Their salaries range from \$33,000 in Alabama and Kansas to \$59,002 in California.<sup>3</sup>

### **Lay and Para-Judges**

One of the interesting developments during the recent years involves the use of lay judges and para-judges. The former are nonattorney judicial officers and the latter, whether attorney or nonattorney, are court employees who may prepare "findings of fact, conclusions of law and recommendations for disposition"<sup>4</sup> by the judge.

*Role of Lay Judges.* Presently 46 states allow nonlawyers to sit as judge in some court in the state. California, Hawaii, Maine, and Massachusetts are the only states where there are no nonlawyer judges. Kentucky recently passed a statute which would allow, effective January 1, 1978, trial commissioners who do not have to be lawyers.

According to preliminary results of a recent survey by the National Center for State Courts, there are 8,000 to 10,000 judge positions for nonlawyer judges. Presently over 7,000 such judicial positions are filled by lay people, mostly in rural areas. Geographically there is a greater preponderance of lay judges in the southeastern and western states.

One of the noteworthy features of this movement is the growth of in-state educational programs leading to certification for nonattorney judges. Florida, Idaho, and Kansas, for example, have certification programs for such judges.

An interesting issue that has arisen in this area involves the constitutionality of lay judges. The question has been tested repeatedly in state supreme courts. California is the only state to bar lay judges on constitutional grounds.

*Role of Para-Judges.* There are 27 states that employ para-judges in their courts. The states are Alabama, Arizona, Arkansas, California, Colorado, Connecticut, Georgia, Indiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, New Hampshire, New York, North Carolina, Oregon, Pennsylvania, Rhode Island, South Carolina, Tennessee, Utah, Virginia, Washington, West Virginia, Wisconsin, and Wyoming.<sup>5</sup>

### **Rulemaking Powers**

Closely related to the topic of unification of the courts is the issue of rule and policymaking authority. Rulemaking powers are generally bestowed on the supreme court and the chief justice of a state by constitutional provisions and statutory enactments. This authority can encompass the overall administration of justice, including procedural, superintendence, and administrative matters. The rules issued by the Ohio Supreme Court, for instance, are held as a model for the effective operation of the lower courts. These rules cover almost every functional aspect of the courts, from court financing and personnel policies to the number of cases handled by judges.

In recent years the use of rulemaking powers has intensified. Such areas as regulation of the bar, civil and criminal procedures, judicial administration, continuing legal education, and discipline of judges and attorneys have been addressed through rulemaking authority. For example, the Nevada Supreme Court adopted well-defined standards governing all areas of judges' activities that affect the administration of justice. The new Code of Judicial

Conduct contains such express provisions as prohibitions against gifts which might cause an appearance of impropriety, public disclosure of gifts, and nonjudicial income.

The Massachusetts Supreme Judicial Court established, by court rule, a Committee on Judicial Responsibility to investigate charges of alleged misconduct by any judge. This committee is empowered to inquire into and investigate the alleged physical or mental incapacity of any judge, allegations of any misconduct or maladministration in office, willful or persistent failure to perform duties, habitual intemperance or other conduct prejudicial to the administration of justice, and any other alleged act which may violate the Code of Judicial Conduct.

The Texas legislature passed an act during its 1977 session which will enable the supreme court and the court of criminal appeals to promulgate rules of administration for the efficient operation of justice in the state. Prior to this, the authority to issue rules was vested in the legislature.

Louisiana, Minnesota, New Jersey, New Mexico, Utah, and Wisconsin were some of the other states where the state supreme courts promulgated rules to deal with administrative and procedural problems and to improve the operational responsiveness of the courts.

### **Administration and Management**

The field of judicial administration has witnessed numerous innovative and progressive changes over the biennium in almost all states and territories.

Overall, the most significant development is that, as of 1977, each one of the 50 states, American Samoa, the District of Columbia, Guam, and Puerto Rico have operating offices of court administration. Ten years ago, only about one half of the states had such offices. The creation of administrative offices and their combined expansion and growing responsibilities in functional areas to make the courts more responsive to the needs of the public reflect a clear recognition of the utility of judicial management techniques.

In addition to the impact of unification and unitary budgets on management of the courts, an important development in some states relates to the emergence of separate personnel systems. Judicial control over these personnel is not only consistent with the doctrine of separation of powers, but also is conducive to coordination and more responsiveness to the interests of court systems. Judicial personnel systems have their own comprehensive classification and comprehensive plans, affirmative action plans, and employee grievance procedures.

Nine states, the District of Columbia, and Puerto Rico have separate judicial personnel systems. The states are Alabama, Alaska, Colorado, Hawaii, Idaho, Michigan, New Jersey, South Dakota and Wisconsin. Another nine states—Delaware, Florida, Kentucky, Maine, Maryland, Nebraska, Nevada, New Hampshire, and Virginia—have partially separate personnel systems or are in the process of setting up separate systems.

In addition, a whole range of technological and other administrative developments have occurred in such areas as judicial management and information systems, use of computer and electronic technology, continuing judicial education and training, judicial planning, improved court facilities, more effective use of jurors, and use of other innovations relating to recordkeeping and television in the courts.

### **Conclusion**

The foregoing review of the recent developments in the state court systems demonstrates the seriousness with which the courts are meeting problems and facing

challenges. A number of these developments also show a renewed and determined concern for independence and full partnership in the constitutional federal system.

Four developments stand out. Judges are making concerted efforts to increasingly involve the community in the effective operation of the courts. Another development is the creation of discipline commissions to monitor the performance of the judges. It is particularly significant that members of these commissions include representatives of the public. The third important development relates to both public information and education concerning court functioning. Finally, the national organization of judicial leadership, the Conference of Chief Justices, has been recognized as the strong voice representing state judicial systems, particularly in the area of state-federal policies affecting state courts and their operations.

Another development not specifically mentioned in the preceding pages involves improved relations between the judiciary and the executive and the legislative branches of state government. Improving administrative abilities of the courts has enabled the courts to more effectively and promptly respond to legislative and executive needs for data for their decisionmaking. In addition, the efforts of judges to directly communicate with the citizens have generally made legislators more responsive to judicial needs and problems.

These and other developments undoubtedly should have a favorable effect on the future quality of the judiciary and its ability to serve the needs of the people. It should be noted that even though many problems remain to be resolved, and there will be new ones occurring because of the "law explosion," momentum for improving, reforming, and meeting the new challenges is gaining pace. The desire to maintain a balance between judicial independence and responsibility by instituting public accountability and information mechanisms should help the courts improve their image along with providing greater support for their needs.

#### Footnotes

1. Paraphrased from an address before the 1977 Annual Meeting of the Conference of Chief Justices held in Minneapolis, Minnesota, August 1, 1977.
2. Larry C. Berkson, Steven W. Hays and Susan J. Carbon, *Managing the State Courts* (St. Paul, Minn.: West Publishing Co., 1977), p. 36.
3. National Center for State Courts, *Survey of Judicial Salaries in State Court Systems*, vols. 3-5, (Williamsburg, Va.: 1977).
4. National Center for State Courts, *Para-Judges: Their Role in Today's Court Systems* (Williamsburg, Va.: 1976), p. 1.
5. Ibid.

#### Selected References

- Baar, Carl, *Separate but Subservient: Court Budgeting in the American States*. Lexington, Mass.: D.C. Heath and Co., 1975.
- Friesen, Gallas, and Gallas. *Managing the Courts*. New York, N.Y.: Bobbs-Merrill Co., 1971.
- Gazell, James A. *State Trial Courts As Bureaucracies: A Study in Judicial Management*. New York, N.Y.: Dunellen Publishing Co., 1975.
- Klein, Fannie J. *Federal and State Court Systems: A Guide*. Cambridge, Mass.: Ballinger Publishing Co., 1977.
- Nelson, Dorothy W. *Judicial Administration and the Administration of Justice*. St. Paul, Minn.: West Publishing Co., 1974.

#### Selected Resource Organizations

- American Bar Association, 1155 East 60th Street, Chicago, Illinois 60637.
- American Judicature Society, 200 W. Monroe St., #1606, Chicago, Illinois 60606.
- The Council of State Governments, Iron Works Pike, P.O. Box 11910, Lexington, Kentucky 40578.
- Institute of Judicial Administration, One Washington Square Village, New York, New York 10012.
- National Center for State Courts, 300 Newport Ave., Williamsburg, Virginia 23185.

# NUMBER OF JUDGES AND TERMS FOR APPELLATE COURTS AND MAJOR TRIAL COURTS

<i>Appellate courts</i>									
<i>State or other jurisdiction</i>	<i>Court of last resort</i>	<i>No. of judges</i>	<i>Term (in years)</i>	<i>Intermediate appellate court</i>	<i>No. of judges</i>	<i>Term (in years)</i>	<i>Major trial courts</i>	<i>No. of judges</i>	<i>Term (in years)</i>
Alabama .....	Supreme Court	9	6	Court of Criminal Appeals	5	6	Circuit courts	108	6
Alaska .....	Supreme Court	5	10	Court of Civil Appeals	3	6	Superior courts	20	6
Arizona .....	Supreme Court	5	6	Court of Appeals	12	6	Superior courts	73	4
Arkansas .....	Supreme Court	7	8	...	...	...	Chancery & probate courts	27	6
California .....	Supreme Court	7	12	Courts of Appeal	56	12	Circuit courts	29	4
Colorado .....	Supreme Court	7	10	Court of Appeals	10	8	Superior courts	542	6
Connecticut .....	Supreme Court	6(a)	8	...	...	...	District Court	99	6
Delaware .....	Supreme Court	3	12	...	...	...	Superior Court	112(a)	8
Florida .....	Supreme Court	7	6	District courts of appeal	28	6	Court of Chancery	3	12
Georgia .....	Supreme Court	7	6	Court of Appeals	9	6	Superior Court	11	12
Hawaii .....	Supreme Court	5	10	...	...	...	Superior courts	287	6
Idaho .....	Supreme Court	5	6	...	...	...	Superior courts	86	4-8
Illinois .....	Supreme Court	7	10	Appellate Court	34(b)	10	Circuit courts	18	10
Indiana .....	Supreme Court	5	10	Court of Appeals	9	10	District courts	27	4
Iowa .....	Supreme Court	9	8	Court of Appeals	5	6	Circuit courts	650(c)	6(c)
Kansas .....	Supreme Court	7	6	Court of Appeals	7	4	Superior courts	88	6
Kentucky .....	Supreme Court	7	8	Court of Appeals	14	8	Criminal courts	80	6
Louisiana .....	Supreme Court	7	10	Courts of appeals	32	10	District Court	4	4
Maine .....	Supreme Judicial Court	7	7	...	...	...	Superior courts	299(d)	6(d)
Maryland .....	Court of Appeals	7	10	Court of Special Appeals	13	10	District courts	209(e)	4
Massachusetts .....	Supreme Judicial Court	7	To age 70	Appeals Court	6	To age 70	Circuit courts	87	8
Michigan .....	Supreme Court	7	8	Court of Appeals	18	6(f)	District courts	143	6
Minnesota .....	Supreme Court	9	6	...	...	...	Recorder's Court (Detroit)	14	7
Mississippi .....	Supreme Court	9	8	...	...	...	District courts	72	6
Missouri .....	Supreme Court	7	12	Court of Appeals	24	12	Chancery courts	36	4
Montana .....	Supreme Court	5	8	...	...	...	Circuit courts	30	4
Nebraska .....	Supreme Court	7	6	...	...	...	Circuit courts	116	6
Nevada .....	Supreme Court	5	6	...	...	...	District courts	29	6
New Hampshire .....	Supreme Court	5	To age 70	...	...	...	District courts	45	6
New Jersey .....	Supreme Court	7	7(h)	Appellate division of Superior Court	22	7(h)	Superior Court	26	6(g)
New Mexico .....	Supreme Court	5	8	Court of Appeals	5	8	County courts	13	To age 70
New York .....	Court of Appeals	7	14(i)	Appellate divisions of Supreme Court (j)	24(k)	5(l)	Superior Court	120	7(h)
North Carolina .....	Supreme Court	7	8	Court of Appeals	12	8	District courts	108	5
North Dakota .....	Supreme Court	5	10	...	...	...	Superior Court	40	6
Ohio .....	Supreme Court	7	6	Courts of appeals	44	6	Common pleas	257	14
Oklahoma .....	Supreme Court	9	6	Court of Appeals	6	6	Courts of common pleas	313	6(m)
Oregon .....	Court of Criminal Appeals	3	6	...	...	...	District courts	189	4(n)
Pennsylvania .....	Supreme Court	7	10	Superior Court	7	10	Circuit courts	75	6
Rhode Island .....	Supreme Court	5	Life	Commonwealth Court	7	10	Courts of common pleas	285	10
South Carolina .....	Supreme Court	5	10	...	...	...	Superior Court	17	Life
South Dakota .....	Supreme Court	5	8	...	...	...	Circuit Court	25	6
Tennessee .....	Supreme Court	5	8	Court of Appeals	9	8	Circuit courts	36	8
Texas .....	Supreme Court	9	6	Court of Civil Appeals	42	6	Chancery courts	27	8
Utah .....	Court of Criminal Appeals	5	6	...	...	...	Circuit courts	58	8
Vermont .....	Supreme Court	5	10	...	...	...	Criminal courts	25	8
Virginia .....	Supreme Court	7	12	...	...	...	Law-equity courts	4	8
Washington .....	Supreme Court	9	6	Court of Appeals	16	6	District courts	305	4
West Virginia .....	Supreme Court of Appeals	5	12	...	...	...	District courts	24	6
Wisconsin .....	Supreme Court	7	10	...	...	...	Superior courts	8	6(o)
Wyoming .....	Supreme Court	5	8	...	...	...	District courts	11	6
Dist. of Col. ....	Court of Appeals	9	15	...	...	...	Circuit courts	107	8
American Samoa ..	High Court: Appellate	8(p)	(q)	...	...	...	Superior courts	11	4
Guam .....	Supreme Court	3	5	...	...	...	Superior Court	58	8
Puerto Rico .....	Supreme Court	8	To age 70	...	...	...	Circuit courts	53	6
							County courts	128	6
							District courts	15	6
							Superior Court	44	15
							High Court: Trial	8(p)	(q)
							Superior Court	5	5
							Superior Court	89	12



## NUMBER OF JUDGES

## (Footnotes)

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†Reflects 1976 survey.

(a) Does not include senior judges, i.e., judges between the ages of 65 and 70 who are eligible for assignment to judicial duties but who have retired from full-time service as a judge.

(b) Elective judgeships. Retired and sitting circuit judges are assigned full time to appellate court as needed.

(c) Composed of circuit and associate judges who have full jurisdiction of circuit court. Associate judges serve 4 years.

(d) A unified system with 92 district court judges who possess full jurisdiction of the court. An additional 16 district associate judges, 23 full-time judicial magistrates, and 299 part-time judicial magistrates have limited jurisdiction. District associate judges and full-time judicial magistrates serve 4 years; part-time magistrates, 2 years.

(e) 69 district judges, 62 associate district judges, and 78 district magistrate judges.

(f) Terms for new judgeships are for 10, 8, or 6 years; elected thereafter for 6-year terms.

(g) Effective January 1979.

(h) With reappointment to age 70.

(i) To age 70; judges may be certificated thereafter as supreme court judges (intermediate appellate court) for 2-year terms up to age 76.

(j) The appellate divisions may establish appellate terms to hear appeals from local courts. County courts, although basically trial courts, may hear appeals from certain local courts.

(k) 24 justices permanently authorized; in addition, as of December 31, 1976, 20 justices and certificated retired justices had been temporarily assigned.

(l) To age 70; judges may be certificated thereafter for 2-year terms up to age 76.

(m) Presided over by county judge (court of limited jurisdiction) who serves term of 4 years.

(n) Special district judges serve at pleasure of district judges by whom they are appointed.

(o) 6 years for superior judges; 4 years for assistant judges.

(p) Chief justice and associate justice sit in all divisions as well as court of last resort except in matai cases; trial court judges sit in all divisions of the High Court by designation of the chief justice.

(q) Appointed. See page 91 for details.

# QUALIFICATIONS OF JUDGES OF STATE APPELLATE COURTS AND TRIAL COURTS OF GENERAL JURISDICTION

State or other jurisdiction	Years of minimum residence														Years of legal experience				Other	
	U.S. citizenship		In state		In district		Minimum age		Learned in law											
	A	T	A	T	A	T	A	T	A	T	A	T	A	T	A	T				
Alabama	★	★	5	5	...	1	25	25	★(a)	★(a)	...	...	...	...	...	...				
Alaska	★	★	3	3	...	...	...	...	★(a)	★(a)	...	...	8	5	...	...				
Arizona	★	★	10(b)	5	★(c)	...	30(c)	30	★(a)	★(a)	10(b)	5	...	...	(d)	(d)				
Arkansas	★	★	2	2	...	...	30	28	★	★	98	6	...	...	(d)	(d)				
California	★	★	...	...	...	...	28	28	★(a)	★(a)	10	10	...	...	...	...				
Colorado	★	★	1	1	...	★	...	...	...	...	5	5	...	...	...	...				
Connecticut	...	...	...	...	...	...	...	...	★(a)	★(a)	...	...	...	...	...	...				
Delaware	...	...	(e)	(e)	...	(f)	...	...	★	★	...	...	...	...	(g)	(h)				
Florida	★	★	(e)	...	...	...	...	...	★(a)	★(a)	...	...	...	...	...	...				
Georgia	★	★	3	3	...	...	30	30	★	★	7	7	...	...	...	...				
Hawaii	★	★	1	1	...	...	...	...	★(a)	★(a)	10	10	...	...	...	...				
Idaho	★	★	1	1	...	1	...	30	★(a)	★	...	5	...	...	(i,j)	(i,j)				
Illinois	★	★	...	...	★	★	...	...	★(a)	★(a)	...	...	...	...	...	...				
Indiana	★	★	5	★	...	...	21	21	★(a)	★(a)	10(k)	★	...	...	...	...				
Iowa	★	★	...	...	...	...	...	...	★	★(l)	...	...	...	...	(m)	(m)				
Kansas	★	★	...	★	...	...	30	30	★	★(n)	10	5	...	...	...	...				
Kentucky	★	★	2	2	2	2	...	...	★	★	8	8	...	...	...	...				
Louisiana	...	...	2	2	2	2	...	...	★(a)	★(a)	5	5	...	...	...	...				
Maine	★	★	...	...	...	...	...	...	★	★	...	...	...	...	(o)	(o)				
Maryland	★	★	5	5	★	★	30	30	★(a)	★(a)	...	...	...	...	(d)	(d)				
Massachusetts	...	...	No legal qualifications in state constitution														...	...		
Michigan	...	...	...	...	...	...	...	21	★	★(a)	...	...	...	...	(i)	(i)				
Minnesota	...	...	5	5	...	...	30	26	★	★	...	...	...	...	...	...				
Mississippi	...	...	...	...	...	...	...	...	...	...	★	5	...	...	(i)	(i)				
Missouri	★	★	9(p)	3(p)	★	★	30	30	★	★	...	...	...	...	(i)	(i)				
Montana	★	★	2	2	...	...	...	...	★(a)	★(a)	5	5	...	...	...	...				
Nebraska	★	★	3	3	★	★	30	30	★(a)	★(a)	...	...	...	...	...	...				
Nevada	★	★	2	...	...	...	25	25	★(a)	★(a)	...	...	...	...	(i)	(i)				
New Hampshire	...	...	No legal qualifications														...	...		
New Jersey	...	...	Residence or principal law office in state					28	28	★(a)	★(a)	10	10	...	...	...	...			
New Mexico	★	★	3	3	...	★	30	30	★	★	3	3	...	...	...	...				
New York	★	★	★	★	...	★	18	18	★(a)	★(a)	10	10	...	...	(d)	(d)				
North Carolina	★	★	1 mo.	1 mo.	...	...	21	21	...	...	...	...	...	...	(i)	(i)				
North Dakota	★	★	...	...	...	...	...	...	★	★	...	...	...	...	...	...				
Ohio	★	★	1	...	...	1	...	...	★(a)	★(a)	6	6	...	...	...	...				
Oklahoma	★	★	...	1	1	6 mos.	30	18(q)	★	★	5	4(q)	...	...	(r)	(r)				
Oregon	★	★	...	...	...	...	21	21	★(a)	★(a)	...	...	...	...	(i)	...				
Pennsylvania	★	★	1(e)	1(e)	...	1	21	21	★(a)	★(a)	...	...	...	...	...	...				
Rhode Island	★	★	2	2	...	...	21	21	...	★	...	...	...	...	...	...				
South Carolina	★	★	5	5	...	...	26	26	...	★	5	5	...	...	...	...				
South Dakota	★	★	1	1	★	★	18	18	★(a)	★(a)	...	...	...	...	...	...				
Tennessee	...	...	5	5	...	1	35(s)	30	★	★	...	...	...	...	...	...				
Texas	★	★	(e)	(e)	...	2	35	25	...	...	10	4	...	...	...	...				
Utah	...	...	5	3	...	★	30	25	★	★	★	★	...	...	...	...				
Vermont	★	★	★	★	...	...	...	...	...	...	5(t)	5(t)	...	...	...	...				
Virginia	★	★	...	...	...	...	21	21	★(a)	★(a)	5	5	...	...	(u)	(u)				
Washington	★	★	1	1	...	...	21	21	★(a)	★(a)	...	...	...	...	...	...				
West Virginia	★	★	5	5	...	...	30	30	...	...	10	5	...	...	(i)	(i)				
Wisconsin	★	★	6 mos.	6 mos.	...	★	25	25	★(a)	★(a)	5	5	...	...	(i)	(i)				
Wyoming	★	★	3	2	...	...	30	28	★	★	9	5	...	...	(v)	(v)				
Dist. of Col.	★	★	★	★	...	...	...	...	...	...	5	5	...	...	...	...				
American Samoa	★	★	...	...	...	...	...	...	★(a)	★(a)	...	...	...	...	...	...				
Guam†	★	★	...	...	...	...	...	...	★	★	...	...	...	...	...	...				
Puerto Rico	★	★	5	...	...	...	...	25	★(a)	★(a)	10	...	...	...	...	...				

## QUALIFICATIONS OF JUDGES

### (Footnotes)

#### *Symbols:*

A—Judges of courts of last resort and intermediate appellate courts.  
T—Judges of trial courts of general jurisdiction.

★—Indicates requirement exists. In some instances, information on length of time for requirement not supplied at time of publication.

†—Reflects 1976 survey.

(a) Member of or admitted to bar. Alabama—licensed to practice law in the state. Connecticut, Illinois, Nebraska, New Jersey, New York, Virginia, Washington—shall not engage in private practice. Montana, Virginia, Washington (for appellate courts), Wisconsin—member of bar at least 5 years.

(b) For court of appeals, 5 years.

(c) For court of appeals.

(d) Good character. Maryland—integrity and wisdom. New York—persons who by their character, temperament, professional aptitude and experience are well qualified to hold such judicial office.

(e) State citizenship.

(f) There must be 1 judge residing in each of state's 3 counties.

(g) No more than 2 justices can be of same major political party; at least 1 justice must be of other major political party.

(h) No more than bare majority of judges can be of same major political party; remainder of judges must be of other major political party.

(i) Qualified voter. Nevada—qualified elector in state for supreme court justices; in state and district for trial court judges. Oregon—qualified elector in county of residence for court of appeals judges.

(j) Judges must be under 70 at time of election or appointment.

(k) Member of state bar 10 years, or 5 years a trial judge.

(l) Part-time judicial magistrates not required to be learned in law, but like full-time magistrates, must be an elector of the county of appointment, less than 72 years of age, and retire upon attaining that age.

(m) Justices of supreme court, judges of court of appeals, and district court judges, at time of appointment, must be of an age which will permit them to serve an initial and 1 regular term before reaching age 72. Magistrates must be of an age which will permit them to serve a full term of office before reaching age 72.

(n) District and associate district judges must be regularly admitted to the bar; district magistrate judges need not be admitted to the bar, but if not they must be certified by the supreme court as qualified to serve.

(o) Sobriety of manner.

(p) Required number of years as qualified voter.

(q) Associate district judges required to be licensed to practice in the state; 2 years of practice required; age not specified.

(r) Shall continue to be licensed attorney while holding office.

(s) 30 years for judges of court of appeals and court of criminal appeals.

(t) 5 out of 10 years preceding appointment or election.

(u) Shall not seek or accept nonjudicial elective office, or hold any other office of public trust, or engage in any other incompatible activity.

(v) Shall have practiced law in state at least one year immediately preceding election or appointment.

## FINAL SELECTION OF JUDGES

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<b>Alabama</b> .....	Appellate, circuit, district, and probate judges elected on partisan ballots. Judges of municipal courts are appointed by the governing body of the municipality.
<b>Alaska</b> .....	Supreme court justices, superior, and district court judges appointed by governor from nominations by Judicial Council. Approved or rejected at first general election held more than 3 years after appointment. Reconfirmed every 10, 6, and 4 years, respectively. Magistrates appointed by and serve at pleasure of the presiding judges of each judicial district.
<b>Arizona</b> .....	Supreme court justices and court of appeals judges appointed by governor from a list of not less than 3 for each vacancy submitted by a 9-member Commission on Appellate Court Appointments. Maricopa and Pima County superior court judges appointed by governor from a list of not less than 3 for each vacancy submitted by a 9-member commission on trial court appointments for each county. Superior court judges of other 12 counties elected on nonpartisan ballot (partisan primary); justices of the peace elected on partisan ballot; city and town magistrates selected as provided by charter or ordinance, usually appointed by mayor and council.
<b>Arkansas</b> .....	All elected on partisan ballot.
<b>California</b> .....	Supreme court and courts of appeal judges appointed by governor with approval of Commission on Judicial Appointments. Run for reelection on record. All judges elected on nonpartisan ballot.
<b>Colorado</b> .....	Judges of all courts, except Denver County and municipal, appointed initially by governor from lists submitted by nonpartisan nominating commissions; run on record for retention. Municipal judges appointed by city councils or town boards. Denver County judges appointed by mayor from list submitted by nominating commission; judges run on record for retention.
<b>Connecticut</b> .....	All appointed by legislature from nominations submitted by governor, except that probate judges are elected on partisan ballot.
<b>Delaware</b> .....	All appointed by governor with consent of senate.
<b>Florida</b> .....	All trial judges are elected on a nonpartisan ballot. All appellate judges are appointed by the governor with recommendations by a Judicial Nominating Commission. The latter are retained by running on their records.
<b>Georgia</b> .....	All elected on partisan ballot except that county and some city court judges are appointed by the governor with consent of the senate.
<b>Hawaii</b> .....	Supreme court justices and circuit court judges appointed by the governor with consent of the senate. District judges appointed by chief justice of the state.
<b>Idaho</b> .....	Supreme court and district court judges initially are nominated by Idaho Judicial Council and appointed by governor; thereafter, they are elected on nonpartisan ballot. Magistrates appointed by District Magistrate's Commission for initial 2-year term; thereafter, run on record for retention for 4-year term on nonpartisan ballot.
<b>Illinois</b> .....	All elected on partisan ballot and run on record for retention. Associate judges are appointed by circuit judges and serve 4-year terms.
<b>Indiana</b> .....	Judges of appellate courts appointed by governor from a list of 3 for each vacancy submitted by a 7-member Judicial Nomination Commission. Governor appoints members of municipal courts and several counties have judicial nominating commissions which submit a list of nominees to the governor for appointment. All other judges are elected.
<b>Iowa</b> .....	Judges of supreme, appeals, and district courts appointed initially by governor from lists submitted by nonpartisan nominating commissions. Appointee serves initial 1-year term and then runs on record for retention. District associate judges run on record for retention; if not retained or office becomes vacant, replaced by a full-time judicial magistrate. Full-time judicial magistrates appointed by district judges in the judicial election district from nominees submitted by county judicial magistrate appointing commission. Part-time judicial magistrates appointed by county judicial magistrate appointing commissions.
<b>Kansas</b> .....	Judges of appellate courts appointed by governor from list submitted by nominating commission. Run on record for retention. Nonpartisan selection method adopted for judges of courts of general jurisdiction in 23 of 29 districts.
<b>Kentucky</b> .....	All judges elected on nonpartisan ballot.
<b>Louisiana</b> .....	All elected on open (bipartisan) ballot.
<b>Maine</b> .....	All appointed by governor with confirmation of the senate, except that probate judges are elected on partisan ballot.
<b>Maryland</b> .....	Judges of court of appeals, court of special appeals, circuit courts, and Supreme Bench of Baltimore City appointed by governor, elected on nonpartisan ballot after at least one year's service. District court judges appointed by governor subject to confirmation by senate.
<b>Massachusetts</b> .....	All appointed by governor with consent of Executive Council. Judicial Nominating Commission, established by executive order, advises governor on appointment of judges.
<b>Michigan</b> .....	All elected on nonpartisan ballot, except municipal judges in accordance with local charters by local city councils.
<b>Minnesota</b> .....	All elected on nonpartisan ballot. Vacancy filled by gubernatorial appointment.
<b>Mississippi</b> .....	All elected on partisan ballot, except that city police court justices are appointed by governing authority of each municipality.
<b>Missouri</b> .....	Judges of supreme court, court of appeals, circuit and probate courts in St. Louis City and County, Jackson County, Platte County, Clay County, and St. Louis Court of Criminal Correction appointed initially by governor from nominations submitted by special commissions. Run on record for reelection. All other judges elected on partisan ballot.
<b>Montana</b> .....	All elected on nonpartisan ballot. Vacancies on supreme or district courts and Worker's Compensation Court filled by governor according to established appointment procedure (from 3 nominees submitted by Judicial Nominations Commission). Vacancies at end of term may be filled by election, except Worker's Compensation Court. Gubernatorial appointments face senate confirmation.
<b>Nebraska</b> .....	Judges of all courts appointed initially by governor from lists submitted by bipartisan nominating commissions. Run on record for retention in office in general election following initial term of 3 years; subsequent terms are 6 years.

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## FINAL SELECTION OF JUDGES—Concluded

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<b>Nevada</b> .....	All elected on nonpartisan ballot.
<b>New Hampshire</b> ...	All appointed by governor with confirmation of Executive Council.
<b>New Jersey</b> .....	All appointed by governor with consent of senate except that judges of municipal courts serving one municipality only are appointed by governing bodies.
<b>New Mexico</b> .....	All elected on partisan ballot.
<b>New York</b> .....	All elected on partisan ballot except that governor appoints chief judge and associate judges of court of appeals, with advice and consent of senate, from a list of persons found to be well qualified and recommended by the bipartisan Judicial Nominating Commission, and also appoints judges of court of claims and designates members of appellate division of supreme court. Mayor of New York City appoints judges of the criminal and family courts in the city.
<b>North Carolina</b> ....	All elected on partisan ballot. By executive order, governor has established 1-year trial system for merit selection of superior court judges.
<b>North Dakota</b> .....	All elected on nonpartisan ballot.
<b>Ohio</b> .....	All elected on nonpartisan ballot except court of claims judges who may be appointed by chief justice of supreme court from ranks of supreme court, court of appeals, court of common pleas, or retired judges.
<b>Oklahoma</b> .....	Supreme court justices and court of criminal appeals judges appointed by governor from lists of 3 submitted by Judicial Nominating Commission. If governor fails to make appointment within 60 days after occurrence of vacancy, appointment is made by chief justice from the same list. Run for election on their records at first general election following completion of 12 months' service for unexpired term. Judges of court of appeals, and district and associate district judges elected on nonpartisan ballot in adversary popular election. Special judges appointed by district judges. Municipal judges appointed by governing body of municipality.
<b>Oregon</b> .....	All judges except municipal judges are elected on nonpartisan ballot for 6-year terms. Municipal judges are mostly appointed by city councils except 1 Oregon city elects its judge.
<b>Pennsylvania</b> .....	All originally elected on partisan ballot; thereafter, on nonpartisan retention ballot, except police magistrates, city of Pittsburgh—appointed by mayor of Pittsburgh.
<b>Rhode Island</b> .....	Supreme court justices elected by legislature. Superior, family, and district court justices and justices of the peace appointed by governor, with consent of senate (except for justices of the peace); probate and municipal court judges appointed by city or town councils.
<b>South Carolina</b> .....	Supreme court and circuit court judges elected by legislature. City judges, magistrates, and some county judges and family court judges appointed by governor—the latter on recommendation of the legislative delegation in the area served by the court. Probate judges and some county judges elected on partisan ballot.
<b>South Dakota</b> .....	All elected on nonpartisan ballot, except magistrates (law trained and others), who are appointed by the presiding judge of the judicial circuit.
<b>Tennessee</b> .....	Judges of intermediate appellate courts appointed initially by governor from nominations submitted by special commission. Run on record for reelection. The supreme court judges and all other judges elected on partisan ballot, except for some municipal judges who are appointed by the governing body of the city.
<b>Texas</b> .....	All elected on partisan ballot except municipal judges, most of whom are appointed by municipal governing body.
<b>Utah</b> .....	Supreme court, district court, and circuit court judges appointed by governor from lists of 3 nominees submitted by nominating commissions. If governor fails to make appointment within 30 days, chief justice appoints. Judges run for retention in office at next succeeding election; they may be opposed by others on nonpartisan judicial ballots. Juvenile court judges are initially appointed by the governor from a list of not less than 2 nominated by the Juvenile Court Commission, and retained in office by gubernatorial appointment. Town justices of the peace are appointed for 4-year terms by town trustees. County justices of the peace are elected for 4 years on nonpartisan ballot.
<b>Vermont</b> .....	Supreme court justices, superior court judges (presiding judges of county courts), and district court judges appointed by governor with consent of senate from list of persons designated as qualified by the Judicial Selection Board. Supreme, superior, and district court judges retained in office by vote of legislature. Assistant judges of county courts and probate judges elected on partisan ballot in the territorial area of their jurisdiction.
<b>Virginia</b> .....	Supreme court justices and all judges of circuit courts, general district, and juvenile and domestic relations district courts elected by legislature. Committee on district courts, in the case of part-time judges, certifies that a vacancy exists. Thereupon, all part-time judges of general district courts and juvenile and domestic relations courts are appointed by circuit court judges.
<b>Washington</b> .....	All elected on nonpartisan ballot except that municipal judges in second-, third- and fourth-class cities are appointed by mayor.
<b>West Virginia</b> .....	Judges of all courts of record and magistrate courts elected on partisan ballot.
<b>Wisconsin</b> .....	All elected on nonpartisan ballot.
<b>Wyoming</b> .....	Supreme court justices and district court judges appointed by governor from a list of 3 submitted by nominating committee and stand for retention at next election after 1 year in office. Justices of the peace elected on nonpartisan ballot. Municipal judges appointed by mayor.
<b>Dist. of Col.</b> .....	Nominated by the president of the United States from a list of persons recommended by the District of Columbia Judicial Nominating Commission; appointed upon the advice and consent of the U.S. Senate.
<b>American Samoa</b> ..	Chief justice and associate justice(s) appointed by the U.S. Secretary of Interior pursuant to presidential delegation of authority. Associate judges appointed by governor of American Samoa on recommendation of the chief justice, and subsequently confirmed by the senate of American Samoa.
<b>Guam†</b> .....	All appointed by governor with consent of legislature from list of 3 nominees submitted by Judicial Council for term of 5 years; thereafter run on record for retention every 5 years.
<b>Puerto Rico</b> .....	All appointed by governor with consent of senate.

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†Reflects 1976 survey.

# COMPENSATION OF JUDGES OF APPELLATE COURTS AND MAJOR TRIAL COURTS\*

Appellate courts						
State or other jurisdiction	Court of last resort	Salary	Intermediate appellate court	Salary	Major trial courts	Salary
Alabama	Supreme Court	\$33,500	Court of Criminal Appeals Court of Civil Appeals	\$33,000 33,000	Circuit courts	\$25,000
Alaska	Supreme Court	52,992	...	...	Superior courts	48,576
Arizona	Supreme Court	37,000	Court of Appeals	35,000	Superior courts	33,000(b)
Arkansas	Supreme Court	34,308(c)	...	...	Chancery & probate courts	31,914
California	Supreme Court	62,935(c,d)	Courts of Appeal	59,002(d)	Circuit courts	31,914
Colorado	Supreme Court	40,000(c)	Court of Appeals	37,000	Superior courts	49,116(d,e)
Connecticut	Supreme Court	36,000(c,f)	...	...	District Court	33,000
Delaware	Supreme Court	42,000(c)	...	...	Superior Court	28,500-34,500
Florida	Supreme Court	43,200	District courts of appeal	41,000	Court of Chancery	39,000(f)
Georgia	Supreme Court	46,000	Court of Appeals	45,500	Superior Court	39,000(f)
Hawaii	Supreme Court	45,000(c)	...	...	Circuit courts	38,900
Idaho	Supreme Court	31,500	...	...	Superior courts	38,500
Illinois	Supreme Court	50,000	Appellate Court	45,000	Circuit courts	42,500
Indiana	Supreme Court	38,100(h)	Court of Appeals	38,100(h)	District courts	28,500
Iowa	Supreme Court	45,000(c)	Court of Appeals	42,500	Circuit courts	42,500(g)
Kansas	Supreme Court	34,000(c)	Court of Appeals	33,000(f)	Circuit courts	26,500-31,500(a)
Kentucky	Supreme Court	39,000(c)	Court of Appeals	37,000(f)	Superior courts	26,500-31,500(a)
Louisiana	Supreme Court	50,000	Court of Appeals	47,500	Criminal courts	40,000(f,i)
Maine	Supreme Judicial Court	29,000(c)	...	...	District courts	30,000(j)
Maryland	Court of Appeals	46,400(c)	Court of Special Appeals	43,500(f)	Circuit courts of counties	35,000
Massachusetts	Supreme Judicial Court	43,079(c)	Appeals Court	39,987(f)	Superior Court	28,500
Michigan	Supreme Court	53,000	Court of Appeals	48,500	Circuit courts Recorder's Court (Detroit)	41,200
Minnesota	Supreme Court	49,000(c)	...	...	Courts of Supreme Bench of Balti- more City	41,200
Mississippi	Supreme Court	34,000(c)	...	...	Superior Court	38,379(f)
Missouri	Supreme Court	50,000(c)	Court of Appeals	47,500	Circuit courts	29,100-46,522(a)
Montana	Supreme Court	36,000(c)	...	...	Recorder's Court (Detroit)	43,372
Nebraska	Supreme Court	39,750	...	...	District courts	42,000
Nevada	Supreme Court	47,250	...	...	Chancery courts	30,000
New Hampshire	Supreme Court	40,000	...	...	Circuit courts	30,000
New Jersey	Supreme Court	48,000(c)	Appellate division of Superior Court	45,000	Circuit courts	45,000
New Mexico	Supreme Court	36,348	Court of Appeals	34,720	Circuit courts	45,000
New York	Court of Appeals	60,575(c)	Appellate divisions of Supreme Court	51,627(f,n)	District courts	45,000
North Carolina	Supreme Court	43,408(c)	Court of Appeals	40,862(f)	Superior Court	35,758(h)
North Dakota	Supreme Court	36,800(c)	...	...	District courts	35,758(h)
Ohio	Supreme Court	40,000(c)	Court of Appeals	37,000	Courts of common pleas	34,500(f)
Oklahoma	Supreme Court	38,000	Court of Appeals	35,000	Courts of common pleas	23,500-34,000(o)
Oregon	Court of Criminal Appeals	38,000	Court of Appeals	40,860	District Court	21,000-32,500(p)
Pennsylvania	Supreme Court	41,856	Superior Court	53,000(f)	Circuit courts	37,968
Rhode Island	Supreme Court	36,300(c,r)	Commonwealth Court	53,000(f)	Courts of common pleas	45,000(q)
South Carolina	Supreme Court	45,000(c)	...	...	Superior Court	34,100(f,r)
South Dakota	Supreme Court	32,000(c)	...	...	Circuit Court	45,000
Tennessee	Supreme Court	50,391(c,s)	Court of Appeals Court of Criminal Appeals	36,052(f,s) 36,052(f,s)	Circuit courts	40,000
Texas	Supreme Court	49,800(c)	Court of Civil Appeals	43,900(f,t)	Chancery courts	41,992(s)
Utah	Court of Criminal Appeals	49,800(c)	...	...	Circuit courts	41,992(s)
Vermont	Supreme Court	35,500	...	...	Criminal courts	41,992(s)
Virginia	Supreme Court	45,000(c,h)	...	...	Law-equity courts	41,992(s)
Washington	Supreme Court	45,000	Court of Appeals	42,000	District courts	34,500(u)
West Virginia	Supreme Court of Appeals	35,000	...	...	District courts	33,500(f)
Wisconsin	Supreme Court	44,160(c)	...	...	Superior courts	30,000
Wyoming	Supreme Court	32,500	...	...	District courts	29,000
Dist. of Col.	Court of Appeals	51,750	...	...	Circuit courts	42,000
American Samoa	High Court: Appellate	36,000- 47,000(w)	...	...	Superior courts	39,000
Guam†	Supreme Court	33,000(c)	...	...	Circuit courts	31,500
Puerto Rico	Supreme Court	32,000(c)	...	...	Circuit courts	29,940(v)
					County courts	27,450(v)
					District courts	30,000
					Superior Court	49,050
					High Court: Trial	9,000(x)

## COMPENSATION OF JUDGES\*

## (Footnotes)

\*Compensation is shown according to most recent legislation even though laws may not yet have taken effect.

†Effective January 1979.

‡Reflects 1976 survey.

(a) Range based on varying optional county supplements.

Indiana—range depends on population of circuit.

(b) One half paid by state, one half by county.

(c) These jurisdictions pay additional amounts to chief justices or presiding judges of court of last resort:

Arkansas—\$3,402.

California—\$3,934.

Colorado, Hawaii, Missouri, New Jersey, Pennsylvania—\$2,500.

Connecticut—\$4,000.

Delaware, Kentucky, Texas (also presiding judge)—\$500.

Iowa—\$5,000.

Kansas, Mississippi, Montana, Rhode Island, Virginia—\$1,000.

Maine, North Dakota, Vermont—\$1,500.

Maryland—\$1,000.

Massachusetts—\$1,484.

New Hampshire—\$1,500.

Minnesota—\$3,000.

New York—\$2,568.

North Carolina—\$1,022.

Ohio—\$3,500.

South Carolina—\$6,124.

South Dakota, Guam—\$2,000.

Tennessee—because of cost-of-living increase, chief justice makes about \$4,199 more than associate judges.

Wisconsin—\$5,760.

Puerto Rico—\$600.

(d) Cost-of-living increase based yearly on amount of California consumer price index, compiled by California Department of Industrial Relations, increased in the previous year, but not to exceed 5 percent.

(e) Partially paid by state, partially by county, based on statutory population formula.

(f) Additional amounts paid to various judges:

Connecticut—chief court administrator, if he is a judge of supreme or superior court.

Delaware—presiding judge of chancery and superior courts, \$500.

Iowa—chief judge of district court, \$2,000; chief judge of court of appeals, \$1,000.

Kansas—chief judge of court of appeals, \$1,000.

Kentucky—chief judge of court of appeals, \$500.

Maryland—presiding judge of intermediate appellate court, \$1,200.

Massachusetts—chief justice of appeals court, \$1,485; chief justice of superior court, \$1,608.

New Hampshire—presiding judge of superior court, \$208.

New York—presiding judge of intermediate appellate court, \$3,639.

North Carolina—presiding judge of intermediate appellate court, \$1,016.

North Dakota—presiding judge of district court, \$1,200.

Pennsylvania—presiding judge of intermediate appellate court and commonwealth court, \$1,500.

Rhode Island—presiding judge of superior court, \$1,000.

South Dakota—presiding judge, \$1,000.

Tennessee—presiding judge, \$1,679.

Texas—chief justice, \$500.

Utah—chief judge and chairman of judicial council, \$1,000.

Guam—presiding judge, \$500.

(g) Associate judges of circuit court, \$37,000.

(h) These jurisdictions pay an expense allowance: Indiana—\$3,000; North Carolina—\$5,500; Virginia—\$3,000 in lieu of per diem.

(i) District associate judges and full-time judicial magistrates, \$33,000; part-time judicial magistrates, \$8,750.

(j) District judges receive county supplements up to \$2,500 in 6 urban districts; associate district judges may have a basic state-paid salary of \$22,000 supplemented by county up to 95% of district judge pay. District magistrate judges' salaries are paid entirely by county; amounts range from \$9,000 to \$16,400.

(k) Judges in single-parish districts with population in excess of 225,000 receive \$45,000; all others receive \$42,500.

(l) Base state salary is \$36,500. County-paid supplement of \$1,500 is mandatory in counties over 150,000 population.

(m) Assignment judges receive \$43,000 salary.

(n) \$10,500 of this cost is to locality (county or New York City).

(o) Variation in salary based on population.

(p) Unified court system. District judges, \$32,000; associate district judges paid on basis of population ranges.

(q) Additional amounts from \$500 to \$2,500 paid president judges and administrative and president judges of divisions. Variations based on number of judges and population.

(r) Salary supplemented by state service longevity at 7, 15, and 20 years, up to 20 percent.

(s) Cost-of-living increase limited to 5 percent yearly until July 1982.

(t) Counties may supplement up to a total salary of \$48,800; \$49,300 for chief justices of intermediate appellate courts.

(u) Counties may supplement up to a total of \$1,000 less than that received by justices of intermediate appellate courts.

(v) Counties may pay supplement with maximum salary not to exceed \$39,938.

(w) Salary plus 25% post differential.

(x) Associate judges; chief associate judge receives \$13,000.

## STATE COURTS OF LAST RESORT

State or other jurisdiction	Name of court	Justices chosen*		Method of selection	Chief justice†	Term
		At large	By district			
Alabama .....	S.C.	★	...	Popular election		6 years
Alaska .....	S.C.	★(a)	...	By court		3 years (b)
Arizona .....	S.C.	★	...	By court		5 years
Arkansas .....	S.C.	★	...	Popular election		8 years
California .....	S.C.	★(a)	...	First apptd. by gov., then subject to approval by popular election		12 years
Colorado .....	S.C.	★(a)	...	By court		Pleasure of court
Connecticut .....	S.C.	★(c)	...	Nominated by gov.; apptd. by legislature		8 years
Delaware .....	S.C.	★(d)	...	Apptd. by gov., confirmed by senate		12 years
Florida .....	S.C.	★	...	By court		2 years
Georgia .....	S.C.	★	...	Appointed by court		Remainder of term as justice
Hawaii .....	S.C.	★(d)	...	Apptd. by gov., with consent of senate		10 years
Idaho .....	S.C.	★	...	Justice with shortest time to serve		Remainder of term as justice
Illinois .....	S.C.	...	★	By court		3 years
Indiana .....	S.C.	★	...	Judicial Nominating Commission		5 years
Iowa .....	S.C.	★(a)	...	By court		Remainder of term as justice
Kansas .....	S.C.	★(a)	...	Seniority of service		Remainder of term as justice
Kentucky .....	S.C.	...	★	By court		4 years
Louisiana .....	S.C.	...	★	Seniority of service		Remainder of term as justice
Maine .....	S.J.C.	★(d)	...	Apptd. by gov., with consent of senate		7 years
Maryland .....	C.A.	...	★(a)	By governor		Remainder of term as judge
Massachusetts .....	S.J.C.	★(d)	...	Apptd. by gov., with consent of council		To age 70
Michigan .....	S.C.	★	...	By court		2 years
Minnesota .....	S.C.	★	...	Popular election		6 years
Mississippi .....	S.C.	...	★	Seniority of service		Remainder of term as justice
Missouri .....	S.C.	★(a)	...	By court rotation		2 years
Montana .....	S.C.	★	...	Popular election		8 years
Nebraska .....	S.C.	...	★(a)	By governor		6 years
Nevada .....	S.C.	★	...	Justice whose commission is oldest—rotation		2 years
New Hampshire .....	S.C.	★(d)	...	Apptd. by gov. and council		To age 70
New Jersey .....	S.C.	★(d)	...	Apptd. by gov., with consent of senate		7 years, reapptd. to age 70
New Mexico .....	S.C.	★	...	Justice with shortest time to serve		Remainder of term as justice
New York .....	C.A.	★(d)	...	Apptd. by gov., with consent of senate		14 years
North Carolina .....	S.C.	★	...	Popular election		8 years
North Dakota .....	S.C.	★	...	By supreme & district court judges sitting together		5 years or until expiration of term as justice, whichever is first
Ohio .....	S.C.	★	...	Popular election		6 years
Oklahoma .....	S.C.	...	★(a)	By court		2 years
	C.C.A.	...	★(a)	By court		2 years
Oregon .....	S.C.	★	...	By court		6 years
Pennsylvania .....	S.C.	★	...	Seniority of service		Remainder of term as justice
Rhode Island .....	S.C.	★(e)	...	By legislature		Life
South Carolina .....	S.C.	★(e)	...	By legislature		10 years
South Dakota .....	S.C.	...	★	By court		4 years
Tennessee .....	S.C.	★(f)	...	By court		Pleasure of court
Texas .....	S.C.	★	...	Popular election		6 years
	C.C.A.	★	...	Popular election		6 years
Utah .....	S.C.	★(a)	...	Justice with shortest time to serve on a regularly elected term		Remainder of term as justice
			...	By governor		6 years
Vermont .....	S.C.	★	...			
Virginia .....	S.C.	★(e)	...	Seniority of service		Remainder of term as justice
Washington .....	S.C.	★	...	Judge with shortest time to serve(g)		2 years
West Virginia .....	S.C.A.	★	...	By court		Pleasure of court
Wisconsin .....	S.C.	★	...	Seniority of service		Remainder of term as justice
Wyoming .....	S.C.	★(h)	...	By court		Pleasure of court
Dist. of Col. ....	C.A.	★	...	By Judicial Nomination Commission		4 years
American Samoa .....	H.C.	★(i)	...	By U.S. Secretary of Interior		Life
Guam† .....	S.C.	★	...	By governor		5 years
Puerto Rico .....	S.C.	★(d)	...	Apptd. by gov., with consent of senate		To age 70

## Symbols:

S.C.—Supreme Court

S.J.C.—Supreme Judicial Court

C.A.—Court of Appeals

C.C.A.—Court of Criminal Appeals

S.C.A.—Supreme Court of Appeals

H.C.—High Court

\*See pages 90-91 for details.

†Title is Chief Justice, except Chief Judge in Maryland and New York and Presiding Judge in Oklahoma and Texas (Court of Criminal Appeals), and South Dakota.

‡Reflects 1976 survey.

(a) Justices originally appointed by governor, subsequently stand for retention on their records.

(b) A justice may serve more than 1 term as chief justice but may not serve consecutive terms in that office.

(c) Justices nominated by governor, appointed by legislature.

(d) Justices appointed by governor, with consent of senate. In Massachusetts and New Hampshire, with consent of council.

(e) Justices elected by legislature.

(f) Justices chosen at large (each voter may vote for 5), but not more than 2 may reside in any 1 of the 3 geographical regions of the state.

(g) Senior judge next up for election who has not yet served as chief justice. Must have served a full term to be eligible for chief justice.

(h) Justices appointed by governor from a list of 3 submitted by Nominating Committee.

(i) Appointed by U.S. Secretary of the Interior.



## METHODS FOR REMOVAL OF JUDGES AND FILLING OF VACANCIES

State or other jurisdiction	How removed	Vacancies: how filled
Alabama .....	All judges subject to impeachment. All except justices of supreme court may be removed by supreme court. A Judicial Inquiry Commission and Court of the Judiciary were created in new constitution for purpose of investigating and acting upon complaints. Court of the Judiciary is empowered to remove, suspend, censure, or otherwise discipline a judge.	By governor, until the next general election, when judge is elected to fill unexpired term. All interim appointees customarily elected for a full term.
Alaska .....	All justices and judges subject to impeachment for malfeasance or misfeasance. Impeachment by 2/3 vote of senate; trial in house, with a supreme court justice, designated by the court, presiding. Concurrence of 2/3 vote of house required for removal. On recommendation of Judicial Qualifications Commission or on own motion, supreme court may suspend judge from office without salary when in U.S. he pleads guilty or no contest or is found guilty of a crime punishable as a felony under Alaska or federal law or of any other crime involving moral turpitude under that law. If conviction is reversed, suspension terminates, and he shall be paid salary for period of suspension. If conviction becomes final, removal from office by supreme court. On recommendation of Judicial Qualifications Commission, supreme court may (1) retire judge for disability that seriously interferes with performance of duties and is or is likely to become permanent, and (2) censure or remove judge for action occurring not more than 6 years before commencement of current term which constitutes willful misconduct in office, willful and persistent failure to perform duties, habitual intemperance, or conduct prejudicial to the administration of justice that brings the judicial office into disrepute.	Filled by governor from nominations by Judicial Council.
Arizona .....	Every public officer subject to recall. Electors, equal to 25% of votes cast at last preceding general election, may petition for recall. All judges, except justices of courts not of record, subject to impeachment by 2/3 of vote of senate. Upon recommendation of Commission on Judicial Qualifications, supreme court may remove judges from all courts (except city magistrate) for willful misconduct in office, willful and persistent failure to perform duties, habitual intemperance, or conduct prejudicial to the administration of justice that brings the judicial office into disrepute, or may retire them for disability that seriously interferes with performance of duties and is, or is likely to become, permanent.	Supreme court justices, court of appeals judges, and Maricopa and Pima County superior court judges selected in manner provided for in original appointment. Superior court judges of the other 12 counties by governor, until the next general election when judge is elected to fill unexpired term. Justices of the peace by county board of supervisors for balance of term. City magistrates by the mayor and council.
Arkansas .....	Judges of the supreme and circuit courts and chancellors are subject to removal by impeachment or by the governor upon the joint address of 2/3 of the members elected to each house of the legislature.	By governor until next general election. Ad interim appointees ineligible for election.
California .....	Judges of all state courts subject to impeachment. All judges subject to recall by voters. Suspension without salary by supreme court when they plead guilty or no contest or are found guilty of a crime punishable as a felony under California or federal law or of any other crime that involves moral turpitude, and removal by the supreme court upon final conviction of such crimes. Upon recommendation of Commission on Judicial Performance, supreme court may remove judges from all courts for willful misconduct in office, willful and persistent failure to perform duties, habitual intemperance, or conduct prejudicial to the administration of justice that brings the judicial office into disrepute, or may retire them for disability that seriously interferes with performance of duties and is, or is likely to become, permanent.	Supreme court and courts of appeal judges, by governor with approval of Commission on Judicial Appointments, until next gubernatorial election. If elected, fills unexpired term of predecessor. Superior court judges, by governor, until next election. Judge then elected serves full term. Municipal court judges, by governor, for unexpired term of predecessor. Circuit justice court judges, by board of supervisors of county or by special election, until next election, when judge is elected to serve unexpired term.
Colorado .....	Judges of supreme, appeals, district, and county courts, by impeachment or (except judges of the Denver County court) on recommendation of the Commission on Judicial Qualifications, by the supreme court, for willful misconduct in office, willful or persistent failure to perform duties, or habitual intemperance, as well as for disability seriously interfering with performance of duties and likely to become of a permanent character. Denver County court and municipal judges may be removed according to charter and ordinance provisions.	By the governor, from lists submitted by judicial nominating commissions.
Connecticut .....	Judges of the supreme and superior courts may be removed by impeachment, with trial by the senate and 2/3 vote. Governor may also remove them on the address of 2/3 of each house of the legislature. The supreme court, acting on its own motion or upon a recommendation of the Judicial Review Council, may remove or suspend a judge of the supreme court or superior court. An investigation and hearing are required. If the alleged conduct involves a member of the supreme court, such judge is disqualified from participating in the proceedings. If a judge becomes permanently incapacitated from fulfilling adequately the duties of his office, he may be retired for disability by the Judicial Review Council on its own motion or on application of the judge.	By governor until the next legislature or until a successor shall be elected or appointed.
Delaware .....	Court on the Judiciary has power to retire judge for permanent mental or physical disability, or to censure or remove judge from office for misconduct. All civil officers may be impeached.	As in case of original appointment.
Florida .....	Justices of the supreme court, and judges of the district courts of appeal and circuit courts may be impeached for misdemeanor in office. Any such justice or judge may be disciplined or removed by the supreme court on recommendation of a Judicial Qualifications Commission for willful or persistent failure to perform his duties or for conduct unbecoming a member of the judiciary, or may be retired for disability seriously interfering with the performance of his duties, which is, or is likely to become, of a permanent nature.	By the governor, until the next general election, from recommendations provided by an appropriate Judicial Nominating Commission.

## METHODS FOR REMOVAL OF JUDGES—Continued

<i>State or other jurisdiction</i>	<i>How removed</i>	<i>Vacancies: how filled</i>
<b>Georgia</b> .....	Judges are subject to impeachment for cause, and removal from office. Trial by senate, 2/3 vote. A Judicial Qualification Commission investigates charges of alleged misconduct or incapacity and certifies its findings to the supreme court. Any justice or judge may then be retired, removed, or censured by the supreme court upon recommendation of the Judicial Qualification Commission.	By the governor, until the next general election.
<b>Hawaii</b> .....	A Commission for Judicial Qualification investigates charges of alleged misconduct or incapacity and certifies its findings to the governor. Any justice or judge then may be retired or removed by the governor upon recommendation by an especially appointed board of judicial removal.	Supreme and circuit court vacancies by governor, by and with advice and consent of senate. Pending official appointment, chief justice may assign circuit judge to serve temporarily on supreme court or on any vacant circuit court bench. District court vacancies filled by chief justice.
<b>Idaho</b> .....	Judges are subject to impeachment for cause, and removed from office. Impeachment trial by senate, 2/3 vote. Supreme and district court judges subject to removal by supreme court after investigation and recommendation by Judicial Council. Magistrates may be removed for cause by district court judges of judicial district sitting en banc, upon majority vote, in accordance with supreme court rules; may be removed without cause during first 18 months of service by District Magistrate's Commission.	Supreme and district court vacancies filled by governor, from names recommended by Judicial Council, for unexpired term; magistrates by District Magistrate's Commission for unexpired term.
<b>Illinois</b> .....	A judge or associate judge can be removed for willful misconduct in office, persistent failure to perform duties, or other conduct prejudicial to the administration of justice or that which brings the judicial office into disrepute. He can be suspended with or without pay or retired if physically or mentally unable to perform his duties. The Judicial Inquiry Board investigates complaints and may initiate investigations of judges, and file complaints with the Court Commission on a "reasonable basis" to charge misconduct or disability. The Courts Commission's function is to hear complaints initiated by the Judicial Inquiry Board and make rulings on the disposition of such complaints. It has authority after notice and public hearing to remove, suspend without pay, censure, or reprimand a judge for misconduct; and to suspend with or without pay or retire a judge for disability. The commission is composed of one judge of the supreme court selected by that court, two judges of the appellate court selected by that court, and two circuit judges selected by the supreme court. Judicial officers may be impeached by the legislature.	Vacancies in supreme, appellate, and circuit courts may be filled by appointment by the supreme court until general election when vacancy is filled by election. Associate judge vacancies in circuit court filled by appointment by circuit judges (same as original appointment).
<b>Indiana</b> .....	Appellate judges may be removed by vote of the supreme court on own motion or that of Judicial Qualifications Commission. Nonappellate judges are also subject to disciplinary power of supreme court, which includes the power to suspend a judge without pay.	Appellate vacancies are filled in the same manner as initial selection. If a trial judge is suspended, supreme court appoints a pro tem to serve. If a trial judge is removed, governor appoints a person to serve until next general election.
<b>Iowa</b> .....	Supreme and district court judges subject to impeachment. Upon recommendation of Commission on Judicial Qualifications, such judges and district associate judges also may be retired for permanent disability or removed for failure to perform duties, habitual intemperance, willful misconduct, or substantial violations of the canons of judicial ethics, by order of the supreme court. Judicial magistrates may be removed by a tribunal consisting of 3 district court judges in the judicial election district of the magistrate's residence.	All vacancies created by removal are filled in the same manner as original final selection.
<b>Kansas</b> .....	All officers under constitution subject to impeachment. In addition to impeachment, all judges below supreme court level are subject to retirement for incapacity, and to discipline, suspension, and removal, for cause, by the supreme court after appropriate hearing.	For supreme court, by governor from list submitted by Nominating Commission, until next general election, when appointee runs for retention on his record. For court of appeals, appointment is for unexpired term; by governor from list submitted by Nominating Commission. For district court in 23 districts by governor from list submitted by district judicial nominating commission until next general election when appointee runs for retention on record; in 6 districts the governor appoints until next general election.
<b>Kentucky</b> .....	Removal by impeachment; removal by the Retirement and Removal Commission, subject to rules of procedure established by the supreme court. Actions of the Retirement and Removal Commission are subject to review by the supreme court.	By the governor, from a list of three names submitted by the appropriate Judicial Nominating Commission, or by the chief justice should the governor fail to act within 60 days. Appointees serve until the next general election after their appointment, at which time election is held to fill the vacancy.

## METHODS FOR REMOVAL OF JUDGES—Continued

<i>State or other jurisdiction</i>	<i>How removed</i>	<i>Vacancies: how filled</i>
<b>Louisiana</b> .....	<p>Upon investigation and recommendation by Judiciary Commission, supreme court can censure, suspend with or without salary, remove from office, or retire involuntarily a judge for misconduct relating to his official duties or willful and persistent failure to perform his duties, persistent and public conduct prejudicial to the administration of justice that brings the judicial office into disrepute, conduct while in office which would constitute a felony, or conviction of a felony, as well as retire a judge for disability which is, or is likely to become, of a permanent character.</p> <p>All state and district officers may be impeached.</p>	<p>By special election called by the governor and held within 6 months after the vacancy occurs. Until the vacancy is filled, the supreme court appoints a qualified person, who is ineligible as a candidate at the election.</p>
<b>Maine</b> .....	<p>Judges may be impeached by the house; removal upon 2/3 vote at trial by senate. Judges also may be removed by the governor on the address of both branches of the legislature.</p> <p>Judges of supreme judicial, superior, and district courts may be retired for disability.</p>	<p>Vacancies filled as in case of original appointment, except that vacancies in office of judges of probate are filled by the governor, with the advice and consent of the council, until January 1 after the next November election.</p>
<b>Maryland</b> .....	<p>Judges of court of appeals, court of special appeals, trial courts of general jurisdiction, and district court by the governor, on conviction in a court of law or on impeachment; or on the address of the legislature, 2/3 of each house concurring in such address.</p> <p>Impeachment trial by senate, conviction on 2/3 vote.</p> <p>Removal or retirement by court of appeals after hearing and recommendation by Commission on Judicial Disabilities, for misconduct in office, persistent failure to perform duties, conduct prejudicial to the proper administration of justice, or disability seriously interfering with the performance of duties, which is, or is likely to become, of a permanent character.</p> <p>Elected judge convicted of felony or misdemeanor relating to his public duties and involving moral turpitude is removed from office by operation of law when conviction becomes final.</p>	<p>By the governor, from Nominating Commission list, until first biennial election for congressional representative after the expiration of the term or the first general election 1 year after the occurrence of the vacancy. Appointees customarily elected to full term. District court judges appointed and confirmed by senate (no election).</p>
<b>Massachusetts</b> .....	<p>The governor, with the consent of the Executive Council, may remove judges upon the address of both houses of the legislature. Also, after hearing, he may, with the consent of the council, retire a judge because of advanced age or mental or physical disability. All officers may be removed by impeachment.</p>	<p>As in the case of an original appointment.</p>
<b>Michigan</b> .....	<p>House of representatives directs impeachment by a majority vote. Impeachment trial by senate, 2/3 vote for conviction.</p> <p>Governor may remove judge for reasonable cause insufficient for impeachment with concurrence of 2/3 of the members of each house of the legislature.</p> <p>On recommendation of Judicial Tenure Commission, supreme court may censure, suspend with or without salary, retire, or remove a judge for conviction of a felony, physical or mental disability, or persistent failure to perform duties, misconduct in office, or habitual intemperance or conduct clearly prejudicial to the administration of justice.</p>	<p>For all courts of record, by governor, until January 1, next succeeding first general election held after vacancy occurs, at which successor is elected for unexpired term of predecessor. Vacancies on municipal courts filled by local city councils. Supreme court may authorize persons who have been elected and served as judges to perform judicial duties for limited periods or specific assignments.</p>
<b>Minnesota</b> .....	<p>Supreme and district court judges may be impeached. On recommendation of Board of Judicial Standards, supreme court may censure, suspend with or without salary, retire, or remove a judge for conviction of a felony, physical or mental disability, or persistent failure to perform duties, misconduct in office, or habitual intemperance or conduct prejudicial to the administration of justice.</p>	<p>Filled by governor until next general election occurring more than 1 year after appointment.</p>
<b>Mississippi</b> .....	<p>Presentment, indictment by a grand jury, and conviction of a high crime or misdemeanor in office.</p> <p>All civil officers may be impeached by 2/3 of members present of the house, and removed after trial by senate. Also, for reasonable cause which shall not be sufficient ground for impeachment, the governor shall, on the joint address of 2/3 of each branch of the legislature, remove from office the judges of the supreme and inferior courts.</p>	<p>By governor during recess of senate. Filled at next congressional election if there is one prior to the expiration of the term.</p>
<b>Missouri</b> .....	<p>All judges are subject to retirement, removal, or discipline by the supreme court on recommendation of a majority of members of a committee composed of two citizens (not members of the bar) appointed by the governor, two lawyers appointed by the governing body of the Missouri bar, one judge of the court of appeals elected by a majority of that court, and one circuit judge selected by a majority of circuit judges in the state.</p>	<p>By governor until next general election, except that vacancies in the supreme court, court of appeals, circuit and probate courts of City of St. Louis, St. Louis, Clay, Platte, and Jackson Counties, and the St. Louis Court of Criminal Correction are filled by governor from nominations by a nonpartisan commission until the next general election after the judge has been in office at least a year.</p>
<b>Montana</b> .....	<p>All judicial officers subject to impeachment. Impeachment by 2/3 vote of house.</p> <p>Upon recommendation of Judicial Standards Commission, supreme court may suspend a judicial officer and remove same upon conviction where a felony or other crime involves moral turpitude; also, can order censure, suspension, removal, or retirement for cause.</p>	<p>Justices of supreme court, district court judges, and worker's compensation judge by governor; justices of peace by boards of county commissioners. Judge so appointed holds until next general election or senate confirmation, whichever comes sooner.</p>
<b>Nebraska</b> .....	<p>Impeachment by majority of legislature; in case of impeachment of supreme court justice, all judges of district courts sit as court of impeachment—2/3 concurrence required; in case of other judicial impeachments, heard by supreme court as court of impeachment.</p> <p>Also, provisions similar to those in California for removal of judges by supreme court on recommendation of a Judicial Qualifications Commission.</p>	<p>By governor, from lists submitted by bipartisan judicial nominating commissions.</p>

## METHODS FOR REMOVAL OF JUDGES—Continued

State or other jurisdiction	How removed	Vacancies: how filled
Nevada .....	<p>All judicial officers except justices of peace subject to impeachment. Impeachment by 2/3 vote of each branch of legislature, provided that no member of either branch shall be eligible to fill the vacancy so created.</p> <p>Trial by senate, 2/3 vote. Also subject to removal by legislative resolution and by recall.</p> <p>A justice of the supreme court or district judge may be censured, retired, or removed by the Commission on Judicial Discipline. The commission is composed of 2 justices or judges appointed by the supreme court; 2 members of the State Bar of Nevada, a public corporation created by statute, appointed by its board of governors; and 3 persons, not members of the legal profession, appointed by the governor. A justice or judge may appeal action of commission to supreme court, which may reverse the action or take alternative actions. No justice or judge may be removed except for willful misconduct, willful or persistent failure to perform duties of office, or habitual intemperance, or be retired except for advanced age which interferes with proper performance of judicial duties or for mental or physical disability which prevents the proper performance of judicial duties and which is likely to be permanent in nature.</p>	<p>By governor, from list of 3 nominees submitted by Commission on Judicial Selection.</p>
New Hampshire ...	<p>Governor with consent of council may remove judges upon the address of both houses of the legislature. Any officer of the state may be impeached.</p>	<p>Vacancies filled by governor with consent of council.</p>
New Jersey .....	<p>Except for justices of the supreme court, all judges are subject to a statutory removal proceeding that is initiated only by the filing of a complaint by the supreme court on its own motion, the governor, or either house of the legislature acting by a majority of its total membership. However, prior to institution of such formal statutory removal proceedings, complaints are almost without exception referred to the supreme court's Advisory Committee on Judicial Conduct, which conducts a preliminary investigation, makes findings of fact, and may dismiss the charges or, after providing the accused judge with a hearing, recommend to the supreme court that formal proceedings be instituted. This committee is composed of nine members: (1) at least 2 retired justices of the supreme court or judges of the superior court or county court, (2) at least 3 other members of the state bar, and (3) not more than 4 laymen who do not hold public office of any nature. Although the supreme court is supplied with the record created by this committee, the supreme court's determination is based on a plenary hearing procedure. The formal statutory removal hearing may be either before the supreme court sitting en banc or before 3 justices or judges, or a combination thereof, specially designated by the chief justice.</p> <p>Justices of the supreme court and judges of the superior court and the county court are also subject to impeachment by the legislature.</p> <p>If the supreme court certifies to the governor that it appears that any justice of the supreme court or judge of the superior court or county court is so incapacitated as to substantially prevent him from performing his judicial duties, the governor appoints a commission of 3 persons to inquire into the circumstances. On their recommendation, the governor may retire the justice or judge from office, on pension, as may be provided by law.</p>	<p>By governor, with advice and consent of senate, except municipal courts serving only one municipality, for which judges are appointed by the governing body of the municipality.</p>
New Mexico .....	<p>All state officers and judges of the district courts may be impeached.</p> <p>Through the Judicial Standards Commission, any justice, judge, or magistrate may be disciplined or removed for willful misconduct in office or willful and persistent failure to perform his duties or habitual intemperance, or may be retired for disability seriously interfering with the performance of his duties, which is, or is likely to become, of a permanent character.</p>	<p>Governor appoints to fill vacancy until next general election.</p>
New York .....	<p>Any judge may be removed by impeachment.</p> <p>Judges of the court of appeals and justices of the supreme court may be removed by 2/3 concurrence of both houses of the legislature.</p> <p>Judges of the court of claims, county courts, surrogate's court, family court, the civil and criminal courts of the city of New York, and district courts may be removed by 2/3 vote of the senate, on recommendation of the governor.</p> <p>Judges of the Civil and Criminal Courts of the city of New York, district courts, city courts, town courts, and village courts may be removed for cause or retired for disability by the appropriate appellate division of the supreme court.</p> <p>Commission on Judicial Conduct has the power to determine that a judge or justice be admonished, censured, or removed from office for cause or retired for disability.</p>	<p>Vacancies in elective judgeships filled at the next general election for full term; until the election, governor makes the appointment (with the concurrence of the senate if it is in session). If senate is not in session, an interim appointment would be made, later to be confirmed or rejected by the senate. If appointment is confirmed, term starts at date of appointment; if not confirmed, a vacancy occurs 60 days after rejection, to be filled in usual manner. Above does not apply in the following cases: civil court of the city of New York appointed by the mayor; district courts appointed by the appropriate district governing body; city courts (outside the city of New York), town courts, and village courts appointed by appropriate governing body as prescribed by the legislature.</p>
North Carolina ....	<p>Upon recommendation of the Judicial Standards Commission, the supreme court may censure or remove any justice or judge for willful misconduct in office, willful and persistent failure to perform his duties, habitual intemperance, conviction of a crime involving moral turpitude, or conduct prejudicial to the administration of justice that brings the judicial office into disrepute. Any justice or judge may be removed by the same process, for mental or physical incapacity interfering with the performance of his duties which is or is likely to become permanent.</p>	<p>By governor until next general election. Ad interim appointees customarily elected for remainder of unexpired term.</p>

## METHODS FOR REMOVAL OF JUDGES—Continued

<i>State or other jurisdiction</i>	<i>How removed</i>	<i>Vacancies: how filled</i>
<b>North Dakota</b> .....	Supreme and district court judges by impeachment for habitual drunkenness, crimes, corrupt conduct, malfeasance, or misdemeanor in office. County judges by governor after hearing. Impeachment trial by senate, conviction 2/3 vote. All judges may be recalled. Upon recommendation of Commission on Judicial Qualifications, supreme court may remove judges from all courts for willful misconduct in office, willful and persistent failure to perform duties, habitual intemperance, or conduct prejudicial to the administration of justice that brings the judicial office into disrepute, or may retire them for disability that seriously interferes with performance of duties and is, or is likely to become, permanent.	Supreme and district court judges by governor until next general election, unless governor calls for a special election to fill vacancy for the remainder of the term.
<b>Ohio</b> .....	By concurrent resolution of 2/3 of members of both houses of the legislature. All judges may be removed by impeachment. Trial by senate, conviction on 2/3 vote. By disqualification as a result of disciplinary action as provided in Rule V, supreme court. Removal for cause upon filing of a petition signed by at least 15% of the electors in the preceding gubernatorial election; trial by court or jury. Removal, retirement, or suspension without pay for cause following complaint filed in the supreme court; hearing before a commission of judges named by the supreme court. Appeal from commission to supreme court.	By governor until next election, when judge is elected to fill unexpired term.
<b>Oklahoma</b> .....	By impeachment for willful neglect of duty, corruption in office, habitual drunkenness, incompetency, or any offense involving moral turpitude. Upon recommendation of the Council on Judicial Complaints, the chief justice of the supreme court may reprimand any justice or judge or may bring charges against him in the Court on the Judiciary. Court on the Judiciary may order removal for gross neglect of duty, corruption in office, habitual drunkenness, commission while in office of any offense involving moral turpitude, gross partiality in office, oppression in office, or any other grounds hereinafter specified by the legislature. Compulsory retirement, with or without compensation, for mental or physical disability preventing proper performance of office duties, or incompetence to perform duties of the office.	Vacancies on supreme court and court of criminal appeals by governor, as in case of original appointment. Appointee to vacancy occurring during unexpired term serves for remainder of that term if retained by election after completing 12 months' service. Vacancies on court of appeals and district court filled by governor for unexpired term; in making appointment, he may but need not use aid of Judicial Nominating Committee.
<b>Oregon</b> .....	Any judge may be involuntarily retired for mental or physical disability after certification by a special commission; he may appeal to supreme court. On recommendation of Commission on Judicial Fitness, supreme court may remove a judge of any court for conviction of a felony or a crime involving moral turpitude, willful misconduct in a judicial office involving moral turpitude, willful or persistent failure to perform judicial duties, habitual drunkenness, illegal use of narcotic drugs, willful violation of rules of conduct prescribed by supreme court, or general incompetence.	By governor until next general election, at which time a judge is elected to fill the unexpired term.
<b>Pennsylvania</b> .....	All judges, as all civil officers, may be impeached by house for any misdemeanor in office. Trial by senate, 2/3 vote for conviction. Upon recommendation of the Judicial Inquiry and Review Board, any justice or judge may be suspended, removed, or otherwise disciplined by the supreme court for specified forms of misconduct, neglect of duty, or disability.	By governor, until the first Monday of January following next judicial election which shall occur more than 10 months after vacancy occurs. If senate is in session, advice and consent of 2/3 of its members, except majority for justices of the peace.
<b>Rhode Island</b> .....	Supreme court judges, by a resolution of the legislature voted by a majority in each house at the annual session for the election of public officers. All judicial officers may be impeached. Trial by senate, 2/3 vote of all members elected thereto for conviction.	In case of vacancy on supreme court, the office may be filled by the Grand Committee of the Legislature until the next annual election. In case of impeachment, inability, or temporary absence, governor appoints a person to fill vacancy. Vacancies on superior, family, and district courts may be filled by governor with advice and consent of senate.
<b>South Carolina</b> ....	By impeachment or by governor on address of 2/3 of each house of the legislature. Judicial Standards Commission enforces code of judicial conduct.	By governor if unexpired term does not exceed 1 year; otherwise, by General Assembly to fill unexpired term.
<b>South Dakota</b> .....	Supreme court judges and circuit court judges may be removed by impeachment. Trial by senate, 2/3 vote for conviction. Recommendation by Judicial Qualifications Commission to supreme court for removal.	Supreme and circuit court judges by the governor, for balance of term.
<b>Tennessee</b> .....	By impeachment for misfeasance or malfeasance in office; by concurrent resolution of 2/3 of each house of the legislature when the judge is physically or mentally unable to perform his duties; upon recommendation of Judicial Standards Commission, legislature can remove a judge by concurrent resolution of 2/3 of each house for physical or mental disability or willful misconduct in office.	By governor until next general election. County judge by county court; but if they do not elect to fill vacancy, filled in next election of county officials. Judge elected fills unexpired term.
<b>Texas</b> .....	Supreme court, and appeals and district court judges may be removed by impeachment, senate, 2/3 vote, or by joint address, 2/3 vote of both houses. District judges may be removed also by the supreme court. County judges and justices of the peace may be removed by district judges. Upon charges filed by the Judicial Qualifications Commission, any judge in the state may be involuntarily retired for disability or removed for misconduct by the supreme court.	Appellate, district, domestic relations, and juvenile court judges by governor, until next general election. County courts by county commissioner's court. Municipal judges by governing body of municipality. Judge elected fills unexpired term.

## METHODS FOR REMOVAL OF JUDGES—Concluded

<i>State or other jurisdiction</i>	<i>How removed</i>	<i>Vacancies: how filled</i>
<b>Utah</b> .....	By concurrent vote of 2/3 of the members of each house of the legislature. All judicial officers except justices of peace may be impeached. Trial by senate, conviction on 2/3 vote. Removal from office by supreme court upon recommendation of Commission on Judicial Qualifications for willful misconduct in office, final conviction of a crime punishable as a felony, persistent failure to perform duties, habitual use of alcohol or drugs which interferes with performance of judicial duties; retirement for disability seriously interfering with performance of duties which is, or is likely to become, of a permanent character. Lay justices of peace may be removed for willful failure to participate in judicial education program.	By governor, upon recommendation of Judicial Selection Commission, until next general election. Judge elected fills unexpired term.
<b>Vermont</b> .....	All judicial officers impeachable. Trial by senate, conviction on 2/3 vote. Supreme court has disciplinary control over all judicial officers not inconsistent with constitutional powers of the legislature; it has power to impose sanctions, including suspension from judicial duties for the balance of the term of the judicial officer charged.	Supreme, superior, and district court vacancy filled by governor, from list of persons selected by Judicial Selection Board.
<b>Virginia</b> .....	All judges may be impeached by house. Trial by senate. Conviction on 2/3 vote of members present. By supreme court after charges against judge have been certified by Judicial Inquiry and Review Commission.	A successor shall be elected for the unexpired term by the legislature. If legislature not in session, governor makes appointment to expire 30 days after commencement of next session. Ad interim appointee customarily elected to full term.
<b>Washington</b> .....	By joint resolution of the legislature, in which 3/4 of the members of each house concur, for incompetency, corruption, malfeasance, delinquency in office, or other sufficient cause stated in resolution. Any judge of any court of record may be impeached. Trial by senate. Conviction on 2/3 vote.	Vacancies on appellate and general trial courts filled by governor until next general election, when election is held to fill the unexpired term.
<b>West Virginia</b> .....	Removal by concurrent vote of both houses of the legislature in which 2/3 of the members of each house must concur, when a judge is incapable of discharging the duties of his office because of age, disease, mental or bodily infirmity, or intemperance. By impeachment by a 2/3 vote of the legislature for maladministration, corruption, incompetency, gross immorality, neglect of duty, or any crime or misdemeanor.	By governor if unexpired term is less than 2 years; if more than 2 years, governor may appoint judge until next general election when a judge is elected to fill the unexpired term.
<b>Wisconsin</b> .....	All judges subject to impeachment. Supreme, circuit, and county court judges by the address of both houses of the legislature, 2/3 of all members of each house concurring and hearing, and by recall. Since all judges of courts of record must be licensed to practice law in Wisconsin, removal also can be by disbarment. The office of a justice of the supreme or circuit court may be declared temporarily vacant for physical or mental disability upon voluntary or involuntary petition and upon hearing by a disability board. The office of a circuit or county judge may be declared temporarily vacant by the Judicial Commission upon a voluntary or involuntary petition. The disabled justice or judge continues to receive the salary and other benefits of office.	By governor until next regular judicial election is held, when judge is elected for a full term. At any election only one supreme court justice may be elected, so that appointee holds until next available election. Disabled supreme court justice replaced by governor. Disabled circuit court judge may be replaced through appointment by chief justice from list of reserve judges (retired judges on assignment); if not available, governor may fill the temporary vacancy which continues during disability of judge or until he dies or his term expires.
<b>Wyoming</b> .....	All judicial officers, except justices of peace, by impeachment. Trial by senate, 2/3 vote for conviction. May be retired by supreme court on recommendation of Judicial Supervisory Commission. Justices of the peace by supreme court after hearing before panel of 3 district judges.	By governor from a list of 3 submitted by Judicial Nominating Commission, for approximately 1 year, then stand for election for retention in office. Justices of the peace by appointment by county commissioners.
<b>Dist. of Col.</b> .....	All judges shall be removed from office by the Commission on Judicial Disabilities and Tenure, upon conviction of a felony (including a federal crime), for willful misconduct in office, for willful and persistent failure to perform judicial duties, or for other conduct prejudicial to the administration of justice or which brings the office into disrepute.	Nominated by the president of the United States from a list of persons recommended by the D.C. Judicial Nomination Commission; appointed upon the advice and consent of the U.S. Senate.
<b>American Samoa</b> ..	Chief and associate justices shall hold office during his good behavior, but may be removed by the U.S. Secretary of Interior for cause. Associate judges shall hold office during good behavior, but may be removed by the chief justice for cause, upon the recommendation of the governor.	Appointed by the U.S. Secretary of Interior. Appointed by the governor upon the recommendation of the chief justice.
<b>Guam</b> † .....	Any justice or judge may be removed by a special court of 3 judges on recommendation of a Judicial Qualification Commission for misconduct or incapacity.	By governor for term of 5 years.
<b>Puerto Rico</b> .....	Supreme court justices by impeachment for treason, bribery, other felonies, and misdemeanors involving moral turpitude. Indictment by 2/3 of total number of house members and trial by senate. Conviction by 3/4 of total number of senators. All other judges may be removed by supreme court for cause as provided by judiciary act, after hearing upon complaint on charges brought by order of the chief justice, who shall disqualify himself in the final proceedings.	By governor, as in case of original appointment.

†Reflects 1976 survey.

## SELECTED DATA ON COURT ADMINISTRATIVE OFFICES

<i>State or other jurisdiction</i>	<i>Title</i>	<i>Date of es- tablishment</i>	<i>Citation</i>
Alabama .....	Court Administrator(a)	1971	Act 1503 of 1971
Alaska .....	Administrative Director	1959	Alas. Const., Art. IV, Sec. 16, as amended
Arizona .....	Administrative Director of the Courts	1960	Ariz. Const., Art. VI, Sec. 7
Arkansas .....	Executive Secretary, Judicial Dept.	1965	Act 496 of 1965 as amended (Ark. Stat. Ann. 22-142, et seq.)
California .....	Administrative Director of the Courts	1960	Calif. Const., Art. VI., Sec. 6, Govt. Code, Sec. 68500-68500.5
Colorado .....	State Court Administrator	1959	Colo. Const., Art. VI, Sec. 5(3); C.R.S. 1973, Sec. 13-3-101
Connecticut .....	Chief Court Administrator	1965	Public Act 76-436, Sec. 10
Delaware .....	Director, Administrative Office of the Courts	1971	Del. Code Ann., Title 10, Sec. 128
Florida .....	State Court Administrator	1972	Supreme Court Rules
Georgia .....	Director, Administrative Office of the Courts	1973	Ga. Laws 1973, p. 288.
Hawaii .....	Administrative Director of Courts	1959	Act 259, Session Laws of Hawaii, 1959
Idaho .....	Administrative Director of the Courts	1967	Session Laws of 1967, Ch. 39, p. 61, as amended, 1974
Illinois .....	Administrative Director of the Courts	1959	Ill. Const., Art. VI, Sec. 16 (1970)
Indiana .....	Supreme Court Administrator-Commissioner	1968	Supreme Court Internal Rule 12
Iowa .....	Executive Director, Div. of State Court Administration	1975	I.C. 1971, 33-2.1-7-1
Iowa .....	Court Administrator	1971	1975 Code of Ia., Ch. 685
Kansas .....	Judicial Administrator	1965	K.S.A. 20-318, et seq.
Kentucky .....	Director, Administrative Office of the Courts	1976	K.R.S. 27A.015 & 27A.020 [reenacted & amended from K.R.S. 22.110 & 120 (1960)]
Louisiana .....	Judicial Administrator	1954	La. Const. of 1974, Art. V, Sec. 7; La. Rev. Stat. 13:9
Maine .....	State Court Administrator	1975	Ch. 408, Laws of 1975
Maryland .....	State Court Administrator	1955	Md. Code, Courts Art., Sec. 13-101
Massachusetts .....	Executive Secretary, Supreme Judicial Court for the Commonwealth	1956	Gen. Laws, Ch. 211, Sec. 3A to 3F inserted by Acts of 1956, Ch. 707 & amended by Acts of 1960, Ch. 424; of 1963, Ch. 755; of 1967, Ch. 650; of 1970, Ch. 567.
Michigan .....	Court Administrator	1952	Mich. Const., Art. VI, Sec. 3 (1963)
Minnesota .....	Court Administrator	1963	Ch. 758, Laws of 1963
Mississippi .....	Executive Assistant	1974	Supreme Court Rule
Missouri .....	State Court Administrator	1970	Mo. Const., Art. V, Sec. 4, Cl. 2, as amended
Montana .....	State Court Administrator	1975	Mt. Const., Art. VII, Sec. 1(3)
Nebraska .....	State Court Administrator	1972	Neb. Const., Art. V, Sec. 1
Nevada .....	Director, Administrative Office of the Courts	1977	Supreme Court Order
New Hampshire .....	Administrative Assistant to the Chief Justice	1977	LEAA funds
New Jersey .....	Administrative Director of the Courts	1948	Art. VI, Sec. VII, Par. 1, Const. of 1947, N.J. Statutes 2A: 12-1
New Mexico .....	Director, Administrative Office of the Courts	1959	Sec. 16-6-1, et seq., N.M. Stat., 1953 Compilation
New York .....	Chief Administrator of the Courts	1978	N.Y. Const., Amendment approved Nov. 1977.
North Carolina .....	Director, Administrative Office of the Courts	1965	Ch. 310, 1965 Session Laws
North Dakota .....	State Court Administrator, Judicial Council(b)	1971	Sec. 27-02-05.1. N.D. Century Code, & Sec. 87, N.D. Const.
Ohio .....	Administrative Director of the Courts	1955	Rev. Code, Secs. 2503.05, .281, .282, Art. IV, Sec. 5, Ohio Const.
Oklahoma .....	Administrative Director of the Courts	1967	Art. VII, Sec. 6, Const. of Okla. Enrolled H.B. 1208 (May 10, 1968)
Oregon .....	State Court Administrator	1971	Ore. Laws 1971, Ch. 193, Secs. 1-4
Pennsylvania .....	State Court Administrator	1968	Const. of Pa., Art. V, Sec. 10(b)
Rhode Island .....	Court Administrator	1969	R.I. Pub. Laws 1969, Ch. 239
South Carolina .....	Court Administrator	1973	S.C. Const., Art. V
South Dakota .....	State Court Administrator	1974	Supreme Court Rule
Tennessee .....	Executive Secretary of the Supreme Court	1963	Pub. Acts 1963, Ch. 86, Secs. 16-325, et seq., T.C.A.
Texas .....	Administrative Director of the Courts (c)	1977	Art. 2328b, V.A.T.S.
Utah .....	State Court Administrator	1973	78-3-18, et seq., UCA 1953
Vermont .....	Court Administrator (d)	1967	1967, No. 174, Sec. 2 (4 V.S.A. 8 & 21)
Virginia .....	Executive Secretary to the Supreme Court	1952	Va. Code Ann., Secs. 17-111.1, 17-111.2 (supp. 1950)
Washington .....	Administrator for the Courts	1957	Rev. Code of Wash. 2.56.010
West Virginia .....	Director, Administrative Office of the Supreme Court of Appeals	1945	W. Va. Code 51-1-15, et. seq.
Wisconsin .....	Administrative Director of the Courts (e)	1962	Wis. Stats., Sec. 257.19
Wyoming .....	Court Coordinator	1974	Sup. Ct. Rule
Dist. of Col. ....	Executive Officer of D.C. Courts	1971	D.C. Code 1703; 84 Stat. 510, P.L. 91-358 (July 29, 1970)
American Samoa ..	Court Administrator	1977	Order of chief justice
Puerto Rico .....	Administrative Director, Office of Court Administration	1952	P.R. Laws Ann., Title 4, Secs. 331-34 (1965)

(a) Constitutional amendment in 1973 provides for an Administrative Director of Courts to administer the entire court system with the Court Administrator administering state trial courts. Duties of Administrative Director are spelled out in Act 1205, approved October 10, 1975.

(b) Serves as secretary to Judicial Council.

(c) Serves as executive director of Texas Judicial Council.

(d) Also clerk of the supreme court.

(e) In 1974 position of Executive Officer of Supreme Court created to administer supreme court and related agencies while Administrative Director is responsible for administration of trial court.

## SELECTED DATA ON COURT ADMINISTRATIVE OFFICES

State or other jurisdiction	Administrator		Number on staff	Appropriation for administrative office	
	Appointed by(a)	Salary		Amount(b)	Period
Alabama .....	CJ	\$29,861	61	\$ 670,220	10/1/77-9/30/78
Alaska .....	CJ(c)	50,784	45(d)	1,054,400	7/1/77-6/30/78
Arizona .....	SC	33,312	4(e)	(f)	(f)
Arkansas .....	CJ(g)	27,570	10	224,889	7/1/77-6/30/78
California .....	JC	49,166	44	2,959,383(h)	7/1/77-6/30/78
Colorado .....	SC	37,000	58	2,432,803(i)	7/1/76-6/30/77
Connecticut .....	CJ	38,000(j)	48(d)	786,416	7/1/76-6/30/77
Delaware .....	CJ	30,697	6(d)	1,878,833(k)	7/1/77-6/30/78
Florida .....	SC	34,000	25	1,192,438(l)	7/1/77-6/30/78
Georgia .....	JC	30,000	29	225,412	7/1/77-6/30/78
Hawaii .....	CJ(c)	40,000	38(d)	1,018,385	7/1/77-6/30/78
Idaho .....	SC	31,500	13	210,000	7/1/76-6/30/77
Illinois .....	SC	45,000	26(d)	733,426	7/1/77-6/30/78
Indiana .....	SC	32,000(m)	5	(f)	(f)
Iowa .....	SC	27,000(n)	2	(f)	(f)
		25,935	21	400,274(o)	7/1/77-6/30/78
Kansas .....	SC	30,500	15(d)	(f)	(f)
Kentucky .....	CJ	32,400	59(d)	1,459,983	fiscal 1977-78
Louisiana .....	SC	45,900	5(d)	172,000	7/1/77-6/30/78
Maine .....	CJ	27,500	5	125,000	7/1/77-6/30/78
Maryland .....	CJ	41,200	53	1,356,315	7/1/77-6/30/78
Massachusetts .....	SC	32,637	6(d)	210,000	7/1/77-6/30/78
Michigan .....	SC	45,330	104	6,033,106	10/1/77-9/30/78
Minnesota .....	SC	27,400-37,400	6	226,140	7/1/75-6/30/77
Mississippi .....	SC	30,000	2	(f)	(f)
Missouri .....	SC	34,000	31	769,154	7/1/76-6/30/77
Montana .....	SC	20,000	6(d)	125,000(p)	7/1/77-6/30/78
Nebraska .....	CJ	33,700	8(d)	175,000(q)	7/1/77-6/30/78
Nevada .....	SC	26,000	12(d)	400,000(r)	7/1/77-6/30/78
New Hampshire .....	CJ	29,425	1	52,200	1/1/78-12/30/78
New Jersey .....	CJ	40,416-54,563	248(d)	2,703,424(s)	7/1/76-6/30/77
New Mexico .....	SC	32,316	31(d)	(f)	(f)
New York .....	CJ(t)	57,000	295	5,574,251	4/1/77-3/31/78
North Carolina .....	CJ	36,276	70	1,054,636	7/1/77-6/30/78
North Dakota .....	SC	30,240	8	300,000	7/1/75-6/30/77
Ohio .....	SC	37,200	10(d)	293,000(f)	7/1/77-6/30/78
Oklahoma .....	SC	35,000	3(d)	(f)	(f)
Oregon .....	CJ	37,939	38	1,691,473	7/1/77-6/30/79
Pennsylvania .....	SC	45,000	34	868,000	7/1/75-6/30/76
Rhode Island .....	CJ	26,113-30,424(u)	17	300,000(f)	7/1/76-6/30/77
South Carolina .....	CJ	32,683	12	213,692	7/1/77-6/30/78
South Dakota .....	SC	29,000	17	624,821	7/1/77-6/30/78
Tennessee .....	SC	46,192	17(d)	585,100(v)	7/1/77-6/30/78
Texas .....	SC	34,300	16	369,814(w)	9/1/77-8/31/78
Utah .....	SC	33,500	8	181,000	7/1/77-6/30/78
Vermont .....	SC	30,000	9	(f)	(f)
Virginia .....	SC	40,000	31	450,578	7/1/77-6/30/78
Washington .....	SC(x)	35,100	36	1,549,000	7/1/77-6/30/79
West Virginia .....	SC	33,075	12	225,000	7/1/77-6/30/78
Wisconsin .....	SC	43,008	27	1,097,400(y)	7/1/77-7/1/78
Wyoming .....	SC	25,000	3(d)	(f)	(f)
Dist. of Col. ....	(z)	47,500	69	3,903,200	10/1/76-9/30/77
American Samoa .....	CJ	12,500	3	(f)	(f)
Puerto Rico .....	CJ	30,600	250	3,328,470	7/1/77-6/30/78



## SELECTED DATA ON COURT ADMINISTRATIVE OFFICES

### (Footnotes)

*Symbols:*

SC—State court of last resort

CJ—Chief justice or chief judge of court of last resort

JC—Judicial council

(a) Term of office for all administrators is at pleasure of appointing authority.

(b) Appropriations for the various offices are not necessarily comparable because of variations in the time periods covered and the purposes of the appropriations. In some states amounts shown include appropriations for travel and expenses of trial court judges.

(c) With approval of supreme court.

(d) Breakdown of staff from information supplied:

Alaska—19 professional, 26 clerical and technical.

Connecticut—20 are professional.

Delaware—3 professional, 3 clerical; in addition, 4 professional and 1 clerical federally funded positions.

Hawaii—20 professional, 18 clerical.

Illinois—5 professional, 21 semiprofessional and clerical.

Kansas—7 professional, 8 clerical and technical.

Kentucky—In addition, 109 pretrial service officers of Kentucky Pretrial Services Agency.

Louisiana—In addition, 3 deputy judicial administrators under federal grants.

Massachusetts—In addition, 16 grant funded employees.

Montana—4 professional, 2 secretarial.

Nebraska—5 professional, 3 clerical.

Nevada—7 professional, 5 clerical.

New Jersey—102 professional (33 federally funded), 146 clerical (14 federally funded).

New Mexico—12 professional, 19 clerical.

Ohio—4 professional, 6 clerical.

Oklahoma—In addition, 3 federal grant employees.

Tennessee—7 positions federally funded.

Wyoming—1 professional, 2 clerical.

(e) In addition, a federally funded planning section which also administers supreme court sub-grants staff—chief of planning (professional), fiscal officer (professional), secretary (clerical), and financial and statistical clerk (professional).

(f) Appropriation not segregated from general appropriation of court of last resort. Where figure given it is an estimate.

(g) With approval of judicial council.

(h) Total appropriation for judicial council, including administrative office of the courts, but not including salaries of assigned judges, including 12 positions with assignment judges with duties not directly related to administrative office. Includes \$150,000 for payment of arbitrators' fees and \$138,642 for reimbursement to trial courts for expenses made necessary by the coordination of civil actions.

(i) Includes \$488,595 in federal funds, of which \$308,035 is for data processing and computer rental; also includes \$107,715 in general fund money for judicial conference, nominating and qualification commission, judicial training, and retired judges' per diem and \$60,711 in moving costs to newly completed Colorado State Judicial Building.

(j) Salary conditioned on administrator being a judge of the supreme or superior court.

(k) Includes such items as pension costs for entire judiciary, all court rentals, all juror and witness fees and data processing costs for all courts.

(l) Of total appropriation, \$676,039 comes from general revenue and \$516,399 from federal trust funds.

(m) Supreme court administrator.

(n) Executive director, Division of Court Administration.

(o) For administrative and budgetary purposes, supreme court clerk's office has been incorporated into the office of the court administrator.

(p) Includes management systems analysis grants of about \$50,000.

(q) Includes \$45,000 in federal funds.

(r) Includes approximately 25% federal funds.

(s) Salaries only, including both state-funded and federally funded positions.

(t) With advice and consent of Administrative Board of the Courts.

(u) Longevity payments at 7, 15, and 20 years of state service.

(v) Includes salaries of 21 law clerks for members of supreme court, but does not include LEAA funds.

(w) Includes \$315,845 in federal grant funds.

(x) Appointed from list of 5 submitted by governor.

(y) Includes \$274,000 in federal funds.

(z) Joint committee.

# Section III

## ADMINISTRATIVE ORGANIZATION

### 1. Administration

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#### STATE ADMINISTRATIVE ORGANIZATION ACTIVITIES, 1976-1977

By Judith Nicholson\*

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THE MOST RECENT wave of reorganization activities began with the comprehensive restructuring of Michigan's executive branch in 1965. The 1976-77 edition of *The Book of the States* reported that 19 states had undergone a major executive branch reorganization since that date.<sup>1</sup> In 1977, two additional states, Connecticut and New Mexico, enacted major reorganization acts.

The first comprehensive reorganization of Connecticut's executive branch in 40 years was enacted by the 1977 session of the legislature. More than 210 existing agencies were consolidated into 22 major departments. Connecticut is using a staggered approach to the implementation of this reorganization plan. Three of these new agencies have already gone into effect: the Department of Administrative Services, the Office of Policy and Management, and the State Board of Higher Education. The remaining 19 agencies have an effective date of January 1979.

The governor, under the reorganization act, has the authority to appoint 20 of the agency heads, with the approval of either house of the legislature. The appointive power for the State Board of Education and the State Board of Higher Education is shared by the governor and the legislature.

Human services agencies were not restructured as part of the 1977 reorganization. This act, however, did create a Human Services Reorganization Commission which is responsible for submitting such a plan to the 1978 session of the legislature.

The reorganization study, commissioned by the governor, was used by the legislature as the basis for much of the reorganization legislation. There also was a study authorized by the legislature which figured into the final decisions. In addition, a legislative committee was assigned the responsibility of overseeing an ongoing reorganization process in the future.

The New Mexico legislature also adopted executive branch reorganization legislation during the 1977 session. The reorganization was initiated by the governor, first informally through the creation of an executive cabinet and then formally through legislation creating 12 cabinet departments which consolidated 117 agencies; 176 boards, commissions, and committees; and 102 other governmental entities.

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Each of these new departments is headed by a secretary appointed by the governor with senate confirmation. Excluded from reorganization were constitutionally elective offices. The reorganization proposals were sent to the legislature in a series of bills, one for each of the new cabinet-level departments, as well as a general reorganization bill. The executive branch reorganization will go into effect in April 1978. During the interim, agency personnel will be involved in working out the details of the implementation plan. Efforts are anticipated to create a thirteenth cabinet department by removing the labor and employment function from the human services department in 1978.

Legislation creating a Special Commission on the Reorganization of State Government in Oklahoma in 1975 empowered the governor to implement commission recommendations by executive order subject to legislative veto. The attorney general, however, ruled this was a violation of the separation of powers doctrine. As a result, the governor submitted all recommendations in bill form.

The commission recommended creation of seven departments, which would have consolidated some 130 state agencies. Of the seven proposed new departments, the legislature, with some modification of the original proposal, approved only the creation of the Department of Transportation. In July 1976, however, the governor established five minicabinet systems in an effort, short of a major reorganization, to increase coordination. This system brings department heads together with the governor on a formal and systematic basis to coordinate executive branch policies and operations within related functional areas.

North Carolina has reorganized several major executive branch departments. The Department of Commerce was re-created, the department of natural and economic resources was restructured into a Department of Natural Resources and Community Development, and the department of military and veterans affairs was reorganized and renamed the Department of Crime Control and Public Safety.

A change that will have a major impact on the operating structure of the Trust Territories of the Pacific Islands (TTPI) has recently been enacted. In accordance with a covenant ratified by the federal government, there has been a separation of the former Mariana district of TTPI as the government of the Northern Marianas. Although the Northern Marianas became a commonwealth of the United States in January 1978, under the terms of the trusteeship agreement, no part of the Trust Territories can be separated from the trusteeship. Accordingly, TTPI now consists of two separate governments: the Trust Territory government which administers the Marshall and Caroline Islands, and the Government of the Northern Mariana Islands which administers the Northern Mariana Islands. Until negotiations on the future status of the Trust Territory Government are completed, it appears that the headquarters for both governments will remain on Saipan in the Mariana Islands.

Study reports that recommend major executive branch restructuring have been completed in both Hawaii and Washington. The Hawaii Commission on Organization of Government submitted its recommendations for the reorganization of the executive branch to the state legislature during its 1977 session. However, no action has yet been taken on these recommendations. The governor's office in Washington submitted a reorganization proposal to the legislature in April 1977, which is pending in the form of a joint resolution. If enacted, this resolution would place a proposed amendment in the ballot for consideration by the voters at the next general election. This proposal calls for a restructuring of the executive branch into no more than 25 principal agencies, excluding departments headed by elected officials.

### State Cabinet Systems

The number of states with active cabinet systems has increased dramatically in the last few years. Currently there are 36 states that reported to the Council of State Governments that they have established cabinets, an increase of 10 since 1969.<sup>2</sup> The impact of these cabinets on executive branch operations has also increased as the responsibilities of the cabinet members have expanded. Another indication of the increasing importance placed upon these cabinet systems is that all states that have implemented a major executive branch reorganization since 1965, with only one exception, have also created cabinet systems.

The functions, operations, and forms of these cabinets, however, vary greatly. They range in size from six to 29 members, and over 50 different position titles are found within the membership of the 36 cabinets. Twenty-nine states have established a single coordinating cabinet system. Five others have set up similar coordinating systems, but in addition have also established subcabinet groups which are generally responsible for specific functional areas. One state, North Carolina, has set up three cabinet systems, each with a separate area of responsibility. Oklahoma, as mentioned earlier, has established five minicabinets (a table which outlines some of the major aspects of these cabinet systems can be found at the end of this article).

Very few states have given their cabinets policymaking authority. However, the very nature of their responsibilities impacts directly on this process. These cabinets are viewed as an effective problem-solving group involved both in identifying priority issues and areas, and in developing new ideas and approaches to executive branch operations. Cabinets have also been reported as a useful coordinating mechanism for issues that cut across departmental lines. Perhaps the single most important reason for a cabinet system, however, is that it affords the governor the opportunity to interact directly with key executive branch officials.

### Sunset

Twenty-four states had enacted some form of sunset legislation by the end of 1977, beginning with the passage of the Colorado law in 1976. Currently other legislatures are considering similar legislation. These sunset laws provide for the automatic termination, after a specified period of time, for all agencies or programs covered by the legislation, unless reauthorized in an affirmative act by the legislature.

Basically, these laws are intended to establish a formal legislative review and evaluation process for all covered agencies or programs. The legislatures already have the power to terminate existing programs and agencies established by statute. Therefore, these sunset laws do not give the legislators additional powers; rather, they act as a mechanism to force evaluation.

The 24 sunset laws vary considerably in their coverage and in their review provisions. Fourteen states have adopted sunset legislation primarily aimed at regulatory agencies. Seven states, however, have enacted legislation which includes almost all state agencies. The legislation in Indiana, South Dakota, and Washington is more of a selective pilot approach. In both Indiana and South Dakota, this pilot legislation will determine the feasibility of expanding coverage to other state agencies. Joint legislative committees in Alaska and Washington have been authorized to include additional agencies in the coverage.

Sunset laws identify a variety of legislative groups responsible for review and evaluation studies of agencies slated for termination. In several states a two-phase evaluation is required before a final determination is made by the legislature concerning the status of these

agencies. All of these states have established some general guidelines for such an evaluation, and 22 states require public hearings.

If the legislature determines that an agency should be continued, the reauthorization is normally for a limited period of time. In the process of this reauthorization, the legislature may increase or decrease the powers and duties of such an agency or it may determine to continue the agency unchanged. In the event that an agency is terminated, most states provide for a phase-out period ranging from 180 days to one year. Provisions in the sunset legislation of Louisiana, Oklahoma, and Rhode Island, however, specifically prohibit any agency with outstanding bonds from being terminated until the indebtedness has been eliminated. A table on the basic provisions of the 24 sunset laws may be found on pages 74 and 75.

### Functional Reorganization

A number of states have been involved in reorganization activities that were less comprehensive than those in Connecticut and New Mexico. These reorganizations have generally focused on an individual agency or group of functionally related agencies.

#### Human Services

States have continued to be particularly active in the area of human services. During the 1960s and early 1970s there was a trend toward establishment of comprehensive human services agencies that consolidated related activities such as public assistance and social services, health, mental health, mental retardation, corrections, youth institutions, vocational rehabilitation, and employment security. The 1976-77 edition of *The Book of the States* reported that 26 states had developed comprehensive human services agencies which included at least four of these major activities. As a result of recent reorganization activities, New Jersey and New Mexico have been dropped from this list and Kansas was added since it created a comprehensive human services agency.<sup>3</sup>

New Jersey, which was one of the first states to establish such a comprehensive agency, split its former department of institutions and agencies into a Department of Human Services and a Department of Corrections. The Department of Human Services now includes welfare, Medicaid, mental health, mental retardation, and other miscellaneous public assistance and social programs. The Department of Corrections is now responsible for the state's corrections institutions and parole systems. New Mexico also divided a majority of these functions between their newly created Department of Human Services and Department of Health and Environment. As a result of these reorganization activities, New Jersey and New Mexico now join 11 other states that have established less comprehensive human services agencies.<sup>4</sup>

Kansas is the only state since 1974 to have created a comprehensive human services agency. This agency, however, does not include the corrections services provided by the state. This service continues to be provided by the Department of Corrections. Thus, the corrections function is located in only 11 of the 25 states that have comprehensive human services agencies as defined.

Actions that have affected the location and responsibilities of the corrections function have occurred in several other states. Rhode Island has reorganized its Department of Corrections into five divisions: Office of the Director, Office of Management Services, Division of Adult Services, Division of Support Services, and the Division of Children and Youth Services. Legislation has been proposed in Pennsylvania to create a department of

corrections. Currently the corrections programs are administered by the Department of Justice and the Board of Probation and Parole. Colorado has created a Department of Corrections and transferred all powers, duties, and functions relating to corrections in the Department of Institutions to this new department. Evidence of this trend toward the establishment of separate departments of corrections can also be seen in West Virginia, where the office of the commissioner of public institutions was abolished. All powers and authority of this department were transferred to the Department of Health, Department of Welfare, and the newly created Department of Corrections. Extensive organizational changes have also occurred in the Department of Health with the consolidation of all health and mental health programs and personnel into one department.

State organizational activities have resulted in changes in a number of other human services related areas. In 1975, the Minnesota legislature funded, for a two-year period, the Office of Human Services in the executive branch. This office was to initiate and assist in implementing changes in state government policies, procedures, and practices that should lead to the development of a more effective human services delivery system. In 1977, this office submitted recommendations to the legislature that called for the creation of two agencies: a department of economic security and the department of health and social services. The legislature subsequently enacted legislation creating the Department of Economic Security. This new department was expected to become operational in late 1977. The major organizational units being combined into this department include the Department of Employment Services, the Governor's Manpower Office, and the Department of Vocational Rehabilitation.

Effective April 1978, the New York Department of Mental Hygiene will be divided into three independent offices, including the Office of Mental Health, the Office of Mental Retardation and Developmental Disabilities, and the Office of Alcoholism and Substance Abuse. In Iowa, the department of drug abuse authority and the division of alcoholism in the Health Department were combined July 1, 1977, into a Department of Substance Abuse.

Rhode Island established a new Department of Elder Affairs in July 1977. Formerly this function was handled by the Division of Aging in the Department of Community Affairs. At least eight states have now established department-level agencies on aging. In a majority of the other states, however, this function is housed within an existing human services department.

### **Transportation**

The area of transportation has been greatly affected by states' reorganization activities over the past 18 years. During the last two years, six states (Alaska, Arkansas, Louisiana, Minnesota, Oklahoma, and Washington) have established a department of transportation (DOT). Further, the newly created DOT in New Mexico will go into effect in April 1978. Such departments now exist in 37 states.<sup>5</sup>

All of these states, with the exception of Missouri, have included the highway function within their departments of transportation. Missouri currently has both a Department of Transportation and a Department of Highways. A bill that proposed to consolidate these two departments failed to pass the most recent session of the Missouri legislature. A number of other functions are often found within these departments, such as transit, aeronautics, waterways, regulation, railroads, highway patrol, motor vehicles, and tolls. Highways and transit, however, are normally the first two functions to be included in a transportation department, followed by other modes as the departments expand and develop.

A recent study completed by the Iowa Department of Transportation reports that four other states (Alabama, Mississippi, Montana, and North Dakota) have DOTs under study. In Indiana, legislation to establish a DOT failed in the 1977 legislative session.

In other action, Virginia established a new secretarial office by splitting the former office of the secretary of transportation and public safety into two offices — a Secretary of Transportation and a Secretary of Public Safety.

### **Energy**

The energy crisis in 1973-74 caused many states to reevaluate their energy-related policies and priorities. One of the resulting actions was the establishment of energy allocation offices to deal with this emergency situation. Since then, however, there has been some movement toward the creation of more permanent energy offices with broader planning and decisionmaking authority. The fuel shortages that occurred during the winter of 1976-77 have acted to further stimulate state activities in this area.

Ten states—California, Kentucky, Minnesota, Nevada, New Jersey, New Mexico, Ohio, Oklahoma, Oregon, and Virginia—have established department-level energy agencies. New Mexico's Department of Energy and Minerals was established as part of their general executive branch reorganization. The reorganization act in Connecticut, however, calls for the transfer of the Department of Planning and Energy Policy into the newly created Office of Policy and Management. In Tennessee, the state energy office, formerly located in the office of the governor, has been replaced by the Tennessee Energy Authority. The majority of the remaining states have located their energy offices either within an existing department (often commerce or natural resources) or in the office of the governor.

### **Governors**

Action was taken in several states affecting the powers and responsibilities of the governor. Minnesota enacted legislation in 1977 stipulating that commissioners of departments, most of whom are appointed by the governor, shall serve at the pleasure of the appointing authority. The advice and consent of the senate is still required, however, for such appointments. The terms of department heads were also made coterminous with the governor. In addition, this new legislation has developed a procedure which ensures the immediate accession to the office of a temporary commissioner in the event of a vacancy. The appointing authority is also required to submit the name of an appointee as permanent commissioner to the president of the senate within 45 days of the occurrence of a vacancy. In Iowa, two department heads previously appointed by their respective commissions (Civil Rights Commission and the Commission on Aging), are now appointed directly by the governor. In Oregon, the legislature voted to remove over 300 of the top positions from civil service. These positions will now be filled by direct appointment by the governor.

The Virginia legislature has enacted several recommendations made by the Commission on State Government which strengthen the role of the governor and his secretaries in policy and budget formulation. Further, the governor's responsibilities in coordinating contracts with the federal government was clarified in an attempt to give the state greater control over federal programs and grants. The governor was also given statutory authority to reorganize the executive branch, subject to senate and house approval.

A constitutional amendment was adopted in Ohio which calls for the joint election of the governor and lieutenant governor. Ohio has now become the twenty-first state to adopt a team election.

The governor, secretary of state, attorney general, and comptroller in Illinois are presently fulfilling two-year terms instead of the regulation four-year term. This one-time shortened term occurred due to a constitutional change that required the election of state officers during nonpresidential election years. Constitutional amendments have been approved in both Georgia and North Carolina which allow the governor to serve two consecutive terms.

### **Elective Officers**

The office of state treasurer was abolished in Montana by the 1977 legislature, and all duties were transferred to the Department of Administration. The treasurer in Montana was a statutorily elective official and, with the elimination of this office, there are now 38 states with elected treasurers. The terms of all separately elected executive branch officers in Indiana now stands at four years. The superintendent of public instruction, formerly a two-year constitutional office, is now a four-year statutorily elective position. Ohio has increased the powers of the auditor with the passage of the most recent state appropriations act.

Although there has been a tendency to reduce the number of statewide elective offices, Pennsylvania's legislature sent to the voters for ratification in 1978 a proposal that would shift the attorney general from an appointive to an elective position.

### **Financial Management**

The central administrative organizational structures of a number of states were affected by reorganization activities over the 1976-77 biennium. Major changes took place in Connecticut as part of their general reorganization act. The newly created Office of Policy and Management became the principal source of planning, analysis, and policy advice for the governor in the formulation and coordination of executive policy. The former department of finance and control was composed of a budget and management division, with support services such as a purchasing division, central collections division, and a data processing division. In contrast the Office of Policy and Management consists of five functional bureaus which are policy and planning oriented: comprehensive planning, budget and financial management, management and evaluation, energy, and governmental relations. A new Department of Administrative Services will assume responsibility for support services to state agencies, such as electronic data processing, personnel, purchasing, and public works.

Recommendations made by the Illinois Task Force on Reorganization led to the consolidation of the departments of general services and finance into a new Department of Administrative Services. The task force concluded that the two previous departments handled many similar functions from a central management perspective and that consolidation would effectively enhance both operations. Virginia has created a Department of General Services which combines agencies with central government responsibilities for physical plant operations at the capitol, capital outlay programs, laboratory services, purchasing, telecommunications, and property records and insurance. Eighteen states have now established departments that consolidate these or similar functions and an equal number have created general services divisions which are usually located within departments of administration.

The placement and organizational relationship of the states' budget and planning function have also been subject to modification. Virginia has replaced its division of state planning and community affairs and division of the budget with a Department of Planning



and Budget and a Department of Intergovernmental Affairs. Further, management analysis and information system responsibilities were added to an agency redesignated from the division of automated data processing to a Department of Management Analysis and Systems Development. The management analysis activity was transferred from the former division of the budget. Missouri has combined their statewide planning function with the division of the budget. The new Division of Budget and Planning is within the Office of Administration. The rationale for such restructuring was to combine the work of planners and budget analysts in an attempt to better coordinate and direct the analysis of service needs and progress of the various agencies. In Nebraska, the Office of Planning was created as a state agency. This function was formerly the responsibility of the Department of Administrative Services. The planning and budget functions are located within the same office or department in 25 states.

### **Budgeting**

Two states have made changes in their budgeting cycles: Alabama converted from a biennial to an annual budget, and Florida changes to a biennial system effective for the 1979-81 biennium. Since 1969, seven other states have changed their budget cycles. Five of these have moved from a biennial to an annual budget. In Indiana, the legislature passed a hybrid budget for 1975-76 and 1976-77, which changed the biennial budget to a one-year operating budget for most agencies. The construction budget and the highway budget were passed as biennial. The 1977 legislature, however, passed a biennial budget for 1978-80 as recommended by the administration.

Legislation enacted in Michigan created a budget stabilization fund ("rainy day fund"). The budget stabilization fund enables the state to deposit or withdraw money based on the growth of Michigan's real personal income and changes in the unemployment rate. Approximately \$75 million will be set aside for fiscal 1977-78. The fund was established in an attempt to improve the state's ability to fiscally withstand an economic downturn and to assist in correcting the state's cash flow problem. Michigan has also changed their fiscal year so that it begins on October 1 rather than July 1.

In New Jersey, a state expenditure limitation act was passed to limit the growth of state expenditures in relation to the state's per capita personal income. Under the act, the governor cannot recommend a budget to the legislature that exceeds the maximum percentage growth allowed under the "spending cap." This act applies to the general state operations and capital construction section of the budget. State aid, federal aid expenditures, and the principal and interest payments of state general obligation bonds authorized by referenda were exempted from the limitation. This act is due to expire in June 1980.

A 1976 study on zero-base budgeting indicated that 11 states had adopted a zero-base budgeting (ZBB) system.<sup>6</sup> Nine other states reported that they were either considering or had decided to implement such a system at a later date. There is, however, no common set of definitions that can be applied to the ZBB concept; rather, it appears in a variety of modified forms in those states that have applied it. For the 1976 study, any systematic analysis of programs and activities at below the base funding was regarded as a ZBB application, if it were combined with priority rankings.<sup>7</sup>

Several states noted in the study have taken new actions with respect to their ZBB systems. In 1977, the California legislature passed a bill requiring the preparation of three departmental budgets in accordance with ZBB principles for fiscal 1978-79. Four departments were finally selected, one from each of the four major agencies. The selected

departments represent a mix of management styles, funding sources, size, and more established versus relatively new departments. It was felt that such a selection would lend itself to a more meaningful analysis of the ZBB concept. A new "tri-level budget system" will be introduced in Arkansas for the 1979-81 biennium. This new budget procedure, which continues to provide for a modified zero-base approach, will replace the 1977-79 priority budgeting system.

A number of states have taken positive steps toward the introduction of a ZBB system. In Iowa, a modified zero-base budget was introduced for the 1977-79 biennial budget. A pilot project has been authorized in South Dakota that calls for the development and submission of budget estimates on a zero base, with legislative oversight. Kentucky is moving toward a ZBB approach by refining certain elements of its existing system while emphasizing some selected features of the ZBB approach, such as increased program manager budgetary involvement, consideration of alternate funding levels, requests prepared in a decision package format, and priority ranking of requests. package format, and priority ranking of requests.

The Joint Budget Committee in Colorado, in cooperation with the Legislative Audit Committee, has been charged with the implementation of ongoing procedures for the review of existing state programs on the basis of ZBB. A program-by-program phase-in has been provided for over a five-year period. State agencies and institutions are required to prepare and to annually present to the Joint Budget Committee an analysis of such programs on the basis of specified ZBB criteria as part of their annual budget requests. Further, the Office of State Planning and Budgeting is required to provide assistance to state agencies and institutions and to the Joint Budget Committee in the implementation of the ZBB program.

A joint senate resolution in Oregon requests that the governor use ZBB when feasible for the 1979-81 biennium and to consult with the legislative fiscal officer. It requires all state agencies to be subject to ZBB procedures by the end of the 1983-85 budgeting and appropriations process. In Kansas, the governor has requested that state agencies prepare their budgets with a zero-base concept as a guide for establishing program levels. The Division of the Budget will have the responsibility to review certain selected programs utilizing the zero-base concept.

The District of Columbia officially instituted a Performance Monitoring System (PMS) in January 1976. PMS is essentially a productivity program aimed at utilizing available resources in a more effective and efficient manner. This system now encompasses programs which comprise nearly 50 percent of the budget directly within the mayor's jurisdiction. The Office of Budget and Management Systems has responsibility for coordinating and providing technical assistance to agencies in implementing PMS.

A number of states have continued to develop their program budgeting systems. Minnesota expanded its program budget approach implemented during fiscal 1976-77 budget preparation. Participation in the program budget concept, initially applied to 12 major agencies, has been expanded to include all state agencies. Virginia is scheduled to complete the development of a full program budget in the 1978-80 biennium. Hawaii, Illinois, New Jersey, North Carolina and Pennsylvania also have existing program budget systems. Illinois and New Jersey, unlike the other three states, also utilize ZBB techniques in conjunction with their program budget systems.

A number of states have made changes in their accounting systems—in some cases linking them with budget operations. For example, the Office of Policy and Management in Connecticut has tied in revision and automation of the accounting system with program

budgeting. Arkansas is also revising its accounting system in coordination with the new "tri-level budget system." A complete revision of Virginia's government accounting system will go into effect in July 1979. Statewide accounting for Missouri (SAM) has recently been developed in an attempt to establish a uniform and mechanized system for accounting, budget preparation, and many statistical reporting processes. A new accounting system will be implemented in New Jersey in fiscal 1980 that will permit organizational and programmatic accounting at a program activity or project level, if deemed necessary by the state agency. In New York, the controller's office is involved in a study of the state accounting system. The legislature has also mandated a change to an accrual accounting system. Maryland is implementing a new accounting system that has been designed and developed over the past two years. South Carolina is also involved in a project to establish a uniform accounting system.

### Management

States continue to be involved in a variety of actions aimed at increasing the effectiveness of management in state government. The loaned executive action program (LEAP) is still an extremely popular approach to such management studies. LEAP utilizes the expertise of private sector managers in identifying problem areas and in developing recommendations aimed at promoting economy and efficiency in state government. In Connecticut, various studies were undertaken that act to complement the major organizational changes enacted by the legislature in 1977. The report of the Governor's Cost Control Council in Vermont contained 269 recommendations, some of which would require constitutional amendment.

Task forces in Massachusetts, Michigan, Minnesota, Ohio, and Pennsylvania have developed a number of recommendations to provide for more economical and responsible government operations. The Michigan Efficiency Task Force outlined 562 specific recommendations with a projected state benefit totaling \$192 million in annual savings, as well as other nonstate and one-time benefits beyond the \$192 million savings; 319 recommendations have already been implemented or are in the process of being implemented. This represents nearly 60 percent of the total recommendations submitted by the task force, with savings conforming to initial expectations.

A number of states have attempted to institutionalize programs that will assist in improving the management of state government. North Carolina, for instance, established a productivity commission in 1976 charged with the responsibility of recommending the necessary steps for instituting a productivity program for state and local governments. One of the recommendations called for the establishment of a permanent productivity commission. The Hawaii Institute for Management and Analysis in Government, in the Department of Budget and Finance, was created to assist in improving the management and analysis of public programs. This institute is to provide training focused on enhancing the ability of government officers and employees to analyze, evaluate, and manage programs and policies in the public sector as well as perform research and analysis for use by management.<sup>8</sup>

### Footnotes

1. Arkansas, California, Colorado, Delaware, Florida, Georgia, Idaho, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Missouri, Montana, North Carolina, South Dakota, Virginia, and Wisconsin.

2. This information was collected as part of a 1977 study by the Council of State Governments on state cabinet systems.

3. The other states with comprehensive human services agencies are: Alaska, Arizona, Arkansas, California, Delaware, Florida, Georgia, Idaho, Iowa, Kansas, Kentucky, Louisiana, Massachusetts, Missouri, Nevada, New Hampshire, North Carolina, Oregon, South Dakota, Utah, Vermont, Virginia, Washington, Wisconsin, and Wyoming.

4. Colorado, Hawaii, Maine, Maryland, Michigan, Minnesota, Montana, North Dakota, Oklahoma, Pennsylvania, and Rhode Island.

5. States and implementation dates: Hawaii (1959); California (1960); New Jersey (1966); New York, Florida, Wisconsin (1967); Connecticut, Massachusetts, Oregon (1969); Delaware, Maryland, Pennsylvania, Rhode Island (1970); Illinois, Maine, North Carolina (1971); Ohio, Tennessee (1972); Arizona, Georgia, Michigan, South Dakota (1973); Kentucky, Idaho, Iowa, Missouri, Virginia (1974); Kansas, Vermont, Texas, Utah (1975); Minnesota, Oklahoma (1976); and Alaska, Arkansas, Louisiana, Washington (1977).

6. Arkansas, California, Georgia, Idaho, Illinois, Missouri, Montana, New Jersey, Rhode Island, Tennessee, Texas. The Council of State Governments, *Zero-Base Budgeting in the States* (Lexington, Ky.: 1976).

7. Ibid., p. 3.

8. For further information, refer to the article by Governor Ariyoshi, "Hawaii's Answer to Management Development," *State Government*, vol. 50, no. 3, 1977.

## THE GOVERNORS

January 1978

State or other jurisdiction	Governor	Political party	Length of regular term in years	Present term began	Number of previous terms	Maximum consecutive terms allowed by constitution	Joint election of governor and lt. governor
Alabama	George C. Wallace	D	4	Jan. 20, 1975	2(a)	2	No
Alaska	Jay S. Hammond	R	4	Dec. 2, 1974	0	2	Yes
Arizona	Bruce Babbitt	D	4	Jan. 6, 1975(b)	0	...	...
Arkansas	David H. Pryor	D	2	Jan. 14, 1977	1	...	No
California	Edmund G. Brown, Jr.	D	4	Jan. 6, 1975	0	...	No
Colorado	Richard D. Lamm	D	4	Jan. 14, 1975	0	...	Yes
Connecticut	Ella T. Grasso	D	4	Jan. 8, 1975	0	...	Yes
Delaware	Pierre S. du Pont IV	R	4	Jan. 17, 1977	0	2(c)	No
Florida	Reubin O'D. Askew	D	4	Jan. 7, 1975	1	2	Yes
Georgia	George D. Busbee	D	4	Jan. 14, 1975	0	2	No
Hawaii	George R. Ariyoshi	D	4	Dec. 2, 1974	0	...	Yes
Idaho	John V. Evans	D	4	Jan. 6, 1975(d)	0	...	No
Illinois	James R. Thompson	R	2(e)	Jan. 10, 1977	0	...	Yes
Indiana	Otis R. Bowen	R	4	Jan. 10, 1977	1	2	Yes
Iowa	Robert D. Ray	R	4	Jan. 16, 1975	3(f)	...	No
Kansas	Robert F. Bennett	R	4	Jan. 13, 1975	0	2	Yes
Kentucky	Julian M. Carroll	D	4	Dec. 9, 1975	(g)	0	No
Louisiana	Edwin W. Edwards	D	4	May 10, 1976	1	2	No
Maine	James B. Longley	I	4	Jan. 2, 1975	0	2	...
Maryland	Blair Lee III	D	4	Jan. 15, 1975(h)	0	2	Yes
Massachusetts	Michael S. Dukakis	D	4	Jan. 2, 1975	0	...	Yes
Michigan	William G. Milliken	R	4	Jan. 1, 1975	1(i)	...	Yes
Minnesota	Rudy Perpich	DFL(j)	4	Jan. 8, 1975(k)	0	...	Yes
Mississippi	Cliff C. Finch	D	4	Jan. 20, 1976	0	0	No
Missouri	Joseph P. Teasdale	D	4	Jan. 10, 1977	0	2(c)	No
Montana	Thomas L. Judge	D	4	Jan. 1, 1977	1	...	Yes
Nebraska	J. James Exon	D	4	Jan. 9, 1975	1	2	Yes
Nevada	Mike O'Callaghan	D	4	Jan. 6, 1975	1	2	No
New Hampshire	Meldrim Thomson, Jr.	R	2	Jan. 6, 1977	2	...	...
New Jersey	Brendan T. Byrne	D	4	Jan. 17, 1978	1	2	...
New Mexico	Jerry Apodaca	D	4	Jan. 1, 1975	0	0	Yes
New York	Hugh L. Carey	D	4	Jan. 1, 1975	0	...	Yes
North Carolina	James B. Hunt, Jr.	D	4	Jan. 8, 1977	0	2(c)	No
North Dakota	Arthur A. Link	D	4	Jan. 2, 1977	1	...	Yes
Ohio	James A. Rhodes	R	4	Jan. 13, 1975	2(l)	2	Yes
Oklahoma	David L. Boren	D	4	Jan. 13, 1975	0	2	No
Oregon	Robert W. Straub	D	4	Jan. 13, 1975	0	2	...
Pennsylvania	Milton J. Shapp	D	4	Jan. 21, 1975	1	2	Yes
Rhode Island	J. Joseph Garrahy	D	2	Jan. 4, 1977	0	...	No
South Carolina	James B. Edwards	R	4	Jan. 15, 1975	0	0	No
South Dakota	Richard F. Kneip	D	4	Jan. 7, 1975	2(m)	2	Yes
Tennessee	Ray Blanton	D	4	Jan. 18, 1975	0	0	No
Texas	Dolph Briscoe	D	4	Jan. 21, 1975	1(n)	...	No
Utah	Scott M. Matheson	D	4	Jan. 3, 1977	0	...	No
Vermont	Richard A. Snelling	R	2	Jan. 6, 1977	0	...	No
Virginia	John N. Dalton	R	4	Jan. 14, 1978	0	0	No
Washington	Dixy Lee Ray	D	4	Jan. 12, 1977	0	...	No
West Virginia	John D. Rockefeller IV	D	4	Jan. 17, 1977	0	2	...
Wisconsin	Martin J. Schreiber	D	4	Jan. 6, 1975(o)	0	...	Yes
Wyoming	Ed Herschler	D	4	Jan. 6, 1975	0	...	...
American Samoa	Peter T. Coleman(p)	...	3(q)	Jan. 3, 1978	(r)	...	Yes
Guam	Ricardo J. Borda	D	4	Jan. 6, 1975	0	2	Yes
Northern Mariana Is.	Carlos S. Camacho(s)	D	4	Jan. 9, 1978	0	3(t)	Yes
Puerto Rico	Carlos Romero-Barcelo	NP(u)	4	Jan. 2, 1977	0	...	...
Virgin Islands	Juan Luis	I	4	Jan. 6, 1975(v)	0	2	Yes

(a) Previous terms: 1963-67, 1971-75.  
 (b) Succeeded to office in March 1978 upon the death of Governor Wesley Bolin who had succeeded to office in October 1977 to fill unexpired term of former Governor Raul Castro (resigned to become U.S. Ambassador to Argentina).  
 (c) Absolute two-term limitation, but not necessarily consecutive.  
 (d) Succeeded to office in January 1977 to fill unexpired term of former Governor Cecil D. Andrus (resigned to become Secretary of the Interior).  
 (e) Reverts to a four-year term with the 1978 election. This one-time shortened term occurred due to a constitutional change requiring the election of state officers during nonpresidential election years.  
 (f) Served three two-year terms prior to January 1975.  
 (g) Succeeded to office in December 1974 to fill unexpired term of former Governor Wendell H. Ford (resigned to become U.S. senator). Elected to a full four-year term in November 1975.  
 (h) On October 7, 1977, Governor Marvin Mandel was suspended from office, pending appeal of a court case, and Lieut. Gov. Blair Lee III became acting governor by force of a constitutional provision.  
 (i) Succeeded to office in January 1969 to fill unexpired term of former Governor George Romney (resigned). Elected to a full four-year term in November 1970.

(j) Democrat-Farmer-Labor.  
 (k) Succeeded to office in December 1976 to fill unexpired term of former Governor Wendell R. Anderson (resigned to become U.S. senator).  
 (l) Previous terms: 1963-67, 1967-71.  
 (m) Served two two-year terms prior to January 1975.  
 (n) This was a two-year term.  
 (o) Became acting governor in July 1977 to fill unexpired term of former Governor Patrick Lucey (resigned to become U.S. Ambassador to Mexico).  
 (p) First elected governor of American Samoa. Previously the governor was appointed by the U.S. Department of the Interior.  
 (q) Changes to a 4-year term with next election.  
 (r) Previous terms: 1956-61.  
 (s) First governor of Northern Mariana Islands.  
 (t) Absolute three-term limitation, but not necessarily consecutive.  
 (u) New Progressive Party.  
 (v) Succeeded to office on January 2, 1978, upon the death of Governor Cyril E. King.

**THE OFFICE OF LIEUTENANT GOVERNOR:  
CONSTITUTIONAL QUALIFICATIONS AND TERMS**  
(In years)

<i>State or other jurisdiction</i>	<i>Age</i>	<i>State citizen</i>	<i>U.S. citizen</i>	<i>State resident</i>	<i>Qualified voter</i>	<i>Length of term</i>	<i>Maximum consecutive terms allowed</i>
Alabama	30	7	10	...	...	4	2
Alaska	30	...	7	7	(a)	4	2
Arizona(b)	25	5	10	...	...	4	...
Arkansas	30	...	(a)	7	...	2	...
California	18	5	5	5	(a)	4	...
Colorado	30	...	(a)	2	...	4	...
Connecticut	30	...	...	...	(a)	4	...
Delaware	30	...	12	6	...	4	...
Florida	30	...	...	7	(a)	4	...
Georgia	30	6	15	...	...	4	...
Hawaii	30	...	...	5	(a)	4	...
Idaho	30	...	(a)	2	...	4	...
Illinois	25	...	(a)	3	...	4	...
Indiana	30	...	5	5	...	4	...
Iowa	30	...	(a)	2	...	4	...
Kansas	...	...	...	...	...	4	2
Kentucky	30	6	...	6	...	4	0
Louisiana	25	5	5	5	(a)	4	...
Maine(c)	...	...	...	...	...	...	...
Maryland	30	5	5	5	5	4	...
Massachusetts	...	...	...	7	...	4	...
Michigan	30	...	...	...	4	4	...
Minnesota	25	...	(a)	1	...	4	...
Mississippi	30	...	20	5	...	4	...
Missouri	30	...	15	10	...	4	...
Montana	25	...	(a)	2	...	4	...
Nebraska	30	5	(a)	5	...	4	...
Nevada	25	...	...	2	(a)	4	2
New Hampshire(c)	...	...	...	...	...	...	...
New Jersey(c)	...	...	...	...	...	...	...
New Mexico	30	...	(a)	5	...	4	0
New York	30	...	(a)	5	...	4	...
North Carolina	30	...	5	2	...	4	2
North Dakota	30	...	(a)	5	(a)	4	...
Ohio	...	...	...	...	(a)	4	...
Oklahoma	31	...	(a)	...	10	4	...
Oregon(b)	...	...	...	7	...	4	2
Pennsylvania	30	...	(a)	7	...	4	2
Rhode Island	...	...	...	...	(a)	2	...
South Carolina	30	5	5	5	...	4	...
South Dakota	...	...	(a)	2	...	4	2
Tennessee(c)	...	...	...	...	...	...	...
Texas	30	...	(a)	5	...	4	...
Utah(b)	30	...	...	5	(a)	4	...
Vermont	...	...	...	4	...	2	...
Virginia	30	...	(a)	5	5	4	...
Washington	...	...	(a)	...	(a)	4	...
West Virginia(c)	...	...	...	...	...	...	...
Wisconsin	...	...	(a)	...	(a)	4	...
Wyoming(b)	25	...	(a)	...	(a)	4	...
American Samoa	35	...	(d)	5(e)	...	4	2
Guam (e)	30	...	5	...	(a)	4	2
Puerto Rico	35	5	5	...	...	4	...
Virgin Islands	30	...	...	...	(a)	4	2

(a) Required by constitution but number of years not specified.

(b) In Arizona, Oregon, and Wyoming, the secretary of state is elected statewide and is first in line of succession to the governorship; for these reasons that individual is listed as a lieutenant governor although office not officially titled lieutenant governor. In Utah, the lieutenant governor and secretary of state are the same individual.

(c) The senate presidents (or speakers) in Maine, New Hampshire,

New Jersey, Tennessee, and West Virginia are not considered to be lieutenant governors because they are selected from the senate membership rather than by statewide election. In Tennessee, the senate speaker bears the additional statutory title "Lieutenant Governor."

(d) U.S. citizen or National.

(e) Prospective requirements under constitution becoming effective in late 1977.

# THE OFFICE OF LIEUTENANT GOVERNOR: POWERS AND DUTIES

State or other jurisdiction	Official elected state- wide who succeeds governor	Presides over senate	Appoints committees	Breaks roll-call ties	Assigns bills	Authority for governor to assign duties	Head of executive department	Serves when governor out of state
Alabama .....	LG	★	★	★	★	...	...	★(a)
Alaska .....	LG	...	...	...	...	...	★(b)	★(c)
Arizona .....	SS	...	...	...	...	...	Secy. of State	★
Arkansas .....	LG	★	...	★	...	★	...	★
California .....	LG	★	...	★	...	★	...	★
Colorado .....	LG	...	...	...	...	★	...	★
Connecticut .....	LG	★	...	★	...	★	...	★
Delaware .....	LG	★	...	★	...	...	...	...
Florida .....	LG	...	...	...	...	★	Dept. of Administration	(d)
Georgia .....	LG	★	(e)	...	★	★	...	...
Hawaii .....	LG	...	...	...	...	★	★(b)	★
Idaho .....	LG	★	...	★	...	★	...	★
Illinois .....	LG	...	...	...	...	★	...	...
Indiana .....	LG	★	...	★	...	★	Agriculture, Commerce & Planning	...
Iowa .....	LG	★	★(f)	★(g)	★(f)	...	...	...
Kansas .....	LG	...	...	...	...	...	...	★(h)
Kentucky .....	LG	...	★	...	★	★	★	...
Louisiana .....	LG	...	...	...	...	★	Board of Commerce & Industry	★
Maine .....	PS(i)	...	...	...	...	...	...	...
Maryland .....	LG	...	...	...	...	★	...	...
Massachusetts .....	LG	...	...	...	...	★	...	★
Michigan .....	LG	★	...	★	★	★(j)	...	★
Minnesota .....	LG	...	...	...	...	★(j)	...	...
Mississippi .....	LG	★	★(k)	★	★	...	...	★
Missouri .....	LG	★	...	★(g)	...	...	...	★
Montana .....	LG	...	...	...	...	★(j)	...	★(a)
Nebraska .....	LG	★	...	★	...	★	...	★
Nevada .....	LG	★	...	...	...	...	...	★
New Hampshire .....	PS(i)	...	...	...	...	...	...	...
New Jersey .....	PS(i)	...	...	...	...	...	...	...
New Mexico .....	LG	★	...	★	★(l)	★	...	★
New York .....	LG	★	...	★	...	★	...	★
North Carolina .....	LG	★	★	★	★	★	...	★
North Dakota .....	LG	★	★(m)	★(g)	★	★	...	★
Ohio .....	LG	★	...	...	...	★	...	...
Oklahoma .....	LG	★	...	★	...	...	Tourism & Rec.	★
Oregon .....	SS	...	...	...	...	...	Secy. of State	...
Pennsylvania .....	LG	★	...	★(g)	★	★	...	...
Rhode Island .....	LG	★	...	★	★	...	...	★
South Carolina .....	LG	★	...	★	★	★	...	★(n)
South Dakota .....	LG	★	...	★	★	★	...	★
Tennessee .....	SpS(i)	...	...	...	...	...	...	...
Texas .....	LG	★	★	★	★	...	...	★
Utah .....	LG(o)	...	...	...	...	★	Secy. of State	★
Vermont .....	LG	★	(e)	...	★	...	...	★
Virginia .....	LG	★	...	★	...	★	...	...
Washington .....	LG	★	★(p)	★(g)	★	★	...	★
West Virginia .....	PS(i)	...	...	...	...	...	...	...
Wisconsin .....	LG	★	...	★	★	★	...	★
Wyoming .....	SS	...	...	...	...	...	Secy. of State	★
American Samoa .....	LG	...	...	...	...	★	...	★
Guam .....	LG	...	...	...	...	★	Secy. of State	★
Puerto Rico .....	SS	...	...	...	...	★	Secy. of State	★
Virgin Islands .....	LG	...	...	...	...	★	...	★

Abbreviations: LG—Lieutenant governor; SS—Secretary of state; PS—President of the senate, SpS—Speaker of the senate.

(a) After 20 days absence except for Montana which is after 45 days.

(b) Performs the function generally granted to a secretary of state.

(c) After 6 months absence.

(d) Lieutenant governor does not serve as governor in his absence, but the governor leaves lieutenant governor in charge of operations of governor's office.

(e) The lieutenant governor is a member of the Committee on Committees which appoints the committees. In Georgia he is chairman.

(f) When the lieutenant governor is a member of the senate majority party.

(g) Except for final passage.

(h) In governor's absence the lieutenant governor may exercise only those responsibilities specifically designated by the governor.

(i) The president of the senate is next in line of succession to the governor in Maine, New Hampshire, New Jersey, Tennessee, and West Virginia. These officials are selected by the senate from among its members and are therefore not elected statewide. In Tennessee this official bears the additional statutory title "Lieutenant Governor."

(j) He may perform duties requested of him by the governor but no power vested in the governor may be delegated.

(k) Except rules and legislative service committees.

(l) Only with sponsor's request.

(m) By tradition, the lieutenant governor appoints those persons suggested by the party leaders.

(n) Has authority to act in an emergency when the governor is absent from the state.

(o) Lieutenant governor and secretary of state are the same individual.

(p) Subject to senate confirmation.

# DUTIES TO ADMINISTRATIVE AGENCIES AND MISCELLANEOUS DUTIES OF ATTORNEYS GENERAL

## Duties to administrative agencies

### Conducts litigation

State or other jurisdiction	Serves as counsel for state	Appears for state in criminal appeals	Issues official advice	Interprets statutes or regulations	In behalf of agency	Against agency	Prepares or re- views legal documents	Represents the public before the agency	Involved in rule-making	Reviews rules for legality
Alabama	A, B, C	*(a)	*	*	...	*	...	...	*	*
Alaska	A, B*	*	*	*	...	...	...	...	*	*
Arizona	A, B, C	*	*	*	*	*	*	...	*	*
Arkansas	A, B, C	*(a)	*	*	...	...	...	*	*	*
California	A, B, C	*(a)	*	*	*	*	*	...	...	...
Colorado	A, B, C	*(a)	*	*	*	*	*	...	*	*
Connecticut	A, B, C	*	*	*	...	*	*	...	*	*
Delaware	A, B, C	*(a)	*	*	*	...	*	...	*	*
Florida	A, B, C	*(a)	*	*	*	*	*	*	*	*
Georgia	A, B, C	*(b, c)	*	*	*	*	*	...	*	*
Hawaii	A, B*	...	*	*	*	*	*	...	*	*
Idaho	A, B, C	*	*	*	*	*	*	...	*	*
Illinois	A, B*	*(b, c, d)	...	...	...	...	...	*	...	...
Indiana	A, B, C	*(a)	*	*	*	...	*	...	*	*
Iowa	A, B, C	*(a)	*	*	*	*	*	...	*	*
Kansas	A, B, C	*(a)	*	*	*	*	*	...	...	*
Kentucky	A, B*, C	*	*	*	*	*	*	...	*	*
Louisiana	A, B, C	*(c)	*	*	*	*	*	...	*	*
Maine	A, B, C	*(b, c)	*	*	*	...	*	...	*	*
Maryland	A, B, C	*(a)	*	*	*	...	*	*	*	*
Massachusetts	A, B, C	*(b, c)	*	*	*	*	*	*	*	*
Michigan	A, C	*(b, c, c)	*	*	*	...	*	*	...	...
Minnesota	A, B, C	*(d)	*	*	*	*	*	*	...	*
Mississippi	A, B, C	*	*	*	*	...	*	...	*	*
Missouri	A, B, C	*	*	*	*	...	*	...	*	*
Montana	A, B, C	*	*	*	*	...	*	...	*	*
Nebraska	A, B, C	*	*	*	*	*	*	...	*	*
Nevada	A, B, C	*(e)	*	*	*	...	*	...	*	*
New Hampshire	A, B, C	*(a)	*	*	*	*	*	*	*	*
New Jersey	A, B, C	*(e)	*	*	*	*	*	...	*	*
New Mexico	A, B, C	*(a)	*	*	*	*	*	*	*	*
New York	A, B, C	*(b)	...	*	*	...	*	...	...	...
North Carolina	A, B, C	*	*	*	*	*	*	*	*	*
North Dakota	A, B, C	*(b)	*	*	*	...	*	...	*	*
Ohio	A, B, C	...	*	*	*	*	*	...	...	*
Oklahoma	A, B, C	*(b)	*	*	*	*	*	*	*	*
Oregon	A, B, C	*	*	*	*	...	*	...	*	*
Pennsylvania	A, B, C	*(c)	*	*	*	*	*	...	*	*
Rhode Island	A, B, C	*	*	*	*	...	*	*	*	*
South Carolina	A, B, C	*(c)	*	*	*	...	*	...	*	*
South Dakota	A, B, C	*(a)	*	*	*	...	*	...	*	*
Tennessee	A, B, C	*	*	*	*	...	*	...	*	*
Texas	A, B, C	*(c)	*	*	*	*	*	*	*	*
Utah	A, B, C	*(a)	*	*	*	*	*	*	*	*
Vermont	A, B, C	*(b)	*	*	*	*	*	*	*	*
Virginia	A, B, C	*(a)	*	*	*	...	*	*	*	*
Washington	A, B, C	*(f)	*	*	*	...	*	*	*	*
West Virginia	A, B, C	*(a)	*	*	*	*(g)	*	*	*	...
Wisconsin	A, B, C	*	*	*	*	*	*	...	*	...
Wyoming	A, B, C	*(a)	*	*	*	...	*	...	*	*
American Samoa	A, B, C	*	*	*	*	*	*	...	*	*
Guam	A, B*	*(f)	*	*	*	*	*	...	*	*
Puerto Rico	A, B, C	*	*	...	*	...	...	...	*	*

#### Key:

A—Defend state law when challenged on federal constitutional grounds.

B—Conduct litigation on behalf of state in federal and other states' courts.

C—Prosecute actions against another state in U.S. Supreme Court.

\*Only in federal courts.

(a) Attorney general has exclusive jurisdiction.

(b) In certain cases only.

(c) When assisting the local prosecutor in the appeal.

(d) In certain courts only.

(e) Can appear on own discretion.

(f) Because there are no local prosecutors.

(g) If authorized by the governor.



## PROSECUTORIAL AND ADVISORY DUTIES OF ATTORNEYS GENERAL

State or other jurisdiction	Authority to initiate local prosecutions	May intervene in local prosecutions	May assist local prosecutor	May supersede local prosecutor	Issues advisory opinions					Reviews legislation	
					To state executive officials	To legislators	To local prosecutors	On the interpretation of statutes	On the constitutionality of bills or ordinances	Prior to passage	Before signing
Alabama	A	A, D	A, D	...	★	★	★	★	★	★	★
Alaska	A	H	H	H	★	★	...	★	★	★	...
Arizona	B, D, F	B, D	B, D	B	★	★	★	★	★	★	★
Arkansas	F	D	D	...	★	★	★	★	★	★	★
California	A, E	A, D, E	A, B, D	A	★	★	★	★	★	★	★
Colorado	B, F	B	D, F (a)	B	★	★	★	★	★	★	★
Connecticut	I	...	...	...	★	...	...	★	★	★	★
Delaware	A	H	H	H	★	...	...	★	★	★	★
Florida	...	D	D	...	★	★	★	★	★	★	★
Georgia	A, B, F	A, B, D, G	A, B, D, F	B	★	★	★	★	...	★	★
Hawaii	E	...	C	A	★	★	...	★	★	★	★
Idaho	A, F	A	A, D	A	★	★	★	...	★	★	★
Illinois	F, G	...	A, D	...	★	★	★	★	★	...	...
Indiana	F (a)	...	A, D, F	...	★	★	...	★	★	...	★
Iowa	A (b), B, C, F	A	D	...	★	★	★	★	★	★	★
Kansas	B, C, F	...	...	F	★	★	★	★	★	★	★
Kentucky	B	B, D	B, D, F	...	★	★	★	★	★	★	...
Louisiana	G	G	A	G	★	★	...	★	★	★	★
Maine	A	...	A	...	★	★	...	★	★	★	★
Maryland	B, C, F	B, C, D, G	B, C, D	B, C	★	★	★	★	★	★	★
Massachusetts	A, B, C, E, F, G	A, B, C, D, E, G	A, B, C, D, F	A, B, C	★	★	...	★	★	★	★
Michigan	...	...	D	A, C	★	★	...	★	★	★	★
Minnesota	B	B, D, G	A, B, D	B	★	★	★	★	★	★	★
Mississippi	B, E, F	...	B, F	...	★	★	★	★	...	(c)	(c)
Missouri	F	...	B	...	★	★	★	★	...	★	★
Montana	C, F	A, B, C, D	A, B, C, D, F	A, C	★	★	★	★	★	...	...
Nebraska	A	A	A, D	A	★	★	★	★	★	...	...
Nevada	A, F	A, B, D	(d)	A, B	★	...	★	...	★	★	...
New Hampshire	A	A	A	A	★	...	★	★	★	★	★
New Jersey	A	A, D	A, D	A	★	★	★	★	★	★	★
New Mexico	A, B, G	B, D, G	D	B	★	★	★	...	★	★	★
New York	B, F	...	...	B	★	...	...	★	★	★	★
North Carolina	I	D	D	...	★	★	★	★	★	★	...
North Dakota	A, G	A, D	A, D	A	★	★	★	...	★	...	(c)
Ohio	B, C, F	B	...	B, C	★	★	★	★	...	★	★
Oklahoma	B, C	B, C	B, C	B, C	★	★	★	★	★	★	★
Oregon	B, F	B, D	B, D	B	...	...	...	...	...	...	...
Pennsylvania	A	...	D	A	★	★	★	...	★	★	★
Rhode Island	A	H	H	H	★	★	...	★	★	★	★
South Carolina	A	A, D	A, D	A	★	★	★	★	★	★	★
South Dakota	A (e)	A	A	A	★	★	★	★	★	★	★
Tennessee	I	...	D	...	★	★	★	★	...	★	★
Texas	F	...	...	...	★	...	★	★	★	★	★
Utah	E	E	B, E	E	★	...	★	...	...	...	★
Vermont	A	A	A	A	★	★	★	...	...	★	★
Virginia	B, F	B, D	B, D, F	B	★	★	★	★	★	★	★
Washington	B	B, D	B	B	★	★	★	★	★	★	★
West Virginia	I	...	D	...	★	★	★	★	...	(f)	(f)
Wisconsin	B, F	B, D	D	B (g)	★	★	★	★	★	(f)	(f)
Wyoming	D (b)	D	D	...	★	★	★	★	...	★	★
American Samoa	A	A, D	A, D	...	★	...	...	★	★	★	★
Guam	A	H	H	H	★	★	...	★	★	★	★
Puerto Rico	A	...	A	A, B	★	★	...	★	★	★	★

## Key:

- A—On own initiative.  
 B—On request of governor.  
 C—On request of legislature.  
 D—On request of local prosecutor.  
 E—When in the state's interest.  
 F—Under certain statutes for specific crimes.  
 G—On authorization of court or other body.  
 H—No local prosecutors.  
 I—No authority.

(a) Certain statutes provide for concurrent jurisdiction with local prosecutors.

(b) In connection with grand jury cases.

(c) Reviews only when requested by governor or legislature.

(d) Will prosecute as a matter of practice, when requested.

(e) Has concurrent jurisdiction with state's attorneys.

(f) No legal authority, but sometimes informally reviews laws at request of legislature.

(g) If the governor removes the district attorney for a cause.

# CONSUMER PROTECTION ACTIVITIES AND SUBPOENA AND ANTITRUST POWERS OF ATTORNEYS GENERAL

State or other jurisdiction	May commence civil proceedings	May commence criminal proceedings	Represents the state before regulatory agencies	Administers consumer protection programs	Handles consumer complaints	Subpoena powers (a)	Antitrust duties
Alabama .....	★	...	...	...	★	•	A, B
Alaska .....	★	★	...	★	★	•	A, B, C
Arizona .....	★	...	...	★	★	•	A, B, D
Arkansas .....	★	★	★	★	★	★	B, C, D
California .....	★	...	...	...	★	★	B, C, D
Colorado .....	★	★	★	★	★	•	A, B, C, D
Connecticut .....	★	★	...	★	...	•	A, B, C, D
Delaware .....	★	★	★	★	...	★	B, C
Florida .....	★	...	...	★	★	•	D
Georgia .....	★	★	★	...	...	★	B, C, D
Hawaii .....	...	...	★	...	...	★	B, C, D
Idaho .....	★	...	★	...	★	•	D
Illinois .....	★	...	...	★	★	•	A, B, C, D
Indiana .....	★	...	...	★	★	...	B, C, D
Iowa .....	★	★	★	★	★	•	A, B, C, D
Kansas .....	★	★	★	★	★	•	B, C, D
Kentucky .....	★	...	★	★	★	★(b)	A
Louisiana .....	★	...	★	...	★	★	B, C
Maine .....	★	★	★	★	★	•	B, C
Maryland .....	★	...	...	★	★	•	B, C, D
Massachusetts .....	★	★	★	★	★	•	B, C, D
Michigan .....	★	★	★	★	★	•	A, B, C, D
Minnesota .....	★	...	...	★	★	•	B, D
Mississippi .....	★	...	★	★	★	•	B, C
Missouri .....	★	...	...	...	★	•	A, B, C, D
Montana .....	★	★	★	★	★	★	B, C, D
Nebraska .....	★	★	★	★	★	•	A, B, C (c), D
Nevada .....	★	★	...	...	★	★	A, B, C, D
New Hampshire .....	★	★	★	★	★	•	(d)
New Jersey .....	★	★	★	★	★	★	A, B, C, D
New Mexico .....	★	★	★	★	★	...	A, B, C, D
New York .....	★	...	...	...	★	•	B, C, D
North Carolina .....	★	...	★	★	★	•	A, B, C, D
North Dakota .....	★	★	...	★	★	•	A, B
Ohio .....	★	★	★	★	★	•	B, C, D
Oklahoma .....	★	...	...	★	★	•	B, D
Oregon .....	★	★	...	★	★	...	A, B, C, D
Pennsylvania .....	★	...	★	★	★	•	D
Rhode Island .....	★	★	★	★	★	•	...
South Carolina .....	★	★	★	...	...	•	B, C, D
South Dakota .....	★	★	...	...	...	•	...
Tennessee .....	★	...	...	★	★	•	A, B, D
Texas .....	★	...	★	★	★	•	B, D
Utah .....	★	...	...	...	...	★	A, B, D (e)
Vermont .....	★	★	★	★	★	...	...
Virginia .....	★	...	★	★(f)	★(f)	•	B, D
Washington .....	★	...	★	★	★	...	B, D
West Virginia .....	★	...	★	★	★	•	D
Wisconsin .....	★	...	★	★	★	...	B, C, D
Wyoming .....	★	...	...	★	★	...	...
American Samoa .....	...	...	...	...	...	...	...
Guam .....	...	...	...	...	...	•	B, C, D
Puerto Rico .....	...	...	★	...	...	•	A, B

## Key:

A—Has parens patriae authority to commence suits on behalf of consumers in state antitrust damage actions in state courts.  
 B—May initiate damage actions on behalf of state in state courts.  
 C—May commence criminal proceedings.  
 D—May represent cities, counties, and other governmental entities in recovering civil damages under federal or state law.

(a) In this column only, ★ indicates broad powers and • indicates limited powers.

(b) When permitted to intervene.

(c) Attorney general has exclusive authority.

(d) New Hampshire recently received approval to establish an antitrust division.

(e) Opinion only, since there are no controlling precedents.

(f) Attorney general handles legal matters only with no administrative handling of complaints.

## ELECTION DUTIES OF SECRETARIES OF STATE

<i>State or other jurisdiction</i>	<i>Chief election officer</i>	<i>Registers political parties and determines ballot eligibility</i>	<i>Files nomination papers</i>	<i>Receives initiative or referendum petition</i>	<i>Determines ballot form</i>	<i>Submits constitu- tional amendments to voters</i>	<i>Publishes election publicity pamphlets (a)</i>	<i>Publishes election results (a)</i>	<i>Publishes election laws (a)</i>	<i>Issues certificates of nomination and election</i>	<i>Supplies election ballots or material to local officials</i>	<i>Files candidate's expense papers</i>
Alabama .....	★	★	★	★	★	★	★	★	★	★	★	★
Alaska (b) .....	★	★	★	★	★	★	★	★	★	★	★	★
Arizona .....	★	★	★	★	★	★	★	★	★	★	★	★
Arkansas .....	★	★	★	★	★	★	★	★	★	★	★	★
California .....	★	★	★(c)	★(c)	★	★	★	★(c)	★	★(c)	★	★(c)
Colorado .....	★	★	★	★	★	★	★	★	★	★	★	★
Connecticut .....	★	★	★	★	★	★	★	★	★	★	★	★
Delaware .....	★	★	★	★	★	★	★	★	★	★	★	★
Florida .....	★	★	★	★	★	★	★	★	★	★	★	★
Georgia .....	★	★	★	★	★	★	★	★	★	★	★	★
Hawaii (b) .....	★	★	★	★	★	★	★	★	★	★	★	★
Idaho .....	★	★	★(d)	★	★	★	★	★	★	★(d)	★	★
Illinois .....	★	★	★	★	★	★	★	★	★	★	★	★
Indiana .....	★	★	★	★	★	★	★	★	★	★	★	★
Iowa .....	★	★	★	★	★	★	★	★	★	★	★	★
Kansas .....	★	★	★	★	★	★	★	★	★	★	★	★
Kentucky .....	★	★	★	★	★	★	★	★	★	★	★	★
Louisiana .....	★	★	★	★	★	★	★	★	★	★	★	★
Maine .....	★	★	★	★	★	★	★	★	★	★	★	★
Maryland .....	★	★	★	★	★	★	★	★	★	★	★	★(e)
Massachusetts .....	★	★	★	★	★	★	★	★	★	★	★	★
Michigan .....	★	★	★	★	★	★	★	★	★	★(f)	★	★
Minnesota .....	★	★	★	★	★	★	★	★	★	★	★	★
Mississippi .....	★	★	★	★	★	★	★	★	★	★(f)	★	★
Missouri .....	★	★	★	★	★	★	★	★	★	★	★	★
Montana .....	★	★	★	★	★	★	★	★	★	★	★	★
Nebraska .....	★	★	★	★	★	★	★	★	★	★	★	★
Nevada .....	★	★	★	★	★	★	★	★	★	★	★	★
New Hampshire .....	★	★	★	★	★	★	★	★	★	★(f)	★	★
New Jersey .....	★	★	★	★	★	★	★	★	★	★	★	★
New Mexico .....	★	★	★	★	★	★	★	★	★	★	★	★
New York .....	★	★	★	★	★	★	★	★	★	★	★	★
North Carolina .....	★	★	★	★	★	★	★	★	★	★(f)	★	★
North Dakota .....	★	★	★	★	★	★	★	★	★	★	★	★
Ohio .....	★	★	★	★	★	★	★	★	★	★	★	★
Oklahoma .....	★	★	★	★	★	★	★	★	★	★	★	★
Oregon .....	★	★	★	★	★	★	★	★	★	★	★	★
Pennsylvania .....	★	★	★	★	★	★	★	★	★	★(f)	★	★
Rhode Island .....	★	★	★	★	★	★	★	★	★	★	★	★
South Carolina .....	★	★	★	★	★	★	★	★	★	★	★	★
South Dakota .....	★	★	★(c)	★	★	★	★	★	★	★	★	★
Tennessee .....	★	★	★	★	★	★	★	★	★	★	★	★
Texas .....	★	★	★	★	★	★	★	★	★	★	★	★
Utah (g) .....	★	★	★	★	★	★	★	★	★	★	★	★
Vermont .....	★	★	★	★	★	★	★	★	★	★(f)	★	★
Virginia .....	★	★	★	★	★	★	★	★	★	★	★	★
Washington .....	★	★	★	★	★	★	★	★	★	★	★	★
West Virginia .....	★	★	★	★	★	★	★	★	★	★	★	★
Wisconsin .....	★	★	★	★	★	★	★	★	★	★	★	★
Wyoming .....	★	★	★	★	★	★	★	★	★	★	★	★
Puerto Rico .....	★	★	★	★	★	★	★	★	★	★	★	★

(a) For other publication duties, see the table on page 124.

(b) No secretary of state. Secretariat duties indicated are performed by lieutenant governor.

(c) On state level only.

(d) On state and federal level.

(e) On federal level only.

(f) Files certificates of election only.

(g) Lieutenant governor and secretary of state are same individual.

## LICENSING AND REGISTRATION ACTIVITIES OF SECRETARIES OF STATE

<i>State or other jurisdiction</i>	<i>Registers trademarks</i>	<i>Countersigns official commissions or gubernatorial appointments</i>	<i>Prepares extradition papers or warrants of arrests</i>	<i>Licenses professions</i>	<i>Registers charitable organizations</i>	<i>Commissions notaries public</i>	<i>Licenses dealers of securities</i>
Alabama .....	★	★	★	...	★	...	...
Alaska(a) .....	...	...	...	...	...	...	...
Arizona .....	★	...	...	...	...	★	...
Arkansas .....	★	★	★	★	★	★	...
California .....	★	★	★	...	★	★	...
Colorado .....	★	...	...	...	★	★	...
Connecticut .....	★	★	★	...	...	★	...
Delaware .....	★	★	...	...	★	★	...
Florida .....	★	★	★	★	★	★	...
Georgia .....	★	★(b)	...	...	★	★	★
Hawaii(b) .....	...	...	...	...	...	...	...
Idaho .....	★	★	...	...	★(c)	★	...
Illinois .....	...	★	★	...	★	★	...
Indiana .....	★	★	★	...	...	★	★
Iowa .....	★	...	...	...	...	★	...
Kansas .....	★	★(b)	...	★	★	★	...
Kentucky .....	★	★	★(d)	...	...	★	...
Louisiana .....	★	...	...	...	...	...	...
Maine .....	★	★	★	...	★	★	...
Maryland .....	★	★	★	...	★	★	...
Massachusetts .....	★	★	★	...	★	★	★
Michigan .....	★	★(b)	...	...	...	★	...
Minnesota .....	★	...	...	...	★	...	...
Mississippi .....	★	★	...	...	...	★	★
Missouri .....	★	★	★	...	...	★	★
Montana .....	★	★	★	...	...	★	...
Nebraska .....	★	★	★	★	★	★	...
Nevada .....	★	★	...	...	★	★	...
New Hampshire .....	★	★	...	...	...	★	...
New Jersey .....	★	★(b)	★	...	★	★	...
New Mexico .....	★	★	★	...	...	★	...
New York .....	★	...	...	★	...	★	...
North Carolina .....	★	★	...	...	...	★	★
North Dakota .....	★	...	★	...	★	★	...
Ohio .....	★	★(b)	...	...	...	...	...
Oklahoma .....	★	...	★	★	★	★	...
Oregon .....	...	★(e)	...	...	...	★	...
Pennsylvania .....	★	★	★	★	★	★	...
Rhode Island .....	★	★	...	...	★	★	...
South Carolina .....	★	★(b)	...	...	...	★	★
South Dakota .....	★	★	★	...	...	★	...
Tennessee .....	★	★(b)	★	...	★	★	...
Texas .....	...	★	★	...	...	...	...
Utah (f) .....	★	★	★	...	★	★	...
Vermont .....	...	...	...	...	...	...	...
Virginia .....	...	...	...	...	...	★	...
Washington .....	★	★	...	...	★	★	...
West Virginia .....	...	...	...	★	...	...	...
Wisconsin .....	★	★(e)	...	...	...	★	...
Wyoming .....	★	...	...	...	...	★	★
Puerto Rico .....	★	★(e)	...	★	★	★	...

(a) No secretary of state. Secretariat duties indicated are performed by lieutenant governor.

(b) Countersigns official commissions only.

(c) Only as corporations.

(d) On instructions from governor.

(e) Countersigns gubernatorial appointments only.

(f) Lieutenant governor and secretary of state are same individual.

# LEGISLATIVE AND PUBLICATION DUTIES OF SECRETARIES OF STATE

State or other jurisdiction	Legislative							Publication(a)						
	Opens legislative session(b)	Custodian or re- corder of documents	Registers lobbyists	Engrosses and enrolls bills	Attests to bills upon passage	Files gubernatorial vetoes after legislature adjourns	State manual or directory	Session laws	Abstracts of votes	Legislative journals	State constitution	Statutes	Administrative rules and regulations	Pamphlet laws
Alabama	...	...	★	...	...	...	...	★	...	★	...	...	...	★
Alaska(c)	★	...	...	★	...	...	...	★	...	...	★	...	...	...
Arizona	...	...	★	...	...	...	...	...	★	...	...	★	...	...
Arkansas	H	★	...	...	...	...	...	...	...	...	...	...	...	...
California	...	★	★	★	...	...	★	...	★	...	...	...	...	...
Colorado	...	...	★	...	...	...	...	...	...	...	★	...	...	...
Connecticut	S	★	★	...	...	...	...	★	★	★	...	★	...	★
Delaware	...	...	...	...	...	...	★	...	...	...	...	...	★	...
Florida	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Georgia	...	...	★	...	...	...	★	★	★	★	...	★	★	★
Hawaii(c)	...	★	...	...	...	...	...	...	★	...	...	...	...	★
Idaho	...	★	★	...	...	...	★	★	★	...	...	★	...	...
Illinois	H	★	★	...	...	...	...	...	...	★	...	...	★	...
Indiana	H	...	★	...	...	...	...	...	...	...	...	...	★	...
Iowa	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Kansas	★	...	★	★	...	...	★	★	...	★	★	★	★	...
Kentucky	...	...	...	★	...	...	...	...	...	...	...	...	...	...
Louisiana	...	★	...	...	...	...	★	★	...	★	...	...	...	...
Maine	...	...	★	★	...	...	...	...	★	★	...	...	...	...
Maryland	...	...	...	★	...	...	★	...	...	...	...	★	★	...
Massachusetts	...	★	★	...	...	...	★	★	...	...	★	★	★	★
Michigan	...	...	★	...	...	...	...	...	...	...	★	...	...	...
Minnesota	★	...	...	...	★	...	...	★	★	...	...	...	...	...
Mississippi	...	...	...	...	...	...	...	★	★	★	...	★	...	...
Missouri	★	★	...	...	...	...	★	★	★	★	★	...	★	★
Montana	H	★	★	...	★	...	...	...	...	...	★	★	★	...
Nebraska	...	★	...	...	...	...	...	★	★	★	...	...	★	...
Nevada	★	...	★	...	★	...	...	...	...	...	...	...	...	...
New Hampshire	...	★	★	★	★	...	★	★	★	...	...	...	...	...
New Jersey	...	...	...	...	...	...	...	...	★	...	...	★	★	...
New Mexico	H	★	★	...	...	...	...	★	★	...	★	...	★	★
New York	...	...	★	...	...	...	★	...	...	...	...	...	...	...
North Carolina	H	★	...	...	...	...	...	★	★	★	...	★	...	...
North Dakota	...	★	★	...	★	...	...	★	★	★	...	★	...	...
Ohio	...	★	...	...	...	...	...	★	★	...	...	...	...	...
Oklahoma	...	...	...	...	★	...	...	★	...	...	...	★	★	...
Oregon	...	★	...	...	★	...	...	...	★	...	...	...	★	★
Pennsylvania	...	★	...	★	★	...	...	...	...	...	...	...	...	...
Rhode Island	...	★	★	★	...	...	...	★	...	★	...	★	★	★
South Carolina	...	...	★	...	...	...	...	...	...	...	...	...	...	...
South Dakota	★	★	★	...	★	...	...	...	★	...	...	...	...	...
Tennessee	...	★	...	...	...	...	...	★	...	...	...	...	★	★
Texas	H	★	...	...	★	...	...	★	...	...	...	...	...	...
Utah (d)	★	★	★	★	...	...	...	...	★	★	...	...	...	...
Vermont	★	★	★	★	...	...	★	★	★	...	...	...	★	★
Virginia	...	...	★	...	...	...	★	...	...	...	...	...	...	...
Washington	...	★	...	...	...	...	...	★	★	...	...	...	...	★
West Virginia	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Wisconsin	...	...	★	...	★	...	...	★	...	...	...	...	...	...
Wyoming	H	★	...	...	...	...	★	...	★	...	...	...	...	★
Puerto Rico	...	★	...	...	...	★	...	...	...	...	★	★	★	★

(a) For publication of election materials see the table on page 122.

(b) In this column only: ★—Both houses; H—House; S—Senate.

(c) No secretary of state. Secretariat duties indicated are performed by lieutenant governor.

(d) Lieutenant governor and secretary of state are same individual.

## SELECTED CUSTODIAL DUTIES OF SECRETARIES OF STATE

State or other jurisdiction	Affixes seal on official documents	Keeps records of lands of the state	Records deeds and con- tracts for agencies	Files agency reports, rules and regulations	Administers Uniform Commercial Code provisions	Corporation duties			
						Files articles of incorporation	Issues charters or certificates	Collects taxes	Files reports
Alabama .....	★	★	★	★	★	★	D, F	...	...
Alaska(a) .....	★	...	...	...	...	...	...	...	...
Arizona .....	★	...	...	★	★	★	...	...	...
Arkansas .....	★	...	...	★	★	★	D, F	...	...
California .....	★	★	...	★	★	★	D, F	D, F	D, F
Colorado .....	★	...	...	...	★	★	D, F	D, F	D, F
Connecticut .....	★	...	...	★	★	★	D, F	D, F	D, F
Delaware .....	★	★	...	★	★	★	D, F	D, F	D, F
Florida .....	★	...	★	...	★	★	D, F	...	D, F
Georgia .....	★	★	...	★	...	★	D, F	...	...
Hawaii(a) .....	★	...	...	★	...	...	...	...	...
Idaho .....	★	...	...	...	★	★	D, F	D, F	D, F
Illinois .....	★	★	★	...	★	★	D, F	D, F	D, F
Indiana .....	★	...	...	...	★	★	D, F	...	D, F
Iowa .....	...	★	...	★	★	★	D, F	...	D, F
Kansas .....	...	★	★	...	★	★	D, F	D, F	D, F
Kentucky .....	★	...	★	...	★	★	D, F	...	D, F
Louisiana .....	★	...	...	...	...	...	D, F	D, F	...
Maine .....	★	...	★	...	★	★	D, F	...	D, F
Maryland .....	★	...	...	...	...	...	...	...	...
Massachusetts .....	★	...	...	...	★	★	D, F	...	D, F
Michigan .....	★	★	...	...	★	...	...	...	...
Minnesota .....	...	...	★	...	★	★	D, F	...	F
Mississippi .....	...	...	...	★	...	...	D, F	...	D, F
Missouri .....	★	★	★	★	★	★	D, F	...	D, F
Montana .....	★	...	★	...	★	★	D, F	...	D, F
Nebraska .....	★	★	...	★	...	★	D, F	D, F	D, F
Nevada .....	★	★	★	...	★	★	D, F	D, F	D, F
New Hampshire .....	★	...	...	★	★	★	D, F	D, F	D, F
New Jersey .....	★	...	...	★	★	★	D, F	...	D, F
New Mexico .....	★	...	★	...	★	...	...	...	D, F
New York .....	★	★	...	...	★	★	D, F	...	...
North Carolina .....	★	...	...	...	★	★	D, F	...	...
North Dakota .....	★	...	★	...	★	★	D, F	...	D, F
Ohio .....	★	...	...	★	★	★	D, F	F	D, F
Oklahoma .....	★	...	...	★	...	★	D, F	F	D, F
Oregon .....	★	...	★	...	...	...	...	...	...
Pennsylvania .....	★	...	...	...	★	★	D, F	...	...
Rhode Island .....	★	...	...	★	★	★	D, F	...	D, F
South Carolina .....	★	...	...	★	★	...	D, F	...	...
South Dakota .....	★	★	★	★	★	★	D, F	D, F	D, F
Tennessee .....	★	...	...	...	★	★	D, F	...	D, F
Texas .....	★	...	...	...	...	...	...	...	...
Utah (b) .....	★	★	★	★	★	★	D, F	...	D, F
Vermont .....	★	...	★	...	★	...	D, F	...	D, F
Virginia .....	★	★	...	★	...	...	...	...	...
Washington .....	★	...	...	...	...	★	D, F	D, F	D, F
West Virginia .....	...	...	...	...	...	...	D	...	...
Wisconsin .....	★	...	★	★	★	★	D, F	...	D, F
Wyoming .....	★	...	...	...	★	★	D, F	D, F	D, F
Puerto Rico .....	★	...	★	★	...	★	D, F	...	...

Key: D—Domestic; F—Foreign.

(a) No secretary of state. Secretariat duties indicated are performed by lieutenant governor.

(b) Lieutenant governor and secretary of state are same individual.

# CONSTITUTIONAL AND STATUTORY ELECTIVE ADMINISTRATIVE OFFICIALS\*

State or other jurisdiction	Governor	Lt. governor	Secretary of state	Attorney general	Treasurer	Auditor	Controller	Education	Agriculture	Labor	Insurance	Mines	Land	University regents	Board of education	Public utilities commission	Executive council	Miscellaneous	Total agencies	Total officials
Alabama	C	C	C	C	C	C	..	..	C(a)	..	..	..	..	..	C8	S3	..	..	9	18
Alaska	C	C	C	C	C	C	..	..	..	..	..	..	..	..	..	..	..	..	2	2
Arizona	C	C	C	C	C	C	..	C	..	..	..	C	C	..	..	C3	..	..	7	9
Arkansas	C	C	C	C	C	C	..	C	..	..	..	..	..	..	..	..	..	..	7	7
California	C	C	C	C	C	C	..	C	..	..	..	..	..	..	..	..	..	Board of Equalization—C4(b)	8	11
Colorado	C	C	C	C	C	C	..	C	..	..	..	..	..	C9	C5	..	..	..	7	19
Connecticut	C	C	C	C	C	C	..	C	..	..	..	..	..	..	..	..	..	..	6	6
Delaware	C	C	C	C	C	C	..	C	..	..	C	..	..	..	..	..	..	..	6	6
Florida	C	C	C	C	C	C	..	C	C	..	C	..	..	..	(d)	C3	..	..	9	11
Georgia	C	C	C	C	C	C	..	C	C	C	C	..	..	..	..	C3	..	..	9	13
Hawaii	C	C	C	C	C	C	..	C	..	..	..	..	..	..	C9	..	..	..	3	11
Idaho	C	C	C	C	C	C	..	C	..	..	..	..	..	..	..	..	..	..	7	7
Illinois	C	C	C	C	C	C	..	C	..	..	..	..	..	..	..	..	..	Bd. of Trustees, Univ. of Ill.—S9(n)	7	15
Indiana	C	C	C	C	C	C	..	C	..	..	..	..	..	..	..	..	..	..	7	7
Iowa	C	C	C	C	C	C	..	C	S	..	..	..	..	..	..	..	..	..	7	7
Kansas	C	C	C	C	C	C	..	C	..	..	S	..	..	..	C10	..	..	..	7	16
Kentucky	C	C	C	C	C	C	..	C	C	..	..	..	(k)	..	..	..	..	Railroad Commission—C3	9	11
Louisiana	C	C	C	C	C	C	..	C	C	..	C	..	..	..	C8(l)	C5	..	Elections commissioner	11	22
Maine	C	C	C	C	C	C	..	C	..	..	..	..	..	..	..	..	..	..	1	1
Maryland	C	C	C	C	C	C	..	C	..	..	..	..	..	..	..	..	..	..	4	4
Massachusetts	C	C	C	C	C	C	..	..	..	..	..	..	..	..	..	..	C8	..	7	14
Michigan	C	C	C	C	C	C	..	..	..	..	..	..	..	C24(f)	C8(g)	..	..	..	8	36
Minnesota	C	C	C	C	C	C	..	C	..	..	..	..	..	..	..	..	..	..	6	6
Mississippi	C	C	C	C	C	C	..	C	S(h)	..	S	..	S	..	..	S3	..	Highway Commission—S3	12	16
Missouri	C	C	C	C	C	C	..	..	..	..	..	..	..	..	..	..	..	..	6	6

Montana	C	C	C	C	C	C	C	C	(o)	C	C	C	C	S5	7	11
Nebraska	C	C	C	C	C	C	C	C	C	C	C	C8	C8	C5	9	27
Nevada	C	C	C	C	C	C	C	C	C	C	C	C9	S9	C5	8	24
New Hampshire	C	C	C	C	C	C	C	C	C	C	C	C	C	C5	2	6
New Jersey	C	C	C	C	C	C	C	C	C	C	C	C	C	C	1	1
New Mexico	C	C	C	C	C	C	C	C	C	C	C	C	C	C10	9	20
New York	C	C	C	C	C	C	C	C	C	C	C	C	C	C	4	4
North Carolina	C	C	C	C	C	C	C	C	C	C	C	C	C	C	10	10
North Dakota	C	C	C	C	C	C	C	C	S(i)	C	C	C	C	C3	12	14
Ohio	C	C	C	C	C	C	C	C	C	C	C	C	C	C23	7	29
Oklahoma	C	C	C	C	C	C	C	C	C	C	C	C	C	C3	13	15
Oregon	C	C	C	S	C	C	C	C	S	C	C	C	C	C	6	6
Pennsylvania	C	C	C	C	C	C	C	C	C	C	C	C	C	C	4	4
Rhode Island	C	C	C	C	C	C	C	C	C	C	C	C	C	C	5	5
South Carolina	C	C	C	C	C	C	C	C	S	C	C	C	C	C	9	9
South Dakota	C	C	C	C	C	C	C	C	C	C	C	C	C	S3	8	10
Tennessee	C	C	C	C	C	C	C	C	C	C	C	C	C	S3	2	4
Texas	C	C	C	C	C	C	C	C	S	C	C	C	C	S24	9	34
Utah	C	S(j)	C(j)	C	C	C	C	C	C	C	C	C	C	C11	6	16
Vermont	C	C	C	S	C	C	C	C	C	C	C	C	C	C	6	6
Virginia	C	C	C	C	C	C	C	C	C	C	C	C	C	C	3	3
Washington	C	C	C	C	C	C	C	C	S	C	C	C	C	C	9	9
West Virginia	C	C	C	C	C	C	C	C	C	C	C	C	C	C	6	6
Wisconsin	C	C	C	C	C	C	C	C	C	C	C	C	C	C	6	6
Wyoming	C	C	C	C	C	C	C	C	C	C	C	C	C	C	5	5
Guam	C	C	C	C	C	C	C	C	C	C	C	C	C	S11(m)	3	13
Puerto Rico	C	C	C	C	C	C	C	C	C	C	C	C	C	C	1	1
Virgin Islands	C	C	C	C	C	C	C	C	C	C	C	C	C	C	2	2

\*Includes only officials who are popularly elected. Table formerly included officials selected by legislature.

Symbols: C—Constitutional; S—Statutory; numbers indicate number of officials.

(a) Commissioner of agriculture and industries.

(b) Plus controller, ex officio.

(c) The state treasurer also serves as insurance commissioner.

(d) Governor and cabinet ex officio.

(e) Comptroller general is ex officio insurance commissioner.

(f) Three universities with eight regents each.

(g) Plus governor and superintendent of public instruction, ex officio, nonvoting.

(h) Commissioner of agriculture and commerce.

(i) The constitution provides for a secretary of agriculture and labor. If the legislature provides for a secretary of labor, which it has, then it must be a separate and distinct office. The secretary of agriculture and labor then becomes just the secretary of agriculture. Therefore the constitution does provide for a secretary of labor, as do the statutes.

(j) Lieutenant governor and secretary of state are the same individual.

(k) Secretary of state holds this office.

(l) Eight elective members, three appointive.

(m) Elected school board, by districts.

(n) Plus governor, ex officio.

(o) State auditor is also insurance commissioner.



## PROVISIONS FOR RECALL OF STATE OFFICIALS

<i>State or other jurisdiction</i>	<i>Officers to whom applicable</i>	<i>Established by constitutional provision</i>	<i>Petition requirement*</i>	<i>Also available to all or some local government units†</i>
<b>Alaska</b> .....	All elective officials	★	25% of voters in last general election in district in which election occurred	★
<b>Arizona</b> .....	All elective officials	★	25% of votes cast in last election for office of official sought to be recalled	★
<b>California</b> .....	All elective officials	★	State officer: 12% of votes cast in last election for officer sought to be recalled; state legislators, members of Board of Equalization, and judges: 20%	★
<b>Colorado</b> .....	All elective officials	★	25% of votes cast in last election for office of official sought to be recalled	★
<b>Idaho</b> .....	All elective officials except judicial officers	★	20% of the number of electors registered to vote in the last general election held in the jurisdiction from which the officer was elected	★
<b>Kansas</b> .....	All elected public officials in the state except judicial officers	★	40% of votes cast at the last general election for office of official sought to be recalled	★
<b>Louisiana</b> .....	All elective officials except judges of courts of record	★	25% of voters voting; 40% of voters in districts of less than 1,000 voters	★
<b>Michigan</b> .....	All elective officials except judges of courts of record	★	25% of voters in last election for governor in electoral district of officer sought to be recalled	...
<b>Montana</b> .....	All public officials elected or appointed	(a)	10% of registered voters at preceding general election is required, except for officials chosen from a district, in which case 15% of the number registered to vote in the preceding election in that district is required	★
<b>Nevada</b> .....	All elective officials	★	25% of voters voting in the jurisdiction electing official sought to be recalled	★
<b>North Dakota</b> .....	All elective officials	★	30% of votes cast in last general election for governor	★
<b>Oregon</b> .....	All elective officials	★	25% of votes cast in last election for supreme court justice	★
<b>Washington</b> .....	All elective officials except judges of courts of record	★	25%-35% of qualified electors depending on unit of government	★
<b>Wisconsin</b> .....	All elective officials	★	25% of votes cast in last general election for governor	★
<b>Guam</b> .....	Governor	★	Petition for referendum: 2/3 vote of legislature or petition of legislature by 50% of voters voting in last gubernatorial election. Referendum election: "yes" votes must total 2/3 of votes cast in last gubernatorial election, and majority vote on issue must be "yes"	...
<b>Virgin Islands</b> .....	Governor	★	40% of votes cast for governor in last election	...

\*In each state where a recall election may occur, a majority of the popular vote is required to recall an official.

†In addition to those listed, the following states have a recall process available only to local units of government: Arkansas, Georgia,

Hawaii, Illinois, Iowa, Maine, Minnesota, Missouri, Nebraska, New Jersey, Ohio, Oklahoma, South Carolina, Texas, and Wyoming.

(a) Allowable under the constitution; provision is statutory.

## STATE CABINET SYSTEMS

State	Authorization for cabinet systems	Criteria for cabinet membership	Number of members (excluding gov.)	Frequency of cabinet meetings	Open cabinet meetings
Alabama	Tradition	Gov. determines (a)	24	Gov.'s discretion	Meeting results public
Alaska	Governor	Gov. determines (b)	15	Semimonthly	No
Arizona	...	...	...	...	...
Arkansas	Statute	Gov. determines	17	Gov.'s discretion	Yes (c)
California	None	(d)	9	Weekly	No
Colorado	Statute	Statute	16	Gov.'s discretion	Yes
Connecticut	...	...	...	...	...
Delaware	Statute	Statute	11	N.R.	Yes
Florida	Constitution	Constitution	6	Semimonthly	Yes
Georgia	None	(d)	28	Monthly	No
Hawaii	Statute	(e)	16	As required	No
Idaho	None	Dept. head	18	As required	Yes
Illinois	Admin. order	(f)	29	Monthly (g)	Full cabinet, yes; subcabinets, no
Indiana	N.R.	N.R.	6	Semiweekly	No
Iowa	...	...	...	...	...
Kansas	Governor	Gov. determines	17	Weekly	No
Kentucky	Statute	Statute	9	Semimonthly	No
Louisiana	Statute	Statute	21	(h)	Yes
Maine	Gov.'s directive	Gov.'s directive	29	Monthly (i)	Full cabinet, yes (i)
Maryland	Statute	Statute	16	Monthly	No
Massachusetts	Statute	Statute (j)	13	Weekly	(k)
Michigan	Governor	Governor	17	Full cabinet, semiannual; subcabinets, every 5-6 wks.	No
Minnesota	...	...	...	...	...
Mississippi	Gov.'s directive	Gov.'s directive	9	Semiweekly	No
Missouri	Statute	Dept. directors/gov.	15	(h)	Open to press
Montana	Governor	Appt. to office (l)	20	3-4 times a year	Yes
Nebraska	...	...	...	...	...
Nevada	...	...	...	...	...
New Hampshire	...	...	...	...	...
New Jersey	Governor	Dept. heads (m)	19	Monthly or as needed	No
New Mexico	Executive order	Gov. determines	13	Monthly (full & subcabinets)	Yes
New York	...	...	N.R.	...	...
North Carolina	(n)	(n)	18 (Exec. Cabinet)	As required	Yes
North Dakota	...	...	...	...	...
Ohio	Statute	Statute	N.R.	Weekly	No
Oklahoma	Gov.'s directive	Governor	(o)	Monthly	Yes
Oregon	None	N/R	10	Daily	No
Pennsylvania	Statute	Statute (j)	21	4-5 times annually	Yes
Rhode Island	None	N.R.	17	Every 4-6 weeks	No
South Carolina	...	...	...	...	...
South Dakota	Governor	Dept. heads (j)	23	(p)	No
Tennessee	Statute	Statute	27	Monthly or at gov.'s discretion	No
Texas	...	...	...	...	...
Utah	Tradition	Tradition	8	Weekly	Yes
Vermont	Governor	Gov. determines	6	Weekly	No
Virginia	Statute	Appt. to office/Gov.	6	Semiweekly & as needed	No
Washington	Admin. order	Gov. determines	17	Weekly	N.R.
West Virginia	...	...	...	...	...
Wisconsin	...	...	...	...	...
Wyoming	...	...	...	...	...

N.R.—No response.

(a) The governor selects his cabinet from appointed department heads.

(b) The governor traditionally selects the 15 commissioners who are department heads within the executive branch.

(c) Portions of the meetings or entire meetings may be closed.

(d) Reported as not applicable.

(e) Although there is no official designation of cabinet members, all single executives of principal departments are under the supervision of the governor.

(f) Full cabinet: directors of code departments and single-headed agencies. Subcabinet: members selected from agencies with expertise in the functional areas covered by each subcabinet.

(g) Subcabinet meetings are held more frequently, if needed.

(h) Cabinet system recently established.

(i) In addition, Maine's Cabinet Management Committee meets twice a month (not open to the public).

(j) Additional members selected by the governor.

(k) Alternate weeks are open meetings; other weeks are reserved for executive sessions.

(l) Executive agency directors and cabinet-rank officials within the executive office.

(m) Whose positions have been established by the state constitution or by statute.

(n) The Council of States is established by the constitution. Members, in addition to the governor and lieutenant governor, are all the heads of operating departments elected by statewide ballot. The Governor's Cabinet has no legal basis. Members, in addition to the governor and his executive assistant, are the heads of operating departments appointed by the governor. The Executive Cabinet, established by executive order, is made up of all members of the Council of States and the Governor's Cabinet.

(o) Organized into five minicabinets.

(p) Weekly when the state legislature is in session; semimonthly during the rest of the year.

## STATE ADMINISTRATIVE OFFICIALS: ANNUAL SALARIES\*

As of late 1977

State or other jurisdiction	Governor	Lieutenant governor	Secretary of state	Treasurer	Post- audit†	Pre- audit	Centralized accounting‡	Taxation (overall administra- tion)	Finance or administra- tion
Alabama .....	\$29,995	\$ 3,600	\$24,000	\$24,000	\$24,000	\$32,100	(b-1)	\$35,000	\$35,000
Alaska .....	52,992	47,304	(b-4)	42,372	41,340	41,340	(b-5)	47,304	47,304
Arizona .....	40,000	...	24,000	22,500	35,000	(b-8)	\$37,371	39,005	38,525
Arkansas .....	35,000	14,000	22,500	22,500	36,456	22,500	27,196	30,194	39,879
California .....	49,100	35,000	35,000	35,000	(f)	35,000	32,844	34,752	44,232
Colorado .....	40,000	25,000	25,000	25,000	38,500	35,124	(b-5)	38,000	37,200
Connecticut .....	42,000	18,000	20,000	20,000	36,555	41,070	20,000	36,531	(b-5)
Delaware .....	35,000	12,000	19,900	18,000	18,000	(b-17)	(b-17)	(b-1)	32,000
Florida .....	50,000	40,000	40,000	40,000	38,500	40,000	(b-5)	34,000	38,000
Georgia .....	50,000	25,000	35,000	...	32,500	35,000	32,500	32,500	32,500
Hawaii .....	50,000	45,000	(b-4)	(b-1)	42,500	42,500	(b-5)	42,500	42,500
Idaho .....	33,000	8,000	21,500	21,500	27,900	21,500	(b-5)	20,500	30,800
Illinois .....	50,000	37,500	42,500	40,000	40,000	40,000	(b-5)	38,000	40,000
Indiana .....	37,000	23,500	23,500	23,500	30,342	23,500	(b-5)	36,478	36,478
Iowa .....	55,000	12,000	30,000	30,000	30,000	34,500	(b-5)	32,000	(c)
Kansas .....	35,000	12,275	20,000	20,000	36,744	(b-9)	33,408	33,000	37,500
Kentucky .....	35,000	29,294	29,294	29,294	29,294	26,124	33,000	32,500	35,000
Louisiana .....	50,000	40,000	35,000	35,000	33,000	(b-17)	26,800	37,000	50,000
Maine .....	35,000	...	20,000	15,000	17,500	(b-9)	24,806	25,200	28,113
Maryland .....	25,000	44,856	24,000	44,856	36,200	(b-20)	30,030	44,856	42,300
Massachusetts .....	40,000	30,000	30,000	30,000	30,000	32,710	31,860	29,352	29,256
Michigan .....	57,250	39,500	45,000	41,800	45,000	41,342	38,398	30,050	41,342
Minnesota .....	58,000	36,000	30,000	30,000	(f)	45,000	(b-5)	41,000	41,000
Mississippi .....	43,000	15,000	28,000	26,000	26,000	(b-8)	36,084	25,500	(c)
Missouri .....	37,500	16,000	25,000	20,000	20,000	(c)	7,624	40,000	40,000
Montana .....	35,000	25,000	22,500	...	(f)	(b-9)	19,338	32,400	32,400
Nebraska .....	40,000	25,000	25,000	25,000	25,000	(b-9)	21,866	26,988	26,376
Nevada .....	40,000	6,000	25,000	22,500	26,434	32,239	22,500	27,759	32,239
New Hampshire .....	36,454	...	27,259	27,259	30,670	(b-9)	23,406	28,587	30,670
New Jersey .....	65,000	...	43,000	43,000	(f)	42,500	(b-5)	42,500	(b-5)
New Mexico .....	40,000	30,000	30,000	30,000	30,000	32,664	(b-5)	33,960	36,732
New York .....	85,000	45,000	47,800	(w)	(w)	(w)	(w)	47,800	(c)
North Carolina .....	45,000	35,758	35,758	35,758	35,758	34,008	(b-5)	38,250	39,900
North Dakota .....	27,500	5,000	22,500	22,500	22,500	(b-1)	21,735	22,500	31,880
Ohio .....	50,000	30,000	38,000	38,000	38,000	(b-8)	(b-1)	45,282	54,995
Oklahoma .....	42,500	24,000	18,500	22,000	22,000	(b-1)	(b-1)	27,000	30,400
Oregon .....	46,128	...	37,968	37,968	34,440	...	32,004	37,512	39,864
Pennsylvania .....	66,000	49,500	38,500	42,500	42,500	34,993	(b-5)	41,250	39,981
Rhode Island .....	42,500	25,500	31,875	25,500	(f)	31,168	(b-5)	35,453	35,285
South Carolina .....	39,000	17,500	34,000	34,000	36,143	34,000	(b-5)	33,059	(s)
South Dakota .....	32,000	(u)	22,500	22,500	20,000	22,500	(b-1)	23,000	25,000
Tennessee .....	50,000	(a)	43,700	43,700	48,400	(b-9)	32,200	43,700	48,400
Texas .....	69,100	7,200	41,300	43,700	39,000	43,700	(b-5)	(b-5)	(b-5)
Utah .....	40,000	26,500	(y)	26,500	26,500	32,844	(b-5)	38,880	46,548
Vermont .....	39,000	16,700	21,200	21,200	21,200	(b-8)	(b-17)	31,200	(t)
Virginia .....	50,000	10,525	17,400	34,500	30,450	(b-9)	33,400	35,000	39,500
Washington .....	55,000	25,000	27,000	32,500	32,500	(c)	(b-17)	43,700	41,000
West Virginia .....	50,000	...	30,000	35,000	(f)	32,500	(b-1)	37,500	37,500
Wisconsin .....	49,920	32,634	13,500	22,140	39,138	25,549	37,033	42,000	42,000
Wyoming .....	37,500	...	23,500	23,500	30,576	23,000	(b-5)	30,996	41,532
Guam .....	35,000	30,000	...	20,020	25,000	...	17,810	26,000	19,000
Puerto Rico .....	35,000	...	28,500	28,000	27,000	18,060	15,960	19,860	(c)

\*Methods of selection for the officials listed in this table can be found in the following table. Salary figures are presented as submitted by the states except when ranges were given. In those instances the maximum figure was chosen. Legend for abbreviations used in footnotes are in the following table.

†The post-audit column refers to persons who are auditors by function, regardless of title, and is limited to those persons who perform state audits. The centralized accounting column refers to persons who perform the centralized appropriations accounting function in the states.

‡This term is used for an umbrella agency or department. The function under the jurisdiction of such an agency may include welfare, health, mental health and retardation, corrections, or other social-oriented programs.

N.A.—Information not available.

(a) The speaker of the senate is elected by the senate from among its membership and, by statute, is lieutenant governor.

(b) Chief administrative official or agency in charge of function:

(b-1) Administration and finance

(b-2) Social services

(b-3) State planning

(b-4) Lieutenant governor

(b-5) Pre-audit

(b-6) Purchasing

(b-7) Human services

(b-8) Post-audit

(b-9) Centralized accounting

(b-10) Attorney general

(b-11) Natural resources

(b-12) Transportation

(b-13) Health

(b-14) Labor

(b-15) Highways

(b-16) Environment

(b-17) Budget

(b-18) General services

(b-19) Economic development

(b-20) Treasurer

(b-21) Welfare

(b-22) Taxation

(b-23) Planning and economic development

(b-24) Education (chief state school officer)

(b-25) Personnel

(b-26) Community affairs

(b-27) Banking

(b-28) Agriculture

# STATE ADMINISTRATIVE OFFICIALS: ANNUAL SALARIES\*—Continued

## As of late 1977

State or other jurisdiction	Budget	Planning	Personnel	Central purchasing	Information- al systems	General services	Education (chief state school officer)	Higher education
Alabama	\$32,100	\$35,000	\$30,000	\$25,378	\$32,100	\$25,378	\$40,000	\$40,000
Alaska	41,340	41,340	41,340	41,340	41,340	(b-6)	47,304	63,000
Arizona	28,974	32,466	37,371	(b-9)	37,371	(c)	27,500	44,719
Arkansas	27,196	30,463	27,196	27,196	36,000	(c)	33,043	33,655
California	36,964	34,752	39,168	37,920	36,408	37,920	35,000	65,625
Colorado	(b-3)	38,500	36,000	33,456	(b-1)	(b-1)	47,000	50,000
Connecticut	27,827	33,804	37,989	28,922	24,778	N.A.	41,070	(d)
Delaware	28,080	26,272	26,000	(b-18)	(b-18)	28,700	49,804	(c)
Florida	34,500	32,600	32,600	28,800	32,800	34,000	40,000	54,000
Georgia	32,500	(b-17)	32,500	(b-18)	(b-18)	32,500	35,000	49,250
Hawaii	(b-1)	42,500	42,500	(b-5)	(b-1)	(b-5)	42,500	45,000
Idaho	25,924	22,956	30,139	24,264	(b-5)	33,132	23,000	32,244
Illinois	N.A.	(c)	35,000	(b-1)	(b-1)	(b-1)	N.A.	N.A.
Indiana	36,478	30,056	30,056	(c)	26,338	36,478	25,000	47,500
Iowa	33,046	27,500	27,000	24,674	28,574	28,750	35,200	33,000
Kansas	43,272	32,496	31,848	39,312	22,860	(c)	43,500	37,500
Kentucky	(b-9)	(b-9)	32,000	(o)	32,000	(b-1)	29,294	43,500
Louisiana	35,600	24,600	32,000	30,900	37,695	(b-1)	35,000	43,000
Maine	26,125	22,500	25,500	22,050	(b-1)	(c)	28,113	44,100
Maryland	(b-1)	42,300	42,300	28,317	(c)	42,300	47,300	40,000
Massachusetts	33,113	28,477	29,647	31,860	31,813	34,411	39,082	39,082
Michigan	38,398	N.A.	44,399	38,398	39,398	41,250	43,800	N.A.
Minnesota	(b-5)	41,000	41,000	32,197	34,828	36,900	41,000	(q)
Mississippi	33,360	31,000	N.A.	(b-17)	N.A.	(c)	26,000	31,000
Missouri	28,932	22,956	27,624	27,624	27,624	29,268	42,400	40,000
Montana	34,000	21,173	23,700	19,338	21,173	19,338	27,500	43,000
Nebraska	27,404	23,820	24,672	21,192	(b-9)	(b-6)	34,080	51,996
Nevada	(b-1)	25,564	30,399	26,510	26,741	28,527	30,415	38,000
New Hampshire	(b-1)	23,540	25,716	23,406	31,143	...	27,259	41,000
New Jersey	(b-5)	42,500	43,000	42,500	41,000	(b-20)	43,000	43,000
New Mexico	30,192	29,392	29,392	28,752	(c)	(c)	36,732	36,732
New York	47,800	47,800	47,800	47,800	47,800	47,800	57,650	(b-24)
North Carolina	36,077	35,664	35,340	33,571	34,008	30,900	40,862	55,500
North Dakota	29,000	24,548	25,930	21,780	29,690	27,504	22,500	47,000
Ohio	45,282	(b-1)	(b-1)	(b-1)	(b-1)	(b-1)	55,000	55,000
Oklahoma	(b-1)	(b-26)	23,100	(b-18)	(c)	20,000	30,000	50,000
Oregon	35,304	(c)	34,440	(b-18)	34,440	33,612	37,968	53,000
Pennsylvania	39,981	34,993	34,993	29,027	34,993	44,000	44,000	39,981
Rhode Island	38,588	23,764	24,034	26,457	(c)	(b-1)	45,000	(b-24)
South Carolina	(s)	32,373	30,611	33,059	23,850	33,059	34,000	40,622
South Dakota	25,000	23,000	20,500	(b-1)	(b-1)	(b-1)	25,000	39,900
Tennessee	30,750	25,500	43,700	24,360	30,750	43,700	48,400	48,000
Texas	39,000	(b-17)	(c)	37,000	(c)	(b-6)	43,700	41,400
Utah	38,880	32,844	38,880	34,704	49,812	(b-1)	49,812	53,292
Vermont	28,750	25,350	26,210	23,380	18,226	(b-1)	33,400	(c)
Virginia	34,000	(b-17)	34,000	29,000	30,500	(c)	44,000	N.A.
Washington	52,300	38,000	41,800	28,620	40,000	(b-1)	37,400	43,010
West Virginia	(b-1)	(b-19)	30,000	(b-1)	(b-1)	(b-1)	45,000	49,776
Wisconsin	44,852	30,865	41,154	35,724	33,947	36,628	45,840	55,120
Wyoming	35,880	31,716	34,176	29,532	34,176	34,176	23,500	26,784
Guam	26,000	26,000	15,340	15,340	19,000	...	19,000	21,000
Puerto Rico	25,750	28,000	25,750	19,860	(c)	28,000	28,000	(v)

(c) No single agency or official.

(d) The chancellor pro tem currently fills this position, at a salary of \$3,000 a month, until his temporary contract expires in December 1977.

(e) No appropriation made for this office.

(f) Function performed by two agencies. California: \$36,108 (CS), \$37,000 (L); Minnesota: \$30,000 (CE), \$36,000 (LE); Montana: \$31,000 (L), \$25,000 (CE); New Jersey: \$21,250 (CL), \$42,500 (L); Rhode Island: \$28,900 (L), \$29,589 (A); West Virginia: \$37,500 (GS), \$31,500 (L).

(g) Function within the office of the governor.

(h) Function performed by more than one agency. Florida: \$26,000 (A), \$20,691 (AT); Missouri: \$40,000 (GS), \$28,000 (AT); Wisconsin: \$13,716 (CS), \$22,640 (CS).

(i) County jurisdiction.

(j) No compensation.

(k) Social services function performed by three agencies: \$44,000 (GS), \$38,000 (GS), \$32,000 (GS); welfare function also performed by the first two agencies.

(l) Function performed by two agencies: \$35,000 (GS), \$35,000 (G).

(m) Function performed by more than one agency. Illinois:

\$30,000 (GS), N.A. (GS); Minnesota: \$32,000 (GS), \$32,000 (GS).

(n) Position is vacant.

(o) Function performed by three units: \$24,888 (AG), \$32,000 (AG), \$32,000 (AG).

(p) The secretary of transportation is acting commissioner of highways with no additional compensation.

(q) Function performed by two agencies: \$41,000 (B), \$41,000 (B).

(r) Function performed by two agencies: \$30,000 (CE), nonsalaried board (B).

(s) The Budget and Control Board, composed of the governor (chairman), state treasurer, comptroller general, chairman of the Senate Finance Committee, and chairman of the House Ways and Means Committee, handles this function.

(t) Function is performed by two agencies: \$34,000 (GS), \$28,750 (GS).

(u) \$4,500 (30-day session), \$7,500 (45-day session).

(v) \$75.00 per meeting (a minimum of 12 meetings a year).

(w) Comptroller, \$60,000.

(x) State auditor, \$25,000.

(y) Lieutenant governor and secretary of state are the same individual.

STATE ADMINISTRATIVE OFFICIALS: ANNUAL SALARIES\*—Continued  
As of late 1977

<i>State or other jurisdiction</i>	<i>Human services†</i>	<i>Health</i>	<i>Mental health</i>	<i>Social services</i>	<i>Welfare</i>	<i>Corrections</i>	<i>Attorney general</i>	<i>Consumer protection</i>
Alabama .....	(c)	\$55,000	\$47,500	\$35,000	(b-2)	\$35,000	\$33,500	\$35,000
Alaska .....	\$47,304	46,164	47,904	41,340	(b-7)	41,340	47,304	39,828
Arizona .....	43,209	50,328	37,868	(b-7)	(b-7)	40,000	35,000	36,638
Arkansas .....	39,879	40,449	30,306	32,000	(b-2)	33,043	26,500	22,729
California .....	37,920	41,076	(b-13)	37,920	\$37,920	37,920	42,500	34,752
Colorado .....	(c)	43,700	38,724	37,000	(b-2)	43,000	32,500	(b-10)
Connecticut .....	(c)	39,492	39,492	37,989	(b-2)	37,989	30,000	35,145
Delaware .....	33,000	(b-7)	(b-7)	(b-7)	(b-7)	30,000	30,000	20,438
Florida .....	39,000	41,000	41,000	31,000	(b-2)	36,000	40,000	(h)
Georgia .....	48,606	(b-7)	(b-7)	(b-7)	32,500	32,500	40,000	27,500
Hawaii .....	(c)	42,500	(b-13)	42,500	(b-2)	(b-2)	42,500	37,500
Idaho .....	37,378	39,936	31,008	(b-7)	29,016	30,012	25,000	(b-10)
Illinois .....	(c)	44,000	44,000	(k)	(k)	38,000	42,500	(b-10)
Indiana .....	(c)	53,872	53,872	42,146	(b-2)	34,710	27,000	18,278
Iowa .....	35,500	29,500	27,170	(b-7)	(b-7)	(b-7)	40,000	(b-10)
Kansas .....	33,996	37,500	35,136	26,352	(b-7)	30,996	32,500	22,860
Kentucky .....	35,000	43,000	(b-13)	32,000	32,000	32,000	29,294	26,124
Louisiana .....	52,000	42,000	30,448	25,050	30,450	40,000	35,000	23,205
Maine .....	28,113	25,000	28,114	(b-7)	23,889	26,156	25,500	22,000
Maryland .....	42,300	42,300	(b-13)	34,500	(b-2)	32,800	44,856	30,900
Massachusetts .....	39,850	35,659	45,726	(b-21)	34,566	35,417	37,500	34,850
Michigan .....	N.A.	45,000	45,000	43,800	N.A.	38,250	45,000	N.A.
Minnesota .....	41,000	41,000	(b-7)	(b-7)	(b-7)	36,000	49,000	23,650
Mississippi .....	(c)	33,000	45,000	19,000	N.A.	36,500	30,000	(b-10)
Missouri .....	40,000	40,583	40,000	(b-7)	25,937	22,500	25,000	(h)
Montana .....	(c)	42,000	32,400	32,400	32,877	42,000	32,500	25,000
Nebraska .....	(c)	40,692	29,276	(b-21)	26,544	28,262	32,500	(b-10)
Nevada .....	31,325	43,000	36,600	27,796	31,000	28,527	30,000	20,409
New Hampshire .....	30,335	34,419	40,205	(b-21)	30,238	...	31,143	...
New Jersey .....	43,000	43,000	42,500	42,500	42,500	43,000	43,000	42,500
New Mexico .....	35,316	(b-7)	33,960	(b-7)	(b-7)	32,664	35,000	(b-10)
New York .....	(c)	51,150	51,150	47,800	47,800	47,800	60,000	39,650
North Carolina .....	57,108	55,188	57,108	35,664	(b-7)	38,250	40,862	(b-10)
North Dakota .....	(c)	52,120	32,788	37,054	(b-2)	(b-18)	33,500	24,000
Ohio .....	(c)	49,920	54,995	45,282	(b-2)	33,779	38,000	(b-10)
Oklahoma .....	(c)	42,400	43,700	(b-21)	46,500	30,000	27,500	25,000
Oregon .....	41,856	34,440	50,856	(b-7)	36,132	37,944	37,968	(c)
Pennsylvania .....	44,000	41,250	39,981	37,497	37,497	39,981	40,000	34,895
Rhode Island .....	(c)	38,608	41,252	35,591	(b-2)	37,128	31,875	20,352
South Carolina .....	(c)	48,608	47,138	36,731	(b-2)	37,189	34,000	28,607
South Dakota .....	25,000	25,000	18,650	(b-7)	25,000	24,000	30,000	15,250
Tennessee .....	43,700	52,900	52,900	24,360	(b-7)	43,700	50,391	16,800
Texas .....	(c)	43,700	43,700	43,700	(b-2)	43,700	43,700	(b-10)
Utah .....	43,536	49,812	36,756	(b-7)	32,844	38,880	30,000	24,084
Vermont .....	34,000	36,150	36,300	29,330	26,870	27,500	27,300	(b-10)
Virginia .....	37,500	42,500	42,500	(b-21)	32,000	36,500	37,500	(b-28)
Washington .....	53,700	54,684	52,092	38,364	(b-7)	36,528	41,200	27,600
West Virginia .....	(c)	45,000	(b-13)	(b-21)	37,500	30,000	35,000	(b-10)
Wisconsin .....	52,756	36,756	46,224	(b-7)	34,496	41,904	36,450	(h)
Wyoming .....	45,792	48,000	(b-7)	(b-7)	34,956	41,532	43,608	18,528
Guam .....	27,300	20,020	15,340	17,160	(b-2)	27,300	19,000	15,340
Puerto Rico .....	(c)	28,000	24,060	28,000	(b-2)	24,000	27,000	28,000

STATE ADMINISTRATIVE OFFICIALS: ANNUAL SALARIES\*—Continued  
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State or other jurisdiction	Human rights	Police and highway patrol	Labor	Employment security	Natural resources	Environment	Agriculture	Transporta- tion
Alabama .....	(c)	\$35,000	\$35,000	\$35,000	\$35,000	\$32,100	\$24,000	(c)
Alaska .....	\$37,020	41,340	47,304	41,340	47,304	47,340	41,340	\$47,340
Arizona .....	(b-10)	43,338	29,953	(b-7)	34,666	(b-11)	27,040	43,209
Arkansas .....	(e)	28,496	27,852	37,600	32,494	27,346	22,782	39,879
California .....	28,804	37,920	(b-7)	27,900	34,752	37,920	37,920	37,920
Colorado .....	33,456	37,692	35,000	(b-14)	35,000	(b-11)	33,500	(b-15)
Connecticut .....	33,828	37,993	36,531	31,268	(b-16)	39,492	33,804	41,070
Delaware .....	20,438	31,000	30,145	(b-14)	31,000	(b-11)	22,500	32,000
Florida .....	19,600	27,500	28,800	30,900	35,000	34,000	40,000	38,000
Georgia .....	...	32,500	35,000	34,000	37,250	(b-11)	35,000	45,000
Hawaii .....	(c)	(i)	42,500	(b-14)	42,500	(b-13)	42,500	42,500
Idaho .....	16,968	28,392	28,392	30,800	30,504	31,320	30,825	36,000
Illinois .....	N.A.	38,000	35,000	(b-14)	32,000	(i)	35,000	44,000
Indiana .....	21,710	34,710	27,404	34,710	36,478	38,584	21,710	...
Iowa .....	20,800	30,300	26,000	28,600	29,000	28,500	30,000	40,500
Kansas .....	22,524	27,672	37,500	30,492	28,968	(b-13)	33,408	39,492
Kentucky .....	27,420	32,000	32,000	22,584	32,000	32,000	29,294	35,000
Louisiana .....	(b-2)	32,500	35,000	29,000	40,000	(c)	35,000	40,000
Maine .....	15,050	25,500	19,500	26,775	26,775	28,113	22,050	28,113
Maryland .....	24,900	33,300	33,100	34,500	42,300	33,800	42,300	47,300
Massachusetts .....	25,000	24,986	26,889	32,350	25,714	34,850	20,630	38,050
Michigan .....	34,900	34,250	38,250	37,000	38,250	N.A.	34,950	37,233
Minnesota .....	29,000	36,000	36,000	32,000	41,000	36,000	36,000	41,000
Mississippi .....	...	24,000	N.A.	33,360	22,572	27,444	27,444	(b-15)
Missouri .....	25,937	27,700	40,000	27,000	40,000	23,700	40,000	40,000
Montana .....	21,173	(b-10)	32,400	25,396	32,400	42,000	32,400	...
Nebraska .....	N.A.	26,064	23,660	(b-14)	27,996	23,676	23,576	...
Nevada .....	18,800	26,300	22,289	28,966	30,020	27,796	28,390	26,371
New Hampshire .....	...	21,093	20,293	27,259	...	...	21,555	...
New Jersey .....	35,000	42,500	43,000	42,500	(b-16)	43,000	43,000	43,000
New Mexico .....	20,436	(j)	23,664	32,320	19,464	26,568	(j)	27,396
New York .....	43,050	47,800	47,800	(b-25)	(b-16)	47,800	47,800	47,800
North Carolina .....	30,900	38,250	35,758	33,756	38,250	(b-11)	35,758	38,250
North Dakota .....	...	24,390	22,500	31,212	27,300	(b-13)	22,500	...
Ohio .....	41,059	30,639	...	45,282	45,282	45,282	41,059	49,920
Oklahoma .....	17,500	28,000	20,500	28,400	(c)	28,000	32,400	30,000
Oregon .....	(b-14)	35,304	37,968	36,132	(c)	35,724	32,796	43,932
Pennsylvania .....	34,993	41,250	37,497	37,497	41,250	(b-11)	38,500	44,000
Rhode Island .....	17,800	37,055	25,867	31,843	(b-16)	28,274	20,155	33,901
South Carolina .....	23,264	(b-12)	29,752	27,139	(c)	(b-13)	34,000	(b-15)
South Dakota .....	16,750	22,850	23,000	(b-14)	22,500	24,000	25,000	25,000
Tennessee .....	17,600	43,700	43,700	43,700	43,700	35,400	43,700	48,400
Texas .....	...	43,700	28,700	36,300	43,700	(c)	43,700	43,700
Utah .....	(b-14)	31,224	34,704	43,536	41,148	(b-13)	32,884	43,536
Vermont .....	(b-10)	31,200	23,900	28,200	34,000	(b-11)	27,200	34,000
Virginia .....	37,500	30,500	28,500	30,500	37,500	25,300	30,500	38,500
Washington .....	34,337	41,000	39,700	36,800	37,400	42,800	39,700	52,300
West Virginia .....	21,360	35,000	30,000	30,000	37,500	(b-11)	32,500	(b-15)
Wisconsin .....	34,644	30,213	43,432	39,449	41,380	31,051	41,380	41,364
Wyoming .....	N.A.	32,544	28,116	35,880	23,136	37,680	34,176	...
Guam .....	...	10,348	27,300	13,780	...	20,570	27,300	19,000
Puerto Rico .....	...	23,500	28,000	25,750	28,000	23,000	28,000	28,000

**STATE ADMINISTRATIVE OFFICIALS: ANNUAL SALARIES\*—Concluded**  
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<i>State or other jurisdiction</i>	<i>Highways</i>	<i>Adjutant general</i>	<i>Economic development</i>	<i>Banking</i>	<i>Insurance</i>	<i>Public utility regulation</i>	<i>Energy office</i>	<i>Community affairs</i>
Alabama .....	\$35,000	\$35,000	(b-3)	\$35,000	\$35,000	\$22,059	\$24,232	(c)
Alaska .....	41,340	47,304	\$47,304	41,340	41,340	39,872	41,340	\$47,304
Arizona .....	39,004	28,754	(b-3)	28,194	27,026	30,000	(b-3)	(b-7)
Arkansas .....	(b-12)	22,436	33,612	25,974	25,327	30,764	26,500	30,250
California .....	(b-12)	40,882	35,376	37,920	37,920	39,816	36,840	37,920
Colorado .....	40,500	33,200	33,456	33,456	33,456	30,348	(g)	34,000
Connecticut .....	35,145	35,159	35,145	33,804	35,145	41,072	(b-3)	35,145
Delaware .....	(b-12)	26,164	28,700	27,582	18,000	6,000	20,000	(b-19)
Florida .....	34,000	39,492	27,000	(b-5)	(b-20)	36,000	20,128	30,000
Georgia .....	(b-12)	40,250	40,000	32,500	(b-5)	35,000	25,000	40,000
Hawaii .....	(b-12)	42,500	(b-3)	N.A.	N.A.	N.A.	42,500	(c)
Idaho .....	35,516	30,264	23,400	27,384	26,208	25,000	24,000	(b-3)
Illinois .....	(b-12)	25,000	32,000	(m)	35,000	39,500	40,000	32,000
Indiana .....	42,146	30,056	27,638	30,342	34,710	34,710	25,064	...
Iowa .....	(n)	35,516	30,000	29,500	28,800	30,000	25,500	(b-3)
Kansas .....	33,996	27,000	33,000	16,596	25,000	29,500	25,200	...
Kentucky .....	(p)	30,000	35,000	32,000	32,000	35,000	32,000	32,000
Louisiana .....	35,000	42,200	37,500	27,375	35,000	17,500	(b-11)	30,000
Maine .....	32,885	20,475	21,000	23,000	23,625	22,050	16,432	20,000
Maryland .....	38,200	29,620	32,000	33,100	33,100	40,000	23,500	26,500
Massachusetts .....	31,688	39,492	34,000	24,986	26,078	30,850	24,400	26,197
Michigan .....	(b-12)	39,000	35,683	32,250	32,250	32,250	32,250	N.A.
Minnesota .....	(b-12)	39,492	32,000	(m)	32,000	32,000	36,000	36,206
Mississippi .....	24,000	28,000	29,500	25,000	26,000	24,000	21,500	31,500
Missouri .....	40,000	26,000	24,589	28,500	27,708	N.A.	20,016	N.A.
Montana .....	32,400	28,061	23,999	25,636	(x)	25,000	23,999	32,400
Nebraska .....	26,494	34,296	23,628	24,780	21,892	20,000	(b-22)	(b-23)
Nevada .....	35,364	23,974	20,441	25,236	26,333	29,759	30,000	N.A.
New Hampshire .....	34,809	21,093	27,259	27,259	27,777	21,093	25,680	...
New Jersey .....	42,500	40,500	39,000	43,000	43,000	43,000	43,000	43,000
New Mexico .....	32,664	(j)	30,192	29,392	(j)	(r)	(j)	...
New York .....	47,800	43,050	47,800	47,800	47,800	51,150	44,175	(j)
North Carolina .....	35,952	30,396	38,250	30,564	35,758	35,758	24,324	(b-11)
North Dakota .....	32,195	42,882	23,791	24,000	22,500	22,500	28,600	(c)
Ohio .....	45,282	49,920	45,282	33,779	41,059	41,059	33,779	(b-19)
Oklahoma .....	(b-12)	36,000	28,000	36,000	24,500	28,000	22,500	28,400
Oregon .....	43,932	31,224	33,612	29,736	29,736	36,144	32,796	31,224
Pennsylvania .....	(b-12)	38,500	38,500	38,500	38,500	37,500	34,895	38,500
Rhode Island .....	(b-12)	28,997	35,400	22,185	20,113	30,949	26,790	28,283
South Carolina .....	43,460	34,000	44,525	27,462	39,792	28,774	24,000	...
South Dakota .....	(b-12)	24,500	23,000	18,550	21,250	22,500	...	23,000
Tennessee .....	29,340	43,700	48,400	43,700	43,700	43,700	30,750	43,700
Texas .....	(b-12)	34,300	38,100	46,500	38,100	42,700	36,000	34,000
Utah .....	(b-12)	38,880	36,756	32,844	32,844	38,880	29,664	31,224
Vermont .....	(b-12)	24,900	25,650	25,880	(b-27)	32,200	22,000	25,000
Virginia .....	(b-12)	25,300	31,500	38,500	37,000	38,500	26,800	(b-3)
Washington .....	(b-12)	39,492	35,300	28,620	32,500	38,900	28,600	(b-3)
West Virginia .....	37,500	21,500	55,000	30,000	22,500	26,500	25,000	(b-19)
Wisconsin .....	35,000	36,750	35,000	38,448	32,057	37,500	(b-1)	45,672
Wyoming .....	45,792	32,040	30,996	32,544	29,532	41,532	25,512	24,300
Guam .....	16,510	...	25,000	17,810	(b-27)	27,300	21,840	12,000
Puerto Rico .....	28,000	23,500	28,000	45,000	26,900	27,000	23,000	18,000

# STATE ADMINISTRATIVE OFFICIALS: METHODS OF SELECTION\*

State or other jurisdiction	Governor	Lieutenant governor	Secretary of state	Treasurer	Post-audit†	Pre-audit	Centralized accounting†	Taxation (overall administration)	Finance or administration	Budget	Planning	Personnel	Central purchasing	Information systems
Alabama	CE	CE	CE	CE	CE <sup>0</sup>	CS	(b-1)	G	G	CS	G	B	CS	CS
Alaska	CE	CE	(b-4)	A	CL	A	(b-5)	GB	GB	A	G	A	A	A
Arizona	CE	CE	CE	CE	L	(b-8)	AG	GS	GS	L	G	AG	(b-9)	AG
Arkansas	CE	CE	CE	CE	SL	CE	AG	AG	G	AG	G	AG	AG	GS
California	CE	CE	CE	CE	(f)	CE	A	G	G	CS	G	CS	G	CS
Colorado	CE	CE	CE	CE	ACB	A	(b-5)	GS	GS	(b-3)	GS	GS	A	(b-1)
Connecticut	CE	CE	CE	CE	L	GE	CE	GE	(b-5)	AG	GE	GE	AG	A
Delaware	CE	CE	GS	CE	CE <sup>0</sup>	(b-17)	(b-17)	(b-1)	GS	GS	GS	GS	(b-18)	(b-18)
Florida	CE	CE	CE	CE	L	CE	(b-5)	GOC	GS	A	A	A	A	A
Georgia	CE	CE	CE	...	SL	CE	G	G	G	G	(b-17)	GS	(b-18)	(b-18)
Hawaii	CE	CE	(b-4)	(b-1)	SL	GS	(b-5)	GS	GS	(b-1)	GS	GS	(b-5)	(b-1)
Idaho	CE	CE	CE	CE	L	CE	(b-5)	GS	GS	G	G	B	A	(b-5)
Illinois	CE	CE	CE	CE	L	CE	(b-5)	GS	GS	G	(c)	GS	(b-1)	(b-1)
Indiana	CE	CE	CE	CE	G	CE	(b-5)	G	G	G	LG	G	(c)	A
Iowa	CE	CE	CE	CE	CE <sup>0</sup>	GS	(b-5)	GS	(c)	CS	G	BG	CS	CS
Kansas	CE	CE	CE	SE	L	(b-9)	CS	GS	GS	CS	GS	CS	CS	CS
Kentucky	CE	CE	CE	CE	CE <sup>0</sup>	AG	AG	G	G	(b-9)	(b-9)	G	(o)	AG
Louisiana	CE	CE	CE	CE	SL	(b-17)	A	GS	G	CS	GS	B	A	A
Maine	CE	...	CL	CL	SL	(b-9)	AG	AG	GLS	AG	G	GLS	AGS	(b-1)
Maryland	CE	CE	GS	CL	ASH	(b-20)	A	CE	GS	(b-1)	GS	GS	CS	(c)
Massachusetts	CE	CE	CE	CE	CE <sup>0</sup>	G	G	G	G	AG	G	AG	G	A
Michigan	CE	CE	CE	GS	CL	CS	CS	A	CS	CS	N.A.	CS	CS	CS
Minnesota	CE	CE	CE	CE	(f)	GS	(b-5)	GS	GS	(b-5)	G	GS	A	A
Mississippi	CE	CE	CE	CE	CE <sup>0</sup>	(b-8)	A	G	(c)	B	A	G	(b-17)	B
Missouri	CE	CE	CE	CE	CE <sup>0</sup>	(c)	A	GS	GS	A	A	A	A	A
Montana	CE	CE	CE	CE	(f)	(b-9)	A	GS	GS	G	A	AG	A	A
Nebraska	CE	CE	CE	CE	CE <sup>0</sup>	(b-9)	A	GS	GS	A	G	GS	A	(b-9)
Nevada	CE	CE	CE	CE	B	B	CE	G	G	(b-1)	G	A	A	A
New Hampshire	CE	...	CL	CL	L	(b-9)	AG	GC	GC	(b-1)	G	BGC	AGC	B
New Jersey	CE	...	GS	GS	(f)	GS	(b-5)	GS	(b-5)	(b-5)	GS	GS	GS	A
New Mexico	CE	CE	CE	CE	CE <sup>0</sup>	G	(b-5)	G	G	G	G	G	GS	(c)
New York	CE	CE	GS	(u)	(u)	(u)	GS	(c)	G	GS	GS	GS	GS	GS
North Carolina	CE	CE	CE	CE	CE <sup>0</sup>	G	(b-5)	G	G	AG	AG	AG	AG	AG
North Dakota	CE	CE	CE	CE	CE <sup>0</sup>	(b-1)	A	CE	G	A	G	G	A	A
Ohio	CE	CE	CE	CE	CE <sup>0</sup>	(b-8)	(b-1)	GS	GS	GS	(b-1)	(b-1)	(b-1)	(b-1)
Oklahoma	CE	CE	CE	CE	CE <sup>0</sup>	(b-1)	GS	G	(b-1)	(b-26)	B	(b-18)	(c)	(c)
Oregon	CE	...	CE	CE	CS	...	A	GS	GS	A	(c)	GS	(b-18)	A
Pennsylvania	CE	CE	GS	CE	CE <sup>0</sup>	A	(b-5)	GS	G	G	A	A	A	A
Rhode Island	CE	CE	CE	CE	(f)	A	(b-5)	CS	G	CS	CS	CS	(c)	(c)
South Carolina	CE	CE	CE	CE	B	CE	(b-5)	b	(s)	(s)	G	B	A	B
South Dakota	CE	CE	CE	CE	SL	CE	(b-1)	GS	G	G	G	GS	(b-1)	(b-1)
Tennessee	CE	(a)	CL	CL	CL	(b-9)	A	G	G	A	G	G	A	A
Texas	CE	CE	GS	CE	L	CE	(b-5)	(b-5)	(b-5)	G	(b-17)	(c)	B	(c)
Utah	CE	SE(w)	CE(w)	CE	CE <sup>0</sup>	AG	(b-5)	GS	GS	AG	G	AG	AG	GS
Vermont	CE	CE	CE	CE	CE <sup>0</sup>	(b-8)	(b-17)	GS	(t)	GS	G	GS	G	CS
Virginia	CE	CE	GB	GB	GB	(b-9)	GB	GB	GB	GB	(b-17)	GB	GB	GB
Washington	CE	CE	CE	CE	CE <sup>0</sup>	(c)	(b-17)	GS	GS	GS	G	G	A	B
West Virginia	CE	...	CE	CE	(f)	CE	(b-1)	GS	GS	(b-1)	(b-19)	G	(b-1)	(b-1)
Wisconsin	CE	CE	CE	CE	L	CS	CS	GS	GS	CS	CS	CS	CS	CS
Wyoming	CE	...	CE	CE	L	CE	(b-5)	B	G	G	G	G	A	A
Guam	CE	CE	...	A	L	...	A	GS	GS	GS	GS	A	A	G
Puerto Rico	CE	...	GB	GS	GB	A	A	A	(c)	G	GS	GS	A	(c)

\*Salary information for the officials listed in this table can be found in the preceding table.

†The post-audit column refers to persons who are auditors by function, regardless of title, and is limited to those persons who perform state audits. The centralized accounting column refers to persons who perform the centralized appropriations accounting function in the states.

‡This term is used for an umbrella agency or department. The functions under the jurisdiction of such an agency may include welfare, health, mental health and retardation, corrections, or other social-oriented programs.

## Legend:

CE —Constitutional, elected  
CL —Constitutional, elected by legislature —  
SE —Statutory, elected  
SL —Statutory, elected by legislature—  
L —Selected by legislature or one of its organs —

	Appointed by	Approved by
G	—Governor	...
GS	—Governor	Senate
GB	—Governor	Both houses
GE	—Governor	Either house
GC	—Governor	Council
GD	—Governor	Departmental board
GLS	—Governor	Appropriate legislative committee and senate
GOC	—Governor and council or cabinet	...
GCS	—Governor and Council	Senate
LG	—Lieutenant governor	...
AT	—Attorney general	...
A	—Agency head	...
AB	—Agency head	Board
AG	—Agency head	Governor
AGC	—Agency head	Governor and council
AS	—Agency head	Senate



# STATE ADMINISTRATIVE OFFICIALS: METHODS OF SELECTION\*—Continued

State or other jurisdiction	General services	Education (chief state school officer)	Higher education	Human services†	Health	Mental health	Social services	Welfare	Corrections	Attorney general	Consumer protection	Human rights	Police and highway patrol	Labor
Alabama	CS	B	B	(c)	B	B	G	(b-2)	B	CE	G	(c)	G	G
Alaska	(b-6)	GD	B	GB	A	A	A	(b-7)	A	GB	A	GB	A	GB
Arizona	(c)	CE	B	GS	GS	A	(b-7)	(b-7)	GS	CE	AT	(b-10)	GS	GS
Arkansas	(c)	BG	BG	GS	GS	AG	AG	(b-2)	GS	CE	AT	(c)	AG	GS
California	G	CE	B	GS	GS	(b-13)	G	GS	GS	CE	G	CS	GS	(b-7)
Colorado	(b-1)	GS	GS	(c)	GS	A	GS	(b-2)	GS	CE	(b-10)	GS	B	GS
Connecticut	GE	B	B	(c)	GE	GE	GE	(b-2)	GE	CE	GE	B	G	GE
Delaware	GS	GD	(c)	GS	(b-7)	(b-7)	(b-7)	(b-7)	GS	CE	AG	AG	GS	GS
Florida	GOC	CE	B	GS	A	A	A	(b-2)	GS	CE	(h)	B	A	A
Georgia	G	CE	B	BG	(b-7)	(b-7)	(b-7)	BG	BG	CE	G	...	BG	CE
Hawaii	(b-5)	B	B	(c)	GS	(b-13)	GS	(b-2)	(b-2)	GS	GS	(c)	(i)	GS
Idaho	GS	CE	B	GS	A	A	(b-7)	A	B	CE	(b-10)	G	A	G
Illinois	(b-1)	B	B	(c)	GS	GS	(k)	(k)	GS	CE	(b-10)	B	GS	GS
Indiana	G	SE	B	(c)	G	G	G	(b-2)	G	SE	G	B	G	G
Iowa	GS	GB	G	GB	GB	B	(b-7)	(b-7)	(b-7)	CE	(b-10)	GD	GD	GS
Kansas	(c)	B	B	GS	GS	AS	AS	(b-7)	GS	CE	A	B	GS	GS
Kentucky	(b-1)	CE	B	G	AG	(b-13)	AG	AG	AG	CE	AT	B	AG	G
Louisiana	(b-1)	CE	B	GS	GS	GS	GS	GS	GS	CE	GS	(b-2)	GS	GS
Maine	(c)	GLS	B	GLS	A	AG	(b-7)	A	AG	CL	ALS	B	ALS	AG
Maryland	GS	B	B	GS	GS	(b-13)	AG	(b-2)	AGS	CE	A	G	GS	AG
Massachusetts	AG	B	B	G	G	G	(b-21)	G	G	CE	G	G	G	G
Michigan	GS	B	N.A.	N.A.	GS	GS	GS	N.A.	B	CE	N.A.	B	G	GS
Minnesota	A	BG	(q)	GS	GS	(b-7)	(b-7)	(b-7)	GS	CE	GS	GS	GS	GS
Mississippi	(c)	CE	B	(c)	B	GS	B	G	B	CE	(b-10)	...	G	CS
Missouri	A	B	B	GS	A	B	(b-7)	A	A	CE	(h)	B	GS	GS
Montana	A	CE	G	(c)	GS	A	GS	AG	A	CE	G	G	(b-10)	GS
Nebraska	(b-6)	B	CE	(c)	GS	GS	(b-21)	GS	GS	CE	(b-10)	GS	G	GS
Nevada	G	B	B	G	A	A	A	A	B	CE	A	G	A	G
New Hampshire	...	B	N.A.	GC	GC	GC	(b-21)	GC	...	GC	...	...	AGC	GC
New Jersey	(b-20)	GS	BG	GS	GS	A	A	AB	GS	GS	GS	AGC	GS	GS
New Mexico	(c)	B	B	G	(b-7)	A	(b-7)	(b-7)	B	CE	(b-10)	B	B	B
New York	GS	B	(b-24)	(c)	GS	GS	GS	GS	GS	CE	GS	GS	G	GS
North Carolina	AG	CE	BG	G	G	G	(b-7)	G	CE	(b-10)	AG	G	G	CE
North Dakota	GS	CE	B	(c)	G	A	B	(b-2)	(b-18)	CE	B	...	G	SE
Ohio	(b-1)	B	B	(c)	GS	GS	GS	(b-2)	GS	CE	(b-10)	GS	A	...
Oklahoma	GS	CE	B	(c)	B	B	(b-21)	B	B	CE	B	B	GS	CE
Oregon	GS	CE	B	(c)	AG	AG	(b-7)	AG	AG	SE	(c)	(b-14)	GS	SE
Pennsylvania	GS	GS	G	GS	GS	G	G	G	G	GS	A	G	GS	G
Rhode Island	(b-1)	B	(b-24)	(c)	GB	G	GS	(b-2)	G	CE	BS	G	G	G
South Carolina	B	CE	GB	(c)	B	B	B	(b-2)	B	CE	B	B	(b-12)	B
South Dakota	(b-1)	GS	B	GS	GS	A	(b-7)	AG	AG	CE	AG	AG	A	GS
Tennessee	G	G	B	G	G	G	A	(b-7)	G	SC	A	A	G	G
Texas	(b-6)	BS	B	(c)	B	B	B	(b-2)	B	CE	(b-10)	...	B	G
Utah	(b-1)	B	B	GS	BA	BA	(b-7)	A	BA	CE	A	(b-14)	B	GS
Vermont	(b-1)	G	(c)	GS	GS	GS	GS	GS	GS	SE	(b-10)	(b-10)	GS	GS
Virginia	(c)	GB	GB	GB	GB	GB	(b-21)	GB	GB	CE	(b-28)	GB	GB	GB
Washington	(b-1)	CE	B	GS	A	A	(b-7)	A	CE	CE	A	B	G	GS
West Virginia	(b-1)	B	B	(c)	GS	(b-13)	(b-21)	GS	GS	CE	(b-10)	GS	GS	GS
Wisconsin	CS	CE	B	GS	A	A	(b-7)	A	A	CE	(h)	CS	CS	GS
Wyoming	A	CE	B	G	G	(b-7)	(b-7)	A	BG	GS	A	N.A.	AB	G
Guam	...	GS	B	GS	A	A	A	(b-2)	GS	GS	A	...	A	GS
Puerto Rico	GS	GS	GS	(c)	GS	GS	GS	(b-2)	GS	GS	GS	...	GS	GS

ALS —Agency head  
AGS —Agency head  
ASH —Agency head

B —Board or commission  
BG —Board  
BGC —Board  
BS —Board and commission  
BA —Board  
CS —Civil Service  
ACB —Nominated by audit committee  
N.A. —Information not available

(a) The speaker of the senate is elected by the senate from among its membership and, by statute, is lieutenant governor.

(b) Chief administrative official or agency in charge of function:

(b-1) Administration and finance

Appointed by  
Appropriate legislative committee and senate  
Governor and senate  
Senate president and house speaker  
Governor  
Governor and council  
Senate  
Agency head  
Both houses

(b-2) Social services  
(b-3) State planning  
(b-4) Lieutenant governor  
(b-5) Pre-audit  
(b-6) Purchasing  
(b-7) Human services  
(b-8) Post-audit  
(b-9) Centralized accounting  
(b-10) Attorney general  
(b-11) Natural resources  
(b-12) Transportation  
(b-13) Health  
(b-14) Labor  
(b-15) Highways  
(b-16) Environment  
(b-17) Budget  
(b-18) General services  
(b-19) Economic development  
(b-20) Treasurer

# STATE ADMINISTRATION OFFICIALS: METHODS OF SELECTION\*—Concluded

State or other jurisdiction	Employment security	Natural resources	Environment	Agriculture	Transportation	Highways	Adjutant General	Economic development	Banking	Insurance	Public utility regulation	Energy office	Community affairs
Alabama	A	G	(d)	CE	(c)	G	G	(b-3)	G	G	SE	CS	(c)
Alaska	A	GB	GB	A	GB	A	GB	GB	A	A	GB	A	GB
Arizona	(b-7)	GS	(b-11)	B	GS	AG	G	(b-3)	GS	GS	CE	(b-3)	(b-7)
Arkansas	G	GS	GS	AG	B	(b-12)	G	GS	AG	AG	AG	GS	G
California	GS	GS	GS	GS	GS	(b-12)	GS	GS	GS	GS	GS	B	GS
Colorado	(b-14)	GS	(b-11)	GS	(b-15)	GS	G	A	A	A	GS	(g)	GS
Connecticut	AG	(b-16)	GE	GE	GE	A	G	GE	GE	GE	GB	(b-3)	GE
Delaware	(b-14)	GS	(b-11)	GS	GS	(b-12)	GS	GS	GS	CE	GS	G	(b-19)
Florida	A	GOC	GS	CE	GS	A	GS	A	(b-5)	(b-20)	CE	A	GS
Georgia	G	BG	(b-11)	CE	BG	(b-12)	G	B	G	(b-5)	CE	G	B
Hawaii	(b-14)	GS	(b-13)	GS	GS	(b-12)	GS	(b-3)	(j)	(j)	(j)	GS	(c)
Idaho	GS	BS	A	GS	B	A	GS	G	GS	GS	GS	G	(b-3)
Illinois	(b-14)	GS	(l)	GS	GS	(b-12)	G	GS	(m)	GS	(n)	GS	GS
Indiana	G	A	G	A	...	G	G	G	G	G	G	G	...
Iowa	B	GD	GB	SE	GD	GD	GB	GB	GB	GB	GB	GS	(b-3)
Kansas	A	BG	(b-13)	B	GS	A	GS	GS	GS	SE	GS	GS	...
Kentucky	AG	AG	AG	CE	G	(p)	G	G	AG	G	B	G	G
Louisiana	GS	GS	(c)	CE	GS	GS	GS	GS	GS	CE	CE	(b-11)	GS
Maine	GLS	GLS	GLS	GLS	GLS	A	G	G	ALS	ALS	GLS	G	G
Maryland	AG	GS	AG	GS	GS	AG	GS	AG	AGS	GS	GS	A	AG
Massachusetts	G	G	G	G	G	GOC	G	G	G	G	G	G	G
Michigan	B	B	N.A.	B	B	(b-12)	G	CS	GS	GS	GS	G	N.A.
Minnesota	GS	GS	GS	GS	GS	(b-12)	G	GS	(m)	GS	GS	GS	A
Mississippi	G	G	G	SE	(b-15)	SE	G	G	G	SE	SE	G	B
Missouri	A	GS	A	GS	GS	B	GS	A	AS	AS	GS	A	A
Montana	A	GS	AG	GS	...	GS	G	G	G	(v)	SE	G	GS
Nebraska	(b-14)	B	G	GS	...	GS	G	GS	GS	GS	CE	(b-22)	(b-23)
Nevada	G	G	A	B	G	G	G	G	G	G	G	G	N.A.
New Hampshire	GC	...	...	GC	...	GC	GC	GC	GC	GC	GC	G	...
New Jersey	A	(b-16)	GS	BG	GS	A	GS	GS	GS	GS	GS	GS	GS
New Mexico	G	B	G	B	B	B	B	G	GS	B	(r)	B	...
New York	(b-25)	(b-16)	G	GS	GS	GS	G	G	GS	GS	G	GS	GS
North Carolina	G	G	(b-11)	CE	G	AG	G	G	BG	CE	G	AG	(b-11)
North Dakota	G	G	(b-13)	CE	...	G	G	G	GS	CE	CE	G	(c)
Ohio	GS	GS	GS	GS	GS	GS	G	GS	A	GS	GS	B	(b-19)
Oklahoma	B	(c)	A	GS	B	(b-12)	GS	B	GS	CE	CE	G	G
Oregon	AG	(c)	B	GS	BS	A	G	B	AG	AG	GS	GS	A
Pennsylvania	CS	CS	(b-11)	GS	GS	(b-12)	GS	GS	GS	GS	GS	G	GS
Rhode Island	G	(b-16)	GS	CS	GS	(b-12)	G	G	G	G	G	G	GS
South Carolina	L	(c)	(b-13)	SE	(b-15)	B	CE	B	B	B	L	G	...
South Dakota	(b-14)	GS	GS	GS	GS	(b-12)	GS	GS	A	A	SE	...	CS
Tennessee	G	G	A	G	G	A	G	G	G	G	SE	BG	G
Texas	B	CE	(c)	SE	B	(b-12)	GS	B	B	B	GS	G	GS
Utah	GS	GS	(b-13)	GS	GS	(b-12)	G	GS	GS	GS	GS	B	GC
Vermont	GS	GS	(b-11)	GS	GS	(b-12)	SL	GS	GS	(b-27)	GS	G	GS
Virginia	GB	GB	GB	GB	GB	(b-12)	GB	GB	B	B	L	GB	(b-3)
Washington	GS	CE	GS	GS	B	(b-12)	G	GS	A	SE	GS	GS	(b-3)
West Virginia	GS	GS	(b-11)	CE	(b-15)	GS	GS	G	GS	GS	GS	B	(b-19)
Wisconsin	CS	B	CS	B	GS	G	G	GS	GS	GS	GS	(b-1)	GS
Wyoming	G	A	G	B	...	B	G	G	G	G	G	G	A
Guam	A	...	GS	GS	GS	A	...	GS	A	(b-27)	GS	G	G
Puerto Rico	A	GS	GS	GS	GS	GS	GS	GS	GS	GS	GS	G	A

(b-21) Welfare

(b-22) Taxation

(b-23) Planning and economic development

(b-24) Education (chief state school officer)

(b-25) Personnel

(b-26) Community affairs

(b-27) Banking

(b-28) Agriculture.

(c) No single agency or official.

(d) Coordinates separate Air Pollution Control Commission and

Water Improvement Commission and other environmental activities:

CS.

(e) No appropriation made for this office.

(f) Function performed by two agencies. California: CS, L;

Minnesota: CE, LE; Montana: CE, L; New Jersey: CL, L; Rhode Island:

L, A; West Virginia: GS, L.

(g) Function within the office of the governor.

(h) Function performed by two agencies. Florida: A, AT;

Missouri: GS, AT; Wisconsin: CS, CS.

(i) County jurisdiction.

(j) Department of Regulatory Agencies (GS).

(k) Function performed by three agencies, all three department heads GS. Welfare function is performed by two of these agencies.

(l) Function performed by two agencies: GS, G.

(m) Function performed by two agencies. Illinois: both GS;

Minnesota: both GS.

(n) Members appointed by the governor with consent of senate; chairman is chosen by the governor from among the members.

(o) Function performed by three units, all three AG.

(p) The secretary of transportation is acting commissioner of highways with no additional compensation.

(q) Function performed by two agencies, both B.

(r) Function performed by two agencies: CE, B.

(s) The Budget and Control Board, composed of the governor (chairman), state treasurer, comptroller general, chairman of the Senate Finance Committee, and chairman of the House Ways and Means Committee, handles this function.

(t) Function performed by two agencies, both GS.

(u) Comptroller, CE.

(v) State auditor, CE.

(w) Lieutenant governor and secretary of state are same individual.

## AGENCIES ADMINISTERING MAJOR STATE TAXES\*

As of January 1, 1978

<i>State or other jurisdiction</i>	<i>Income</i>	<i>Sales</i>	<i>Gasoline</i>	<i>Motor vehicle</i>
Alabama .....	Dept. of Rev.	Dept. of Rev.	Dept. of Rev.	Dept. of Rev.
Alaska .....	Dept. of Rev.	Dept. of Rev.	Dept. of Pub. Sfty.	Dept. of Pub. Sfty.
Arizona .....	Dept. of Rev.	Dept. of Rev.	Dept. of Trans.	Dept. of Trans.
Arkansas .....	Dept. of Fin. & Adm.	Dept. of Fin. & Adm.	Dept. of Fin. & Adm.	Dept. of Fin. & Adm.
California .....	Fran. Tax Bd.	Bd. of Equal.	Bd. of Equal.	Dept. of Mot. Veh.
Colorado .....	Dept. of Rev.	Dept. of Rev.	Dept. of Rev.	Dept. of Rev.
Connecticut .....	Tax Dept.	Tax Dept.	Tax Dept.	Commr. of Mot. Veh.
Delaware .....	Div. of Rev.	...	Dept. of Pub. Sfty.	Dept. of Pub. Sfty.
Florida .....	Dept. of Rev.	Dept. of Rev.	Dept. of Rev.	Div. of Mot. Veh.
Georgia .....	Dept. of Rev.	Dept. of Rev.	Dept. of Rev.	Dept. of Rev.
Hawaii .....	Dept. of Tax.	Dept. of Tax.	Dept. of Tax.	County Treasr.
Idaho .....	Dept. of Rev./Tax.	Dept. of Rev./Tax.	Dept. of Rev./Tax.	Commr. of Law Enf.
Illinois .....	Dept. of Rev.	Dept. of Rev.	Dept. of Rev.	Secy. of State
Indiana .....	Dept. of Rev.	Dept. of Rev.	Dept. of Rev.	Bur. of Mot. Veh.
Iowa .....	Dept. of Rev.	Dept. of Rev.	Dept. of Rev.	Dept. of Trans.
Kansas .....	Dept. of Rev.	Dept. of Rev.	Dept. of Rev.	Dept. of Rev.
Kentucky .....	Dept. of Rev.	Dept. of Rev.	Dept. of Rev.	Dept. of Trans.
Louisiana .....	Dept. of Rev./Tax.	Dept. of Rev./Tax.	Dept. of Rev./Tax.	Dept. of Rev./Tax.
Maine .....	Bur. of Tax.	Bur. of Tax.	Bur. of Tax.	Secy. of State
Maryland .....	Comptroller	Comptroller	Comptroller	Dept. of Trans.
Massachusetts .....	Dept. of Corp. & Tax.	Dept. of Corp. & Tax.	Dept. of Corp. & Tax.	Reg. of Mot. Veh.
Michigan .....	Dept. of Treas.	Dept. of Treas.	Dept. of Treas.	Secy. of State
Minnesota .....	Dept. of Rev.	Dept. of Rev.	Dept. of Rev.	Dept. of Pub. Sfty.
Mississippi .....	Tax Com.	Tax Com.	Mot. Veh. Compt.	Mot. Veh. Compt.
Missouri .....	Dept. of Rev.	Dept. of Rev.	Dept. of Rev.	Dept. of Rev.
Montana .....	Dept. of Rev.	...	Dept. of Rev.	Reg. of Mot. Veh.
Nebraska .....	Dept. of Rev.	Dept. of Rev.	Dept. of Rev.	Dept. of Mot. Veh.
Nevada .....	...	Dept. of Tax.	Dept. of Tax.	Dept. of Mot. Veh.
New Hampshire .....	Dept. of Rev. Adm.	...	Dept. of Sfty.	Dept. of Sfty.
New Jersey .....	Dept. of Treas.	Dept. of Treas.	Dept. of Treas.	Dept. of Law & Pub. Sfty.
New Mexico .....	Dept. of Tax. & Rev.	Dept. of Tax. & Rev.	Dept. of Tax. & Rev.	Dept. of Trans.
New York .....	Dept. of Tax. & Fin.	Dept. of Tax. & Fin.	Dept. of Tax. & Fin.	Dept. of Mot. Veh.
North Carolina .....	Dept. of Rev.	Dept. of Rev.	Dept. of Rev.	Dept. of Trans.
North Dakota .....	Tax Commr.	Tax Commr.	Tax Commr.	Dept. of Mot. Veh.
Ohio .....	Dept. of Tax.	Dept. of Tax.	Dept. of Tax.	Reg. of Mot. Veh.
Oklahoma .....	Tax Com.	Tax Com.	Tax Com.	Tax Com.
Oregon .....	Dept. of Rev.	...	Dept. of Trans.	Dept. of Trans.
Pennsylvania .....	Dept. of Rev.	Dept. of Rev.	Dept. of Rev.	Dept. of Trans.
Rhode Island .....	Dept. of Adm.	Dept. of Adm.	Dept. of Adm.	Dept. of Trans.
South Carolina .....	Tax Com.	Tax Com.	Tax Com.	Dept. of Hwy./Pub. Trans.
South Dakota .....	...	Dept. of Rev.	Dept. of Rev.	Dept. of Mot. Veh.
Tennessee .....	Dept. of Rev.	Dept. of Rev.	Dept. of Rev.	Dept. of Rev.
Texas .....	...	Comptroller	Comptroller	Highway Dept.
Utah .....	Tax Com.	Tax Com.	Tax Com.	Tax Com.
Vermont .....	Commr. of Taxes	Commr. of Taxes	Commr. of Taxes	Mot. Veh. Dept.
Virginia .....	Dept. of Tax.	Dept. of Tax.	Div. of Mot. Veh.	Div. of Mot. Veh.
Washington .....	...	Dept. of Rev.	Dept. of Licensing	Dept. of Licensing
West Virginia .....	Tax Dept.	Tax Dept.	Tax Dept.	Dept. of Mot. Veh.
Wisconsin .....	Dept. of Rev.	Dept. of Rev.	Dept. of Rev.	Dept. of Trans.
Wyoming .....	...	Dept. of Rev. & Tax.	Dept. of Rev. & Tax.	Dept. of Rev. & Tax.
Dist. of Col. ....	Dept. of Fin. & Rev.	Dept. of Fin. & Rev.	Dept. of Fin. & Rev.	Dept. of Fin. & Rev.

\*Prepared by the Federation of Tax Administrators.

**AGENCIES ADMINISTERING MAJOR STATE TAXES\*—Concluded**  
**As of January 1, 1978**

<i>State or other jurisdiction</i>	<i>Tobacco</i>	<i>Death</i>	<i>Alcoholic beverage</i>	<i>No. of agencies</i>
Alabama .....	Dept. of Rev.	Dept. of Rev.	Al. Bev. Cont. Bd.	2
Alaska .....	Dept. of Rev.	Dept. of Rev.	Dept. of Rev.	2
Arizona .....	Dept. of Rev.	Dept. of Rev.	Dept. of Rev.	2
Arkansas .....	Dept. of Fin. & Adm.	Dept. of Fin. & Adm.	Dept. of Fin. & Adm.	1
California .....	Bd. of Equal.	Controller	Bd. of Equal.	4
Colorado .....	Dept. of Rev.	Dept. of Rev.	Dept. of Rev.	1
Connecticut .....	Tax Dept.	Tax Dept.	Tax Dept.	2
Delaware .....	Div. of Rev.	Div. of Rev.	Div. of Rev.	2
Florida .....	Dept. of Bus. Regln.	Dept. of Rev.	Dept. of Bus. Regln.	3
Georgia .....	Dept. of Rev.	Dept. of Rev.	Dept. of Rev.	1
Hawaii .....	Dept. of Tax.	Dept. of Tax.	Dept. of Tax.	2
Idaho .....	Dept. of Rev./Tax.	Dept. of Rev./Tax.	Dept. of Rev./Tax.	2
Illinois .....	Dept. of Rev.	Atty. Gen.	Dept. of Rev.	3
Indiana .....	Dept. of Rev.	Dept. of Rev.	Dept. of Rev.	2
Iowa .....	Dept. of Rev.	Dept. of Rev.	Dept. of Rev.	2
Kansas .....	Dept. of Rev.	Dept. of Rev.	Dept. of Rev.	1
Kentucky .....	Dept. of Rev.	Dept. of Rev.	Dept. of Rev.	2
Louisiana .....	Dept. of Rev./Tax.	Dept. of Rev./Tax.	Dept. of Rev./Tax.	1
Maine .....	Bur. of Tax.	Bur. of Tax.	Liquor Com.	3
Maryland .....	Comptroller	Local	Comptroller	3
Massachusetts .....	Dept. of Corp. & Tax.	Dept. of Corp. & Tax.	Dept. of Corp. & Tax.	2
Michigan .....	Dept. of Treas.	Dept. of Treas.	Liquor Cont. Com.	3
Minnesota .....	Dept. of Rev.	Dept. of Rev.	Dept. of Rev.	2
Mississippi .....	Tax Com.	Tax Com.	Tax Com.	2
Missouri .....	Dept. of Rev.	Dept. of Rev.	Dept. of Rev.	1
Montana .....	Dept. of Rev.	Dept. of Rev.	Dept. of Rev.	2
Nebraska .....	Dept. of Rev.	Dept. of Rev.	Liquor Cont. Com.	3
Nevada .....	Dept. of Tax.	...	Dept. of Tax.	2
New Hampshire .....	Dept. of Rev. Adm.	Dept. of Rev. Adm.	Liquor Com.	3
New Jersey .....	Dept. of Treas.	Dept. of Treas.	Dept. of Treas.	2
New Mexico .....	Dept. of Tax. & Rev.	Dept. of Tax. & Rev.	Dept. of Tax. & Rev.	2
New York .....	Dept. of Tax. & Fin.	Dept. of Tax. & Fin.	Dept. of Tax. & Fin.	2
North Carolina .....	Dept. of Rev.	Dept. of Rev.	Dept. of Rev.	2
North Dakota .....	Tax Commr.	Tax Commr.	Treasurer	3
Ohio .....	Dept. of Tax.	Dept. of Tax.	Dept. of Tax.	2
Oklahoma .....	Tax Com.	Tax Com.	Tax Com.	1
Oregon .....	Dept. of Rev.	Dept. of Rev.	Liquor Cont. Com.	3
Pennsylvania .....	Dept. of Rev.	Dept. of Rev.	Dept. of Rev.	2
Rhode Island .....	Dept. of Adm.	Dept. of Adm.	Dept. of Adm.	2
South Carolina .....	Tax Com.	Tax Com.	Tax Com.	2
South Dakota .....	Dept. of Rev.	Dept. of Rev.	Dept. of Rev.	2
Tennessee .....	Dept. of Rev.	Dept. of Rev.	Dept. of Rev.	1
Texas .....	Comptroller	Comptroller	Al. Bev. Com.	3
Utah .....	Tax Com.	Tax Com.	Tax Com.	1
Vermont .....	Commr. of Taxes	Commr. of Taxes	Commr. of Taxes	2
Virginia .....	Dept. of Tax.	Dept. of Tax.	Dept. of Tax.	2
Washington .....	Dept. of Rev.	Dept. of Rev.	Liquor Cont. Bd.	3
West Virginia .....	Tax Dept.	Tax Dept.	Al. Bev. Cont. Commr.	3
Wisconsin .....	Dept. of Rev.	Dept. of Rev.	Dept. of Rev.	2
Wyoming .....	Dept. of Rev. & Tax.	Dept. of Rev. & Tax.	Liquor Com.	2
Dist. of Col. ....	Dept. of Fin. & Rev.	Dept. of Fin. & Rev.	Dept. of Fin. & Rev.	1

# BUDGET AGENCY FUNCTIONS\*

State or other jurisdiction(a)	Revenue esti- mating, primary	Revenue esti- mating, secondary	Fiscal research	Fiscal notes	Organization & management analysis	Accounting, primary	Accounting, secondary	Pre-audit	Data process- ing, primary	Data process- ing, secondary	Legislative review	Planning†	Program policy/ issue analysis	Program evaluation	Federal/state relations‡	Debt management	Cash management	Economic analysts
Alaska .....	★	...	★	★	★	...	...	...	...	...	★	...	★	★	C, D, E	...	...	...
Arizona .....	★	...	★	★	...	...	...	...	...	...	★	...	...	...	A, B, C, D, E	...	...	★
Arkansas .....	★	...	★	★	...	...	★	...	...	★	★	C	...	...	A	...	★(b)	★
California .....	★	...	★	★	...	...	...	...	...	...	★	C, P	★	★	A, B, C, D, E	...	...	★
Colorado .....	...	...	★	★	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Delaware .....	...	...	★	★	★	...	★	...	...	...	...	...	...	...	B	...	...	...
Florida .....	★(c)	...	★	★(d)	★	...	...	...	...	...	★	P	★	★	...	...	...	★
Georgia .....	★	...	★	★(e)	★	...	...	★(f)	...	...	★	P	★	★	A, B, C	...	...	★
Hawaii .....	★	★(g)	★	★	...	...	...	...	...	...	★	P	★	★	D	★	(h, i)	★
Idaho .....	★	...	★	★	...	...	...	...	...	...	★	...	★	★	A, B, C	...	...	★
Illinois .....	★	...	★	★	★	...	...	...	...	...	★	F, C, P	★	★	B, C, D, E	★	★	★
Indiana .....	★	...	★	★	★	...	...	...	...	...	★	P	...	...	A, C	...	...	...
Iowa .....	★	...	★	★	★	★	...	★	★	...	★	...	★	...	A, B, D	...	...	★
Kansas .....	★	...	★	★	★	...	...	...	...	...	★	P	★	★	A(j)	...	...	★
Kentucky .....	...	★(k)	★	★	★	...	...	...	...	...	★	P	★	★	A, C, D	★	(i)	...
Louisiana .....	★	...	★	...	★	★	★	...	...	...	...	...	...	★	A, C	...	(h)	★
Maine .....	...	★(l)	★	...	★	...	...	...	...	...	★	...	...	...	A, D	...	...	...
Maryland .....	...	★(m)	★	...	★	...	...	...	★(n)	★	...	P	★	...	...	...	...	...
Massachusetts .....	★(o)	...	★	...	...	...	...	...	...	...	★	...	...	...	A	★	...	...
Minnesota .....	(p)	...	(p)	★	...	(p)	...	(p)	...	...	(p)	...	...	...	A, B(p)	(p)	(i, p)	(p)
Mississippi .....	★	...	★	★	★	★	...	...	...	...	...	...	...	...	A	...	...	...
Missouri .....	★	...	★	★	★	...	...	...	...	...	★	L, C, P	...	...	C, D, E	...	...	★
Montana .....	★(q)	...	★	★	★	...	...	...	...	★	...	F, P	...	...	A, C	...	...	★
Nebraska .....	...	★(r)	★	★	★	...	...	...	...	...	...	...	...	...	Review only	...	...	...
Nevada .....	★	...	★	★	...	...	...	★	...	...	...	...	...	...	...	★	...	...
New Hampshire .....	...	...	★	...	★	...	...	...	...	...	...	P	★	...	...	...	...	...
New Jersey .....	★	★(s)	★	★	★	★	★	★	★	...	...	P	...	...	C, D	...	(h, i)	...
New Mexico .....	...	...	★	...	...	...	...	...	...	...	...	P	...	...	...	...	...	★
New York .....	...	...	★	★	★	...	...	...	...	★	...	P	...	...	B, C, D, E	...	...	★
North Carolina .....	...	★(t)	★	★	★	★	★	★	...	...	★	P	...	...	...	...	...	...
North Dakota .....	★	...	★	...	...	★	...	★	★	...	...	L, P	...	...	C, E	...	...	...
Ohio .....	★	...	★	...	★	...	...	...	...	...	...	...	...	...	C	...	★	★
Oregon .....	★	...	★	★	★	...	...	...	...	...	...	...	...	...	...	...	...	...
Pennsylvania .....	...	★(k)	★	★	...	...	...	...	...	...	...	C	...	...	...	...	(i)	...
Rhode Island .....	★	...	★	★	★	...	...	...	...	...	...	...	...	...	A, C	★(u)	(i)	★

South Carolina	★	★	★	★	...	★	...	★	...	★	...	C, P	★	★	A	...	...	★
South Dakota	★	...	★	★(v)	★	★	...	★	...	★(w)	...	★	★	★	A	...	...	★
Tennessee	★	...	...	★	...	...	...	★	...	★	...	★	★	★	A	...	...	★
Texas	...	★(x)	★	...	...	...	...	...	...	★	...	L, C, P	★	★	A, B, C	...	...	★
Utah	★	...	★	...	...	★	...	★	...	...	...	...	...	...	...	...	...	...
Vermont	★	...	★	★	...	...	...	★	...	★	...	...	★	★	...	...	...	★
Virginia	...	...	★	...	...	...	...	...	...	★	...	C, P	★	★	A	...	...	★
Washington	...	★(y)	★	★	★	★	...	★	...	★	...	C, P	★	★	A, B, C, D	...	...	★
Wisconsin	★	★(z)	★	★	★	...	★	★	...	★	...	C, P	★	★	A, B, C, D	...	(h)	★
Wyoming	...	★(aa)	★	...	★	...	...	...	...	...	...	...	...	...	C	...	...	...
Guam	...	★(ab)	★	★	★	...	...	...	...	★	...	P	★	★	A, B, C, E	...	...	★
Puerto Rico	...	...	...	...	★	...	...	...	...	★	...	P	★	★	...	...	...	★
Virgin Islands	...	★	...	★(ac)	...	...	...	...	...	★	...	C, P	★	★	C	...	...	...

\*Source: National Association of State Budget Officers. In addition to the functions listed, the following states indicated additional duties: Colorado—approval of fund transfers; New Hampshire—management supervision of all state agencies; New Jersey—monitor programs and their objectives to determine progress in reaching objectives; New Mexico—review contracts for professional services and out-of-state travel requests, propose and administer salary plans for exempt employees (political appointments), serve as revenue sharing liaison, draft general appropriations act, prepare capital budgets and plans, budget adjustments; New York—assists in management assistance and coordination, state-local relations, employee relations and compensation; Rhode Island—negotiations of hospital rates and engineering review of capital projects; Virginia—development, storage, retrieval, and dissemination of data on social, economic, physical, and governmental aspects of the state to provide information for use by state and other governmental bodies; Guam—local auditing of territorial programs within the executive branch; Virgin Islands—coordination of state energy policy.

†L—Local.

F—Functional.

C—Comprehensive state.

P—Policy.

‡A—Approval of agency grant applications.

B—Planning assistance for and monitoring of grant applications.

C—A-95.

D—Information on grant awards: 1082 reports, etc.

E—Assistance to agencies and local government on obtaining grants or information on grant programs.

(a) No response was received from Alabama, Connecticut, Michigan, Oklahoma, and West Virginia.

(b) Maintains a central warning system.

(c) Executed through Revenue Estimating Committee comprised of representatives from Division of Budget, legislature, comptroller, Departments of Revenue, Business Regulation, and Motor Vehicle and Highway Safety.

(d) Upon request of governor, legislature, or other.

(e) Joint responsibility with state-auditor's office and Office of Planning and Budget.

(f) Agency requests equipment purchases, certain contracts, and certain personnel actions which have an impact on agency's personnel cost.

(g) Department of Taxation is responsible for tax revenue estimates, working in conjunction with Governor's Advisory Committee on Tax Revenue Estimates.

(h) Receipt and disbursement of cash on a continuing basis.

(i) Determining, on a continuing basis, amounts to be kept in demand or time deposits and amounts to be invested in short- or long-term securities.

(j) Recommendations on agency grant applications.

(k) Department of Revenue.

(l) Agency collecting revenue.

(m) Board of Revenue Estimates.

(n) One of six large centers.

(o) Responsibility of Budget Bureau with aid and counsel of Department of Corporation and Taxation.

(p) Performed in Department of Finance by a unit other than the Budget Division.

(q) General Fund only.

(r) Revenue Department makes projections with only review function served by Budget Division.

(s) Division of Taxation.

(t) Governor; Advisory Budget Commission; legislature.

(u) Recommend bond sale, including amount by project and term.

(v) Only at the request of legislators.

(w) All departments review bills introduced which apply to them.

(x) Comptroller of Public Accounts.

(y) Department of Revenue is responsible for primary revenue estimating for most major taxes; however, budget agency has responsibility for all the estimates used for the budget.

(z) By statute, budget agency responsible for revenue estimating; however, Department of Revenue provides assistance.

(aa) State auditor.

(ab) Department of Revenue and Taxation and Department of Commerce.

(ac) Approval of personnel action and fund transfers.

# STATE BUDGETARY PRACTICES

<i>State or other jurisdiction</i>	<i>Budget-making authority</i>	<i>Official or agency preparing budget</i>	<i>Date estimates must be submitted by dept. or agencies</i>	<i>Date submitted to legislature</i>	<i>Power of legislature to change budget*</i>	<i>Power of item veto by governor†</i>	<i>Fiscal year begins</i>	<i>Frequency of budget</i>
Alabama.....	Governor	Div. of the Budget, Dept. of Finance	Feb. 1 preceding each regular session	By the 5th day regular business session	Unlimited	Yes	Oct. 1	Annual
Alaska.....	Governor	Div. of Budget & Management, Office of the Governor	Oct. 1	3rd legislative day of session	Unlimited	Yes	July 1	Annual
Arizona.....	Governor	Finance Div., Dept. of Administration	Sept. 1 each year	By the 5th day of regular session	Unlimited	Yes	July 1	Annual
Arkansas.....	Governor	Office of Budget, Dept. of Finance & Administration	Sept. 1 in even years	Date of convening session	Unlimited	Yes	July 1	Biennial, odd yr. (a)
California.....	Governor	Dept. of Finance	Specific date for each agency set by Dept. of Finance	Jan. 10	Unlimited	Yes	July 1	Annual
Colorado.....	Governor	Executive Director, Office of State Planning & Budgeting	Aug. 1-15	10th day of session which begins in Jan.	Unlimited	Yes	July 1	Annual
Connecticut.....	Governor	Div. of Budget & Financial Management, Office of Policy & Management	Sept. 1	1st session day after third of Feb. in odd years, except if change in governor; then 1st session day after Feb. 14. In even years, on the Wed. following the 1st Mon. in Feb.	Unlimited	Yes	July 1	Annual
Delaware.....	Governor	Office of Budget Director, Office of the Governor	Sept. 15; schools, Oct. 15	By Feb. 1	Unlimited	Yes	July 1	Annual
Florida.....	Governor	Div. of Budget, Dept. of Administration	Nov. 1 each year	30 days prior to regular session(b)	Unlimited	Yes	July 1	Annual(c)
Georgia.....	Governor	Office of Planning & Budget	Sept. 1	By 5th day of session or sooner	Unlimited	Yes	July 1	Annual
Hawaii.....	Governor	Budget, Planning & Management Div., Dept. of Budget & Finance	July 31, even years	3rd Wed. in Jan. of odd years; 20 days in advance to members of legislature	Unlimited	Yes	July 1	Biennial, odd yr. (a,d)
Idaho.....	Governor	Bureau of the Budget, Div. of Budget, Policy Plann. & Coordination, Office of the Governor	Aug. 15 before Jan. session	Not later than 5th day of session.	Unlimited	Yes	July 1	Annual
Illinois.....	Governor	Bureau of the Budget, Office of the Governor	Specific date for each agency set by Bureau of the Budget	First Wed. in March	Unlimited	Yes	July 1	Annual
Indiana.....	Governor	Budget Agency (e)	Sept. 1 in even years, flexible policy	Within the 1st two weeks after the session convenes (f)	Unlimited	No	July 1	Biennial, odd yr. (a)
Iowa.....	Governor	Comptroller	Sept. 1	Feb. 1 or before	Unlimited	Yes	July 1	Biennial, odd yr. (a)
Kansas.....	Governor	Div. of the Budget, Dept. of Administration	Sept. 15 before even-year sessions; Oct. 1 before odd-year sessions	Within 3 weeks after convening of session in odd years and within 2 days after convening of session in even years	Unlimited	Yes	July 1	Annual
Kentucky.....	Governor	Office for Policy & Management, Exec. Dept. for Finance & Administration	Specific date set by administrative action but may not be later than Nov. 15 of each odd year	As governor desires	Unlimited	Yes	July 1	Biennial, even yr. (a)

Louisiana .....	Governor	State Executive Budget Director, Div. of Administration	Dec. 20	Not later than 1st day of each regular session. New governor-elect, 5-day grace period	Unlimited	Yes	July 1	Annual
Maine .....	Governor	Bureau of the Budget, Dept. of Finance & Administration	Sept. 1 in even years	No later than the close of 2nd week of regular session. Governor-elect to his 1st term of office, no later than the close of the 6th week of regular session	Unlimited	No	July 1	Biennial, odd yr. (a)
Maryland .....	Governor	Secretary, Dept. of Budget & Fiscal Planning	Sept. 1	3rd Wed. of Jan., annually	Limited: legislature may decrease but not increase except appropriations for legislature and judiciary	No	July 1	Annual
Massachusetts .....	Governor	Budget Director, Div. of Fiscal Affairs, Executive Office for Administration & Finance	Set by administrative action	Within 3 weeks after convening of the legislature	Unlimited	Yes	July 1	Annual
Michigan .....	Governor	Office of the Budget, Dept. of Management & Budget	Set by administrative action	10th day of session	Unlimited	Yes	Oct. 1	Annual
Minnesota .....	Governor	Budget Div., Dept. of Finance	Oct. 1 preceding convening of legislature	Within 3 weeks after the 1st Mon. in Jan. in each odd year	Unlimited	Yes	July 1	Biennial, odd yr. (a)
Mississippi .....	Commission of Budget & Accounting (g)	Commission of Budget & Accounting	Aug. 1 preceding convening of legislature	Dec. 15	Unlimited	Yes	July 1	Annual
Missouri .....	Governor	Div. of Budget & Planning, Office of Administration	Oct. 1	By the 30th day	Unlimited	Yes	July 1	Annual
Montana .....	Governor	Director, Office of Budget & Program Planning, Governor's Office	Sept. 1 of year before each session	1st day of session	Unlimited	Yes	July 1	Biennial, odd yr. (a)
Nebraska .....	Governor	Budget Div., Dept. of Administrative Services	Not later than Sept. 15.	By the 30th day of regular session	Limited: three-fifths vote required to increase governor's recommendations; majority vote required to reject or decrease such items	Yes	July 1	Annual
Nevada .....	Governor	Budget Director, Budget Div., Dept. of Administration	Sept. 1	10th day of session or before	Unlimited	No	July 1	Biennial, odd yr. (a)
New Hampshire .....	Governor	Comptroller, Dept. of Administration & Control	Oct. 1 in even years	Feb. 15 in odd years	Unlimited	No	July 1	Biennial, odd yr. (a)
New Jersey .....	Governor	Director, Div. of Budget & Accounting, Dept. of the Treasury	Oct. 1	Third Tuesday after opening of session	Unlimited	Yes	July 1	Annual
New Mexico .....	Governor	Budget Div., Dept. of Finance & Administration	Sept. 1	On or before 25th day of regular session	Unlimited	Yes	July 1	Annual
New York .....	Governor	Div. of Budget, Executive Dept.	Early in Sept.	Second Tuesday following the first day of the annual session, except on or before Feb. 1 in years following gubernatorial election	Limited: may strike out items, reduce items, or add separate items of expenditure	Yes	April 1	Annual
North Carolina .....	Governor	Div. of State Budget, Dept. of Administration	Sept. 1 preceding session	1st week of session	Unlimited	No	July 1	Biennial, odd yr. (a)
North Dakota .....	Governor	Director, Dept. of Accounts & Purchases	July 15 in even years; may extend 45 days	December 1, prior to biennial session	Unlimited	Yes	July 1	Biennial, odd yr.



# STATE BUDGETARY PRACTICES—Concluded

<i>State or other jurisdiction</i>	<i>Budget-making authority</i>	<i>Official or agency preparing budget</i>	<i>Date estimates must be submitted by dept. or agencies</i>	<i>Date submitted to legislature</i>	<i>Power of legislature to change budget*</i>	<i>Power of item veto by governor†</i>	<i>Fiscal year begins</i>	<i>Frequency of budget</i>
Ohio .....	Governor	Office of Budget & Management	Nov. 1, Dec. 1 when new governor is elected	Within four weeks of convening in odd years unless change in governor; then Mar. 15.	Unlimited	Yes	July 1	Biennial, odd yr. (a)
Oklahoma .....	Governor	Director of State Finance, Div. of Budget	Sept. 1	Immediately after convening of regular legislative session; an incoming governor, following inaugural	Unlimited	Yes	July 1	Annual
Oregon .....	Governor	Budget & Management Div., Executive Dept.	Sept. 1 in even year preceding legislative year	Dec. 1 in even year preceding legislative year	Unlimited	Yes	July 1	Biennial, odd yr.
Pennsylvania .....	Governor	Budget Secretary, Governor's Budget Office	Nov. 1 each year	As soon as possible after organization of legislature	Unlimited	Yes	July 1	Annual
Rhode Island .....	Governor	Div. of Budget, Dept. of Administration	Oct. 1	24th day of session	Unlimited	No	July 1	Annual
South Carolina .....	State Budget & Control Board (h)	Finance Div., State Budget & Control Board	Sept. 15 or discretion of board	2nd Tues. in Jan.	Unlimited	Yes	July 1	Annual
South Dakota .....	Governor	Commissioner, Bureau of Finance & Management, Dept. of Executive Management	Sept. 1	Dec. 1	Unlimited	Yes	July 1	Annual
Tennessee .....	Governor	Budget Div., Dept. of Finance & Administration	Oct. 1	During the organizational session of odd years and during the 1st 15 calendar days after convening in even years	Unlimited	Yes	July 1	Annual
Texas .....	Governor, Legislative Budget Board	Budget & Planning Office, Office of Governor; Legislative Budget Board	Date set by budget director and legislative board	7th day of session or before	Unlimited	Yes	Sept. 1	Biennial, odd yr. (a)
Utah .....	Governor	Div. of Budget, Dept. of Finance	Sept. 25	After convening of legislature, 3 days regular session; 1 day budget session	Unlimited	Yes	July 1	Annual
Vermont .....	Governor	Commissioner, Dept. of Budget & Management; Agency for Administration	Sept. 1	3rd Tues. in Jan.	Unlimited	No	July 1	Biennial, odd yr. (a)
Virginia .....	Governor	Director, Dept. of Planning & Budget, Office of Administration & Finance	Aug. 1 in odd years	Within 5 days after convening of regular session on 2nd Wed. in Jan. in even years	Unlimited	Yes	July 1	Biennial, even yr. (a)
Washington .....	Governor	Director, Office of Financial Management	Date set by governor	20th day of December prior to session	Unlimited	Yes	July 1	Biennial, odd yr. (a)
West Virginia .....	Governor	Div. of Budget, Dept. of Finance & Administration	Aug. 15	1st day of session except for 1st year of new gov. when it may be submitted 1 month after convening of session	Limited: may not increase items of budget bill except appropriations for legislature and judiciary	Yes	July 1	Annual
Wisconsin .....	Governor	State Budget Office, Div. of Executive Services, Dept. of Administration	Dates as set by secretary, Department of Administration	On or before the last Tues. in Jan. in odd-numbered years	Unlimited	Yes	July 1	Biennial, odd yr. (a)
Wyoming .....	Governor	Budget Div., Dept. of Administration & Fiscal Control	Aug. 15 preceding session in Jan.	Jan. 1	Unlimited	Yes	July 1	Biennial, even yr. (a)

Dist. of Col.....	Mayor	Office of Budget & Management Systems	Date set by Mayor	(i)	Unlimited	Yes	Oct. 1	Annual
American Samoa ....	Governor	Planning & Budget Office	July 1	August	Recommend only	Yes	July 1	...
Guam .....	Governor	Bureau of Budget & Management Research	Date set by director, Bureau of Budget & Management Research. Usually not later than Oct. 3.	2nd Mon. in Jan.; opening day of regular session	Unlimited	Yes	July 1	Annual
Puerto Rico .....	Governor	Bureau of the Budget, Office of the Governor	Oct. 15	2nd Mon. in Jan.; opening day of regular session	Unlimited	Yes	July 1	Annual
Virgin Islands .....	Governor	Director of the Budget, Office of the Governor	Oct.	Upon convening	Unlimited	Yes	July 1	Annual

\*Limitations listed in this column relate to legislative power to increase or decrease budget items generally. Specific limitations, such as constitutionally earmarked funds or requirement to enact revenue measures to cover new expenditure items, are not included.

†See table on pages 44 and 45 for further details of item veto power in some states.

(a) Budget is adopted biennially, but appropriations are made for each year of the biennium separately. Maine—Budget is reviewed annually. Minnesota and Wisconsin—a few appropriations are made for the biennium. Montana—supplemental appropriations are considered by the legislature annually. Virginia—amendments have been made in odd-numbered years, but there is no formal provision for annual review of the entire biennial appropriation. North Carolina, Washington, and Wyoming—biennial appropriations with annual review. Wisconsin—statutes authorize an annual budget review, and the governor may in even years recommend changes.

(b) Effective July 1, 1978, 45 days prior to regular session.

(c) A biennial budgetary process will be implemented effective fiscal 1979-81.

(d) Increases or decreases may be made in even-year sessions.

(e) Budget Committee serves in advisory capacity.

(f) Convenes on 1st Thursday after 1st Monday in Jan. in odd years.

(g) Composition of commission: governor as ex officio chairman, lieutenant governor, chairman House Ways and Means Committee, chairman House Appropriations Committee, chairman Senate Finance Committee, president pro tem of senate, chairman Senate Appropriations Committee, one member of senate appointed by lieutenant governor, speaker of house, two house members appointed by the speaker.

(h) Composition of board: governor as chairman, treasurer, comptroller general, chairman Senate Finance Committee, chairman House Ways and Means Committee.

(i) Budget submitted to both council and Congress. Council sets date of submission for its review; the Office of Management and Budget, Executive Office of the President, sets the date for submission to Congress.

# ELEMENTS OF STATE FINANCIAL ORGANIZATION

## Officials or Agencies in Charge of Specified Aspects

<i>State or other jurisdiction</i>	<i>Preparation of budget</i>	<i>Special budget review agency in legislative branch</i>	<i>Determination of nature of accounting system</i>	<i>Budgetary and related accounting controls</i>	<i>Voucher approval and pre-audit</i>	<i>Warrant issuance(a)</i>	<i>Actual payment of warrants</i>	<i>Post-audit</i>
<b>Alabama</b> .....	Governor; Finance Director (G)	Legislative Fiscal Officer (L); Senate Finance and Taxation Committee (L); House Ways and Means Committee (L)	Dept. of Examiners of Public Accounts (L) (b)	Finance Director (G)	Comptroller (c); State Auditor (E)	Comptroller (c)	Treasurer (E)	State Auditor (E); Chief Examiner, Dept. of Examiners of Public Accounts(L)
<b>Alaska</b> .....	Governor; Dept. of Administration (d)	Legislative Budget and Audit Committee (L)	Div. of Finance, Dept. of Administration (d)	Dept. of Administration (d)	Dept. of Administration (d)	Dept. of Administration (d)	Div. of Treasury, Dept. of Revenue (d)	Div. of Legislative Audit (L); Div. of Internal Audit, Dept. of Administration(d)
<b>Arizona</b> .....	Governor; Finance Div., Budget Office, Dept. of Administration (G)	Joint Legislative Budget Committee (L)	Finance Div., Accounting Office, Dept. of Administration (G)	Finance Div., Budget Office, Dept. of Administration (G)	Finance Div., Accounting Office, Dept. of Administration (G)	Finance Div., Accounting Office, Dept. of Administration (G)	Treasurer (E)	Auditor General (L)
<b>Arkansas</b> .....	Governor; Director, Dept. of Finance and Administration and its Office of Budget (G)	Legislative Council, Bureau of Legislative Research (L)	Administrator, Office of Accounting, Dept. of Finance and Administration (d)	Dept. of Finance and Administration (d)	Auditor (E); Pre-Audit Section, Office of Accounting, Dept. of Finance and Administration (d)	Auditor (E)	Treasurer (E)	Legislative Joint Auditing Committee (L)
<b>California</b> .....	Governor; Finance Director (G)	Joint Legislative Budget Committee (L)	Finance Director (G)	Finance Director (G)	Controller (E)	Controller (E)	Treasurer (E)	Auditor General (L); Financial Management Audits, Dept. of Finance (d); Comptroller (E)
<b>Colorado</b> .....	Governor; Office of State Planning and Budgeting (G)	Joint Budget Committee (L)	Director, Dept. of Administration (G)	Controller (CS)	Controller (CS)	Controller (CS)	Treasurer (E)	Auditor (L)
<b>Connecticut</b> .....	Governor; Div. of Budget and Financial Management, Office of Policy and Management (G)	Office of Fiscal Analysis (L)	Comptroller (E)	Commissioner of Finance and Control (G)	Comptroller (E)	Comptroller (E)	Treasurer (E)	Auditors of Public Accounts (L); Program Review and Investigations Committee (L)
<b>Delaware</b> .....	Governor; Budget Director (G)	Joint Legislative Finance Committee (L); Controller General (L)	Budget Director (G)	Secretary, Dept. of Finance (G)	Budget Director (G); Secretary, Dept. of Finance (G)	Secretary, Dept. of Finance (G)	Treasurer (E)	Auditor of Accounts (E)
<b>Florida</b> .....	Governor; Dept. of Administration (G)	House and Senate Appropriation Committees (L)	Auditor (L); Secretary, Dept. of Administration (G)	Secretary, Dept. of Administration (G); Comptroller (E)	Comptroller (E)	Comptroller (E)	Treasurer (E)	Legislative Auditing Committee (L); Auditor (L)
<b>Georgia</b> .....	Governor; Office of Planning and Budget (G)	Office of Legislative Budget Analyst (L)	Auditor (L)	Auditor (L); Budget Director (G)	Commissioner, Dept. of Administrative Services (G)	Governor; Budget Director (G)	Fiscal Div., Dept. of Administrative Services (CS)	Auditor (L)
<b>Hawaii</b> .....	Governor; Director of Finance (G)	Legislative Auditor (L)	Comptroller (G)	Comptroller (G)	Comptroller (G)	Comptroller (G)	Director of Finance (G)	Legislative Auditor (L); Comptroller, Dept. of Accounting and General Services (G)
<b>Idaho</b> .....	Governor; Administrator, Div. of Budget, Policy Planning, and Coordination (d)	Legislative Fiscal Office, Joint Finance-Appropriations Committee (L)	Auditor (E)	State Board of Examiners (e)	Auditor (E)	Auditor (E)	Treasurer (E)	Legislative Auditor (L)

Illinois .....	Governor; Budget Bureau (G)	Fiscal and Economic Commission (L); Senate and House Appropriations Committees (L)	Comptroller (E)	Dept. of Finance (G); Bureau of the Budget (G)	Finance Director (G) (f); Comptroller (E)	Comptroller (E)	Treasurer (E)	Auditor General (L)
Indiana .....	State Budget Agency (G); Budget Committee (g)	Senate Finance Committee (L); House Ways and Means Committee (L); Legislative Council (L)	State Board of Accounts (G)	State Budget Agency (G)(h); Auditor (E)	Auditor (E)	Auditor (E)	Treasurer (E)	State Examiner (G)
Iowa .....	Governor; Budget Dept., Office of Comptroller (G)	Legislative Fiscal Div., Legislative Research Dept. (L)	Auditor (E); Comptroller (G)	Comptroller (G)	Comptroller (G)	Comptroller (G)	Treasurer (E)	Auditor (E)
Kansas .....	Governor; Div. of the Budget, Dept. of Administration (i)	Legislative Budget Committee, Legislative Coordinating Council (L); Legislative Research Dept. (L)	Div. of Accounts and Reports, Dept. of Administration (j)	Div. of Accounts and Reports, Dept. of Administration (j)	Div. of Accounts and Reports, Dept. of Administration (j)	Div. of Accounts and Reports, Dept. of Administration (j)	Treasurer (E)	Legislative Post Auditor (L)
Kentucky .....	Governor; Secretary, Executive Dept. for Finance and Administration (G); Executive Director, Office for Policy and Management (k)	Appropriations and Revenue Committees (L)	Secretary, Executive Dept. for Finance and Administration (G)	Secretary, Executive Dept. for Finance and Administration (G); Executive Director, Office for Policy and Management (k)	Div. of Accounts, Executive Dept. for Finance and Administration (k)	Secretary, Executive Dept. for Finance and Administration (G)	Treasurer (E)	Auditor (E)
Louisiana .....	Governor; Commissioner of Administration (G); Budget Office (i)	Legislative Fiscal Office (L)	Accounting Div.; Div. of Administration (i)	Commissioner of Administration (G); Budget Office (i)	At agency level	Appropriations Control, Budget Office (i)	Treasurer (E)	Legislative Auditor (L)
Maine .....	Governor; Budget Officer (l)	Joint Committee on Appropriations and Financial Affairs (L); Legislative Finance Officer (L)	Controller, Dept. of Finance and Administration (l)	Controller, Dept. of Finance and Administration (l)	Controller, Dept. of Finance and Administration (l)	Controller, Dept. of Finance and Administration (l)	Treasurer (L)	Auditor (L)
Maryland .....	Governor; Secretary, Dept. of Budget and Fiscal Planning (G)	Div. of Budget Review, Dept. of Fiscal Services (L)	Comptroller (E)	Secretary, Dept. of Budget and Fiscal Planning (G)	Comptroller (E)	Comptroller (E)	Treasurer (L)	Legislative Auditor, Dept. of Fiscal Services (L)
Massachusetts .....	Governor; Budget Director, Executive Office for Administration and Finance (l)	House and Senate Ways and Means Committees (L)	Comptroller (G)	Executive Office for Administration and Finance (G)	Comptroller (G)	Comptroller (G)	Treasurer (E)	Auditor (E); Legislative Post Audit and Oversight Bureau (L)
Michigan .....	Governor; Budget Director (G)	House Fiscal Agency (L); House Appropriations Committee, Senate Appropriations Committee, and Senate Fiscal Agency (L)	Accounting Div.; Dept. of Management and Budget (CS)	Office of the Budget and Accounting Div.; Dept. of Management and Budget (CS)	At agency level; Accounting Div.; Dept. of Management and Budget (CS)	Treasurer (G); Accounting Div.; Dept. of Management and Budget (CS)	Treasurer (G)	Auditor General (L)
Minnesota .....	Governor; Commissioner of Administration (G); Commissioner of Finance (G)	House Appropriations Committee (L); Senate Finance Committee (L)	Commissioner of Finance (G)	Commissioner of Finance (G)	Commissioner of Finance (G)	Commissioner of Finance (G)	Treasurer (E)	Legislative Auditor (L)
Mississippi .....	Commission of Budget and Accounting (m)	(m)	Auditor (E); Commission of Budget and Accounting (m)	Commission of Budget and Accounting (m)	Auditor (E)	Auditor (E); Director, Commission of Budget and Accounting	Treasurer (E)	Auditor (E); Joint Legislative Committee on Performance Evaluation and Expenditure Review (L)
Missouri .....	Governor; Commissioner of Administration (G)	Legislative Committee on State Fiscal Affairs (L)	Auditor (E); Commissioner of Administration (G)	Commissioner of Administration (G)	Commissioner of Administration (G)	Commissioner of Administration (G)	Treasurer (E)	Auditor (E)
Montana .....	Governor; Office of Budget and Program Planning (G)	Legislative Fiscal Analyst and Finance Committee (L)	Director, Dept. of Administration (G)	Director, Dept. of Administration (G)	At agency level; Director, Dept. of Administration (G)	Auditor (E)	Treasurer (E)	Legislative Auditor (L)

## ELEMENTS OF STATE FINANCIAL ORGANIZATION—Continued

<i>State or other jurisdiction</i>	<i>Preparation of budget</i>	<i>Special budget review agency in legislative branch</i>	<i>Determination of nature of accounting system</i>	<i>Budgetary and related accounting controls</i>	<i>Voucher approval and pre-audit</i>	<i>Warrant issuance(a)</i>	<i>Actual payment of warrants</i>	<i>Post-audit</i>
Nebraska .....	Governor; Budget Administrator, Dept. of Administrative Services (n)	Legislative Fiscal Analyst, Legislative Council (L); Legislative Budget Committee (L)	Budget and Accounting Administrators, Dept. of Administrative Services (n)	Budget Administrator, Dept. of Administrative Services (n)	All department heads; Budget and Accounting Administrators, Dept. of Administrative Services (n)	Director, Administrative Services (G)	Treasurer (E)	Auditor (E)
Nevada .....	Governor; Budget Director (G)	Office of Fiscal Analyst, Legislative Counsel Bureau (L)	State Controller (E)	Budget Administrator (G)	Budget Officer (G); Controller (E)	Controller (E)	Treasurer (E)	Legislative Auditor (L)
New Hampshire .....	Governor; Comptroller (G)	Legislative Budget Assistant (L)	Division of Accounts, Dept. of Administration and Control (o)	Comptroller (G); head of Dept. of Administration and Control (G)	Director of Accounts, Dept. of Administration and Control (o)	Director of Accounts, Dept. of Administration and Control (o)	Treasurer (L)	Legislative Budget Assistant (L)
New Jersey .....	Governor; Director of Budget and Accounting, Treasury Dept. (G)	Director, Budget Review, Office of Fiscal Affairs (L)	Director, Budget and Accounting, Treasury Dept. (G)	Director, Budget and Accounting, Treasury Dept. (G)	Director, Budget and Accounting, Treasury Dept. (G)	Director, Budget and Accounting, Treasury Dept. (G)	Treasurer (G)	State Auditor, Office of Fiscal Affairs (L); Director, Program Analysis, Office of Fiscal Affairs (L)
New Mexico .....	Governor; Chief, Budget Div., Dept. of Finance and Administration (d)	Legislative Finance Committee (L)	Financial Control Div., Dept. of Finance and Administration (d)	Budget and Financial Control Divisions, Dept. of Finance and Administration (d)	Financial Control Div., Dept. of Finance and Administration (d)	Financial Control Div., Dept. of Finance and Administration (d)	Treasurer (E)	Auditor (E)
New York .....	Governor; Budget Director (G)	Legislative Finance Committees (L)	Comptroller (E)	Budget Director (G); Comptroller (E)	Comptroller (E)	Comptroller (E)	Commissioner of Taxation and Finance (G)	Comptroller (E); Director, Legislative Committee on Expenditure Review (L)
North Carolina .....	Governor; Div. of State Budget, Dept. of Administration (p,q)	Advisory Budget Commission (L & G)	Div. of State Budget, Dept. of Administration (p); State Auditor (E)	Div. of State Budget, Dept. of Administration (p)	Div. of State Budget, Dept. of Administration (p)	Div. of State Budget, Dept. of Administration (p)	Treasurer (E)	Auditor (E); Fiscal Research Div., Legislative Council (L)
North Dakota .....	Budget Director, Dept. of Accounts and Purchases (G)	Budget Committee, Legislative Council (L)	Director, Dept. of Accounts and Purchases (G)	Director, Dept. of Accounts and Purchases (G)	Director, Dept. of Accounts and Purchases (G)	Director, Dept. of Accounts and Purchases (G)	Treasurer (E)	Auditor (E); Legislative Budget Analyst and Auditor (L)
Ohio .....	Governor; Director, Budget and Management (G)	Legislative Budget Office (L)	Director, Administrative Services (G); Director, Office of Budget and Management (G); Auditor (E)	Director, Administrative Services (G); Director, Office of Budget and Management (G)	Director, Administrative Services (G); Director, Office of Budget and Management (G); Auditor (E)	Auditor (E)	Treasurer (E)	Auditor (E)
Oklahoma .....	Director, Finance Dept. (G)	Div. of Fiscal Services, Legislative Council (L)	Div. of Central Accounting and Reporting, Budget Office (d)	Director, Finance Dept. (G)	Director, Finance Dept. (G)	Auditor (E)	Treasurer (E)	State Examiner and Inspector (E); Fiscal Services Div., Legislative Council (L)
Oregon .....	Governor; Director, Executive Dept. (G)	Legislative Fiscal Office (L)	Director, Executive Dept. (G); Secretary of State (E)	Director, Executive Dept. (G)	Director, Executive Dept. (G)	Director, Executive Dept. (G)	Treasurer (E)	Secretary of State (E)
Pennsylvania .....	Governor; Budget Secretary (G)	House and Senate Appropriations Committees (L); Legislative Budget and Finance Committee (L)	Secretary of Administration (G); Budget Secretary (G)	Secretary of Administration (G); Budget Secretary (G)	Treasurer (E); departmental Comptrollers (G)	Treasurer (E)	Treasurer (E)	Auditor General (E)

Rhode Island .....	Governor; Budget Div., Dept. of Administration (d)	House Finance Committee staff (L)	Div. of Accounts and Control, Dept. of Administration (d)	Div. of Budget and Div. of Accounts and Control, Dept. of Administration (d)	Div. of Accounts and Control, Dept. of Administration (d)	Div. of Accounts and Control, Dept. of Administration (d)	Treasurer (E)	Auditor General (L)
South Carolina .....	State Budget and Control Board (r)	None	Auditor (s)	Comptroller General (E)	Comptroller General (E)	Comptroller General (E)	Treasurer (E)	Auditor(s); Director, Legislative Audit Council (L)
South Dakota .....	Governor; Commissioner Bureau of Finance and Management (G)	Legislative Research Council (L)	Governor; Bureau of Finance and Management (G); Auditor General (L)	Commissioner, Bureau of Finance and Management (G)	Auditor (E)	Auditor (E)	Treasurer (E)	Auditor General (L)
Tennessee .....	Governor; Budget Director (G)	Fiscal Review Committee (L)	Dept. of Finance and Administration (d); Comptroller (L)	Budget Director (G)	Commissioner, Dept. of Finance and Administration (G)	Commissioner, Dept. of Finance and Administration (G)	Treasurer (L)	Comptroller (L)
Texas .....	Governor; Budget Director (G); Legislative Budget Board (L)	Legislative Budget Board (L)	Auditor (L)	Auditor (L)	Comptroller (E)(t)	Comptroller (E)	Treasurer (E)	Auditor (L); Legislative Audit Committee (L)
Utah .....	Governor; Directors of Finance and Budget (G)	Office of Legislative Fiscal Analyst (L)	Director of Finance (G); Auditor General (L)	Director of Finance (G)	Director of Finance (G)	Auditor (E)	Treasurer (E)	Auditor (E); Auditor General (L)
Vermont .....	Governor; Secretary of Administration (G); Commissioner, Budget and Management Dept. (G)	Joint Legislative Fiscal Review Committee (L)	Commissioner of Finance (G)	Secretary of Administration; Budget and Management, and Finance Departments (G)	Commissioner of Finance (G)	Commissioner of Finance (G)	Treasurer (E)	Auditor (E)
Virginia .....	Governor; Secretary of Administration and Finance (G); Director, Dept. of Planning and Budget (G)	House Appropriations Committee and Senate Finance Committee (L)	State Comptroller (G)	Comptroller (G); Director, Dept. of Planning and Budget (G)	Comptroller (G)	Comptroller (G)	Treasurer (G)	Auditor (L); Joint Legislative Audit and Review Committee (L)
Washington .....	Governor; Director, Office of Financial Management (G)	House Appropriations and Senate Ways and Means Committees (L)	Director, Office of Financial Management (G)	Director, Office of Financial Management (G)	At agency level	Treasurer (E)	Treasurer (E)	Auditor (E); Legislative Budget Committee (L)
West Virginia .....	Governor; Commissioner and Budget Div., Dept. of Finance and Administration (G)(d)	Legislative Auditor, Joint Committee on Government and Finance (L)	Budget Div., Dept. of Finance and Administration (d)	Governor	Commissioner, Dept. of Finance and Administration (G); Auditor (E)	Auditor (E)	Treasurer (E)	Tax Commissioner (G); Legislative Auditor (L)
Wisconsin .....	Governor; Secretary, Dept. of Administration (G)	Legislative Fiscal Bureau (L)	Secretary, Dept. of Administration (G)	Budget Office, Div. of Executive Services, Dept. of Administration (G)	Director, Bureau of Financial Operations, Dept. of Administration (G)	Secretary, Dept. of Administration (G)	Treasurer (E)	Auditor (L)
Wyoming .....	Governor; Director, Budget Div., Dept. of Administration and Fiscal Control (G)	Legislative Services Office (L)	Dept. of Administration and Fiscal Control (G)	Budget Div. and Centralized Accounting-Data Processing (u)	Budget Div. (u); Auditor (E)	Auditor (E)	Treasurer (E)	State Examiner (G); Legislative Auditor, Legislative Services Office (L)
Dist. of Col. ....	Mayor (E); Office of Budget and Management Systems (CS)	Committee on Budget and City Council (E)(v)	Office of Budget and Management Systems (CS)	Office of Budget and Management Systems (CS)	Office of Budget and Management Systems (CS)	U.S. Treasury (w)	U.S. Treasury (w); Dept. of Finance and Revenue (CS)	Office of District of Columbia Auditor (CS); U.S. General Accounting Office (CS)
American Samoa .....	Governor; Director, Administrative Services (G)	None	Comptroller (G)	Comptroller (G)	Assistant Director, Administrative Services (G)	None issued	None issued	Auditor (G)
Guam .....	Governor; Budget Director, Bureau of Budget and Management Research (G)	Legislative Committee on Finance and Taxation (L)	Dept. of Administration (G)	Budget Director (G); Director, Dept. of Administration (G)	Div. of Accounts, Dept. of Administration (CS)	Div. of Accounts, Dept. of Administration (CS)	Treasurer (CS)	Federal Comptroller; Legislative Auditor (x); Audit Section, Bureau of Budget and Management Research

## ELEMENTS OF STATE FINANCIAL ORGANIZATION—Concluded

<i>State or other jurisdiction</i>	<i>Preparation of budget</i>	<i>Special budget review agency in legislative branch</i>	<i>Determination of nature of accounting system</i>	<i>Budgetary and related accounting controls</i>	<i>Voucher approval and pre-audit</i>	<i>Warrant issuance(a)</i>	<i>Actual payment of warrants</i>	<i>Post-audit</i>
<b>Puerto Rico</b> .....	Governor; Budget Director (G)	Legislative Finance Committees (L)	Treasury Dept. (d)	Budget Bureau (d); Treasury Dept. (d)	Accounting Service, Treasury Dept. (d)	Accounting Service, Treasury Dept. (d)	Treasury Dept. (d)	Comptroller (G)
<b>Virgin Islands</b> .....	Governor; Budget Director (G)	Legislative Finance Committee (L)	Commissioner, Finance Dept. (G)	Budget Director; Commissioner, Finance Dept. (G)	Finance Dept. (G)	Finance Dept. (G)	Commissioner, Finance Dept. (G)	Finance Dept., Comptroller of Virgin Islands (G)

*Note:* For more detailed information on state budgetary practices see the preceding table.

E—Elected.

G—Appointed by governor, in some states with one or both houses approving.

L—Chosen by legislature or, in some cases, by an officer or group thereof.

CS—Civil Service.

(a) The fact that some other official may also sign warrants is not recorded.

(b) Chief Examiner appoints personnel of the department.

(c) Finance Director appoints.

(d) Director, appointed by governor, selects division chiefs.

(e) Composed of governor, secretary of state, and attorney general.

(f) Except for agencies independent of governor.

(g) Budget committee: two senators of opposite parties, two representatives of opposite parties, and budget director who is the head of the state budget agency. The legislative members of the budget committee are appointed by their party leaders in the legislature.

(h) The legislative division of the budget committee acts in an advisory capacity.

(i) Department director appointed by governor; budget director chosen by department head in accordance with civil service act.

(j) Department secretary appointed by governor; director of accounts and reports heads division and is chosen by department head in accordance with civil service act.

(k) Appointed by secretary of the Executive Department for Finance and Administration with approval of the governor.

(l) Appointed by commissioner of finance and administration with approval of governor.

(m) The Commission of Budget and Accounting is primarily a legislative agency. Its membership is as follows: governor as ex officio chairman; lieutenant governor; president pro tempore of senate; chairman senate finance committee; chairman senate appropriations committee; one senate member appointed by lieutenant governor; speaker of the house; chairman house ways and means committee; chairman house appropriations committee; and two house members appointed by speaker.

(n) Appointed by director of administrative services.

(o) Director appointed by controller; in New Hampshire, the comptroller is selected by the governor.

(p) State budget officer, appointed by governor, selects division chiefs, subject to approval of the governor.

(q) Division of state budget prepares budget subject to review of the governor and advisory budget commission.

(r) Governor as chairman, treasurer, comptroller general, chairman senate finance committee, chairman house ways and means committee.

(s) Appointed by state budget and control board; heads finance division of this board.

(t) Pre-audit of purchase vouchers is by board of control before forwarding to comptroller.

(u) Appointed by the director of administration and fiscal control, with approval of governor.

(v) Also, U.S. Senate and House of Representatives subcommittees on appropriations for District of Columbia.

(w) At the request of the Department of Finance and Revenue (CS).

(x) Audit firm hired by legislature for the specific purpose of conducting post-audit.

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# STATE INFORMATION SYSTEMS

by Carl Vorlander\*

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THE TREND CONTINUES toward more sophisticated and innovative administrative and decisionmaking techniques, accompanied by continually accelerating advances in information systems technology. This requires that state information systems administrators review and evaluate existing operational methods and seek new systems approaches which can meet the demands of policymakers and program managers and, at the same time, make use of new cost-effective resources for meeting those demands.

During the past 20 years, the data processing function has moved upward in the hierarchical structure of state government. From a primarily clerical tool, it has become an integral part of the day-to-day operations in state government and is improving the quality of information so essential to the decisionmaking process. Information systems are providing instantaneous information on water and air pollution. The impact of new legislative proposals can be tested on automated models. Alternative methods of program delivery systems can be simulated by the computer, helping to achieve the optimum method. The following pages, based on the 1976-77 annual report of the National Association for State Information Systems (NASIS), will demonstrate that the information system resources of the states are meeting this challenge, but not without difficulties.<sup>1</sup>

## Uses of the Computer

As might be expected, the greatest use of automated data processing (ADP) in the states can be found in the central administrative functions and in the old line program agencies. Of the 45 states reporting in the 1976-77 NASIS annual report, all were using ADP for financial and accounting work, 33 for budget activities, 34 for procurement, 41 for personnel, and 43 for retirement. In the program areas of taxation, public health, mental hygiene, welfare, transportation, education, and vehicle and driver licensing, over 40 states reported using data processing.

A significant trend has shown up in the past five years regarding legislative use of data processing, and in the latest report NASIS noted that 40 of the 45 reporting states were making use of this resource. This same trend is appearing in the judicial branch of state government, with 19 states indicating some use of the computer.

Some of the newer and therefore less numerous applications of data processing in the states are energy and land management programs, which were noted by four and nine states, respectively. Automated real property assessment programs were reported by 12 states, while 10 states indicated veterans' loans, educational grants, and bonus payments were automated.

Modeling and operations research activities were among the more esoteric activities reported by six states, along with revenue and population shift projections. Actuarial and demographic studies are other examples of data processing being used for decisionmaking.

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### Coordination and Control

The overall pattern for a strong, centralized information systems coordination and control function has been well established for several years. It would seem that this pattern was brought on primarily by the previously mentioned increased sophistication of the users in both the legislative and executive branches, and by the increased funding requirements for this resource.

Procurement of new equipment and the planning for new information systems is centrally controlled and coordinated in all 50 states (Table 1). The control of the design of new systems was exercised by 44 states in 1976, compared to 39 states in 1972.

It is interesting to note that only nine states report an all-inclusive authority over all five of the categories of planning, systems design, programming, hardware acquisition, and operations. Of these nine states, six had a population of under 1 million and the population of the remaining three was less than 2 million. Due to the smallness of these states, most of their hardware is centralized in one or two data processing centers.

In keeping with the previously noted stability in the control and coordination activities of state data processing, a similar stability in the organizational placement of that authority can be found. The central data processing authority in the majority of states continues to be a part of the functional area of finance and administration. In two of the states, the director of centralized data processing reports directly to a board or commission; in one of these states, Mississippi, the director reports to a commission made up of state representatives and senators. During 1975, Texas abolished the Office of Information Systems, and the controlling and coordinating authority over data processing now rests entirely with the state auditor, who is appointed by the legislative branch.

### Computer Inventory

Another indication of the stability and maturity attained by the states' data processing activities is found in a six-year comparison of the method of acquiring computers. From 1971 through 1976, leasing as a percentage of the total of all procurement methods dropped from 76 percent to 58 percent, while the percentage of totally purchased systems increased from 16 percent to 26 percent; a combined method, usually the purchase of the central processing unit and the lease of peripheral equipment, such as tape drives and printers, doubled from 8 percent to 16 percent. The outright purchase of a central processing unit, possibly costing in the millions of dollars, requires a stability that will guarantee the effective use of this equipment for at least five to seven years.

The large increase in the number of installed computers from 1974 to 1975, as shown by Table 2, can partially be attributed to improved reporting on the part of several states; however, at least one half of that increase must be considered attributable to normal growth. By the same token, the relatively small growth shown from 1975 to 1976 is somewhat misleading, due to a shift in absolute numbers of certain equipment from the classification of a central processing unit to that of a data communications controller or data gathering device. However, the increase from 1975 to 1976 is not estimated to approach the increase from 1974 to 1975.

A recent report on computer-spending in the U.S. economy, prepared by Gnostics Concepts, Inc., drew these conclusions regarding future state expenditures for data processing equipment: a plateauing of large computer system installations; an increase in terminal purchases, particularly "intelligent terminals"; and a significant increase in data communications services.<sup>2</sup>

If these trends do come about, coupled with the improved price performance ratios of relatively inexpensive minicomputers resulting in more departmental on-site computing, the coordination and control functions of state governments will require more attention and support from state policymakers.

### **Problem Areas**

In the minds of state information administrators, top management in state government does not have, overall, the same degree of interest in the information system resource as do their counterparts in the private sector. This is in spite of the fact that state government has put in place the tools for information systems coordination and control, and makes continually greater use of computer output. The lack of management understanding, a definitive plan, and management commitment are remarkably consistent in being the three most serious problems of an external nature faced by the data processing manager (Table 3). Possibly even more alarming is the fact that interest on the part of top management seems to be declining when it is noted that it has moved from eighth to fourth place in the aggregate rank of seriousness. Why this should be the case and what can be done to reduce or overcome this problem is a first priority assignment to the NASIS Research and Education Committee.

Of the four most serious problems, the lack of a definitive plan may be the most pressing, for without a plan there can be no evaluation of the performance of the activity and the concomitant accountability of the manager for that performance. However, the development of a plan cannot be accomplished without complete top-management participation. Further, the lack of a plan is considered to be more serious than in prior years by an almost two-to-one ratio. One other external problem which bears watching is that of inadequate financing, which has moved from twelfth to ninth place in the order of seriousness, but is made more significant by the fact that it is also considered more serious than in previous years by an almost two-to-one ratio.

In the area of internal problems (Table 4), the rank order of the various problems has stayed relatively stable, with one significant exception—the problem of high costs has risen from seventh to second in the order of seriousness, and is the one problem considered to be more serious by more states than any other.

### **Funding**

In 1976, the revolving fund method of financing data processing activities remained predominant over other methods by 56 percent to 44 percent. This, however, represents a 5 percent decrease from 1974. This percentage drop is due mainly to the fact that of the five states which did not report in 1974 but did report in 1976, two were 100 percent supported by direct appropriations and another two were 90 percent supported by this method. There is no distinct trend in the method of financing this activity, with states switching between revolving funds and direct appropriations from year to year. The choice apparently is between more direct control through spending limitations, on the one hand, and the concept of making the data processing installation a self-supporting enterprise, on the other (Table 5).

For those states that bill for data processing services, the trend toward more sophisticated methods of determining the charges continues. Only one state still reported the use of "wall clock" time only, while 14 depend upon a "resource use" algorithm, and 33 use a combination of the two, with clock time being used to bill for those resources that are 100 percent dedicated to a user (Table 6).

Extrapolating from expenditure data supplied by 33 states, it is estimated that state governments spent approximately \$830 million for these activities in 1976 and budgeted close to \$1 billion for them in 1977. It is interesting to note that in the period from 1973 to 1977, the expenditures for equipment dropped from 40 percent of the total outlay to 33 percent. Most of the hardware cost reductions were offset through increased outlays for consultant and communications services (Table 7).

The ratio of information systems budgets to overall state budgets has remained fairly constant over the past several years. In 1976, data processing costs represented 0.64 percent, with variations ranging from a low of 0.29 percent to a high of 1.86 percent of the total state budget.

### Security and Privacy

"Potential catastrophes of great dimension"—These words were used in past NASIS reports to describe the conditions that prevailed at that time due to the lack of a program to properly audit security measures where they had been developed and implemented, or where no such security measures existed. Certainly progress has been made in this area; however, there is no cause to think that all that can be done has been done.

Although five more states reported on this area of activity in 1976 than in 1975, there was only an increase of 4 percent in the number of states reporting a physical security plan; however, the picture as to the implementation of these plans is far brighter than in previous years, with 93 percent of the states showing that the plans are being enforced and 60 percent of the plans providing for an audit procedure. The data provided on the portion of Table 8 relating to data security outlines a much more serious situation, with only 40 percent of the states indicating that they have a total data security plan and, of these, 78 percent are enforcing the plan and only 63 percent are providing for the audit of such plans. There is cause to wonder why, if a security plan is developed, its enforcement and audit do not follow as automatic actions.

Once again it would seem that the entire question of individual privacy is one that is emotionally charged and given a great deal of lip service; however, with few exceptions, there seems to have been very little concerted movement at the state level to develop any official policy or to enact any concrete legislation.

### Footnotes

1. National Association for State Information Systems, *Information Systems Technology in State Government, 1976-1977 Report* (Lexington, Ky.: 1977).
2. Gnostic Concepts, Inc., *Information Systems Econometric Programs* (Menlo Park, Calif.: fourth quarter, 1977).

Table 1  
COORDINATION AND CONTROL OF INFORMATION SYSTEMS  
ACTIVITIES IN STATE AGENCIES\*

State	Authority	Functions				
		Planning	Systems design	Programming	Hardware acquisition	Operations
Alabama	Statute	C/O	C	C	A	C
Alaska (a)	Statute	C/O	C/O	C/O	A	A
Arizona	Statute	O	C	C	C	C/O
Arkansas (b)	Statute	C/O	C	X	C/O	X
California	Statute	C	C	C	C	C
Colorado (c)	Statute/Admin. code	C	C	C	C	C
Connecticut	Statute	C	C	C	C	C
Delaware	State code	A	A	A	A	A
Florida	Statute	C	C	C	C	C/O
Georgia (a)	Statute/Exec. order	C	A	A	A	A
Hawaii	Exec. order	A	C	C	A	A
Idaho	Statute	C	...	...	C	...
Illinois (b)	Statute	A	C	C	A	A
Indiana (b,d)	Statute	A	C	C	A	C
Iowa (e)	Statute	C	C	C	A	C
Kansas (d)	Statute	C	...	...	C	O
Kentucky (b,d)	Statute	C	...	...	C	...
Louisiana	Statute	C	C	C	A	...
Maine	Statute	A	C	C	A	A (f)
Maryland	Statute/Exec. order	C	...	...	C	...
	Admin. reg.	...	C	C	C	C
Massachusetts	Statute/Exec. order	C	C	...	C	...
Michigan	Statute/Exec. order	...	...	...	C	...
Minnesota (f)	Statute	C	C/O	A	A	A
Mississippi (a)	Statute	C	C	C	A	C
Missouri	Statute	C	C	C	C	C
Montana	Statute	C	C	C	A	A
Nebraska	Statute	A	A	A	A	A
Nevada	Statute	...	A	A	C	...
	Admin. reg.	C	...	...	...	C
New Hampshire	Statute	A (a,e)	A (a,e)	A (a,e)	A	A (a,e)
New Jersey	Statute	C	C/O	C/O	C	...
New Mexico (a,e)	Statute	C/O	C/O	C/O	A	C/O
New York	Statute	C	...	...	C	...
	Exec. order/Admin. reg.	C	...	...	C	...
North Carolina	Statute	C	...	...	C	C
	Exec. order	C	...	...	C	...
North Dakota (a,g)	Statute	A	A	A	A	A
Ohio	Statute	C	X	X	C	C
Oklahoma	Statute	C	C	C	C	C
Oregon	Statute/Exec. order	C	C	C	C	C
Pennsylvania	Exec. order	C	C	C	C	C
Rhode Island	Statute	A	A	A	A	A
South Carolina	Exec. order	C	C	C	C	...
South Dakota (d)	Statute	A	A	A	A	A
Tennessee (a)	Exec. order	C/O	C/O	A	A	A
Texas	Statute	C	C	X	C	C
Utah	Statute	A	A	A	C/O	A
Vermont (a,d)	Exec. order	C/O	C/O	C/O	C/O	C/O
Virginia (d)	Statute	C/O	C	C	C/O	O
Washington	Statute	C	C	C	C	C
West Virginia	Statute/Exec. order	A	A	A	A	A
Wisconsin	Statute	A	C/O	C/O	A	C/O
Wyoming	Statute	A	A	A	A	A

\*Source: National Association for State Information Systems, *Information Systems Technology in State Government: 1976-1977 Report*.

*Symbols:*

C—Controlling or coordinating authority.

O—Execution of the function.

A—Authority is all-inclusive.

X—Scope of authority not stated.

(a) Excludes employment security.

(b) Excludes constitutional officers.

(c) Excludes Judicial Department.

(d) Operation control excludes higher education.

(e) Excludes highway.

(f) Should be "C" for employment services.

(g) Excludes adjutant general.

Table 2  
TREND OF COMPUTER INVENTORIES\*  
1965-1976

State	Years							
	1964-65	1969-70	7/1/71	7/1/72	7/1/73	7/1/74	7/1/75	7/1/76
Total .....	209	478	373	421	474	496	599	603
Alabama .....	...	...	11	9	...	11	12	12
Alaska .....	...	3	3	3	3	3	3	3
Arizona .....	...	15	11	15	12	8	7	12
Arkansas .....	...	...	...	...	15	16	18	17
California .....	30	49	...	...	28	29	37	34
Colorado .....	6	8	...	7	...	9	10	10
Connecticut .....	7	...	...	...	11	11	11	12
Delaware .....	...	...	3	3	3	3	4	3
Florida .....	10	11	14	14	...	13	20	...
Georgia .....	11	21	...	14	...	11	20	19
Hawaii .....	...	3	3	5	4	4	4	3
Idaho .....	...	3	...	4	4	3	3	6
Illinois .....	...	33	28	28	20	12	15	12
Indiana .....	...	...	10	6	6	6	8	9
Iowa .....	7	5	4	6	9	6	8	8
Kansas .....	4	6	5	5	3	3	3	4
Kentucky .....	7	...	...	14	14	1	5	4
Louisiana .....	...	21	22	17	17	10	19	19
Maine .....	...	4	5	5	4	4	5	5
Maryland .....	...	5	16	12	17	17	17	17
Massachusetts .....	8	16	...	20	14	15	14	15
Michigan .....	7	14	17	21	26	28	29	30
Minnesota .....	...	6	7	6	5	4	4	5
Mississippi .....	4	10	10	8	4	1	2	2
Missouri .....	...	9	...	...	14	...	16	20
Montana .....	...	3	4	4	4	4	5	4
Nebraska .....	...	...	3	4	6	6	6	6
Nevada .....	...	2	1	2	5	4	8	9
New Hampshire .....	...	3	3	4	4	3	5	6
New Jersey .....	8	23	13	17	15	20	19	37
New Mexico .....	4	2	7	6	7	9	5	5
New York .....	21	49	31	...	33	33	37	40
North Carolina .....	4	6	8	9	9	8	11	13
North Dakota .....	3	2	2	3	3	3	3	3
Ohio .....	12	16	...	16	16	34	47	29
Oklahoma .....	...	12	11	9	9	10	10	9
Oregon .....	7	9	9	12	12	8	10	19
Pennsylvania .....	4	20	22	22	22	18	27	27
Rhode Island .....	2	6	...	4	4	3	3	3
South Carolina .....	6	12	14	14	14	20	24	22
South Dakota .....	2	2	3	2	3	3	3	3
Tennessee .....	2	9	16	8	6	4	5	5
Texas .....	9	24	22	21	27	29	32	36
Utah .....	5	4	6	3	4	3	7	7
Vermont .....	2	3	...	1	1	3	2	3
Virginia .....	...	11	...	11	6	10	10	9
Washington .....	10	10	12	11	10	11	10	11
West Virginia .....	...	...	8	4	4	6	4	4
Wisconsin .....	7	8	9	9	13	13	11	11
Wyoming .....	...	...	...	3	4	3	1	1

\*Source: National Association for State Information Systems,  
Information Systems Technology in State Government: 1976-1977  
Report.

Table 3  
EXTERNAL PROBLEMS RELATED TO INFORMATION SYSTEMS: 1973-76\*

Problem category	Aggregate rank				Number of states identifying the category				Number of states reporting problems 1976	
	1973	1974	1975	1976	1973	1974	1975	1976	More serious	Less serious
Management understanding .....	1	1	1	1	37	31	37	43	13	20
Lack of definitive plan .....	2	2	3	3	2	38	34	39	41	11
Management commitment .....	3	3	2	3	37	33	39	42	16	18
Management interest .....	8	7	5	4	36	31	38	43	11	20
Resistance to consolidation .....	4	5	4	5	38	34	39	42	11	23
User unfamiliarity with information system .....	5	4	7	6	37	37	40	43	8	20
User agency cooperation .....	6	6	8	7	38	34	41	43	8	22
Recruitment of qualified personnel .....	7	8	6	8	39	36	38	45	18	11
Inadequate financing .....	12	11	9	9	36	33	39	42	20	11
Lack of standards .....	10	10	10	10	35	32	38	41	10	23
Need for documentation .....	11	12	11	11	39	33	38	40	6	23
Need for common data base .....	9	9	12	12	37	34	40	42	9	16

\*Source: National Association for State Information Systems, *Information Systems Technology in State Government: 1976-1977*

Report: 41 states reporting in 1973, 37 states reporting in 1974, 41 states reporting in 1975, and 45 states reporting in 1976.

Table 4  
INTERNAL PROBLEMS RELATED TO INFORMATION SYSTEMS: 1973-76\*

Problem category	Aggregate rank				Number of states identifying the category				Number of states reporting problems 1976	
	1973	1974	1975	1976	1973	1974	1975	1976	More serious	Less serious
Missed programming schedules .....	1	1	1	1	35	33	37	39	17	14
Costs too high .....	7	5	3	2	33	31	36	39	18	15
Cost overruns .....	3	2	2	3	33	30	35	37	15	15
Inflexibility of programs .....	4	4	4	4	34	31	35	38	9	20
Programming backlog .....	2	3	5	5	36	33	33	40	17	16
Missed production schedules .....	5	9	6	6	34	28	36	39	12	21
Poor input control .....	8	6	7	7	36	29	34	38	13	19
Poor systems/program documentation .....	6	7	7	8	35	29	34	37	7	22
Inaccurate output .....	10	11	12	9	33	30	35	37	6	22
Systems design too primitive .....	9	8	9	10	35	26	33	37	8	21
Systems design too sophisticated .....	12	12	10	11	33	26	32	37	6	23
Poor operations documentation .....	11	10	11	12	33	27	33	38	5	24

\*Source: National Association for State Information Systems, *Information Systems Technology in State Government: 1976-1977*

Report: 38 states reporting in 1973, 33 states reporting in 1974, 37 states reporting in 1974, and 42 states reporting in 1976.

Table 5  
FINANCIAL STRUCTURE OF STATE INFORMATION SYSTEMS: 1976\*

State agencies			State agencies		
State	Revolving fund, working capital fund, or applied receipts (%)	Direct appropriation (%)	State	Revolving fund, working capital fund, or applied receipts (%)	Direct appropriation (%)
Average .....	56	44	Montana .....	100	0
Alabama .....	100	0	Nebraska .....	99	1
Alaska .....	0	100	Nevada .....	99	1
Arizona .....	0	100	New Hampshire .....	76	24
Arkansas .....	100	0	New Jersey .....	0	100
California .....	0	100	New Mexico .....	55	45
Colorado .....	0	100	New York .....	10	90
Connecticut .....	90	10	North Carolina .....	72	28
Delaware .....	14	86	North Dakota .....	100	0
Florida (a) .....	100	0	Ohio .....	100	0
Georgia .....	100	0	Oklahoma .....	97	3
Hawaii .....	20	80	Oregon .....	81	19
Idaho .....	0	100	Pennsylvania .....	0	100
Illinois .....	85	15	Rhode Island .....	100	0
Indiana .....	10	90	South Carolina .....	0	100
Iowa .....	29	71	South Dakota .....	100	0
Kansas .....	100	0	Tennessee .....	80	20
Kentucky .....	100	0	Texas .....	0	100
Louisiana .....	0	100	Utah .....	100	0
Maine .....	100	0	Vermont .....	95	5
Maryland .....	0	100	Virginia .....	96	4
Massachusetts .....	0	100	Washington .....	35	65
Michigan .....	0	100	West Virginia .....	100	0
Minnesota .....	100	0	Wisconsin .....	50	50
Mississippi .....	95	5	Wyoming .....	94	6
Missouri .....	10	90			

\*Source: National Association for State Information Systems, *Information Systems Technology in State Government: 1976-1977* Report.

(a) Legislative Data Center, 100 percent direct appropriation.

Table 6  
BASIS OF BILLING USERS FOR COMPUTER HARDWARE COSTS: 1974-76\*

Method	1974	1975	1976
Clock time .....	4	4	1
Resource use .....	16	15	14
Both .....	23	29	33

\*Source: National Association for State Information Systems,  
Information Systems Technology in State Government: 1976-1977  
Report.

Table 7  
EDP EXPENDITURES: 1976-77\*  
(33 states)

	Hardware	Personnel	Consultants	Software	Other	Total
FY 1976 (Actual)						
Total \$ (in thousands) .....	\$178,962	\$262,076	\$27,982	\$5,518	\$74,814	\$549,352
Percentage of total .....	33	48	5	1	13	100
FY 1977 (Est.)						
Total \$ (in thousands) .....	\$218,768	\$321,824	\$29,844	\$6,652	\$81,591	\$658,679
Percentage of total .....	33	49	5	1	12	100

\*Source: National Association for State Information Systems,  
Information Systems Technology in State Government: 1976-1977  
Report.

Table 8  
SECURITY: 1976\*  
(47 states reporting)

Physical security						
States reporting	Total physical security plan				I.D. badges required	Entrance guards required
	Issued	Implemented	Enforced	Audited		
Yes	30	30	28	18	28	19
No	12	12	15	22	13	21
Data security						
	Total data security plan				Off-site back-up storage used	S & P documentation included
	Issued	Implemented	Enforced	Audited		
Yes	19	18	15	12	35	22
No	22	22	25	27	9	17

\*Source: National Association for State Information Systems,  
Information Systems Technology in State Government: 1976-1977  
Report.

## 2. Employment

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### DEVELOPMENTS IN STATE PERSONNEL SYSTEMS

By Cecil E. Goode\*

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DEVELOPMENTS DURING the 1976-77 biennium were greatly influenced by:

1. Greater use of the industrial relations pattern of collective bargaining for determining personnel policies and actions and for determining pay and benefits. This has required increased attention to means for accommodating the traditional civil service systems to the industrial method of management-employee relations.

2. Substantial efforts to analyze job content and job requirements for state jobs so as to devise valid selection tests and devices.

3. Measures to select, train, and compensate managers and supervisors for the peculiar demands of state service. This has been reflected in such special programs as assessment centers, career executive corps, special compensation plans, and performance evaluation.

4. Attempts to meet federal demands in social reform areas, especially in affirmative action, and to correct the balance of jobs for members of minority groups and women in higher-level jobs, as well as in entry and journeyman levels.

#### System and Organizational Changes

##### Civil Service Coverage

During the biennium, there was little significant change in civil service coverage. Tennessee, by executive order, extended the state's limited merit system to statewide coverage in November 1977. West Virginia, by statute, extended classification authority to some 17,000 to 20,000 additional positions which were not otherwise covered.

A separate merit system was enacted in Illinois covering the office of the secretary of state. Delaware authorized the nonfederal grant agencies to hire applicants directly into the lower grades without certification from the central civil service agency. In Louisiana, the municipal fire and police civil service system was merged with the state civil service under governmental reorganization. Arkansas and Mississippi consolidated their separate merit system agencies into a central state system, while legislation was adopted in Nebraska that could lead to such consolidation in the future.

Certain exclusions from state civil service systems were authorized or set in motion. In Florida, clarifying legislation was passed excluding academic and administrative personnel of the School for the Deaf and Blind. The Kentucky legislature excluded federally funded,

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\*Mr. Goode's long career in public personnel administration and general management includes positions as Deputy Director, Administrative Management Service, United Nations; Executive Director, National Civil Service League; and editor of *Personnel Administration* magazine. The material for this chapter was supplied primarily by questionnaires returned by 43 states and two possessions. Files of the Council of State Governments and published sources also were used.



time-limited appointments. Colorado called on the state personnel authority to work with state colleges in determining the extent of coverage or exclusions for staff of state colleges.

### **Internal Personnel Agency Changes**

Organizational changes pertaining to central state personnel agencies included the granting of departmental status to the Virginia Personnel Agency, formerly a part of the governor's office. In Wisconsin, personnel management, training, and collective bargaining functions were removed from the Department of Administration and elevated to a cabinet-level Department of Employment Relations. The administrator of personnel will be appointed by the governor for a five-year term; administrators of collective bargaining and training will serve at the pleasure of the secretary of employment relations. Grievances and appeals will be handled by a separate appeals commission.

New functions were added to the personnel agencies in California, Kansas, Kentucky, Maryland, Massachusetts, and New Hampshire. Employee training responsibility was added in Kansas and New Hampshire. Responsibility for manpower planning was added in Kansas. California is establishing a departmental services division which will have responsibility for serving the client with a single point of contact for each department. A new staff unit was added in Massachusetts to administer the delegation of personnel functions to municipalities. Maryland has established a research and planning division in the office of the secretary of personnel. The 1976 Kentucky legislature created a Division of Employee Services which has responsibility for workmen's compensation, training, development of fringe benefits, and similar functions.

New York has made further moves toward decentralizing classification and promotion examinations to operating agencies. Alaska has established a second field office in Fairbanks in addition to the one it already has in Anchorage. Delaware has established a regional deputy director of personnel who will execute personnel policy on a regional basis. New Jersey enacted legislation permitting counties under certain forms of government to undertake their own merit systems with guidance from the New Jersey Department of Civil Service. In anticipation of a future political status change, the Pacific Trust Territory is decentralizing personnel responsibilities into six districts.

### **Labor-Management Relations**

#### **Collective Bargaining**

The movement toward collective bargaining on behalf of state employees continued during the biennium. Twenty-seven states now provide for collective bargaining for their employees.<sup>1</sup>

The push by public employee unions for organization has entailed significant adjustments by traditional civil service systems in matters of pay, advancement, working conditions, and benefits. The transition has been easiest in the blue-collar and less skilled areas because these are most akin to industrial and trades workers. The proportion of state employees who are organized ranges from almost a negligible number to a majority. Illinois now reports that 47,000 of that state's employees are in bargaining units, and Delaware reports that 64 percent of its merit system employees are organized.

There have been some significant changes in labor legislation with respect to state employment. In 1977, New York enacted legislation which mandated the agency shop at the state level and makes it permissible at the local level. This amendment to the Taylor Law now requires the state to collect the equivalent of dues from nonunion members of negotiating

units. Previously, agency shop provisions were prohibited by law. Collective bargaining has been authorized for state employees in California, effective July 1978. The new provision is just short of full collective bargaining in that there is no right to strike and no provision for agency shop. The Massachusetts legislature overrode the governor's veto of a bill extending binding arbitration for police and firefighters. Massachusetts also extended bargaining rights to judicial employees, naming the chief justice of the supreme judicial court as the employer of judicial employees.<sup>2</sup>

Florida, Hawaii, and Vermont amended their labor relations laws. Among changes made in Hawaii, all collective bargaining agreements must expire simultaneously in odd-numbered fiscal years. Vermont has permitted economic bargaining for 6,000 state employees and defined managerial and confidential employees. Florida defined the governor as the employer of all state employees under the State Career Service System.<sup>3</sup>

Attempts to enact collective bargaining legislation failed in Indiana and North Carolina, and such a bill was vetoed by the governor in Ohio. A state collective bargaining law passed in 1976 in Indiana was held unconstitutional for lack of judicial review. Bills in North Carolina in both 1976 and 1977 authorizing collective bargaining failed to pass.

### **Reconciling Labor Relations and Civil Service Systems**

A New Jersey public sector employer-employee relations study commission recommended that a special commission decide binding arbitration of unresolved controversies in instances of jurisdictional overlaps between the state public employee relations laws and other state and local governmental laws, including civil service laws.<sup>4</sup> This is an attempt to come to grips with conflicts between traditional civil service and labor relations systems. Another attempt to reconcile conflicts between the two systems is reflected in the Florida appeals system, which provides an option between collective bargaining procedures and career service procedures in seeking resolution of grievances. In Pennsylvania, the state and unions have agreed to use advisory arbitration in the settlement of position classification grievances. Virginia established a state employee relations coordinator in 1976 to deal with labor-management problems. Florida's 1977 legislature passed a salary incentive program for law enforcement officers as a result of a contract provision.

### **Grievance Procedures**

Grievance procedures were developed and revised, reflecting the influence of collective bargaining. The central personnel office increasingly is called on to act as a fact-finder or mediator for grievances and appeals.

Hearing officers have been added to assist the Personnel Advisory Board in Missouri. In North Carolina, the state personnel director is required to investigate alleged discrimination or disciplinary actions appealed to the commission. If a solution cannot be reached, the findings are reported to the commission with recommendations and the commission decides. In South Carolina, the state grievance act was amended, providing for mediation by the state personnel director or his designee before hearing by the state grievance committee, which is required to observe the rules of evidence of a civil court.

### **Position Classification**

Position classification, always considered essential as a foundation of the merit system, continues to require considerable time and energy of personnel officials and program

managers. Job analysis, the basis for position classification, became essential in the drive to make selection devices more valid. The techniques of job evaluation used in business and industry are being increasingly applied to public service in an attempt to make position classification more precise and defensible in appeals from employees and the objections of program managers. To quote from the promotional literature for a new book on this subject: "Studies of programs at all government levels have highlighted serious deficiencies. Improvement has been sought again and again, while private industry know-how has been introduced to the public sector. Position classification itself, once considered the method, is now recognized as only one of several major systems in the broader field of job evaluation."<sup>5</sup>

Comprehensive surveys of classification systems are completed or still under way in several states, including Idaho, Illinois, Indiana, Michigan, Montana (blue-collar workers), Oregon, Pennsylvania (for clerical classes), South Carolina, South Dakota, West Virginia, and Wyoming.

A statewide classification study was launched in Massachusetts together with a special study of managerial classes. This study is expected to result in a complete overhaul of the state classification plan. Pennsylvania is cooperating with four other states in the review of patient care positions. Florida's 1977 legislature decentralized position classification by authorizing personnel officers in agencies having over 3,000 positions to classify and reclassify positions subject to post audit.

### **Employment**

Employment, including the recruitment, examination, selection, and placement of employees, ranks with position classification as one of the two traditional pillars of public personnel administration. During the last two years, the major concerns have included: reaching potential applicants in the disadvantaged and minority groups; being able to select more women and members of disadvantaged groups for public service and at higher-level positions; establishing the validity of selection instruments in response to court decisions; being able to obtain quality candidates in a time of difficult competition with the private sphere; and simplification of the procedures and methods of employment.

### **Recruitment**

Wisconsin implemented a recruitment planning system which required state agencies to document all recruitment activities they plan to conduct. This is then used by the central personnel agency to plan and conduct its general recruitment program.

Several states have undertaken special recruitment efforts in furtherance of objectives to increase employment from minority and disadvantaged groups. New Jersey conducted a massive inner-city recruitment program for police officers, which resulted in a 40 percent file rate from minority applicants. Michigan has developed a minority network referral system which assists state agencies in affirmative action efforts by identifying sources for minority referrals around the state. Rules have been amended in Colorado to permit additional recruitment efforts when the response has been inadequate in prior recruitment drives for applicants from minority groups.

Examples of action to improve and streamline procedures include Wyoming's use of interest cards from applicants in areas where there are no present vacancies. Texas operates a central referral system for state jobs, and Kansas has developed a 30-minute audiovisual presentation on state employment to aid in recruitment.

## **Selection Methods**

In selection testing, there has been some move toward decentralization to program agencies, to regional centers within a state, and to schools and colleges, especially for clerical examinations. Validation of selection devices has been the special emphasis during the past two years in response to court decisions and federal personnel requirements. Also, there have been some collaborative efforts in test development and validation involving several states and sometimes states, counties, and cities. There have been some efforts to tailor tests for minority applicants and to set up special jobs for which the disadvantaged and disabled can qualify. Several states are experimenting with assessment centers for the selection and training of executives.

New Jersey has instituted a program permitting high schools to test for typing and stenographic proficiency and to issue proficiency certificates to successful students in lieu of state-administered selection tests. Kentucky has designated special test centers at selected high schools and vocational schools to facilitate the testing of applicants for stenographic skills. Multijurisdictional cooperation and decentralized examining are being tried in West Virginia, where a U.S. Civil Service Commission testing facility is used one day each week to offer state examinations. This has proved so successful that the state hopes to expand to other regional testing centers in the future. Maryland has delegated to operating agencies the responsibility for hiring entry-level employees.

Florida adopted the Equal Employment Opportunity Rule, which allows an employee or applicant to file a complaint of discrimination. The complaint can be appealed to the Career Service Commission, an independent and impartial body outside of state government. Final action by the commission is binding on all state agencies.

## **Test Validation Programs**

Practically all the states are involved in attempting to validate their selection instruments. Several jurisdictions are joining with others in attempting to assess common elements of jobs and develop valid approaches to test these elements. The New England area is one which is using a joint approach, proceeding under an Intergovernmental Personnel Act (IPA) grant to work on selected classes common to the entire area. The southeastern region is another that is using this approach under IPA funding to explore the feasibility of forming a consortium to work on examination construction and to conduct validation of tests for common job classes. Another is the mid-Atlantic personnel assessment consortium, involving 14 state and local governments in cooperative efforts to solve personnel selection problems.

Other states are attempting a multijurisdictional approach involving not only states but cities and counties as well. One of these is Hawaii's Test Validation Center which will serve the Hawaii state personnel system as well as the city and county of Honolulu and the counties of Maui, Kauai, and Hawaii. These multijurisdictional services will include in-house consultation, research, training, and studies to improve test validation capabilities. Another is an undertaking in Delaware involving the state, the cities in the state, a county, and a university to develop tests for clerk-stenographers and clerk-typists.

Florida has a contract arrangement with the U.S. Civil Service Commission. The commission gives examinations on a daily basis for classes in the competitive service in Jacksonville, Orlando, Tampa, Miami, and Pensacola. In addition, the Florida Division of Personell administers ongoing examination programs in Tallahassee. As a result, test administration coverage is achieved throughout Florida.

In some jurisdictions, there is an attempt to develop tests across class lines which will be valid for measuring knowledge, skills, and abilities common to a broad range of classes. Examples reported are in Maryland and Michigan.

### **Special Employment Programs**

Special activities to employ the disadvantaged and handicapped include setting up special classes of positions for such groups. New York conducted an examination for minority group specialists to specialize in minority affairs in the civil service department. Other states, such as Colorado, have changed their rules to permit additional referrals to fill vacancies in agencies which need to achieve a more equitable balance of minority group employees. Kansas and Colorado have conducted training classes for minorities and other special groups to help them qualify for state jobs. Vermont accepts applications from those having inadequate qualifications and gives training so those who cannot meet the regular requirements can compete for regular positions. On the other hand, Wisconsin's administrative code rule permitting restriction of positions to affirmative action target group candidates was declared illegal by the Wisconsin Supreme Court in 1977.

Special programs have also been instituted to make it easier for handicapped candidates to obtain state positions. South Carolina has adopted a rule of 10, which permits appointing authorities to appoint any one of the 10 highest on the list. Michigan takes a different approach by providing six-month trial appointments in lieu of examination where the handicapped cannot fairly compete in the exam, but can do the job. New York has a special program to employ 200 handicapped. The Florida legislature, in 1977, required the establishment of rules for modification or adaptation of certain examinations so that blind or deaf applicants can more equitably compete.

Wisconsin has a plan to provide special services for employment of the mentally retarded and the restored emotionally ill. California is conducting a three-year project with the Department of Rehabilitation to eliminate elements from the civil service selection process that are unnecessary barriers to otherwise qualified retarded persons.

It has long been recognized that using part-time employees on a regularly scheduled basis is a good way to employ qualified people who could not work full time. Also, such practice spreads the work so that more people are gainfully employed. Two states, Massachusetts and Wisconsin, are experimenting with shared jobs on a regularly scheduled basis. In these instances, two persons fill one job. In both states, legislation has established goals for the number of part-time employees in state government and extends certain fringe benefits to permanent part-time employees. Massachusetts has a goal of employing 10 percent part-time employees by November 1979. Oregon and New York are also embarking on this type of program. The governor of Colorado issued an executive order encouraging appointing authorities to adopt job-sharing in their departments or divisions.

### **Assessment Centers**

Several states have set up assessment centers for selecting and sometimes for determining the training needs of managerial candidates. The assessment center approach is based on the system used by the Office of Strategic Services during World War II in the selection of intelligence officers, and subsequently by the Canadian government and certain American corporations. The approach recognizes the complex, multifaceted nature of management positions and the skills required for management work, the difficulty of measuring such skills in the usual pencil and paper test or interview, the fact that many of the

skills are social in character requiring group performance and psychological evaluation, and the fact that considerably more time than the usual one to three hours used in a pencil and paper test is needed to assess management potential. The first such center in state government was established in Illinois in 1972.<sup>6</sup>

In Michigan, the concern is for management selection, while in Illinois the focus has been on both selection and the determination of training needs. The assessment center in Wisconsin has since been discontinued. Colorado has used an assessment center in the examination of lieutenants and captains in its state patrol. Kansas has set up an assessment center for the selection of management and administrative personnel.

### **Records Systems**

Several states have or are planning to set up computerized record systems covering the application and examination process as well as in-service records and data for payroll, budgeting, and other purposes. Among the states that have established such systems in the past biennium are Illinois, Indiana, Kansas, Nebraska, New Jersey, North Carolina, Virginia, and Wyoming.

### **Pay and Benefits**

Most states have struggled to keep up with inflation by modestly increasing state salaries. Fringe benefit costs, especially health and hospital insurance, have increased so much that some states have undertaken to pay the full cost of increases and a few to pay the entire cost of health insurance. There has been some movement toward merging or correlating state retirement plans within a state. A few states have embarked on deferred income plans.

Most states increased the salaries of state employees at least once, sometimes twice, during the 1976-77 biennium. The most typical increase was 5 percent. A few states have provided deferred income plans or have such plans under consideration. Kentucky, Maryland, and Rhode Island reported that they offer deferred compensation plans for state employees. Kentucky has made available to all state employees a deferred compensation plan that allows employees a shelter from federal and state taxes until their retirement years. This voluntary program had more than 5,000 employees enrolled as of the fall of 1977. Nebraska offers a tax-deferred annuity to its employees. Illinois has a deferred compensation plan under study. South Carolina's General Assembly authorized a deferred compensation commission in 1977 to administer a deferred compensation system for state employees. The 1975 Florida legislature passed a deferred compensation law, and a deferred compensation plan has been developed and is presently pending with the Internal Revenue Service.

There is continued general liberalization of retirement plans including earlier funding, earlier retirement age, and increased benefits. For more detail on retirement systems, see the chapter on Finances of State-Administered Public Employee Retirement Systems.

### **Training and Career Development**

During the past two years, there has been considerable activity in training and career development, especially for supervisors and managers. A significant boost to training activities has been provided by special funding from the U.S. Civil Service Commission's Bureau of Intergovernmental Personnel Programs. In fact, that bureau reports that a significant portion of its grant funds goes into the funding of training programs.

### **General Training Responsibility**

Several states have given overall training responsibility to their central personnel organizations. West Virginia is one of these. In Delaware, an executive order was issued in 1977 focusing attention on employee development as a function of management and requiring the submission of comprehensive agency training plans and periodic reporting to the governor and the legislature. Other states in which training responsibility is located in the central personnel authority are Kansas, Kentucky, Missouri, and Wisconsin. Connecticut authorized \$2 million to be spent for training and career ladder development during the period from July 1978 to June 1980.

### **Training Institutes**

With federal funding, a public service institute was established in Colorado in 1976. This institute offers training to employees of the state and units of local government. The institute is financed by tuition charges which go into a revolving fund. Hawaii, likewise, has established a training institute which also provides program and management analysis services. Hence, it operates not only as a training facility but as a "think tank" operation.<sup>7</sup> The Institute for the Development of Personnel in Public Service provides training for all agencies in Puerto Rico, including its 78 municipalities. Individual agency training activities are coordinated with the institute.

### **Supervisory and Management Training**

Several states have increased their activities in managerial and supervisory training. These include Arkansas, Massachusetts, Montana, Nebraska, Washington, and Wisconsin. Wisconsin has developed 40 training modules which are offered to state agencies for supervisory training. Wisconsin's Department of Administration is experimenting with the use of management associate teams in actual problem-solving undertakings both as a training strategy and to accomplish needed work. Beginning in January 1978, Illinois will operate a supervisory assessment center which will augment the existing management assessment center and will devote attention to the review of supervisors and supervisory candidates and assistance in the determination of developmental needs.

Georgia conducts a certified public manager program jointly operated by the merit system and the University of Georgia. In this program, candidates for management positions as well as those already serving as managers are certified as public managers after having gone through a rigorous program of training, which includes tests of knowledge and the conduct of job-related projects. Six courses are offered on a sequential basis, which could require 2.5 years for completion. Forty participants have completed the program thus far. Managers from local governments are included along with state employees. Indiana is planning to embark on a similar program.

A few states report that they have administrative intern programs usually involving graduates in public administration from state universities and colleges. One state, South Dakota, has dropped such a program. Kentucky takes approximately 60 interns each year; Vermont conducts a similar program.

Pennsylvania and Connecticut are conducting extensive training of supervisors in labor relations—contract administration, grievance handling, steward-supervisor relations, arbitration case preparation, and similar subjects.

### **Career Executive Corps**

At least four states have or are developing career executive services with special terms of service and pay and benefits for those selected. California and Wisconsin now have such programs. In both states, the goal is to attract from within and retain outstanding upper-level managers for state government. Certain positions are identified for the program and are required to be filled by employees who meet the special requirements of the career executive service. The career programs have separate salary schedules and normally have untraditional job tenure provisions, meaning that they can be removed with short notice without the usual removal process, but are guaranteed their former or equivalent positions. Michigan is developing a similar service with the objective of enhancing the accountability of executives in state government. A plan has been developed outlining the desirable features of the program which will include a management-by-objectives type of performance appraisal, an assessment center selection process, and a pay-for-performance compensation plan. New Jersey has received an IPA grant to be used in establishing a career executive service for that state.

Vermont has a performance evaluation program which uses some of the attributes of the career executive services described above. Supervisors set targets each year for individual employees. During the annual performance review, employees are evaluated in terms of target achievement as well as quality and quantity of work. The results of the performance review are used in awarding merit increases.

### **Hours of Work**

Several states have experimented with "flexitime," a scheduling policy originated a few years ago in Europe, which permits employees within certain limits to select their own work schedule. Usually, they must work a certain number of hours each day, a certain number of days each week, and all must be present during certain core hours. The schedule selected by each employee becomes his standard workweek. The theory is that employees will be better satisfied because of freedom in determining their own schedule and that they will therefore be more productive. Some studies have indicated the validity of this assumption. Also, the staggering of hours eases traffic congestion in going to and from work. Hawaii has recently adopted flexible work scheduling for its approximately 17,000 employees.

Kentucky and Louisiana have experimented with "flexitime" in their central personnel departments. Kentucky has since offered this scheduling policy on an optional basis in departments whose work would permit it. Nevada, Oregon, and South Carolina, likewise, have offered "flexitime" as an optional scheduling policy, and Colorado's governor has urged department heads to accept it. Georgia, Nebraska, and North Carolina now have this scheduling policy in effect in certain departments or locations. The Illinois personnel code was amended so that up to 10 percent of the positions in any department or agency could be scheduled on flexible hours.

Vermont has extended its official workweek from 37.5 to 40 hours. Three states, Minnesota, New York, and Wisconsin now utilize the four-forty plan in a number of their departments. This plan provides a schedule of four 10-hour days each week. The advantage is supposed to be greater employee satisfaction and therefore greater application to work in return for three days off each week. Kentucky's Department of Personnel experimented with this four-day work schedule during the summer of 1976. Experience gained from that

*(Continued on page 174.)*



# STATE PERSONNEL AGENCIES

## Coverage, Organization and Selected Policies

### As of late 1977

State or other jurisdiction	Coverage(a)	Number of employees covered	Board members			Workweek for office workers		No. paid vacation days
			No.	How apptd.	Term (years)	Days	Hrs.	
<b>Alabama</b>								
State Personnel Department .....	General	24,301	3	G(b)	6	5	40	13(c)
<b>Alaska</b>								
State Division of Personnel and Labor Relations .....	General	9,290	3	G(b)	6	5	37.5	15(c)
<b>Arizona</b>								
State Personnel Division .....	General	17,000	5	G(b)	5	5	40	12(c)
Merit System Council .....	Highway Patrol	850	3	G	6	5	40	15(c)
<b>Arkansas</b>								
Merit System Council .....	Grant-in-aid	4,664	3	G(b)	3	5	40	12(c)
Office of Personnel Management .....	General	15,000	...	...	...	5	40	12(c)
<b>California</b>								
State Personnel Board .....	General	135,465	5	G(b)	10	5	40	10(c)
<b>Colorado</b>								
State Department of Personnel .....	General	30,000	5	(d)	5	5	40	12(c)
Merit System Council .....	County public welfare	2,600	3	G	3	5	40	15(c)
<b>Connecticut</b>								
State Personnel Department .....	General	36,500	6	G	6	5	35	10(m)
<b>Delaware</b>								
Office of Personnel .....	General	9,800	5	G	3	5	37.5	15(c)
<b>Florida</b>								
Career Service System .....	General	85,000	7	G(b)	4	5	40	13(c)
<b>Georgia</b>								
State Merit System .....	General	45,124	5	G(b)	7	5	40	15(c)
<b>Hawaii</b>								
Dept. of Personnel Services .....	General	16,948	7	G(b)	4	5	40	21
<b>Idaho</b>								
Personnel Commission .....	General	8,900	5	G(b)	6	5	40	12(c)
<b>Illinois</b>								
Department of Personnel .....	General	64,000	...	...	...	5	37.5	10(c)
Civil Service Commission(e) .....	General	...	3	G(b)	6	...	...	...
State Police Merit Board(e) .....	State Police	1,600	3	G(b)	6	5	40	10(c)
Univ. Civil Service System .....	Nonacademic	22,151	6	A	(f)	5	40	12(c)
<b>Indiana</b>								
State Personnel Division .....	General	19,558	4	G	4	5	40	12(c)
<b>Iowa</b>								
Merit Employment Department .....	General	22,000	5	G(b)	6	5	40	10(c)
University System .....	Nonacademic	8,500	10	G(b)	4	5	40	10(c)
<b>Kansas</b>								
Personnel Division .....	General	25,000	5	G(b)	4	5	40	12(c)
<b>Kentucky</b>								
Department of Personnel .....	General	33,233	5	G	4	5	37.5	12(c)
Merit System Council .....	Local health	1,550	5	A	3	5	37.5	12(c)
<b>Louisiana</b>								
Department of Civil Service .....	General	58,035	7	G	6	5	40	12(c)
<b>Maine</b>								
Department of Personnel .....	General	12,765	5	G(b)	4	5	40	12(c)
<b>Maryland</b>								
Department of Personnel .....	General	52,482	1	G(b)	(r)	5	35.5	10(c)
<b>Massachusetts</b>								
Division of Personnel Administration .....	General	73,557	5	G	5	5	37.5	10(c)
<b>Michigan</b>								
Department of Civil Service .....	General	59,912	4	G	8	5	40	15(c)
<b>Minnesota</b>								
Personnel Department .....	General	31,890	7	G(b)	3	5	40	13(c)
Merit System .....	Local health, welfare, civil defense	2,635	3	G(b)	3	5	35-40	12
<b>Mississippi</b>								
Classification Commission .....	General	13,225	8	(o)	4	5	40	6(c)
Merit Council .....	Grant-in-aid	12,795	7	A	5	4	40	6(c)
<b>Missouri</b>								
Personnel Division .....	Grant-in-aid(h)	27,166	3	G(b)	6	5	40	15(c)

†—★ indicates that the state has group insurance but the employee pays the premium. In other cases, the premium percentage or dollar amount paid by the state is indicated.

Abbreviations: G—Governor, A—Agencies, GC—Governor and Cabinet.

(a) The pattern of personnel agency coverage varies widely from state to state. Where coverage is shown as "General," most employees in state agencies are covered by the program. Seldom, however, is coverage

complete. "Grant-in-aid" indicates that the program covers employees engaged in activities aided by the grant-in-aid programs administered by the U.S. Department of Health, Education, and Welfare. "Local" indicates that the program covers only local government employees administering grant-in-aid programs. Other entries indicate that the program covers the activities designated, e.g., state police, public welfare, health, employment security.

**STATE PERSONNEL AGENCIES**  
**Coverage, Organization and Selected Policies**  
**As of late 1977**

Sick leave (working days)		Paid holid- days	Group insurance (including premium percentage or dollar amounts paid by states)			Statewide employee organizations		State or other jurisdiction
After 1 yr.	Cumu- lative		Hos- pitali- zation†	Medical or surgical†	Life†	Non- affili- ated with AFL- CIO	Affili- ated with AFL- CIO	
13	150	13	100	...	...	*	...	<b>Alabama</b> State Personnel Department
15	no limit	11	100	...	*	*	...	<b>Alaska</b> State Division of Personnel and Labor Relations
12	no limit	10	\$32/mo.	100	...	*	...	<b>Arizona</b> State Personnel Division
15	no limit	11	* \$15/mo.	100	...	*	...	Merit System Council
12	90	11	\$19/mo.	...	...	...	...	<b>Arkansas</b> Merit System Council
12	90	11	\$19/mo.	...	...	...	...	Office of Personnel Management
12	no limit	10	\$32/mo.	...	*	*	...	<b>California</b> State Personnel Board
15	no limit	11.5	\$19.12/mo.	\$88/mo.	...	...	...	<b>Colorado</b> State Department of Personnel
15	no limit	11	\$19.12/mo.	...	...	*	...	Merit System Council
15	no limit	12	(n)	72	...	*	*	<b>Connecticut</b> State Personnel Department
15	no limit	12	\$11.46/mo.	...	*	...	...	<b>Delaware</b> Office of Personnel
13	no limit	8	\$16.86/mo.	...	*	*	*	<b>Florida</b> Career Service System
15	90	12	3	*	.5	...	...	<b>Georgia</b> State Merit System
21	no limit	13.5	48-50	100	...	*	*	<b>Hawaii</b> Dept. of Personnel Services
12	no limit	9	\$42.68/mo.	100	...	*	...	<b>Idaho</b> Personnel Commission
12	no limit	13	100	varies	100	*	*	<b>Illinois</b> { Department of Personnel Civil Service Commission(e) State Police Merit Board(e) Univ. Civil Service System
12	no limit	9	100	...	...	*	...	
12	no limit	9	100	...	...	...	...	
12	no limit	13	96	...	...	*	...	<b>Indiana</b> State Personnel Division
18	90	10	100	100(p)	...	*	*	<b>Iowa</b> Merit Employment Department
30	90	10	* 33	...	...	*	...	University System
12	no limit	9	100	...	...	*	...	<b>Kansas</b> Personnel Division
12(c)	no limit	10.5	\$21.55/mo.	100	...	...	...	<b>Kentucky</b> Department of Personnel
12(c)	120	10.5	\$13.85/mo.(g)	100	...	...	...	Merit System Council
12	no limit	8+	50	...	...	*	*	<b>Louisiana</b> Department of Civil Service
12	90	10	100	...	*	*	*	<b>Maine</b> Department of Personnel
15	no limit	14	80	...	...	*	*	<b>Maryland</b> Department of Personnel
15	no limit	13	85	...	...	*	*	<b>Massachusetts</b> Division of Personnel Administration
13	no limit	8+	90	75	...	*	*	<b>Michigan</b> Department of Civil Service
13	122.5	9	100	...	...	*	*	<b>Minnesota</b> Personnel Department
12	100	9	100	...	...	*	*	Merit System
15	120	10	100	50	...	*	...	<b>Mississippi</b> Classification Commission
15	120	10	100	50	...	*	...	Merit Council
15	no limit	11	\$12/mo.	...	...	*	*	<b>Missouri</b> Personnel Division

(b) With confirmation of legislature.

(c) Additional days after a specified number of years.

(d) Governor appoints 3 members with legislative confirmation; employees elect 2.

(e) Data shown from prior years.

(f) No fixed term.

(g) Payment of employer's portion optional for local health departments.

(h) Plus additional coverage.

(i) Governor, Board of Higher Education, and elected officials each appoint 1; employees elect 2.

(j) 75% for employees, 50% for dependents.

(k) State pays 70% first year, 100% thereafter.

(l) Covers only non-Trust Territory citizen employees; high and low options.

(m) Those hired after July 1977 get additional days after a specified number of years. Those hired before July 1977 get 15 days.

(n) 100% for employees; 50% for dependents.

(o) Governor appoints 4, legislature appoints 4.

(p) For a \$10,000 policy. Employee may purchase an additional \$10,000.

(q) Approximately 25% of all employees have a 40 hour-work schedule.

(r) Serves at pleasure of governor.

(s) Single coverage. Family coverage is \$53.27/mo. This information applies to most popular of the several plans that are available.

(t) Includes employees working for local governments. Number of employees in state service only is 56,695.

(u) Three elected, constitutional; 2 legislative appointees.

**STATE PERSONNEL AGENCIES—Concluded**  
**Coverage, Organization and Selected Policies**  
**As of late 1977**

State or other jurisdiction	Coverage(a)	Number of employees covered	Board members			Workweek for office workers		No. paid vacation days
			No.	How apptd.	Term (years)	Days	Hrs.	
<b>Montana</b>								
Joint Merit System .....	Grant-in-aid	2,100	3	G	6	5	40	15(c)
State Personnel Division .....	General	14,000	...	...	...	5	40	15(c)
<b>Nebraska</b>								
Joint Merit System .....	Grant-in-aid(h)	3,000	3	A	3	5	40	12(c)
State Personnel Department .....	General	12,000	5	G	5	5	40	12(c)
<b>Nevada</b>								
Personnel Division(e) .....	General	9,000	5	G	4	5	40	15(c)
<b>New Hampshire</b>								
Department of Personnel .....	General	8,640	3	GC	3	3	37.5	15
<b>New Jersey</b>								
Department of Civil Service .....	General	190,123(t)	5	G(b)	5	5	35	12(c)
<b>New Mexico</b>								
State Personnel Office .....	General	13,000	5	G	5	5	40	15
<b>New York</b>								
Department of Civil Service .....	General	176,000	3	G(b)	6	5	37.5	13(c)
<b>North Carolina</b>								
Office of State Personnel .....	General	65,000	7	G(b)	6	5	40	10(c)
<b>North Dakota</b>								
Central Personnel Division .....	General	9,000	5	(i)	6	5	40	12(c)
<b>Ohio</b>								
Division of State Personnel .....	General	82,000	3	G(b)	6	5	40	10(c)
<b>Oklahoma</b>								
State Personnel Board .....	General	25,000	7	G	7	5	40	15(c)
<b>Oregon</b>								
Personnel Division .....	General	35,595	...	...	...	5	40	12(c)
Public Employment Relations Bd. ....	...	...	3	G	3	...	...	...
<b>Pennsylvania</b>								
Civil Service System .....	Grant-in-aid	77,242	3	G(b)	6	5	37.5(q)	10(c)
Governor's Office, Bureau of Personnel ...	General	118,850	...	...	...	5	37.5(q)	10(c)
<b>Rhode Island</b>								
Division of Personnel .....	General	17,000	...	...	...	5	35	15(c)
<b>South Carolina</b>								
Personnel Division .....	General	57,299	5	(u)	4	5	37.5	15(c)
<b>South Dakota</b>								
Bureau of Personnel .....	General	8,000	5	G(b)	5	5	40	15(c)
<b>Tennessee</b>								
Department of Personnel .....	General	33,000	3	G	6	5	40	12(c)
<b>Texas</b>								
Merit System Council .....	Grant-in-aid	26,000	3	A	6	5	40	10.5(c)
<b>Utah</b>								
Personnel Office .....	General	12,000	5	G	4	5	40	12(c)
<b>Vermont</b>								
Personnel Department .....	General	6,257	3	G(b)	6	5	40	12(c)
<b>Virginia</b>								
Merit System Council .....	Grant-in-aid	7,200	3	A	6	5	40	12(c)
Division of Personnel .....	General	65,300	...	...	...	5	40	12(c)
<b>Washington</b>								
Department of Personnel .....	General	32,500	3	G(b)	6	5	40	12(c)
<b>West Virginia</b>								
Civil Service System .....	Grant-in-aid(h)	15,000	3	G(b)	6	5	varies	15(c)
<b>Wisconsin</b>								
Division of Employee Relations .....	General	34,213	5	G(b)	5	5	40	10(c)
<b>Wyoming</b>								
Personnel Division .....	General	5,000	...	...	...	5	40	12(c)
Career Service .....	Grant-in-aid	1,191	3	G	3	5	40	12(c)
<b>Dist. of Col.</b>								
Personnel Office .....	General	38,615	...	...	...	5	40	13(c)
<b>Guam</b>								
Department of Administration .....	General	3,397	7	G(b)	3	5	40	13(c)
<b>Puerto Rico</b>								
Central Office for Personnel Administration	General	144,769	3	G(b)	8	5	37.5	30
<b>TTPI</b>								
Department of Personnel .....	General	7,232	5	G(b)	3	5	40	13(c)
<b>Virgin Islands</b>								
Personnel Office .....	General	7,659	5	G	3	5	40	15(c)



# STATE EMPLOYEE LABOR RELATIONS LEGISLATION\*

Excluding school employees, firefighters and police

State or other jurisdiction	Legis- lation enacted	Cover- age (a)	Administrative body	Bar- gaining rights con- ferred	Impasse resolution provisions (mandatory or permissive)			Scope of bar- gaining (b)	Strike policy
					Medi- ation	Fact- finding	Arbi- tration		
Alabama .....	★	★	State Personnel Board	★	★	...	★	★	Prohibited (c)
Alaska .....	★	★	State Personnel Board	★	★	...	★	★	Prohibition varies by class of employee
Arizona .....	...	...	...	...	...	...	...	...	...
Arkansas .....	...	...	...	(d)	...	...	...	...	Prohibited (e)
California .....	★†	★	Public Employment Relations Board	★	★	...	...	★	Prohibited (f)
Colorado .....	...	...	...	...	...	...	...	...	...
Connecticut .....	★	★	State Board of Labor Relations	★	★	★	...	★	Prohibited
Delaware .....	★	★	State Department of Labor	★	★	...	★(g)	★	Prohibited
Florida .....	★	★	Public Employees Relations Commission	★	★	★	(h)	★	Prohibited; penalties
Georgia .....	...	...	...	...	...	...	...	...	Prohibited (f); penalties
Hawaii .....	★	★	Public Employment Relations Board	★	★	★	★	★(i)	Limited right to strike for all employees; unlawful public health and safety endangered; enjoinder.
Idaho .....	...	...	...	...	...	...	...	...	...
Illinois .....	...	★(j)	Office of Collective Bargaining	★(j)	(k)	...	...	★(i)	Prohibited
Indiana .....	...	...	...	...	...	...	...	...	Prohibited
Iowa .....	★	★	Public Employment Relations Board	★	★	★	★	★	Prohibited; enjoinder; penalties
Kansas .....	★	★	Public Employees Relations Board	★	★	★	★	★	Prohibited
Kentucky .....	...	...	...	...	...	...	...	...	Prohibited (l); penalties
Louisiana .....	...	...	...	...	...	...	...	...	...
Maine .....	★	★	Maine Labor Relations Board	★	★	★	★(m)	★	Prohibited; enjoinder
Maryland .....	...	...	...	...	...	...	...	...	...
Massachusetts .....	★	★	Labor Relations Commission	★	★	★	★	★	Prohibited; employee subject to discipline and discharge
Michigan .....	★	★(n)	Employment Relations Commission	(n)	★	★	...	★	Prohibited
Minnesota .....	★	★	Public Employment Relations Board	★	★	...	★	★(o)	Prohibited except limited right for nonessential employees or where employer refuses to comply with arbitration
Mississippi .....	...	...	...	...	...	...	...	...	...
Missouri .....	★†	★	State Board of Mediation	★	...	...	...	★	Prohibited

Montana	★	*(p)	Board of Personnel Appeals	★	★	★	★	★	Permitted for all employees after exhaustion of mediation; enjoinable if public health, safety, or welfare is threatened
Nebraska	★	★	Court of Industrial Relations	★	★	★	...	★	Prohibited; penalties
Nevada	...	...	...	...	...	...	...	...	Prohibited; enjoinable; penalties
New Hampshire	★	★	Public Employee Labor Relations Board	★	★	★	...	★	Prohibited; enjoinable
New Jersey	★	★	Public Employment Relations Commission	★	★	...	★	★	Prohibited (e)
New Mexico	...	*(q)	State Personnel Board	(q)	...	...	...	...	Prohibited (q)
New York	★	★	Public Employment Relations Board	★	★	★	(h)	★(o)	Prohibited; penalties
North Carolina	...	...	...	...	...	...	...	...	...
North Dakota	...	★	...	★(c)	...	...	...	...	Prohibited (e)
Ohio	...	...	...	...	...	...	...	...	Prohibited (f); penalties
Oklahoma	...	...	...	...	...	...	...	...	Prohibited (c)
Oregon	★	★	Employment Relations Board	★	★	★	★	★	Permitted for some employees after exhaustion of fact-finding; enjoinable if public health, safety, or welfare is threatened
Pennsylvania	★	★	Governor's Office, Bureau of Labor Relations	★	★	★	★	★	Limited right after impasse procedures exhausted unless public health, safety, or welfare threatened
Rhode Island	★	...	State Labor Relations Board	★	★	★	★	★	Prohibited
South Carolina	...	...	...	...	...	...	...	...	Prohibited (c)
South Dakota	★	★	Department of Labor	★	★	★	...	★	Prohibited; enjoinable; penalties
Tennessee	...	...	...	...	...	...	...	...	Prohibited (e)
Texas	...	...	...	...	...	...	...	...	Prohibited (f)
Utah	...	...	...	...	...	...	...	...	Prohibited (c); terminates employment
Vermont	★	★	State Labor Relations Board	★	★	★	...	★	Prohibited
Virginia	...	...	...	...	...	...	...	...	Prohibited; terminates employment
Washington	...	★(j)	Public Employment Relations Commission	★(j)	...	...	...	(r)	Prohibited (s)
West Virginia	...	...	...	...	...	...	...	...	Prohibited (e)
Wisconsin	★	★	Employment Relations Commission	★	★	★	★	★	Prohibited; enjoinable; penalties
Wyoming	...	...	...	...	...	...	...	...	...
Dist. of Col.	★	★	Board of Labor Relations	★	...	★	★	★	Prohibited

\*Sources: *Public Personnel Administration: Labor-Management Relations*, vols. 1 and 2 (Englewood Cliffs, N.J.: Prentice-Hall, Inc., loose-leaf updated biweekly) in addition to Council of State Governments' survey.

†—Meet and confer law.

(a) In this column only: ★—All state employees; normal exemptions usually include elected and appointed officials, agency heads, and designated managerial or confidential employees. \*—Limited state employee coverage.

(b) Wages, hours, and terms and conditions of employment.

(c) Opinion of attorney general.

(d) Public employees may join unions and bargain collectively (attorney general's opinion); however, employers not required to bargain (state supreme court decision).

(e) State supreme court decision.

(f) By case law.

(g) Except for issues of wages and salaries.

(h) Legislature may make final determination if issue remains unresolved.

(i) Health insurance and retirement benefits are excluded from negotiations. For Hawaii, classification is also excluded.

(j) Executive order.

(k) Impasse provisions are provided by the rules and regulations of the director of personnel.

(l) Memorandum, Department of Personnel.

(m) Binding on all issues except salaries, pensions, and insurance.

(n) The Michigan Department of Civil Service has issued regulations requiring meet and confer for state classified service employees.

(o) Except retirement benefits.

(p) Except nurses.

(q) The State Personnel Board has issued regulations for the conduct of employee-management relations with classified state employees. Management determines the degree of collective bargaining or consultation, if any.

(r) Personnel matters over which employer may lawfully exercise discretion.

(s) Rules and regulations of State Personnel Board.

(Continued from page 167.)

experiment made it possible for the entire state government to go on a four-day schedule during the fuel shortage in February 1977.

Employees covered by the collective bargaining statute of Massachusetts, formerly required to work 48 hours per week, have negotiated a new 40-hour week.

### Future Concerns

Key problems to be addressed in the coming years include realistic validation of selection instruments; balancing of affirmative action goals with the rights of the majority; accommodating merit system objectives and procedures with those of collective bargaining; pay plans and benefit systems that meet employee needs and at the same time can cope with inflation and the rising costs of state government; and means of attracting, developing, and keeping supervisors, managers, and administrators who can manage the ever-increasing size, scope, cost, and complexity of state government.

### Footnotes

1. Richard J. Carlson and Thomas Sedwick, "Collective Bargaining in the Public Sector: A Focus on State Government," *State Government*, vol. 50, no. 3, 1977.
2. Prentice-Hall, *Report Bulletins*, vol. 6, no. 1 and 2 (Englewood Cliffs, N.J.: July 5, 1977, and July 19, 1977).
3. Ibid.
4. *New Jersey Public Sector Employee-Employer Study Commission Report* (Trenton, N.J.: 1976).
5. Harold Suskin, ed., *Job Evaluation and Pay Administration in the Public Sector* (Chicago, Ill.: International Personnel Management Association, 1977).
6. James E. Jarrett, *Assessing Management Potential in State Government* (Lexington, Ky.: The Council of State Governments, 1978).
7. George R. Ariyoshi, "HIMAG: Hawaii's Answer to Management Development," *State Government*, vol. 50, no. 3, 1977.

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## FINANCES OF STATE-ADMINISTERED PUBLIC EMPLOYEE RETIREMENT SYSTEMS\*

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THE 1972 CENSUS count of public employee retirement systems administered by state and local governments indicated that 176 of a total of 2,304 were administered by state governments.<sup>1</sup> The membership of state-administered employee retirement systems totaled 9 million in 1975-76. This figure represents about 74 percent of the 12.2 million state and local government full- and part-time employees, and nearly equals the 9.5 million full-time employment level of state and local governments. Not all members of state-administered retirement systems need be full-time employees, as part-time employees may be eligible for membership, and former employees may be eligible to retain membership upon separation from government service.

Additional indication of the relative importance of state-administered systems is given by data on assets (cash and security holdings). In 1975-76, \$86 billion of the \$111.5 billion in total assets of state- and locally-administered retirement systems was accounted for by state-administered systems.

### Coverage

Table 1 depicts the number, membership, and benefit data for state-administered employee retirement systems, by coverage class, for 1975-76. Coverage of state-administered systems can include local employees and various combinations of state and local employees, as well as state employees only. All states except Nebraska have a general, state-administered system which provides coverage for state employees, either uniquely or in some combination with local employees. Nebraska has a privately administered pension plan for its state employees, which is not included here in the count of government-operated retirement systems.

General coverage systems had about 61 percent of the membership of all state-administered systems in 1975-76. The most common general coverage class is comprised of state employees and local nonschool employees combined, whose membership totals 2.3 million.

Retirement systems restricted only to teachers total 1.9 million members. Teachers are covered by a state-administered retirement system in all 50 states under either limited coverage systems specifically for teachers or school employees (of which 33 exist in 31 states), or general coverage systems. Other types of special coverage systems exist for peace officers, firefighters, combined peace officers and firefighters, judicial employees, and state legislators. Other general coverage systems administered by state governments exist which may cover all local employees in general, municipal or county employees, and school employees.

Many public employee retirement systems have made available to their members

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\*By Maurice Criz and David Kellerman, Senior Advisor and Statistician, respectively, Governments Division, U.S. Bureau of the Census. Data is from the Bureau of the Census report *Finances of Employee Retirement Systems of State and Local Governments in 1975-76*, and reports from prior years.



additional coverage under the Federal Old Age, Survivors, Disability and Health Insurance (OASDHI) program. While information on the extension of coverage to include OASDHI was not available for all retirement systems, at least 4.5 million members, almost one half of the total membership of all state-administered systems, were covered under this federal program in 1975-76. For some systems, OASDHI coverage is applicable to all members, while for other systems this coverage applies to only some members, and many systems do not participate in the federal program at all.

The general trend in extension of coverage to include the OASDHI program has been rather mixed. According to data from the census of governments for 1957, 1962, 1967, and 1972, the percentage of state-administered systems in which all members were covered by OASDHI rose considerably between 1957 and 1962, but has dropped slightly since then. The actual membership of these systems has generally increased since 1957, with exception for the 1967 census. Membership in systems which offer no coverage under OASDHI, as a percentage of membership in all state-administered systems, has increased steadily since 1962, but with the 37.3 percent for 1972 still below the 42.9 percent of 1957. Percentages are shown below.

Type of system	Percentage of systems				Percentage of membership			
	1972	1967	1962	1957	1972	1967	1962	1957
All systems	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
All members also covered by OASDHI	39.8	40.4	41.8	27.9	40.7	28.8	33.5	27.3
Some members covered by OASDHI	14.2	20.2	24.1	21.1	22.1	40.7	46.9	29.9
No members covered by OASDHI	46.0	39.3	34.1	51.0	37.3	30.5	19.6	42.9

### Benefit Operations

Table 2 provides summary data, on a state-by-state basis, for membership and benefit operations of state-administered retirement systems. Of the 1,508,107 beneficiaries in the last month of fiscal 1975-76, about 82 percent (1,231,050) were persons retired on account of age or length of service. An additional 78,836 were persons retired on account of disability, with 93,079 beneficiaries being survivors of deceased former members. (For 105,142 beneficiaries, no breakdown of data by type of recipient was available.)

Average monthly payments to beneficiaries vary considerably among the different coverage classes (see Table 1). Reasons for the existence of such variation include the difference in salary levels among occupation groups, length of service requirements, regional economic conditions, and the degree of organization and influence of employee groups. The average monthly benefit payment for all systems was \$282 during the last month of fiscal 1975-76. The monthly payment for the different coverage classes ranged from \$142 for two limited coverage systems for nonteaching local employees to \$1,118 for 22 limited coverage systems for judicial employees. The limited coverage systems generally provide larger average benefit payments than the general coverage systems, although there are exceptions.

One-time or lump-sum benefit payments to survivors of deceased former members totaled an additional \$10.3 million during the last month of fiscal 1975-76. Yearly totals of these lump-sum payments are included in the total benefit and withdrawal figures shown in Tables 3 and 4.

### Assets

During the 1960s and into the 1970s, there was a significant shift in the composition of cash and security holdings of state-administered employee retirement systems. The change

consisted of an increase in the holdings of nongovernmental securities, at the expense of holdings of governmental securities.

In fiscal 1962, investments in nongovernmental securities were 61.3 percent of all assets, governmental securities were 37.8 percent, while cash and deposits were about 1 percent. By 1971-72, nongovernmental securities were 93.5 percent, and governmental securities were 5.7 percent of total assets. For 1975-76, nongovernmental securities were still high, at 89.3 percent of total assets, and governmental securities were 9.8 percent. (See Tables 3 and 4.)

The slight drop in the relative amount of nongovernmental securities between 1971-72 and 1975-76 is partly the result of a definitional change. Federal agency securities, consisting of obligations of such agencies as the Export-Import Bank, the Postal Service, the TVA, and the Government National Mortgage Association, had been classified as nongovernmental in nature prior to fiscal 1974-75. Since then, they have been classified as a separate category of federal government securities.

Corporate bonds have been the primary nongovernmental security investment, and accounted for over one half of all state-administered retirement system assets in 1975-76. Corporate stocks have become the second most important source of investment; they accounted for 3.3 percent of all assets in 1962, 18.0 percent in 1971-72, and 22.1 percent in 1975-76.

The next few years may well see increased investment in governmental securities. Such investment grew by 65.7 percent between 1974-75 and 1975-76, compared to an increase in nongovernmental securities of 11.6 percent over the same period. In large part, this reflects recent short-term investment in municipals on the part of New York's state-administered retirement systems. Investment in federal government securities, however, has also gained strength, indicating that the investment pattern may be long term.

### Finances

Tables 3 and 4 present financial data for state-administered public employee retirement systems. Between 1971-72 and 1975-76, benefits and withdrawals of these systems have increased at an average annual rate of 17.4 percent, while receipts have increased by 15.3 percent annually. Benefit payments alone have increased at an average annual rate of 18.6 percent over this same period.

The ratio of benefit payments to total receipts of state-administered systems has increased during the past 20 years from 23.7 to 32.5 percent, as follows: 1957, 23.7 percent; 1962, 25.9 percent; 1966-67, 27.5 percent; 1971-72, 29 percent; and 1975-76, 32.5 percent.

This trend of increasing benefits in relation to income of state retirement systems, in part, seems to be the result of the total number of beneficiaries increasing at a greater rate than system membership. Beneficiaries as a percentage of total membership in state-administered systems over the 1957 to 1976 period grew as follows: 1957, 9.3 percent; 1962, 10.5 percent; 1966-67, 11.7 percent; 1971-72, 13.9 percent, and 1975-76, 16.8 percent.

Such an increase in the ratio of beneficiaries to total membership is likely to continue, as membership in systems is limited by state and local government employment levels, which have experienced a considerable slowing in the growth rate. Full-time equivalent employment of state and local governments grew by 1.1 percent from 1975 to 1976, in contrast to annual growth rates of 2.5 percent in 1975, 3.2 percent in 1974, 3.7 percent in 1973, and 4.2 percent in 1972.<sup>2</sup> Membership in both state- and locally-administered retirement systems has now approached 100 percent of total state and local government full-time employment.

An increasing ratio of benefit payments to receipts, or of beneficiaries to membership, is not a harbinger of financial disaster, however. Many factors can contribute to these trends, such as the age of particular retirement systems. Newly created systems have fewer beneficiaries, with older systems having larger ratios of beneficiaries to members. Other factors include trends toward more liberal benefits, increasing salary levels, and cost-of-living adjustments. These increased payments to beneficiaries are sometimes funded by increased employer contributions, while rising salary levels of state and local government employees provide increased revenue from employee contributions. The potential gap between revenue and expenditure, and financing of future liabilities, is too complex an issue to analyze in this chapter.

Receipts of state-administered retirement systems are undergoing a change in composition. Employee contributions have diminished as a proportion of the total, while government contributions have risen slightly, and earnings on investments have risen rather sharply, as depicted below.

PERCENTAGE DISTRIBUTIONS OF TOTAL RECEIPTS, SELECTED YEARS 1962-76

<i>Item</i>	<i>1975-76</i>	<i>1974-75</i>	<i>1973-74</i>	<i>1972-73</i>	<i>1971-72</i>	<i>1966-67</i>	<i>1962</i>
Employee contributions	23.5	25.0	27.2	29.9	28.4	32.1	35.0
Government contributions	46.5	46.4	44.9	42.3	43.3	44.1	44.3
Investment earnings	30.0	28.6	28.0	27.8	28.2	23.8	20.7

Employee contributions accounted for 23.5 percent of total receipts in 1975-76, compared to 35 percent in 1962. Government contributions went from 44.3 percent in 1962 to 43.3 percent in 1971-72, but increased to 46.5 percent in 1975-76. The most dramatic increase was registered by earnings on investments, which accounted for 20.7 percent of total receipts in 1962, but 30 percent in 1975-76. Between 1974-75 and 1975-76, earnings on investments rose by 21.2 percent (\$861 million).

The declining percentage of employee contributions is partly the result of a slowing in membership growth, and of a conversion by some large retirement systems from contributory to noncontributory financing. That is, the employer is responsible for all basic contributions, with employees contributing only to supplement their basic benefits. Two state-administered systems in Michigan became noncontributory in July 1974, and two large state-administered systems in New York State became noncontributory in the late 1960s. These four systems had receipts that totaled \$2.1 billion, or 12.8 percent of total receipts for all state-administered systems in 1975-76.

Given the respective rates of growth, it appears that increased benefit payments and necessary additions to the assets of state-administered systems will be funded more and more by government contributions and investment earnings, as opposed to employee contributions. The latter are limited by the factors cited above, and increased only 8.5 percent between 1974-75 and 1975-76. The recent trend of increased reliance on investment earnings as employee contributions have declined may pose a future problem. If economic conditions are such that investment earnings fall off, governments may find themselves forced to increase their contributions to a point where they exceed 50 percent of total revenue.

To this extent, the financial future of many retirement systems is entwined in the financial future of state and local governments in general. Inasmuch as increased government contributions are generally derived by extracting more funds from the public in the form of increased taxes, the issue has become of great concern.

## Data Presentation

Data presented in Tables 1 through 4 reflects national and statewide totals only, with no individual state-administered systems shown.<sup>3</sup> In some cases, as indicated in the tables, data for certain systems was not available. For other systems, data was available in total, but with no breakdown into detailed categories. Because of these omissions, a certain degree of caution should be used in interpreting the data presented herein, especially when using data which reflects a high degree of detail.

For individual states (Tables 2 and 3), data includes diverse coverage of groups of employees that range between one and nine state-administered systems. Generalized comparisons between the states are especially difficult to make, as employee coverage, the existence or absence of locally administered employee retirement systems, and extensive variations in the size of the governments themselves all contribute to differences in the size and nature of state-administered employee retirement systems.

## Footnotes

1. Only those retirement systems which are sponsored by a recognized unit of government and whose membership is comprised primarily of public employees compensated with public funds are covered by the Census Bureau count. There must be an identifiable employee retirement fund financed in whole or in part with public contributions. Direct payment to retired or disabled individuals by appropriation of general funds does not constitute a retirement system, and is excluded from this report. Payment to a private trustee or insurance carrier which administers the investments and benefit payments is also excluded as not being a government-administered retirement system.

2. Bureau of the Census, *Public Employment in 1976*, and prior year reports.

3. Data on major individual state systems (at least 500 members) can be found in the Bureau of the Census' annual report, *Finances of Employee-Retirement Systems of State and Local Governments*.

Table 1  
NUMBER, MEMBERSHIP, AND BENEFITS OF STATE-ADMINISTERED  
EMPLOYEE RETIREMENT SYSTEMS, BY SYSTEM CHARACTERISTICS: 1975-76\*

Item	Number of systems	Membership last month of fiscal year		Recurrent benefit operations, last month of fiscal year			Lump-sum survivors benefit payments during the month (1,000)
		Number	Covered by OASDHI (a)	Number of beneficiaries	Amount (in thousands) (a)	Average per beneficiary (a)	
All systems.....	175	8,994,897	4,458,482	1,508,107	\$425,727	\$282	\$10,307
General coverage.....	60	5,509,974	2,991,512	887,405	206,743	233	5,182
State employees only.....	12	805,429	386,396	145,912	37,866	260	1,839
State employees and all local employees.....	13	1,594,746	1,106,515	221,568	51,298	232	696
State employees and local nonschool employees.....	18	2,299,307	899,279	397,156	92,883	234	1,947
State employees and local school employees.....	5	454,084	340,333	66,577	15,264	229	305
State employees and teachers.....	1	30,456	N.A.	6,098	2,303	378	84
Local employees other than teachers.....	11	325,952	258,989	50,094	7,129	142	311
Limited coverage.....	115	3,484,923	1,466,970	620,702	218,983	353	5,125
Teachers only.....	23	1,906,002	812,189	349,797	139,478	399	2,683
All school employees.....	10	1,141,393	625,573	198,554	59,882	302	2,155
School employees, nonteaching.....	2	177,838	.....	23,909	3,527	148	15
Peace officers.....	26	45,544	12,443	8,197	2,862	349	60
Firefighters.....	7	30,904	.....	3,459	344	189	.....
Peace officers and firefighters.....	6	60,945	2,104	22,439	6,774	302	70
Judicial employees.....	22	3,859	1,147	1,612	1,802	1,118	22
State legislators.....	7	1,320	518	614	264	438	1
Other.....	12	117,118	12,996	12,121	4,049	334	120

\*Source: Compiled from unpublished data received in the Bureau of the Census' annual survey on finances of public employee retirement systems.

N.A.—Not available.

..... Represents zero or rounds to zero.

(a) Data not available for all systems.

Table 2  
MEMBERSHIP AND BENEFIT OPERATIONS OF  
STATE-ADMINISTERED EMPLOYEE RETIREMENT SYSTEMS,  
LAST MONTH OF FISCAL 1975-76\*

Benefit operations, last month of the fiscal year											
State	Membership, last month of the fiscal year	Members covered by OASDHI	Beneficiaries receiving periodic benefit payments				Periodic benefit payments for the month (dollars)				Lump-sum survivors benefit payments during the month (dollars)
			Total (a)	Persons retired on account of age or length of service	Persons retired on account of disability	Survivors of deceased former members (number of payees)	Total (a)	To persons retired on account of age or length of service	To persons retired on account of disability	To survivors of deceased former members	
All states	8,994,897	4,458,482	1,508,107	1,231,050	78,836	93,079	\$425,726,809	\$313,216,343	\$18,317,881	\$16,074,172	\$10,307,252
Alabama	107,667	107,667	16,359	11,763	1,443	3,153	N.A.	N.A.	N.A.	N.A.	N.A.
Alaska	29,946	14,330	1,819	1,660	87	72	932,971	838,846	63,303	30,822	29,048
Arizona	105,002	92,415	10,068	9,564	330	174	1,471,322	1,370,937	60,462	39,923	91,919
Arkansas	89,673	67,792	11,975	10,381	1,160	434	2,514,707	2,256,775	189,721	68,211	1,061
California	943,041	651,079	170,533	147,646	17,267	5,620	61,903,119	54,730,568	5,262,005	1,910,546	1,393,736
Colorado	87,988	.....	13,528	12,828	N.A.	700	3,303,153	3,161,471	N.A.	141,682	.....
Connecticut (b)	110,366	34,434	20,505	17,559	1,897	1,049	8,977,739(a)	8,104,062	652,468	207,366	38,519
Delaware	24,976	24,500	4,446	3,688	200	558	1,415,976	1,234,148	74,481	107,347	.....
Florida	340,928	318,000	36,938	31,255	2,557	3,126	9,921,888	8,772,583	516,973	632,332	.....
Georgia	182,799	122,533	20,681	16,562	1,650	2,469	6,648,510	5,681,917	531,532	435,061	110,157
Hawaii	46,453	40,008	9,271	8,489	761	21	3,462,835(c)	3,225,820(c)	228,300(c)	8,715(c)	N.A.
Idaho	45,555	36,525	7,921	7,063	337	521	1,522,201	1,345,352	100,900	75,949	13,710
Illinois	369,690	151,966	75,170	61,486	2,681	11,003	20,620,825(c)	18,508,386(c)	689,914(c)	1,422,525(c)	618,371
Indiana	198,430	161,751	34,773	32,684	1,442	647	7,787,531	7,492,010	203,097	92,424	83,725
Iowa (b)	161,038	131,000	26,332	26,027	16	289	3,087,156	3,040,537	8,861	37,758	412,751
Kansas	104,009	94,718	22,314	22,203	49	62	2,750,603	2,716,184	15,890	18,529	61,014
Kentucky (b)	123,392	61,078	20,978(a)	10,169	504	890	4,795,918(a)	3,316,106	179,382	197,285	6,935
Louisiana (b)	170,669	.....	26,463(a)	11,579	850	932	10,573,119	9,895,714	377,803	299,602	43,093
Maine	54,893	N.A.	13,362	11,298	307	1,757	4,111,330	3,676,343	93,791	341,196	15,689
Maryland	156,856	138,200	18,746	15,867(c)	1,654(c)	1,225(c)	8,359,434	7,388,145(c)	574,999(c)	396,290(c)	543,010
Massachusetts	144,427	.....	34,989	31,657(c)	833(c)	2,499(c)	15,345,649	13,125,501(c)	1,077,660(c)	1,142,488(c)	142,746
Michigan (b)	388,492	380,902	59,715(a)	47,729	1,965	2,291	16,247,000(a)	12,678,590	371,187	382,573	.....
Minnesota	213,694	163,930	27,810	22,616	925	4,269	5,336,437	4,652,188	196,624	487,625	35,883
Mississippi (b)	109,361	109,307	16,602(a)	14,235	1,047	1,129	3,219,704(a)	2,871,984	132,102	183,365	25,983
Missouri	114,991	52,211	19,381	17,267	1,210	904	4,455,976	4,099,171	210,580	146,225	55,385

Montana (b) .....	47,511	N.A.	8,250	7,084	723	443	1,650,543	1,419,651(c)	115,413(c)	115,479(c)	.....
Nebraska (b) .....	26,691	19,939	4,805	4,737	55	13	485,429	475,063	7,091	3,275	.....
Nevada .....	37,769	.....	3,766	2,982	178	606	1,189,547	1,089,552	60,466	39,529	N.A.
New Hampshire .....	29,513(c)	26,715(c)	3,476(c)	3,062(c)	283(c)	131	915,259(a)	378,243	64,180	32,991	79,930
New Jersey (b) .....	272,085	217,104	55,269(a)	4,355	1,584	4,591	17,895,746(a)	1,442,731	742,743	1,329,220	403,518
New Mexico .....	66,850	40	8,736	7,905	563	268	2,144,900	1,994,973	96,508	53,419	.....
New York .....	820,016	N.A.	154,723(a)	140,605	4,818	9,108	46,488,021(a)	16,911,945	348,694	277,323	576,611
North Carolina (b) .....	289,928	218,014	33,327	26,469	3,084	2,230	7,747,067(a)	146,931	19,083	11,516	257,175
North Dakota .....	25,259	11,131	4,332	3,811	297	224	509,733	466,446	7,520	35,767	.....
Ohio .....	662,325	.....	127,454	103,204	7,407	16,843	34,694,585	29,124,585	2,394,076	3,175,479	286,164
Oklahoma (b) .....	107,741	134	18,106	17,010	642	454	4,627,232	4,434,820	128,550	63,862	45,493
Oregon .....	104,719	94,365	22,122	20,322	1,775	25(c)	2,891,053	2,633,077	251,115	686(c)	87,210
Pennsylvania .....	366,625	204,537	85,955	80,040	3,788	2,127	31,980,420	30,177,809	987,919	814,692	3,006,515
Rhode Island .....	35,298	N.A.	7,098(a)	N.A.	N.A.	75	2,470,447(a)	N.A.	N.A.	23,519	105,026
South Carolina (b) .....	224,943	8,779	17,769	932	80	34	4,121,577(a)	192,227	7,000	10,850	.....
South Dakota .....	27,000	N.A.	3,842	N.A.	N.A.	N.A.	386,828	N.A.	N.A.	N.A.	5,796
Tennessee .....	155,311	115,919	27,500	26,744	756	N.A.	6,314,977	6,202,103	112,874	N.A.	79,759
Texas .....	460,890	86,216	64,441	57,330	3,029	4,082	16,812,728	15,974,017	475,264	363,447	643,649
Utah .....	67,024	.....	8,864(a)	7,712	511	N.A.	1,395,750(a)	1,126,255	80,801	N.A.	117,500
Vermont .....	12,822	.....	2,868	2,570	44	254	N.A.	N.A.	N.A.	N.A.	53,255
Virginia .....	191,378	191,378	24,200	19,360	4,840	N.A.	11,052,475(a)	N.A.	N.A.	N.A.	N.A.
Washington (b) .....	194,584	42,852	40,555	36,474(c)	879(c)	3,202(c)	9,233,269(c)	8,412,172(c)	179,112(c)	641,985(c)	54,042(c)
West Virginia .....	82,627	77,242	14,831	13,991	343	497	4,916,546(a)	51,343	11,456	26,143	173,202
Wisconsin .....	238,331	167,271	41,041	37,082	1,924	2,035	6,633,635	5,984,629	407,571	241,435	609,672
Wyoming .....	23,261(c)	22,500(c)	4,098	3,994	61	43	404,384	394,433	8,410	1,541	.....

\*Source: Compiled from unpublished data received in the Bureau of the Census' annual survey on finances of public employee retirement systems.

N.A.—Not available.

..... Represents zero.

(a) Detail does not add to total, as for those states indicated, detail was not always available. Total of such nonsegregable amounts was 105,142 for beneficiaries receiving periodic benefit payments, and \$78,118,413 for periodic benefit payments.

(b) Data not available for all systems.

(c) Includes estimated data for some small systems.

**Table 3**  
**FINANCES OF STATE-ADMINISTERED EMPLOYEE RETIREMENT SYSTEMS,**  
**BY STATE: 1975-76\***  
**(Thousands of dollars)**

State	Receipts								Cash and security holdings at end of fiscal year						
	Total	Government contributions			Earnings on investments	Benefits and withdrawal payments			Total	Cash and deposits	Governmental securities				Nongovernmental securities
		Employee contributions	From state	From local governments		Total	Benefits	Withdrawals			Federal securities				
											Total	U.S. Treasury	Federal agency	State and local	
All states	\$16,414,850	\$3,854,032	\$4,671,707	\$2,969,357	\$4,919,754	\$6,045,413	\$5,327,422	\$717,991	\$85,979,248	\$727,754	\$7,234,027	\$2,425,691	\$4,808,336	\$1,223,204	\$76,794,263
Alabama	264,294	62,859	122,407	13,239	65,789	79,636	72,032	7,604	1,026,938	305	173,864	22,019	151,845	.....	852,769
Alaska	83,999	23,938	24,362	17,699	18,000	16,918	11,233	5,685	279,629	6,331	84,929	31,594	53,335	.....	188,369
Arizona	168,127	50,587	20,084	43,192	54,264	27,564	16,033	11,531	1,238,301	131	221,673	116,996	104,677	.....	1,016,497
Arkansas	113,763	32,476	41,633	10,941	28,713	36,957	29,813	7,144	468,003	11,243	20,370	15,704	4,666	492	435,898
California	2,529,115	688,424	530,902	549,319	760,470	835,615	752,034	83,581	13,264,980	63,484	1,370,776	281,720	1,089,056	28,486	11,802,234
Colorado	193,730	48,477	25,520	49,469	70,264	54,002	41,539	12,463	1,142,722	1,348	82,702	24,500	58,202	.....	1,058,672
Connecticut	221,882	55,815	107,416	7,043	51,608	114,834	104,564	10,270	1,003,663	8,073	61,911	61,911	.....	.....	933,679
Delaware	41,862	6,053	29,046	.....	6,763	14,653	14,011	642	100,358	3,951	5,439	4,939	500	.....	90,968
Florida	486,406	17,361	87,238	225,398	156,409	140,264	115,348	24,916	2,063,773	16,237	367,576	39,297	328,279	239	1,679,721
Georgia	256,271	65,945	91,992	26,813	71,521	94,184	79,093	15,091	1,432,164	20,797	67,912	53,913	13,999	.....	1,343,455
Hawaii	157,596	45,868	39,498	12,716	59,514	57,501	53,175	4,326	750,083	80,952	26,818	16,459	10,359	852	641,461
Idaho	49,251	16,408	9,948	15,366	7,529	20,423	17,505	2,918	171,475	12,131	10,884	3,982	6,902	.....	148,460
Illinois	732,466	244,039	230,498	74,947	182,982	303,040	263,919	39,121	3,193,432	8,006	124,503	74,250	50,253	8	3,060,915
Indiana	195,985	43,952	83,053	15,551	53,429	102,365	93,939	8,426	761,767	63,525	243,026	148,235	94,791	.....	455,216
Iowa	131,452	37,920	10,110	34,386	49,036	42,079	31,024	11,055	727,156	1,529	66,853	51,157	15,696	.....	658,774
Kansas	123,769	33,778	31,429	36,650	21,912	39,645	32,461	7,184	449,326	792	15,932	6,174	9,758	7,153	425,449
Kentucky	189,268	58,001	67,845	13,189	50,233	71,866	64,368	7,498	878,994	12,998	61,121	26,847	34,274	1,500	803,375
Louisiana	297,604	91,335	90,614	3,833	111,822	143,974	130,271	13,703	1,719,034	34,058	150,067	42,942	107,125	11,905	1,523,004
Maine	61,591	23,888	20,457	7,994	9,252	52,088	48,590	3,498	201,551	11,919	34,235	20,176	14,059	.....	155,397
Maryland	272,826	87,660	102,874	8,679	73,613	111,746	97,815	13,931	1,577,774	.....	99,076	99,076	.....	.....	1,478,698
Massachusetts	299,161	87,166	159,900	497	51,598	184,363	168,582	15,781	953,755	21,375	39,260	36,711	2,549	180	892,940
Michigan	644,979	121,387	297,981	30,970	194,641	207,905	187,534	20,371	3,335,551	156,796	505,551	67,006	438,545	2,306	2,670,898
Minnesota	280,984	87,910	82,726	51,375	58,973	78,067	63,095	14,972	1,517,929	1,259	46,781	30,537	16,244	8,919	1,460,970
Mississippi	124,102	40,446	20,787	29,142	33,727	46,248	36,868	9,380	492,347	1,568	122,403	14,537	107,866	.....	368,376
Missouri	202,840	55,888	25,224	52,262	69,466	64,564	53,741	10,823	1,103,041	2,592	115,609	33,290	82,319	.....	984,840
Montana	53,949	19,506	12,946	4,012	17,485	27,202	21,813	5,389	269,791	1,770	10,148	1,115	9,033	1,179	256,694
Nebraska	23,685	7,751	5,712	1,852	8,370	9,021	7,233	1,788	123,836	4,405	9,811	9,811	.....	.....	109,620
Nevada	58,872	20,208	11,699	296	26,669	15,398	10,558	4,840	336,864	785	985	985	.....	.....	335,094
New Hampshire	34,941	12,981	4,706	4,706	12,748	14,552	12,130	2,422	219,752	18,698	55,776	19,423	36,353	.....	145,278
New Jersey	662,528	166,633	149,094	119,408	227,393	232,539	215,039	17,500	3,958,396	9,438	144,220	66,835	77,385	2,257	3,802,481

New Mexico	93,431	29,664	12,845	22,715	28,207	30,329	23,621	6,708	436,354	11,075	125,556	50,519	75,037	.....	299,723
New York	2,009,891	33,962	419,584	902,191	654,154	694,282	627,168	67,114	12,244,000	528	319,307	106,300	213,007	1,095,577	10,828,588
North Carolina	416,068	108,318	124,031	42,725	140,994	109,254	90,738	18,516	2,445,883	1,402	68,362	40,248	28,114	20,410	2,355,709
North Dakota	16,453	6,651	2,141	4,219	3,442	8,688	6,037	2,651	80,856	614	30,434	7,646	22,788	.....	49,808
Ohio	1,113,776	267,168	350,607	98,534	397,467	506,375	455,234	51,141	7,294,411	2,153	327,016	67,284	259,732	3,912	6,961,330
Oklahoma	103,273	22,021	52,780	3,095	25,377	57,808	53,006	4,802	387,148	6,548	22,249	8,269	13,980	.....	358,351
Oregon	174,501	57,296	28,625	47,492	41,088	43,880	35,040	8,840	871,490	2,055	21,105	7,001	14,104	649	847,681
Pennsylvania	995,847	225,518	326,273	146,838	297,218	509,556	469,865	39,691	4,990,785	85	150,516	150,516	.....	194	4,839,990
Rhode Island	63,898	18,507	16,427	11,430	17,534	33,200	30,337	2,863	281,853	3,980	55,931	55,931	.....	680	221,262
South Carolina	186,710	56,523	55,640	25,020	49,527	54,523	44,291	10,232	1,131,787	34,621	210,058	21,855	188,203	14,839	872,269
South Dakota	36,753	12,254	8,470	6,953	9,076	6,365	4,193	2,172	111,158	1,598	41,322	37,327	3,995	.....	68,238
Tennessee	196,545	49,724	84,309	9,408	53,104	79,074	71,220	7,854	840,372	42,793	50,547	39,200	11,347	.....	747,032
Texas	707,836	213,990	304,024	.....	189,822	227,648	188,914	38,734	3,386,499	7,705	782,292	99,757	682,535	.....	2,596,502
Utah	83,320	29,447	9,566	23,213	21,094	20,157	15,746	4,411	353,833	257	17,039	4,155	12,884	.....	336,537
Vermont	24,609	6,814	7,521	81	10,193	9,035	7,652	1,383	146,018	2,971	56,026	55,780	246	.....	87,021
Virginia	203,559	91,168	13,338	36,553	62,500	87,800	70,200	17,600	1,334,000	.....	232,000	130,000	102,000	.....	1,102,000
Washington	433,268	144,744	135,000	44,619	108,905	151,646	133,836	17,810	1,780,418	26,011	169,648	36,756	132,892	17,442	1,567,317
West Virginia	129,519	32,267	65,923	6,260	25,069	78,729	73,306	5,423	394,572	5,045	146,891	51,022	95,869	285	242,351
Wisconsin	438,324	83,115	113,658	70,100	171,451	90,066	76,309	13,757	2,574,362	4	16,359	12,884	3,475	3,740	2,554,259
Wyoming	29,971	10,221	3,444	6,967	9,339	7,785	5,349	2,436	131,064	1,813	51,158	21,100	30,058	.....	78,093

\*Source: Bureau of the Census, *Finances of Employee Retirement Systems of State and Local Governments in 1975-76*.

..... Represents zero or rounds to zero.



Table 4  
NATIONAL SUMMARY OF FINANCES OF STATE-ADMINISTERED  
EMPLOYEE RETIREMENT SYSTEMS, SELECTED YEARS: 1962-1976\*

Item	Amount (millions of dollars)							Percentage distribution			Percentage change
	1975-76	1974-75	1973-74	1972-73	1971-72	1966-67	1962	1976	1972	1962	1974-75 to 1975-76
Receipts .....	\$16,415	\$14,208	\$12,199	\$11,148	\$ 9,285	\$ 4,656	\$ 2,695	100.0	100.0	100.0	15.5
Employee contributions .....	3,854	3,552	3,315	3,334	2,637	1,494	943	23.5	28.4	35.0	8.5
Government contributions .....	7,641	6,597	5,474	4,715	4,026	2,052	1,193	46.5	43.3	44.3	15.8
From states .....	4,672	3,974	3,281	2,884	2,428	1,305	752	28.5	26.1	27.9	17.6
From local governments .....	2,969	2,623	2,193	1,831	1,598	747	441	18.1	17.2	16.4	13.2
Earnings on investments .....	4,920	4,059	3,410	3,099	2,621	1,110	558	30.0	28.2	20.7	21.2
Benefits and withdrawal payments	6,045	5,207	4,591	3,930	3,187	1,606	933	100.0	100.0	100.0	16.1
Benefits .....	5,327	4,480	3,868	3,279	2,694	1,280	697	88.1	84.5	74.7	18.9
Withdrawals .....	718	727	723	651	493	326	236	11.9	15.5	25.3	-1.2
Cash and security holdings at end of fiscal year, total .....	85,979	74,703	66,157	58,499	51,158	27,666	15,546	100.0	100.0	100.0	15.1
Cash and deposits .....	728	800	714	561	419	236	153	0.8	0.8	1.0	-9.0
Governmental securities .....	8,457	5,105	4,032	2,499	2,925	5,296	5,869	9.8	5.7	37.8	65.7
Federal .....	7,234	4,898	3,702	2,164	2,241	4,594	4,149	8.4	4.4	26.7	47.7
U.S. Treasury .....	2,426	1,315	993	N.A.	N.A.	N.A.	N.A.	2.8	N.A.	N.A.	84.5
Federal agency .....	4,808	3,583	2,708	N.A.	N.A.	N.A.	N.A.	5.6	N.A.	N.A.	34.2
State and local .....	1,223	207	330	336	684	702	1,720	1.4	1.3	11.1	490.8
Nongovernmental securities .....	76,794	68,798	61,411	55,438	47,814	22,135	9,525	89.3	93.5	61.3	11.6
Corporate bonds .....	45,123	41,693	37,007	33,895	29,570	14,319	6,700	52.5	57.8	43.1	8.2
Corporate stocks .....	19,002	16,431	14,679	12,059	9,209	1,912	512	22.1	18.0	3.3	15.6
Mortgages .....	7,225	6,503	5,782	5,960	6,138	4,258	1,893	8.4	12.0	12.2	11.1
Other securities .....	4,496	3,946	3,425	3,526	2,897	1,645	420	5.2	5.7	2.7	13.9
Other investments .....	948	226	518					1.1			319.5

\*Source: Bureau of the Census, *Finances of Employee Retirement Systems of State and Local Governments in 1975-76*, and prior annual reports.

N.A.—Not available.

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## STATE GOVERNMENT EMPLOYMENT IN 1976\*

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EMPLOYMENT AND PAYROLLS of state governments increased at greater rates from 1975 to 1976 than for federal and local governments. In October 1976, state governments had 3,343,000 employees and payroll costs for the month were nearly \$2,894 million. These amounts represent a 2.2 percent increase in employees and a 9.1 percent increase in payroll costs for state governments during the period October 1975 to October 1976. During this same period, federal civilian employment and payroll costs decreased 1.6 percent and 0.5 percent, respectively, and local government employment and payroll costs increased 0.1 percent and 7 percent, respectively. The rates of increase in state employment and payrolls from 1975 to 1976 were lower, however, than in each of the past several years.

A summary of state government employment and payrolls for the past 30 years is provided in Table 1. Although both state employment and payrolls increased during the period 1946 to 1976, state payroll costs increased at a greater rate than state employment because of adjustments in rates of pay for employees.

Slightly more than 22 percent, or 748,000, of all state government employees in October 1976 were employed on a part-time basis. When total state government employment is adjusted to a full-time equivalent basis by applying average October earnings of full-time employees to total October payrolls, the result is 2,799,000 full-time equivalent state employees.

### States' Share of Civilian Public Employment

The proportion of all civilian government employment (federal, state, and local) accounted for by state governments increased 0.7 percent between October 1974 and October 1976. In this same period, the federal proportion decreased by approximately 0.7 percent and the local government proportion remained relatively unchanged.

The states' share of civilian public employment varies widely when compared on the basis of individual governmental functions. National defense, international relations, and postal service are exclusively federal functions and accounted for 11.3 percent of all civilian government employment in October 1976. Likewise, local governments are primarily responsible for the provision of elementary and secondary education, police and fire protection, and public utility services. State governments, however, account for the largest share of public employees engaged in higher education, hospital, corrections, and natural resources activities. State governments also account for sizable portions of public employment engaged in highway, public welfare, and public health activities. Table 2 provides a detailed functional distribution of state and local government employment and payrolls in October 1976. The summary on the following page provides a comparison of federal, state, and local government employment in October 1976 for selected functional categories.

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\*Adapted by Alan V. Stevens, Chief, Employment Branch, Governments Division, U.S. Bureau of the Census, from the Bureau of the Census' report, *Public Employment in 1976*.

Governmental function	Employees (in thousands)*				
	Total	Federal civilian	State and local		
			Total	State	Local
Total .....	15,012	2,843	12,169	3,343	8,826
National defense and international relations .....	1,014	1,014	...	...	...
Postal Service .....	661	661	...	...	...
Education .....	6,330	22	6,308	1,434	4,875
Highways .....	587	5	582	262	320
Health and hospitals .....	1,466	246	1,219	614	606
Police protection .....	670	57	613	69	545
Natural resources .....	467	263	204	169	35
Corrections .....	222	9	213	129	84
Financial administration .....	399	106	293	117	177
General control .....	521	44	477	74	403
All other .....	2,676	417	2,259	476	1,782

\*Because of rounding, detail may not add to totals.

Another measure of change in public sector employment can be based on the ratio of full-time equivalent employment to population served. On this basis, state governments had 130 full-time equivalent employees per 10,000 population in 1976 compared to 126 full-time equivalent employees per 10,000 population in 1974; the corresponding local government ratios, 345 in 1976 and 341 in 1974, reflected a slower rate of growth. By using full-time equivalent employment for this ratio analysis, the effect of differing proportions of part-time employment among various states is reduced.

Table 3 provides ratios of full-time equivalent employment to population for the state and local governments in each state. State government full-time equivalent employment per 10,000 population in October 1976 ranged from 93 to 373, and for local governments the range was 135 to 422 (excluding the District of Columbia). It can be noted, however, that in states with a high ratio of state government full-time equivalent employment to population, the local government ratio generally tends to be on the low end of the range of ratios for local governments, and vice versa.

### Average October Earnings

Full-time state government employees earned an average of \$1,031 during the month of October 1976; this compares with \$964 in October 1975 and \$906 in October 1974. Local government full-time employees earned an average of \$1,018 during October 1976, \$960 in October 1975, and \$895 in October 1974.

Average October earnings of state and local government full-time employees vary considerably from state to state and by governmental function; the summary below distributes the 50 states and the District of Columbia on the basis of average October 1976 earnings of full-time education employees and of full-time noneducation employees.

Average October 1976 earnings for state and local government full-time employees	Education employees	Noneducation employees
Total*	51	51
Less than \$700 .....	...	2
\$700 to \$799 .....	1	11
\$800 to \$899 .....	15	15
\$900 to \$999 .....	10	10
\$1,000 to \$1,999 .....	12	7
\$1,100 or more .....	13	6

\*Includes all states and the District of Columbia.

Table 4 provides a state-by-state distribution of average October 1976 earnings of state and local government full-time employees.

### Employment by Individual States

Six state governments accounted for nearly one third of all state employees and more than one third of all state payroll costs in October 1976. These states, in descending magnitude of employment and payroll costs, were: California, New York, Texas, Pennsylvania, Michigan, and Illinois.

Care must be exercised when making interstate comparisons of state employment and payroll costs. States differ in the scope and intensity of functions performed because factors such as economics, demography, geography, and traditional government structures influence the total scale of public services provided and the allocation of responsibility for them between the state and local governments. The governmental functions of education, highways, public welfare, health and hospitals are most frequently affected by these factors.

It can be noted in Table 3 that the six state governments listed above as having the greatest number of state employees all have relatively low ratios of full-time equivalent employment to population served.

### Labor-Management Relations

As of October 1975, the most recent month for which data is currently available, three fifths of all state governments had policies for collective negotiations with one or more groups of their employees, and 14 of the 20 states without collective negotiation policies engaged in "meet and confer" discussions with representatives of employee organizations. Nearly 40 percent, or 1,005,000, of all full-time state employees belonged to an employee organization at that time and 516,000 state employees were covered by one of the 632 contractual agreements negotiated between state governments and employee organizations. Sixty-two percent of all state employees who belong to an employee organization are employed in the education, highway, and hospital functions. The percentage of full-time state employees in each of these functions who belonged to an employee organization was: highways, 59 percent; hospitals, 50.2 percent; and education, 39.6 percent.

There was a total of 1,054 employee bargaining units in state governments in October 1975 that represented slightly more than 716,000 employees. Not all bargaining units, however, had contractual agreements with the state government.

During the 12-month period from October 1974 to October 1975, state governments experienced 36 work stoppages involving a total of 70,588 employees. When the employees idled by a stoppage are multiplied by the number of days (or shifts) they remained idled, the total days of idleness was 290,157.

### Sources of Additional Data

The Bureau of the Census publishes an annual report, *Public Employment in (year)*, which provides data on state and local government employment, payrolls, and average full-time employee earnings for the month of October. Data in this report is presented by level and type of government, and by governmental function. More extensive detail on public employment and payrolls is provided in the *Compendium of Public Employment* issued as part of the census of governments conducted in years ending with 2 or 7 (e.g., 1972 and 1977).

Data on state and local government labor-management relations is contained in *Labor-Management Relations in State and Local Governments: 1975*, State and Local Government Special Studies No. 81. A special studies report on this subject was also issued for 1974 and another is planned for release in February 1978 presenting data for 1976.

Table 1  
SUMMARY OF STATE GOVERNMENT EMPLOYMENT: 1946-76\*

Year	Employment (in thousands)						Monthly payrolls (in millions of dollars)			Average monthly earnings of full- time employees		
	Total, full- and part-time			Full-time equivalent								
	All	Edu- cation	Other	All	Edu- cation	Other	All	Edu- cation	Other	All	Edu- cation	Other
October:												
1976.....	3,343	1,434	1,910	2,799	973	1,827	\$2,893.7	\$1,112.5	\$1,782.1	\$1,031	\$1,163	\$975
1975.....	3,271	1,400	1,870	2,744	952	1,792	2,652.7	1,022.7	1,631.1	964	1,080	909
1974.....	3,155	1,357	1,798	2,653	929	1,725	2,409.5	932.7	1,476.9	906	1,023	856
1973.....	3,013	1,280	1,733	2,547	887	1,660	2,158.2	822.2	1,336.0	843	952	805
1972.....	2,957	1,267	1,690	2,487	867	1,619	1,936.6	746.9	1,189.7	778	871	734
1971.....	2,832	1,223	1,609	2,384	841	1,544	1,741.7	681.4	1,060.2	731	826	686
1970.....	2,755	1,182	1,573	2,302	803	1,499	1,612.1	630.2	981.8	701	797	655
1969.....	2,614	1,112	1,501	2,179	746	1,433	1,430.5	554.4	876.0	655	743	597
1968.....	2,495	1,037	1,458	2,085	694	1,391	1,256.6	477.0	779.6	602	687	544
1967.....	2,335	940	1,395	1,946	620	1,326	1,105.5	406.3	699.3	567	666	526
1966.....	2,211	866	1,344	1,864	575	1,289	975.2	353.0	622.2	523	614	483
1965.....	2,028	739	1,289	1,751	508	1,243	849.2	290.1	559.1	485	571	450
1964.....	1,873	656	1,217	1,639	460	1,179	761.1	257.5	503.6	464	560	427
1963.....	1,775	602	1,173	1,558	422	1,136	696.4	230.1	466.3	447	545	410
1962.....	1,680	555	1,126	1,478	389	1,088	634.6	201.8	432.8	429	518	397
1961.....	1,625	518	1,107	1,435	367	1,068	586.2	192.4	393.8	409	482	383
1960.....	1,527	474	1,053	1,353	332	1,021	524.1	167.7	356.4	384	439	365
1959.....	1,454	443	1,011	1,302	318	984	485.4	136.0	349.4	372	427	352
1958.....	1,408	406	1,002	1,259	284	975	446.5	123.4	323.1	355	416	333
April 1957.....	1,300	375	925	1,153	257	896	372.5	106.1	266.4	320	355	309
October:												
1956.....	1,268	353	915	1,136	250	886	366.5	108.8	257.7	321	358	309
1955.....	1,199	333	866	1,081	244	837	325.9	88.5	237.4	302	334	290
1954.....	1,149	310	839	1,024	222	802	300.7	78.9	221.8	294	325	283
1953.....	1,082	294	788	966	211	755	278.6	73.5	205.1	289	320	278
1952.....	1,060	293	767	958	213	745	260.3	65.1	195.2	271	298	262
1951.....	1,070	316	754	973	240	733	245.8	68.1	177.7	253	284	242
1950.....	1,057	312	745	N.A.	N.A.	N.A.	218.4	61.0	157.4	N.A.	N.A.	N.A.
1949.....	1,037	306	731	N.A.	N.A.	N.A.	209.8	58.5	151.3	N.A.	N.A.	N.A.
1948.....	963	286	677	N.A.	N.A.	N.A.	184.9	50.9	134.0	N.A.	N.A.	N.A.
1947.....	909	271	638	N.A.	N.A.	N.A.	160.8	44.8	110.0	N.A.	N.A.	N.A.
1946.....	804	233	572	N.A.	N.A.	N.A.	128.0	34.6	93.5	N.A.	N.A.	N.A.

\*Source: Bureau of the Census, annual *Public Employment* reports.

Note: Because of rounding, detail may not add to totals.  
N.A.—Not available.

Table 2  
EMPLOYMENT AND PAYROLLS OF STATE AND LOCAL  
GOVERNMENTS, BY FUNCTION: OCTOBER 1976\*

Function	All employees (full-time and part-time) (in thousands)			October payrolls (in millions of dollars)			Average October earnings of full-time employees
	Total	State govern- ments	Local govern- ments	Total	State govern- ments	Local govern- ments	
All functions.....	12,169	3,343	8,826	\$10,368	\$2,894	\$7,474	\$1,021
Education.....	6,308	1,434	4,875	5,319	1,112	4,208	1,075
Local schools.....	4,568	19	4,548	3,993	19	3,974	1,049
Instructional personnel only.....	2,986	13	2,974	3,162	15	3,147	1,157
Institutions of higher education.....	1,649	1,323	326	1,238	1,004	234	1,178
Instructional personnel only.....	581	412	169	669	517	152	1,636
Other education.....	92	92	...	88	88	...	1,036
Functions other than education.....	5,861	1,910	3,951	5,049	1,782	3,267	972
Highways.....	582	262	320	505	256	249	916
Public welfare.....	353	161	192	298	144	154	872
Hospitals.....	1,017	523	494	790	424	367	823
Health.....	202	91	112	191	93	98	1,009
Police protection.....	613	69	545	628	82	546	1,152
Local fire protection.....	292	...	292	264	...	264	1,230
Natural resources.....	204	169	35	175	150	25	994
Corrections.....	213	129	84	215	131	84	1,043
Financial administration.....	293	117	177	241	113	129	931
General control.....	477	74	403	348	84	264	1,030
Local utilities.....	321	...	321	356	...	356	1,160
All other.....	1,293	316	977	1,037	304	732	1,088

\*Source: Bureau of the Census, *Public Employment* in 1976.

Note: Statistics for local governments are subject to sampling variation. Because of rounding, detail may not add to totals.

Table 3  
STATE AND LOCAL GOVERNMENT EMPLOYMENT, BY STATE: OCTOBER 1976\*

State or other jurisdiction	All employees (full-time and part-time)		Full-time equivalent employment					
	State	Local	Number			Number per 10,000 population		
			Total	State	Local	Total	State	Local
United States .....	3,343,451	8,825,739	10,206,272	2,799,095	7,407,177	475	130	345
Alabama .....	65,565	126,609	166,564	54,664	111,900	454	149	305
Alaska .....	14,800	14,064	26,162	14,031	12,131	685	367	318
Arizona .....	40,569	102,167	120,896	34,289	86,607	533	151	382
Arkansas .....	36,874	71,832	91,227	32,473	58,754	433	154	279
California .....	276,029	1,051,198	1,061,726	221,726	840,000	493	103	390
Colorado .....	53,867	117,008	138,616	40,856	97,760	537	158	378
Connecticut .....	46,952	105,472	128,757	40,267	88,490	413	129	284
Delaware .....	14,925	18,822	30,098	13,217	16,881	517	227	290
Florida .....	108,290	352,952	409,796	96,675	313,121	487	115	372
Georgia .....	84,655	213,174	263,503	74,129	189,374	530	149	381
Hawaii .....	42,195	13,533	45,031	33,042	11,989	508	373	135
Idaho .....	18,723	35,226	42,714	15,023	27,691	514	181	333
Illinois .....	139,434	471,982	489,903	113,355	376,548	436	101	335
Indiana .....	80,897	203,444	233,824	61,703	172,121	441	116	325
Iowa .....	48,203	128,610	141,913	40,642	101,271	494	142	353
Kansas .....	47,155	106,102	119,334	35,701	83,633	517	155	362
Kentucky .....	64,042	102,435	140,220	55,091	85,129	409	161	248
Louisiana .....	80,263	147,345	200,129	67,647	132,482	521	176	345
Maine .....	20,857	39,554	46,958	16,565	30,393	439	155	284
Maryland .....	73,107	160,472	210,996	68,977	142,018	509	166	343
Massachusetts .....	76,657	242,067	274,642	68,257	206,385	473	118	355
Michigan .....	139,575	388,180	420,045	109,493	310,552	461	120	341
Minnesota .....	67,330	168,768	194,173	51,481	142,692	490	130	360
Mississippi .....	39,510	91,562	109,786	33,500	76,286	466	142	324
Missouri .....	72,718	179,556	212,528	62,669	149,859	445	131	314
Montana .....	19,257	31,929	41,660	15,566	26,094	553	207	347
Nebraska .....	30,011	75,663	86,100	25,773	60,327	554	166	388
Nevada .....	11,208	27,594	32,469	9,410	23,059	532	154	378
New Hampshire .....	16,880	32,308	36,363	13,277	23,086	442	162	281
New Jersey .....	81,772	312,080	338,787	71,401	267,386	462	97	364
New Mexico .....	30,800	45,153	66,192	25,994	40,198	567	223	344
New York .....	200,416	839,300	918,036	185,376	732,660	508	103	405
North Carolina .....	96,265	192,432	254,990	84,300	170,690	466	154	312
North Dakota .....	16,069	34,374	30,206	11,398	18,808	470	177	293
Ohio .....	128,153	419,533	439,294	99,431	339,863	411	93	318
Oklahoma .....	58,570	99,261	133,893	48,434	85,459	484	175	309
Oregon .....	51,586	104,651	123,915	40,083	83,832	532	172	360
Pennsylvania .....	146,894	399,958	468,532	129,986	338,546	395	110	285
Rhode Island .....	22,429	28,159	43,445	18,653	24,792	469	201	267
South Carolina .....	57,966	102,761	137,206	51,065	86,141	482	179	302
South Dakota .....	15,884	32,387	32,661	12,033	20,628	476	175	301
Tennessee .....	68,924	158,446	201,659	59,598	142,061	479	141	337
Texas .....	185,270	507,149	605,699	159,243	446,456	485	128	358
Utah .....	30,093	45,935	62,916	27,442	35,474	512	223	289
Vermont .....	12,573	19,282	23,330	10,397	12,933	490	218	272
Virginia .....	97,575	187,226	250,589	85,631	164,958	498	170	328
Washington .....	83,895	138,200	181,373	63,422	117,951	502	176	327
West Virginia .....	42,092	56,941	86,987	34,638	52,349	478	190	287
Wisconsin .....	76,250	208,391	214,764	53,350	161,414	466	116	350
Wyoming .....	9,427	20,462	24,189	7,721	16,468	620	198	422
Dist. of Col. ....	...	54,030	51,477	...	51,477	733	...	733

\*Source: Bureau of the Census, *Public Employment in 1976*.

Note: Statistics for local governments are subject to sampling variation. Because of rounding, detail may not add to totals.

Table 4  
STATE AND LOCAL GOVERNMENT PAYROLLS AND AVERAGE  
EARNINGS OF FULL-TIME STATE AND LOCAL GOVERNMENT  
EMPLOYEES, BY STATE: OCTOBER 1976\*

State or other jurisdiction	Amount of October payroll (thousands of dollars)			Percentage of October payroll		Average October earnings, full- time state and local government employees		
	Total	State government	Local government	State government	Local government	All	Education employees	Other
United States .....	\$10,368,054	\$2,893,678	\$7,474,376	27.9	72.1	\$1,021	\$1,074	\$ 972
Alabama .....	133,662	50,842	82,820	38.0	62.0	810	865	765
Alaska .....	42,941	22,276	20,665	51.9	48.1	1,640	1,731	1,577
Arizona .....	127,320	35,776	91,544	28.1	71.9	1,061	1,093	1,026
Arkansas .....	66,477	26,478	39,999	39.8	60.2	737	797	672
California .....	1,367,888	303,859	1,064,029	22.2	77.8	1,290	1,340	1,252
Colorado .....	141,460	46,936	94,524	33.2	66.8	1,029	1,040	1,016
Connecticut .....	133,497	39,408	94,089	29.5	70.5	1,041	1,111	964
Delaware .....	28,993	12,805	16,188	44.2	55.8	962	1,004	917
Florida .....	380,900	95,725	285,175	25.1	74.9	933	978	898
Georgia .....	207,469	65,945	141,524	31.8	68.2	794	824	771
Hawaii .....	52,829	39,790	13,039	75.3	24.7	1,169	1,317	1,067
Idaho .....	35,980	14,244	21,736	39.6	60.4	848	882	814
Illinois .....	545,231	118,822	426,409	21.8	78.2	1,119	1,219	1,025
Indiana .....	205,629	58,160	147,469	28.3	71.7	889	991	771
Iowa .....	135,701	43,788	91,913	32.3	67.7	960	1,020	886
Kansas .....	103,412	35,552	67,860	34.4	65.6	871	926	812
Kentucky .....	114,472	48,274	66,199	42.2	57.8	825	882	769
Louisiana .....	156,057	56,876	99,181	36.4	63.6	830	844	728
Maine .....	38,670	14,201	24,469	36.7	63.3	830	870	783
Maryland .....	225,434	68,400	157,035	30.3	69.7	1,073	1,158	992
Massachusetts .....	288,560	65,919	222,640	22.8	77.2	1,055	1,143	982
Michigan .....	494,199	133,079	361,121	26.9	73.1	1,189	1,222	1,151
Minnesota .....	205,897	62,013	143,884	30.1	69.9	1,061	1,085	1,033
Mississippi .....	79,277	27,160	52,118	34.3	65.7	727	812	649
Missouri .....	188,259	57,386	130,874	30.5	69.5	890	940	842
Montana .....	39,257	15,885	23,372	40.5	59.5	946	982	910
Nebraska .....	73,742	22,239	51,503	30.2	69.8	862	864	861
Nevada .....	34,856	11,086	23,770	31.8	68.2	1,078	1,026	1,110
New Hampshire .....	31,501	12,135	19,366	38.5	61.5	875	899	852
New Jersey .....	368,276	79,374	288,902	21.6	78.4	1,091	1,235	960
New Mexico .....	58,046	25,002	33,043	43.1	56.9	882	912	848
New York .....	1,094,066	198,386	895,680	18.1	81.9	1,196	1,330	1,117
North Carolina .....	219,307	74,355	144,952	33.9	66.1	867	935	795
North Dakota .....	27,969	11,537	16,432	41.2	58.8	939	1,007	858
Ohio .....	439,401	109,458	329,943	24.9	75.1	1,004	1,066	944
Oklahoma .....	106,546	41,880	64,665	39.3	60.7	798	866	733
Oregon .....	131,006	46,033	84,973	35.1	64.9	1,058	1,057	1,058
Pennsylvania .....	475,066	141,210	333,855	29.7	70.3	1,020	1,060	987
Rhode Island .....	44,339	18,364	25,975	41.4	58.6	1,021	1,176	887
South Carolina .....	107,403	44,347	63,056	41.3	58.7	791	838	743
South Dakota .....	27,507	11,525	15,982	41.9	58.1	844	876	809
Tennessee .....	157,985	47,523	110,462	30.1	69.9	794	859	743
Texas .....	534,328	154,353	379,975	28.9	71.1	886	916	852
Utah .....	55,843	23,814	32,029	42.6	57.4	897	866	943
Vermont .....	20,176	9,457	10,719	46.9	53.1	872	891	847
Virginia .....	220,462	78,345	142,118	35.5	64.5	886	937	831
Washington .....	212,374	72,342	140,032	34.1	65.9	1,124	1,159	1,092
West Virginia .....	73,702	30,067	43,636	40.8	59.2	842	920	749
Wisconsin .....	220,433	62,980	157,453	28.6	71.4	1,033	1,065	997
Wyoming .....	22,556	8,267	14,289	36.7	63.3	933	1,010	856
Dist. of Col. ....	71,693	...	71,693	...	100.0	1,397	1,380	1,402

\*Source: Bureau of the Census, *Public Employment in 1976*.

Note: Statistics for local governments are subject to sampling variation. Because of rounding, detail may not add to totals.

Table 5  
STATE GOVERNMENT EMPLOYMENT (FULL-TIME EQUIVALENT),  
TOTAL AND FOR SELECTED FUNCTIONS, BY STATE: OCTOBER 1976\*

State	All functions	Education		Selected functions other than education							
		Institutions of higher education	Other education	Highways	Public welfare	Hospitals	Corrections	Police protection	Natural resources	Financial administration	General control
All states	2,799,095	872,451	100,065	258,969	158,699	501,271	126,577	68,355	148,814	113,237	68,145
Alabama	54,664	18,894	3,008	5,819	3,877	9,801	1,418	884	3,069	1,352	736
Alaska	14,031	2,367	1,607	1,677	399	402	528	267	1,346	595	1,152
Arizona	34,289	13,559	1,058	3,298	1,835	3,851	1,146	1,273	1,808	1,213	659
Arkansas	32,473	10,361	2,335	3,739	1,787	4,177	882	610	2,492	1,301	496
California	221,726	75,446	4,641	13,744	2,101	27,468	11,760	9,259	13,044	16,278	2,831
Colorado	40,856	20,108	542	3,249	882	4,804	1,639	795	1,809	1,704	1,523
Connecticut	40,267	9,382	1,948	3,729	2,076	9,092	1,858	1,198	959	1,309	2,231
Delaware	13,217	3,856	248	1,294	1,136	1,721	781	579	568	489	730
Florida	96,675	23,922	2,515	6,925	5,620	14,406	9,734	2,211	6,112	3,863	4,571
Georgia	74,129	22,558	2,419	6,869	4,640	12,763	3,722	1,683	4,422	1,332	1,954
Hawaii	33,042	5,496	13,685	938	751	2,794	607	...	1,442	853	1,337
Idaho	15,023	4,633	518	1,526	1,087	913	424	220	1,930	602	290
Illinois	113,355	37,870	2,613	7,475	11,522	20,930	4,934	2,174	4,004	4,254	3,169
Indiana	61,703	29,479	2,819	5,350	1,092	10,270	2,121	1,527	3,228	1,788	645
Iowa	40,642	15,124	1,406	3,759	2,722	7,472	1,311	776	2,326	1,309	592
Kansas	35,701	13,303	710	3,940	2,517	6,445	1,304	625	2,216	1,222	476
Kentucky	55,091	15,860	3,844	7,880	4,631	5,521	1,622	1,505	4,741	1,230	1,064
Louisiana	67,647	17,512	2,620	7,269	4,476	16,926	1,919	1,665	5,404	2,190	1,143
Maine	16,565	3,777	1,049	2,960	851	1,690	578	441	1,546	723	492
Maryland	68,977	20,591	1,994	4,357	2,871	12,733	4,602	1,999	2,702	2,758	2,788
Massachusetts	68,257	14,235	1,440	5,682	6,636	17,083	2,959	1,673	1,853	4,065	2,020
Michigan	109,493	43,415	2,430	4,716	12,415	17,850	3,958	2,744	4,368	3,663	2,309
Minnesota	51,481	21,804	1,312	5,037	1,217	8,474	1,459	806	3,062	1,614	1,101
Mississippi	33,500	10,468	1,404	3,009	2,124	5,556	977	787	3,519	857	358
Missouri	62,669	17,355	1,701	6,594	5,532	14,435	2,334	1,657	3,823	2,159	1,454
Montana	15,566	4,595	531	2,100	935	1,735	489	339	1,440	1,125	285
Nebraska	25,773	9,349	771	2,473	978	5,305	892	491	2,011	557	705
Nevada	9,410	2,371	222	1,329	643	424	538	287	660	824	340
New Hampshire	13,277	3,983	353	1,840	948	1,974	400	270	749	485	329
New Jersey	71,401	16,016	1,893	7,834	4,515	13,638	3,699	3,559	1,990	3,370	2,853
New Mexico	25,994	10,312	956	2,736	1,531	2,385	622	556	1,383	1,186	1,153
New York	185,376	26,640	3,543	15,755	1,664	67,464	10,848	4,625	7,483	11,653	5,734
North Carolina	84,300	27,626	2,907	12,276	1,432	14,731	4,708	2,310	4,977	1,919	3,537
North Dakota	11,398	4,364	410	1,381	393	1,568	207	136	973	395	179
Ohio	99,431	37,516	2,165	8,500	1,310	18,877	6,335	1,886	4,455	4,243	1,715
Oklahoma	48,434	17,893	1,728	3,476	5,870	6,074	2,487	903	2,032	1,320	1,319
Oregon	40,083	11,631	1,011	3,540	3,960	5,251	1,575	1,159	3,177	1,721	959
Pennsylvania	129,986	21,171	3,014	17,305	12,542	31,237	4,508	4,904	5,988	6,371	2,887
Rhode Island	18,653	4,823	1,005	1,010	1,569	3,691	668	243	511	791	782
South Carolina	51,065	12,986	4,972	4,515	4,175	8,219	2,505	1,203	2,313	1,612	509
South Dakota	12,033	3,635	226	1,436	881	1,465	284	340	1,040	367	549
Tennessee	59,598	18,665	2,840	5,919	4,564	9,861	2,858	882	3,951	2,050	1,010
Texas	159,243	62,021	3,664	14,212	14,320	29,104	5,123	1,561	6,796	4,274	1,494
Utah	27,442	14,941	738	2,018	1,040	2,808	719	447	1,081	884	389
Vermont	10,397	3,310	303	1,107	605	1,111	401	328	908	505	281
Virginia	85,631	26,386	2,811	11,614	577	17,891	5,393	1,639	3,696	2,244	2,039
Washington	63,422	24,666	1,149	5,133	4,785	7,448	3,177	1,279	4,653	2,216	809
West Virginia	34,638	8,580	1,367	7,378	3,163	3,933	809	684	2,687	1,299	472
Wisconsin	53,350	25,358	1,435	1,949	1,046	6,763	2,547	779	2,269	2,504	1,493
Wyoming	7,721	2,238	185	1,298	456	737	208	187	688	599	202

\*Source: Bureau of the Census, *Public Employment in 1976*.



Table 6  
STATE GOVERNMENT PAYROLLS, TOTAL AND FOR SELECTED  
FUNCTIONS, BY STATE: OCTOBER 1976\*  
(In thousands of dollars)

State	Education			Selected functions other than education							
	All functions	Institutions of higher education	Other education	Highways	Public welfare	Hospitals	Correction	Police protection	Natural resources	Financial administration	General control
All states	\$2,893,678	\$1,004,010	\$107,539	\$256,153	\$144,483	\$423,580	\$131,058	\$81,704	\$150,284	\$112,902	\$84,167
Alabama	50,842	19,538	2,713	4,412	3,226	8,667	1,193	816	2,844	1,265	834
Alaska	22,276	4,809	2,450	2,616	465	469	817	632	2,036	943	1,915
Arizona	35,776	15,714	1,160	3,626	1,681	3,302	1,129	1,492	1,718	1,084	696
Arkansas	26,478	9,566	1,749	3,025	1,296	2,898	636	526	1,837	930	452
California	303,859	112,858	6,551	19,272	2,575	29,982	16,695	12,504	19,014	18,628	4,104
Colorado	46,936	23,131	627	3,912	980	4,808	2,033	1,027	2,405	1,759	1,999
Connecticut	39,408	10,443	2,128	3,662	1,670	8,118	1,674	1,142	981	1,158	2,429
Delaware	12,805	4,074	345	1,250	819	1,238	826	658	566	393	807
Florida	95,725	27,815	2,417	5,737	5,068	12,050	9,326	2,422	5,378	3,511	5,911
Georgia	65,945	21,151	2,289	5,956	4,176	9,029	2,927	1,667	4,011	1,292	2,164
Hawaii	39,790	7,886	17,381	1,035	651	2,586	690	...	1,660	929	1,590
Idaho	14,244	4,443	508	1,698	788	657	356	240	1,759	582	400
Illinois	118,822	43,159	3,004	8,946	10,877	18,800	5,108	2,630	3,996	3,869	3,590
Indiana	58,160	29,162	2,855	4,653	966	7,624	2,223	2,031	2,192	1,650	725
Iowa	43,788	19,078	1,324	3,182	2,541	6,695	1,427	1,120	2,272	1,235	918
Kansas	35,552	15,275	662	3,641	2,431	5,025	1,203	809	2,200	1,034	636
Kentucky	48,274	15,992	3,833	5,928	3,567	3,824	1,357	1,698	3,136	1,136	1,308
Louisiana	56,876	16,847	2,528	5,983	3,913	12,178	1,520	1,337	4,334	1,744	1,126
Maine	14,201	3,741	909	2,388	586	1,218	522	402	1,325	541	497
Maryland	68,400	20,338	2,350	4,363	2,647	10,472	4,975	2,407	2,895	2,987	3,320
Massachusetts	65,919	16,811	1,482	5,978	5,167	12,885	2,910	1,892	1,783	4,189	2,247
Michigan	133,079	53,862	3,126	6,431	14,393	18,970	5,146	4,122	5,273	4,480	3,612
Minnesota	62,013	28,772	1,600	6,279	1,262	8,154	1,801	1,249	3,670	1,723	1,502
Mississippi	27,160	10,341	1,111	2,249	1,632	3,080	615	780	2,650	741	424
Missouri	57,386	19,190	1,342	5,724	4,120	11,553	1,863	1,862	3,800	1,646	1,446
Montana	15,885	4,776	540	2,319	824	1,538	519	350	1,613	1,009	358
Nebraska	22,239	8,324	718	2,072	734	4,046	734	538	1,801	497	728
Nevada	11,086	2,864	269	1,666	710	498	663	341	790	892	481
New Hampshire	12,135	3,727	331	2,107	738	1,395	333	301	740	420	381
New Jersey	79,374	22,413	2,301	9,009	4,366	11,913	3,929	4,244	1,915	3,316	3,596
New Mexico	25,002	10,230	885	2,406	1,298	1,791	607	632	1,510	1,130	1,295
New York	198,386	33,930	4,141	16,102	1,996	63,085	13,231	5,886	7,333	11,633	8,151
North Carolina	74,355	25,678	2,654	10,355	1,217	10,855	4,346	2,344	4,516	1,899	3,370
North Dakota	11,537	5,080	393	1,261	364	1,117	182	148	1,117	346	189
Ohio	109,458	48,732	2,275	8,888	1,288	16,241	6,642	1,992	4,421	4,562	2,093
Oklahoma	41,880	17,726	1,510	2,945	4,605	3,776	1,953	865	1,569	1,102	1,520
Oregon	46,033	15,405	1,185	3,945	3,789	5,043	1,748	1,477	3,646	1,787	1,407
Pennsylvania	141,210	27,041	3,797	17,582	13,006	29,797	5,126	6,703	6,449	6,227	4,238
Rhode Island	18,364	5,620	1,217	845	1,501	2,552	809	316	467	754	817
South Carolina	44,347	13,051	4,542	3,313	3,116	5,510	2,086	1,168	1,925	1,400	617
South Dakota	11,525	3,958	226	1,431	757	971	252	340	1,054	332	566
Tennessee	47,523	16,489	2,510	4,332	3,280	6,003	2,077	874	3,078	1,714	1,247
Texas	154,353	64,691	3,699	14,956	12,648	21,213	4,726	1,869	6,592	4,724	1,856
Utah	23,814	11,028	847	2,279	1,018	2,251	757	539	1,037	789	509
Vermont	9,457	3,257	282	919	527	779	358	363	827	460	325
Virginia	78,345	29,978	2,365	9,199	530	12,802	3,879	1,640	3,371	1,879	1,970
Washington	72,342	31,591	1,357	6,322	4,459	6,744	3,387	1,600	5,249	2,325	1,092
West Virginia	30,067	9,757	1,171	5,840	5,719	2,212	620	607	2,367	991	454
Wisconsin	62,980	31,826	1,684	2,696	1,113	6,598	2,945	884	2,444	2,685	1,996
Wyoming	8,267	2,840	197	1,419	383	567	177	218	721	582	260

\*Source: Bureau of the Census, *Public Employment in 1976*.

# Section IV

## CONSTITUTIONS AND LEGISLATION

### 1. Constitutions

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#### STATE CONSTITUTIONS AND CONSTITUTIONAL REVISION, 1976-1977

By Albert L. Sturm\*

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FORTY-TWO STATES took some form of official action on proposed changes in their constitutions during 1976-77. Compared with similar activity in the two past biennia, fewer states proposed alterations in their fundamental laws. Notwithstanding some reduction in activity, the level of concern for modernizing state constitutions remained relatively high. Proposed changes ranged from minor alterations, such as conforming the state documents to the requirements of national law, to proposal and approval in Georgia of an editorial revision of the entire constitution.

Three of the four methods of initiating changes in state constitutions expressly authorized by these documents were used to propose amendments and revisions during the biennium: legislative proposal, initiative proposal, and constitutional convention. Tables 2, 3, and 4 summarize salient procedural constitutional requirements for their use. No proposals were originated during the biennium by the fourth method, proposal by constitutional commission, which is expressly authorized only in the Florida constitution. Of major interest and significance during the period, however, was the establishment of the Florida Constitution Revision Commission in 1977 with a mandate to study the constitution and to submit needed changes to the voters in 1978. The work of this body is discussed later in this chapter.

In five states, the electorate voted on the question of calling a constitutional convention; three electorates approved the call and two rejected it. Tennessee was the only state in which a constitutional convention was in session during the biennium. Its proposals will be submitted to the voters in 1978. The only proposed amendments to be initiated by a constitutional convention and referred to the electorate during the biennium were 12 proposals of the 1974 New Hampshire Constitutional Convention.

The following paragraphs provide summary data on constitutional changes by each of the authorized methods during 1976-77. To facilitate comparison, the analysis follows the same general format used in the last four volumes of *The Book of the States*.

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### Methods of Constitutional Change and Their Use

All state constitutions expressly authorize the legislature to propose changes in these documents; this is by far the most-used technique. With the exception of Delaware, where legislative action only is required, all proposed constitutional changes must be submitted to the voters for their approval or rejection. The constitutional initiative serves as an auxiliary device for proposing limited alterations in the 17 states whose constitutions authorize its use. Constitutional conventions are the traditional method for proposing extensive revisions in the United States, although they may propose, and often have proposed, more limited changes in the form of a single amendment or a series of amendments. In recent years, constitutional commissions have become increasingly popular as staff arms of state lawmaking bodies to study state constitutions and propose needed changes. The functioning of constitutional commissions during the past biennium is the subject of a later section.

Table A summarizes state constitutional changes by the three methods of formal initiation used during 1976-77 and the two preceding biennia. It tabulates the totals of proposals, adoptions, percentages of adoptions, and the aggregates for all methods. As noted previously, 42 states were involved in formal constitutional change during 1976-77. The total number of proposals by all methods, 399, was greater than the 352 of the previous biennium, but substantially fewer than the 530 proposed during 1972-73. The percentage of adoptions during 1976-77 diminished slightly from 72.7 to 70.2, but was nearly one percentage point higher than the 69.4 for 1972-73.

Table A  
STATE CONSTITUTIONAL CHANGES BY METHOD OF INITIATION  
1972-73, 1974-75, 1976-77

<i>Method of initiation</i>	<i>Number of states involved</i>			<i>Total proposals</i>			<i>Total adopted</i>			<i>Percentage adopted</i>		
	1972-73	1974-75	1976-77	1972-73	1974-75	1976-77	1972-73	1974-75	1976-77	1972-73	1974-75	1976-77
All methods . . . . .	47	48	42	530	352	399	368	256	280	69.4	72.7	70.2
Legislative proposal . . . . .	46	47	42	497	332	369	356	244	273	71.6	73.5	74.0
Constitutional initiative . . . . .	7	7	8	16	13	18	3	8	3	18.8	61.5	16.7
Constitutional convention . . . . .	4	2	1	17	7	12	9	4	4	52.9	57.1	33.3

### Legislative Proposals

As has always occurred, during 1976-77 state legislatures initiated by far the greatest number of constitutional changes—92.5 percent of the total, and all 42 states involved in altering their constitutions made use of this method. The increased number of legislative proposals during the biennium not only reflects the continuing need to update state constitutions, but also state legislative awareness of the need for constitutional modernization and willingness of legislatures to take appropriate action. In 15 states the electorates approved all legislative proposals (Arizona, Arkansas, Connecticut, Hawaii, Idaho, Indiana, Kansas, Maine, Montana, New Jersey, North Carolina, Oklahoma, Pennsylvania, Rhode Island, and Utah); in four states (Michigan, Minnesota, New Hampshire, and South Dakota) none was approved. In two other states (Maryland and South Carolina), the voters approved all legislative amendments of general statewide effect,

but rejected some local amendments. The total number of legislative proposals ranged from one each in six states (Hawaii, Indiana, Kansas, Minnesota, Rhode Island, and Utah) to 95 (28 general and 67 local) in Georgia. The tabulation below indicates the number of proposals and adoptions in the states that made greatest use of this method during 1976-77.

<i>State</i>	<i>Proposals</i>	<i>Adoptions</i>
Alabama .....	9 general, 32 local	6 general, 24 local
California .....	19 general	14 general
Georgia .....	28 general, 67 local	27 general, 60 local
Maryland .....	14 general, 7 local	14 general, 4 local
Nevada .....	10 general	6 general
Ohio .....	19 general	9 general
Oregon .....	15 general	9 general
South Carolina .....	3 general, 10 local	3 general, 3 local

### Constitutional Initiative Proposals

The constitutional initiative is authorized in 17 state constitutions and has limited use. Its principal purpose is to propose limited changes that have substantial popular support when lawmaking bodies fail to act. The initiative technique is inappropriate for proposing general revisions or extensive amendments. Often initiative proposals that originate by popular petition lack the substantial popular support necessary to assure their success. Thus the rate of adoption is usually substantially lower than that of legislative proposals.

Table A indicates that of the 18 initiative measures proposed in eight states during 1976-77, only three were adopted, or a dismal 16.7 percent. The numbers proposed and adopted in each state were as follows: Arkansas (1-0), Colorado (3-0), Florida (1-1), Michigan (2-0), Missouri (3-1), Montana (1-0), Ohio (6-1), and Oklahoma (1-0). In Florida, where the constitutional initiative was used for the first time, the amendment popularly known as the "sunshine amendment" was promoted by the governor after the legislature failed several times to approve it.<sup>1</sup> The 16.7 percent adoption rate of initiative proposals for 1976-77 was far below the 61.5 percent of adoptions during 1974-75, and the 18.8 percent during 1972-73.

### Substantive Changes

Table B classifies constitutional changes during 1976-77 and the two preceding biennia by subject matter.<sup>2</sup> As in the four immediately preceding volumes of *The Book of the States*, all proposals are grouped in two major categories: those of general statewide applicability, which includes all proposed changes in all except four states; and proposed local amendments in Alabama (32), Georgia (67), Maryland (7), and South Carolina (10), which apply to a single political subdivision or a restricted number of such units. Proposals of general statewide applicability are further classified under subject matter headings that conform broadly to the principal functional areas of state constitutions. The last group includes proposals for general constitutional revision. Percentage of adoptions for proposals of statewide applicability decreased in 1976-77 to 66.8 percent compared with 67.6 percent of adoptions during 1974-75 and 70.7 percent during 1972-73.

Table B indicates that by far the largest number of proposed changes during each of the three biennia was in the general area of state and local finance, including taxation, debt, and financial administration. The total of 92 proposals was substantially greater than the 67 proposals during 1974-75, but fewer than the 109 proposals during the preceding biennium.

Table B  
SUBSTANTIVE CHANGES IN STATE CONSTITUTIONS  
PROPOSED AND ADOPTED  
1976-77

Subject matter	Total proposed			Total adopted			Percentage adopted		
	1972-73	1974-75	1976-77	1972-73	1974-75	1976-77	1972-73	1974-75	1976-77
Proposals of statewide applicability.....	389	253	283	275	171	189	70.7	67.6	66.8
Bill of rights.....	26	9	10	22	6	6	84.6	66.7	60.0
Suffrage and elections.....	34	23	17	24	20	14	70.6	86.9	82.4
Legislative branch.....	46	40	40	25	27	18	54.3	67.5	45.0
Executive branch.....	36	34	32	25	20	23	69.4	58.8	71.9
Judicial branch.....	35	20	34	26	18	32	74.3	90.0	94.1
Local government.....	30	13	7	23	12	3	76.7	92.3	42.9
Taxation and finance.....	85	49	56	56	33	41	65.9	67.3	73.2
State and local debt.....	24	18	36	15	6	20	62.5	33.3	55.6
State functions.....	40	23	42	36	16	25	90.0	69.6	59.5
Amendment and revision.....	19	8	2	12	7	1	63.1	87.5	50.0
General revision proposals.....	2	12	1	1	3	1	50.0	25.0	100.0
Miscellaneous proposals.....	12	4	6	10	3	5	83.3	75.0	83.3
Local amendments.....	141	99	116	93	85	91	65.9	85.9	78.4

Percentage of adoptions increased to 66.3, compared with 65.1 during 1972-73 and 58.2 during 1974-75. The 66.3 percent of adoptions of financial proposals was the median adoption percentage of the 11 functional categories in the classification, which ranged from 42.9 percent for local government proposals to 100 percent for the single general revision proposal (the editorial revision of the Georgia constitution).

Generally, the voters, as in previous biennia, approved both debt and taxation proposals that involved benefits to veterans and low-income elderly. They also approved proposals providing tax relief for property of historical significance to encourage preservation of such property. Colorado voters rejected an initiative proposal that would have required approval by the electorate of all state and local executive and legislative acts that would result in new or increased taxes. Also rejected were a Massachusetts proposal for a state income tax and another in Minnesota that would have permitted the proceeds from increases in motor fuel taxes to be used for general purposes. South Carolina voters approved a new article on taxation in the course of its article-by-article constitutional revision procedure.

As in the two preceding biennia, the legislative branch led the other two branches of state government in the number of proposals for constitutional change. During 1976-77, judicial branch proposals exceeded those applying to the executive branch, reversing the pattern of the two preceding biennia. In percentage of adoptions, the judicial branch (as in the two preceding biennia) led the others during 1976-77 with 94.1 percent, followed by the executive branch with 71.9 percent and the legislative branch with 45 percent. The adoption rate for judiciary proposals continued to rise consistently—from 74.3 percent during 1972-73 to 94.1 percent during 1976-77.

No discernible pattern of approval emerged from voter action on proposals relating to the legislative branch. The voters approved two apportionment proposals and one providing for legislative sessions to act on vetoed bills. Rejections included most proposals relating to compensation, sessions, and expansion of legislative powers, as well as most proposals to lower or eliminate age requirements for election to state lawmaking bodies. Some seemingly

noncontroversial amendments may have been the victims of voter rebellion. In South Dakota, for example, all proposals were rejected, including a revision of the legislative article; in Nebraska, the electorate turned down seven of nine proposals, including four relating to the legislature.

Most adopted changes in the executive branch concerned compensation and succession. The one proposal for joint election of the governor and the lieutenant governor, which also provided for elimination of the latter's legislative responsibilities, was approved. In two states (Georgia and North Carolina), the voters approved proposals permitting the governor to serve two consecutive terms; New Mexico voters rejected such a proposal.

Most approved proposals altering articles on the judiciary related to reorganization of the court system, establishment of judicial qualifications commissions, and selection and retention in office. North Dakota voters approved a new judicial article, and extensive revisions of articles on the judiciary were adopted in New York and Wisconsin.

The number of proposed changes in bills of rights remained low—10 during 1976-77—and the adoption rate continued to decrease—from 84.6 percent in 1972-73 to 60 percent in 1976-77. The only proposal to add sex to antidiscrimination guarantees was approved by Massachusetts voters, and an effort in Colorado to repeal the state's equal rights provision was defeated. Three amendments removing sex distinctions from state constitutions were approved; these changes, however, were in articles other than the bill of rights.

The number of suffrage and elections proposals continued to decline, but the percentage of adoptions remained high (82.4). The adopted changes included reduction of the minimum voting age to 18 to conform state requirements to the Twenty-sixth Amendment to the U.S. Constitution, relaxation of residency requirements, and liberalization of absentee voting provisions. In 1977 Ohio voters approved an initiative proposal providing that a person may vote in all elections if he "has been registered to vote for thirty days" and has the other qualifications of an elector, and requiring an "elector who fails to vote in at least one election during any period of four consecutive years" to register again before he is qualified to vote.<sup>3</sup> Previously, the Ohio constitution authorized the legislature to establish residency requirements. The approved amendment nullified legislation, adopted in May 1977 over the governor's veto, that had provided for election day registration and permanent registration. Nevada voters rejected a proposal to eliminate the six-month residency requirement for electors and retain only the 30-day residency requirement in district or county.

As in the preceding biennium, the number of local government proposals continued to decline, from 13 during 1974-75 to seven during 1976-77; only three of the proposals were approved for an adoption rate of 42.9 percent, the lowest for any subject matter area. The adoption rate of proposals relating to state functions continued to decrease—from 69.6 to 59.5 percent. No pattern emerged for proposals in education, which was the function involving the largest number of proposed changes. Continuing the trend of the two preceding biennia, proposals for state lotteries had a high rate of adoption with all five proposals receiving voter approval. Oklahoma voters rejected an initiative proposal authorizing sale of alcoholic beverages by the drink.

Only two proposed changes in articles on amendment and revision were referred to state electorates during the biennium: South Carolina voters extended to 1978 the authorization for revision of an entire article or addition of a new article in a single proposal. In South Dakota the voters rejected a proposal to authorize the legislature, at stated intervals, to prepare an orderly arrangement of the constitution and delete obsolete sections. Georgia voters approved a new constitution, referred to as the Georgia Constitution of 1976, which

was mainly an editorial revision of the 1945 document with few substantive alterations. The Georgia legislature regarded rearrangement of the constitution's provisions in more logical order as a necessary first step to permit later substantive revision on an article-by-article basis. Approval of the editorially revised Georgia document resulted in the 100 percent rate of adoption for general revision proposals.

### Constitutional Commissions

#### Usage

Seven constitutional commissions were operative in seven states during the 1976-77 biennium, compared with eight such bodies that were active during 1974-75. This continued reliance on constitutional commissions evidences the preference of state legislators for use of commissions instead of constitutional conventions as organs for proposing alterations in the states' basic laws. Except in Florida, where the constitution expressly requires periodic establishment of a constitutional commission with independent power to initiate and submit to the voters unlimited changes, these bodies serve mainly as auxiliary staff arms of legislative assemblies. Lawmakers usually may accept, modify, or reject, in whole or in part, the recommendations of constitutional commissions.

Table 5 summarizes salient features of the seven commissions operative during 1976-77. Four of these bodies were created before 1976: the Alabama, Ohio, and Utah commissions in 1969, and the Washington Commission for Constitutional Alternatives in 1975. Previous volumes of *The Book of the States* include reports on the earlier activities of these commissions. The remaining three—in Florida, Georgia, and North Dakota—were established in 1977.

#### General Features

Five of the seven constitutional commissions were created by statutory law—Alabama, Florida, Georgia, Ohio, and Utah. The Florida constitution, however, mandates periodic establishment of a constitutional commission to study the state's organic law and propose needed changes. In North Dakota, the Committee on Constitutional Revision was established as an organ of the Legislative Council by a senate concurrent resolution. The Washington Commission for Constitutional Alternatives was established by executive order. All commissions were mandated to study the constitution and to propose needed changes. No preparatory commission specially directed to make preparations for a constitutional convention was active during the period.

Most commissions, especially those created by statute, are required to report to the legislature. The North Dakota body submits reports to the Legislative Council, and the executive commission in Washington submitted its report to the governor.

Typically, constitutional commissions have two types of membership: ex officio and appointive, the latter almost invariably outnumbering by far the ex officio members. Four of the seven commissions operative during 1976-77 included ex officio designees: Alabama (4), Florida (1), Georgia (10), and Utah (1). Size of the seven commissions ranged from 60 on the Washington commission down to 11 on the Select Committee on Constitution Revision in Georgia. For the statutory bodies, appointing authorities typically included the governor, the presiding officers of the two legislative houses, and the chief justice of the supreme court. Members of select committees mandated to study the constitution usually were designated by the parent bodies of these groups, and included representatives from major interest

groups, public officials, and lawmakers. A maximum number of members from any one political party is often specified in the instruments creating constitutional commissions, exemplified in the Utah body.

Direct legislative appropriations finance most constitutional commissions. This applies to four of the seven commissions operative during 1976-77. Funding for the Georgia committee is from the legislative appropriation, and the North Dakota body from the Legislative Council appropriation; the Washington commission was supported from the Governor's "Survey and Installations Funds" budget. Total funding for four commissions on which information was available through December 31, 1977, was as follows: Alabama, \$344,688 (approximately seven years); Florida, \$350,000 (six months); Ohio, \$1,050,000 (approximately 7½ years); Utah, \$136,700 (approximately eight years), and Washington, \$164,000 (1½ years).<sup>4</sup>

The duration of the seven commissions, as of December 31, 1977, ranged from more than eight years for the Utah commission down to the Florida, Georgia, and North Dakota bodies created in mid-1977. Besides the Utah commission, the Alabama and Ohio bodies were operative more than seven years. Wide variation in the period of active operation of these commissions makes any attempt at averaging unrealistic. In 1977 the Utah Constitutional Revision Study Commission, which was established in 1969, was made permanent by the Utah legislature.

### Reports and Implementation

Reports of constitutional commissions vary widely in content, scope, and format. Changes recommended in these reports range from a series of proposed amendments to an entire new constitution. The 1976-77 edition of *The Book of the States* described the general contents of the reports of the Alabama, Ohio, and Utah commissions now operative.<sup>5</sup> None of the proposals of the Alabama Constitutional Commission was submitted to the electorate during the biennium. The Ohio Constitutional Revision Commission submitted a total of 12 reports to the General Assembly; 13 proposals have been adopted, and some were still pending in the General Assembly at the end of the period. In Utah, the voters approved an elections article in 1976 revised by the Constitutional Revision Study Commission.

The Washington Commission for Constitutional Alternatives' report, submitted to the governor in January 1977, pointed to four areas needing special attention: revenue, the executive branch, the legislative branch, and local government; it concluded that a constitutional convention should be called to address these issues. To date, efforts to get the convention question on the ballot have been unsuccessful. The North Dakota Committee on Constitutional Revision is mandated to submit recommendations to the 1979 legislature with drafts of proposed revisions. In Georgia, the Select Committee on Constitutional Revision has appointed three study committees to revise three separate articles and expects to submit proposed revisions during the 1978 session of the legislature. The work of the Florida commission merits special attention because of its unique character.

### The Florida Constitution Revision Commission

Of special interest to students of state constitution-making and revision is the Florida Constitution Revision Commission, which was established pursuant to an express provision in the state's 1968 constitution. The Florida constitution is the only one that provides for a constitutional commission with independent authority to submit its proposals directly to the people. Article XI, Section 2, provides for establishment of a constitution revision



commission in the tenth year following that in which the 1968 constitution was adopted. Following an advisory opinion by the Florida Supreme Court early in 1977,<sup>6</sup> Governor Reubin O'D. Askew named his appointees to the 37-member commission. The commission included one ex officio member (the attorney general) and 36 members appointed by: the governor (15), the speaker of the house (9), the president of the senate (9), and the chief justice of the supreme court (3).<sup>7</sup> The legislature enacted the necessary enabling legislation and appropriated \$350,000 to fund the commission during fiscal 1977-78.

The first meetings of the commission were held early in July 1977. At the initial meeting the commission adopted temporary rules and the chairman appointed four administrative committees—public hearings and arrangements, records and research, administration, and rules drafting. During August and September the commission held hearings throughout the state, heard approximately 100 hours of testimony from over 550 witnesses, and received numerous written reports and comments. More than 800 issues were identified from the hearings and correspondence; of these, a total of 230 received the support of at least 10 commissioners and were designated priority issues. The permanent rules approved after the hearings provided for a majority of the votes of commissioners to place a revision proposal on the ballot. The chairman appointed nine substantive committees: finance and taxation; bonding and investments; legislative; judiciary; declaration of rights; education; executive; ethics, privacy and elections; and local government. Committees on rules and style and drafting were also designated. Unlike legislative committees, these committees have advisory powers only.

During October 1977, the committees met to consider and draft proposals, and the commission reconvened in November and December, and was scheduled to reconvene early in 1978 to debate and take action on committees' and commissioners' proposals. Commission plans call for a draft compilation of proposed revisions by the end of January 1978. After review by the Style and Drafting Committee and the commission, the proposed revisions will be publicized and comments solicited. Final proposed revisions must be completed by May 9, 1978, and filed with the secretary of state. They are scheduled to be submitted to the voters at the November 1978 general election. Students of American state constitutional development will follow with keen interest the work, progress, and results of the Florida Constitution Revision Commission, which is breaking new ground in the procedure of constitutional modernization.

### **Constitutional Conventions**

#### **Usage**

Since the formation of the Union at least 228 constitutional conventions have been convened in the states through 1977. Although this has been the traditional method for extensive revision of an old constitution or writing a new one, constitutional conventions have been used increasingly in recent years to propose more limited alterations in the states' organic laws. Last of these bodies to be assembled, and the only one during the biennium covered in this analysis, was Tennessee's Limited Constitutional Convention of 1977. During this period, however, the electorates in four other states voted on the question of calling a constitutional convention. At the general election on November 2, 1976, the voters of Arkansas and Hawaii approved calls for conventions to convene in 1978; on November 8, 1977, however, convention calls were rejected by the electorates of Kentucky and New York.<sup>8</sup> Besides these actions involving the use of constitutional conventions in the states,

conventions were held in three territories of the United States during this period—the Northern Mariana Islands in 1976, and Guam and the Virgin Islands in 1977. No referendum on the convention question was held in any of the territories.

The following paragraphs summarize salient features of the constitutional conventions operative during 1976-1977 and action taken in preparation for those scheduled to convene in 1978.

### **Tennessee**

Table 6 provides general information on the fifth Tennessee Limited Constitutional Convention, called for the purpose of proposing amendments to the 1870 constitution. The convention was called pursuant to Tennessee Public Act 848 of 1976, which provided for submission of the convention question to the electorate on August 5, 1976. The voters approved the convention call by a vote of 314,385 to 239,491. Ninety-nine delegates were elected on November 2, 1976, from districts of the house of representatives on a nonpartisan basis. They convened on August 1, 1977, with a mandate to complete their work by July 31, 1978. The convention elected a president; an executive vice president; three regional vice presidents representing east, middle, and west Tennessee; and a secretary, all of whom were delegates. Personnel employed by the senate provided most of the staffing for the convention. The entire convention staff totaled about 10 persons.

An initial legislative appropriation of \$575,000 was later supplemented by \$95,000 for an aggregate of \$670,000 to pay convention expenses until approximately mid-December for an estimated maximum duration of approximately 70 days. These funds, however, were expended before the convention adjourned and were further supplemented on a day-by-day basis. Total cost of the convention exceeded \$700,000. Delegates received the same per diem and mileage paid to members of the legislature, which totaled approximately \$63 per day.

As approved by the voters, Tennessee's convention was limited to the following 13 subjects specified in the enabling act: legislative sessions and the inauguration of the governor; filling legislative vacancies; passage of legislative bills; legislative appropriations; the governor's term; the time in which the governor must act on legislation; voting age; the judicial article; county officers, their election, terms and removal, and filling vacancies; interest rates; homestead exemption; segregation of school children; and intermarriage of whites and blacks. The enabling act further required amendments proposed by the 99-member convention to be submitted separately to the voters at an election held in the manner and on the date to be determined by the convention, or by the legislature if the convention failed to act.

Six procedural committees to oversee the operation of the convention were appointed, as well as substantive committees to study the 13 authorized subject areas and to develop proposals for consideration and action by the convention. The rules required a majority vote of the entire membership of the convention to approve proposed amendments for submission to the voters.

Completion of the convention's work extended far beyond the early November termination initially planned. Most controversial of the issues before the convention were the interest rate (limited to a 10 percent maximum in the 1870 constitution), the local government provisions, and revision of the article on the judicial department. The delegates completed their work on the seventy-fourth day and the convention adjourned sine die on December 22, 1977. The 13 proposals resulting from the convention will be submitted to the voters at a special election on March 7, 1978.

**Hawaii**

The Hawaii electorate on November 2, 1976, approved the calling of an unlimited constitutional convention by a vote of 199,831 to 61,264. The enabling act provides for the convention to convene in Honolulu on July 5, 1978, and for submission of its proposals to the voters at the general election in November 1978 unless the convention determines otherwise.<sup>9</sup> One hundred two delegates will be elected on May 20, 1978, from districts of the house of representatives on a nonpartisan basis. Funding for the convention includes \$1,500,000 for presession, session, and postsession expenses of the convention; \$485,599 for conducting the election of delegates; \$8,500 for a campaign spending commission to supervise campaign contributions and expenditures; and \$72,000 to the Legislative Reference Bureau to provide necessary services and assistance to the convention, including updating the convention studies prepared for the 1968 convention.<sup>10</sup> Authorized compensation of delegates is \$1,000 per month, but not more than \$4,000 total, plus per diem allowance of \$10 for Oahu delegates and \$30 for delegates from other islands.

**Arkansas**

In his inaugural address, Governor David Pryor gave strong support to the constitutional convention call that had been approved by the voters on November 2, 1976.<sup>11</sup> Early in 1977, however, he vetoed two bills that provided for a convention in 1979, apparently because of a provision that would have required any new or revised constitution to be submitted to the voters at a general election. Previously the governor had expressed the view that because of the nature and importance of a constitutional convention, its proposals should be referred to the voters at a special election.

The enabling act providing for an unlimited constitutional convention was passed by the legislature during a special session and signed by the governor on August 5, 1977.<sup>12</sup> The convention is scheduled to convene on December 4, 1978, at the state capitol for an organizational meeting limited to three days. It is mandated to reconvene on May 14, 1979, and remain in session as long as is required, but no later than July 16, 1979; if necessary, however, the convention may reconvene in extended session on August 6, 1979, but must adjourn sine die by August 20, 1979. One hundred delegates will be elected on November 7, 1977, from house of representatives' districts on a nonpartisan basis. A legislative appropriation of \$800,000 will fund the convention.<sup>13</sup> The enabling act provides that the convention may propose a new constitution and also separate proposals or alternates to be voted on separately. The referendum on convention proposals will be at a special election called by the governor for November 13, 1979 (the 'second Tuesday), or at the general election on November 4, 1980, as determined by the electors at the November 1978 general election.

**Territorial Conventions**

During the biennium, three territories held constitutional conventions. First of these was the convention in the Northern Mariana Islands, which met in Saipan October 18–December 6, 1976, to draft a constitution that, when effective, would establish a Commonwealth of the Northern Mariana Islands in political union with the United States. Requirements for the effectiveness of the constitution included approval at a referendum by the people of the Northern Marianas and by the U.S. government. The convention's powers were restricted only by the provisions specified in Article II, Section 203, of the covenant to

establish the new government, which related to the islands' territorial status; the covenant had been approved by representatives of the Northern Marianas and the United States on February 15, 1975. The convention's 39 delegates were chosen in a nonpartisan election on October 3, 1976, from chartered municipalities in the islands. In performing its task the convention expended \$263,000 of \$267,000 provided by a \$30,000 appropriation and an allocation of \$237,000 by the Office of Transition Studies and Planning. Electors of the Northern Mariana Islands on March 6, 1977, approved the constitution by a vote of 3,555 to 258. It became effective in late October 1977 after approval by the U.S. government.

The constitutional convention in Guam, which met July 1–October 31, 1977, to revise the Organic Act of 1950, was unlimited except for limitations inherent in territorial status. Thirty-two delegates were selected in a nonpartisan election on April 16, 1977, from municipal districts. An appropriation of \$250,000 financed the convention's operation. The proposed constitution has been submitted to the governor of Guam, who is scheduled to refer the document to the president of the United States early in 1978. Further required procedure before the constitution becomes effective includes its submission by the president within 60 days to Congress, which will have 60 days to consider it. After approval by the U.S. government (which may involve taking no action), the constitution will be submitted to the voters of Guam in November 1978 for final approval.

The Constitutional Convention of the Virgin Islands convened on October 3, 1977, and was still in session in late December 1977. The 60 delegates, 30 from each of two legislative districts, were elected on a nonpartisan basis on September 17, 1977. Funding included \$250,000 for expenses of the convention and \$30,000 for expenses of the delegate election and referendum on the proposed constitution. Powers of the convention were extensive, but the draft constitution was required to include a bill of rights; provision for a republican form of government including executive, legislative, and judicial branches; incorporation of the provisions of the Revised Organic Act of the Virgin Islands that do not relate to local self government, as amended, without further amendment; provision for a system of local courts; a procedure for amending the constitution that provides for review by the president and Congress; an effective date of the constitution if approved by the voters of the Virgin Islands; and consistency of the document with the sovereignty of the United States over the Virgin Islands.

The convention is expected to complete the proposed constitution early in 1978 and submit it to the governor. Required procedure before the constitution can become effective follows the same pattern as in Guam: the governor submits the document to the president of the United States, who within 60 days refers the document to Congress, which has 60 days to consider it, but is not required to take any action. A referendum on the proposed constitution is scheduled for November 1978 when the electorate of the Virgin Islands will accept or reject it, if the document receives approval at all previous stages.

### **Constitutional Studies**

Materials produced in the course of major state constitutional revision efforts and the records of proceedings and debates of constitutional conventions and state legislative assemblies and their staff components are of immense value to planners and executors of constitutional modernization. Official action to modernize constitutions in more than four fifths of the states since mid-century has produced an extensive body of materials relating to all principal phases of constitution-making. Much of this material is produced in nonpermanent form and access to it is often difficult. Copies of most such materials are

usually stored in the principal archives and libraries of the political jurisdictions to which they relate. A growing body of literature on constitution-making, however, is appearing in published form and is readily accessible to interested persons.

The selected references listed at the end of this summary analysis are among the most informative and useful sources of data on state constitution-making. A far more comprehensive, although selective, compilation of references is the author's *A Bibliography on State Constitutions and Constitutional Revision, 1945-1975*, published in August 1975 by the Citizens Conference on State Legislatures (now Legis/50). This bibliography, however, lists references concerning mainly the procedure, rather than the substance, of state constitution-making. Exemplifying useful materials of a substantive nature published during the biennium is the Ohio Constitutional Revision Commission's *Final Report* published in June 1977. This recorded experience of the Ohio commission will be useful in other states as well. Similarly, the studies produced before, during, and after completion of general constitutional revision in Illinois, Montana, Texas, and other states will be of continuing value. Principal producers of these materials include constitutional conventions and commissions, legislative research and service agencies, university institutes and bureaus, staffs of law reviews, and various professional and functional organizations in the principal subject areas of state constitutions.

During the biennium additional volumes were published in the projected 10-volume *Sources and Documents of United States Constitutions*, edited and annotated by Professor William F. Swindler. Seven volumes had been published through 1977, and the remaining three volumes were scheduled for publication in 1978. When completed, this series will be an invaluable source of data on the background and development of constitutions in each of the 50 states as of the date of publication.

A growing number of states have established a strong research basis for constitutional reform that provides continuing information resources for later revision efforts. Hawaii and Arkansas, both of which will convene constitutional conventions in 1978, exemplify these states in which much basic research has been done. The Legislative Research Bureau of the University of Hawaii prepared 17 volumes of background research covering all major areas of the constitutional system for the 1968 constitutional convention.<sup>14</sup> These studies will be updated for the 1978 convention. Also in 1968, a Constitutional Revision Study Commission in Arkansas prepared an extensive report on that state's organic law that provided helpful information for the 1969-70 constitutional convention;<sup>15</sup> this report will be useful to the 1978 convention. Likewise, research done for the Florida Constitution Revision Commission in the late 1960s has afforded helpful background information for the 1977 commission. The staff of the *Florida State University Law Review* is preparing a "Constitution Revision Symposium" which will assemble additional comparative data on constitutional issues under study by the Florida commission.

The National Municipal League and the Council of State Governments have assembled a substantial amount of the more fugitive materials on constitutional revision. The National Municipal League, for example, has collected copies of the rules of most recent constitutional conventions and commissions. The League's *State Constitution Studies* and its *State Constitutional Convention Studies* provide information of continuing value to persons interested in state constitution-making. Both the League and the Council are principal sources of information on state constitutional developments.

Annual summary analyses of state constitutional developments by the author are published in the January (or February) issues of the *National Civic Review*. These analyses

cover official action on state constitutions and constitutional revision and include a state-by-state summary of the salient substantive contents of all state constitutional changes of general statewide effect proposed during the preceding year. These summary analyses have been published in the *Review* since 1970.

#### Footnotes

1. The amendment requires disclosure of financial interests and campaign finances by public officials and candidates, and investigation of complaints by an independent commission. Constitution of Florida, Article II, Section 8.
2. The substance of all proposals for changing state constitutions during each year has been reported by the author in the January (or February) issues of the *National Civic Review* since 1970.
3. Constitution of Ohio, Article V, Section 1.
4. For more detailed explanation of funding and other data on the use of constitutional commissions, see previous volumes of *The Book of the States*, and the writer's *Thirty Years of State Constitution-Making, 1938-1968* (New York, N.Y.: National Municipal League, 1970), Ch. 3.
5. Page 168.
6. *In re Advisory Opinion of the Governor[s] Request of November 19, 1976*, Fla., 343 So. 2d 17 (1977). The governor requested the opinion of the Florida Supreme Court concerning the appropriate time for creating the commission mandated by the constitution and the procedure necessary to conform to other constitutional requirements. The court was divided on the issue of whether the commission should be created in 1977 or 1978, with the majority of five justices favoring the earlier date.
7. In size, the commission conformed to that of two former constitutional commissions in Florida—one created in 1955 (S.C.R. No. 555, General Acts and Resolutions, I, Pt. 1, 1246-49), and the second in 1965 (S.B. No. 977).
8. Fourteen states require submission to the voters of the question of whether a convention shall be called at stated intervals. Periodic submission of the convention question is required at least every 20 years in Connecticut, Illinois, Maryland, Missouri, Montana, New York, Ohio, and Oklahoma; every 16 years in Michigan; and every 10 years in Alaska, Hawaii, Iowa, New Hampshire, and Rhode Island.
9. Act 17, 1st Special Session of 1977; approved by the governor, June 27, 1977, and effective, July 1, 1977.
10. "Hawaii Constitutional Convention Studies," prepared and published for the 1968 Constitutional Convention by the Legislative Reference Bureau, University of Hawaii, 17 vols., July 1968. The 1968 convention proposed 23 amendments, in effect a revised constitution; of these, 22 were approved by the electorate on November 5, 1968.
11. The vote on the convention question was 314,385 in favor and 239,491 against.
12. Act 3, 1977, 1st Extraordinary Session (H.B. 4).
13. Act 16, 1977, 1st Extraordinary Session (S.B. 6). The appropriation is effective December 1, 1978, and allocates funds as follows: for regular salaries, \$180,000; extra staffing, \$40,000; maintenance and general operation, \$530,000; and contingency allocation, \$50,000.
14. "Hawaii Constitutional Convention Studies." Prepared and published for the 1968 Constitutional Convention by the Legislative Research Bureau, University of Hawaii (17 vols., July 1968).
15. Arkansas Constitutional Revision Study Commission, *Revising the Arkansas Constitution* (Little Rock, Ark.: 1968).

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Table 1  
GENERAL INFORMATION ON STATE CONSTITUTIONS  
As of December 31, 1977

State or other jurisdiction	Number of consti- tutions*	Dates of adoption	Effective date of present constitution	Estimated length (Number of words)	Number of amendments	
					Submitted to voters	Adopted
Alabama	6	1819, 1861, 1865, 1868, 1875, 1901	11/28/1901	123,900	554	371
Alaska	1	1956	1/3/1959	12,880	17	14
Arizona	1	1911	2/14/1912	23,050	152	86
Arkansas	5	1836, 1861, 1864, 1868, 1874	10/30/1874	38,580(a)	143	65(b)
California	2	1849, 1879	7/4/1879	31,500	701	417
Colorado	1	1876	8/1/1876	39,200	212	97
Connecticut	4	1818(c), 1965	12/30/1965	7,900	13	12
Delaware	4	1776, 1792, 1831, 1897	6/10/1897	18,640(a)	(d)	100(e)
Florida	6	1839, 1861, 1865, 1868, 1886, 1968	1/7/1969	24,555	32	21
Georgia	9	1777, 1789, 1798, 1861, 1865, 1868, 1877, 1945, 1976	1/1/1977	583,500(f)	0	0
Hawaii	1(g)	1950	8/21/1959	17,803(a)	42	37
Idaho	1	1889	7/3/1890	21,045(a)	166	89
Illinois	4	1818, 1848, 1870, 1970	7/1/1971	13,200	1	0
Indiana	2	1816, 1851	11/1/1851	9,842(a)	54	33
Iowa	2	1846, 1857	9/3/1857	12,500	44	42(h)
Kansas	1	1859	1/29/1861	11,865	104	77(h)
Kentucky	4	1792, 1799, 1850, 1891	9/28/1891	23,500	49	22
Louisiana	11	1812, 1845, 1852, 1861, 1864, 1868, 1879, 1898, 1913, 1921, 1974	1/1/1975	29,704(a)	0	0
Maine	1	1819	3/15/1820	13,435	158	134(i)
Maryland	4	1776, 1851, 1864, 1867	10/5/1867	43,031	212	178
Massachusetts	1	1780	10/25/1780	33,255(j)	115	106
Michigan	4	1835, 1850, 1908, 1963	1/1/1964	20,000	18	7
Minnesota	1	1857	5/11/1858	9,491(a)	192	102
Mississippi	4	1817, 1832, 1868, 1890	11/1/1890	23,200	109	40
Missouri	4	1820, 1865, 1875, 1945	3/30/1945	35,900(a)	63	40
Montana	2	1889, 1972	7/1/1973	11,270	5	4
Nebraska	2	1866, 1875	10/12/1875	18,802(a)	252	169
Nevada	1	1864	10/31/1864	19,735	133	86(h)
New Hampshire	2	1776, 1784(k)	6/2/1784	9,300	158(k)	68(k)
New Jersey	3	1776, 1844, 1947	1/1/1948	16,030	30	22
New Mexico	1	1911	1/6/1912	27,000	195	93
New York	4	1777, 1822, 1846, 1894	1/1/1895	41,000	264	194
North Carolina	3	1776, 1868, 1970	7/1/1971	13,250	20	18
North Dakota	1	1889	11/2/1889	29,850	171(l)	100(l)
Ohio	2	1802, 1851	9/1/1851	36,300	231	126
Oklahoma	1	1907	11/16/1907	68,455(a)	211(m)	98(m)
Oregon	1	1857	2/14/1859	24,000	316	159
Pennsylvania	5	1776, 1790, 1838, 1873, 1968(n)	1968	21,675	13(n)	10(n)
Rhode Island	2	1842(c)	5/2/1843	19,026(a,j)	80	43
South Carolina	7	1776, 1778, 1790, 1861, 1865, 1868, 1895	1/1/1896	26,461(o)	619(p)	436(p)
South Dakota	1	1889	11/2/1889	23,000	164	85
Tennessee	3	1796, 1835, 1870	2/23/1870	13,300	23	19
Texas	5	1845, 1861, 1866, 1869, 1876	2/15/1876	60,650	363	226
Utah	1	1895	1/4/1896	17,300	108	62
Vermont	3	1777, 1786, 1793	7/9/1793	6,600	210	52
Virginia	6	1776, 1830, 1851, 1869, 1902, 1970	7/1/1971	18,000	9	8
Washington	1	1889	11/11/1889	29,350	123	67
West Virginia	2	1863, 1872	4/9/1872	25,550(a)	83	51
Wisconsin	1	1848	5/29/1848	13,435	141	99(h)
Wyoming	1	1889	7/10/1890	21,200	86(q)	43
American Samoa	2	1960, 1967	7/1/1967	5,000	10	6
Puerto Rico	1	1952	7/25/1952	9,281(a)	6	6

\*The constitutions in this table include those Civil War documents customarily listed by the individual states.

(a) Actual word count.

(b) Eight of the approved amendments have been superseded and are not printed in the current edition of the constitution. The total adopted does not include 5 amendments that were invalidated.

(c) Colonial charters with some alterations served as the first constitutions in Connecticut (1638, 1662) and in Rhode Island (1663).

(d) Proposed amendments are not submitted to the voters.

(e) Various sections of the constitution have been amended 100 times by 55 acts of the legislature.

(f) Estimated length of the printed constitution, which includes only provisions of statewide applicability, is 48,000 words.

(g) As a kingdom and a republic Hawaii had 5 constitutions.

(h) The figure given includes amendments approved by the voters and later nullified by the state supreme court: in Iowa, 3; Kansas, 1; Nevada, 6; Wisconsin, 2.

(i) The figure does not include one amendment approved by the voters in 1967 that is inoperative until implemented by legislation.

(j) The printed constitution includes many provisions that have been annulled. The length of effective provisions is: in Massachusetts, estimated 20,810 words (12,445 annulled); in Rhode Island, 11,399

words (7,627 annulled).

(k) The constitution of 1784 was extensively revised in 1792. Figures show proposals and adoptions since 1793, when the revised constitution became effective.

(l) The figures do not include submission and approval of the constitution of 1889 itself and of Article XX; these are constitutional questions included in some counts of constitutional amendments, and would add 2 to the figure in each column.

(m) The figures include one amendment submitted to and approved by the voters and subsequently ruled by the supreme court to have been illegally submitted.

(n) Certain sections of the constitution were revised by the limited constitutional convention of 1967-68. Amendments proposed and adopted are since 1968.

(o) Of the estimated length, 16,650 words are of general statewide effect; the remaining 9,811 are local amendments.

(p) Of the 619 proposed amendments submitted to the voters, 123 were of general statewide effect and 496 were local; the voters rejected 83 (12 statewide, 71 local); of the remaining 536, the legislature refused to approve 100 (22 statewide, 78 local), and 436 (89 statewide, 347 local) were finally added to the constitution.

(q) Estimate by the State Archives and History Department.

Table 2  
**CONSTITUTIONAL AMENDMENT PROCEDURE: BY THE LEGISLATURE**  
 Constitutional Provisions

<i>State or other jurisdiction</i>	<i>Legislative vote required for proposal(a)</i>	<i>Consideration by two sessions required</i>	<i>Vote required for ratification</i>	<i>Limitation on the number of amendments submitted at one election</i>
Alabama .....	3/5	No	Majority vote on amendment	None
Alaska .....	2/3	No	Majority vote on amendment	None
Arizona .....	Majority	No	Majority vote on amendment	None
Arkansas .....	Majority	No	Majority vote on amendment	3
California .....	2/3	No	Majority vote on amendment	None
Colorado .....	2/3	No	Majority vote on amendment	None(b)
Connecticut .....	(c)	(c)	Majority vote on amendment	None
Delaware .....	2/3	Yes	Not required	No referendum
Florida .....	3/5	No	Majority vote on amendment	None
Georgia .....	2/3	No	Majority vote on amendment	None
Hawaii .....	(d)	(d)	Majority vote on amendment(c)	None
Idaho .....	2/3	No	Majority vote on amendment	None
Illinois .....	3/5	No	(f)	3
Indiana .....	Majority	Yes	Majority vote on amendment	None
Iowa .....	Majority	Yes	Majority vote on amendment	None
Kansas .....	2/3	No	Majority vote on amendment	5
Kentucky .....	3/5	No	Majority vote on amendment	2
Louisiana .....	2/3	No	Majority vote on amendment(g)	None
Maine .....	2/3(h)	No	Majority vote on amendment	None
Maryland .....	3/5	No	Majority vote on amendment	None
Massachusetts .....	Majority(i)	Yes	Majority vote on amendment	None
Michigan .....	2/3	No	Majority vote on amendment	None
Minnesota .....	Majority	No	Majority vote in election	None
Mississippi .....	2/3(j)	No	Majority vote on amendment	None
Missouri .....	Majority	No	Majority vote on amendment	None
Montana .....	2/3(h)	No	Majority vote on amendment	None
Nebraska .....	3/5	No	Majority vote on amendment(e)	None
Nevada .....	Majority	Yes	Majority vote on amendment	None
New Hampshire .....	3/5	No	2/3 vote on amendment	None
New Jersey .....	(k)	(k)	Majority vote on amendment	None(l)
New Mexico .....	Majority(m)	No	Majority vote on amendment(m)	None
New York .....	Majority	Yes	Majority vote on amendment	None
North Carolina .....	3/5	No	Majority vote on amendment	None
North Dakota .....	Majority	No	Majority vote on amendment	None
Ohio .....	3/5	No	Majority vote on amendment	None
Oklahoma .....	Majority	No	Majority vote on amendment	None
Oregon .....	(n)	No	Majority vote on amendment	None
Pennsylvania .....	Majority(o)	Yes(o)	Majority vote on amendment	None
Rhode Island .....	Majority	No	Majority vote on amendment	None
South Carolina .....	2/3(p)	Yes(p)	Majority vote on amendment	None
South Dakota .....	Majority	No	Majority vote on amendment	None
Tennessee .....	(q)	Yes(q)	Majority vote in election(r)	None
Texas .....	2/3	No	Majority vote on amendment	None
Utah .....	2/3	No	Majority vote on amendment	None
Vermont .....	(s)	Yes	Majority vote on amendment	None
Virginia .....	Majority	Yes	Majority vote on amendment	None
Washington .....	2/3	No	Majority vote on amendment	None
West Virginia .....	2/3	No	Majority vote on amendment	None
Wisconsin .....	Majority	Yes	Majority vote on amendment	None
Wyoming .....	2/3	No	Majority vote in election	None
American Samoa .....	3/5	No	Majority vote on amendment(t)	None
Puerto Rico .....	2/3(u)	No	Majority vote on amendment	3

(a) In all states not otherwise noted, the figure shown in this column refers to percentage of elected members in each house required for approval of proposed constitutional amendments.

(b) Legislature may not propose amendments at the same session to more than six articles in Colorado.

(c) Three-fourths vote in each house at one session, or majority vote in each house in two sessions.

(d) Two-thirds vote in each house at one session, or majority vote in each house in two sessions.

(e) Majority on amendment must be at least 35 percent of total vote at election.

(f) Majority voting in election or 3/5 voting on amendment.

(g) If five or fewer political subdivisions of state affected, majority in state as a whole and also in affected subdivision(s) is required.

(h) Two thirds of both houses.

(i) Majority of members elected sitting in joint session.

(j) The 2/3 must include not less than a majority elected to each house.

(k) Three fifths of all members of each house at one session, or majority of all members of each house for two successive sessions.

(l) If a proposed amendment is not approved at the election when submitted, neither the same amendment nor one which would make substantially the same change to the constitution may be again

submitted to the people before the third general election thereafter.

(m) Amendments concerning certain elective franchise and education matters require  $\frac{1}{2}$  vote of members elected and approval by  $\frac{1}{2}$  of electors voting in state and 2/3 of those voting in each county.

(n) Majority to amend constitution, 2/3 to revise (revise includes all or a part of the constitution).

(o) Emergency amendments may be passed by 2/3 vote of each house, followed by ratification by majority vote of electors in election held at least one month after legislative approval.

(p) Two thirds of members of each house, first passage; majority of members of each house after popular ratification.

(q) Majority of members elected to both houses, first passage; 2/3 of members elected to both houses, second passage.

(r) Majority of all citizens voting for governor.

(s) Two-thirds vote senate, majority vote house, first passage; majority both houses, second passage. As of 1974, amendments may be submitted only every four years.

(t) Within 30 days after voter approval, governor must submit amendment(s) to Secretary of the Interior for approval.

(u) If approved by 2/3 of members of each house, amendment(s) submitted to voters at special referendum; if approved by not less than  $\frac{1}{2}$  of total members of each house, referendum may be held at next general election.

Table 3  
**CONSTITUTIONAL AMENDMENT PROCEDURE: BY INITIATIVE**  
**Constitutional Provisions**

<i>State</i>	<i>Number of signatures required on initiative petition</i>	<i>Distribution of signatures</i>	<i>Referendum vote</i>
Arizona .....	15% of total votes cast for all candidates for governor at last election	None specified	Majority vote on amendment
Arkansas .....	10% of voters for governor at last election	Must include 5% of voters for governor in each of 15 counties	Majority vote on amendment
California .....	8% of total voters for all candidates for governor at last election	None specified	Majority vote on amendment
Colorado .....	8% of legal voters for secretary of state at last election	None specified	Majority vote on amendment
Florida .....	8% of total votes cast in the state in the last election for presidential electors	8% of total votes cast in each of 1/2 of the congressional districts	Majority vote on amendment
Illinois (a).....	8% of total votes cast for candidates for governor at last election	None specified	Majority voting in election or 3/5 voting on amendment
Massachusetts (b) .....	3% of total vote for governor at preceding biennial state election	No more than 1/4 from any one county	Majority vote on amendment which must be 30% of total ballots cast at election
Michigan .....	10% of total voters for governor at last election	None specified	Majority vote on amendment
Missouri .....	8% of legal voters for all candidates for governor at last election	The 8% must be in each of 2/3 of the congressional districts in the state	Majority vote on amendment
Montana.....	10% of qualified electors, the number of qualified electors to be determined by number of votes cast for governor in preceding general election	The 10% to include at least 10% of qualified electors in each of 2/5 of the legislative districts	Majority vote on amendment
Nebraska .....	10% of total votes for governor at last election	The 10% must include 5% in each of 2/5 of the counties.	Majority vote on amendment which must be at least 35% of total vote at the election
Nevada .....	10% of voters who voted in entire state in last general election	10% of total voters who voted in each of 75% of the counties	Majority vote on amendment in two consecutive general elections
North Dakota .....	20,000 electors	None specified	Majority vote on amendment
Ohio .....	10% of total number of electors who voted for governor in last election	At least 5% of qualified electors in each of 1/2 of counties in the state	Majority vote on amendment
Oklahoma .....	15% of legal voters for state office receiving highest number of votes at last general state election	None specified	Majority vote on amendment
Oregon .....	8% of total votes for all candidates for governor elected for 4-year term at last election	None specified	Majority vote on amendment
South Dakota .....	10% of total votes for governor in last election	None specified	Majority vote on amendment

(a) Only Article IV, The Legislature, may be amended by initiative petition.

(b) Before being submitted to the electorate for ratification, initiative measures must be approved by two sessions of the legislature by not less than 1/4 of all members elected, sitting in joint session.

Table 4  
PROCEDURES FOR CALLING CONSTITUTIONAL CONVENTIONS  
Constitutional Provisions

State or other jurisdiction	Provision for convention	Legislative vote for submission of convention question (a)	Popular vote to authorize convention	Periodic submission of convention question required(b)	Popular vote required for ratification of convention proposals
Alabama	Yes	Majority	ME	No	Not specified
Alaska	Yes	No provision (c, g)	(c)	10 yrs.(c)	Not specified(c)
Arizona	Yes	Majority	(d)	No	MP
Arkansas	No	...	...	No	...
California	Yes	2/3	MP	No	MP
Colorado	Yes	2/3	MP	No	ME
Connecticut	Yes	2/3	MP	20 yrs.(e)	MP
Delaware	Yes	2/3	MP	No	No provision
Florida	Yes	(f)	MP	No	Not specified
Georgia	Yes	(g)	None	No	MP
Hawaii	Yes	Not specified	MP	10 years	MP(h)
Idaho	Yes	2/3	MP	No	Not specified
Illinois	Yes	3/5	(i)	20 years	MP
Indiana	No	...	...	No	...
Iowa	Yes	Majority	MP	10 yrs.; 1970	MP
Kansas	Yes	2/3	MP	No	MP
Kentucky	Yes	Majority (j)	MP(k)	No	No provision
Louisiana	Yes	(g)	None	No	MP
Maine	Yes	(g)	None	No	No provision
Maryland	Yes	Majority	ME	20 yrs.; 1970	MP
Massachusetts	No	...	...	No	...
Michigan	Yes	Majority	MP	16 yrs.; 1978	MP
Minnesota	Yes	2/3	ME	No	3/5 on P
Mississippi	No	...	...	No	...
Missouri	Yes	Majority	MP	20 yrs.; 1962	Not specified(l)
Montana	Yes(m)	2/3(n)	MP	20 years	MP
Nebraska	Yes	3/5	MP(o)	No	MP
Nevada	Yes	2/3	ME	No	No provision
New Hampshire	Yes	Majority	MP	10 years	2/3 on P
New Jersey	No	...	...	No	...
New Mexico	Yes	2/3	MP	No	Not specified
New York	Yes	Majority	MP	20 yrs.; 1957	MP
North Carolina	Yes	2/3	MP	No	MP
North Dakota	No	...	...	No	...
Ohio	Yes	2/3	MP	20 yrs.; 1932	MP
Oklahoma	Yes	Majority	(d)	20 years	MP
Oregon	Yes	Majority	(d)	No	No provision
Pennsylvania	No	...	...	No	...
Rhode Island	Yes	Majority	MP	10 years	MP
South Carolina	Yes	(g)	None	No	MP
South Dakota	Yes	(g)	(g)	No	MP(p)
Tennessee	Yes(q)	Majority	MP	No	MP
Texas	No	...	...	No	...
Utah	Yes	2/3	ME	No	ME
Vermont	No	...	...	No	...
Virginia	Yes	(g)	None	No	MP
Washington	Yes	2/3	ME	No	Not specified
West Virginia	Yes	Majority	MP	No	Not specified
Wisconsin	Yes	Majority	MP	No	No provision
Wyoming	Yes	2/3	ME	No	Not specified
American Samoa	Yes	(r)	None	No	ME(s)
Puerto Rico	Yes	2/3	MP	No	MP

MP—Majority voting on the proposal.

ME—Majority voting in the election.

(a) In all states not otherwise noted, the entries in this column refer to the percentage of members elected to each house required to submit to the electorate the question of calling a constitutional convention.

(b) The number listed is the interval between required submissions of the question of calling a constitutional convention; where given, the date is that of the first required submission of the convention question.

(c) Unless provided otherwise by law, convention calls are to conform as nearly as possible to the act calling the 1955 convention, which provided for a legislative vote of a majority of members elected to each house and ratification by a majority vote on the proposals. The legislature may call a constitutional convention at any time.

(d) The law calling a convention must be approved by the people.

(e) The legislature shall submit the question 20 years after the last convention, or 20 years after the last vote on the question of calling a convention, whichever date is last.

(f) The power to call a convention is reserved to the people by petition.

(g) In these states, the legislature may call a convention without submitting the question to the people. The legislative vote required is 2/3 of the members elected to each house in Georgia, Louisiana, South Carolina, and Virginia; 2/3 concurrent vote of both branches in Maine; 3/4 of all members of each house in South Dakota; and not specified in Alaska, but bills require majority vote of membership of each house. In South Dakota, the question of calling a convention may be initiated by

the people in the same manner as an amendment to the constitution (see Table 3) and requires a majority vote on the question for approval.

(h) The majority must be 35 percent of the total votes cast at a general election or 30 percent of the number of registered voters if at a special election.

(i) Majority voting in the election, or 3/5 voting on the question.

(j) Must be approved during two legislative sessions.

(k) Majority must equal 1/4 of qualified voters at last general election.

(l) Majority of those voting on the proposal is assumed.

(m) The question of calling a constitutional convention may be submitted either by the legislature or by initiative petition to the secretary of state in the same manner as provided for initiated amendments (see Table 3).

(n) Two thirds of all members of the legislature.

(o) Majority must be 35 percent of total votes cast at the election.

(p) Convention proposals are submitted to the electorate at a special election in a manner to be determined by the convention.

(q) Conventions may not be held more often than once in six years.

(r) Five years after effective date of constitution, governor shall call a constitutional convention to consider changes proposed by a constitutional committee appointed by the governor. Delegates to the convention are to be elected by their county councils.

(s) If proposed amendments are approved by the voters, they must be submitted to the Secretary of the Interior for approval.

**Table 5**  
**STATE CONSTITUTIONAL COMMISSIONS**  
**Operative during the period January 1, 1976–December 31, 1977**

<i>State</i>	<i>Name of commission</i>	<i>Method and date of creation and period of operation</i>	<i>Membership: number and type</i>	<i>Funding</i>	<i>Purpose of commission</i>	<i>Proposals and action</i>
Alabama .....	Alabama Constitutional Commission	Statutory; Act No. 753, Reg. Sess., Sept. 1969, extended in 1971, 1973, and 1975; Jan. 1970–Sept. 30, 1976	Originally 21: 2 ex officio; 19 appointed (at least 2 from each congressional district). In 1971, increased to 25: 2 ex officio; 23 appointed. In 1975, increased to 27: 4 ex officio; 23 appointed	\$100,000 appropriation initially; \$66,828 appropriation, fiscal 1971-72; \$47,860 appropriation, fiscal 1972-73; \$100,000 appropriation, fiscal 1973-75; \$30,000 appropriation, fiscal 1975-76. Total: \$344,688	Submit recommendations for constitutional revision and appropriate procedure for submission and adoption of proposed changes	Report May 1, 1973, proposed a revised constitution, with commentary; judicial article was approved by legislature and adopted by voters Dec. 18, 1973, and implemented by legislation in 1975. No commission proposals submitted to the voters in 1976 or 1977
Florida .....	Florida Constitution Revision Commission	Statutory; Sess. Law, Ch. 77-201, June 13, 1977 (SB 919), pursuant to Art. XI, Sec. 2 of the Florida Constitution; July 6, 1977–	37: atty. gen. ex officio; 15 appointed by gov.; 9 appointed by speaker of house; 9 appointed by pres. of senate; 3 appointed by chief justice of supreme ct.	\$350,000 for fiscal 1977-78	Review constitution and propose necessary revisions	Proposals are to be submitted to the secy. of state by May 11, 1978 (180 days before 1978 general election), and to the voters at the November 1978 general election
Georgia .....	Select Committee on Constitutional Revision	Statutory; HR 135-588, Res. Act No. 26, March 30, 1977; May 9, 1977–June 30, 1982	11: gov.; lieutenant gov.; speaker of house; chief justice of supreme ct.; chief judge of ct. of appeals; atty. gen.; chmn. of senate judiciary cmte.; chmn. of house judiciary cmte.; trial judge appointed by judicial council; pres. pro tem of senate; speaker pro tem of house	No specified amount; funded from General Assembly appropriation	Serves as overall policy committee to direct and coordinate a continuing study and revision of the constitution	Appointed 3 study committees to review and revise 3 separate articles; expects to submit proposed revisions during 1978 session of General Assembly
North Dakota .....	Committee on Constitutional Revision	Legislative; SCR 4003, 1977, filed April 21, 1977; April 1977–	13 members: appointed by legislative council—6 representatives, 2 senators, 5 citizens	No specified amount; funded from the general Legislative Council appropriation	Study constitution and make recommendations regarding desirable revision	Mandated to submit recommendations to the 46th Legislative Assembly with drafts of proposed revisions
Ohio .....	Ohio Constitutional Revision Commission	Statutory; Secs. 103.51-103.57, Ohio Rev. Code, effective Nov. 26, 1969; Nov. 1969–June 30, 1977	32 members: 12 appointed from the General Assembly who appointed 20 members not from the General Assembly	\$100,000 appropriation for first biennium; \$300,000 for biennium beginning July 1, 1971; \$300,000 for biennium beginning July 1, 1973; approx. \$350,000 for biennium beginning July 1, 1975. Total: \$1,050,000	Study constitution and submit recommendations to the General Assembly; if convention is called, submit recommendations to it (convention call was defeated Nov. 1972)	12 reports submitted including final report as of June 30, 1977, on: General Assembly, state debt, constitutional amendments, taxation, indirect debt limit, executive branch, elections and suffrage, local government, initiative and referendum, judiciary, bill of rights; 13 proposals have been adopted; some still pending in the General Assembly

Utah .....	Utah Constitutional Revision Study Commission	Statutory: Ch. 89, Laws of Utah, 1969; amended by Ch. 107, Laws of Utah, 1975; amended by Ch. 159, Laws of Utah, 1977, which made the commission permanent as of July 1, 1977; May 1969-	16 members: 1 ex officio; 9 members appointed by—speaker of the house, 3; president of the senate, 3; and governor, 3 (no more than 2 of each group to be from same political party); and 6 additional members appointed by the 9 previously appointed members	\$20,000 appropriation fiscal 1970; \$30,000 annually during fiscal 1971, 1972, and 1973; \$5,000 during fiscal 1975; \$15,000 during fiscal 1977; \$6,700 during fiscal 1978. Total: \$136,700	Study constitution and recommend changes, including drafts of proposed changes	Mandated to report recommendations at least 60 days before legislature convenes. Interim report Jan. 1971 recommended revision of legislative article, which was approved by the electorate Nov. 1972; interim report Jan. 1973 recommended revision of executive article, which the electorate rejected Nov. 1974; interim report Jan 1975 recommended revision of elections and apportionment articles; elections article approved by electorate Nov. 1976
Washington .....	Commission for Constitutional Alternatives	Executive; Ex. Ord. No. 75-08, approved July 29, 1975; July 1975-Jan. 13, 1977	60 members: appointed by speaker of the house (5 representatives) and the governor (5 state senators and 50 citizens)	\$164,000 appropriation from governor's "Survey and Installations Funds" budget	Study constitution and recommend needed changes	<i>The Commission for Constitutional Alternatives: A Summary Report</i> , December 1976, was submitted to the governor in January 1977. It pointed to four areas of the constitution needing attention: revenue, executive branch, legislative branch, and local government, and concluded that a constitutional convention should be called to address these issues. The report also described the commission's activities

Table 6  
CONSTITUTIONAL CONVENTIONS  
1976-1977

State	Convention dates	Type of convention	Referendum on convention question	Preparatory body	Appropriations	Convention delegates	Convention proposals	Referendum on convention proposals
Tennessee .....	August 1, 1977-December 22, 1977 (in session 74 days)	Limited	August 5, 1976 Vote: 314,385 239,491	None	\$500,000 in fiscal 1977 budget, plus \$75,000 by amendment to appropriation bill, plus \$95,000 and day-by-day allocations from the General Assembly. Total: approximately \$700,000	99 (elected Nov. 2, 1976 from house districts on nonpartisan basis)	13 proposals on subjects specified in convention call	At a special election on March 7, 1978

## 2. Legislation

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### TRENDS IN STATE LEGISLATION: 1976-1977

By Elaine Stuart Knapp\*

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GOVERNMENT BUREAUCRACY came under scrutiny from the inside in the 1976-77 biennium as state legislatures devised a technique to assess the bureaucracy—the “sunset” law, which automatically terminates agencies unless renewed by legislative action. Sunset reflected the state legislatures’ resurgent interest in the administration of government, rather than in the creation of massive new government programs.

Among the other issues legislatures faced during the biennium were problems with violent crime, school finance, utility rates, and emotional debates on various health and welfare topics.

The following is an attempt to summarize some of the major legislation passed by legislatures in regular and special sessions during 1976 and 1977. Numerous topics mentioned in this chapter are developed more fully in various chapters of this edition of *The Book of the States* (consult index).

#### Taxes, Finance

The states’ fiscal situation improved over the biennium, as the recession lifted and state revenues climbed. As a result, broad-based tax hikes were rare. Sales taxes were increased in only four states by legislative action. The major new tax action was the adoption of an income tax by New Jersey, which was considered necessary to fund a school finance reform act. Four states increased the personal income tax.

More common were increases in excise taxes. Cigarette taxes were hiked in four states, gasoline taxes were raised in 11 states, and alcoholic beverage taxes were raised in nine states.

Energy producers were a primary tax target as new or revised taxes were levied in 11 states. More than one half of the states used tax incentives for solar energy devices or other energy conservation measures, such as home insulation.

Property tax relief remained a legislative favorite, with more than 20 states offering various types of relief. Income tax relief was provided in nine states and inheritance taxes eased in 14 states.

Tax increases passed by 16 states in one or more major tax areas in 1977 were expected to generate only \$476 million in new revenues annually, or less than 0.5 percent of current state collections. The 1977 tax increases represented about one half of the amount approved in 1976 and less than one third of the 1975 total. The small size of the increases reflected the improvement in state fiscal conditions.

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Despite the restraint in imposing new taxes over the biennium, the per capita tax burden continued to rise to a record \$731 during fiscal 1976. State and local per capita tax burdens increased in every state, ranging from a high of \$1,896 in Alaska to a low of \$454 in Arkansas.

### Government

The adoption of sunset laws in 24 states over the biennium reflected the increased legislative concern with oversight of government functions. The sunset concept was pioneered by Colorado in 1976 and quickly picked up in some form by nearly half the states.

Legislatures took action in a number of ways. Pennsylvania's legislature appropriated federal funds in the state budget for the first time, but was challenged in court by the governor on its authority to do so. At least five other states acted to appropriate federal funds and more than 20 considered exerting control over federal monies.

Legislatures also sought review of executive rulemaking and established state registers for public review of proposed rules.

Major governmental reorganization was completed in Louisiana and authorized in Connecticut and New Mexico. Less extensive reorganization was carried out in other states.

The trend towards open and clean government continued. All states now have some form of sunshine law requiring government meetings to be open to the public, with the passage of 1976 laws in New York and Rhode Island. New or improved laws were passed by 14 states over the biennium.

At least 37 states now require public officials to make some sort of financial disclosure with such laws in 29 states strengthened or enacted in the past four years.

New laws in 12 states over the biennium imposed increased regulations on lobbyists. In addition, campaign finance laws were amended in about half the states over the biennium, with virtually every state enacting campaign finance legislation in the past four years.

Major collective bargaining legislation was scarce over the biennium. A collective bargaining bill for Ohio public employees was vetoed by the governor in late 1977. Comprehensive collective bargaining laws remain in effect in some 20 states, although Indiana's law was voided by court action in 1977. Eight states signed collective bargaining settlements in 1977, some for the first time. State employees went on strike in Massachusetts in 1976 and in Wisconsin in 1977 before reaching settlements.

Pay increases were granted to state legislators, state officials, judges, or employees in many states over the biennium.

### Law Enforcement

Capital punishment laws were enacted in 17 states after new guidelines for the death penalty were set by the U.S. Supreme Court in *Gregg v. Georgia* on July 2, 1976. The new laws establish standards to guide judges and juries in meting out death sentences.

States cracked down on violent crimes by exacting stiffer penalties for crimes committed with guns or for violent crimes. Three states increased penalties for crimes committed against the elderly.

More than one half of the states now provide state compensation to innocent victims of crime, and a number of states require restitution from the criminal.

Possession of small amounts of marijuana was decriminalized in four more states, for a total of 10 which have eased penalties on personal use of pot.

More than 40 states now have shield laws for rape victims which restrict courtroom inquiry into the victim's sexual life.



Indeterminate prison terms were eliminated in favor of fixed-term sentences by at least five states over the biennium.

Overcrowded prisons continued to plague states as several more were ordered by courts to reduce prison populations or make other improvements. Funds for prisons and corrections reforms were passed by many states.

More than 20 states now have laws specifically banning use of minors in pornographic pictures or films.

The state stake in gambling continued to grow as New Jersey became the second to legalize casino gambling (limited to Atlantic City); Vermont became the 14th to authorize a lottery; Delaware became the fifth to legalize pari-mutuel betting on jai alai; and Indiana became the 33rd to sanction betting on horse racing. Bingo was legalized in Ohio and North Dakota.

### **Education**

Major new school finance measures aimed at correcting the dependence of education on local property tax wealth were passed in California, New Jersey, and Washington in response to court decisions, and in Texas. State aid to education was significantly changed or increased in a number of other states as well.

Nearly 20 states now require students to prove they can read and write at certain levels before they are allowed to graduate.

### **Health**

Laws to ease the medical malpractice insurance crisis were enacted or amended by more than 40 states. The laws were intended to increase the availability of insurance, reform the tort system, and improve the regulation of the medical profession. Most of the legislative activity took place during 1976.

Emotion and controversy continued to surround legalized abortions. A number of states banned state funds for welfare abortions, a position which was later sanctioned by a U.S. Supreme Court decision in 1977 which upheld a federal ban on abortion funds. Only about 14 states continued funding abortions for the poor by late 1977, and the issue threatened to embroil 1978 sessions.

Right to die laws, allowing terminally ill patients to direct the removal of life support systems, were enacted in eight states.

Other trends in health legislation included substitution of generic drugs for more expensive brand name drugs, cost controls on hospitals, provision for catastrophic illness health coverage, Medicaid and nursing home reforms, increased rights for mental patients, and treatment rather than imprisonment of alcoholics.

### **Social Legislation**

Indiana became the 35th state to ratify the proposed Equal Rights Amendment to the U.S. Constitution, out of a needed 38. Idaho became the third state to rescind its earlier ratification.

Homemakers who lose a husband by death or divorce may find job counseling or other help in service centers established by laws passed in 15 states during the past two years.

The right of cancer patients to be given laetrile, without the FDA's approval of the substance, was granted by law in 14 states. A federal court decision in late 1977 extended this right nationwide, subject to overturn on appeal.

Other new laws strengthened provisions against child abuse, tied welfare aid to work requirements, established no-smoking areas, assured free public toilets, and outlawed sex discrimination and discrimination against the handicapped in jobs, credit, insurance, or housing.

Maine raised its legal drinking age to 20 and Minnesota raised its to 19. Eighteen year olds were granted more rights in Missouri. For a summary of age of majority laws, see the table following this article.

### **Energy**

The uproar over the energy crisis dimmed during the biennium as gasoline remained plentiful, although at higher prices than before the Arab boycott. The major energy shortage was in natural gas for heating during the winter of 1977, when many states took emergency actions to enforce conservation efforts. Most public concern also centered on the availability and cost of home heating and many new laws were aimed at reforming public utility pricing practices. A number of states provided for consumer advocates at rate hearings, and passed laws stopping the automatic pass-through of fuel adjustment costs. Energy conservation laws included new building codes, bans on pilot lights and decorative lighting, and encouragement of alternative energy sources.

Energy production also generated new laws, including ones on reclamation of mined lands, location of energy facilities, and coal slurry pipelines.

### **Environment**

Hazardous substances and wastes came under increased state regulation as states enacted laws to stop dumping of toxic substances or to regulate handling and transporting of hazardous wastes. Several states also regulated nuclear waste storage. Recycling of garbage and other solid wastes was encouraged in several states.

The biennial trend was away from comprehensive land use planning and towards specific land use controls. For example, all 30 coastal states are now participating in the federally funded coastal zone management program. South Carolina, in late 1977, passed its first coastal protection law and other states took steps to further protect their coastal areas. Among other specific land use laws, 34 states now regulate location of powerplants and related facilities and 13 states have formulated rules for protecting critical environmental areas.

Other environmental measures dealt with water management; preservation of farmlands, open spaces and historical properties; and bans on aerosol spray cans.

### **Consumers**

A wide variety of consumer protection measures passed. These included regulation of land sales, no-fault auto insurance revisions, permission for prescription drug or eyeglass advertising, increased antitrust powers, bans on unfair trade practices, regulation of automobile repairs, and placement of public members on state licensing and regulatory boards. Several states also enacted comprehensive consumer protection laws.

Redlining, or the arbitrary denial of housing loans in certain neighborhoods, was forbidden in a number of states.

### **Labor**

Most states acted to conform their unemployment compensation laws to recent federal

law. However, some joined a lawsuit challenging the federal law's extension of benefits to public workers. Unemployment compensation taxes were hiked in a number of states to replenish ailing funds. Tougher standards were imposed on those who quit their jobs.

Workers' compensation laws were revised or benefits increased in at least 15 states, and forced retirement of public employees due to age alone was prohibited in three states.

### AGE OF MAJORITY\*

State or other jurisdiction	Con- tract	Own prop- erty	Make will	Drink	Hold office (a)	Jury service	State or other jurisdiction	Con- tract	Own prop- erty	Make will	Drink	Hold office (a)	Jury service
Alabama .....	19	19	19	19	21	21	New Mexico .....	18	18	18	21	21	18
Alaska .....	18	18	18	19	18	18	New York .....	18	18	18	18	18	18
Arizona .....	18	18	18	19	18	18	North Carolina .....	18	18	18	21	21	21
Arkansas .....	18	18	18	21	18	18	North Dakota .....	18	18	21	21	18	18
California .....	18	18	18	21	18	18	Ohio .....	18	18	18	18(b)	18	18
Colorado .....	18	18	18	21(b)	21	18	Oklahoma .....	18	18	18	21(h)	18	18
Connecticut .....	18	18	18	18	18	18	Oregon .....	18(i)	18(i)	18(i)	21	18	18
Delaware .....	18	18	18	20	18	18	Pennsylvania .....	18	18	18	21	18	18
Florida .....	18	18	18	18	18	18	Rhode Island .....	18	18	18	18	18	21
Georgia .....	18	18	18	18	21	18	South Carolina .....	18	18	18	18(b)	18	18
Hawaii .....	18	18	18	18	18	18	South Dakota .....	18	21	18	18(b)	21	21
Idaho .....	18	18	18	19	21	18	Tennessee .....	18	18	18	18	21	18
Illinois .....	18	18	18	21(c)	21(d)	18	Texas .....	18	18	18	18	18	18
Indiana .....	18	18	18	21	21	18	Utah .....	18	18	18	21	18	21
Iowa .....	18	18	18	18	18	18	Vermont .....	18	18	18	18	18	21
Kansas .....	18	18	18	18(e)	18	18	Virginia .....	18	18	18	21(b)	18	18
Kentucky .....	18	18	18	21	21	18	Washington .....	18	18	18	21	18	18
Louisiana .....	18	18	18	18	18	18	West Virginia .....	18	18	18	18	18	18
Maine .....	18	18	18	20	18	21	Wisconsin .....	18	18	18	18	18	18
Maryland .....	18	18	18	18(b)	18	18	Wyoming .....	19	19	19	19	19	19
Massachusetts .....	18	18	18	18	18	18	Dist. of Col. ....	18	18	18	18	18	18
Michigan .....	18	18	18	18	18	18	American Samoa ..	21	18	18	21	25	...
Minnesota .....	18	18	18	19	21	18	Guam .....	21	18	18	18	21	18
Mississippi .....	18	18	18	18(b)	21	18							
Missouri .....	18	18	18	21	18	21							
Montana .....	18	18	18	18(f)	21(g)	18							
Nebraska .....	19	19	19	19	21	21							
Nevada .....	18	18	18	21	18	18							
New Hampshire .....	18	18	18	18	18	18							
New Jersey .....	18	18	18	18	18	18							

\*For ages for obtaining a drivers license see table on page 386; and for marriage see table on page 270.

(a) Some offices require higher ages, e.g., governor, lieutenant governor, senator, or representative. Ages for these offices are in the table on pages 246-47.

(b) 18 for beer or light wine; 21 for all other alcoholic beverages.

(c) 19 for beer or wine; 21 for all other alcoholic beverages.

(d) School board members must be at least 18 years old.

(e) 3.2% beer only; 21 for all other alcoholic beverages.

(f) Proposal to raise drinking age to 19 will appear on ballot in November 1978.

(g) No general age requirement. Specific offices may have specific age requirements, although some offices have no age requirement at all. Usually, however, an officeholder must be a voter, thus 18.

(h) 18 for off-premises consumption of beer.

(i) Persons 16 or older may be declared emancipated by court action, thereby becoming eligible to make contracts, own property, etc. Such emancipation does not include age to marry without consent or lower drinking age.

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## UNIFORM STATE LAWS

by John M. McCabe\*

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IN 1976 AND 1977, the National Conference of Commissioners on Uniform State Laws (NCCUSL) continued important work begun with the Uniform Land Transactions Act (ULTA) in 1975. In 1976, ULTA was followed by the Uniform Simplification of Land Transfers Act (USLTA). In 1977, NCCUSL promulgated the Uniform Condominium Act. These two acts, with ULTA, comprise the basis of major land law revision and modernization.

Work was completed in other areas of the law in 1976 and 1977 as well. In 1976, USLTA was accompanied by the Uniform Class Actions Act, the Revised Uniform Limited Partnership Act, and the Uniform Exemptions Act. In 1977, the Uniform Condominium Act was accompanied by the Uniform Survival and Death Act and the Uniform Comparative Fault Act. Amendments to the Uniform Probate Code, concerning international wills, and to ULTA and USLTA were completed.

The latest uniform acts are summarized here.

1. *Uniform Simplification of Land Transfers Act (USLTA)*. ULTA concerned the contractual aspect of land transactions and financing land transactions. USLTA carries forward from that beginning by covering three basic concepts—conveyancing, recordation, and construction liens. Conveyancing, as used in USLTA, concerns the nature of the deed and the effect of transferring it from one person to another. It does not change the character of the deed, but simplifies it. Recordation is also simplified. USLTA also offers a unique system of recording land transactions in most jurisdictions. Rather than continue the old grantor-grantee method of indexing, which invites error, USLTA shifts to a geographic system of indexing. USLTA also incorporates the Model Marketable Title Act. A claim or interest not asserted or recorded within 30 years of its origin is automatically extinguished. USLTA, thus, frees land from archaic encumbrances. The third topic of USLTA—construction liens—is its most controversial. These liens apply to land upon which services or materials are expended by the lienholder. The lien runs with the land. The main problem is the double payment problem. The landholder may contract with a general contractor. The general contractor may receive payment in full and not pay the subcontractors and materialmen, who have the power to exact payment again from the landowner and to sell the property to satisfy their liens. USLTA limits the lien to the amount of the unpaid contract price at the time the lien attaches. The lienholder must move more quickly when he has a financial problem with a general contractor, and must watch the general contractor's creditworthiness.

2. *Uniform Class Actions Act (UCA)*. Class actions began with Rule 23 of the Federal Rules of Civil Procedure, which pertains to actions in the federal courts. UCA provides a uniform basis for class actions in state courts. A class action involves a group of people so numerous that they cannot effectively be joined, who are then represented by members of the group. A class can either be a defendant class or a plaintiff class. To start a class action, the

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representatives must have the class certified. There are two bases for certification—that the class is so numerous that joinder is not possible, and that there is a question of law or fact common to the class. Once certified, the representatives must notify the class of the litigation. The notice allows any class member to opt out of the litigation, if that member does not want the representatives of the class to represent his or her individual interests. Damages are a major problem in a class action suit. If the class action is a successful plaintiff's class action, some damages may not be claimed by the total membership of the class. UCA requires a decision by the court. If the defendant does not merit their return, uncollected damages escheat to the state.

3. *Uniform Limited Partnership Act (ULPA, 1976)*. ULPA was originally promulgated in 1916. However, it has needed revision to meet modern business requirements. ULPA (1976) differs from the original in a number of ways. A limited partner could not participate in management in the original act, and this was interpreted to include the contribution of any services to the limited partnership. The limited partner may provide certain services under ULPA (1976). New standards distinguish actual participation in management versus contribution of some kinds of service. One of the significant lacks in ULPA was protection of limited partners from the misfeasance of general partners. Redress for this in ULPA (1976) comes in three parts—registration of the limited partnership from the secretary of state, a limited partner's derivative suit against the limited partnership, and right of access to records and reports of the limited partnership. The final major innovation in ULPA (1976) is the provision for registration of foreign limited partnerships, exactly as foreign corporations are now registered.

4. *Uniform Exemptions Act (UEA)*. Bankruptcy is, by the U.S. Constitution, a matter for federal law under the explicit powers of Congress. However, Congress has always left the question of exemptions from bankruptcy to state law. The result is a chaotic pattern which now inhibits the administration of bankruptcies. If the states do not repair their statutes, Congress will satisfy the matter with a federal act. UEA provides a reasonable pattern of exemptions. There are eight basic categories: homestead, special property, support maintenance property, life insurance and endowments, tools, motor vehicles, liquid assets, and personal items. With its general categories and specific monetary limitations, the act seeks a fair balance between debtors and creditors. It does so without the erratic effect of current law in most jurisdictions.

5. *Uniform Condominium Act (UCA)*. Condominiums are a complicated form of ownership, and the transaction involving a condominium transfer may commonly involve five parties, including the original developer or declarant, the owner's association, the existing owner of the unit to be conveyed, the financial institution providing the money, and the new unit buyer. Condominium development and transactions have proliferated in recent years. UCA is the first national effort at a comprehensive treatment of condominium law. It first covers the initial declaration of the condominium. The declaration, which must be filed in the land records, defines the nature, quality, and extent of the condominium development and the developer's relationship to it. It then covers the owner's association which will govern the condominium and maintain it. Also included in the act are provisions for consumer protection. It also provides for an administrator of condominiums to deal with misfeasance in the development and maintenance of condominiums. The act provides many answers to technical questions in condominium law, such as the nature of the common elements versus the area of individual ownership. UCA is an important new addition to American land law.

6. *Uniform Comparative Fault Act (UCFA)*. UCFA provides a system for diminishing

a person's damages in a personal injury suit in proportion to the contribution of his own fault to his injuries. In common law, the doctrine of contributory negligence cuts off a person's damages in the event his own negligence contributed any part to his injuries. Some states have instituted comparative negligence statutes. Most of them provide a hybrid form of comparative negligence, retaining contributory negligence in part. A pure comparative fault system, relating all doctrines of fault, including negligence, has been perceived as a fairer system than any existing system. UCFA provides such a system. Any person's fault which contributes to his own injury proportionately diminishes the damages he could receive because of the fault of another or others. Contributory negligence or fault is abolished. The act restricts setoffs when liability insurance is involved. It also deals with the contributions to damages by joint tortfeasors, and means of assessing contribution.

7. *Uniform Survival and Death Act (USDA)*. USDA is designed to replace similar acts in almost every jurisdiction. There are two theories. Wrongful death is conceived as the survival of the cause of action of the decedent. The action is by his estate, represented by the personal representative, and the damages are those he might have recovered for his own injuries had he lived. Survivor's actions constitute the second theory. This action is conceived as personal to the decedent's survivors, and the damages are their personal losses because of his or her death. USDA unifies the two theories, and allows either theory or both to be the basis of a cause of action. For survivor's actions, USDA permits recovery for pain and suffering, mental anguish, and loss of companionship. These are damages not usually recoverable under most current statutes.

8. *Uniform International Wills Act (UIWA)*. The last act formally approved in 1977 was UIWA. UIWA is designed to be enacted separately, or as an amendment to the Uniform Probate Code. Its object is to provide a will valid in all countries subject to the Washington Convention of 1973. The Convention obligates member countries to make the will form embodied in the Convention part of their local law. This is exactly what UIWA offers. UIWA incorporates the proper form of the will, which is not greatly different from existing law in most states. However, to implement international validity, a lawyer or designated member of the diplomatic and consular service of the U.S. must execute and attach a certificate attesting to the execution of the will. The certificate is conclusive as to the will's formal validity. Each state's secretary of state must keep a registry of international wills to meet the requirement in the Washington Convention of a safe, reliable depository for these wills. By meeting these steps, a will is recognizable and enforceable in any member nation in which it is presented.

NCCUSL also has a number of unfinished projects which will come to conclusion in 1978 and 1979. The Uniform Corrections Act is to be completed in 1978, and will be a major offering in this field. Amendments to Article VIII of the Uniform Commercial Code are completed and should be finalized in 1978. There are numerous other projects, including the Uniform Periodic Payments Act, the Uniform Conservation and Historic Preservation Agreements Act, and the Uniform Determination of Death Act. These projects guarantee continuing impact upon law for NCCUSL well into the future. More detail on the acts mentioned above and those in the accompanying table are available from NCCUSL, 645 North Michigan Avenue, Suite 510, Chicago, Illinois 60611.

# RECORD OF PASSAGE OF UNIFORM ACTS\* As of October 1977

State or other jurisdiction	Partnership (1914)	Limited Partnership (1916) (1976)	Fraudulent Convey- ances (1918)	Declaratory Judge- ments (1922)	Fiduciaries (1922)	Federal Tax Lien Reg- istration (1926) (1966)	Veterans' Guardian- ship (1928) (1942)	Principal and Income (1931) (1962)	To Secure Attendance of Out-of-State Wit- nesses (1931) (1936)	Criminal Extradition (1926) (1936)	Common Trust Fund (1938) (1952)	Acknowledgment (1942) (1960)	Simultaneous Death (1940) (1953)	Interstate Arbitration of Death Taxes (1943)	Interstate Compromise of Death Taxes (1943)	Divorce Recognition (1947)	Enforcement of For- eign Judgments (1948) (1964)
Alabama	*			*	*		*	*		*	*		*				*
Alaska	*	*				*	*	*		*	*		*				*
Arizona	*	*	*	*	*		*	*	*	*	*		*				*
Arkansas	*	*		*		*	*	*	*	*	*		*				*
California	*	*	*			*	*	*	*	*	*		*	*	*	*	*
Colorado	*	*		*	*	*	*	*	*	*	*		*	*	*		*
Connecticut	*	*				*	*	*	*	*	*		*	*	*		*
Delaware	*	*	*		*	*	*	*	*	*	*		*	*	*		*
Florida	*	*		*		*	*	*	*	*	*		*	*	*		*
Georgia	*	*		*		*	*	*	*	*	*		*	*	*		*
Hawaii	*	*			*	*	*	*	*	*	*		*	*	*		*
Idaho	*	*	*	*	*	*	*	*	*	*	*		*	*	*		*
Illinois	*	*		*	*	*	*	*	*	*	*		*	*	*		*
Indiana	*	*		*	*	*	*	*	*	*	*		*	*	*		*
Iowa	*	*		*		*	*	*	*	*	*		*	*	*		*
Kansas	*	*				*	*	*	*	*	*		*	*	*		*
Kentucky	*					*	*	*	*	*	*		*	*	*		*
Louisiana	*			*	*	*	*	*	*	*	*		*	*	*		*
Maine	*	*	*	*	*	*	*	*	*	*	*		*	*	*		*
Maryland	*	*	*	*	*	*	*	*	*	*	*		*	*	*		*
Massachusetts	*	*	*	*		*	*	*	*	*	*		*	*	*		*
Michigan	*	*	*	*		*	*	*	*	*	*		*	*	*		*
Minnesota	*	*	*	*	*	*	*	*	*	*	*		*	*	*		*
Mississippi	*	*		*	*	*	*	*	*	*	*		*	*	*		*
Missouri	*	*		*	*	*	*	*	*	*	*		*	*	*		*
Montana	*	*	*	*		*	*	*	*	*	*		*	*	*		*
Nebraska	*	*		*		*	*	*	*	*	*		*	*	*		*
Nevada	*	*	*	*	*	*	*	*	*	*	*		*	*	*		*
New Hampshire	*	*	*	*		*	*	*	*	*	*		*	*	*		*
New Jersey	*	*	*	*	*	*	*	*	*	*	*		*	*	*		*
New Mexico	*	*	*		*	*	*	*	*	*	*		*	*	*		*
New York	*	*	*	*	*	*	*	*	*	*	*		*	*	*		*
North Carolina	*	*		*	*	*	*	*	*	*	*		*	*	*		*
North Dakota	*	*	*	*	*	*	*	*	*	*	*		*	*	*		*
Ohio	*	*	*	*	*	*	*	*	*	*	*		*	*	*		*
Oklahoma	*	*	*	*		*	*	*	*	*	*		*	*	*		*
Oregon	*	*		*		*	*	*	*	*	*		*	*	*		*
Pennsylvania	*	*	*	*	*	*	*	*	*	*	*		*	*	*		*
Rhode Island	*	*		*	*	*	*	*	*	*	*		*	*	*		*
South Carolina	*	*		*		*	*	*	*	*	*		*	*	*		*
South Dakota	*	*	*	*	*	*	*	*	*	*	*		*	*	*		*
Tennessee	*	*	*	*	*	*	*	*	*	*	*		*	*	*		*
Texas	*	*	*	*	*	*	*	*	*	*	*		*	*	*		*
Utah	*	*	*	*	*	*	*	*	*	*	*		*	*	*		*
Vermont	*	*		*		*	*	*	*	*	*		*	*	*		*
Virginia	*	*		*		*	*	*	*	*	*		*	*	*		*
Washington	*	*	*	*		*	*	*	*	*	*		*	*	*		*
West Virginia	*	*	*	*		*	*	*	*	*	*		*	*	*		*
Wisconsin	*	*	*	*	*	*	*	*	*	*	*		*	*	*		*
Wyoming	*		*	*	*	*	*	*	*	*	*		*	*	*		*
Dist. of Col.	*	*		*	*				*	*	*		*				
Puerto Rico	*	*		*	*				*	*	*		*				
Virgin Islands	*	*	*	*		*			*	*	*		*				
Total	50	48	25	42	27	39	44	37	51	47	35	27	49	14	17	10	22

\*Source: Adapted from *Handbook of the National Conference of Commissioners on Uniform State Laws*, which lists all acts promulgated by the conference. The table records state adoptions of acts currently recommended by the conference for adoption by all jurisdictions, including the following not listed which have less than eight adoptions: Ancillary Administration of Estates, 1949 & 1953 (1); Probate of Foreign Wills, 1950 (2); Single Publication, 1952 (7); Adoption, 1953, 1969 & 1971 (5); Aircraft Financial Responsibility, 1954 (4); Civil Liability for Support, 1954 (5); Supervision of Trustees for Charitable Purposes, 1954 (4); Motor Vehicle Certificate of Title and Anti-Theft, 1955 (6); Perpetuation of Testimony, 1959 (1); Interstate and International Procedure, 1962 (6); Status of Convicted Persons, 1964 (2); Trustees' Powers, 1964 (7); Certification of Questions of Law, 1967 (7); Rendition of Accused Persons, 1967 (7); Juvenile Court, 1968 (2);

Jury Selection and Service, 1970 & 1971 (7); Consumer Sales Practices, 1970 & 1971 (7); Marriage and Divorce, 1970 & 1973 (7); Disposition of Community Property Rights at Death, 1971 (5); Abortion, 1971 & 1973 (0); Motor Vehicle Accident Reparations, 1972 (0); Public Assembly, 1972 (1); Crime Victims Reparations, 1973 (3); Disclaimer of Property Interests, 1973 (1); Disclaimer of Transfers by Will, Intestacy, or Appointment, 1973 (2); Disclaimer of Transfers under Nontestamentary Instruments, 1973 (3); Parentage, 1973 (6); Drug Dependence Treatment and Rehabilitation, 1973 (0); State Antitrust, 1973 (2); Rules of Criminal Procedure, 1974 (1); Rules of Evidence, 1974 (7); Eminent Domain Code, 1974 (0); Land Transactions Act, 1975 (0); Class Actions, 1976 (1); Exemptions, 1976 (0); Simplification of Land Transfers, 1976 (0).

•—As amended.

RECORD OF PASSAGE OF UNIFORM ACTS\*—Continued  
As of October 1977

State or other jurisdiction	Photographic (1949)	Copies, as Evidence	Reciprocal Enforcement of Support (1950) (1958) (1968)	Commercial Code (1951) (1957) (1962) (1966)	Disposition of Unclaimed Property (1934) (1966)	Contribution Among Torfeasors (1955)	Post-Conviction Procedure (1955) (1966)	Arbitration (1956)	Gifts to Minors (1956) (1965) (1966)	Securities (1956) (1958)	Division of Income for Tax Purposes (1957)	Restitution of Prisoners as Witnesses (1957)	Estate Tax Apportionment (1958) (1964)	Facsimile Signatures of Public Officials (1958)	Mandatory Disposition of Detainers (1958)	Simplification of Fiduciary Security Transfers (1958)	Testamentary Additions to Trusts (1960)	Military Justice (1961)
Alabama	★	•	•	•	★	•	•	★	•	•	•	•	•	•	•	•	•	•
Alaska	★	•	•	•	•	•	•	★	★	•	•	•	•	•	•	•	•	•
Arizona	•	•	•	•	★	•	•	•	•	•	•	•	•	•	•	•	•	•
Arkansas	★	•	•	•	•	•	•	•	•	•	•	★	•	•	•	•	•	•
California	★	•	•	•	★	•	•	•	•	•	★	•	•	•	•	•	•	•
Colorado	★	•	•	•	•	★	•	★	•	•	•	•	•	★	★	★	★	•
Connecticut	★	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	★
Delaware	•	•	•	•	•	•	•	★	•	•	•	★	•	•	•	•	•	•
Florida	★	•	•	•	★	★	•	•	★	•	•	•	•	•	•	•	•	•
Georgia	★	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Hawaii	★	•	•	•	•	•	•	•	•	•	★	•	•	•	•	•	•	•
Idaho	★	•	•	•	★	•	•	★	•	•	★	•	•	•	★	★	★	•
Illinois	•	•	•	•	•	•	•	•	•	•	•	★	•	•	•	•	•	•
Indiana	•	•	•	•	•	•	•	★	★	★	•	•	•	•	•	•	•	•
Iowa	★	•	•	•	•	•	•	•	★	★	•	•	•	•	•	•	•	★
Kansas	★	•	•	•	•	•	•	★	•	•	★	•	•	•	★	★	★	•
Kentucky	★	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Louisiana	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Maine	★	•	•	•	•	•	•	★	•	•	•	★	•	•	•	•	•	•
Maryland	★	•	•	•	★	•	★	★	•	•	•	•	•	★	•	•	•	•
Massachusetts	★	•	•	•	•	★	•	★	•	•	•	•	•	•	★	•	•	•
Michigan	•	•	•	•	•	•	•	★	★	•	•	★	•	•	•	•	•	•
Minnesota	★	★	•	•	•	★	★	•	•	•	★	•	•	•	★	★	★	★
Mississippi	•	•	•	•	•	•	•	•	★	•	•	•	•	•	•	•	•	•
Missouri	•	•	•	•	•	•	•	•	•	•	•	•	•	★	★	•	•	•
Montana	★	•	•	•	•	•	•	•	•	•	•	•	•	★	•	•	•	•
Nebraska	★	•	•	•	•	•	•	•	•	★	•	★	•	•	•	•	•	•
Nevada	★	•	•	•	★	•	•	★	•	•	•	•	•	★	•	•	•	★
New Hampshire	★	•	•	•	•	•	•	•	•	•	•	★	★	★	•	•	•	•
New Jersey	★	•	•	•	•	•	•	•	★	•	•	•	•	•	•	•	•	•
New Mexico	★	•	•	•	•	•	•	★	•	•	★	•	•	★	•	•	•	•
New York	★	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
North Carolina	★	•	•	•	•	★	•	★	★	•	•	•	•	•	•	•	•	•
North Dakota	★	•	•	•	•	•	•	•	•	•	★	•	★	•	•	•	•	•
Ohio	•	•	•	•	•	•	•	•	★	•	•	•	•	•	•	•	•	•
Oklahoma	★	•	•	•	•	•	•	•	•	•	•	•	•	★	•	•	•	★
Oregon	•	•	•	•	★	★	•	•	•	•	★	•	•	•	•	•	•	•
Pennsylvania	★	•	•	•	•	•	•	•	★	•	•	★	•	★	•	•	•	•
Rhode Island	•	•	•	•	•	•	•	•	•	•	•	★	•	★	•	•	•	•
South Carolina	•	•	•	•	•	•	•	•	★	•	★	•	•	•	★	•	•	•
South Dakota	★	•	•	•	•	•	•	★	•	•	•	•	•	•	•	•	•	•
Tennessee	•	•	•	•	•	★	•	•	•	•	•	•	•	•	•	•	•	•
Texas	•	•	•	•	•	•	•	★	•	•	•	•	•	★	•	•	•	•
Utah	★	★	•	•	★	•	•	•	•	•	★	•	•	•	•	•	•	•
Vermont	★	•	•	•	•	•	•	•	★	•	•	•	★	•	•	•	•	•
Virginia	★	•	•	•	★	•	•	•	★	•	•	•	•	•	•	•	•	•
Washington	★	•	•	•	★	•	•	•	•	•	•	•	•	★	•	•	•	•
West Virginia	★	•	•	•	•	•	•	•	•	•	•	•	•	★	•	•	•	•
Wisconsin	★	•	•	•	•	•	•	•	•	•	•	★	•	•	•	•	•	•
Wyoming	★	•	•	•	•	•	•	★	•	•	•	•	★	★	•	•	•	•
Dist. of Col.	★	•	•	•	•	•	•	★	•	•	•	•	•	•	•	•	•	•
Puerto Rico	•	•	•	•	•	•	•	•	★	•	•	•	•	•	•	•	•	•
Virgin Islands	★	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Total	38	53	51	23	10	11	20	50	30	12	11	9	21	9	38	42	8	



RECORD OF PASSAGE OF UNIFORM ACTS\*—Concluded  
As of October 1977

State or other jurisdiction	Foreign Money Judgments Recog- nition (1962)	Voting by New Res- idents in Presidential Elections (1962)	Deceptive Trade Practices (1964) (1966)	Anatomical Gift (1968)	Child Custody Jurisdiction (1968)	Consumer Credit Code (1968) (1974)	Recognition of Ac- knowledgments (1968)	Probate Code (1969) (1975)	Controlled Substances Act (1970) (1973)	Alcoholism & Intox- ication Treatment (1971)	Commercial Code— Article 9 (1971)	Duties to Disabled Persons (1972)	Management of In- stitutional Funds (1972)	Residential Land- lord-Tenant (1972)
Alabama .....	...	...	...	★	...	...	...	...	★	...	...	...	...	...
Alaska .....	★	...	...	★	★	...	...	★	...	★	...	...	...	★
Arizona .....	...	...	...	★	...	...	★	...	...	...	★	...	...	...
Arkansas .....	...	...	...	★	...	...	...	...	★	...	...	...	★	...
California .....	★	...	...	★	★	...	...	...	★	...	★	...	★	...
Colorado .....	...	...	●	★	★	★	★	★	...	★	...	★	★	...
Connecticut .....	...	★	★	★	...	...	★	...	★	★	★	★	★	★
Delaware .....	...	...	★	★	★	...	...	...	★	...	...	...	★	...
Florida .....	...	...	...	★	★	...	...	...	★	★	...	...	...	★
Georgia .....	★	★	●	★	...	...	...	...	★	★	...	★	...	...
Hawaii .....	...	★	●	★	★	...	...	...	★	...	...	...	...	★
Idaho .....	...	★	★	★	★	...	...	★	★	★	...	...	...	...
Illinois .....	★	...	★	★	...	...	★	...	★	...	★	...	★	...
Indiana .....	...	...	...	★	★	★	...	...	★	...	...	...	...	...
Iowa .....	...	...	...	★	★	★	...	...	★	★	★	...	...	...
Kansas .....	...	★	...	★	...	★	★	...	★	★	★	...	★	★
Kentucky .....	...	...	...	...	...	...	...	...	★	...	...	...	...	★
Louisiana .....	...	...	★	★	...	...	...	...	★	...	...	...	...	...
Maine .....	...	★	●	★	...	★	★	...	...	★	...	...	...	...
Maryland .....	★	★	...	★	★	...	...	...	★	...	...	...	★	...
Massachusetts .....	★	...	...	★	...	...	...	...	★	★	...	...	★	...
Michigan .....	★	...	...	★	★	...	★	...	★	★	...	...	...	★
Minnesota .....	...	★	●	★	...	...	★	★	★	★	★	★	★	...
Mississippi .....	...	...	...	★	...	...	...	...	★	...	...	...	★	...
Missouri .....	...	...	...	...	...	...	...	...	★	...	...	...	...	...
Montana .....	...	...	...	★	★	...	...	★	★	★	...	...	★	★
Nebraska .....	...	★	●	★	...	...	★	★	★	...	...	...	...	★
Nevada .....	...	...	...	★	...	...	...	...	★	...	★	...	...	...
New Hampshire .....	...	★	...	★	...	...	...	...	...	...	...	...	★	...
New Jersey .....	...	...	...	★	...	...	...	...	★	...	...	...	★	...
New Mexico .....	...	★	★	★	...	...	...	★	★	...	...	...	...	★
New York .....	★	★	...	★	★	...	...	...	★	...	...	...	...	...
North Carolina .....	...	...	...	★	...	...	...	...	★	...	...	...	...	...
North Dakota .....	...	★	...	★	★	...	★	●	★	...	★	★	★	...
Ohio .....	...	...	●	★	★	...	...	...	...	...	...	★	★	...
Oklahoma .....	★	★	★	★	...	★	★	...	★	...	★	★	...	...
Oregon .....	★	...	...	★	★	...	★	...	★	...	★	...	...	★
Pennsylvania .....	...	...	...	★	...	...	...	...	...	...	...	★	...	...
Rhode Island .....	...	...	...	★	...	...	...	...	★	...	...	...	★	...
South Carolina .....	...	...	...	...	...	★	...	...	...	★	...	...	...	...
South Dakota .....	...	...	...	★	...	...	...	...	★	★	...	...	...	...
Tennessee .....	...	...	...	★	...	...	...	...	★	...	...	...	★	...
Texas .....	...	...	●	★	...	...	...	...	...	...	★	...	...	...
Utah .....	...	...	...	★	...	★	...	★	...	...	...	...	...	...
Vermont .....	...	...	...	...	...	...	...	...	...	...	...	...	★	...
Virginia .....	...	...	...	★	...	...	★	...	★	...	...	...	★	★
Washington .....	★	...	...	★	...	...	...	...	★	★	...	...	★	...
West Virginia .....	...	...	...	★	...	...	★	...	...	...	...	...	...	...
Wisconsin .....	...	★	...	★	★	...	★	...	★	★	...	...	...	...
Wyoming .....	...	...	...	★	★	★	...	...	★	...	...	...	...	...
Dist. of Col. ....	...	...	...	★	...	...	...	...	...	★	...	...	★	...
Puerto Rico .....	...	...	...	...	...	...	...	...	★	...	...	...	...	...
Virgin Islands .....	...	...	...	...	...	...	...	...	★	...	...	...	...	...
Total .....	11	16	16	50	20	10	16	10	43	20	13	8	22	15

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# CONSTITUTIONAL AMENDMENTS AND DIRECT LEGISLATION, 1976-1977

By Elaine Stuart Knapp\*

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INTEREST IN THE ABILITY of the electorate to directly legislate reached new heights during the biennium with a spurt in the number of citizen-initiated measures reaching the ballot. However, many of the initiated measures—petitioned to the ballot by voter signatures rather than through legislative action—failed to win approval at the polls. Of 37 initiatives on the ballots in 13 states during the 1976 general election, only eight passed. Measures restricting nuclear power and limiting state spending were among those initiated measures meeting defeat.

In other action, voters gave the go-ahead to holding constitutional conventions in three states and to judicial reforms in a number of states. Legislative and executive branch changes met with mixed success at the polls. Voters were selective in choosing among a variety of bond issues.

The following summarizes some of the major trends of the 1976-77 primary, special, and general elections on statewide issues and amendments. Some items mentioned in this chapter are discussed more fully in narratives or tables elsewhere in this edition of *The Book of the States* (consult index).

## Constitutions

Tennessee voters, in 1976, approved the most sweeping call for a constitutional convention in that state in more than a century. The convention was authorized to revise 13 different parts of the 1870 constitution, including the entire judicial article, the 10 percent interest rate limit, and the governor's term and veto power. Some were against the call because it omitted the tax article, and thus precluded consideration of an income tax for another six years until the next constitutional revision is allowed. The 99 elected delegates convened August 1, 1977, to recommend changes for ratification by voters at an election in 1978.

Calls for constitutional conventions were also approved by voters in Arkansas and Hawaii, but denied in Kentucky and New York. Arkansas' convention will begin in May 1979 and Hawaii's in July 1978.

Voters approved editorial revision of Georgia's constitution and a provision for revision of South Carolina's constitution by article rather than item. South Dakota voters defeated a new preamble, bill of rights and legislative article to their constitution.

## Executive

Governors of Georgia and North Carolina will be able to run for two consecutive terms under recently approved constitutional amendments. A proposal for consecutive terms for executive officers was disapproved by New Mexico voters.

American Samoa and the Northern Mariana Islands elected their governor for the first time under recently approved measures.

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Team election of the governor and lieutenant governor was endorsed by Ohio voters as was a provision for succession when the governor is unable to perform his duties.

Voters in Florida and Washington approved ethics measures requiring financial disclosure by public officials.

Maryland endorsed establishment of a commission to recommend pay hikes for the governor and lieutenant governor and Arkansas voters approved increased salaries for executive branch officials and legislators.

### **Legislative**

Measures to alter legislative and executive branch powers had a mixed reception by voters. Proposals for increased legislative control over executive branch regulations were defeated in Florida and Missouri.

Legislatures were voted increased confirmation powers over executive appointments in Arizona and California. The Nebraska legislature was empowered to line item override the governor's line item appropriation vetoes.

Removal of the lieutenant governor from legislative office was denied by voters in Nebraska and South Dakota.

Pay increases were turned down for legislators in Nebraska and North Dakota, but approved in Idaho and American Samoa.

More legislative control over session length and flexibility was allowed by voters in North Dakota, Oregon, and South Carolina. Voters defeated a call for annual sessions in New Hampshire and longer or more flexible sessions in Nebraska, Nevada, and South Dakota.

New Mexico limited the legislature to its present size and mandated single-member districts.

### **Courts**

Missouri voters approved a new judicial article providing for complete reorganization of the courts. Unified court systems under a centralized administration were approved in Nevada, North Dakota, and Wisconsin.

Provision for merit selection or retention of judges was approved in Florida, Maryland, Nevada, and Wyoming.

Creation of an intermediate court of appeals was endorsed in Wisconsin and of an enlarged court of criminal appeals in Texas. Nevada voters turned down an expanded supreme court.

Judicial discipline or censure procedures were revamped by voter action in California, Connecticut, Florida, Nevada, and Wisconsin.

Voters approved several court reform measures in New York and six-member civil case juries in Rhode Island.

### **Elections Procedures**

Instant voter registration, after a short trial period in Ohio, was replaced when voters approved an amendment requiring registration 30 days in advance of elections. Washington voters defeated a proposal for postcard registration.

Measures to conform state voter law to federal requirements passed in a number of states (Connecticut, Indiana, New Hampshire, Utah, Virginia, and Wisconsin).

Proposals to make it easier to place initiative measures on the ballot were turned down

by voters in Nevada and Ohio, but adopted in Maryland. Montana voters approved an initiative measure setting procedures for recall of elected and appointive officials.

### **Bonds**

There were more pluses than minuses for passage of bond issues over the biennium. The biggest bond issue offered, \$750 million for economic development in New York, became embroiled in controversy and was defeated. However, voters in most states were receptive to bond issues on the ballot, although they were selective in their endorsements. For example, California voters approved more than \$1 billion in various bonds for veterans' loans, water, and parks, while defeating nearly another \$1 billion in bonds for housing, education, and solar power.

North Carolina voters approved a total of some \$575 million in bonds for highways, clean water, and various facilities.

New Jersey voted some \$375 million on various bond issues for medical education, beaches, housing, pollution control, and other projects.

Texas voted a total of \$300 million for veterans' land loans and sewers, while disapproving a \$400 million issue for water development.

Oregon approved establishment of a \$658.5 million water fund, while turning down a similar fund for nonnuclear power sources.

Rhode Island voters approved various bond issues totalling some \$80 million, while turning down others totalling some \$46 million.

Other bonds approved by voters included \$25 million in Alabama for a waterway, more than \$160 million for schools, roads, wildlife and other projects in Alaska, \$59 million for six projects in Maine, \$10 million for parks in Nevada, \$25 million for education in New Mexico, and \$125 million for five projects in Virginia.

### **Taxes and Finance**

Initiated measures to drastically curb state spending were defeated by voters in four states (Michigan, Montana, North Dakota, and Utah). Also rejected was a proposal by the Florida legislature to place a limit on the number of state workers.

Voters also were selective in granting their approval to tax relief. While voters repealed the sales tax on food in Washington, similar repeal proposals were defeated in Colorado and Missouri. Colorado's electorate also turned down an initiative to require voter approval of all taxes.

North Dakota voters approved an initiative measure to lower the sales tax, and Missouri approved a sales tax hike to fund conservation activities. In Massachusetts and Michigan, voters chose to keep flat-rate income taxes rather than replace them with graduated taxes.

Property tax relief was more popular with voters. Montana approved a property tax relief initiative which was supported by the governor. New Jersey voters approved dedicating the income tax to property tax relief. Maine voters chose to repeal the controversial uniform state property tax, which had been tied to equalized funding of education. Tax breaks for various purposes gained approval in a number of states: Arkansas for intangibles, California for historical properties and the elderly, Georgia for solar equipment and goods in transit, Kansas for farmland, New Jersey for the elderly and disabled, Pennsylvania for the disabled veteran, Texas for historical preservation, and Virginia for various types of property, the elderly, and solar power.

Funds for mineral taxes were established by voter action in Montana and New Mexico. Imposition of a severance tax, tied to sales tax relief, was defeated in Colorado.

Washington voters defeated an initiative to lower the gasoline tax, while Oregon voted against a rise in the gasoline tax and also turned down a school levy tax change.

Voters were conservative in changing state debt. North Carolina's electorate banned state deficits. Florida voted to require full funding of pension increases. South Carolina voted a bonded debt limit. Ohio voters denied a flexible debt limit as well as measures to lift voter approval of local debt and provide state aid to railroads, housing, and energy facilities. Californians voted against legislative refinancing of debt. Missouri voted to keep voter power over industrial revenue bonds.

### Other

Initiatives to ban nuclear powerplants unless they prove their safety were rejected in seven states (Arizona, California, Colorado, Montana, Ohio, Oregon, and Washington).

Utility reform initiatives lost in three states (Colorado, Massachusetts, and Ohio) and passed in Missouri.

Measures to ban nonreturnable beverage bottles and cans were adopted in Maine and Michigan, but defeated in Colorado and Massachusetts.

Gambling measures approved included a sweepstakes in Colorado; casino gambling in Atlantic City, New Jersey; a state lottery in Vermont; bingo in California, Georgia, and Oregon; and nonprofit raffles in Wisconsin. Proposals for casinos in Guam, slot machines in Delaware, and dog tracks in California lost.

A state equal rights amendment was adopted by voters in Massachusetts, and a move to repeal Colorado's state ERA failed.

Initiative measures to ban fluorides failed in Oregon and Washington, but Utah made fluoridation subject to voter option.

Voters also approved state aid to housing in Hawaii, revenue bond authority for local government-operated powerplants in Idaho, preservation of a mountain in Maine, state aid for railroads in Maryland, open meetings and records guaranteed in the constitution in New Hampshire, and a ban on pornographic movies and bookstores in Washington.

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# ELECTION LEGISLATION

By Richard G. Smolka\*

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STATE ELECTION law activity diminished somewhat during the 1976-77 biennium, after several years of rapid change and innovation. Most election laws of the biennium refined and modified statutes passed not too long ago. The courts, more than the legislatures, have affected the more recent conduct and regulation of elections.

Campaign finance laws became widespread, but there were few major changes except to meet constitutional standards set by the courts. The definition of campaign activity and the role of regulatory commissions was sharpened by the landmark Supreme Court decision, *Buckley v. Valeo*, which struck down certain portions of the federal campaign act amendments.

The courts also looked closely at the laws relating to access to the ballot and even ballot position.

Continuing the trend of the decade, more states have moved to ease voter registration requirements, make elections more convenient and polling places more accessible, permit greater candidate access to the ballot, and provide public funding to political parties and candidates.

## Campaign Practices

*Campaign Finance.* State legislation to regulate campaign finance increased dramatically during the post-Watergate years, but tapered off during 1976 and 1977. By early 1976, most states had placed limitations on contributions by individuals and groups and on total expenditures by candidates, and 12 had initiated public funding of political candidates or parties.

The various provisions of these campaign laws have been subjected to federal and state court scrutiny. By far the most important issues were raised in *Buckley v. Valeo* (424 U.S. 1, decided January 30, 1976), when the U.S. Supreme Court heard an almost unprecedented four hours of oral argument.

The Court upheld the constitutionality of the 1974 amendments to the Federal Election Campaign Act provisions which imposed limits on campaign contributions, required disclosure of contributions and expenditures, and provided for public funding of presidential elections through a tax checkoff on federal income tax returns.

At the same time, the Court ruled unconstitutional overall campaign spending limitations and the \$1,000 ceiling on the amount an individual may spend independently in support of or in opposition to a candidate. Separate limits on the amount a candidate or his family could spend were also declared a violation of First Amendment freedom of speech rights. The Court did suggest that some limits on overall spending may be constitutional if public funds are voluntarily accepted by candidates.

The spending limits imposed by the laws of 31 states were rendered ineffective by the

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*Buckley* rulings. The decision was followed by several major state court decisions. The Florida Supreme Court overturned a statute prohibiting candidates from advertising until 63 days prior to an election. The Michigan Supreme Court, in an advisory opinion, ruled that the state may prohibit corporations from contributing to candidates but not from spending to support or oppose ballot questions. In a similar case, the Massachusetts Supreme Judicial Court upheld the constitutionality of a state law prohibiting corporations from making contributions or expenditures to influence the vote on a referendum question that is "solely" concerned with the taxation of individual income, property, or transactions.

State funds used to finance campaigns by primary election candidates must be distributed equally among contenders, according to a federal district court decision. The court ruled that a Rhode Island political party cannot use public funds to support a party-endorsed candidate in a primary election while denying funds to his opponent.

*Personal Finance Disclosure.* The latest expansion of Watergate-related reform laws required increased public disclosure of personal finances by candidates. Thirty-one states had laws in effect in 1977 which required candidates for public office to disclose their financial assets or sources of income. These laws included members of the candidate's immediate family but varied considerably in the amount of detail required. In some states, a candidate who fails to file a personal financial disclosure statement may not be listed on the ballot or, if listed, may not be certified if elected.

*Administrative Agencies.* Post-Watergate independent agencies created to regulate and administer campaign practice laws have continued to proliferate and become more secure in their use of delegated powers. Twenty-seven states now have independent agencies with some form of administrative, policymaking or enforcement authority.

Some states, such as California, New Jersey, and Wisconsin, have given regulatory agencies broad powers to impose fines or to go to court to seek the imposition of civil or criminal penalties.

Most state agencies serve as administrator-investigator for attorneys general or for local state's attorneys who retain the exclusive power to prosecute.

*Public Funding of Campaigns.* New Jersey became the first state to provide major financial support to gubernatorial campaigns. The legislature appropriated \$2.5 million for the general election of 1977 and established a \$600 limit on individual contributions.

The state paid approximately \$2.1 million in matching funds to campaign organizations of the two major political party candidates. None of the 15 minor political party or independent gubernatorial candidates qualified for public funding by meeting the threshold requirement of \$40,000 in individual contributions.

Thirteen other states, including Idaho, Iowa, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Montana, North Carolina, Rhode Island, Utah, and Wisconsin, have laws which provide for some type of funding for candidates or political parties.

Twenty-six states and the District of Columbia permitted tax credits or tax deductions on state income tax forms by 1977.

### **Presidential Primaries**

Twenty-nine states and the District of Columbia conducted presidential primary elections during 1976. This was seven more primaries than were held in 1972. Total presidential primary election turnout increased from 22 million in 1972 to 26 million in 1976.

New Mexico was the only state which had a primary in 1972 but not in 1976. During

1977, Connecticut and New Mexico passed laws requiring presidential primaries for 1980, making it likely that the number of states conducting presidential primaries will continue to increase (see page 234).

Although efforts to consolidate primaries by geographic region were unsuccessful in 1976, further attempts to combine election dates and shorten the election schedule are expected before 1980. The New England states, with the exception of New Hampshire, have attempted to agree upon a mutually satisfactory date and there have been similar efforts made to establish a southern regional primary by state laws.

### **Access to the Ballot**

Independent and minor party candidates continued to attack state laws restricting candidate access to the ballot. Most prominent among the litigants in 1976 was former Senator Eugene McCarthy, an Independent candidate for president. He successfully attacked the constitutionality of state laws which made no provision for an independent presidential candidate and those laws which required independent candidates to file petitions several months before the election. In all, Mr. McCarthy gained a position on the ballot in 12 states through court action and ultimately was listed as a candidate for president in 29 states.

The American Independent Party failed in its efforts to get its presidential candidate listed on the Michigan ballot when two factions of the party could not agree on the nominee. Neither state officials nor the courts would decide which faction of the party was entitled to designate the party nominee.

A total of 14 presidential candidates appeared on the ballot in one or more states in 1976, although no state listed all 14. Jimmy Carter and Gerald R. Ford appeared on the ballot in all states. Roger MacBride (Libertarian) was listed in 31 states, followed by Mr. McCarthy in 29, Peter Camejo (Socialist Worker) in 28, and Lyndon Larouche (U.S. Labor Party) in 24. Lester Maddox was the American Independent Party candidate in 20 states and Thomas Anderson the American Party candidate in 18 states.

The U.S. Supreme Court has not yet clarified the constitutionality of state laws requiring early filings of petitions by independent candidates for offices other than president. In early 1976, the Court affirmed without comment a lower court decision (*Salera v. Tucker*, 399 F. Supp. 1258, E.D. Pa., 1975) which struck down a Pennsylvania law which required independent candidates to obtain petition signatures within a three-week period 218 days prior to the general election. In 1977, however, the Court remanded to a federal panel in Maryland, for further argument, a similar ruling which relied on the *Salera* decision that the remoteness of the deadline for petitions from the date of election was constitutionally impermissible (*Mandel v. Bradley*, 432 U.S. 173).

In the Maryland case, an independent candidate for U.S. Senate was denied a ballot position because he failed to obtain sufficient petition signatures by March 8, 1976, the same deadline by which candidates for the primary election were required to file candidate declaration and fees. A three-judge federal panel gave the Maryland candidate an extended time to obtain signatures. He was successful and was listed on the ballot. The Supreme Court decision came after the general election.

### **Voter Registration**

The trend toward easier voter registration continued unabated throughout the 1970s. For the 1976 presidential election, Minnesota and Wisconsin permitted all voters to register at the polls on election day. Although several states, primarily in the midwest, had long



permitted citizens residing in rural areas to vote without previous registration, 1976 marked the first year in which residents of major cities such as Milwaukee, Minneapolis, and St. Paul could do so.

Other states which permit voters who have not registered prior to the election to vote are North Dakota, which has no registration requirement; Oregon and Maine, which require those not previously registered to register on election day with the county clerk and town clerk respectively; and Ohio, which permits voters in small communities to vote without advance registration.

Ohio voters, in November 1977, by a 62-38 percent margin, adopted a constitutional amendment requiring voter registration in advance of an election, thereby overturning the state's new election-day registration law. Election-day registration was part of a major voter-registration package which had been passed and made effective earlier in the year over the veto of Governor James A. Rhodes.

*Mail Registration.* Prior to 1974, few states permitted voters to register by mail, but by the time of the presidential election of 1976, 47 percent of the national population lived in the 17 states and the District of Columbia where general mail registration laws were in effect. Ohio and Washington passed mail registration laws in 1977. The Washington law was petitioned to referendum and defeated by the voters in November 1977.

California, Michigan, and Ohio laws provided that state motor vehicle agencies distribute voter registration forms to persons who apply for a driver's license or auto license or persons who notify the agency of a change of address.

*Registration Activity.* Many states conducted vigorous voter registration drives for the 1976 election. New Jersey provided \$100,000 to counties to conduct door-to-door voter registration canvasses. State funds to defray the local government costs of voter registration were made available in Minnesota, Pennsylvania, and other states in recent years.

The National Association of Secretaries of State, at its national convention in 1977, established a committee to focus their independent efforts to increase voter registration and participation.

### **Assistance to Handicapped or Elderly Voters**

Several states passed new laws providing assistance or protection for elderly or handicapped voters. In general, the new laws eased restrictions on requests for absentee ballots, required polling places to be accessible to handicapped voters, permitted polling place officials to carry the ballot to voters at the curb, and protected the handicapped voter's ballot secrecy. Minnesota law requires polling places to be accessible and usable by elderly and physically handicapped voters and establishes standards of accessibility. Georgia law requires the selection of such polling places, where practicable. North Carolina law prohibits a precinct official from assisting a handicapped voter to cast a ballot unless specifically requested by the voter to provide assistance.

### **Election Dates**

Milwaukee County attempted what was believed to be the first Sunday election in the U.S. when a special election to fill a vacancy on the county board was set for Sunday, June 26, and run-off election for Sunday, July 24. The date was chosen by the county executive who, under Wisconsin law, has authority to set dates for special elections. Although the purpose was to stimulate voter turnout, fewer than 14 percent of the registered voters turned out in either the special election or the runoff in 1977.

### Federal Legislation

Although bills have been introduced in the last two congresses which could affect almost every aspect of voting from voter registration to the hours and dates of elections, only two laws were passed which directly affect the states.

On January 2, 1976, President Gerald R. Ford signed into law a bill to make it easier for citizens residing overseas to vote. The law provides that citizens who reside overseas may vote for federal officers from the state in which they were last a resident even though they are not registered voters in that state, no longer claim to be residents of that state, and have no intention of returning to it. The law requires that such overseas voters must have met the voter qualifications of the state, except for age, at the time of departure, must not claim the right to vote in any other state, and must have a valid passport.

A 1977 federal law requires political candidates for federal office to file personal financial disclosure statements with the same state officials those candidates are now required to file campaign finance reports.

### Voting Rights Act

The Supreme Court has made it difficult if not impossible for states to challenge the application of the Voting Rights Act when the Bureau of the Census makes a determination that a state or locality has a minority population which brings it under coverage of the act. The Court held that the findings of the U.S. attorney general or of the census bureau are not reviewable by any court in *Briscoe v. Bell* (432 U.S. 404). The ruling prevented Texas from challenging a census bureau count of its language-minority population.

Hawaii, however, took its own census and initiated legal action against the U.S. Justice Department by documenting its differences with the census figures. The matter has been the subject of lengthy negotiations between Hawaii and the federal agencies.

In a major case, a federal court of appeals ruled that the city of Sheffield, Alabama, was not covered by the Voting Rights Act because it is neither a state nor a jurisdiction that conducts voter registration and is thus outside the coverage of the act. Voter registration for the city of Sheffield is conducted by the county government. The Sheffield ruling, if upheld by the Supreme Court, would relieve hundreds of local governments of submitting all changes in election laws to the justice department for pre-clearance as currently required by the Voting Rights Act (*U.S. v. Board of Commissioners of Sheffield, Alabama*, No. 76-1622).

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## PRESIDENTIAL OR PREFERENTIAL DELEGATE PRIMARIES\*

State	Primary	Projected date in 1980
Alabama .....	Established by political party governing body.	(a)
Arkansas .....	2 weeks prior to general primary which is held on the 2d Tuesday in June.	May 27
California .....	1st Tuesday after 1st Monday in June in years in which delegations to national conventions are chosen.	June 3
Connecticut .....	1st Tuesday after the first Monday in March.	March 4
Florida .....	2d Tuesday in March 1972 and every 4 years thereafter.	March 11
Georgia .....	Not earlier than March 1 or later than June 1.	(a)
Idaho .....	4th Tuesday in May.	May 27
Illinois .....	3d Tuesday in March.	March 18
Indiana .....	1st Tuesday after 1st Monday in May.	May 6
Kentucky .....	1st Tuesday after 4th Monday in May.	May 27
Maryland .....	3d Tuesday in May.	May 20
Massachusetts .....	1st Tuesday after 1st Monday in March.	March 4
Michigan .....	3d Tuesday in May.	May 20
Montana .....	1st Tuesday in June.	June 3
Nebraska .....	1st Tuesday after 2d Monday in May.	May 13
Nevada .....	4th Tuesday in May.	May 27
New Hampshire .....	1st Tuesday in March (or on Tuesday immediately preceding date on which any other New England state holds such an election).	February 26
New Jersey .....	Tuesday after 1st Monday in June.	June 3
New Mexico .....	1st Tuesday in June.	June 3
New York(b) .....	1st Tuesday in April.	April 1
North Carolina .....	4th Tuesday in March.	March 25
Ohio .....	1st Tuesday after 1st Monday in June.	June 3
Oregon .....	4th Tuesday in May.	May 27
Pennsylvania .....	4th Tuesday in April.	April 22
Rhode Island .....	1st Tuesday in June 1976, and every 4 years thereafter.	June 3
South Dakota .....	1st Tuesday in June.	June 3
Tennessee .....	1st Tuesday in May.	May 6
Texas .....	1st Saturday in May.	May 3
Vermont .....	1st Tuesday in March.	March 4
West Virginia .....	2d Tuesday in May.	May 13
Wisconsin .....	1st Tuesday in April.	April 1
Dist. of Col. ....	1st Tuesday in May.	May 6

\*Source: Adapted from American Law Division, Congressional Research Service, Library of Congress, *Election Law Guidebook*, 1976.

(a) Date could not be projected because of wording in preceding column.

(b) Delegate selection only; names of presidential candidates do not appear on primary ballot.

## QUALIFICATIONS FOR VOTING

## Registration

State or other jurisdiction	Minimum resi- dence requirements before election (days)	Permanent (all areas)	Closing date† (days)	By mail	At polls	Cancellation for failure to vote at general election (years)	Covers all elections
Alabama	30	★	None	...	...	...	★
Alaska	30	★	30	★	...	4	★
Arizona	50	★	50	...	...	(a)	★
Arkansas	None	★	20	...	...	4	★
California	29	★	29	★	...	(b)	★
Colorado	32	★	32	...	...	2	★
Connecticut	None	★	(c)	...	...	4	★
Delaware	None	★	(d)	★	...	4	★
Florida	30	★	30	...	...	4	★
Georgia	None	★	30	...	...	3	(e)
Hawaii	None	★	30PE; 30GE	★	...	(f)	★
Idaho	None	★	5	...	...	4	(e)
Illinois	30D(g)	★	28	...	...	4	★
Indiana	30P	★	29	...	...	2	★
Iowa	None	★	(h)	★	...	4	★
Kansas	None	★	20	★	...	...	★
Kentucky	30	★	30	★	...	...	★
Louisiana	None	★	30	...	...	4(i)	★
Maine	None	★	1-9(j)	★(k)	...	...	★
Maryland	30	★	(l)	★	...	5	(e)
Massachusetts	None	★	28F, S; 20L	...	...	...	★
Michigan	30	★	30	...	...	...	★
Minnesota	20	★	20(m)	★	★	4	(n)
Mississippi	30	★	30	...	...	...	★
Missouri	30	★	(o)	★	...	...	★
Montana	30	★	30F; 40	★	...	4	★
Nebraska	None	★	(p)	...	...	...	★
Nevada	30S; 10P	★	(q)	...	...	2	★
New Hampshire	30	★	10	...	...	...	★
New Jersey	30	★	29	★	...	4	★
New Mexico	None	★	42	...	...	4	★
New York	30	★	(r)	★	...	2	★
North Carolina	30	...	21	...	...	4	★
North Dakota	30	None	...	...	...	...	★
Ohio	30	(s)	21(m)	★	...	...	★
Oklahoma	None	★	10	...	...	2	★
Oregon	30	★	None	★	...	2	★
Pennsylvania	30	★	30	★	...	2	★
Rhode Island	30	★	30	...	...	5	★
South Carolina	None	(t)	30	...	...	2	★
South Dakota	None	★	15	...	...	4	★
Tennessee	30	★	30	★	...	(u)	★
Texas	30	★	30	★	...	...	★
Utah	30	★	10	★	...	4	★
Vermont	None	★	24	...	...	...	★
Virginia	None	★	30	...	...	4	★
Washington	30	★	30	★	...	2(v)	★
West Virginia	30	★	30	...	...	4	★(w)
Wisconsin	10	(x)	(y)	★	★	2	★
Wyoming	None	★	30	...	★(z)	2	★
Dist. of Col.	None	★	30	★	...	4	★
American Samoa	2 yrs.S; 1 yr.P	★	20	...	...	...	★
Guam	None	★	30	...	...	2	★
Puerto Rico	N.A.	★	N.A.	...	...	N.A.	★
Trust Territory	None	★	90	...	...	...	★
Virgin Islands	1 yr.S; 60D	★	30	...	...	4	★

Note: All states require United States citizenship and a minimum voting age of 18. No state has property qualifications for voting in a general election. All literacy tests were suspended.

† Under the Federal Voting Rights Compliance Act, a new resident desiring to vote for presidential officers has up to 30 days prior to the vote of a federal election to register and apply for a presidential ballot.

Symbols: F—Federal; S—State; D—District; P—Precinct; L—Local; PE—Primary election; GE—General election; N.A.—Not available.

(a) Registration is cancelled the day after the general election but may be restored by returning cancellation card.

(b) Registration is cancelled if voter fails to vote and card initiated by local elections official is returned by the post office indicating the voter has moved.

(c) Saturday of the fourth week before election unless 18 or becomes citizen after that date.

(d) Third Saturday in October in even-numbered years.

(e) Registration covers national and state elections. Municipal registration is separate.

(f) On the 60th day after a general election, any registered voter who fails to vote in a regular election year is removed from the voters' list.

(g) Residency in school elections is 28 days in that district.

(h) Tenth day before election.

(i) Except Orleans Parish which is 2 years.

(j) Any resident may appear before the board of registration or registrar during the "closed period" and be registered.

(k) In addition to registration in person. Registration is acceptable until closed period if application is signed and sworn before a notary public or justice of the peace.

(l) Fifth Monday before election.

(m) Voter may also register on election day.

(n) All except school elections.

(o) Fourth Wednesday before election in all counties except St. Louis and St. Louis City, where it is 28 days.

(p) Second Friday before election.

(q) Fifth Saturday before election.

(r) October 15 in 1977. Date for 1978 not yet set. However, must be less than 30 days before election.

(s) In cities of 16,000 or more; county board of elections has the option to require registration in all or part of county.

(t) All electors must reregister every 10 years.

(u) If a voter votes in any election (primary, referendum, or general), he will not be removed from list.

(v) Or last presidential election.

(w) In order for permanent registration to be applicable for municipal registration, the municipality must pass an ordinance implementing the state law and integrating the city registration with the state law.

(x) In municipalities with population of over 5,000; under 5,000 by local option.

(y) Second Wednesday before election.

(z) Registration at the polls is only permitted at the primary election in accordance with Wyoming Statutes 22.1-18(a).

## POLLING HOURS: GENERAL ELECTIONS

<i>State or other jurisdiction</i>	<i>Polls open</i>	<i>Polls close</i>	<i>Notes on hours</i>
Alabama .....	8 a.m. 8 a.m.	5 p.m. 6 p.m.	If voting machines are not used and if counties are less than 40,000 in population. If voting machines are used and in counties of 400,000 or more.
	8 a.m.	7 p.m.	
Alaska .....	8 a.m.	8 p.m.	
Arizona .....	6 a.m.	7 p.m.	
Arkansas .....	8 a.m.	7:30 p.m.	
California .....	7 a.m.	8 p.m.	Charter cities may set different hours for municipal elections.
Colorado .....	7 a.m.	7 p.m.	
Connecticut .....	6 a.m.	8 p.m.	
Delaware .....	7 a.m.	8 p.m.	
Florida .....	7 a.m.	7 p.m.	
Georgia .....	7 a.m.	7 p.m.	In cities of 300,000 or more polls remain open until 8 p.m.
Hawaii .....	7 a.m.	6 p.m.	
Idaho .....	8 a.m.	8 p.m.	Polls close 8 p.m. or earlier when all registered electors of the precinct have appeared and voted. County clerk has option of opening polls at 7 a.m.
Illinois .....	6 a.m.	6 p.m.	
Indiana .....	6 a.m.	6 p.m.	
Iowa .....	7 a.m.	9 p.m.	
Kansas .....	7 a.m.	7 p.m.	Hours may be changed by election authorities, but polls must be kept open at least 12 consecutive hours between 6 a.m. and 8 p.m.
Kentucky .....	6 a.m.	6 p.m.	
Louisiana .....	6 a.m.	8 p.m.	Persons within barriers or enclosures of buildings are entitled to vote, but no vote may be cast after 12:00 midnight.
Maine .....	Between 6 a.m. & 10 a.m.	8 p.m.	The municipal officers of each municipality shall determine the time of opening the polls between the times given.
Maryland .....	As above 7 a.m.	9 p.m. 8 p.m.	In precincts using voting machines.
Massachusetts .....	May open as early as 5:45 a.m.; must be opened by 10 a.m.	8 p.m.	In cities and towns, the polls shall be kept open at least 10 hours.
Michigan .....	7 a.m.	8 p.m.	
Minnesota .....	7 a.m.	8 p.m.	Municipalities of less than 1,000 may establish hours of 9 a.m. to 8 p.m.
Mississippi .....	7 a.m.	6 p.m.	
Missouri .....	6 a.m.	7 p.m.	
Montana .....	8 a.m. 1 p.m.	8 p.m. 8 p.m. or earlier when all registered in any precinct have voted.	In precincts of less than 100 registered voters.
Nebraska .....	7 a.m. 8 a.m.	7 p.m. 8 p.m.	Mountain Time Zone. Central Time Zone.
Nevada .....	7 a.m. 8 a.m.	7 p.m. 7 p.m.	If punch-card ballots used. If paper ballots used.
New Hampshire .....	Varies	Varies	Cities: Polls open not less than 4 hours and may be opened not earlier than 6 a.m. nor later than 8 p.m. Small towns: In towns of less than 700 population the polls shall be open not less than 5 consecutive hours. On written request of 7 registered voters the polls shall be kept open until 6 p.m. In towns of less than 100 population, the polls shall close if all on the checklist have voted. Other towns: Polls shall open not later than 10 a.m. and close not earlier than 6 p.m. On written request of 10 registered voters the polls shall be kept open until 7 p.m.
New Jersey .....	7 a.m.	8 p.m.	
New Mexico .....	8 a.m.	7 p.m.	
New York .....	6 a.m.	9 p.m.	
North Carolina .....	6:30 a.m.	7:30 p.m.	In voting precincts where voting machines are used, county board of elections may permit closing at 8:30 p.m.
North Dakota .....	Between 7 a.m. & 9 a.m.	Between 7 p.m. & 8 p.m.	
Ohio .....	6:30 a.m.	7:30 p.m.	
Oklahoma .....	7 a.m.	7 p.m.	
Oregon .....	8 a.m.	8 p.m.	
Pennsylvania .....	7 a.m.	8 p.m.	
Rhode Island .....	Between 7 a.m. and 12 noon.	9 p.m.	
South Carolina .....	8 a.m.	7 p.m.	Lancaster County is allowed to keep polls open until 8 p.m.

## POLLING HOURS: GENERAL ELECTIONS—Concluded

<i>State or other jurisdiction</i>	<i>Polls open</i>	<i>Polls close</i>	<i>Notes on hours</i>
South Dakota .....	8 a.m.	7 p.m.	.....
Tennessee .....	Varies	Varies	..... Polls must be open minimum of 10 and maximum of 12 continuous hours. Polls close at 7 p.m. except in Eastern Time Zone where they close at 8 p.m.
Texas .....	7 a.m.	7 p.m.	..... In counties having less than 100,000 the polls may be opened at 8 a.m.
Utah .....	7 a.m.	8 p.m.	..... In counties of more than one million population the polls may be opened at 6 a.m.
Vermont .....	Not earlier than 6 a.m.	Not later than 7 p.m.	..... Polls must be opened at least 9 consecutive hours during the day.
Virginia .....	6 a.m.	7 p.m.	.....
Washington .....	7 a.m.	8 p.m.	.....
West Virginia .....	6:30 a.m.	7:30 p.m.	.....
Wisconsin .....	7 a.m.	8 p.m.	..... 1st, 2nd and 3rd class cities.
	9 a.m.	8 p.m.	..... 4th class cities, villages and towns. Opening hours extendable by governing body to not earlier than 7 a.m.
Wyoming .....	8 a.m.	7 p.m.	.....
Dist. of Columbia .....	7 a.m.	8 p.m.	.....
American Samoa .....			..... Hours set by election commissioner.
Guam .....	8 a.m.	8 p.m.	.....
Puerto Rico .....	9 a.m.	2 p.m.	..... The polls are open between 9 a.m. and 2 p.m. for identification purposes only. Voters must be inside voting place by 2 p.m., when the voting begins.
TTPI .....	7 a.m.	7 p.m.	.....
Virgin Islands .....	8 a.m.	6 p.m.	.....

## GENERAL ELECTIONS IN 1978 AND 1979\*

State or other jurisdiction	Date of general elections in 1978 (a)	State officers with statewide jurisdiction to be elected	State legislatures (b): Members to be elected		U.S. Congress: Members to be elected	
			Senate	House	Senate	House
Alabama.....	Nov. 7	Governor, lt. governor, secretary of state, attorney general, treasurer, auditor, 4 members state board of education, commissioner of agriculture and industries, 2 public service commissioners, 2 associate supreme court justices, 1 court of civil appeals judge, all circuit judges, 2 court of criminal appeals judges.	All	All	1	7
Alaska.....	Nov. 7	Governor, lt. governor	½	All	1	1
Arizona.....	Nov. 7	Governor, secretary of state, attorney general, treasurer, supt. of public instruction, state mine inspector, 1 corporation commissioner	All	All	1	4
Arkansas.....	Nov. 7	Governor, lt. governor, secretary of state, attorney general, treasurer, auditor, commissioner of state lands, 1 supreme court justice	½	All	1	4
California.....	Nov. 7	Governor, lt. governor, secretary of state, attorney general, treasurer, controller, supt. of public instruction, board of equalization, chief justice, 3 associate justices of supreme court	½	All	0	43
Colorado.....	Nov. 7	Governor, lt. governor, secretary of state, attorney general, treasurer, 2 Univ. of Colorado regents, 2 state board of education members	½(c)	All	1	5
Connecticut.....	Nov. 7	Governor, lt. governor, secretary of state, attorney general, treasurer, comptroller	All	All	0	6
Delaware.....	Nov. 7	Attorney general, treasurer, auditor of accounts, insurance commissioner	½(c)	All	0	1
Florida.....	Nov. 7	Governor, lt. governor, attorney general, secretary of state, treasurer, comptroller, commissioner of education, commissioner of agriculture, 2 public service commissioners	½	All	0	15
Georgia.....	Nov. 7	Governor, lt. governor, secretary of state, attorney general, comptroller general, state school superintendent, commissioner of agriculture, commissioner of labor, 2 public service commissioners, 4 supreme court justices, 5 court of appeals judges, 43 superior court judges, 9 district attorneys.	All	All	1	10
Hawaii.....	Nov. 7	Governor, lt. governor, 9 state board of education members	All	All	0	2
Idaho.....	Nov. 7	Governor, lt. governor, secretary of state, attorney general, treasurer, auditor, supt. of public instruction, 2 supreme court justices (d)	All	All	1	2
Illinois.....	Nov. 7	Governor, lt. governor, secretary of state, attorney general, comptroller, treasurer	2/3	All	1	24
Indiana.....	Nov. 7	Secretary of state, treasurer, auditor	½	All	0	11
Iowa.....	Nov. 7	Governor, lt. governor, secretary of state, attorney general, treasurer, auditor, secretary of agriculture.	½	All	1	6
Kansas.....	Nov. 7	Governor, lt. governor, secretary of state, attorney general, treasurer, insurance commissioner, 3 supreme court justices	None	All	1	5
Kentucky.....	Nov. 7	1 court of appeals judge	None	None	1	7
	(1973) Nov. 6	Governor, lt. governor, secretary of state, attorney general, treasurer, auditor, supt. of public instruction, commissioner of agriculture, 3 railroad commissioners	½	All	0	0
Louisiana.....	Nov. 7	3 state board of education members, 1 public service commissioner, 1 supreme court justice	None	None	1	8
	(1979) Dec. 8	Governor, lt. governor, secretary of state, attorney general, treasurer, commissioner of agriculture, commissioner of insurance, superintendent of education, commissioner of elections	All	All	0	0
Maine.....	Nov. 7	Governor	All	All	0	2
Maryland.....	Nov. 7	Governor, lt. governor, attorney general, comptroller, 2 court of appeals judges, 3 court of special appeals judges	All	All	0	8
Massachusetts.....	Nov. 7	Governor, lt. governor, secretary of state, attorney general, treasurer, auditor	All	All	1	12
Michigan.....	Nov. 7	Governor, lt. governor, secretary of state, attorney general, 2 state board of education members, 6 trustees of state universities, 2 supreme court justices	All	All	1	19
Minnesota.....	Nov. 7	Governor, lt. governor, secretary of state, attorney general, treasurer, state auditor, 2 supreme court justices	None	All	1	8
Mississippi.....	Nov. 7	None	None	None	1	5
	(1979) Nov. 6	Governor, lt. governor, secretary of state, attorney general, treasurer, auditor, supt. of education, land commissioner, commissioner of agriculture, insurance commissioner, 3 public utilities commissioners, 3 highway commissioners, 2 supreme court justices, 1 supreme court clerk	All	All	0	0
Missouri.....	Nov. 7	State auditor	½	All	0	10
Montana.....	Nov. 7	2 public service commissioners, chief justice of supreme court, 2 associate supreme court justices	½	All	1	2

\*In several states either some or all elected officials with statewide jurisdiction do not appear in the table as their terms approach such that no elections for them occur in 1978 or 1979.

(a) Elections in 1979 are indicated by "1979" before the date.

(b) For numbers, terms, and party affiliations of state legislators see page 13.

(c) Approximately.

(d) The vote for supreme court justice is usually decided at the primary elections. If one or two candidates run in the primary, the candidate who receives a majority of votes cast is declared the winner

and does not run in the general election. If there are more than two candidates and none receives a majority, the two candidates receiving the most votes run in the general election.

(e) Unicameral legislature.

(f) All statewide officers elected every 4 years.

(g) Nonvoting delegate to U.S. House of Representatives.

(h) Election day will be the first Tuesday of November every four years, but the legislature has the right to change the date by amending the electoral law.

## GENERAL ELECTIONS IN 1978 AND 1979\*—Concluded

State or other jurisdiction	Date of general elections in 1978 (a)	State officers with statewide jurisdiction to be elected	State legislatures(b): Members to be elected		U.S. Congress: Members to be elected	
			Senate	House	Senate	House
Nebraska .....	Nov. 7	Governor, lt. governor, secretary of state, attorney general, treasurer, auditor, 4 state board of education members, 2 board of regents members, 1 public service commissioner, 4 supreme court justices	½(c)	(e)	0	3
Nevada .....	Nov. 7	Governor, lt. governor, secretary of state, attorney general, treasurer, controller, 5 state board of education members, 5 university board of regents members, 2 supreme court justices	½	All	0	1
New Hampshire .....	Nov. 7	Governor, 5 executive councilors	All	All	1	2
New Jersey .....	Nov. 7	None	None	None	0	15
(1979)	Nov. 6	None	All	All	0	0
New Mexico .....	Nov. 7	Governor, lt. governor, secretary of state, attorney general, treasurer, auditor, commissioner of public lands, 1 corporation commissioner, 2 supreme court justices, 1 court of appeals judge	1/6	All	1	2
New York .....	Nov. 7	Governor, lt. governor, attorney general, comptroller, 1 court of appeals judge	All	All	0	39
North Carolina .....	Nov. 5	None (f)	All	All	1	11
North Dakota .....	Nov. 7	Commissioner of labor, 1 public service commissioner, 2 supreme court justices	½(c)	All	1	1
Ohio .....	Nov. 7	Governor, lt. governor, secretary of state, attorney general, treasurer, auditor, 2 supreme court justices	½(c)	All	0	23
Oklahoma .....	Nov. 7	Governor, lt. governor, attorney general, treasurer, supt. of public instruction, commissioner of insurance, 1 corporation commissioner, 3 supreme court justices, 1 court of criminal appeals judge, 2 court of appeals judges, auditor & inspector	½	All	1	6
Oregon .....	Nov. 7	Governor, supt. of public instruction, labor commissioner, 1 supreme court judge	½	All	1	4
Pennsylvania .....	Nov. 9	Governor, lt. governor	½	All	0	25
Rhode Island .....	Nov. 7	Governor, lt. governor, secretary of state, attorney general, general treasurer	All	All	1	2
South Carolina .....	Nov. 7	Governor, lt. governor, secretary of state, attorney general, treasurer, comptroller general, supt. of education, commissioner of agriculture, adjutant general	None	All	1	6
South Dakota .....	Nov. 7	Governor, lt. governor, secretary of state, attorney general, treasurer, auditor, commissioner of schools and public lands, 1 public utilities commissioner	All	All	1	2
Tennessee .....	Nov. 7	Governor, 1 public service commissioner	½(c)	All	1	8
Texas .....	Nov. 6	Governor, lt. governor, attorney general, treasurer, comptroller of public accounts, commissioner of agriculture, commissioner of general land office, 1 railroad commissioner, 3 supreme court justices, 2 court of criminal appeals judges	½(c)	All	0	24
Utah .....	Nov. 7	5 board of education members, 1 supreme court justice	½	All	0	2
Vermont .....	Nov. 5	Governor, lt. governor, secretary of state, attorney general, treasurer, auditor	All	All	1	1
Virginia .....	Nov. 7	None	None	None	1	10
(1979)	Nov. 6	None	All	All	0	0
Washington .....	Nov. 7	3 supreme court justices, 4 court of appeals judges	½(c)	All	0	7
West Virginia .....	Nov. 7	None	½	All	1	4
Wisconsin .....	Apr. 4	1 supreme court justice	...	...	...	...
(1979)	Nov. 7	Governor, lt. governor, secretary of state, attorney general, treasurer	½(c)	All	0	9
	Apr. 3	1 supreme court justice	...	...	...	...
Wyoming .....	Nov. 7	Governor, secretary of state, treasurer, auditor, supt. of public instruction	½	All	1	1
Dist. of Col. ....	Nov. 7	Mayor, district council chair, 2 at-large council members, 5 city ward council members	...	...	...	1(g)
(1979)	Nov. 6	Board of education, advisory neighborhood commission—single-member district commissioners	...	...	...	...
American Samoa .....	Nov. 7	None	None	All	0	0
Guam .....	Nov. 7	Governor, lt. governor	All	(e)	0	(g)
Puerto Rico .....	Nov. 7(h)	None	None	None	0	0
Virgin Islands .....	Nov. 7	Governor, lt. governor	All	(e)	0	1(g)



## VOTING STATISTICS ON GUBERNATORIAL ELECTIONS\*

State or other jurisdiction	Number registered prior to general election	Votes cast for governor: primary			Votes cast for governor: general election			
		Republican	Democrat	Total	Republican	Democrat	Other	Total
Alabama†	1,792,686	(a)	828,311	828,311	88,381	497,574	12,350	598,305
Alaska†	169,404	60,607	22,370	82,977	45,840	45,553	4,770	96,163
Arizona†	890,833	149,370	171,507	320,877	273,674	278,375	153	552,202
Arkansas	1,020,533	27,419	525,961	553,380	121,716	605,083	150	726,949
California†	9,928,364	1,889,103(b)	2,800,315(b)	5,128,375(c)	2,952,954	3,131,648	158,873	6,243,475
Colorado†	1,227,492	156,025	205,248	361,273	378,698	441,408	9,062	829,168
Connecticut†	1,562,171	(a)	(a)	(a)	440,169	643,490	19,114	1,102,773
Delaware	300,919	(a)	(a)	(a)	130,531	97,480	1,552	229,563
Florida†	3,621,256	(a)	841,460	841,460	709,438	1,118,954	...	1,828,392
Georgia†	2,090,267	48,022	854,633	902,655	289,113	646,777	549	936,439
Hawaii†	343,404	30,830	197,101	227,931	113,388	136,262	...	249,650
Idaho†	440,114	54,950	58,778	1,137,728	68,731	184,182	6,759	259,672
Illinois	6,253,654	723,394	1,508,101	2,231,495	3,000,395	1,610,258	28,018	4,638,671
Indiana	3,010,439	488,552	555,992	1,044,544	1,236,555	927,243	11,526	2,175,324
Iowa†	1,012,957	126,183	133,500	259,683	534,518	377,533	8,387	920,438
Kansas†	1,143,027	352,767	219,365	572,132	387,792	384,115	11,968	783,875
Kentucky†	1,562,679	74,238	397,534	471,772	277,998	470,159	...	748,157
Louisiana†	1,730,996	(d)	(d)	(d)	(d)	(d)	(d)	430,095
Maine†	631,873	96,822	88,793	185,615	84,176	132,219	147,550	363,945
Maryland†	1,737,870	107,513	387,434	494,947	346,449	602,648	...	949,097
Massachusetts†	2,927,990	203,807	809,848	1,013,655	784,353	992,284	78,161	1,854,798
Michigan†	4,785,689	326,454	726,478	1,052,932	1,356,865	1,242,247	57,905	2,657,017
Minnesota†	1,661,650(e)	254,671	136,395	391,066	367,722	786,787	9,232	1,163,741
Mississippi†	(a)	(a)	789,894(f)	789,894(f)	...	...	...	...
Missouri†	2,552,852(e)	311,352	833,253	1,144,605	958,110	971,184	4,215	1,933,509
Montana	454,924	(d)	(d)	163,645	(g)	(g)	(g)	316,720
Nebraska†	787,850	140,503	143,811	284,314	159,780	267,012	24,514	451,306
Nevada†	222,132	75,773	129,820	205,593	79,229	139,192	18,627	237,048
New Hampshire	478,188	82,384	53,594	135,978	197,589	145,015	...	342,604
New Jersey§	3,656,394	375,125	615,090	3,599,506	888,880	1,184,564	100,082	2,173,526
New Mexico†	504,197	50,927	148,608	199,535	160,430	164,172	4,062	328,664
New York†	8,341,198	2,775,410	3,620,429	6,395,839	1,950,587	2,807,724	534,635	5,292,946
North Carolina	2,553,717	115,852	677,931	793,783	564,102	1,081,293	18,368	1,663,763
North Dakota	(h)	66,440	54,759	123,803(i)	138,321	153,309	5,619	297,249
Ohio†	4,441,795(e)	655,047	1,113,797	1,768,844	1,493,679	1,482,191	96,140	3,072,010
Oklahoma†	1,341,209	150,782	633,145(f)	783,927(f)	290,459	514,389	...	804,848
Oregon†	1,143,073	238,004	318,996	557,000	324,751	444,812	1,011	770,574
Pennsylvania†	5,310,853	534,637	729,201	1,263,838	1,578,917	1,878,252	43,045	3,500,214
Rhode Island	544,992	(a)	137,939	137,939	178,254	128,561	1,868	398,683
South Carolina†	997,808	35,195	416,438	451,633	266,109	248,938	8,152	523,199
South Dakota†	401,651	89,926	69,399	159,325	129,077	149,151	...	278,228
Tennessee†	1,958,715	249,110	651,311	900,421	455,467	576,833	8,414	1,040,714
Texas†	5,212,815	69,101	1,521,306	1,590,407	514,725	1,016,334	123,925	1,654,984
Utah	621,014	163,690	85,659	249,349	248,027	280,706	10,916	539,649
Vermont	284,294	34,287	42,127	76,853(i)	98,206	72,761	14,962	185,929
Virginia§	2,020,623	(a)	493,108	493,108	699,302	541,319	10,101	1,250,940
Washington	2,065,378	306,484	545,446	851,930	687,039	821,797	33,409	1,542,245
West Virginia	1,084,451	151,779	415,253	567,032	253,420	495,661	56,071	805,152
Wisconsin†	1,255,075(e)	161,927	331,246	449,215(j)	497,195	628,639	56,142	1,181,976
Wyoming†	185,000	58,421	42,926	101,347	56,645	71,741	...	128,386
Puerto Rico	1,701,217	(a)	(a)	(a)	682,607(k)	634,941(l)	68,317(m)	1,385,865

\*Figures are for 1976 except where indicated: † 1974; ‡ 1975; § 1977.  
 (a) No primary held. Alabama, Connecticut, Delaware, Florida, Indiana, Mississippi, Virginia: candidates nominated in party convention. Rhode Island: no primary unless contest for office.

(b) Counts not available for San Francisco and Stanislaus Counties.

(c) Total of all voters, including persons affiliated with minor qualified parties (American Independent, Peace and Freedom), with nonqualified parties, and not affiliated with any party. Complete breakdown not available due to absence of San Francisco and Stanislaus Counties.

(d) Open primary law requires all candidates regardless of party affiliation to appear on a single ballot. Persons receiving over 50 percent of the vote are elected. A single election between the two candidates receiving the most votes is held if no one is elected in the first balloting.

(e) Registration required. Ohio, Wisconsin: in cities and counties over a specified size. Mississippi: no central records maintained.

Minnesota, Missouri: in cities and counties over a specified size; no central records maintained.

(f) Figures shown are for first primary. Second primary—Mississippi: Democrats only, 767,613; Oklahoma: Democrats only, 534,794.

(g) Ballots of all parties are received by voter and his party selection is private.

(h) Registration not required.

(i) This total includes ballots cast for governor in primary classified by state in the "other" category. North Dakota: 2,604; Vermont: 439.

(j) Includes scattered votes. Wisconsin: American Party, 6,043.

(k) New Progressive Party.

(l) Popular Democratic Party.

(m) Including Puerto Rican Independence Party, 58,556, and Puerto Rican Socialist Party, 9,761.

## PRIMARY ELECTIONS FOR STATE OFFICERS

State or other jurisdiction	Dates for 1978-79 primaries for officers with statewide jurisdiction*		Method of nominating candidates (a)	Party affiliation for primary voting		Voters receive ballot of	
	1978 primary	Runoff primary		Recorded on registration form	Declare for party ballot	One party	All parties participating
Alabama	Sept. 5	Sept. 26	C,P(c)	...	★(d)	★	...
Alaska	Aug. 22	...	P	...	...	...	★(e)
Arizona	Sept. 12	...	P	★	...	★	...
Arkansas	May 30	June 13	P	...	★(d)	★	...
California	June 6	...	P	★	...	★	...
Colorado	Sept. 12	...	X(f)	...	...	★	...
Connecticut	Sept. 12 (g)	...	X	★(h)	...	★(i)	...
Delaware	Sept. 9	...	P	★	...	★	...
Florida	Sept. 12	Oct. 10	P	★	...	★	...
Georgia	Aug. 8	Aug. 29	C,P(c)	...	★(j)	★	...
Hawaii	Oct. 7	...	P	...	★(k)	★	...
Idaho	Aug. 8	...	P	...	...	...	★(l)
Illinois	March 21	...	C,P(m)	...	★(n)	★	...
Indiana	May 2	...	C,P(c)	...	★(j)	★	...
Iowa	June 6	...	X(o)	★(p)	...	★	...
Kansas	Aug. 1	...	C,P	...	★(k)	★	...
Kentucky	May 23	...	P	★	...	★	...
Louisiana	(1979) May 22	...	P	★	...	...	★(e)
Maine	(1979) Oct. 27	...	P	★	...	★	...
Maryland	June 13	...	P	★	...	★	...
Massachusetts	Sept. 12	...	P	...	...	★	...
Michigan	Sept. 19	...	P	★(q)	...	★	...
Minnesota	Aug. 8	...	C,P(r)	...	...	...	★(l)
Mississippi	Sept. 12	...	P	...	...	...	★(l)
Missouri	June 6	June 27	P	...	★(d)	★	...
Montana	Aug. 8	...	P	...	★(n)	★	...
Nebraska	June 8	...	P	...	...	...	★(l)
Nevada	May 9	...	P	★	...	★	...
New Hampshire	Sept. 12	...	P	★	...	★	...
New Jersey	Sept. 12	...	P	...	...	★	...
New Mexico	(1979) June 5	...	P	...	★(n)	★	...
New York	June 6	...	P	★	...	★	...
North Carolina	Sept. 12	...	CC,P	★	...	★	...
North Dakota	May 2	May 30	P	★	...	★	...
Ohio	Sept. 5	...	P	...	...	...	★(l)
Oklahoma	June 6	...	P	...	★(j)	★	...
Oregon	Aug. 22	Sept. 19	P	★	...	★	...
Pennsylvania	May 23	...	P	★	...	★	...
Rhode Island	May 16	...	P	★	...	★	...
South Carolina	Sept. 12	...	P	...	★(n)	★	...
South Dakota	June 13	(t)	C,P(c)	...	★(u)	★(u)	...
Tennessee	June 6	...	X(o)	★	...	★	...
Texas	Aug. 3	...	P	...	★(n)	★	...
Utah	May 6	June 3	P	...	★(d)	★(u)	...
Vermont	Sept. 12	...	X(f)	...	...	...	★(l)
Virginia	Sept. 12	...	P	...	...	...	★(l)
Washington	(1979) June 12	...	C,P(c)	...	★(d)	★	...
West Virginia	Sept. 19	...	P	...	...	...	★(c)
Wisconsin	May 9	...	P	★	...	★	...
Wyoming	Sept. 12	...	P	...	...	...	★(l)
Dist. of Col.	Sept. 12	...	P	★(i)	...	★	...
Guam	May 2	...	P	...	...	...	...
Puerto Rico	Sept. 5	...	C	...	...	...	★(l)
	(s)	(s)	C	...	★(b)	★	...

\*Primaries for statewide offices in 1979 include (1979) before the date. For a listing of candidates to be voted upon, see table on pages 238-39.

(a) Abbreviations: C—Convention; P—Direct primary; C,P—Some candidates in convention, some in direct primary; X—Combination of convention and direct primary; CC,P—State central committees or direct primary.

(b) Polling areas for the different parties are physically separate.

(c) The party officials may choose whether they wish to nominate candidates in convention or by primary elections. Usually major party candidates are elected by primary.

(d) Political party law prescribes individual party membership.

(e) Blanket primary—voting is permitted for candidates of more than one party.

(f) Preprimary designation assemblies are held in Colorado and preprimary convention assemblies are held in Utah. If one candidate in Utah receives 70 percent of the delegate vote he is certified the candidate and is not required to run in the primary.

(g) If nominee of party convention is challenged by one receiving at least 20 percent of delegate vote at convention and obtains at least 5,000 signatures from any party members on a primary petition.

(h) A party enrollment list of party members is maintained separate from the registration books.

(i) Party affiliation can be declared if uncommitted, or changed at the polls on primary election day.

(j) By written declaration. Ohio: party selection in primary is noted on registration slip at each election.

(k) Party designation is made the first time a voter participates in a primary election by his selection of a "party ballot." This designation becomes permanent until changed at the city clerk's office no later than 90 days before another primary in Hawaii; Kansas: 20 days.

(l) Voter is restricted to candidates of one party only. Ballots of all parties are received by voter and his party registration is private.

(m) Trustees of the University of Illinois are the only state officers nominated in convention.

(n) By oral declaration or request for ballot.

(o) If for any office no candidate receives 35 percent of votes cast at the primary, a convention is held to select a candidate.

(p) Party affiliation may be changed at the primary, but if challenged, a voter must take an oath that the change is made in good faith. The new party designation is entered in registration form.

(q) A voter who is a member of no party may declare to vote in a party's primary up to and including election day. By filling out a card after he votes, an elector may return to being a member of no party after the election.

(r) The governor is the only state officer nominated by primary election.

(s) Primaries are not mandatory unless party regulations require them.

(t) First runoff held two weeks after primary; second runoff held two weeks after that, if necessary.

## USE OF VOTING DEVICES\*

State or other jurisdiction	Statewide use required	Used in majority of voting areas	Used in some voting areas	Type of equipment used†			Straight party vote§
				Mechanical	Punch card	Optical scanning	
Alabama .....	...	★	...	★	...	...	★
Alaska .....	...	...	★	...	★	...	...
Arizona .....	...	★	...	●	★	★	...
Arkansas .....	...	...	★	★	...	...	...
California .....	...	★	...	●	★	●	...
Colorado .....	...	★	...	★	★	...	...
Connecticut .....	★	...	...	★	...	...	★
Delaware .....	★	...	...	★	...	...	...
Florida .....	...	★	...	★	●	...	...
Georgia .....	...	...	★	●	...	...	★(a)
Hawaii .....	★	...	...	...	★	...	...
Idaho .....	...	...	★	●	★	...	...
Illinois .....	...	...	★	●	●	●	★
Indiana .....	...	★	...	★	●	...	★
Iowa .....	...	★	...	★	...	...	★
Kansas .....	...	...	★	★	...	...	...
Kentucky .....	★	...	...	★	...	...	★
Louisiana .....	★	...	...	★	...	...	★
Maine .....	...	...	★	●	...	...	...
Maryland .....	★	...	...	...	(e)	...	...
Massachusetts .....	...	...	★	★	●	●	...
Michigan .....	...	★	...	★	●	...	★
Minnesota .....	...	...	★	★	●	...	...
Mississippi .....	...	...	★	...	●	...	...
Missouri .....	...	...	★	●	●	...	★
Montana .....	...	...	★	●	●	...	...
Nebraska .....	...	...	★	●	...	...	★
Nevada .....	...	★	...	...	★	...	...
New Hampshire .....	...	...	★	★	●	...	★
New Jersey .....	...	★	...	★	●	...	...
New Mexico .....	★	...	...	★	...	...	★
New York .....	★(b)	★	...	★	...	...	...
North Carolina .....	...	...	★	★	...	...	★(f)
North Dakota .....	...	...	★	★	...	...	...
Ohio .....	...	...	★	★	●	...	...
Oklahoma .....	...	...	★	★	...	...	★
Oregon .....	...	★	...	...	★	●	...
Pennsylvania .....	...	★	...	...	...	...	...
Rhode Island .....	★	...	...	★	...	...	★
South Carolina .....	...	...	★	●	●	...	★
South Dakota .....	...	...	★	●	●	...	★
Tennessee .....	...	★	...	★	●	...	...
Texas .....	...	★	...	●	...	...	...
Utah .....	...	...	★	...	●	...	★
Vermont .....	...	...	★	★	●	...	★
Virginia .....	...	★(c)	...	★	...	...	...
Washington .....	...	★	...	●	★	...	...
West Virginia .....	...	...	★	●	●	...	★
Wisconsin .....	...	★(d)	...	★	...	...	★
Wyoming .....	...	★	...	★	●	...	...
Dist. of Col. ....	★	...	...	...	...	★	...

\*Mechanical, punch-card or optical scanning vote-counting devices are not used in American Samoa, Guam, Puerto Rico, TTPI, and the Virgin Islands. The use of voting machines was authorized by the 1971 Utah Legislature but are not yet in use.

† ★ indicates high frequency of use and ● indicates low frequency of use.

§The ballot allows the citizen to vote for all candidates of the same party by marking one box or lever.

(a) Except in presidential elections where candidates for the office of presidential electors are on a separate straight-party ticket.

(b) Optional in primaries.

(c) All precincts having 750 or more registered voters must have voting machines.

(d) Mandatory for municipalities of 10,000 or more population; optional for smaller communities.

(e) There is a possibility that punch-card voting may be used in a select number of precincts in Montgomery County.

(f) In primary only; crossover in general election.

## INITIATIVE PROVISIONS FOR STATE LEGISLATION

<i>State or other jurisdiction</i>	<i>Type(a)</i>	<i>Established by constitutional provision</i>	<i>Petition requirement(b)</i>	<i>Initiative provisions are also available to all or some local government units(c)</i>
Alaska .....	D	★	10% of those voting in the last general election and resident in at least 2/3 of election districts	★
Arizona .....	D	★	10% of qualified electors	★
Arkansas .....	D	★	8% of those voting in the last general election for governor	★
California .....	D	★	5% of votes cast in the last general election for governor	★
Colorado .....	D	★	8% of votes cast in the last general election for secretary of state	★
Idaho .....	D	★	10% of votes cast in the last general election for governor	★
Maine .....	I	★	10% of votes cast in last general election for governor	★
Massachusetts .....	I	★	3% of votes cast in last general election for governor	★
Michigan .....	I	★	8% of votes cast in last general election for governor	★
Missouri .....	D	★	5% of voters in each of 2/3 of congressional districts	★
Montana .....	D	★	5% of qualified electors in each of at least 1/3 of legislative representative districts; total must equal 5% of total qualified electors	★
Nebraska .....	D	★	7% of votes cast in last general election for governor	★
Nevada .....	I	★	10% of voters in last general election in 75% of the 17 counties	★
North Dakota .....	D	★	10,000 electors	★
Ohio .....	B	★	3% of electors	★
Oklahoma .....	D	★	8% of total vote for state office receiving largest number of votes in last general election	★
Oregon .....	D	★	6% of total votes cast in last election for governor	★
South Dakota .....	I	★	5% of votes cast in last general election for governor	★
Utah .....	B	★	10% of total votes cast in last election for governor with same percentage required from a majority of the counties (direct); 5% (indirect) (d)	★
Washington .....	B	★	8% of votes cast in last general election for governor	★
Wyoming .....	D	★	15% of voters in last general election and resident in at least 2/3 of counties in state	★
Guam .....	D	...	20% of persons voting for governor in last preceding general election at which governor was elected	...

(a) The initiative may be direct or indirect. The direct type, designated D in this table, places a proposed measure on the ballot for submission to the electorate, without legislative action. The indirect type, designated I, requires the legislature to act upon an initiated measure within a reasonable period before it is voted upon by the electorate. In some states both types, designated B, are used.

(b) In each state where the initiative may occur, a majority of the popular vote is required to enact a measure. Idaho: a majority equal to the majority of the aggregate vote cast for governor at such general

election; Massachusetts: the measure must also be approved by at least 30 percent of the ballots cast.

(c) In addition to those listed in this column, the following states have an initiative process that is available only to local units of government: Georgia, Kentucky, Louisiana, Minnesota, New Jersey, Pennsylvania, South Carolina, Texas, Vermont, Virginia, and West Virginia.

(d) These requirements are established by law.

## PROVISIONS FOR REFERENDUM ON STATE LEGISLATION

<i>State or other jurisdiction</i>	<i>Established by constitutional provision</i>	<i>Basis of referendum(a)</i>	<i>Petition requirement(b)</i>	<i>Referendum provisions also available to all or some local government units(c)</i>
Alaska .....	★	Petition of people	10% of votes cast in last general election for governor and resident in at least 2/3 of election districts	★
Arizona .....	★	Petition of people Submitted by legislature	5% of qualified voters	★
Arkansas .....	★	Petition of people	6% of votes cast in last general election for governor	★
California .....	★	Petition of people (d) Constitutional requirement	5% of votes cast in last general election for governor	★
Colorado .....	★	Petition of people Submitted by legislature	5% of votes cast in last general election for secretary of state	★
Florida .....	★	Constitutional requirement	.....	★
Georgia .....	★(e)	Submitted by legislature Constitutional requirement	.....	★
Idaho .....	★	Petition of people	10% of votes cast in last general election for governor	★
Illinois .....	★	Submitted by legislature	.....	★
Iowa .....	★	Constitutional requirement	.....	★
Kansas .....	★	Constitutional requirement (f)	.....	★
Kentucky .....	★	Petition of people (g) Constitutional requirement	5% of votes cast in last general election for governor	★
Maine .....	★(e)	Petition of people Submitted by legislature Constitutional requirement	10% of votes cast in last general election for governor	★
Maryland .....	★(e)	Petition of people Submitted by legislature	3% of votes cast in last general election for governor	★
Massachusetts .....	★	Petition of people	2% of votes cast in last general election for governor	★
Michigan .....	★	Petition of people(h) Submitted by legislature Constitutional requirement	5% of votes cast in last general election for governor	★
Missouri .....	★	Petition of people Submitted by legislature	5% of legal voters in each of 2/3 of congressional districts	★
Montana .....	★	Petition of people Submitted by legislature	5% of total qualified electors and 5% in at least 1/3 of legislative districts	★
Nebraska .....	★	Petition of people	5% of votes cast in last general election for governor	★
Nevada .....	★	Petition of people	10% of votes in last general election	★
New Hampshire .....	★	Submitted by legislature	.....	.....
New Jersey .....	★	Submitted by legislature Constitutional requirement	.....	★
New Mexico .....	★	Petition of people Constitutional requirement	10% of votes cast in last general election and 10% of electors in 3/4 of the counties	.....
New York .....	★	Constitutional requirement	.....	.....
North Carolina .....	★	Submitted by legislature Constitutional requirement	.....	.....
North Dakota .....	★	Petition of people	7,000 signatures	★
Ohio .....	★	Petition of people Constitutional requirement	6% of electors	★
Oklahoma .....	★	Petition of people Submitted by legislature Constitutional requirement	5% of votes cast for state office receiving largest number of votes in last general election	★
Oregon .....	★	Petition of people Submitted by legislature	4% of votes cast in last election for governor	★
Pennsylvania .....	★	Constitutional requirement	.....	★
Rhode Island .....	★	Constitutional requirement	.....	★
South Carolina .....	★	Submitted by legislature Constitutional requirement	.....	★
South Dakota .....	★	Petition of people	5% of votes cast in last general election for governor	★
Utah .....	★	Petition of people	10% of votes cast in last general election for governor and same percentage required from a majority of the counties	★

## PROVISIONS FOR REFERENDUM ON STATE LEGISLATION—Concluded

<i>State or other jurisdiction</i>	<i>Established by constitutional provision</i>	<i>Basis of referendum(a)</i>	<i>Petition requirement(b)</i>	<i>Referendum provisions also available to all or some local government units(c)</i>
Vermont .....	...	Submitted by legislature	.....	★
Virginia .....	★	Submitted by legislature Constitutional requirement	.....	★
Washington .....	★	Petition of people Submitted by legislature Constitutional requirement	4% of votes cast in last general election for governor	★
Wisconsin .....	★(e)	Submitted by legislature Constitutional requirement	.....	★
Wyoming .....	★	Petition of people Constitutional requirement	15% of those voting in last general election and resident in at least 2/3 of counties of state	★
Guam .....	★	Submitted by legislature	2/3 of persons voting for governor in last preceding general election at which governor was elected	...
Puerto Rico .....	...	Submitted by legislature Petition of people	20% of persons voting for governor in last preceding general election at which governor was elected	...
Virgin Islands .....	★	Petition of people Submitted by legislature	50% of votes cast in last general election for governor	...

(a) Three forms of referendum exist: (1) Petition of people—the people may petition for a referendum, usually with the intention of repealing existing legislation; (2) Submitted by legislature—the legislature may voluntarily submit laws to the electorate for their approval; and (3) Constitutional requirement—the state constitution may require certain questions to be submitted to the people, often debt authorization.

(b) In each state where referendum may occur, a majority of the popular vote is required to enact a measure. Idaho: a majority equal to a majority of the aggregate vote cast for governor at such general election; Massachusetts: the measure must also be approved by at least 30 percent of the ballots cast.

(c) In addition to those listed in this column, the following states have a referendum process that is available only to local units of

government: Minnesota, North Carolina, Pennsylvania, South Carolina, Texas, Virginia, West Virginia, and Wyoming.

(d) Amendments or repeals of initiative statutes by another statute must be submitted to the electorate for approval unless the initiative statute provides to the contrary.

(e) The type of referendum held at the request of the legislature is not established by a constitutional provision.

(f) Debt authorization and banking laws only.

(g) Applies only to referendum on legislation classifying property and providing for differential taxation on same.

(h) Does not extend to acts making appropriations for state institutions or to meet deficiencies in state funds.

# CONSTITUTIONAL QUALIFICATIONS FOR ELECTION TO STATE OFFICE\*

State or other jurisdiction	Governor and lieutenant governor				Legislature					
	Age	U.S. citizen (years)	State citizen/ resident (years)	Other	Age		State resident (years)		District resident, house & senate (years)	Other
					House	Senate	House	Senate		
Alabama	30	10	7(a)	...	21	25	3	3	1	...
Alaska	30	7	7	(b)	21	25	3	3	1	(b)
Arizona†	25	10	5(a)	...	25	25	3	3	1	(c)
Arkansas	30	(d)	7	...	21	25	2	2	1	(c)
California	(b)	5	5	(b)	(b)	(b)	3	3	1	(b, c)
Colorado	30	(d)	2	...	25	25	...	...	1	(c)
Connecticut	30	...	...	(b)	21	21	...	...	(e)	(b)
Delaware	30	12	6	...	24	27	3	3	1	...
Florida	30	...	7	(b)	21	21	2	2	(e)	(b)
Georgia	30	15	6(a)	...	21	25	2	4	1	(c)
Hawaii	30	...	5	(b)	Age of majority	(f)	3	3	...	(b)
Idaho	30	(d)	2	(b)		(b)	...	...	1	(b, c)
Illinois	25	(d)	3	...	21	21	...	...	2	(c)
Indiana	30	5	5	...	21	25	2	2	1	(c)
Iowa	30	(d)	2	...	21	25	1	1	60 da.	(c)
Kansas(g)	...	...	...	...	(b)	(b)	...	...	(e)	(b)
Kentucky	30	...	6(h)	...	24	30	2	6	1	(a)
Louisiana	25	5	5	...	18	18	2	2	1	(b)
Maine†	30	15	5	(i)	21	25	1	1	3 mo.	(a, c)
Maryland	30	...	5	(b)	21	25	1	1	(j)	(c)
Massachusetts	...	...	7	...	...	...	...	5	(e)	...
Michigan	30	...	...	(b)	21	21	...	...	(e)	(b, k)
Minnesota	25	(d)	1	...	(b)	(b)	1	1	6 mo.	(b)
Mississippi	30	20	5	...	21	25	4	4	2	(b)
Missouri	30	15	10	...	24	30	2	3	1	(b)
Montana	25	(d)	2	...	...	...	1	1	6 mo. (l)	...
Nebraska	30	(d)	5(h)	...	U	21	U	...	1	(b)
Nevada	25	...	2	(b)	(m)	(m)	(m)	(m)	...	(b)
New Hampshire†	30	...	7	...	...	30	2	7	(e)	...
New Jersey†	30	20	7	...	21	30	2(a)	4(a)	1	(b)
New Mexico	30	(d)	5	...	21	25	...	...	(e)	...
New York	30	(d)	5	...	...	...	5	5	1	(c)
North Carolina	30	5	2	...	(n)	25	...	2	1	(b)
North Dakota	30	(d)	5	(b)	18	18	1	1	(e)	(b)
Ohio(g)	(b)	...	...	(b, o)	(b)	(b)	...	...	1	(b, o)
Oklahoma	31	(d)	...	(b)	21	25	...	...	(e)	(b, k)
Oregon†	30	(d)	3	...	21	21	...	...	1	(c)
Pennsylvania	30	(d)	7	...	21	25	4(a)	4(a)	1	...
Rhode Island	(b)	1 mo.	1 mo.	(b, p)	(b)	(b)	1 mo.	1 mo.	1 mo.	(b, p)
South Carolina	30	5	5(h)	...	21	25	...	...	...	(b)

South Dakota	...	(d)	2	...	25	25	2	2	...	(b, c, p)
Tennessee(q)	30	(d)	7(a)	...	21	30	3	3	1	(c)
Texas	30	(d)	5	...	21	26	2	5	1	(b, c)
Utah (r)	30	...	5(h)	(b)	25	25	3	3	6 mo.	(b, c)
Vermont	...	...	4	...	...	30	2	...	(e)	...
Virginia	30	(d)	5	(b)	21	21	...	...	(e)	...
Washington	(b)	(d)	...	(b)	(b)	(b)	...	...	...	(b, c)
West Virginia†	30	...	5(a)	(a, b)	(a, b)	25	5(a)	5(a)	1	(b, n, p)
Wisconsin	(b)	(d)	...	(b)	(b)	(b)	1	1	...	(b)
Wyoming†	30	(d)	5	(b)	21	25	...	...	1	(a, c)
American Samoa	35	(s)	1	(t)	25	30	(u)	(u)	(u)	(c, v)
Guam	30	(d)	5	(b)	U	25	U	5	...	...
Puerto Rico†	35	5	5	...	25	30	2	2	1	(w)
Virgin Islands	30	5	...	(b)	...	21	...	3	3	(b, c)

\*Some states may have established statutory qualifications.

†The state does not provide for office of lieutenant governor. In Arizona, Oregon, and Wyoming, the secretary of state is elected statewide and is first in line of succession to governorship; for these reasons, that individual is listed as a lieutenant governor although office not officially so titled. Age cited in constitutions of Arizona and Wyoming for this office is 25. Oregon constitution lists no age.

U—Unicameral legislature.

(a) Citizen of the state.

(b) Must be a qualified voter. Maryland: 5 years; Michigan: governor 4 years; Oklahoma: 6 months; Virginia: 5 years.

(c) U.S. citizen. Maine: 5 years.

(d) Number of years not specified.

(e) Reside in district, no time limit. Massachusetts: House 1 year; Vermont: House 1 year.

(f) The age of majority in Hawaii is 18.

(g) Kansas and Ohio have no constitutional qualifications for the office of governor. Ohio provides that no member of Congress or other person holding a state or federal office shall be governor.

(h) Resident and citizen.

(i) Governor must be resident of the state during the term for which he is elected.

(j) If the district has been established for at least 6 months, residency is 6 months. If the district was established for less than 6 months, residency is length of establishment of district.

(k) No person convicted of a felony for breach of public trust within preceding 20 years or convicted for subversion shall be eligible.

(l) Shall be a resident of the county if it contains one or more districts or of the district if it contains all or parts of more than one county.

(m) By statute an age of 21 minimum and a 1 year state residency has been established for membership in the legislature.

(n) A conflict exists between two articles of the constitution specifying age for house members. Depending on interpretation, minimum age is 21 or age of qualified voter (18).

(o) No person convicted of embezzlement of public funds shall hold any office.

(p) No bribery convictions. South Dakota, West Virginia: No bribery, perjury, or infamous crimes.

(q) Office of lieutenant governor was created by statute. He is chosen by members of the senate of which he is a member and the office bears the title of speaker. The speaker must reside one year immediately preceding his election in the county or district he represents.

(r) Lieutenant governor and secretary of state are the same individual.

(s) Must be a U.S. citizen or U.S. national.

(t) No dishonorable discharge.

(u) Live in American Samoa for 5 years and bona fide resident 1 year.

(v) Senator must be a registered Matai.

(w) Write and speak English and Spanish.



# CONSTITUTIONAL AND STATUTORY PROVISIONS FOR LENGTH AND NUMBER OF TERMS OF ELECTED STATE OFFICIALS

State	Governor	Lieut. governor	Secretary of state	Attorney general	Treasurer	Auditor	Controller	Education	Agriculture	Labor	Insurance	Mines	Land	Univ. regents	Bd. of education	Public util. comm.	Exec. council	Miscellaneous
Alabama	4(2)	4(2)	4(2)	4(2)	4(2)	4(2)	...	...	4(2)	...	...	...	...	...	4(1)	4(U)	...	...
Alaska	4(2)	4(2)	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Arizona	4(U)	...	4(U)	4(U)	4(O)[a]	...	...	4(U)	...	...	...	2(1)	...	...	...	6(U)	...	...
Arkansas	2(U)	2(U)	2(U)	2(U)	2(U)	2(U)	...	...	...	...	...	...	2(U)	...	...	...	...	...
California	4(U)	4(U)	4(U)	4(U)	4(U)	...	4(U)	4(1)	...	...	...	...	...	...	...	...	...	Bd. of Equalization—4(U)
Colorado	4(U)	4(U)	4(U)	4(U)	4(U)	...	...	...	...	...	...	...	...	6(U)	6(U)	...	...	...
Connecticut	4(U)	4(U)	4(U)	4(U)	4(U)	...	4(U)	...	...	...	...	...	...	...	...	...	...	...
Delaware	4(2)[b]	4(U)	...	4(U)	2(U)	2(U)	...	...	...	...	4(U)	...	...	...	...	...	...	...
Florida	4(2)	4(U)	4(U)	4(U)	4(U)	...	4(U)	4(U)	4(U)	...	[k]	...	...	...	[c]	4(U)	...	...
Georgia	4(2)	4(U)	4(U)	4(U)	...	...	4(U)	4(U)	4(U)	4(U)	[d]	...	...	...	...	6(U)	...	...
Hawaii	4(U)	4(U)	...	...	...	...	...	...	...	...	...	...	...	...	4(1)	...	...	...
Idaho	4(U)	4(U)	4(U)	4(U)	4(U)	4(U)	...	4(U)	...	...	...	...	...	...	...	...	...	...
Illinois	4(U)	4(U)	4(U)	4(U)	4(U)	...	4(U)	...	...	...	...	...	...	...	...	...	...	Bd. of Trustees, Univ. of Illinois—6(U)
Indiana	4(2)	4(U)	4(2)[c]	4(2)	4(2)[e]	4(2)[e]	...	4(U)	...	...	...	...	...	...	...	...	...	...
Iowa	4(1)	4(1)	4(1)	4(1)	4(1)	4(1)	...	...	4(1)	...	...	...	...	...	...	...	...	...
Kansas	4(2)	4(2)	4(U)	4(U)	4(U)	...	...	...	...	...	4(U)	...	...	...	4(U)	...	...	...
Kentucky	4(O)	4(O)	4(O)	4(O)	4(O)	4(O)	...	4(O)	4(O)	...	...	...	[f]	...	...	...	...	Railroad Commission—4(U)
Louisiana	4(2)	4(U)	4(U)	4(U)	4(U)	...	...	4(U)	4(U)	...	4(U)	...	...	...	6(U)	6(U)	...	Elections commissioner—4(U)
Maine	4(2)	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Maryland	4(2)	4(U)	...	4(1)	...	...	4(U)	...	...	...	...	...	...	...	...	...	...	...
Massachusetts	4(U)	4(U)	4(U)	4(U)	4(U)	4(U)	...	...	...	...	...	...	...	...	...	...	2(U)	...
Michigan	4(U)	4(U)	4(U)	4(U)	...	...	...	...	...	...	...	...	...	8(U)	8(U)	...	...	...
Minnesota	4(U)	4(U)	4(U)	4(U)	4(U)	4(U)	...	...	...	...	...	...	...	...	...	...	...	...
Mississippi	4(O)	4(U)	4(U)	4(U)	4(O)	4(U)	...	4(U)	4(U)	...	4(U)	...	4(U)	...	...	4(U)	...	Highway Commission—4(U)
Missouri	4(2)[b]	4(U)	4(U)	4(U)	4(2)[b]	4(1)	...	...	...	...	...	...	...	...	...	...	...	...
Montana	4(U)	4(U)	4(U)	4(U)	...	4(U)	...	4(U)	...	...	[l]	...	...	...	...	4(U)	...	...
Nebraska	4(2)	4(U)	4(U)	4(U)	4(2)[g]	4(U)	...	...	...	...	...	...	...	6(1)	4(U)	6(U)	...	...
Nevada	4(2)	4(1)	4(U)	4(U)	4(U)	...	4(U)	...	...	...	...	...	...	6(U)	4(U)	...	...	...
New Hampshire	2(U)	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	2(1)	...
New Jersey	4(2)	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
New Mexico	4(O)[h]	4(O)[h]	4(O)[h]	4(O)[h]	4(O)[h]	4(O)[h]	...	...	...	...	...	...	4(O)[h]	...	6(U)	...	...	Corporation Commission—6(U)
New York	4(U)	4(U)	4(U)	4(U)	4(U)	...	4(U)	...	...	...	...	...	...	...	...	...	...	...
North Carolina	4(2)[b]	4(2)[b]	4(U)	4(U)	4(U)	4(U)	...	4(U)	4(U)	4(U)	4(U)	...	...	...	...	...	...	...
North Dakota	4(U)	4(O)	4(U)	4(U)	4(2)	4(U)	...	4(U)	4(U)	4(U)	4(U)	...	...	...	...	6(U)	...	Tax commissioner—4(U)
Ohio	4(2)[i]	4(U)	4(U)	4(U)	4(U)	4(U)	...	...	...	...	...	...	...	...	6(1)	...	...	...

Oklahoma	4(2)	4(U)	4(I)	4(I)	4(I)	4(I)	...	4(I)	...	4(U)	4(U)	4(U)	...	...	...	6(U)	...	Commissioner of charities & corrections—4(U); Examiner & inspector—4(I)
Oregon	4(2)[e]	...	4(2)[e]	4(U)	4(2)[e]	...	...	4(U)	...	4(U)	...	...	...	...	...	...	...	...
Pennsylvania	4(2)	4(2)	...	4(2)	4(2)	4(2)	...	...	...	...	...	...	...	...	...	...	...	...
Rhode Island	2(U)	2(U)	2(U)	2(U)	2(U)	...	...	...	...	...	...	...	...	...	...	...	...	...
South Carolina	4(O)	4(U)	4(U)	4(U)	4(U)	...	4(U)	4(U)	4(U)	...	...	...	...	...	...	...	...	Adjutant & inspector general—4(U)
South Dakota	4(2)	4(2)	4(U)	4(U)	4(U)	4(U)	...	...	...	...	...	...	4(U)	...	...	6(U)	...	...
Tennessee	4(O)	...	...	...	...	...	...	...	...	...	...	...	...	...	...	6(U)	...	...
Texas	4(U)	4(U)	...	4(U)	4(U)	...	4(U)	...	4(U)	...	...	...	4(U)	...	...	6(I)	...	Railroad Commission—6(U)
Utah	4(U)	4(U)	[j]	4(U)	4(O)	4(O)	...	...	...	...	...	...	...	...	...	4(U)	...	...
Vermont	2(U)	2(U)	2(U)	2(U)	2(U)	2(U)	...	...	...	...	...	...	...	...	...	...	...	...
Virginia	4(O)	4(I)	...	4(I)	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Washington	4(U)	4(U)	4(U)	4(U)	4(U)	4(U)	...	4(U)	...	...	4(I)	...	4(U)	...	...	...	...	...
West Virginia	4(2)	...	4(2)	4(I)	4(I)	4(I)	...	...	4(I)	...	...	...	...	...	...	...	...	...
Wisconsin	4(U)	4(U)	4(U)	4(U)	4(U)	...	...	4(U)	...	...	...	...	...	...	...	...	...	...
Wyoming	4(U)	...	4(U)	...	4(O)	4(U)	...	4(U)	...	...	...	...	...	...	...	...	...	...

First entry refers to number of years per term. Second entry (in parentheses) refers to number of terms.

*Symbols:*

(U)—No provision for number of terms allowed.

(O)—Cannot succeed himself.

(I)—May hold office for unlimited number of terms.

[a] Must wait 2 years before being eligible again.

[b] Absolute 2-term limit, not necessarily consecutive.

[c] Governor and Cabinet ex officio.

[d] Comptroller general is ex officio insurance commissioner.

[e] Eligible for 8 out of 12 years.

[f] Secretary of state holds this office.

[g] After 2 consecutive terms, must wait 2 years before being eligible again.

[h] Must wait 1 full term before being eligible for any office, with the exception of lieutenant governor who is eligible immediately for the office of governor.

[i] After 2 consecutive terms, must wait 4 years before being eligible again.

[j] Lieutenant governor and secretary of state are the same individual.

[k] State treasurer also serves as insurance commissioner.

[l] State auditor is also insurance commissioner.

## CAMPAIGN FINANCE LAWS: FILING REQUIREMENTS\*

### As of December 1976

<i>State or other jurisdiction</i>	<i>Statements required from</i>	<i>Statements filed with</i>	<i>Time for filing</i>
<b>Alabama</b> .....	All political committees	State office—secy. of state. Legislative office—judge of probate of county in which candidate resides	Within 30 days after each election.
<b>Alaska</b> .....	State candidates; "groups"; individuals	Alaska Public Offices Commission, central office	30 days before election; 1 week before election; 10 days after election; annually on Dec. 31.
<b>Arizona</b> .....	Candidates; committees; those collecting or expending campaign funds	General election: secy of state. Primaries: clerk of board of supervisors	10-15 days before & 10 days after primary; 10-15 days before & 30 days after general or special election.
<b>Arkansas</b> .....	Candidates; those acting in behalf of candidate	Secy. of state; county clerk in county of residence	Contributions: 25 days before, 7 days before & 30 days after election. Expenditures: 30 days after each election.
<b>California</b> .....	Candidates; committees	Secy. of state; clerk of Los Angeles County; clerk of the city and county of San Francisco	40 days & 12 days before & 65 days after election.
<b>Colorado</b> .....	Candidates; political committees	Secy. of state	11 days before & 30 days after election. Must be complete as of 5th day prior to due date.
<b>Connecticut</b> .....	Candidates; political committees	Secy. of state	2nd Tuesday of January, April, July, September; 30 & 7 days before election; 45 days after election. Candidates also must file 30 days after primary. Every 90 days until deficit or surplus eliminated.
<b>Delaware</b> .....	Candidates; committees	State Election Commissioner	20 days before election; Dec. 31 after election and annually on Dec. 31 until fund closed.
<b>Florida</b> .....	Candidates; political committees	Candidates: qualifying officer & clerk of circuit court in county of residence. Committees for statewide offices—division of elections; districtwide offices—clerk of circuit court in each county in which election held; countywide offices—clerk of circuit court in county where held	Pre-election: 1st Monday of each calendar quarter from time campaign treasurer appointed until 40th day before election, then each Monday until election. After election: 45th day.
<b>Georgia</b> .....	Certain candidates; committees; corporation or other organization receiving or spending money for candidate	Secy. of state; copy to probate judge in county of candidate's residence	45 & 15 days prior to & 10 days after primary; 15 days before general or special election; Dec. 31 of election year; annually on Dec. 31 if elected & receiving/expending funds
<b>Hawaii</b> .....	Candidates; parties; committees	Campaign Spending Commission	10 days before election; 20 days after primary, general, special general, or special election. Deficits: every 3 months until eliminated. Surplus: Every 6 months until candidate runs again.
<b>Idaho</b> .....	Candidates; committees	Secy. of state	Between 40 & 30 and 14 & 17 days before an election & 30 days afterwards. If needed, supplemental reports are filed 30 days after final deadline & then every 90 days.
<b>Illinois</b> .....	State and local political committees	State committee: State Board of Elections. Local committee: county clerk	Campaign contributions reports: 15 days before, 90 days after an election. Annual campaign contributions & expenditures reports: no later than July 31.
<b>Indiana</b> .....	Political committees; "political agent" of candidate; certain candidates themselves	Clerk of circuit court in county of residence	45 days after each election or primary.
<b>Iowa</b> .....	Political committees	Statewide office: Finance Disclosure Commission. Statutory and political committees: commissioner, with copy to commission	Jan. 25, May 25, July 25, & Oct. 25.
<b>Kansas</b> .....	Statewide candidates and those (other than a candidate, party, or other political committee) who contribute or expend over \$100 per year	Secy. of state	7 days before & 10 days after primary; 7 days before general election; Dec. 3 annually.
<b>Kentucky</b> .....	State and county executive committees; candidates; campaign committees.	Candidates: Registry of Election Finance; copy to clerk in county where candidate resides. Committees: with "central campaign committees"	State/county executive committees: 30 days after regular primary & general elections. Treasurers of candidates & campaign committees: 32 days before and 12 & 30 days after election.

## CAMPAIGN FINANCE LAWS: FILING REQUIREMENTS\*—Continued

<i>State or other jurisdiction</i>	<i>Statements required from</i>	<i>Statements filed with</i>	<i>Time for filing</i>
<b>Louisiana</b> .....	Candidates; political committees supporting or opposing candidates (a)	Supervisory Committee	10 days before primary; 10 days before & 40 days after general election. Deficits: when reduced by 50 percent & when eliminated.
<b>Maine</b> .....	Candidates; treasurer of candidate; political committee	Commission on Governmental Ethics & Campaign Practices	Other than gubernatorial: 7th day before election; contributions/expenditures of over \$1,000 made after 1st report & more than 48 hours prior to election: within 48 hours; and 45 days after election. Surplus/deficit—every three months until eliminated.(b)
<b>Maryland</b> .....	Candidates; treasurers of candidates; treasurers of all political committees	Candidates & their treasurers: board with which candidate filed certificate of candidacy. Treasurers of state/local central committees or of continuing political committees: State Administrative Board of Election Laws.	Tuesday before election; third Tuesday after election or before taking office (whichever is first). Surplus/deficit: 7th Tuesday after election & 6 months & then annually until eliminated
<b>Massachusetts</b> .....	Candidates; treasurers of political committees	Director of Campaign & Political Finance.	State Assembly candidates: 3 days before election; 30 days after special election; Jan. 10 of year following election. Statewide and other designated offices: 3rd day after designating campaign depository; Jan 10 of year following election.
<b>Michigan</b> .....	Political committees	Candidate committees: clerk of county where candidate resides. Statewide election & judicial office candidates: Secy. of State. State central or district party committees: Secy. of state.	10 days before & 30 days after election; annually by June 30.
<b>Minnesota</b> .....	Candidates; political committees; secretary of each personal campaign & party committee; treasurer of political committee/fund; individuals spending over \$100 within 1 year	Ch. 210A: Candidates & personal campaign committees & legislative district committees—officer authorized to issue certificates of nomination or election to successful candidates; state committees—secy. of state. Ch. 10A: State Ethics Commission; legislative candidates—also with county auditor of each county in legis. district	Ch. 10A: Jan. 31 annually; 10 days before election (c); political committees/funds—file in first year with contributions/expenditures in excess of \$100 and until fund terminated. Ch. 210A: candidates, personal campaign committees, party committees—8 days before & 10 days after election. Political committees—30 days after election.
<b>Mississippi</b> .....	Candidates	State office: secy. of state. District office: circuit clerk of each county in district	Contributions: 5th day of each month of campaign; Saturday before election. Expenditures: 60 days after election.
<b>Missouri (o)</b> .....	Candidates; political committees	Statewide candidates & state political party committees: secy. of state	40 days before and 7 & 30 days after election.
<b>Montana</b> .....	Candidates; political committees	Commissioner of Campaign Finances and Practices and county clerk and recorder of candidate's residence (d)	Statewide candidates and committees: March 10, Sept. 10 in election year; 15 & 5 days before election; within 24 hours of receiving \$500 or more after last pre-election report; 20 days after election; & following March 10 & Sept. 10 until deficit/surplus expended; whenever books closed. District candidates and committees and state legislature: 10 days before election; within 24 hours of \$100 or more contribution after pre-election report; 20 days after election; at book closing.
<b>Nebraska</b> .....	Candidates; treasurers of political committees	Secy. of state for all but county offices, which file with county clerk or election commissioner	15 & 5 days before & 20 days after each election.
<b>Nevada</b> .....	Candidates	Secy. of state	15 days after primary; 30 days after general election.
<b>New Hampshire</b> .....	Candidates; state committee; other political committees spending over \$200	Secy of state. If exempt from pre-primary filing requirements, also with city or town clerk of residence	Wednesday before & 2nd Friday after primary & general election (e)
<b>New Jersey</b> .....	Candidates; political information organizations; political committees	Elections Commission. Countywide and municipal candidates: also with county clerk of residence	25 & 7 days before & 15 days after elections & every 60 days until no balance remains. State, county, or municipal committees of parties and political information organizations: March 1 of each year.
<b>New Mexico</b> .....	Candidates; political committees	Candidates: primary election—officer with whom declaration of candidacy filed; general election—secy. of state (if office/district in one county, then with county clerk). Committees: secy. of state (if only in one county, then with county clerk).	Candidates: 10 days after primary & general election. Committees: 30 days after primary & general election.

## CAMPAIGN FINANCE LAWS: FILING REQUIREMENTS\*—Continued

<i>State or other jurisdiction</i>	<i>Statements required from</i>	<i>Statements filed with</i>	<i>Time for filing</i>
<b>New York</b> .....	Candidates; political committees expending/receiving over \$1,000 per filing period	State Board of Elections	25 & 10 days before & 20 days after election, primary, or convention. Jan. 15, May 15 & Sept. 15 until activities terminated, then final statement.(f)
<b>North Carolina</b> .....	Candidates; political committees	Statewide, multicounty offices—State Board of Elections. Others—county board of elections	10 days before & 10 days after primary & general election; supplemental final & annual reports, Jan. 7. (g)
<b>North Dakota</b> .....	.....	.....	.....
<b>Ohio</b> .....	Candidates; authorized campaign committees; political committees and parties (h)	Statewide offices: secy. of state. District offices: Board of Elections of county with largest population in district. One-county offices: County Board of Elections	12 days before, 7 days after election, & on the last business day of Nov. each year.
<b>Oklahoma</b> .....	Candidates; political parties & organizations	State Election Board	10 days before primary and general election, 40 days after general election; supplemental report, if necessary, within 6 months & 10 days after general election.
<b>Oregon</b> .....	Candidates; political committees	Statewide or district offices of two or more counties: secy. of state. County or district offices within one county: county clerk. Citywide offices: city clerk or auditor.	30, 21, 12 & 7 days before & 30 days after election, & supplemental reports if necessary. 10 days after close of every other calendar quarter.
<b>Pennsylvania</b> .....	Candidates; committees receiving or spending over \$150 for political purposes (i)	Statewide office: secy. of state. Others: county board of elections of county of candidate's residence	30 days after primary & general election.
<b>Rhode Island</b> .....	Nonfederal candidates expending over \$5,000 & political committees supporting them; other state & municipal political committees	Secy. of state	30 days before & after general or special election. State and municipal political party committees: annual reports by March 1.
<b>South Carolina</b> .....	Candidates	State Elections Commission (j)	Before & after each election
<b>South Dakota</b> .....	Candidates; political committees	State or legislative office: secy. of state. County or district office: county auditor	7 days before election; within 30 days of close of calendar year. Individual contributions of over \$500 received within 9 days of election: 48 hours.
<b>Tennessee</b> .....	Candidates; political treasurers; political campaign committees	Political treasurers: state librarian & archivist. Treasurers for political campaign committees also file copy in statewide elections with State Elections Commission & in other elections with appropriate county election commission	8 days before & 30 days after election. Surplus/deficit: 30 days after last report and every 60 days thereafter.
<b>Texas</b> .....	Opposed candidates; political committees	Statewide & district offices: secy. of state. One-county offices: county clerk. Municipal offices: city clerk	30 & 7 days before and 30 days after election. Jan. 15 if contributions received or spent during preceding year.(k)
<b>Utah</b> .....	Personal campaign committee for candidates for governor, secy. of state, & atty. gen. All state & county political party committees	State auditor	June, July, August, Sept., Oct. & Dec. 10 of election year & 5 days before each election.
<b>Vermont</b> .....	Candidates for state office & General Assembly; political committees	Statewide office & political committees: secy. of state. General Assembly: officer with whom nomination papers filed	Statewide office & political committees: 40 & 10 days before & 10 days after elections. General Assembly: 10 days after election.
<b>Virginia</b> .....	Candidates & committees; groups & persons not reporting to candidates or their campaign committees	Generally, State Board of Elections & election board where candidate resides. Statewide candidates need only file with the former	Gov., lieutenant gov., atty. gen.: 30 days & (for all candidates) 7 days before & 30 days after election or before taking office, whichever is first. Surplus/deficit: 60 days, 6 months, one year & annually thereafter as required. (l)
<b>Washington</b> .....	Candidates; political committees	State Public Disclosure Commission & county auditor of county of candidate's residence. Continuing political committees: commission & auditor of county of treasurer's residence	At appointment of candidate's campaign treasurer; 10 days after primary, 5 & 10 days before election & 20 days after general election; 10th day of each month in which no report filed. Every 6 month until debts satisfied.

## CAMPAIGN FINANCE LAWS: FILING REQUIREMENTS\*—Concluded

State or other jurisdiction	Statements required from	Statements filed with	Time for filing
West Virginia.....	Candidates & their financial agents; persons, treasurers of associations, and organizations supporting/opposing nomination, election or defeat of any candidate	Multicounty office: secy. of state. Single-county office: clerk of county commission	15 days after 1st Saturday of February next preceding the primary; between 5 & 10 days before & 30 days after elections
Wisconsin.....	Committees, groups or individuals receiving/expenditure over \$25 (m)	Statewide office: State Elections Board. Committees of political parties must also file with county clerk of county of candidate's residence	Between 8 & 14 days before and 21 & 30 days after each election. Continuing reports must be filed annually between Jan. 1-31 & July 1-10.
Wyoming.....	Candidates; political committees; groups or associations making contributions or expenditures for political purposes	Generally, secy. of state & county clerk	Candidates and political party central committees: 10 days after each election. Other political committees: 20 days after each election. All others: 10 days after each election.
Dist. of Col.....	Candidates; political committees supporting candidates (n)	Director of Campaign Finance	During election years: March 10, June 10, Aug. 10, Oct. 10, Dec. 10; 15 & 5 days before election. Annually: Jan. 31. Nonelection years: July 31.
Puerto Rico.....	Expenses incurred against Election Fund—parties & independent candidates; contribution & non-Election Fund expenses—parties, candidates	Election Fund expenses: Electoral Tribunal and secy. of treasury. Contributions & non-Election Fund expenses: Electoral Tribunal	Election Fund expenses: every two months beginning first 10 days of following month. Contributions and non-Election Fund expenses: every three months (except election years, then every 15 days from Mar. 1-Dec. 31). Contributions & non-Election Fund expenses: on dates prescribed by Electoral Tribunal.

\*Source: Adapted from American Law Division, Congressional Research Service, Library of Congress, *Analysis of Federal and State Campaign Finance Law—Summaries*, December 1976.

Note: For detailed legal requirements, actual state statutes should be consulted.

(a) Those not receiving contributions in excess of limits and not expending over \$5,000 may file an affidavit to that effect in lieu of a report.

(b) Gubernatorial candidates: same dates as required by federal law of federal office candidates, except that first report due April 10 of election year and 45 days after election.

(c) If Saturday, Sunday, or legal holiday, then next business day.

(d) If residence is not a prerequisite for the office, then county clerk and recorder of county in which election held or, for multicounty office districts, as commissioner of Campaign Finances & Practices prescribes.

(e) Candidates for councilor, state senate, county office, legislature, and alternate delegate-at-large need not file before elections.

(f) May 15 and September 15 reports not required if dates fall within 20 days before or after election. Pre- and post-primary reports excepted if no funds received or expended in relation thereto. Contributions over \$1,000 received after filing last report and prior to election, to be reported within 24 hours of receipt.

(g) Supplemental final reports required only if the final report fails to disclose a final accounting of all contributions and expenditures; annual reports are necessary only if there are contributions or expenditures during a calendar year for which no reports are otherwise required.

(h) Pre-election reports not required of candidates or campaign committees receiving or spending less than \$1,000 20 days prior to the election or of any person who has become a candidate less than 20 days before the election. Campaign committees which did not receive contributions or make expenditures shall so state in the post-election report.

(i) Those receiving or spending less than \$150 must so certify to the appropriate filing officer.

(j) Candidates for one-county offices file with clerk of the court of common pleas; candidates for state senate file with clerk of court of common pleas in county of residence.

(k) Primary winner with opposition in general election may omit postprimary filing. In cases of runoff, report seven days afterward in lieu of postelection report.

(l) Any single contribution of \$1,000 or more for a statewide office or \$500 or more for any other office received 10 days or less before an election must be reported within 72 hours; any such contribution received within 72 hours prior to election shall be reported no later than one day prior to election.

(m) Except for those (other than for out-of-state registrants) who state they do not expect to receive/disburse over \$250, unless the amount is exceeded.

(n) Except for candidates who do not expect to spend more than \$250 in any one election and who have not designated a principal campaign committee.

(o) Campaign finance law which served as the basis for the provisions shown here was declared unconstitutional by the Missouri Supreme Court on December 19, 1977.

# CAMPAIGN FINANCE LAWS: EXPENDITURES\*

## As of December 1976

State or other jurisdiction	Limitations on amount for				Campaign affected	Applicable to
	Governor	Other statewide office	State senator	State representative		
Alabama	\$50,000	\$10,000	Larger of \$1,000 or \$600 per county; \$3,000 for 3 districts	\$600	P & G combined	Candidates
Alaska	40¢ x state pop.; 50¢ in P & 50¢ in G	Lieut. gov.: same as gov.	\$1 x pop. of election area ÷ no. of seats in district	Same as state senator	P & G combined	Candidates & "groups" under their "control."
Arizona	10¢ x pop. of election area or \$500, whichever is greater, plus \$25 in "independent" expenditures				P & G separately	Candidates, committees, others
California	P—7¢ x voting age pop.; G—9¢ x voting age pop. (a)	3¢ x voting age pop. (a)	...	...	P & G	Candidates, agents, "controlled committees," political committees, independent committees
Delaware		P—25¢/regis. voter; G—50¢/regis. voter	P—greater of 25¢/regis. voter in dist. or \$4,000; G—greater of 50¢/regis. voter in dist. or \$8,000	P—greater of 25¢/regis. voter in dist. or \$2,000; G—greater of 50¢/regis. voter in dist. or \$4,000.	P & G separately	Candidates or political committees on candidate's behalf & with approval.
Florida	With lieut. gov. as one ticket: 1st & 2nd P—\$250,000; G—\$350,000	1st & 2nd P—\$150,000; G—\$250,000	1st P—\$25,000; 2nd P—\$15,000; G—\$25,000	1st & 2nd P—\$15,000; G—\$25,000	1st & 2nd P & G separately	Candidate; others acting on his behalf
Georgia	P—\$400,000; G—\$300,000; Runoff—\$200,000; non-incumbents—plus 25% of P amount	P—\$175,000; G—\$125,000; Runoff—\$75,000; non-incumbents—plus 25% of P amount	\$10,000; runoff—\$4,000	\$6,000; runoff—\$3,000	P, G, & runoff separately	...
Maryland	(b)	(b)	(b)	(b)	(b)	(b)
Massachusetts	With lieut gov.: media—\$500,000	Media: atty. gen.—\$250,000; secy. of state, treas., auditor—\$100,000; gov.'s, councillor—\$25,000	Media—\$15,000	Media—\$5,000	P & G separately	Candidates, their "non-elected" political committees & agents
Michigan	Greater of: \$40 per 1,000 votes cast for gov. in last election in state or applicable election district; 25% of one year's salary; or \$100				P & G separately	Candidate or authorized or incurred on behalf
Minnesota	With lieut. gov.: greater of 12½¢ per capita or \$600,000	Atty. gen.: greater of 2½¢ per capita or \$100,000; secy. of state, treas., auditor: greater of 1½¢ per capita or \$50,000	Greater of 20¢ per capita (1/67 of state) or \$15,000	Greater of 20¢ per capita (1/134 of state) or \$7,500	Election year expenditures combined	Candidate, committee, others authorized or under control of candidate or agent & office-holders
Missouri (e)	Greater of \$9/100 inhabitants or \$18/100 voters in last presidential election		Greater of \$12/inhabitants or \$25/100 voters in last presidential election of the constituency of the candidate		P & G separately	Candidate, or his agent, committee, etc.
Nevada	Greater of 80¢/regis. voter or \$150,000	Greater of 40¢/regis. voter or \$75,000	Greater of 80¢/vote cast for largest vote-getter in dist. for state senator or \$12,500	Greater of 80¢/vote cast for largest vote-getter in dist. for office or \$7,500	P & G separately	Candidate or funds expended for him with his knowledge
New Hampshire	15¢ per eligible voter in last biennial election			\$500	P & G separately	Candidate or on behalf
New Jersey	50¢ per voter in the election district				P & G separately	Candidate, on his behalf, or committee, person, group.

North Carolina	Media: 10¢ x voting age pop.	...	...	P & G separately	Political treas. for candidates & committees
North Dakota	Greater of 15% of annual salary of office sought or \$500	...	...	P & G separately	Candidate, authorized or incurred by candidate.
Rhode Island	G—\$400,000; P—25% of G limit	Lieut. gov., atty. gen.—\$100,000; treas., secy. of state—\$50,000. P—25% of above.	...	P & G separately	In aid of candidacy
Texas	10¢ x voting age pop. (4¢ in runoff primary)	...	...	P, G & runoff separately	Candidates, campaign treas., & committees supporting candidates
Utah	Media: \$100,000 plus 10% if convention opposition, plus 20% if primary opposition	Media: Secy of state & atty. gen.—\$50,000 plus 10% if convention opposition; plus 20% if primary opposition.	...	P & G combined	Candidate's personal campaign committee
Vermont	(c)	(c)	(c)	(c)	(c)
Washington	Greater of: 10¢ per regis. voter, \$50,000, or 2 x salary of office during term	...	...	P & G separately	Total expenditures in any election campaign
West Virginia	\$75/county	\$125/county in district	...	P & G separately	By or on behalf of candidate
Wisconsin	P—\$150,000; G—\$350,000	Lieut. gov.: \$50,000; atty. gen.: \$16,000 total. Not more than \$8,000 total. Not more than \$5,000 for either P or G.	...	P & G separately except for legislature.	Candidate, made or authorized by
Wyoming	50¢ x votes cast for office in last election	\$1,000, \$1,500, or \$2,000, depending on pop. of dist.	...	P & G separately	Candidate, by or on behalf
Puerto Rico	Broadcasting media (inc. mass, individually addressed mailing) for political party (inc. its candidates): \$600,000; independent candidates in general election and each candidate in P or internal party election: 10¢/regis. voter in candidate's precinct.	...	...	...	(d)

\*Source: Adapted from American Law Division, Congressional Research Service, Library of Congress, *Analysis of Federal and State Campaign Finance Law—Summaries*, December 1976. Jurisdictions not appearing in this table have no expenditure limitations in their finance laws.

Note: For detailed legal requirements, actual state statutes should be consulted.

Symbols: P—Primary election, G—General election.

(a) Ten percent less for incumbents.

(b) In an attorney general opinion of March 30, 1976, Maryland's laws limiting candidate campaign

expenditures were declared unconstitutional under *Buckley v. Valeo*.

(c) Repealed in 1976 in conformance with *Buckley v. Valeo*, but the General Assembly (Act R-77) expressed its feeling that the limits should be observed as guidelines.

(d) Certain expenditures in support of a candidate or opposition to an adversary candidate are chargeable to the maximum allowed a party.

(e) Campaign finance law which served as the basis for the provisions shown here was declared unconstitutional by the Missouri Supreme Court on December 19, 1977.



# CAMPAIGN FINANCE LAWS: CONTRIBUTIONS\*

## As of December 1976

<i>State or other jurisdiction</i>	<i>By corporations</i>	<i>By unions</i>	<i>By governmental employees</i>	<i>Anonymously</i>	<i>In name of another</i>	<i>By individuals</i>
Alabama.....	Prohibited	...	Prohibited by those in classified service	...	...	...
Alaska.....	Same as individuals	Same as individuals	Political assessment of classified service employees prohibited	Prohibited	Prohibited	Up to \$1,000 per year to any one candidate unless made by individual to his own campaign.
Arizona.....	Prohibited	Prohibited	Prohibited	...	...	...
Arkansas.....	Same as individuals	Same as individuals	Political assessment of state employees prohibited	Up to \$50	Prohibited	Up to \$1,000 per election per candidate.
California.....	...	...	Solicitation by other state employees prohibited	Up to \$50	Prohibited	...
Colorado.....	...	...	...	...	...	...
Connecticut.....	...	Must first organize Organization Political Committee (a)	Political assessment of state employees prohibited	Not over \$15	Prohibited	To candidate for: governor—\$2,500; lieutenant gov., secy. of state, treasurer, comptroller, atty. gen.—\$1,500; state senator—\$500; state representative—\$250. Aggregate amounts to former not to exceed \$15,000 for any single primary and election. (b)
Delaware.....	Same as individuals	Same as individuals	...	Prohibited	Prohibited	Per candidate: \$1,000 in statewide election; \$500 in all other elections. (c)
Florida.....	Same as individuals	Same as individuals	Coercion by other state employees prohibited	...	Prohibited	Per candidate per election: \$3,000 for statewide candidate; \$1,000 legislative candidate.
Georgia.....	Prohibited by agents of public utility corporations	...	Prohibited	Prohibited	...	...
Hawaii.....	...	...	Solicitation prohibited; contribution to other employees prohibited	Prohibited (d)	Those in false name prohibited	...
Idaho.....	Same as individuals	Same as individuals	Political assessment prohibited	Prohibited	Fictitious name prohibited	Those over \$50 aggregate must be accompanied by name & address
Illinois.....	...	...	Receiving/making during working hours prohibited (e)	Prohibited	Prohibited	...
Indiana.....	(f)	(f)	Solicitation, receiving & assessment prohibited	...	Prohibited	...
Iowa.....	Generally prohibited (g)	...	Receiving during working hours prohibited	...	Prohibited	...
Kansas.....	Prohibited by certain corporations and their majority stockholders	...	Political assessments prohibited	Up to \$10	Prohibited	To candidate for: gov. & lieutenant gov. (combined) or any other statewide office—\$2,500; legislature or other state office—\$500.
Kentucky.....	Prohibited	...	Political assessments & solicitations by/of employees prohibited	Up to \$50	Prohibited	Per candidate per election—\$3,000; none to candidate who regulates, supervises, or controls affairs of contributor.
Louisiana.....	Prohibited unless properly authorized	...	Solicitation prohibited	Generally prohibited	Prohibited	In return for promise of public employment prohibited.
Maine.....	\$5,000 per election	\$5,000 per election	Classified service officers/employees may not coerce or advise other state employees (h)	...	...	Per candidate—\$1,000; \$25,000 total in any calendar year.

Maryland	Same as individuals	Same as individuals	Cannot be forced to contribute	Prohibited	Prohibited	\$1,000 per candidate (\$2,500 overall) per primary or general election.
Massachusetts	Prohibited	...	Prohibited	Prohibited	Prohibited	Per candidate—\$1,000 per year; per political party—\$1,000 per year; per committee, \$1,000. By minors, \$25 per year.
Michigan	Prohibited	...	Political assessments prohibited	Prohibited	Prohibited	...
Minnesota	Prohibited; specified activities allowed	Regulated	Solicitation, receipt on government time prohibited	Up to \$20	Prohibited	...
Mississippi	...	...	Political assessments prohibited. Contributions by highway patrolmen prohibited	...	...	...
Missouri	Prohibited, but employees may form separate fund	Prohibited, except for separate fund	Solicitations prohibited	Up to \$5	Must be made in name of both direct & beneficial contributor	Per candidate—lesser of \$10,000 or 20 percent of expenditure limit; total—\$50,000 per calendar year
Montana	Prohibited	...	...	Prohibited	Prohibited	Aggregate limits: gov. and lieut. gov. jointly—\$1,500; other statewide offices—\$750; Public Service Commission—\$400; dist. court judge—\$300; state legislature—\$250; city or county office—\$200.
Nebraska	If more than 6 days before or after election & if statement filed within 5 days (i)	...	...	...	...	...
Nevada	...	...	Solicitations from other employees prohibited	...	...	...
New Hampshire	Prohibited	Prohibited	Prohibited	Prohibited	Prohibited	\$5,000 limit.
New Jersey	Prohibited by certain corporations & their majority stockholders	...	Demand for contributions of other public officeholders & positions prohibited	Prohibited	Prohibited	\$600 limit for gubernatorial candidates
New Mexico (l)	Prohibited from insurance companies.	...	Assessments prohibited	...	...	...
New York	\$5,000 per year limit for nonpolitical corporations	...	Assessments prohibited	Prohibited	Prohibited	Annual aggregate of \$150,000.
North Carolina	Prohibited	Prohibited	Assessments prohibited	Prohibited	Prohibited	\$3,000 per candidate per election, except for candidates and their families. Nonresident contributions of over \$100 must be accompanied by name & address.
North Dakota	Prohibited	...	Use of state services & property prohibited	...	Prohibited	...
Ohio	Prohibited (j)	...	Solicitation & receipt of contributions prohibited	...	...	...
Oklahoma	Prohibited	...	Solicitation or receipt of contributions prohibited	...	Prohibited	\$5,000 to political party, or organization, or candidate for statewide office; \$1,000 for local office.
Oregon	Prohibited from certain corporations	...	Solicitations during working hours, assessments prohibited	...	Prohibited	...
Pennsylvania	Prohibited	Prohibited from "unincorporated associations"	Solicitation prohibited	...	...	...
Rhode Island	...	...	Solicitation prohibited	Prohibited	Prohibited	...
South Carolina	...	...	...	...	...	...

## CAMPAIGN FINANCE LAWS: CONTRIBUTIONS\*—Concluded

<i>State or other jurisdiction</i>	<i>By corporations</i>	<i>By unions</i>	<i>By governmental employees</i>	<i>Anonymously</i>	<i>In name of another</i>	<i>By individuals</i>
South Dakota .....	Prohibited	Prohibited	Assessments prohibited	...	...	Statewide offices—\$1,000/yr.; legislative & county offices—\$250/yr.; political party—\$3,000/yr.
Tennessee .....	Prohibited	...	Assessments prohibited	...	...	...
Texas .....	Prohibited	Prohibited	...	...	...	...
Utah .....	...	...	Assessments prohibited; solicitations during working hours prohibited	...	...	...
Vermont .....	...	...	Solicitation by employees prohibited	...	...	\$1,000 limit—statewide offices & legislature.
Virginia .....	...	...	...	...	...	...
Washington .....	...	...	Assessments, solicitation on state property prohibited	Prohibited	Prohibited	...
West Virginia .....	Prohibited	...	Solicitation prohibited	...	...	\$5,000 per election
Wisconsin .....	Prohibited (k)	...	No solicitation while on duty	Prohibited	Prohibited	Annual aggregate—\$10,000; individual offices—gov., lieutenant gov., secy. of state, treas., atty. gen., supreme ct., supt. of public instruction: \$10,000; state senator: \$1,000; state rep.: \$500; others: 5 percent of candidate's expenditure limit.
Wyoming .....	Prohibited	Prohibited	...	...	...	No more than 5 percent of candidate's limit.
Dist. of Col. ....	Limited	Limited	"Hatch Act" applicable	Prohibited	Prohibited	Aggregate: \$2,000 per election; mayor—\$1,000; chairman of council—\$750; other offices—varies.
Puerto Rico .....	Repetition of personal contributions through corporation prohibited in certain cases	...	...	...	...	Annual total—\$800 (\$1,000 in election year); candidates or central directing organization of party—\$400 (\$600 in election year).

\*Source: Adapted from American Law Division, Congressional Research Service, Library of Congress, *Analysis of Federal and State Campaign Finance Laws—Summaries*, December 1976.

Note: For detailed legal requirements, actual state statutes should be consulted.

(a) Limitations same as individuals, except aggregate contributions for listed candidates are \$50,000.

(b) In addition, there are various limitations on contributions by individuals to committees.

(c) Contributions by candidate or immediate family (including to committees supporting him) limited to \$5,000 per election.

(d) Does not apply to amounts aggregating less than \$250 when obtained through multiple contributions by 10 or fewer persons at same event.

(e) Prohibited or restricted to various state officers and employees.

(f) \$3,000 total—all statewide offices; \$3,000 total—all state central committees; \$1,000 total—all other committees.

(g) May establish political action committees from stockholders, administrative officers, and officers subject to general disclosure requirements.

(h) With certain exceptions, no receipt or solicitation of contributions from groups or persons employees deal with or regulate in jobs.

(i) Contributions by corporate liquor licensees prohibited.

(j) Employer may deduct from wages if authorized in writing by employee.

(k) They may establish and administer separate, segregated funds of individual contributions so long as not more than \$500 is spent soliciting such contributions.

(l) Campaign finance law which served as the basis for the provisions shown here was declared unconstitutional by the Missouri Supreme Court on December 19, 1977.

## SPECIFIED COVERAGE IN STATE FINANCIAL DISCLOSURE LAWS\*

State	Legislators	Legislative employees	Statewide elected or appointed officials	State employees	Members of state commissions	Candidates for state office	State judges	County officials or employees	Municipal officials or employees	Local boards or commissions
Alabama	Yes	Some	Yes	Some	Some	Yes	Yes	Yes	Yes	Some
Alaska	Yes	No	Yes	Some	Yes	Yes	Yes	Elected	Officials	Key
Arizona	Yes	No	Yes	No	No	No	Yes	No	No	No
Arkansas	Yes	Some	Yes	Some	Yes	Yes	Yes	Yes	Yes	Some
California	Yes	Some	Yes	Some	Some	Yes	No	No	No	No
Colorado Code of Ethics	No	No	No	Some	Some	No	No	No	No	No
Colorado Sunshine	Yes	No	No	No	No	No	Yes	No	No	No
Connecticut	Yes	Yes	No	No	No	No	No	No	No	No
Florida	Yes	No	Elected	No	Statewide elected	Yes	Yes	Some officials	No	No
Hawaii	Yes	Yes	Yes	Yes	Yes	No	No	No	No	No
Illinois EO	No	No	Appointed	Some	Yes	No	No	No	No	No
Illinois GEA	Yes	No	Yes	Some	Some	Yes	Yes	Some	Some	Some
Indiana	No	No	Yes	Some	No	Some	No	No	No	No
Iowa	Yes	No	No	No	No	No	No	No	No	No
Kansas	Yes	No	Yes	Some	Yes	Yes	No	No	No	No
Kentucky FDA	Yes	No	Some	Some	Some	Some	Yes	No	No	No
Kentucky EO	No	No	Some	Some	No	No	No	No	No	No
Maine	Yes	No	No	No	No	No	No	No	No	No
Maryland EO (1974)	No	No	Some	Some	Some	No	No	No	No	No
Maryland FDA	Yes	No	Yes	Some	No	Yes	No	No	No	No
Minnesota	Yes	Some	Yes	Some	Some	Yes	No	No	No	No
Nebraska	Yes	No	Yes	Some	Some	Yes	No	Elected	No	Some
Nevada	Yes	No	Elected	No	No	Yes	Elected	Elected	Elected	No
New Jersey EO	No	No	Appointed	Yes	Some	No	No	No	No	No
New Mexico	No	No	Yes	Yes	(a)	No	No	No	No	No
New York EO	No	No	Yes	No	Some	No	No	No	No	No
New York POL	Yes	Yes	No	No	No	No	No	No	No	No
North Carolina LEA	Yes	No	No	No	No	No	No	No	No	No
North Carolina EO	No	No	Yes	Some	Yes	No	No	No	No	No
North Dakota	Yes	No	Elected	No	Yes	Yes	No	Elected	Elected	No
Ohio	Yes (b)	Yes	Yes	Some	Some	Yes	Yes (c)	Elected	Elected	Some
Oregon	Yes	Some	Yes	Yes	Some	Yes	Yes	Yes	Yes	Some
Rhode Island	Yes	No	Yes	No	Yes	Yes	No	Officials	Officials	Yes
South Carolina	Yes (b)	Yes	Yes	Some	Yes	Yes	Yes (d)	Yes	Yes	Yes
South Dakota	Yes	No	Yes	No	Yes	Yes	Yes	Elected	Elected	Elected
Tennessee	Yes	No	Yes	No	No	No	Yes	Elected	Elected	No
Texas	Yes	No	Yes	Some	Some	No	Yes	No	No	No
Utah	No	No	Yes (c)	Yes (c)	No	No	Yes (e)	No	No	No
Virginia	Yes	No	Yes	No	No	Yes	No	No	No	No
Washington	Yes	No	Yes	No	Yes	Yes	No	Elected	Elected	Elected
West Virginia	Yes	No	Yes	Yes	Yes	No	Yes	No	No	No
Wisconsin	Yes	No	Yes	No	Some	Yes	Yes (d)	No	No	No

\*Source: National Municipal League.

Key:

EO—Executive order

GEA—Government Ethics Act

LEA—Legislative Ethics Act

FDA—Financial Disclosure Act

POL—Public Officers Law

(a) Probably not.

(b) Legislators are covered by the law but are subject to a legislative commission, not the state ethics commission.

(c) Separate judicial enforcement body for judges.

(d) Supreme court has promulgated own financial disclosure requirements as judges are not subject to financial disclosure law.

(e) Only "substantial" interests in business regulated by the state.

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# THE LEGAL STATUS OF WOMEN

By Ethel Mendelsohn and John H. Galvin\*

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OBSERVANCE OF International Women's Year (IWY) in the United States culminated in the first National Women's Conference and in the adoption of a National Plan of Action—the official recommendations of the conference for action on 25 issues of particular importance to women—as part of a long-term effort to make equality for all American women a reality. Included is a recommendation for ratification of the proposed Equal Rights Amendment (ERA) to the Constitution.

Mandated by Congress and sponsored by the National Commission on the Observance of IWY, the conference was held in Houston, Texas, November 18-21, 1977. Elected delegates from the 50 states, the District of Columbia, American Samoa, Guam, Puerto Rico, the Trust Territories, and the Virgin Islands participated in the conference and formulation of the recommendations that constitute the national plan. A series of conferences at the state level preceded the national meeting.

The national plan, adopted by a substantial majority of the nearly 2,000 official delegates attending, is addressed to federal and state governments, private institutions, women's organizations, employers, trade unions, mass communications media, and political parties, and calls upon them to make such changes in existing legislation, policies, and practices as are necessary to eliminate discrimination against women in the areas of domestic violence cases (battered women), business, child care, credit, education, employment, health care, marital property rights, public office, reproductive freedom, sexual preference, welfare programs, and other issues of special concern to women.

A final report on the conference, including the findings and recommendations in the national plan, was sent to the president and Congress, as required under law. The president, in turn, is required to submit his recommendations for action to Congress within 120 days after receiving the report.

## Equal Rights Amendment

### Federal

"Equality of rights under the law shall not be denied or abridged by the United States or by any state on account of sex." This is the basic statement of the proposed Equal Rights Amendment which was overwhelmingly approved by both houses of the 92nd Congress (1971-72). A resolution that proposed the amendment set March 22, 1979, as the date by which the required three-fourths of state legislatures must ratify.

To date, 35 of the required 38 states have approved the proposed 27th Amendment to the Constitution, Indiana being the only one to do so in the biennium.<sup>1</sup>

In October 1977 a joint resolution was introduced in the Congress which would extend the period of ratification by seven years—to March 22, 1986. Constitutional lawyers differ

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\*The authors are in the Branch of Legislative Analysis, Women's Bureau, U.S. Department of Labor. They acknowledge the assistance of Judith K. Cooke, Ruth P. Hernandez, Jane Newman, Marian Reed, Ruth Shinn, Jane Walstedt, and Willietta Woodson.

on the legality of an extension, but the U.S. Department of Justice supports the proposed extension. There are no firm legal precedents on which to decide the question. At the end of 1977, Congress had not acted on the resolution.

### State

Sixteen states have equal rights provisions in their constitutions. The original constitutions of Wyoming (1890) and Utah (1896) contained such provisions. In the 1970s, the electorates of 14 other states<sup>2</sup> amended their constitutions by the inclusion of equal rights provisions. In November 1976, Massachusetts adopted a state equal rights amendment and the voters of Colorado defeated a proposed repeal of that state's equal rights amendment adopted in 1972.

### Credit

The Federal Equal Credit Opportunity Act enacted in 1974 prohibited discrimination against any creditworthy<sup>3</sup> applicant in any credit transactions solely on the basis of sex and marital status. The act was amended in 1976 to also prohibit discrimination on the bases of race, color, religion, national origin, and age; because an applicant's income derives from public assistance; or because an applicant has exercised rights under the Federal Consumer Protection Act.

The law governs the practices of commercial banks, savings and loan associations, credit unions, and any other businesses that regularly grant credit, such as retail stores, credit card companies, common carriers, and small business companies.

Enforcement is delegated to the federal regulatory agency that has supervisory power over each particular type of credit. For example, the Small Business Administration handles complaints against small business investment companies. The Federal Trade Commission has jurisdiction over retail credit and any other type not delegated to a specific agency.

By November 1975, at least 40 states,<sup>4</sup> the District of Columbia, and numerous municipalities had legislation or regulations expressly prohibiting credit discrimination on the basis of sex or marital status. Discrimination in credit is barred in some jurisdictions by omnibus human rights laws, ordinances, or regulations. Complainants have the option of either filing a complaint with the federal agency which regulates the creditor or filing a court suit under federal, state, or local laws, whichever is most advantageous.

Beginning January 31, 1976, creditors must state in writing reasons for denial or revocation of credit upon request by any applicant. All information on joint credit accounts opened after November 1, 1976, must be reported in the name of both spouses when both use or are liable for the account. On joint accounts opened before November 1, 1976, all information must be reported in both names or both spouses must have been advised in writing by February 1, 1977, of their right to have information reported in both names. Thus, women will have credit histories in their own names, which is important in the event of separation, divorce, or widowhood.

### Housing

The Federal Fair Housing Act prohibits discrimination on the basis of sex, race, color, religion, and national origin in the rental, sale, and financing of housing, and in providing brokerage services.

By the end of 1977, 31 jurisdictions<sup>5</sup> also had fair housing codes prohibiting discrimination based on sex. Three—Rhode Island, West Virginia, and Wisconsin—had

been enacted during the past two years. All but nine<sup>6</sup> are considered by the Department of Housing and Urban Development (HUD) to be substantially equivalent to the federal Fair Housing Act. Complaints filed with HUD will be referred to state agencies if the state agency meets federal performance standards.

### Maiden Name

In late 1976, the U.S. Supreme Court declined to review a lower court ruling that Kentucky's unwritten regulation requiring a married woman to apply for a driver's license in her husband's surname does not violate the U.S. Constitution [*Whitlow v. Hodges*, 539 F.2d 582 (6th Cir.); cert. denied 429 U.S. 1029 (1976)]. The lower court, relying upon *Forbush v. Wallace* [405 U.S. 970 (1972)], indicated that a "simple and inexpensive" means was available by which married women could change their names in court.

The decision came as a surprise because the trend in recent years has been to permit the use of maiden names. There is firm legal support for the use of maiden names in at least 26 states.<sup>7</sup> The Equal Credit Opportunity Act also permits the use of maiden and hyphenated surnames in obtaining credit.

### Homemakers

In recent years, lawmakers have shown greater concern for the problems of homemakers in general and particularly those of displaced homemakers—mature homemakers who through widowhood, divorce, or desertion are displaced from their work of caring for other family members in the home full time and as a result lose their source of income.

To make the transition from economic dependency to self-sufficiency, most displaced homemakers must seek paid work outside the home. Vulnerable to discrimination on the basis of age, yet not old enough to qualify for Social Security benefits, many of them lack recent paid work experience or skills that are marketable. Displaced homemakers are not generally eligible for unemployment compensation or public assistance.

After January 1, 1979, divorced women will qualify for Social Security benefits based on their spouses' earnings after 10, rather than 20, years of marriage.

Following California's lead in 1975, 13 other States<sup>8</sup> enacted legislation during the biennium which authorized the establishment of centers to provide services specifically geared to the needs of displaced homemakers—job counseling and placement, financial management, health, education, and legal referral.

In 1977, Rhode Island and New Mexico authorized studies to determine the need to establish programs for displaced homemakers and Maine established an Advisory Council on Displaced Homemakers in its Department of Manpower Affairs.

Three displaced homemaker centers now in operation are located in Alameda, California; Baltimore, Maryland; and Eugene, Oregon. Others are scheduled to open during 1978 in Minnesota, Nebraska, Ohio, and Texas.

Congress is considering legislation that would provide federal funds for such centers. A number of centers have received funds under the Comprehensive Employment and Training Act (CETA) administered by the U.S. Department of Labor. Funds may also be available under the Vocational Education Amendments of 1976.

### Abortion

In the five years since the U.S. Supreme Court decisions legalizing abortion,<sup>9</sup> American

society has become increasingly polarized on the issue. Well-organized groups on both sides are actively promoting their views in mass demonstrations, the media, the courts, and legislative chambers. A number of constitutional amendments outlawing abortion have been proposed in Congress.

Considerable controversy has surrounded public financing of nontherapeutic abortions. Two years ago nearly all states provided Medicaid coverage for eligible recipients. Some had been ordered by federal courts to do so.

In 1976 Congress severely restricted the use of federal funds for abortion, but a federal court prevented the enforcement of the new restrictions. The order was vacated in June 1977 shortly after the Supreme Court ruled on several abortion cases.<sup>10</sup>

Conflict between the House and Senate on federal funding of abortions held up the appropriation bill for the Departments of Labor and HEW for several months. A compromise was reached in late 1977 whereby federal funds would not be used to pay for abortions except where the life of the mother would be endangered if the fetus were carried to term; where medical procedures are necessary for the victims of rape or incest, when such rape or incest has been reported promptly to a law enforcement agency or public health service; or where two physicians have determined that carrying a pregnancy to term would cause severe and long-lasting physical health damage to the mother. The states may finance nontherapeutic abortions and a number of states do so.

In another abortion case, the Supreme Court ruled that states may not give parents complete control over whether unmarried minors can have an abortion or require a married woman to have her husband's consent for the procedure. It also held that states may not prohibit induction of saline solution at a specific point in the gestation period.

### **Jury Service**

Women are now eligible to serve on state and federal juries in all American jurisdictions. Eight states—Arkansas, Connecticut, Florida, New Hampshire, Oklahoma, South Carolina, Utah, and Wyoming—and Puerto Rico, as well as some federal judicial districts, permit women to be excused only because of child care or family responsibilities. Four states—Georgia, Missouri, Rhode Island, and Tennessee—permit women to be excused solely on the basis of sex.

### **Women in Public Service<sup>11</sup>**

More women are seeking and attaining public office than in the past. Now nearly 7 percent of all elected officials are women. At the state level, there are 101 women senators and 601 women representatives for a total of 702 state legislators — more than double the number 10 years ago. In 17 states,<sup>12</sup> women hold at least 10 percent of the legislative seats.

At the federal level, 18 women currently hold seats in the U.S. House of Representatives. Mrs. Muriel Humphrey, the only woman serving in the U.S. Senate, was appointed by the governor of Minnesota after the death of her husband.

Dixy Lee Ray, elected governor of Washington in 1976, became the second woman elected governor without succeeding her husband (Ella T. Grasso of Connecticut being the first). Women were elected lieutenant governors in Kentucky (1975), Mississippi (1975), and New York (1974).

Women serve as mayors in nearly 100 cities with populations over 10,000 and in 10 cities<sup>13</sup> with populations of more than 100,000. Nine women are state supreme court judges, including the chief justices of California and North Carolina.



As of July 1977, 782 black women held public office, including four members of Congress, seven state senators, 39 state representatives, and 12 mayors.

According to White House sources, President Carter had appointed 152 women to key posts in the federal government by February 6, 1978. The appointments include Secretary of Commerce Juanita Kreps and Secretary of Housing and Urban Development Patricia Roberts Harris. Mrs. Harris is the first black woman to serve in the Cabinet.

### **Battered Spouses**

During 1977, concern for victims of domestic violence came to the fore as a national issue. Following the lead of national organizations, women's groups in nearly every state have sought to establish shelters for battered women, strengthen police and court procedures in assault cases, and improve social services to the victims of domestic violence. Recent studies indicate that husband-beating is also a serious problem but is rarely reported.

Surveys conducted in late 1977 indicate that at least 16 state legislatures<sup>14</sup> considered bills dealing with the problem during the past two years. Four states—California, Connecticut, Massachusetts, and Minnesota—enacted legislation providing funded shelters for women. Connecticut, New York, and Pennsylvania have improved their court procedures for dealing with cases involving domestic violence. Florida and Oregon have modified their arrest procedures in misdemeanor cases to permit a police officer to make an arrest when the officer has probable cause to believe that one spouse has assaulted the other. The Maryland legislature has directed the state police to keep detailed records of assault complaints involving spouses. A new Illinois law provides for the temporary expulsion from the family home of a spouse who threatens or does physical injury.

Class action suits have been brought in New York City, New York, Cleveland, Ohio, and Oakland, California, against police and other public officials to secure better enforcement and protection for women in domestic cases. Legislation has also been introduced in Congress to provide financial and other assistance to community groups.

### **Commissions on the Status of Women**

As advisory bodies to state and local governments, commissions on the status of women play a significant role in identifying the needs of women and making recommendations to facilitate their full participation in the workplace, in the home, and in the community.

During the biennium, commissions have reported participation in a wide range of projects, including activities related to International Women's Year and the ratification of the Equal Rights Amendment; promotion of legislation to provide shelters for battered women; publications concerning the effects of divorce and property laws on women; and sponsorship of workshops on nontraditional occupations for women and girls.

By mid-1977 there were more than 150 commissions nationwide, including 46 state,<sup>15</sup> one District of Columbia, one Commonwealth of Puerto Rico, 45 county, 43 municipal, and two regional commissions.<sup>16</sup> The number of county and municipal commissions increased markedly during the past two years.

The National Association of Commissions for Women (NACW), founded in 1970, currently has a membership of more than 60 state, county, and municipal commissions. At its 1976 annual meeting in San Francisco, NACW identified the needs of minority women as a crucial priority. In August 1976, NACW and the Women's Bureau of the U.S. Department of Labor jointly conducted a survey to determine the participation of racial and ethnic minority women in commission activities as a first step toward addressing some of their special needs.

### Education

The Education Amendments of 1976 (P. L. 94-482) provide, among other things, a major breakthrough for women in the revision of the Vocational Education Act. For the first time, provisions regarding women's educational needs were written into this law. The new law consolidates all vocational education categorical grants into a single block grant for the states and overhauls the method of state planning.

Among other things, state plans for the use of federal funds must specify state policies which will assure equal access to programs by women and men, overcome sex discrimination, and encourage women in nontraditional occupational courses. In addition, states must assign personnel to assist the state vocational education agency in eliminating sex bias in programs. Other requirements affect counseling and guidance, curriculum, and opportunities for mature women and displaced homemakers.

During fiscal 1977, the Women's Educational Equity Act Program, established in 1974 by P.L. 93-380, awarded nearly \$3 million in new general grants and almost \$400,000 in small grants. The law authorizes grants for every area of education where sex bias persists.

In December 1977, HEW announced that its Office of Civil Rights (OCR) would more vigorously enforce civil rights laws in education. OCR plans to increase its staff to reduce the backlog of complaints and to initiate broad investigations of educational institutions. The new enforcement effort is part of a settlement agreement in lawsuits against HEW.

### Marriage

In January 1978, the U.S. Supreme Court ruled unconstitutional a Wisconsin statute requiring court permission to marry for a parent under court order to support a child. The Court ruled that the state interests allegedly served by the statute unnecessarily infringed on the right to marry (*Zablocki v. Redhail*).

With the addition of the District of Columbia in 1976, 48 jurisdictions have equalized age requirements for marriage without parental consent at 18 years for both sexes. In Nebraska and Wyoming both parties must be 19 years old, and in Mississippi and Puerto Rico both must be 21 years of age. In Georgia, parental consent is not required at any age if the woman is pregnant or has a living child.

By the end of 1977, 33 jurisdictions<sup>17</sup> had equalized the age at which males and females could marry with parental consent, three—Georgia, Indiana, and the District of Columbia—having done so within the past two years. In Kentucky and West Virginia there is no minimum age for marriage with parental consent. In Michigan there is no statutory provision for the marriage of males with parental consent, although a woman may do so at age 16.

Common law marriage may be contracted in 14 jurisdictions—Alabama, Colorado, Georgia, Idaho, Iowa, Kansas, Montana, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Texas and the District of Columbia. Nearly all jurisdictions will recognize common law marriages if they were contracted at a time and place where such marriages were permitted.

### Divorce

With the addition of Mississippi in 1976, 47 states, the District of Columbia, and Puerto Rico now have "no-fault" provisions in their divorce laws; only Illinois, Pennsylvania, and South Dakota do not. In a 1977 code revision, the District of Columbia eased divorce requirements.

In the wake of "no-fault" legislation, the divorce rate has continued to soar. During the biennium more than 2 million couples obtained divorces, and by the end of 1977 nearly 12 million children under 18 years of age were living with a single parent.

### **Reform**

Concern has begun to focus on the economic and social effects of divorce. The National Women's Conference in Houston recommended that the states enact the economic provisions of the Uniform Marriage and Divorce Act proposed by the National Conference of Commissioners on Uniform State Laws.

A comprehensive divorce reform law in Wisconsin, scheduled to take effect in 1978, provides for an even division of property and assets between husband and wife, and guidelines for child support and alimony payments as well as for enforcement of court orders.

### **Grandparents**

During 1976-77 Arkansas, New York, Utah, and Wisconsin passed laws granting child visitation rights to grandparents when parents divorce. Similar bills failed in Maine and Pennsylvania.

### **Alimony**

Thirty-one states<sup>18</sup> and the District of Columbia now have statutory authority to award alimony to either party. Fifteen states<sup>19</sup> and Puerto Rico permit an award of alimony only to the wife.

### **Child Support**

Since the Social Services Amendments of 1974 (P.L. 93-647) took effect on August 1, 1975, each state and territory has established a Child Support Enforcement Program and a Parent Locator Service. The program has collected \$1.6 billion from absent parents at a cost to federal, state, and local governments of \$457 million. Over 1 million families receive collections.

Families receiving AFDC payments are required to help the state agency locate the absent parent and collect child support. Non-AFDC families may also use the services for a small fee. Applications for services may be made at the local welfare office or, in some states, the district attorney's or prosecutor's office.

(For details on garnishment of wages and federal benefits, see chapter on "Labor Legislation".)

### **Footnotes**

1. The states that have not ratified are Alabama, Arizona, Arkansas, Florida, Georgia, Illinois, Louisiana, Mississippi, Missouri, Nevada, North Carolina, Oklahoma, South Carolina, Utah, and Virginia. Three states—Idaho, Nebraska and Tennessee—have voted to rescind their approval but the legality of such rescissions is in question.

2. Alaska, Colorado, Connecticut, Hawaii, Illinois, Maryland, Massachusetts, Montana, New Hampshire, New Mexico, Pennsylvania, Texas, Virginia, and Washington.

3. Standards to determine creditworthiness may vary depending upon the nature of the transaction and the amount involved, but in general, creditworthiness is determined by applicant's personal ability to pay the obligation from own income.

4. Alaska, Arkansas, California, Colorado, Connecticut, Florida, Georgia, Hawaii, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nevada, New Jersey, New Mexico, New York, North Carolina, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, and Wisconsin.

5. Alaska, Colorado, Connecticut, Delaware, Hawaii, Idaho, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Montana, Nevada, New Hampshire, New Jersey, New Mexico, New York, Ohio, Oregon, Pennsylvania, Rhode Island, South Dakota, Virginia, Washington, West Virginia, Wisconsin, and the District of Columbia.

6. Delaware, Hawaii, Idaho, Iowa, Maryland, Montana, Ohio, South Dakota, and Washington.

7. Arizona, Arkansas, California, Connecticut, Florida, Hawaii, Illinois, Indiana, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Montana, New York, North Dakota, Ohio, Pennsylvania, South Carolina, Texas, Vermont, Virginia, Washington, and Wisconsin.

8. Colorado, Florida, Illinois, Louisiana, Maryland, Massachusetts, Minnesota, Montana, Nebraska, New York, Ohio, Oregon, and Texas.

9. *Roe v. Wade* and *Doe v. Bolton*, 410 U.S. 113 and 410 U.S. 179 (1973). The Court ruled that during the first trimester of pregnancy, the abortion decision must be left to the pregnant woman and her physician. After the first 12 weeks, the state may intervene only to protect the mother's health by establishing requirements as to who can perform the abortion and where. During the last trimester, the state can intervene to protect the fetus, but may not prohibit abortions performed to preserve the life or health of the mother.

10. These cases held that: payment by a state for childbirth expenses but not for nontherapeutic abortions does not violate the equal protection guarantees of the 14th Amendment; Social Security Act provisions establishing the joint federal-state Medicaid program do not require states to fund nontherapeutic abortions as a condition for participation; and refusal of a public hospital to perform nontherapeutic abortions does not violate the 14th Amendment.

11. Further information can be obtained from the National Women's Political Caucus, the National Women's Education Fund, the Joint Center for Political Studies, the National League of Cities, and the United States Conference of Mayors.

12. Arizona, Colorado, Connecticut, Delaware, Florida, Hawaii, Iowa, Maine, Maryland, Nevada, New Hampshire, New Jersey, North Carolina, North Dakota, Oregon, Vermont, and Washington.

13. Austin, Texas; Chesapeake, Virginia; Hampton, Virginia; Lincoln, Nebraska; Oklahoma City, Oklahoma; Phoenix, Arizona; Raleigh, North Carolina; St. Petersburg, Florida; San Antonio, Texas; and San Jose, California.

14. California, Connecticut, Florida, Hawaii, Illinois, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, New Jersey, New York, Oregon, Pennsylvania, Virginia, and Washington.

15. Alaska, Delaware, Indiana, Kansas, and the Virgin Islands do not have active commissions at this time. The North Carolina State Council on the Status of Women is organized on a regional and county basis.

16. The Greater Kansas City Regional Commission and the Central Florida Commission.

17. Alaska, Arizona, Colorado, Connecticut, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Missouri, Montana, Nevada, New Mexico, North Carolina, North Dakota, Oklahoma, Oregon, Pennsylvania, South Dakota, Tennessee, Texas, Vermont, Virginia, Washington, West Virginia, Wisconsin, and the District of Columbia.

18. Arizona, California, Colorado, Connecticut, Delaware, Florida, Hawaii, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nebraska, New Hampshire, New Jersey, North Dakota, Ohio, Oklahoma, Oregon, Utah, Vermont, Virginia, Washington, West Virginia, and Wisconsin.

19. Alabama, Arkansas, Georgia, Idaho, Illinois, Louisiana, Mississippi, Nevada, New Mexico, New York, Rhode Island, South Carolina, South Dakota, Tennessee, and Wyoming.

## DIVORCE LAWS AS OF DECEMBER 31, 1977\*

State or other jurisdiction	Residence required before filing suit for divorce	"No fault" divorce(a)			Grounds for absolute divorce					
		Marriage break-down (b)	Separation	Prior decree of limited divorce	Adultery	Mental and/or physical cruelty	Desertion	Alcoholism and/or drug addiction	Impotency	Non-support by husband
Alabama	6 mos. (c)	★	2 yrs.(d)	2 yrs.	★	...	1 yr.	★	★	★
Alaska	...	★	...	...	★	★	1 yr.	★	★	★
Arizona	90 days	★	...	...	★	...	...	...	...	...
Arkansas	60 days(g)	...	3 yrs.	...	★	★	1 yr.	★	★	★(h)
California	(i)	★	...	...	...	...	...	...	...	...
Colorado	90 days	★	...	...	...	...	...	...	...	...
Connecticut	1 yr.(k)	★	18 mos.	...	★	★	1 yr.	★	...	...
Delaware	3 mos.	★	...	...	...	...	...	...	...	...
Florida	6 mos.	★	...	...	...	...	...	...	...	...
Georgia	6 mos.	★	...	...	★	★	1 yr.	★	★	...
Hawaii	3 mos.	★	2 yrs.(d)	★(q)	...	...	...	...	...	...
Idaho	6 wks.	★	5 yrs.	...	★	★	...	...	...	★
Illinois	90 days	...	...	...	★	★	1 yr.	2 yrs.	★	...
Indiana	6 mos.	★	...	...	...	...	...	...	★	...
Iowa	1 yr.	★	...	...	...	...	...	...	...	...
Kansas	60 days	★	...	...	★	★	1 yr.	★	...	★
Kentucky	180 days(t)	★	...	...	...	...	...	...	...	...
Louisiana	(u)	...	2 yrs.	★(v)	★	...	...	...	...	...
Maine	6 mos.(k)	★	...	...	★	★	3 yrs.	★	★	★
Maryland	(x)	...	(y)	...	★	...	1 yr.	...	★	...
Massachusetts	30 days	★	...	...	★	★	1 yr.	★	★	★
Michigan	180 days(k)	★	...	...	...	...	...	...	...	...
Minnesota	1 yr.(k)	★	...	...	...	...	...	...	...	...
Mississippi	1 yr.	★	...	...	★	★	1 yr.	★	★	...
Missouri	90 days	★	...	...	...	...	...	...	...	...
Montana	90 days	★	...	...	...	...	...	...	...	...
Nebraska	1 yr.	★	...	...	...	...	...	...	...	...
Nevada	6 wks.(k)	★	1 yr.(p)	...	...	...	...	...	...	...
New Hampshire	1 yr.(k)	★	...	...	★	★	2 yrs.	★	★	★
New Jersey	1 yr.	...	18 mos.	...	★	★	1 yr.	★	...	...
New Mexico	6 mos.	★	...	...	★	★	★	...	...	...
New York	1 yr.(k)	...	1 yr.(d)	...	★	★	1 yr.	...	(af)	(ag)
North Carolina	6 mos.	...	...	...	★	...	...	...	...	...
North Dakota	1 yr.	★	...	1 yr.	★	★	1 yr.	★	★	★(h)
Ohio	6 mos.	★(ah)	2 yrs.	...	★	★	1 yr.	★	★	★(h)
Oklahoma	6 mos.(aj)	★	...	...	★	★	1 yr.	★	★	★(h)
Oregon	6 mos.	★	...	...	...	...	...	...	...	...
Pennsylvania	1 yr.	...	...	...	★	★	2 yrs.	...	★	...
Rhode Island	2 yrs.	...	5 yrs.(p)	...	★	★	5 yrs.(am)	★	...	...
South Carolina	3 mos. (ap)	...	3 yrs.	...	★	★	1 yr.	★	...	...
South Dakota	...	...	...	...	★	★	1 yr.	★	...	★
Tennessee	6 mos.	...	...	2 yrs.(p)	★	★	1 yr.	★	★	★
Texas	6 mos.	★	3 yrs.	...	★	★	1 yr.	...	...	...
Utah	3 mos.	...	3 yrs.(d)	...	★	★	1 yr.	★	...	★(h)
Vermont	6 mos.(as)	...	6 mos.	...	★	★	★	...	...	★(h)
Virginia	6 mos.	...	1 yr.	(at)	★	★	1 yr.	...	...	...
Washington	...	★	...	...	...	...	...	...	...	...
West Virginia	1 yr.(k)	...	2 yrs.	...	★	★	1 yr.	★	...	...
Wisconsin	6 mos.	...	1 yr.	1 yr.	★	★	1 yr.	1 yr.	...	★
Wyoming	60 days(k)	...	2 yrs.(au)	...	★	★	1 yr.	★	★	★
Dist. of Col.	6 mos.	...	6 mos.(ax)	★(ay)	...	...	...	...	...	...
Puerto Rico	1 yr.(k)	...	2 yrs.	...	★	★	1 yr.	★	★	...

\*Prepared by the Women's Bureau, U.S. Department of Labor, with the assistance of the attorneys general of the states.

(a) "No fault" includes all proceedings where it is not necessary to prove one of the traditional grounds for divorce. Not all states shown in this category refer to their proceedings as "no fault."

(b) Expressed in statutes as irremediable or irretrievable breakdown of marriage relationship, irreconcilable differences, incompatibility, marriage unsupportable because of discord, etc.

(c) Two years for wife filing on ground of nonsupport.

(d) Under decree of separate maintenance and/or written separation agreement.

(e) Crime against nature.

(f) Except to each other. In Iowa, court can waive ban.

(g) Three-month residency required before final judgment.

(h) Ground available to husband, also.

(i) No residency requirement before filing suit, but final decree cannot be entered until party is a resident for 6 months.

(j) Incurable.

(k) In some cases a lesser period of time may be allowed.

(l) Fraud, force, or duress.

(m) Mental incompetence.

(n) Parties related by marriage or blood, contrary to statute.

(o) Mental incapacity at time of marriage.

(p) In the discretion of the court.

(q) After expiration of term of separation decree.

(r) Loathsome disease.

(s) Attempt on life of spouse by poison or other means showing malice.

(t) No decree until parties have lived apart for 60 days.

(u) Must be domiciled in state and grounds occurred in state; 2 years separation need not have been in state.

(v) Spouse who obtained separation from bed and board may obtain absolute divorce 1 year after decree of separation becomes final. Other party may obtain decree 1 year and 60 days from the date of the separation decree.

(w) Attempt by either parent to corrupt son or prostitute daughter, or proposal by husband to prostitute wife.

(x) One year if cause occurred out of state and 2 years if on grounds of insanity.

## DIVORCE LAWS AS OF DECEMBER 31, 1977\*—Concluded

Grounds for absolute divorce								
State or other jurisdiction	Insanity	Preg- nancy at mar- riage	Big- amy	Un- explained absence	Felony convic- tion or imprison- ment	Other	Period before parties may remarry after final decree	
							Plaintiff	Defendant
Alabama	5 yrs.	★	...	...	★	(e)	60 days(f)	60 days(f)
Alaska	18 mos.	...	...	...	★	...	...	...
Arizona	...	...	...	...	...	...	...	...
Arkansas	3 yrs.	...	★	...	★	...	...	...
California	(j)	...	...	...	...	...	...	...
Colorado	...	...	...	...	...	...	...	...
Connecticut	5 yrs.	...	...	7 yrs.	★	(l)	...	...
Delaware	...	...	...	...	...	...	...	...
Florida	3 yrs.(m)	...	...	...	...	...	...	...
Georgia	2 yrs.	★	...	...	★	(l,n,o)	(p)	(p)
Hawaii	...	...	...	...	...	...	...	...
Idaho	3 yrs.	...	...	...	★	...	...	...
Illinois	...	...	★	...	★	(r,s)	...	...
Indiana	2 yrs.	...	...	...	★	...	...	...
Iowa	...	...	...	...	...	...	1 yr.(f)	1 yr.(f)
Kansas	3 yrs.	...	...	...	★	...	30 days	30 days
Kentucky	...	...	...	...	...	...	...	...
Louisiana	...	...	...	...	★	...	...	...
Maine	...	...	...	...	...	...	...	...
Maryland	3 yrs.	...	...	...	★	(z)	...	...
Massachusetts	...	...	...	...	★	...	...	...
Michigan	...	...	...	...	...	...	...	...
Minnesota	...	...	...	...	...	...	6 mos.(f)	6 mos.(f)
Mississippi	3 yrs.	...	★	...	★	(n,aa)	...	(ab)
Missouri	...	...	...	...	...	...	...	...
Montana	...	...	...	...	...	...	...	...
Nebraska	...	...	...	...	...	...	...	...
Nevada	2 yrs.	...	...	...	...	...	...	...
New Hampshire	...	...	...	2 yrs.	★	(ac,ad)	...	...
New Jersey	2 yrs.	...	...	...	★	(ac)	...	...
New Mexico	...	...	...	...	...	...	...	...
New York	5 yrs.(af)	...	...	...	★	...	...	...
North Carolina	3 yrs.	★	...	...	...	(e)	...	...
North Dakota	5 yrs.	...	...	...	★	...	(p)	(p)
Ohio	4 yrs.	...	★	...	★	(l,ai)	...	...
Oklahoma	5 yrs.	★	...	...	★	(l,ai)	6 mos.	6 mos.
Oregon	...	...	...	...	...	...	60 days	60 days
Pennsylvania	3 yrs.	...	★	...	★	(l,n,ak)	...	(al)
Rhode Island	...	...	...	★	...	(an,ao)	6 mos.	6 mos.
South Carolina	...	...	...	...	...	...	...	...
South Dakota	5 yrs.	...	...	...	★	...	...	...
Tennessee	...	...	★	...	★	(s,aq)	...	...
Texas	3 yrs.	...	...	...	★	...	30 days(f)	30 days(f)
Utah	(ar)	...	...	...	★	...	...	...
Vermont	5 yrs.	...	...	...	...	...	...	...
Virginia	...	...	...	...	★	...	...	...
Washington	...	...	...	...	...	...	...	...
West Virginia	3 yrs.	...	...	...	★	...	...	...
Wisconsin	1 yr.	...	...	...	★	...	6 mos.	6 mos.
Wyoming	2 yrs.	★	...	...	★	(av,aw)	...	...
Dist. of Col.	...	...	...	...	...	...	...	...
Puerto Rico	7 yrs.	...	...	10 yrs.	★	(w)	...	301 days

(y) Voluntary living apart for 1 year and no reasonable expectation of reconciliation, or living separate and apart without cohabitation or interruption for 3 years.

(z) Any cause which renders marriage null and void from the beginning.

(aa) Insanity or idiocy at time of marriage not known to other party.

(ab) When divorce is granted on ground of adultery, court may prohibit remarriage. After 1 year, court may remove disability upon satisfactory evidence of reformation.

(ac) Membership in religious sect disbelieving in marriage.

(ad) Wife's absence out of state for 10 years without husband's consent.

(ae) Deviant sexual conduct without consent of spouse.

(af) Grounds for annulment.

(ag) Grounds for separation.

(ah) On petition of both spouses, accompanied by separation agreement executed and confirmed by both spouses in court appearance not less than 90 days after filing of petition.

(ai) Defendant obtained divorce from plaintiff in another state.

(aj) Five years if on grounds of insanity and insane spouse is in out-of-state institution.

(ak) Remarriage after 2 years upon false but well-founded rumor of death of other spouse. (If first spouse reappears, he or she may seek divorce for bigamy within 6 months.)

(al) If divorce is granted for adultery, the guilty party cannot marry the accomplice in adultery during lifetime of former spouse.

(am) Or for shorter period in court's discretion.

(an) Void or voidable marriage; in case party is deemed civilly dead from crime or other circumstances, party may be presumed dead.

(ao) Gross misbehavior or wickedness.

(ap) When both parties residents; 1 year when one is nonresident.

(aq) Refusal by wife to move with husband to this state.

(ar) Adjudication of permanent and incurable insanity.

(as) Two years if grounds are insanity.

(at) Limited divorce granted on the grounds of cruelty, reasonable apprehension of bodily hurt, willful desertion, or abandonment may be merged into an absolute divorce after 1 year.

(au) Two years separation without material fault by plaintiff.

(av) Husband guilty of conduct constituting vagrancy.

(aw) Conviction of felony before marriage.

(ax) Voluntary separation; involuntary separation, 1 year.

(ay) May be granted for voluntary separation of 6 months, separation for 1 year, adultery, or cruelty.

## MARRIAGE LAWS AS OF DECEMBER 31, 1977\*

State or other jurisdiction	Age at which marriage can be contracted without parental consent		Age at which marriage can be contracted with parental consent		Maximum period between exami- nation & issuance of license (days)	Scope of medical inquiry	Waiting period		Common law marriage	
							Before issuance of license	After issuance of license	May be contracted in state but not valid if attempted after date shown	Recognized if valid at time & place where contracted
	Male	Female	Male	Female						
Alabama	18	18	17(a)	14(a)	30	(b)	...	...	Yes	Yes
Alaska	18	18	16(c)	16(c)	30	(b)	3 da.	...	1/1/64	Yes
Arizona	18	18	16(c)	16(c)	30	(b)	(d)	...	No	Yes(e)
Arkansas	18	18	17(c)	16(c)	30	(b)	3 da.	...	No	Yes
California	18	18	18(a,c)	16(a,c)	30	(b,f,g,h)	...	...	1895	Yes
Colorado	18	18	16(c)	16(c)	30	(b,g,i)	...	...	Yes	Yes
Connecticut	18	18	16(c)	16(c)	35	(b)	4 da.	...	No	(j)
Delaware	18	18	18(c)	16(c)	30	(b)	...	(k)	No	Yes(e)
Florida	18	18	18(a,c)	16(a,c)	30	(b)	3 da.	...	1/1/68	Yes
Georgia	18(c)	18(c)	16(c)	16(c)	30	(b,f)	3 da.(m)	...	Yes	Yes
Hawaii	18	18	16	16(c)	30	(b)	...	...	(n)	Yes
Idaho	18	18	16(c)	16(c)	30	(b)	(o)	...	Yes	Yes
Illinois	18	18	16(c)	16(c)	15	(b,f)	3 da.	...	6/30/05	(e,j)
Indiana	18	18	17(c)	17(c)	30	(b,f)	3 da.	...	1/1/58	(e,j)
Iowa	18	18	16	16	20	(b)	3 da.	...	Yes	Yes
Kansas	18	18	18(c)	18(c)	30	(b)	3 da.	...	Yes(p)	Yes
Kentucky	18	18	(a,q)	(a,q)	15	(b,f)	3 da.	...	(n)	Yes
Louisiana	18	18	18(c)	16(c)	10	(b)	...	72 hrs.	(n)	Yes(e)
Maine	18	18	16(c)	16(c)	60	(b)	5 da.	...	(j)	(j)
Maryland	18	18	16(c)	16(c)	...	...	48 hrs.	...	No	Yes
Massachusetts	18	18	18(c)	18(c)	30	(b,g)	3 da.	...	No	Yes(e)
Michigan	18	18	(r)	16	30	(b)	3 da.	...	1/1/57	Yes
Minnesota	18	18	18	16(s)	...	...	5 da.	...	4/26/41	(j)
Mississippi	21	21	17(c)	15(c)	30	(b)	3 da.	...	4/5/56	(j)
Missouri	18	18	15(c)	15(c)	15	(b)	3 da.	...	3/3/21	(j)
Montana	18	18	18(c)	18(c)	20	(b)	5 da.	3 da.	Yes	Yes
Nebraska	19	19	18	16	30	(b)	2 da.	...	1923	Yes
Nevada	18	18	16(a,c)	16(a,c)	...	...	...	...	3/29/43	Yes
New Hampshire	18	18	14(s)	13(s)	30	(b)	5 da.	...	No	Yes
New Jersey	18	18	18(c)	16(c)	30	(b)	72 hrs.	...	1/12/39	Yes
New Mexico	18	18	16(c)	16(c)	30	(b)	72 hrs.	...	No	Yes
New York	18	18	16	14(t)	30	(b,f)	...	24(u)	4/29/33	Yes
North Carolina	18	18	16	16(c)	30	(b,g,v,w)	...	...	No	Yes
North Dakota	18	18	16	16	30	(b,x)	...	...	No	Yes(e)
Ohio	18	18	18(c)	16(c)	30	(b)	5 da.	...	Yes	Yes
Oklahoma	18	18	16(c)	16(c)	30	(b)	(o)	...	Yes	Yes
Oregon	18	18	17	17	30(y)	(b)	7 da.	...	No	Yes
Pennsylvania	18	18	16(c)	16(c)	30	(b,z)	3 da.	...	Yes	Yes
Rhode Island	18	18	18(c)	16(c)	40	(b,g,w)	...	(aa)	Yes	(j)
South Carolina	18	18	16(c)	14(c)	...	...	24 hrs.	...	Yes	Yes
South Dakota	18	18	16(c)	16(c)	20	(b)	...	...	7/1/59	(j)
Tennessee	18	18	16(c)	16(c)	30	(b)	(o)	...	No	Yes
Texas	18	18	14(c)	14(c)	21	(b)	...	...	Yes	Yes
Utah	18	18	16(a)	14(a)	30	(b)	...	...	No	Yes
Vermont	18	18	16(c)	16(c)	30	(b)	...	5 da.	No	(j)
Virginia	18	18	16(a,c)	16(a,c)	30	(b)	...	...	1631	Yes
Washington	18	18	17(c)	17(c)	...	(b,w,ab)	3 da.	...	No	Yes
West Virginia	18	18	(q)	(q)	...	(b)	3 da.	...	No	Yes
Wisconsin	18(ac)	18	16(ac)	16	20	(b)	5 da.	...	1913	(j)
Wyoming	19	19	17(c)	16(c)	30	(b)	...	...	No	Yes
Dist. of Col.	18	18	16(a)	16(a)	30	(b)	3 da.	...	Yes	Yes
Puerto Rico	21(l)	21(l)	18(c)	16(c)	10(y)	(b,ab)	...	...	No	(e,j)

\* Prepared by the Women's Bureau, U.S. Department of Labor, with the assistance of the attorneys general of the states.

- (a) Parental consent not required if previously married.
- (b) Venereal diseases.
- (c) Legal procedure for younger persons to obtain license.
- (d) Blood test must be on record at least 48 hours before issuance of license.

(e) If permanent residents (domiciliaries) attempt to contract a common law marriage in another state, such marriage is not valid in state where domiciled.

- (f) Sickle cell anemia.
- (g) Rubella immunity.
- (h) Tay-Sachs disease.
- (i) Rh factor.
- (j) Legal status uncertain; will probably recognize marriage if valid where contracted.

(k) Residents, 24 hours; nonresidents, 96 hours.

(l) Eighteen year olds do not need parental consent when woman is raped, seduced, or pregnant.

(m) Unless parties are 18 years of age or over, or female is pregnant, or applicants are the parents of a living child born out of wedlock.

(n) Generally no, but may be recognized for limited purposes, e.g., legitimacy of children, workers' compensation benefits, etc.

(o) Three days if parties are under 18 years of age.

(p) However, a misdemeanor.

(q) No minimum age.

(r) No provision in the law for parental consent for males.

(s) Permission of judge also required.

(t) If under 16 years of age, consent of family court judge also required.

(u) However, marriage may not be solemnized within 3 days of date on which specimen for blood test was taken.

(v) Mental competence.

(w) Tuberculosis.

(x) Marriage prohibited in some cases when one of the parties is institutionalized as severely retarded.

(y) Maximum period between examination and expiration of marriage license.

(z) No license may be issued without a court order if either applicant is weakminded, insane or of unsound mind.

(aa) If female is nonresident, must complete and sign license 5 days prior to marriage.

(ab) Affidavit of mental competence required. Also, no epilepsy in Puerto Rico.

(ac) Father under court order to support children not in his custody must secure court permission to marry. This requirement declared unconstitutional by U.S. Supreme Court, January 18, 1978.

# Section V

## FINANCE

### 1. Revenue, Expenditure, Debt

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#### STATE FINANCES IN 1976\*

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THE FINANCIAL condition of state governments showed a general improvement in fiscal 1976, as total revenue exceeded total expenditure in 36 states. In fiscal 1975, only 24 states experienced an excess of total revenue over total expenditure. Table A on page 273 presents total revenue and expenditure comparisons for state governments from fiscal 1967.

Total revenue and total expenditure are defined to include three major sectors of state financial activity: general government, state-operated liquor stores, and state insurance trust systems. Inclusion of the latter sector in making comparisons of total revenue and expenditure often results in a misleading surplus or deficit situation. Excess fund balances of insurance trust activities are generally required to be held in trust and are not available for financing general government activity. For example, in fiscal 1976, state expenditure exceeded state revenue by \$1.2 billion when insurance trust activity was netted out from the totals, in contrast to an overall revenue excess of \$3.2 billion.

It should be noted that a significant revision in the presentation of state insurance trust data was made in fiscal 1976, as unemployment compensation system revenue and expenditure were redefined to include special federally funded benefits and advances. This change distorts any comparison with prior year revenue and expenditure totals. (This revision is further discussed below in the section on Insurance Trust Finances.)

Fiscal 1976 saw state finances influenced by a number of factors. A continuing high level of unemployment and questions about the soundness and funding of employee retirement programs caused growing concern about state insurance trust fund conditions. Long-term debt issues of the Municipal Assistance Corporation in New York contributed to a significant rise in the volume of state indebtedness. Intergovernmental transactions continued to change in scope, as not only state revenue from the federal and local governments increased, but state intergovernmental payments to the federal government to supplement welfare benefits also increased.

National totals of state finances for fiscal 1976 and selected years back to 1960 are

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\*Adapted by Maurice Criz and David Kellerman, Senior Advisor and Statistician, respectively, Governments Division, U.S. Bureau of the Census, from the Bureau's report, *State Government Finances in 1976*. Fiscal 1976 data is for fiscal years which ended on June 30, 1976, except for three states with other closing dates: Alabama, September 30; New York, March 31; and Texas, August 31. Although Michigan extended fiscal 1976 through September 30, the data is for the period July 1, 1975, through June 30, 1976.



presented in Table 2. Individual state summaries are shown in Table 3. The data presented reflects current dollar amounts, with no adjustment made for inflation.

### **The General Government Sector**

During fiscal 1976, general expenditure of state governments totaled \$153.7 billion, exceeding general revenue by \$1.6 billion, a decrease from the \$3.7 billion excess of general expenditure over general revenue in fiscal 1975. Twenty-five states experienced an excess of expenditure in fiscal 1976, compared to 29 in the previous fiscal year. Overall, state general revenue grew by 13 percent in fiscal 1976, compared to an 11.1 percent increase in state general expenditure.

This faster rate of growth in general revenue over general expenditure can be attributed in part to an 18.2 percent increase in intergovernmental revenue from fiscal 1975 to 1976. Intergovernmental revenue had shown a 14 percent increase from 1974 to 1975 and only a 1.4 percent increase from 1973 to 1974. Federal aid for public welfare was the most significant factor here, increasing 18.4 percent to \$16.9 billion from fiscal 1975 to 1976.

The rate of growth in tax revenue was 11.4 percent in fiscal 1976, compared to 8 percent during fiscal 1975 and 9 percent during fiscal 1974. Individual income taxes were primarily responsible, increasing 14 percent from fiscal 1975 to 1976. All 50 states showed an increase in tax revenue during fiscal 1976.

The 11.1 percent rise in state government general expenditure was led by a 15.9 percent increase in public welfare expenditure, from \$25.6 billion in fiscal 1975 to \$29.6 billion in fiscal 1976. Direct state welfare payments to vendors for medical care were up 17.1 percent, from \$9.4 to \$11 billion. Wide variation exists among states as to whether particular welfare services are provided directly by state agencies or are delegated to local governments. Intergovernmental expenditure for public welfare, comprised of payments to the federal government as well as aid to local governments, was up 17 percent to \$9.5 billion.

Education continued to account for the largest portion of state general expenditure, totaling \$59.6 billion, or 38.8 percent of the total in fiscal 1976. Most of this was for state payments in support of local education, which totaled \$34.1 billion, 9.6 percent over the fiscal 1975 level. Direct state education expenditure increased 11.5 percent to \$25.5 billion, and included \$19.7 billion in expenditure for state colleges and universities.

Highway expenditure rose only slightly from fiscal 1975 to 1976, increasing 3.5 percent to \$18.1 billion. As a portion of total general expenditure, highways accounted for 11.8 percent, continuing to decline in significance as a state expenditure item. Only 15 years ago, highways accounted for over one fourth of all state general expenditure.

General expenditure for most other state functions increased during fiscal 1976. Interest on general debt showed one of the largest increases from fiscal 1975 to 1976—26.5 percent. Such state payments amounted to \$4.1 billion in fiscal 1976, compared to \$3.3 billion in fiscal 1975 and \$2.9 billion in fiscal 1974. Interest on general debt now ranks fifth, behind hospitals, when general expenditure is broken down by functional magnitude. It should be noted that of the \$4.1 billion, \$257 million represents interest payments for debt of the Municipal Assistance Corporation, classified as an agency of the state of New York.

Intergovernmental transactions continued to reflect the increasing interdependence of governments in financing various activities. As mentioned, state intergovernmental revenue rose 18.2 percent, with revenue from the federal government increasing 16.2 percent and revenue from local governments rising 61 percent (from \$1.7 billion to \$2.7 billion). This local-to-state government flow of funds included \$732 million in local government transfers

to the Municipal Assistance Corporation. Most of this amount reflected New York City sales tax receipts, required by law to be turned over to the corporation.

Intergovernmental expenditure of state governments increased 11.3 percent to \$57.9 billion. Of this total, \$1.2 billion was state payments to the federal government, almost all of which was to supplement minimum federal payments under categorical cash assistance programs. These state-to-federal transfers are a relatively new phenomenon, having begun in fiscal 1974 when the federal government assumed responsibility for direct payment of benefits to aged, blind, and disabled welfare recipients. While some states supplement the federal minimum grants via these intergovernmental payments to the federal government, others make supplemental payments directly to the recipients in these aid programs.

State lotteries, treated as part of the general government sector, were in operation in 13 states during fiscal 1976. Table B below depicts these operations.

Despite only partial year operation in two of the 13 states, lottery operations yielded \$482 million in proceeds available for other general government activities in fiscal 1976, compared to \$402 million in fiscal 1975.

### Insurance Trust Finances

Every state operates a system of unemployment insurance and one or more public employee retirement systems. Most of the states also administer workmen's compensation systems, and a few have other insurance systems involving the payment of cash benefits from accumulated fund reserves. Transactions of these various systems, exclusive of administrative costs (treated as general expenditure) and of state contributions (classified as intragovernmental transactions) are reported as insurance trust revenue and insurance trust expenditure in Tables 2 and 3.

Effective in fiscal 1976, the presentation of state unemployment compensation system finances was revised to include special compensation to former federal employees and extended benefits for the unemployed who have exhausted regular unemployment compensation benefits. The latter include the extended benefits program, trade readjustment unemployment benefit program, and disaster relief unemployment benefit program. Fiscal 1976 unemployment compensation finance data, therefore, is not

Table A  
TOTAL STATE REVENUE  
AND EXPENDITURE

Fiscal year	Total revenue	Total expenditure	Excess of revenue or of expenditure (-)
1976	\$185.2	\$182.0	\$ 3.2
1975	154.6	156.2	- 1.6
1974	140.8	132.1	8.7
1973	129.8	118.8	11.0
1972	112.3	109.2	3.1
1971	97.2	98.8	- 1.6
1970	88.9	85.1	3.9
1969	77.6	74.2	3.4
1968	68.5	66.3	2.2
1967	61.1	58.8	2.3

Table B  
STATE LOTTERY PROCEEDS:  
FISCAL 1976  
(In millions of dollars)

State	Gross revenue	Prizes	Disposition of funds	
			Adminis- tration and other	Proceeds available for other purposes
Connecticut	\$ 54.5	\$ 20.2	\$ 3.1	\$31.2
Delaware(a)	6.9	3.4	1.0	2.5
Illinois	123.0	39.9	7.1	76.0
Maine	8.3	3.7	1.9	2.7
Maryland	53.7	20.9	4.9	27.9
Massachusetts	106.0	40.0	9.5	56.5
Michigan	222.2	103.4	23.9	94.9
New Hampshire	11.1	4.2	1.3	5.6
New Jersey	153.3	75.8	11.4	66.1
New York(b)	32.7	15.8	7.2	9.7
Ohio	85.4	20.1	8.4	56.9
Pennsylvania	102.0	40.5	14.9	46.6
Rhode Island	16.4	7.5	3.1	5.8

(a) Includes operations from November 1975.

(b) Includes operations to October 1975.

comparable to 1975 and 1974 fiscal year data, which omitted these special benefits. Prior to fiscal 1974, the federal contribution to finance unemployment benefits was nominal, and not treated as part of the state government unemployment compensation activity.

While total insurance trust revenue exceeded expenditure by \$4.4 billion, only state employee retirement, workmen's compensation, and the miscellaneous "other" insurance trust systems showed such an excess of revenue in the aggregate. State unemployment compensation systems experienced a \$2.4 billion excess of expenditure over revenue in the aggregate. This was essentially caused by the increased levels of national unemployment, as well as the expansion of the program coverage to include extended and special benefits. In only 13 states did unemployment compensation system revenue exceed expenditure. See "Finances of State-Administered Public Employee Retirement Systems" on page 175.

### **State Liquor Stores**

Revenue produced from liquor store operations continued to exceed expenditure in all 17 states which conduct such operations. Revenue totaled \$2.2 billion, a 3.1 percent increase over fiscal 1975, while expenditure was up 3.6 percent to \$1.8 billion in fiscal 1976.

### **Indebtedness and Debt Transactions**

Total state debt outstanding at the end of fiscal 1976 was \$84.4 billion, an increase of 17 percent over the fiscal 1975 level. This represented the largest annual increase in state indebtedness since 1954. In part, this can be attributed to the issuance of \$3.7 billion in long-term debt by the Municipal Assistance Corporation in response to the financial problems experienced by New York City. The easing of interest rates and subsequent easier access to the bond market than existed in fiscal 1975 were also important factors in this increased volume of state debt.

Total state debt outstanding was comprised of \$78.4 billion in long-term debt, a 16 percent increase, and \$6 billion in short-term debt, a 31.3 percent increase. Nonguaranteed long-term debt (comprised of debt payable solely from pledged specific sources which do not constitute obligations against any other resources if the pledged sources are insufficient) rose 18.1 percent to \$39.9 billion, while full faith and credit long-term debt rose 13.9 percent to \$38.4 billion.

Long-term debt issued during fiscal 1976 was at an all-time high, totaling \$13.9 billion, or 65.2 percent above the fiscal 1975 level. Nonguaranteed long-term debt issued amounted to \$7.5 billion, with guaranteed long-term debt issued at \$6.4 billion. Long-term debt retired in fiscal 1976 was \$3 billion, slightly above the \$2.9 billion retired in fiscal 1975.

### **Cash and Security Holdings**

Total state cash and security holdings increased by 10.8 percent to \$156.1 billion during fiscal 1976. For insurance trust systems, such holdings increased 9.1 percent to \$93.5 billion. Most of this was attributable to a 14.9 percent increase in holdings of employee retirement systems, which totaled \$85.8 billion. All other insurance trust systems' total cash and security holdings declined during the year, with state unemployment compensation systems down 35 percent to \$4.4 billion and workmen's compensation systems down 23 percent to \$3 billion.

For noninsurance trust system holdings, offsets to long-term debt were up substantially (from \$9.2 to \$15.9 billion, again reflecting the issuance of Municipal Assistance Corporation bonds). Bond fund holdings were down slightly, from \$8.1 to \$7.4 billion, and other holdings increased slightly from \$37.8 billion to \$39.2 billion.

Table 1  
STATE DEBT OUTSTANDING AT END OF FISCAL YEAR, BY STATE: 1976\*  
(In thousands of dollars)

State	Total	Long-term			Short-term	Net long-term(a)	
		Total	Full faith and credit	Non-guaranteed		Total	Full faith and credit
All states .....	\$84,378,624	\$78,367,885	\$38,421,329	\$39,946,556	\$6,010,739	\$62,487,513	\$33,708,315
Alabama .....	979,022	979,002	97,400	881,602	20	943,521	93,573
Alaska .....	827,846	768,492	462,923	305,569	59,354	756,266	462,298
Arizona .....	91,821	89,710	.....	89,710	2,111	72,940	.....
Arkansas .....	129,659	129,371	.....	129,371	288	115,502	.....
California .....	6,465,717	6,465,717	5,621,613	844,104	.....	5,039,195	4,257,806
Colorado .....	126,214	126,198	.....	126,198	16	117,918	.....
Connecticut .....	3,068,950	2,989,550	2,415,531	574,019	79,400	2,836,589	2,322,154
Delaware .....	737,502	722,202	567,078	155,124	15,300	701,509	551,495
Florida .....	1,739,834	1,739,834	214,015	1,525,819	.....	1,332,275	29,160
Georgia .....	1,289,771	1,289,771	327,561	962,210	.....	1,225,767	316,838
Hawaii .....	1,304,493	1,304,493	1,039,744	264,749	.....	1,295,483	1,038,321
Idaho .....	39,443	39,443	1,175	38,268	.....	32,948	1,089
Illinois .....	3,356,892	3,158,416	1,369,500	1,788,916	198,476	2,727,040	1,334,675
Indiana .....	599,654	585,495	279,225	585,495	14,159	409,764	279,225
Iowa .....	125,870	125,870	1,300	124,570	.....	120,318	.....
Kansas .....	408,101	408,079	.....	408,079	22	377,366	.....
Kentucky .....	1,996,558	1,996,558	346,600	1,649,958	.....	1,534,669	346,600
Louisiana .....	1,457,976	1,451,422	966,373	485,049	6,554	1,410,081	948,331
Maine .....	535,347	535,331	279,225	256,106	16	409,764	279,225
Maryland .....	2,517,334	2,517,334	1,711,138	806,196	.....	2,397,290	1,672,906
Massachusetts .....	4,960,606	4,202,710	2,993,356	1,209,354	757,896	4,019,186	2,982,902
Michigan .....	1,882,527	1,770,456	573,500	1,196,956	112,071	1,280,772	573,500
Minnesota .....	1,019,908	938,558	606,346	332,212	81,350	879,813	603,586
Mississippi .....	774,505	771,734	672,415	99,319	2,771	737,685	666,715
Missouri .....	336,697	336,697	52,845	283,852	.....	270,288	52,845
Montana .....	85,055	84,942	7,400	77,542	113	72,121	7,400
Nebraska .....	64,051	64,051	.....	64,051	.....	44,544	.....
Nevada .....	53,163	53,163	34,199	18,964	.....	40,696	24,664
New Hampshire .....	303,795	264,395	175,165	89,230	39,400	254,108	166,994
New Jersey .....	4,013,414	3,722,250	1,523,285	2,198,965	291,164	3,121,189	1,501,114
New Mexico .....	186,768	186,768	17,496	169,272	.....	139,311	14,092
New York .....	20,451,198	16,533,650	3,571,965	12,961,685	3,917,548	9,390,761	2,770,049
North Carolina .....	709,221	701,233	564,373	136,860	7,988	667,476	545,195
North Dakota .....	70,081	70,081	16,195	53,886	.....	38,664	.....
Ohio .....	3,029,677	2,926,152	1,946,545	979,607	103,525	2,680,999	1,942,830
Oklahoma .....	947,997	947,208	181,035	766,173	789	870,168	168,082
Oregon .....	2,001,580	2,001,580	2,001,580	.....	.....	319,007	319,007
Pennsylvania .....	5,888,110	5,769,152	3,455,416	2,313,736	118,958	5,442,181	3,387,368
Rhode Island .....	508,691	506,691	277,347	229,344	2,000	462,548	268,812
South Carolina .....	1,045,189	1,039,939	489,646	550,293	5,250	955,251	447,981
South Dakota .....	91,767	91,767	.....	91,767	.....	70,302	.....
Tennessee .....	950,969	880,847	572,961	307,886	70,122	740,908	566,194
Texas .....	2,081,822	2,080,811	826,395	1,254,416	1,011	1,829,585	664,527
Utah .....	152,292	152,292	90,000	62,292	.....	87,981	35,247
Vermont .....	421,172	420,700	254,207	166,493	472	347,023	254,207
Virginia .....	710,951	651,951	46,772	605,179	59,000	327,615	46,471
Washington .....	1,227,331	1,227,331	406,616	820,715	.....	1,075,081	401,044
West Virginia .....	1,174,605	1,148,305	744,488	403,817	26,300	1,108,045	744,414
Wisconsin .....	1,362,143	1,324,848	898,605	426,243	37,295	1,229,067	898,604
Wyoming .....	75,335	75,335	.....	75,335	.....	38,552	.....

\*Source: Bureau of the Census, *State Government Finances in 1976*.

..... Represents zero.

Note: Debt figures include revenue bonds and other special obligations of state agencies as well as state general obligations.

(a) Long-term debt outstanding minus long-term debt offsets.

Table 2  
NATIONAL TOTALS OF STATE GOVERNMENT FINANCES: 1960-76\*

Item	Amounts in millions											Per- centage change 1975 to 1976	Per- centage distribu- tion 1976	Per capita 1976
	1976	1975	1974	1973	1972	1971	1970	1968	1966	1964	1962	1960		
Revenue and borrowing.....	\$201,018	\$164,295	\$148,775	\$137,212	\$120,931	\$105,125	\$93,463	\$73,237	\$58,970	\$47,885	\$40,589	\$35,149	(a)	\$939.53
Borrowing.....	15,805	9,663	7,959	7,404	8,622	7,892	4,524	4,777	3,724	2,717	2,994	2,312	63.6	73.87
Revenue total.....	185,213	154,632	140,816	129,808	112,309	97,233	88,939	68,460	55,246	45,167	37,595	32,838	(a)	865.66
General revenue.....	152,118	134,611	122,327	113,132	98,632	85,099	77,755	59,132	46,757	37,648	31,157	27,363	13.0	710.97
Taxes total (b).....	89,256	80,155	74,207	68,069	59,870	51,541	47,961	36,400	29,380	24,243	20,561	18,036	11.4	417.17
Intergovernmental revenue.....	44,717	37,827	33,170	32,700	27,981	23,809	20,248	15,935	12,246	9,464	7,480	6,745	18.2	29.4
From federal government.....	42,013	36,148	31,632	31,361	26,791	22,754	19,252	15,228	11,743	9,046	7,108	6,382	16.2	27.6
Public welfare.....	16,867	14,247	13,320	13,653	12,289	9,553	7,818	5,240	3,573	2,977	2,449	2,048	18.4	11.1
Education.....	8,661	7,879	6,720	6,430	5,984	5,468	4,554	3,891	2,654	1,152	985	727	9.9	5.7
Highways.....	6,262	5,260	4,503	4,648	4,871	4,814	4,431	4,198	3,972	3,652	2,746	2,883	19.0	4.1
General revenue sharing.....	2,102	2,066	2,045	2,272	...	...	...	...	...	...	...	...	1.8	1.4
Employment security administration.....	1,658	1,521	1,295	1,276	1,148	959	769	619	506	437	423	319	9.0	1.1
Other.....	6,463	5,174	3,749	3,082	2,499	1,960	1,681	1,280	1,037	828	504	406	24.9	4.3
From local governments.....	2,704	1,680	1,538	1,339	1,191	1,054	995	707	503	417	373	363	61.0	1.8
Charges and miscellaneous revenue.....	18,145	16,629	14,950	12,363	10,780	9,749	9,545	6,797	5,131	3,942	3,116	2,583	9.1	11.9
Liquor stores revenue.....	2,196	2,129	2,049	1,985	1,904	1,814	1,748	1,557	1,361	1,195	1,134	1,128	3.1	...
Insurance trust revenue.....	30,900	17,892	16,439	14,690	11,773	10,320	9,437	7,771	7,128	6,324	5,304	4,347	(a)	100.0
Unemployment compensation.....	16,460	5,712	5,711	4,947	3,588	3,084	3,090	2,963	3,326	3,250	2,812	2,316	(a)	53.3
Employee retirement.....	12,171	10,182	8,919	8,267	6,827	5,981	5,205	3,831	2,918	2,369	1,942	1,558	19.6	39.4
Other.....	2,269	1,998	1,809	1,476	1,359	1,255	1,143	977	884	706	550	472	13.6	7.3
Debt outstanding at end of fiscal year, total.....	84,379	72,127	65,296	59,071	53,833	47,793	42,008	35,666	29,564	25,041	22,023	18,543	17.0	100.0
Long-term.....	78,368	67,548	61,697	55,397	50,379	44,321	38,903	33,622	28,504	24,401	21,612	18,128	16.0	94.1
Nonguaranteed.....	39,947	33,812	30,842	27,258	25,314	22,819	21,167	18,923	15,795	13,254	11,300	9,216	18.1	48.0
Full faith and credit.....	38,421	33,736	30,855	28,139	25,065	21,502	17,736	14,698	12,709	11,147	10,313	8,912	13.9	46.2
Short-term.....	6,011	4,579	3,599	3,671	3,454	3,472	3,104	2,045	1,060	641	411	415	31.3	5.9
Net long-term.....	62,488	58,388	53,847	49,021	45,085	39,633	34,479	29,366	24,488	20,922	18,645	15,595	7.0	...
Full faith and credit only.....	33,708	29,503	26,967	24,737	21,932	18,491	14,832	11,886	9,925	8,434	7,780	6,711	14.3	...
Expenditure and debt redemption.....	185,551	159,093	134,948	121,930	111,933	101,094	87,152	67,754	52,385	43,620	37,392	32,496	(a)	867.23
Debt redemption.....	3,585	2,922	2,814	3,094	2,690	2,254	2,096	1,500	1,262	1,036	990	900	22.7	...
Expenditure total.....	181,966	156,171	132,134	118,836	109,243	98,840	85,055	66,254	51,123	42,583	36,402	31,596	(a)	...
General expenditure.....	153,690	138,304	119,891	108,086	98,810	89,118	77,642	60,395	46,090	37,242	31,281	27,228	11.1	100.0
Education.....	59,630	54,012	46,860	41,599	38,348	35,092	30,865	24,279	17,749	13,129	10,744	8,857	10.4	38.8
Intergovernmental expenditure.....	34,084	31,110	27,107	23,316	21,195	19,292	17,085	13,321	10,177	7,664	6,474	5,461	9.6	22.2
State institutions of higher education.....	19,707	17,696	15,395	14,248	13,381	12,448	11,011	8,982	6,353	4,649	3,634	2,856	11.4	12.8
Other.....	5,839	5,206	4,358	4,035	3,773	3,352	2,769	1,976	1,220	816	636	540	12.2	3.8
Public welfare.....	29,633	25,559	22,538	21,678	19,191	16,278	13,206	8,649	6,020	4,904	4,285	3,704	15.9	19.3
Intergovernmental expenditure.....	9,476	8,102	7,369	7,532	6,944	5,760	5,003	3,527	2,882	2,108	1,777	1,483	17.0	6.2
Cash assistance, categorical programs.....	5,203	4,661	4,984	5,556	5,089	4,464	3,534	2,421	1,986	1,935	1,863	1,728	11.4	3.4
Cash assistance, other.....	353	325	212	223	192	183	145	57	59	61	76	8.6	0.2	1.65
Other public welfare.....	14,601	12,471	9,974	8,367	6,967	5,871	4,523	2,644	1,096	801	585	417	17.1	9.5
Highways.....	18,100	17,483	15,847	15,025	15,380	14,810	13,483	11,848	10,349	9,374	7,961	7,317	3.5	11.8
Regular state highway facilities.....	14,223	13,583	11,887	12,089	11,337	11,681	10,482	9,286	8,297	7,437	6,374	5,812	4.7	9.3
State toll highway facilities.....	636	675	749	734	658	622	562	533	327	413	260	259	-5.7	0.4
Intergovernmental expenditure.....	3,241	3,225	3,211	2,953	2,633	2,507	2,439	2,029	1,725	1,524	1,327	1,247	0.5	2.1

Health and hospitals .....	11,110	10,158	8,443	7,350	6,963	6,151	5,355	4,202	3,241	2,699	2,351	2,072	9.4	7.2	51.93
State hospitals and institutions for handicapped .....	7,572	6,891	5,957	5,274	4,825	4,418	3,941	3,198	2,483	2,073	1,824	1,618	9.9	4.9	35.39
Other .....	3,538	3,267	2,486	2,076	2,138	1,733	1,414	1,044	758	626	527	454	8.3	2.3	16.54
Natural resources .....	3,863	3,554	3,053	2,725	2,595	2,549	2,223	2,005	1,567	1,208	992	862	8.7	2.5	18.06
Corrections .....	2,480	2,203	1,812	1,553	1,389	1,257	1,104	874	691	605	524	433	12.6	1.6	11.59
Financial administration .....	1,955	1,792	1,594	1,393	1,235	1,144	1,032	819	660	582	512	447	9.1	1.3	9.14
General control .....	1,688	1,496	1,273	1,112	944	843	717	510	377	301	259	216	12.8	1.1	7.89
Employment security administration .....	1,570	1,509	1,304	1,277	1,133	942	767	606	500	426	399	313	4.0	1.0	7.34
Police .....	1,569	1,423	1,262	1,118	983	865	741	539	390	319	281	251	10.2	1.0	7.33
Miscellaneous and unallocable .....	22,091	19,115	15,906	13,256	10,647	9,185	8,149	6,066	4,546	3,696	2,972	2,755	15.6	14.3	103.24
State aid for unspecified purposes .....	5,674	5,129	4,804	4,280	3,752	3,258	2,958	1,993	1,361	1,053	839	806	10.6	3.7	26.52
Interest .....	4,140	3,272	2,863	2,434	2,135	1,761	1,499	1,128	894	765	635	536	26.5	2.7	19.35
Veterans' services .....	64	363	156	48	51	65	67	33	21	19	95	112	-82.3	.....	0.30
Other (includes intergovernmental aid for specified purposes not elsewhere classified) .....	12,213	10,351	8,083	6,494	4,709	4,101	3,626	2,912	2,270	1,859	1,402	1,300	18.0	8.0	57.08
Liquor store expenditure .....	1,781	1,719	1,653	1,583	1,495	1,395	1,404	1,233	1,081	977	882	907	3.6	.....	8.33
Insurance trust expenditure .....	26,495	16,149	10,590	9,167	8,938	8,327	6,010	4,626	3,952	4,364	4,238	3,461	(a)	100.0	123.83
Unemployment compensation (a) .....	18,820	9,533	4,673	4,056	4,722	4,692	2,713	2,042	1,884	2,627	2,802	2,359	(a)	71.0	87.96
Employee retirement .....	6,045	5,160	4,591	3,942	3,175	2,705	2,376	1,810	1,398	1,125	933	700	17.2	22.8	28.25
Other .....	1,629	1,455	1,326	1,170	1,041	928	921	774	671	612	502	402	12.0	6.2	7.61
Total expenditure by character and object .....	181,966	156,171	132,134	118,836	109,243	98,840	85,055	66,254	51,123	42,583	36,402	31,596	(a)	100.0	850.48
Direct expenditure .....	124,108	104,193	86,193	78,013	72,483	66,200	56,163	44,304	34,195	29,616	25,495	22,152	19.1	68.2	580.06
Current operation .....	68,175	60,793	50,803	44,838	39,790	35,846	30,971	23,379	16,855	13,492	11,290	9,534	12.1	37.5	318.64
Capital outlay .....	18,009	17,307	15,417	14,677	15,283	14,736	13,295	12,210	10,193	8,820	7,214	6,607	4.1	9.9	84.17
Construction .....	15,285	14,443	12,655	12,327	13,022	12,446	11,185	10,053	8,287	7,263	5,960	5,509	5.8	8.4	71.44
Purchase of land and existing structures .....	1,274	1,475	1,540	1,322	1,369	1,423	1,240	1,389	1,360	1,134	903	802	-13.6	0.7	5.95
Equipment .....	1,450	1,389	1,222	1,028	892	866	870	769	546	424	351	296	4.3	0.8	6.78
Assistance and subsidies .....	7,290	6,673	6,521	6,897	6,337	5,531	4,387	2,960	2,301	2,175	2,118	2,015	9.2	4.0	34.07
Interest on debt .....	4,140	3,272	2,863	2,434	2,135	1,761	1,499	1,128	894	765	635	536	26.5	2.3	19.35
Insurance benefits and repayments .....	26,495	16,149	10,590	9,167	8,938	8,327	6,010	4,626	3,952	4,364	4,238	3,461	(a)	14.6	123.83
Intergovernmental expenditure .....	57,858	51,978	45,941	40,822	36,759	32,640	28,892	21,950	16,928	12,968	10,906	9,443	11.3	31.8	270.42
Cash and security holdings at end of fiscal year .....	156,060	140,748	134,493	117,701	99,791	89,184	84,810	69,412	58,201	45,862	38,543	33,940	10.8	100.0	729.40
Unemployment fund balance in U.S. Treasury .....	4,425	6,839	10,773	9,774	8,964	10,418	12,236	10,849	8,835	6,580	5,603	6,597	-35.3	2.8	20.68
Cash and deposits .....	18,477	18,744	18,387	16,333	12,372	8,865	8,463	8,226	7,469	5,572	4,650	4,175	-1.4	11.8	86.36
Securities .....	133,158	115,166	105,332	91,594	78,456	69,901	64,110	50,337	41,898	33,710	28,290	23,168	15.6	85.3	622.36
Total by purpose:															
Insurance trust .....	93,529	85,688	80,840	71,786	62,991	58,669	54,995	44,333	35,515	28,058	22,789	20,264	9.1	59.9	437.14
Debt offsets .....	15,880	9,160	7,849	6,376	5,309	4,688	4,424	4,256	4,016	3,479	2,968	2,533	73.4	10.2	74.22
Other .....	46,651	45,910	45,804	39,538	31,514	25,827	25,404	20,824	18,671	14,325	12,786	11,144	1.6	29.9	218.04

\*Source: Bureau of the Census, annual reports on *State Government Finances and Historical Statistics on Governmental Finances and Employment* (Vol. 6, No. 4, of the 1976 Census of Governments).

..... Represents zero.

(a) Data for 1976 reflects a revision in reporting unemployment compensation revenue and expenditure; see text discussion. Percentage changes not computed.

(b) For detail, see table on page 318.

Table 3  
SUMMARY FINANCIAL AGGREGATES, BY STATE: 1976\*  
(In thousands of dollars)

State	Revenue					Expenditure				
	Total	General	Insurance trust	Liquor stores	Borrowing	Total	General	Insurance trust	Liquor stores	Debt redemption
All states .....	\$185,213,233	\$152,117,660	\$30,899,599	\$2,195,974	\$15,805,217	\$181,966,149	\$153,689,852	\$26,494,975	\$1,781,322	\$3,584,810
Alabama .....	2,826,853	2,343,266	380,391	103,196	122,350	2,844,643	2,394,888	349,489	100,266	46,368
Alaska .....	1,188,279	1,042,880	143,399	.....	142,941	1,032,889	957,387	75,502	.....	21,250
Arizona .....	1,864,083	1,559,015	305,068	.....	6,711	1,838,885	1,601,190	237,695	.....	2,249
Arkansas .....	1,492,345	1,321,379	170,966	.....	12,842	1,482,793	1,334,640	148,153	.....	5,008
California .....	22,124,617	17,684,854	4,439,763	.....	300,260	20,533,635	17,062,759	3,470,876	.....	304,898
Colorado .....	2,167,903	1,870,802	297,101	.....	1,050	1,996,742	1,810,630	186,112	.....	3,198
Connecticut .....	2,678,703	2,009,383	669,320	.....	454,650	2,651,232	2,003,395	647,837	.....	313,255
Delaware .....	661,580	597,677	63,903	.....	180,078	702,412	629,216	73,196	.....	50,680
Florida .....	5,178,835	4,404,857	773,978	.....	213,595	5,157,603	4,484,812	672,791	.....	72,191
Georgia .....	3,357,513	2,923,103	434,410	.....	203,170	3,324,401	2,857,552	466,849	.....	68,399
Hawaii .....	1,330,484	1,105,529	224,955	.....	295,000	1,381,535	1,222,569	158,966	.....	99,603
Idaho .....	711,110	599,359	82,881	28,870	923	708,116	622,494	63,494	22,128	1,073
Illinois .....	9,148,441	7,627,067	1,521,374	.....	704,557	9,477,017	7,934,310	1,542,707	.....	138,755
Indiana .....	3,493,933	3,117,312	376,621	.....	32,410	3,522,701	3,096,367	426,334	.....	47,646
Iowa .....	2,314,349	1,989,590	222,602	102,157	3,270	2,346,284	2,076,253	197,022	73,009	4,610
Kansas .....	1,644,976	1,459,443	185,533	.....	124,520	1,596,955	1,441,458	128,497	.....	22,741
Kentucky .....	2,746,691	2,447,532	299,159	.....	97,500	2,641,107	2,355,861	285,246	.....	44,349
Louisiana .....	3,497,916	3,092,100	405,816	.....	287,440	3,412,868	3,088,351	324,517	.....	51,068
Maine .....	1,051,158	891,325	127,890	31,943	102,105	1,036,176	867,699	136,634	31,843	27,951
Maryland .....	3,590,346	3,169,262	421,084	.....	537,605	3,861,429	3,447,523	413,906	.....	124,866
Massachusetts .....	5,727,697	4,580,975	1,146,722	.....	1,297,351	5,531,537	4,436,549	1,094,988	.....	277,523
Michigan .....	8,803,753	6,581,172	1,894,778	327,803	312,908	8,711,398	6,819,143	1,614,096	278,159	166,878
Minnesota .....	4,090,202	3,580,367	509,835	.....	135,245	3,840,302	3,481,150	359,152	.....	49,576
Mississippi .....	1,836,834	1,593,180	169,317	74,337	189,515	1,825,708	1,643,157	122,733	59,818	29,283
Missouri .....	2,894,819	2,409,566	485,253	.....	87,828	2,850,813	2,400,649	450,164	.....	28,588

Montana	737,101	595,017	105,243	36,841	7,400	687,758	579,434	78,927	29,397	3,744
Nebraska	1,006,610	931,060	75,550	.....	.....	983,070	903,548	79,522	.....	4,622
Nevada	689,035	481,996	207,039	.....	3,200	589,920	470,885	119,035	.....	2,686
New Hampshire	589,303	446,411	65,563	107,329	70,964	631,766	488,389	59,325	84,052	15,954
New Jersey	5,739,354	4,116,910	1,622,444	.....	235,010	5,853,457	4,509,870	1,343,587	.....	107,903
New Mexico	1,244,706	1,118,997	125,709	.....	27,755	1,071,351	990,343	81,008	.....	13,018
New York	21,022,373	17,253,780	3,768,593	.....	6,314,753	21,027,229	17,719,231	3,307,998	.....	396,571
North Carolina	3,874,953	3,361,552	513,401	.....	206,083	4,165,676	3,718,894	446,782	.....	40,955
North Dakota	649,692	601,290	48,402	.....	2,955	573,856	537,055	38,801	.....	2,892
Ohio	8,086,425	5,628,234	2,137,233	320,958	505,247	7,737,614	5,886,607	1,604,104	246,903	137,191
Oklahoma	2,032,489	1,864,403	168,086	.....	10,803	1,968,534	1,767,550	200,984	.....	22,921
Oregon	2,322,644	1,765,225	447,043	110,376	368,450	2,161,043	1,782,499	314,755	63,789	43,654
Pennsylvania	10,596,881	8,029,960	2,113,025	453,896	763,985	11,133,842	8,696,719	2,045,366	391,757	235,450
Rhode Island	1,007,025	747,171	259,854	.....	57,241	980,430	762,317	218,113	.....	44,495
South Carolina	2,162,617	1,906,935	255,682	.....	164,857	2,265,776	2,033,467	232,309	.....	46,126
South Dakota	496,264	456,777	39,487	.....	7,856	492,032	470,359	21,673	.....	1,242
Tennessee	2,643,189	2,300,555	342,634	.....	216,107	2,807,698	2,433,396	374,302	.....	63,501
Texas	7,942,919	7,283,743	659,176	.....	210,405	7,386,147	6,830,937	555,210	.....	75,261
Utah	1,118,467	945,206	136,476	36,785	70,000	1,072,396	950,058	97,953	24,385	6,725
Vermont	537,515	443,822	65,593	28,100	19,500	530,955	445,138	57,947	27,870	24,544
Virginia	3,648,728	3,182,346	282,708	183,674	93,115	3,551,768	3,149,793	248,215	153,760	87,435
Washington	3,976,086	2,958,917	857,558	159,611	89,681	3,638,718	2,852,148	663,617	122,953	53,386
West Virginia	1,771,748	1,459,898	240,611	71,239	164,066	1,726,426	1,449,550	222,632	54,244	52,109
Wisconsin	4,400,184	3,837,564	562,620	.....	349,540	4,190,261	3,776,642	413,619	.....	98,049
Wyoming	493,505	428,896	45,750	18,859	420	454,245	415,021	22,235	16,989	2,370

\*Source: Bureau of the Census, *State Government Finances in 1976*.

..... Represents zero.



Table 4  
STATE GENERAL REVENUE, BY SOURCE AND BY STATE: 1976\*  
(In thousands of dollars)

State	Taxes											Charges and miscellaneous general revenue
	Total general revenue	Sales and gross receipts					Individual income	Corporation net income	Inter-governmental revenue			
		Total	Total	General	Motor fuels	Licenses						
						Total				Motor vehicles		
All states	\$152,117,660	\$89,255,517	\$47,390,733	\$27,332,726	\$8,659,726	\$6,899,013	\$4,045,706	\$21,447,895	\$7,272,697	\$44,716,919	\$18,145,224	
Alabama	2,343,266	1,243,258	815,242	397,022	157,688	90,704	32,463	224,597	60,307	788,859	311,149	
Alaska	1,042,880	598,806	62,944	.....	24,403	21,302	11,370	146,254	31,103	281,184	162,890	
Arizona	1,559,015	1,017,705	627,807	435,504	106,335	61,329	44,532	162,869	46,499	356,036	185,274	
Arkansas	1,321,379	725,063	443,927	240,256	113,784	61,653	40,020	147,688	56,197	479,112	117,204	
California	17,684,854	10,761,179	5,304,824	3,742,936	776,756	516,747	359,604	2,957,788	1,284,068	5,374,425	1,549,250	
Colorado	1,870,802	964,444	479,909	303,705	99,179	67,385	38,666	320,379	69,597	582,460	323,898	
Connecticut	2,009,383	1,263,832	933,889	542,898	139,530	90,098	59,178	50,489	143,685	482,699	262,852	
Delaware	597,677	358,581	68,191	.....	28,779	112,054	17,378	141,487	22,861	126,200	112,896	
Florida	4,404,857	2,935,507	2,218,934	1,254,086	369,715	291,704	196,251	.....	180,740	1,057,697	411,653	
Georgia	2,923,103	1,676,007	1,044,192	619,375	234,184	68,734	40,412	413,188	132,741	976,534	270,562	
Hawaii	1,105,529	639,198	409,741	309,596	30,900	5,106	143	184,915	35,354	303,188	163,143	
Idaho	599,359	328,803	152,260	88,873	38,492	41,744	23,348	98,824	31,752	198,493	72,063	
Illinois	7,627,067	4,782,921	2,775,463	1,674,488	390,287	400,327	318,270	1,216,557	312,131	2,133,917	710,229	
Indiana	3,117,312	1,915,551	1,268,197	902,589	248,743	108,733	85,619	405,432	85,487	735,670	466,091	
Iowa	1,989,590	1,199,507	565,448	351,872	126,893	137,663	108,592	388,212	77,831	543,564	246,519	
Kansas	1,459,443	853,936	470,305	300,365	98,770	69,373	46,271	193,730	92,848	408,861	196,646	
Kentucky	2,447,532	1,403,735	757,091	409,193	176,017	72,041	42,269	292,546	134,785	742,466	301,331	
Louisiana	3,092,100	1,655,576	763,727	421,278	165,524	114,158	34,877	117,641	87,741	828,092	608,432	
Maine	891,325	530,565	269,600	151,336	52,283	36,586	20,282	52,190	32,642	262,740	98,020	
Maryland	3,169,262	1,959,804	868,807	419,397	181,136	95,908	73,321	790,364	109,254	790,537	418,921	
Massachusetts	4,580,975	2,727,594	1,039,086	347,863	206,530	81,054	47,408	1,216,149	325,122	1,419,922	433,459	
Michigan	6,581,172	3,769,464	1,765,093	1,069,975	404,965	377,538	164,597	1,130,689	334,484	1,974,197	837,511	
Minnesota	3,580,367	2,218,888	905,485	426,541	189,603	137,831	96,575	849,520	196,436	945,405	416,074	
Mississippi	1,593,180	874,172	637,499	424,838	130,129	58,702	18,635	105,410	41,128	544,777	174,231	
Missouri	2,409,566	1,443,799	850,635	532,284	196,648	146,935	94,486	338,843	83,680	751,515	214,252	

Montana .....	595,017	277,745	76,680	.....	41,245	25,676	10,869	97,520	23,020	237,420	79,852
Nebraska .....	931,060	489,419	302,239	165,665	84,007	48,810	34,766	105,736	28,514	307,902	133,739
Nevada .....	481,996	293,921	228,431	100,336	27,355	44,582	16,572	.....	.....	141,240	46,835
New Hampshire .....	416,411	183,778	111,267	.....	38,899	29,450	17,516	6,175	24,146	153,401	79,232
New Jersey .....	4,116,910	2,292,438	1,498,334	836,157	285,892	306,163	182,041	101,200	228,966	1,212,831	611,641
New Mexico .....	1,118,997	575,071	351,976	243,181	60,661	38,220	27,322	58,191	23,504	295,460	248,466
New York .....	17,253,780	9,780,069	3,844,619	2,148,915	480,378	412,968	279,828	3,948,808	1,132,756	5,655,110	1,818,601
North Carolina .....	3,361,552	2,059,951	1,056,978	465,862	278,479	178,838	94,439	604,793	156,661	918,254	383,347
North Dakota .....	601,290	287,376	161,569	110,238	26,843	30,635	22,450	58,776	19,572	162,959	150,955
Ohio .....	5,628,234	3,310,704	1,978,468	1,028,253	375,949	421,469	258,158	511,636	265,052	1,560,756	756,774
Oklahoma .....	1,864,403	1,000,218	446,444	181,862	117,256	121,732	87,924	200,998	53,430	548,972	315,213
Oregon .....	1,765,225	825,805	146,928	.....	86,099	112,846	71,767	472,147	66,657	617,564	321,856
Pennsylvania .....	8,029,960	5,127,043	2,599,820	1,395,486	482,021	593,390	246,420	1,062,210	616,872	2,248,962	653,955
Rhode Island .....	747,171	388,739	220,585	111,328	39,981	22,099	16,401	93,192	35,780	236,420	122,012
South Carolina .....	1,906,935	1,042,485	650,360	372,608	134,144	49,698	25,673	244,532	79,732	573,991	290,459
South Dakota .....	456,777	192,140	163,167	92,756	35,854	21,763	12,944	.....	2,047	181,585	83,052
Tennessee .....	2,300,555	1,273,215	896,741	556,702	183,122	175,327	80,875	22,131	128,621	784,746	242,594
Texas .....	7,283,743	4,214,273	2,816,236	1,484,050	427,285	502,303	226,575	.....	.....	1,981,247	1,088,223
Utah .....	945,206	474,572	269,952	195,910	51,852	24,169	14,353	140,562	24,501	340,792	129,842
Vermont .....	443,822	205,293	104,952	28,032	22,163	21,874	15,615	58,923	13,290	173,868	64,661
Virginia .....	3,182,346	1,822,343	892,990	385,668	254,071	123,904	80,384	614,575	130,417	855,843	504,160
Washington .....	2,958,917	1,848,055	1,383,289	996,127	172,336	114,872	61,777	.....	.....	768,623	342,239
West Virginia .....	1,459,898	828,790	608,778	401,832	81,856	49,422	36,881	140,106	20,267	486,876	144,232
Wisconsin .....	3,837,564	2,421,077	968,959	584,907	161,975	132,193	88,502	959,923	190,419	1,005,574	410,913
Wyoming .....	428,896	193,102	112,675	80,581	22,730	31,201	21,087	.....	.....	177,973	57,821

\*Source: Bureau of the Census, *State Government Finances in 1976*.

..... Represents zero.

Table 5  
SUMMARY OF EXPENDITURE, BY CHARACTER AND OBJECT AND BY STATE: 1976\*  
(In thousands of dollars)

State	Intergovernmental expenditure	Direct expenditure								Insurance benefits and repayments	Exhibit: Total personal services
		Total	Current operation	Capital outlay				Assistance and subsidies	Interest on debt		
				Total	Construction	Land and existing structures	Equipment				
All states	\$57,858,241	\$124,107,908	\$68,174,833	\$18,008,649	\$15,285,050	\$1,273,954	\$1,449,645	\$7,289,747	\$4,139,704	\$26,494,975	\$32,855,535
Alabama	700,064	2,144,579	1,276,840	381,589	311,653	31,384	38,552	90,831	45,830	349,489	558,280
Alaska	207,088	825,801	442,562	247,941	229,080	4,789	14,072	17,953	41,843	75,502	282,676
Arizona	694,268	1,144,617	644,563	203,720	174,033	9,473	20,214	54,302	4,337	237,695	399,174
Arkansas	418,197	1,064,596	604,629	234,606	198,520	12,780	23,306	71,606	5,602	148,153	284,413
California	8,135,469	12,398,166	7,627,507	854,575	614,416	149,222	90,937	174,254	270,954	3,470,876	3,443,062
Colorado	675,431	1,321,311	889,399	213,235	181,215	15,460	16,560	27,175	5,390	186,112	519,762
Connecticut	525,225	2,126,007	963,288	211,171	171,301	21,828	18,042	159,188	144,523	647,837	461,386
Delaware	188,428	513,984	300,379	81,894	69,238	3,386	9,270	29,013	29,502	73,196	148,438
Florida	1,834,215	3,323,388	1,838,699	579,882	458,438	84,439	37,005	146,523	85,493	672,791	1,035,937
Georgia	845,591	2,478,810	1,394,977	425,399	382,250	7,019	36,130	135,063	56,522	466,849	794,404
Hawaii	22,772	1,358,763	769,118	287,503	272,672	6,754	8,077	86,649	56,527	158,966	440,425
Idaho	187,358	520,758	340,526	89,752	68,935	8,590	12,227	24,967	2,019	63,494	158,125
Illinois	2,652,553	6,824,464	3,265,150	991,696	895,846	32,276	63,574	876,069	148,842	1,542,707	1,362,533
Indiana	1,253,233	2,269,468	1,396,304	376,855	319,644	11,076	46,135	41,580	28,395	426,334	726,759
Iowa	797,891	1,548,393	896,503	306,791	257,966	18,265	30,560	142,392	5,685	197,022	460,546
Kansas	404,805	1,165,150	735,896	213,999	186,610	9,819	17,570	73,541	13,217	128,497	406,171
Kentucky	510,160	2,130,947	1,175,733	446,817	376,853	27,178	42,786	148,963	74,188	285,246	570,729
Louisiana	998,899	2,413,969	1,341,968	569,397	486,337	43,283	39,777	113,365	64,722	324,517	659,470
Maine	320,491	715,685	424,056	70,797	64,143	2,835	3,819	58,723	25,475	136,634	179,849
Maryland	1,460,454	2,400,975	1,458,171	393,843	297,112	52,355	44,376	25,931	109,124	413,906	856,140
Massachusetts	1,429,110	4,102,427	1,958,824	360,995	328,295	15,853	16,847	478,813	208,807	1,094,988	755,067
Michigan	2,306,268	6,405,130	3,346,258	546,868	460,901	40,895	45,072	802,769	95,139	1,614,096	1,481,113
Minnesota	1,602,859	2,237,443	1,480,850	306,896	241,098	25,565	40,233	44,226	46,319	359,152	803,117
Mississippi	582,224	1,243,484	776,231	259,482	233,227	8,017	18,238	53,996	31,042	122,733	285,277
Missouri	693,542	2,157,271	1,185,786	305,892	247,170	29,423	29,299	198,895	16,534	450,164	596,139

Montana .....	147,181	540,577	323,303	117,504	101,996	4,511	10,997	17,051	3,792	78,927	174,319
Nebraska .....	257,768	725,302	453,125	151,483	132,437	4,420	14,626	38,166	3,006	79,522	259,803
Nevada .....	143,910	446,010	241,048	70,853	60,211	3,656	6,986	12,466	2,608	119,035	134,052
New Hampshire .....	87,832	543,934	339,202	102,871	81,511	11,388	9,972	29,323	13,213	59,325	133,444
New Jersey .....	1,634,972	4,218,485	2,152,806	465,659	392,301	27,437	45,921	51,528	204,905	1,343,587	852,551
New Mexico .....	363,060	708,291	458,088	125,432	84,840	22,548	18,044	37,713	6,050	81,008	239,172
New York .....	9,977,102	11,050,127	4,520,087	1,721,110	1,489,301	167,599	64,210	304,112	1,196,820	3,307,998	2,577,577
North Carolina .....	1,652,666	2,513,010	1,515,267	493,883	391,668	56,773	45,442	19,434	37,644	446,782	795,229
North Dakota .....	148,253	427,603	285,004	84,997	75,447	2,714	6,836	15,841	2,960	38,801	134,388
Ohio .....	2,095,547	5,642,067	2,676,454	747,854	661,794	40,973	45,087	483,997	129,658	1,604,104	1,127,729
Oklahoma .....	491,460	1,477,074	917,481	218,737	168,070	15,794	34,873	98,397	41,475	200,984	418,349
Oregon .....	421,079	1,739,964	995,766	205,151	178,046	9,201	17,904	131,699	92,593	314,755	499,046
Pennsylvania .....	2,762,409	8,371,433	3,893,781	949,707	856,152	50,709	42,846	1,161,329	321,250	2,045,366	1,811,697
Rhode Island .....	148,660	831,770	471,142	62,840	58,358	1,911	2,571	54,296	25,379	218,113	192,272
South Carolina .....	530,983	1,734,793	1,063,468	337,109	288,089	10,994	38,026	57,963	43,944	232,309	478,213
South Dakota .....	68,306	423,726	252,475	120,761	92,577	2,635	25,549	25,405	3,412	21,673	122,859
Tennessee .....	657,567	2,150,131	1,174,151	459,689	409,456	16,212	34,021	101,641	40,348	374,302	561,090
Texas .....	2,161,147	5,225,000	3,474,534	920,422	776,338	50,186	93,898	169,111	105,723	555,210	1,625,111
Utah .....	288,129	784,267	482,614	153,735	131,517	7,067	15,151	42,825	7,140	97,953	263,776
Vermont .....	81,941	449,014	277,728	55,868	48,326	1,331	6,211	33,893	23,578	57,947	109,979
Virginia .....	1,010,572	2,541,196	1,765,158	464,809	395,852	44,793	24,164	22,041	40,973	248,215	853,329
Washington .....	947,921	2,690,797	1,447,969	328,834	281,930	13,508	33,396	190,742	59,635	663,617	754,923
West Virginia .....	356,823	1,369,603	725,099	309,408	268,395	25,626	15,387	59,362	53,102	222,632	282,979
Wisconsin .....	1,868,145	2,322,116	1,543,605	256,820	219,881	5,642	31,297	47,437	60,635	413,619	685,575
Wyoming .....	108,213	346,032	191,261	121,518	113,604	4,362	3,552	7,188	3,830	22,235	99,081

\*Source: Bureau of the Census, *State Government Finances in 1976*.

Table 6  
STATE GENERAL EXPENDITURE IN TOTAL AND FOR SELECTED FUNCTIONS, BY STATE: 1976\*  
(In thousands of dollars)

State	Total general expendi- ture(a)	Education	Public welfare	Highways	Hospitals	Natural resources	Health	Corrections	Financial adminis- tration	General control	Employment security adminis- tration	Police
All states .....	\$153,689,852	\$59,629,951	\$29,633,291	\$18,100,467	\$7,821,474	\$3,863,122	\$3,289,177	\$2,479,996	\$1,955,335	\$1,688,045	\$1,570,062	\$1,569,017
Alabama .....	2,394,888	1,157,452	320,002	345,552	156,630	62,309	52,956	25,414	20,180	18,789	25,520	17,762
Alaska .....	957,387	318,777	48,689	169,329	11,867	46,101	19,319	16,003	16,561	33,953	12,010	13,048
Arizona .....	1,601,190	789,024	87,189	248,110	70,245	38,449	14,459	21,539	24,692	15,295	23,212	29,166
Arkansas .....	1,334,640	542,608	216,782	261,171	58,961	50,983	23,637	18,018	23,226	8,938	17,307	13,118
California .....	17,062,759	6,401,702	4,490,436	1,159,458	474,739	539,607	391,962	307,044	237,322	139,402	114,803	191,663
Colorado .....	1,810,630	858,362	302,227	244,866	95,182	47,331	24,726	32,048	29,561	34,462	12,405	19,709
Connecticut .....	2,003,395	633,831	394,450	190,582	137,985	19,867	30,051	44,683	25,690	39,486	22,912	20,925
Delaware .....	629,216	291,153	69,720	70,943	22,392	12,964	15,815	13,269	9,055	15,365	5,245	10,027
Florida .....	4,484,812	1,970,805	434,298	612,861	190,627	187,867	168,650	162,403	50,844	89,991	45,506	54,792
Georgia .....	2,857,552	1,229,076	480,784	384,188	166,516	99,139	80,653	65,516	34,395	25,349	27,996	24,388
Hawaii .....	1,222,569	426,743	168,081	103,544	67,821	54,615	33,027	9,446	13,706	26,699	10,363	250
Idaho .....	622,494	231,531	70,870	116,809	12,646	43,534	18,578	8,347	10,766	9,114	7,876	5,489
Illinois .....	7,934,310	2,925,262	2,011,648	1,141,875	373,843	153,134	149,747	101,979	89,949	91,140	73,419	60,020
Indiana .....	3,096,367	1,346,430	360,634	498,165	148,161	58,179	49,097	41,982	36,372	21,984	29,261	32,365
Iowa .....	2,076,253	899,930	315,624	409,060	110,285	60,072	18,573	23,483	20,871	17,256	19,392	21,735
Kansas .....	1,441,458	613,004	245,187	240,303	97,895	47,239	14,941	21,818	23,885	22,012	17,474	10,941
Kentucky .....	2,355,861	961,590	404,545	420,943	71,396	106,649	50,312	31,244	26,188	26,319	9,550	32,119
Louisiana .....	3,088,351	1,157,774	404,847	554,963	193,120	86,468	51,126	38,094	31,898	35,241	25,556	40,114
Maine .....	867,699	380,663	154,253	94,489	26,199	40,334	15,349	9,414	9,858	9,805	10,869	7,632
Maryland .....	3,447,523	1,265,155	531,375	416,374	184,836	75,360	116,310	87,730	74,712	54,454	20,437	90,511
Massachusetts .....	4,436,549	1,262,293	1,292,557	342,698	238,070	34,964	86,821	65,122	46,209	47,199	44,936	31,017
Michigan .....	6,819,143	2,533,344	1,891,588	738,891	312,606	124,169	161,832	90,737	73,898	64,413	91,457	59,854
Minnesota .....	3,481,150	1,674,331	548,896	381,065	148,969	49,780	34,596	28,362	28,601	28,362	24,895	21,883
Mississippi .....	1,643,157	689,456	204,321	301,010	73,427	68,640	29,776	17,616	12,955	10,929	28,750	21,982
Missouri .....	2,400,649	976,951	423,873	424,329	143,454	63,725	47,975	36,326	24,270	25,375	28,050	27,303

Montana .....	579,434	221,353	58,210	123,798	26,465	32,128	11,845	13,710	21,268	7,900	6,936	7,033
Nebraska .....	903,548	311,811	121,269	166,232	57,919	40,631	23,022	14,336	12,523	11,826	9,561	9,215
Nevada .....	470,885	193,895	45,892	77,726	8,918	15,502	13,833	12,336	12,974	6,718	12,901	8,678
New Hampshire .....	488,389	138,307	74,724	93,251	32,742	13,010	12,050	6,521	7,618	6,375	5,844	6,619
New Jersey .....	4,509,870	1,360,452	1,059,494	357,456	220,963	136,296	79,625	58,814	51,385	61,767	72,828	51,304
New Mexico .....	990,343	467,911	94,335	147,669	48,770	34,326	19,811	9,445	17,883	19,709	11,386	11,309
New York .....	17,719,231	5,342,842	4,255,508	781,458	1,216,670	165,684	408,960	268,712	201,901	194,847	170,878	89,595
North Carolina .....	3,718,894	1,832,273	388,831	503,915	225,247	104,146	81,244	93,449	43,506	50,423	37,546	40,139
North Dakota .....	537,055	218,121	47,519	99,589	19,804	23,868	6,302	3,633	6,734	3,744	3,002	2,699
Ohio .....	5,886,607	2,305,773	1,109,689	696,111	333,785	95,564	84,836	112,445	85,434	34,067	71,248	41,377
Oklahoma .....	1,767,550	755,344	334,276	257,312	108,386	48,179	15,638	26,657	16,051	19,055	22,295	30,771
Oregon .....	1,782,499	612,900	305,365	272,607	74,888	74,828	40,768	33,246	44,498	23,963	10,683	20,700
Pennsylvania .....	8,696,719	3,137,195	1,981,653	1,150,328	520,446	165,866	179,192	104,835	117,481	97,349	82,115	147,601
Rhode Island .....	762,317	242,791	201,728	40,320	57,826	10,897	22,057	13,819	12,815	16,780	11,010	6,764
South Carolina .....	2,033,467	847,421	202,128	210,707	120,913	61,673	76,479	42,316	20,999	11,644	25,259	20,591
South Dakota .....	470,359	152,559	67,324	102,273	20,660	25,404	9,962	5,315	8,096	9,483	7,652	5,558
Tennessee .....	2,433,396	1,013,013	365,102	473,386	132,662	68,161	58,876	49,188	25,254	25,143	27,572	15,679
Texas .....	6,830,937	3,577,219	1,058,110	753,557	444,742	160,452	105,028	77,852	64,305	56,510	78,968	71,344
Utah .....	950,058	492,351	97,462	133,574	37,290	38,236	18,237	13,305	13,869	8,196	13,932	7,113
Vermont .....	445,138	147,017	86,042	57,378	14,038	12,959	17,376	7,763	7,456	6,983	5,022	6,179
Virginia .....	3,149,793	1,319,893	425,065	569,650	221,228	74,144	77,914	73,730	49,598	36,887	49,228	47,937
Washington .....	2,852,148	1,434,040	418,754	301,074	80,685	117,706	76,472	48,446	43,094	18,962	34,244	26,691
West Virginia .....	1,449,550	507,183	170,989	380,790	54,958	48,885	29,488	11,393	24,524	14,145	12,602	11,894
Wisconsin .....	3,776,642	1,339,480	769,693	327,148	142,711	64,288	98,139	51,072	43,045	30,200	29,929	19,239
Wyoming .....	415,021	121,560	21,253	151,580	10,886	20,922	6,551	3,787	7,360	4,037	8,220	5,175

\*Source: Bureau of the Census, *State Government Finances in 1976*.

(a) Does not represent sum of state figures because total includes miscellaneous expenditure not shown separately.

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## STATE AND LOCAL GOVERNMENT FINANCES IN 1975-1976\*

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DURING FISCAL 1975-76, an increasing number of governments were faced with the real possibility of running out of money. While New York City was the most notable among the governments experiencing a fiscal crisis, a number of other cities, school districts, and even state agencies also were struggling to maintain solvency in the wake of a changing national economy. Tight credit markets and high interest costs on borrowing continued to exist for many governments. Rising unemployment drained state unemployment compensation funds and created the need for extended federal aid. The continued faster rate of growth of commerce and population in the sunbelt of the south and west, compared to the northeast, was felt heavily by many municipalities. In sum, public officials were forced to seriously reexamine their policies and priorities, with cutbacks in public services and employment given serious consideration in many cases.

### The Economic Climate

With the depressed economy forcing many people out of work and tightening the job market, the nation's unemployment rate averaged 8.5 percent during calendar 1975 and 7.7 percent during calendar 1976. The impact of this increased unemployment on governments was reflected in the financial condition of the unemployment compensation trust funds of the 50 states and the District of Columbia.

Federal government involvement in the unemployment compensation trust fund operations was expanded as a result of the high level of joblessness. Programs providing regular benefits to the unemployed were threatened by a lack of funds, forcing states to obtain \$2.4 billion in advances from the federal government to help cover regular benefit payments.

The federal government also contributed \$7.7 billion to the states and the District of Columbia to finance extended and special benefit programs. The extended benefits were triggered by the high unemployment rate, and enabled the jobless to receive benefits for additional periods of time (depending on the program) after having exhausted regular benefits. Special programs include trade readjustment and disaster unemployment benefit plans. In total, \$10.1 billion of the \$16.6 billion in unemployment trust fund revenue of the states and the District of Columbia was in the form of federal advances and contributions. This represents about 30 percent of total state and local government insurance trust revenue, and slightly over 3 percent of state and local government total revenue.

Unemployment compensation expenditure of \$18.9 billion included \$9.8 billion paid

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\*Adapted by Maurice Criz and David Kellerman, Senior Advisor and Statistician, respectively, Governments Division, U.S. Bureau of the Census, from the Bureau's report, *Governmental Finances in 1975-76*, and prior annual reports. The financial statistics for 1975-76 relate to governmental fiscal years which ended June 30, 1976, or at some date within the 12 previous months, with the following exceptions: the state governments of Alabama and Texas (as well as school districts in those states), having fiscal years which ended September 30 and August 31, 1976, respectively, are treated as though they were part of the June 30 group. Although Michigan extended its 1976 year through September 30, the data in this report is for the period July 1, 1975, through June 30, 1976.

out in regular benefits and \$9.1 billion paid out in extended and special benefits. The end-of-year assets of unemployment compensation trust funds also reflected the increased unemployment level, as they dropped from \$6.9 billion in 1974-75 to \$4.4 billion in 1975-76.

It should be noted that unemployment compensation trust fund revenue and expenditure data for 1975-76 are not entirely comparable to the data for prior years because of a revised reporting procedure by the Bureau of the Census. Prior to 1975-76, the extended and supplemental benefits, as well as federal advances and payments to finance them, were excluded from Bureau of the Census data. Such amounts were insignificant prior to 1974; revisions to 1975 data to include such amounts are now being developed.

The long-term shift of business, people, and jobs away from the older urban centers was felt heavily by many governments in the northeast. New York and other cities continued to suffer the well-documented problems of a declining tax base, increasing unemployment and welfare rolls, and maintaining an adequate cash flow to meet daily expense requirements.

This industrial and commercial trend has been a major long-term factor leading to fiscal crises for these governments. Also important is the role that the economic and demographic trends will have on the ability of cities to recover from their fiscal plights.

New York City's fiscal problems had a significant impact on the data for state and local government indebtedness. Total short-term debt of state and local governments went from \$19.8 billion in 1974-75 to \$18.8 billion in 1975-76, the first decline in short-term indebtedness in over 20 years. This was primarily due to a \$2.5 billion reduction in the short-term debt of New York City (from \$4.9 billion to \$2.4 billion), as proceeds of the state-created Municipal Assistance Corporation (MAC) bonds were used to retire the short-term notes of New York City. In Bureau of the Census reporting, MAC is treated as an agent of the state of New York. Money owed MAC by New York City is classified as full faith and credit long-term debt of New York City, with bonds issued by MAC classified as nonguaranteed long-term debt of New York State.

### **Tax Revenue**

Total state and local government tax revenue amounted to \$156.8 billion in 1975-76, or \$730.52 per capita. This represents a 10.9 percent increase in total taxes from the prior year.

Over the past 20 years, the distribution of state-local tax revenue has changed rather significantly. Property taxes have dropped consistently, from 44.6 percent of total state-local tax revenue in 1956 to 36.3 percent in 1975-76. However, the percentage has remained at about the latter level over the past four years.

State and local taxes on income (including both corporate and individual net income taxes) have risen most dramatically over this period. In 1956, income taxes accounted for 9.2 percent of all tax revenue. In 1975-76, they had increased to 20.3 percent. Most of this increase has been due to the increasing yield of the individual income taxes of state and local governments. The individual income tax accounted for 5.8 percent of total tax revenue in 1956, and 15.7 percent in 1975-76. The extent to which this increase reflects higher tax rates, the imposition of new individual income taxes by states and localities between 1956 and 1976, or the rising income level of Americans cannot be dealt with in this article.

In comparison to state and local income taxes, sales taxes have yielded a rather constant percentage of total tax revenue since 1956. Sales tax revenue (both general and selective sales taxes) accounted for 33 percent of all taxes in 1956, and 34.8 percent in 1975-76.

Interestingly, the percentage distribution between general sales taxes and the many selective sales taxes has shifted. In 1956, general sales taxes yielded 13.6 percent of total tax



revenue while selective sales taxes were 19.4 percent. By 1975-76, general sales and selective sales taxes amounted to 20.4 and 14.4 percent of all tax revenue, respectively. Again, much of the increase in the general sales tax yield reflects an increased number of states (10) and localities adopting this tax since 1956. On the other hand, major selective sales taxes (on motor fuels, cigarettes, etc.) already existed in most states prior to 1956.

An added factor in the shifting distribution of general versus selective sales taxes is the fact that in recent years many states have authorized their local jurisdictions to impose a general sales tax. Local government general sales tax revenue has more than doubled since 1969-70, increasing from \$2 billion to \$4.7 billion. Extension of authority for local governments to impose various types of selective sales taxes has been rather limited.

State excise taxes on motor fuels, which had risen only 1.8 percent during 1973-74 as a result of the oil embargo, continued to reflect the effect of fuel conservation efforts. During 1974-75, state motor fuel taxes rose by only 0.6 percent. During 1975-76, the increase was 4.9 percent, but was still considerably less than the 11.4 percent rise in total state tax revenue.

### **Expenditure by Function**

State and local government expenditure, as distributed among the various functional categories, showed no major shifts through 1975-76. Education (\$97.2 billion), public welfare (\$31.4 billion), highways (\$23.9 billion), and hospitals (\$15.7 billion) continued to account for most state and local government outlays in 1975-76. Interest payments on general debt were the fifth largest functional expenditure, totaling \$10.3 billion or \$47.84 per capita.

Interest on general debt is also one of the fastest-growing expenditure items of state and local governments, as reflected in its 16.9 percent increase during 1975-76. In comparison, total general expenditure increased by 11.3 percent during 1975-76. Since 1969-70, interest on general debt has increased at an average annual rate of 15.3 percent, compared to 11.9 percent for total general expenditure.

If interest payments on utility debt of state-local governments are combined with their payments on general debt, the total amounts to \$11.7 billion for 1975-76, or \$54.42 per capita. If interest on debt of the federal government is combined with the state-local payments, the per capita amount comes to \$190.94, a 15.9 percent rise over the 1974-75 per capita figure.

### **Federal Finances**

As indicated in Table 1, the federal government accounts for over one half of the "own source" revenue, direct expenditure, and debt of all governments. Taxes are the predominate source of federal revenue, with individual income the single largest source, accounting for about 40 percent (\$131.6 billion) of all federal revenue. The second largest single source of revenue is actually the Social Security "tax" levied on employers and employees under the Old Age, Survivors, Disability, and Health Insurance (OASDHI) program. This "tax" is reflected in the federal insurance trust revenue total in Bureau of the Census data, and is not included in tax revenue.

The federal government, which contributes 21.7 percent of all state and local government general revenue via intergovernmental transfers (see Table 5), also is the recipient of a significant and growing amount of intergovernmental revenue from states; \$1.3 billion in revenue was so received by the federal government in 1975-76. Federal revenue from states amounted to \$1.2 billion in 1974-75, and \$0.5 billion in 1973-74.

Almost all of this intergovernmental revenue represents reimbursement of states' share of public welfare categorical cash assistance payments (aid to the blind, needy, disabled, and old age assistance) made by the federal government under the Supplemental Security Income program.

Most of the \$220.6 billion in federal direct general expenditures was for national defense and international relations (\$100.4 billion), interest on general debt (\$29.3 billion), the Postal Service (\$13.7 billion), and various public welfare programs (\$13.7 billion).

Federal expenditure for insurance trust purposes totaled \$101.4 billion in 1975-76. Most of this total was for payments under OASDHI, which totaled \$88.3 billion. Federal employee retirement expenditure was \$8.4 billion, with unemployment compensation, veterans' life insurance, and railroad retirement programs amounting to \$4.8 billion.

Total insurance trust expenditure of the federal government actually exceeded federal expenditure for any other function, including national defense and international relations (at \$100.4 billion). The OASDHI program was by itself the second largest function of federal expenditure.

Federal indebtedness stood at \$631.3 billion at the end of fiscal year 1975-76, a figure which amounted to \$2,940.86 per capita. Public debt (federal debt subject to statutory limitations) was \$620.4 billion, and federal agency debt (of agencies such as the TVA, not subject to statutory limitation) was \$10.9 billion.

Federal government data in Table 1 reflects the federal fiscal year ended June 30, 1976. Effective October 1, 1976, the federal fiscal year covered the 12-month period of October 1 to September 30. While not included here, data for the federal transition quarter of July 1 to September 30, 1976, is shown in the Census report, *Governmental Finances in 1975-76*.

### Data Presentation

Table 1 presents summary data for all levels of government—federal, state, and local. Tables 2 through 9 cover state-local finance data only.

Table 2 covers the period 1971-72 to 1975-76, but shows only state-local finance totals. Tables 3 and 4 present, on a state-by-state basis, state and local general revenue, including amounts received from the federal government but excluding state-local transfers. Table 5 enables analysis of the impact of intergovernmental transactions on state and local government general revenue. Data on direct expenditure, by state, appears in Tables 6 and 7.

Table 8 presents selected items of state-local government finances in relation to personal income for fiscal 1975-76. Estimates of personal income, as developed on a place-of-residence basis by the Bureau of Economic Analysis, can be used as one of various measures of the relative fiscal capacity of states. However, any analysis of the relation of government finances to personal income in a state must take into account the manner in which the income estimates are derived, as well as the fact that not all of a state's revenue sources are funded by the personal income of its residents. Much revenue is derived from taxes and charges on the business sector and, more importantly, from intergovernmental transfers.

Figures on indebtedness of state and local governments appear in Table 9, on a state-by-state basis.

Per capita amounts were computed on the basis of estimated resident population of the United States as of July 1 of the specified year. Use of the terms "general" revenue, "general" expenditure, or "general" debt refers to the general government sector, i.e., all government activity excluding liquor stores operation, insurance trust systems, and local utilities. The latter includes public electric, gas, transit, and water systems operated by local government units.

**Table 1**  
**SUMMARY OF GOVERNMENTAL FINANCES, BY LEVEL OF GOVERNMENT: 1975-76\***

Sources	Amount (millions of dollars)					Per capita		
	All governments	Federal government	State and local governments			Total	Federal government	State and local governments
			Total	State	Local			
Total revenue.....	\$572,615(a)	\$324,858	\$304,678(a)	\$185,213	\$178,338	\$2,667.56(a)	\$1,513.37	\$1,416.82(a)
Total general revenue.....	438,299(a)	239,044	256,176(a)	152,118	162,931	2,041.84(a)	1,113.60	1,193.41(a)
Intergovernmental revenue.....	(a)	1,331	55,589	44,717	69,746	(a)	6.20	258.97
From federal government.....	(a)	...	55,589	42,013	13,576	(a)	...	258.97
From state governments.....	(a)	1,331	(a)	...	56,169	(a)	6.20	(a)
From local governments.....	(a)	...	(a)	2,704	...	(a)	...	(a)
Revenue from own sources.....	572,615	323,527	249,089	140,496	108,592	2,667.56	1,507.17	1,160.39
General revenue from own sources.....	438,299	237,713	200,586	107,401	93,186	2,041.84	1,107.40	934.44
Taxes.....	358,227	201,414	156,813	89,256	67,557	1,668.82	938.30	730.52
Property.....	57,001	...	57,001	2,118	54,884	265.54	...	265.54
Individual income.....	156,178	131,603	24,575	21,448	3,127	727.56	613.08	114.48
Corporation income.....	48,682	41,409	7,273	7,273	(b)	226.79	192.91	33.88
Sales and gross receipts.....	76,265	21,718	54,547	47,391	7,156	355.28	101.17	254.11
Customs duties.....	4,496	4,496	...	...	...	20.94	...	...
General sales and gross receipts.....	32,044	...	32,044	27,333	4,711	149.28	...	149.28
Selective sales and gross receipts.....	39,724	17,222	22,502	20,058	2,445	185.06	80.23	104.83
Motor fuel.....	13,364	4,636	8,728	8,660	68	62.26	21.60	40.66
Alcoholic beverages.....	7,582	5,413	2,169	2,057	112	35.32	25.22	10.11
Tobacco products.....	6,069	2,488	3,581	3,462	119	28.27	11.59	16.68
Public utilities.....	6,354	2,729	3,625	2,060	1,564	29.60	12.71	16.89
Other.....	6,356	1,956	4,400	3,818	582	29.61	9.11	20.50
Motor vehicle and operators licenses.....	4,677	...	4,677	4,356	320	21.79	...	21.79
Death and gift tax.....	6,729	5,216	1,513	1,513	(c)	31.35	24.30	7.05
All other.....	8,695	1,468	7,227	5,157	2,070	40.51	6.84	33.67
Charges and miscellaneous general revenue.....	80,073	36,299	43,774	18,145	25,628	373.02	169.10	203.92
Current charges.....	51,852	22,532	29,320	11,652	17,668	241.56	104.97	136.59
Miscellaneous general revenue.....	28,220	13,767	14,453	6,493	7,960	131.46	64.13	67.33
Utility revenue.....	12,573	...	12,573	...	12,573	58.57	...	58.57
Liquor stores revenue.....	2,553	...	2,553	2,196	357	11.90	...	11.90
Insurance trust revenue.....	119,190	85,814	33,376	30,900	2,477	555.25	399.77	155.48
Total expenditure.....	626,116(a)	391,085	305,268(a)	181,966	181,802(a)	2,916.79(a)	1,821.89	1,422.11(a)
Intergovernmental expenditure.....	(a)	69,057	1,180	57,858	1,822	(a)	321.71	5.50
To federal government.....	(a)	...	1,180	1,180	...	(a)	...	5.50
To state governments.....	(a)	51,426	(a)	...	1,822	(a)	239.57	(a)
To local governments.....	(a)	17,631	(a)	56,679	...	(a)	82.13	(a)
Direct expenditure.....	626,116	322,028	304,088	124,108	179,980	2,916.79	1,500.18	1,416.61
By type:								
General expenditure.....	476,146	220,595	255,551	95,832	159,720	2,218.15	1,027.65	1,190.50
Utility expenditure.....	17,451	...	17,451	...	17,451	81.30	...	81.30
Liquor stores expenditure.....	2,091	...	2,091	1,781	310	9.74	...	9.74
Insurance trust expenditure.....	130,427	101,433	28,994	26,495	2,499	607.60	472.53	135.07
By character and object:								
Current operation.....	335,331	130,944	204,387	68,175	136,212	1,562.16	610.01	952.15
Capital outlay.....	71,631	25,100	46,531	18,009	28,522	333.70	116.93	216.77
Construction.....	45,223	6,924	38,299	15,285	23,014	210.67	32.26	178.42
Equipment.....	22,004	16,629	5,375	1,450	3,925	102.51	77.47	25.04
Land and existing structures.....	4,404	1,547	2,857	1,274	1,583	20.52	7.21	13.31

Assistance and subsidies .....	47,739	35,245	12,494	7,290	5,205	222.39	164.19	58.21
Interest on debt .....	40,987	29,306	11,681	4,140	7,542	190.94	136.52	54.42
Insurance benefits and repayments .....	130,427	101,433	28,994	26,495	2,499	607.60	472.53	135.07
Exhibit: expenditure for personal services .....	186,826	70,360(d)	116,466	32,856	83,610	870.34	327.78	542.56
Direct general expenditure, by function .....	476,146	220,595	255,551	95,832	159,720	2,218.15	1,027.65	1,190.50
National defense and international relations .....	100,414	100,414	...	...	...	467.78	467.78	...
All other functions .....	375,732	120,181	255,551	95,832	159,720	1,750.37	559.87	1,190.50
Postal service .....	13,748	13,748	...	...	...	64.05	64.05	...
Space research and technology .....	3,691	3,691	...	...	...	17.19	17.19	...
Education .....	106,255	9,039	97,216	25,546	71,670	495.00	42.11	452.89
Local schools .....	67,674	...	67,674	600	67,073	315.26	...	315.26
Institutions of higher education .....	24,304	...	24,304	19,707	4,597	113.22	...	113.22
Other .....	14,278	9,039	5,239	5,239	...	66.51	42.11	24.41
Public welfare .....	45,129	13,694	31,435	20,157	11,278	210.23	63.79	146.44
Categorical cash assistance .....	15,638	5,950	9,688	5,203	4,485	72.85	27.72	45.13
Other cash assistance .....	2,093	1,020	1,073	353	720	9.75	4.75	5.00
Other public welfare .....	27,398	6,724	20,674	14,600	6,073	127.63	31.32	96.31
Health and hospitals .....	27,370	6,884	20,686	9,851	10,836	128.44	32.07	96.37
Hospitals .....	18,948	3,222	15,726	7,726	8,001	88.27	15.01	73.26
Health .....	8,622	3,662	4,960	2,125	2,835	40.16	17.06	23.11
Highways .....	24,201	294	23,907	14,860	9,047	112.74	1.37	111.37
Natural resources .....	16,958	12,296	4,662	3,641	1,021	79.00	57.28	21.72
Police protection .....	10,735	1,204	9,531	1,412	8,119	50.01	5.61	44.46
General control .....	6,777	1,066	5,711	1,594	4,118	31.57	4.97	26.61
Financial administration .....	6,574	2,614	3,960	1,945	2,015	30.63	12.18	18.45
Sewerage .....	5,937	...	5,937	...	5,937	27.66	...	27.66
Housing and urban renewal .....	5,435	2,284	3,151	272	2,879	25.32	10.64	14.68
Correction .....	4,004	220	3,784	2,360	1,424	18.65	1.02	17.63
Local fire protection .....	3,898	...	3,898	...	3,898	18.16	...	18.16
Local parks and recreation .....	3,864	...	3,864	...	3,864	18.00	...	18.00
Social insurance administration .....	3,468	1,892	1,576	1,570	6	16.16	8.81	7.34
Air transportation .....	3,359	1,858	1,501	290	1,211	15.65	8.66	6.99
General public building (state-local) .....	2,557	...	2,557	566	1,991	11.91	...	11.91
Sanitation other than sewerage .....	2,302	...	2,302	...	2,302	10.73	...	10.73
Water transport and terminals .....	2,086	1,381	705	233	472	9.72	6.43	3.29
Libraries .....	1,249	...	1,249	99	1,150	5.82	...	5.82
Parking facilities .....	334	...	334	...	334	1.56	...	1.56
Interest on general debt .....	39,575	29,306	10,269	4,140	6,129	184.36	136.52	47.84
Other and unallocable .....	36,024	18,710	17,314	7,296	10,018	167.82	87.16	80.66
Indebtedness								
Gross debt outstanding at end of fiscal year .....	871,369	631,283	240,086	84,379	155,707	4,059.31	2,940.86	1,118.45

\*Source: Bureau of the Census, *Governmental Finances in 1975-76*.

Note: Because of rounding, detail may not add to totals. Local government amounts are estimates subject to sampling variations.

... Represents zero.

(a) Duplicative transactions between levels of government are excluded.

(b) Minor amount included in individual income tax figures.

(c) Minor amount included in "All other" taxes.

(d) Includes pay and allowance for military personnel, amounting to \$22,417 million.

Table 2  
SUMMARY OF STATE AND LOCAL GOVERNMENT FINANCES:  
1971-72 TO 1975-76\*  
(In millions of dollars, except per capita amounts)

Sources	1975-76								Per capita				
	Total	State	Local	1974-75	1973-74	1972-73	1971-72	1975-76	1974-75	1973-74	1972-73	1971-72	
Revenue, total	\$304,678	\$182,509	\$122,169	\$261,592	\$237,856	\$217,616	\$189,724	\$1,416.82	\$1,227.43	\$1,125.20	\$1,037.00	\$911.12	
From federal government	55,589	42,013	13,576	47,034	41,820	39,256	31,253	258.97	220.69	197.83	187.07	150.08	
Revenue from own sources	249,089	140,496	108,592	214,558	196,036	178,360	158,471	1,160.39	1,006.74	927.37	849.94	761.03	
General revenue from own sources	200,586	107,401	93,186	181,137	165,850	150,958	135,100	934.44	849.93	784.57	719.36	648.79	
Taxes	156,813	89,256	67,557	141,465	130,673	121,102	108,801	730.52	663.78	618.16	577.09	522.49	
Property	57,001	2,118	54,884	51,491	47,705	45,283	42,133	265.54	241.60	225.67	215.79	202.33	
Sales and gross receipts	54,547	47,391	7,156	49,815	46,098	42,047	37,488	254.11	233.74	218.07	200.37	180.03	
General	32,044	27,333	4,711	29,102	26,314	22,992	20,294	149.28	136.55	124.48	109.56	97.45	
Selective	22,502	20,058	2,445	20,713	19,784	19,054	17,194	104.83	97.19	93.59	90.80	82.57	
Individual income	24,575	21,448	3,127	21,454	19,491	17,994	15,237	114.48	100.67	92.20	85.75	73.17	
Corporation net income	7,273	7,273	(a)	6,642	6,015	5,425	4,416	33.88	31.17	28.45	25.85	21.20	
Other taxes	13,417	11,026	2,390	12,063	11,365	10,354	9,526	62.50	56.60	53.76	49.34	45.75	
Charges and miscellaneous	43,774	18,145	25,628	39,668	35,177	29,856	26,299	203.92	186.13	166.41	142.27	126.20	
Insurance trust revenue	33,376	30,900	2,477	20,086	18,439	16,504	13,398	155.48	94.25	87.23	78.65	64.34	
Utility revenue	12,573	...	12,573	10,867	9,392	8,622	7,787	58.57	50.99	44.43	41.09	37.39	
Liquor stores revenue	2,553	2,196	357	2,468	2,355	2,276	2,188	11.90	11.58	11.14	10.85	10.50	
Expenditure, total	305,268	125,288	179,980	266,483	226,032	205,336	188,825	1,422.11	1,250.38	1,069.27	978.48	906.80	
To federal government	1,180	1,180	...	975	341	...	...	5.50	4.57	1.62	...	...	
Direct expenditure by character and object	304,088	124,108	179,980	265,508	225,691	205,336	188,825	1,416.61	1,245.81	1,067.65	978.48	906.80	
Current operation	204,387	68,175	136,212	180,976	154,810	138,974	125,630	952.15	849.17	733.96	662.25	603.32	
Capital outlay	46,531	18,009	28,522	44,824	38,084	35,272	34,237	216.77	210.32	180.16	168.08	164.42	
Construction	38,299	15,285	23,014	36,356	30,542	28,251	28,107	178.42	170.59	144.48	134.62	134.98	
Equipment	5,375	1,450	3,925	5,101	4,192	3,741	3,118	25.04	23.93	19.83	17.83	14.97	
Land and existing structures	2,857	1,274	1,583	3,367	3,350	3,279	3,012	13.31	15.80	15.85	15.63	14.46	
Assistance and subsidies	12,494	7,290	5,205	11,146	11,290	12,187	11,527	58.21	52.30	53.41	58.07	55.36	
Insurance benefits and repayments	28,994	26,495	2,499	18,475	12,667	11,074	10,538	135.07	86.69	59.92	52.77	50.61	
Interest on debt	11,681	4,140	7,542	10,087	8,840	7,828	6,893	54.42	47.33	41.82	37.30	33.10	
Exhibit: Expenditure for personal services	116,466	32,856	83,610	106,168	94,054	86,042	78,679	542.56	498.16	444.93	410.01	377.84	
Direct expenditure, by function	304,088	124,108	179,980	265,508	225,691	205,336	188,825	1,416.61	1,245.81	1,067.65	977.81	906.80	
Direct general expenditure	255,551	95,832	159,720	229,746	198,618	181,227	166,873	1,190.50	1,078.01	939.57	862.93	801.38	
Education	97,216	25,546	71,670	87,858	75,833	69,714	64,886	452.89	412.24	358.74	332.21	311.60	
Local schools	67,674	600	67,074	61,485	53,059	48,789	45,658	315.26	288.50	251.00	232.49	219.27	
Institutions of higher education	24,304	19,707	4,597	21,702	18,884	17,370	15,946	113.22	101.83	89.33	82.77	76.57	
Other education	5,239	5,239	...	4,670	3,890	3,555	3,282	24.41	21.91	18.40	16.94	15.76	
Public welfare	31,435	20,157	11,278	27,191	24,745	23,582	21,070	146.44	127.58	117.06	112.37	101.18	
Highways	23,907	14,860	9,047	22,528	19,946	18,615	19,010	111.37	105.71	94.36	88.71	91.29	
Hospitals	15,726	7,726	8,000	14,432	12,493	11,112	10,293	73.26	67.72	59.10	52.95	49.43	
Police protection	9,531	1,412	8,119	8,526	7,289	6,710	5,976	44.40	40.01	34.48	31.98	28.70	
Sewerage	5,937	...	5,937	5,262	4,080	3,604	3,164	27.66	24.69	19.30	17.17	15.19	
General control	5,711	1,594	4,117	5,046	4,371	3,841	3,407	26.61	23.68	20.68	18.30	16.36	
Health	4,960	2,125	2,835	4,414	3,452	2,732	2,574	23.11	20.71	16.33	13.02	12.36	
Natural resources	4,662	3,641	1,021	4,223	3,661	3,278	3,110	21.72	19.82	17.32	15.62	14.93	
Financial administration	3,960	1,945	2,015	3,594	3,165	2,811	2,480	18.45	16.86	14.97	13.40	11.91	
Local fire protection	3,898	...	3,898	3,522	3,037	2,770	2,577	18.16	16.53	14.37	13.20	12.37	
Local parks and recreation	3,864	...	3,864	3,462	2,951	2,561	2,323	18.00	16.24	13.96	12.20	11.15	

Correction .....	3,784	2,360	1,424	3,375	2,805	2,383	2,108	17.63	15.84	13.27	11.36	10.12
Housing and urban renewal .....	3,151	272	2,879	3,460	3,461	3,165	2,781	14.68	16.23	16.37	15.08	13.35
General public buildings .....	2,557	566	1,991	2,314	1,902	1,682	1,548	11.91	10.86	9.00	8.02	7.43
Sanitation other than sewerage .....	2,302	...	2,302	2,176	1,915	1,718	1,565	10.73	10.21	9.06	8.19	7.51
Employment security administration .....	1,576	1,570	6	1,514	1,308	1,282	1,136	7.34	7.10	6.18	6.11	5.45
Airports .....	1,501	290	1,211	1,448	1,301	1,418	1,156	6.99	6.79	6.15	6.76	5.55
Interest on general debt .....	10,269	4,140	6,129	8,782	7,666	6,785	5,963	47.84	41.21	36.27	32.33	28.63
Other and unallocable .....	19,605	7,628	11,977	16,620	13,236	11,464	9,748	91.31	77.98	62.62	54.63	46.87
Insurance trust expenditure .....	28,994	26,495	2,499	18,475	12,667	11,074	10,538	135.07	86.69	59.92	52.77	50.61
Utility expenditure .....	17,451	...	17,451	15,276	12,487	11,204	9,697	81.30	71.68	59.07	53.39	46.57
Liquor stores expenditure .....	2,091	1,781	310	2,009	1,919	1,831	1,717	9.74	9.43	9.07	8.73	8.25
Debt outstanding at end of fiscal year .....	240,086	84,379	155,707	219,926	206,616	188,485	174,502	1,118.45	1,031.93	977.42	898.18	838.01
Long-term .....	221,309	78,368	142,941	200,140	189,953	172,605	158,781	1,030.98	939.08	898.59	822.51	762.51
Full faith and credit .....	130,644	38,421	92,233	115,622	110,951	102,945	95,813	608.61	542.52	524.86	490.56	460.12
Nonguaranteed .....	90,665	39,947	50,718	84,518	79,002	69,660	62,968	422.37	396.57	373.73	331.95	302.39
Short-term .....	18,777	6,011	12,766	19,786	16,663	15,879	15,722	87.47	92.84	78.83	75.67	75.50
Long-term debt issued .....	31,671	13,865	17,806	21,125	23,219	21,804	21,889	147.54	99.12	109.84	103.90	105.11
Long-term debt retired .....	11,348	2,968	8,380	10,904	9,956	9,013	8,188	52.87	51.16	47.09	42.95	39.32
Cash and security holdings, by type .....	242,154	156,060	86,094	223,051	212,059	185,590	158,150	1,128.09	1,046.59	1,003.16	884.38	759.49
Unemp. Comp. Fund balance in U.S. Treasury .....	4,382	4,372	10	6,811	10,817	9,867	8,982	20.41	31.96	51.17	47.02	43.13
Other deposits and cash .....	59,516	18,530	40,986	58,122	53,777	47,287	38,032	277.26	272.72	254.40	225.34	182.64
Securities .....	178,255	133,158	45,097	158,117	147,464	128,436	111,136	830.41	741.91	697.59	612.03	533.71
Federal .....	38,746	22,787	15,959	35,903	34,695	29,349	27,307	180.50	168.46	164.13	139.86	131.13
State and local government .....	10,150	7,142	3,008	3,196	3,892	3,589	4,190	47.29	15.00	18.41	17.10	20.12
Other .....	129,359	103,229	26,130	119,016	108,876	95,498	79,638	602.63	558.44	515.05	455.08	382.45

\*Source: Bureau of the Census, *Governmental Finances in 1975-76*.

(a) Minor amount included in individual income tax figure.

Table 3  
GENERAL REVENUE OF STATE AND LOCAL GOVERNMENTS,  
BY SOURCE AND BY STATE, 1975-76\*  
(In millions of dollars)

State or other jurisdiction	Total general revenue	From federal government	All general revenue from own sources	Taxes			Charges and miscella- neous general revenue
				Total	Property	Other	
United States .....	\$256,175.8	\$55,589.3	\$200,586.5	\$156,812.9	\$57,001.5	\$99,811.4	\$43,773.5
Alabama .....	3,358.6	942.6	2,415.9	1,668.3	210.3	1,458.0	747.7
Alaska .....	1,279.3	307.8	971.5	724.2	400.4	323.8	247.3
Arizona .....	2,591.2	489.1	2,102.1	1,660.4	640.6	1,019.8	441.7
Arkansas .....	1,876.3	580.8	1,295.5	956.9	213.4	743.5	338.5
California .....	31,801.3	6,227.4	25,573.9	20,749.5	8,935.7	11,813.8	4,824.4
Colorado .....	3,270.3	726.9	2,543.4	1,880.4	700.7	1,179.7	662.9
Connecticut .....	3,491.6	635.5	2,856.0	2,424.5	1,150.0	1,274.5	431.5
Delaware .....	798.6	173.0	625.6	447.1	75.7	371.4	178.5
Florida .....	8,116.0	1,491.0	6,625.0	4,764.6	1,611.4	3,153.2	1,860.4
Georgia .....	5,031.1	1,244.3	3,786.7	2,726.8	884.4	1,842.4	1,059.9
Hawaii .....	1,427.8	392.6	1,035.1	829.1	153.9	675.2	206.1
Idaho .....	894.0	236.0	658.1	490.6	158.0	332.6	167.4
Illinois .....	13,031.8	2,594.2	10,437.6	8,639.8	3,188.5	5,451.3	1,797.8
Indiana .....	5,009.6	913.4	4,096.2	3,118.3	1,197.6	1,920.7	977.9
Iowa .....	3,318.1	678.1	2,640.0	2,010.8	796.7	1,214.1	629.2
Kansas .....	2,478.3	494.1	1,984.2	1,504.4	633.1	871.3	479.8
Kentucky .....	3,365.7	898.0	2,467.7	1,880.8	359.0	1,521.8	586.8
Louisiana .....	4,408.1	1,052.5	3,355.6	2,342.4	346.7	1,995.7	1,013.2
Maine .....	1,170.8	300.2	870.6	718.4	317.8	400.6	152.2
Maryland .....	5,359.9	1,091.9	4,267.9	3,374.3	991.9	2,382.4	893.7
Massachusetts .....	7,815.9	1,711.3	6,104.6	5,243.8	2,500.9	2,742.9	860.7
Michigan .....	11,594.1	2,667.3	8,926.8	6,819.3	2,951.7	3,867.6	2,107.5
Minnesota .....	5,400.9	1,114.9	4,286.0	3,261.9	1,007.9	2,254.0	1,024.1
Mississippi .....	2,257.4	651.0	1,606.4	1,144.5	258.0	886.5	461.9
Missouri .....	4,459.4	1,025.8	3,433.6	2,724.4	931.1	1,793.3	709.2
Montana .....	973.0	268.4	704.6	533.8	263.7	270.1	170.8
Nebraska .....	1,736.5	369.2	1,367.3	1,021.3	495.1	526.2	346.0
Nevada .....	858.6	168.8	689.8	500.4	165.9	334.5	189.4
New Hampshire .....	782.1	182.7	599.4	469.7	286.0	183.7	129.7
New Jersey .....	8,617.4	1,567.9	7,049.5	5,816.2	3,275.3	2,540.9	1,233.3
New Mexico .....	1,422.2	373.0	1,049.2	698.6	119.7	578.9	350.6
New York .....	31,263.0	6,064.3	25,198.7	20,614.6	7,446.8	13,167.8	4,584.1
North Carolina .....	4,877.1	1,179.7	3,697.3	2,883.6	712.0	2,171.6	813.7
North Dakota .....	833.2	179.0	654.3	428.8	136.5	292.3	225.5
Ohio .....	10,346.5	1,988.2	8,358.3	6,262.1	2,390.8	3,871.3	2,096.2
Oklahoma .....	2,742.8	681.3	2,061.5	1,465.3	342.6	1,122.7	596.2
Oregon .....	3,063.7	789.1	2,274.6	1,638.2	775.4	862.8	636.4
Pennsylvania .....	12,734.7	2,975.3	9,759.5	8,112.5	2,083.2	6,029.3	1,647.0
Rhode Island .....	1,120.6	310.8	809.8	658.7	272.7	386.0	151.2
South Carolina .....	2,642.0	671.2	1,970.9	1,393.2	329.7	1,063.5	577.6
South Dakota .....	763.4	215.0	548.4	409.1	197.6	211.5	139.3
Tennessee .....	3,814.8	1,015.8	2,799.0	2,078.2	545.7	1,532.5	720.8
Texas .....	12,375.9	2,558.7	9,817.2	7,258.6	2,661.9	4,596.7	2,558.6
Utah .....	1,360.7	381.1	979.6	727.7	210.8	516.9	252.0
Vermont .....	630.0	190.4	439.6	353.2	146.6	206.6	86.4
Virginia .....	5,070.8	1,116.3	3,954.5	3,065.5	868.7	2,196.8	889.0
Washington .....	4,537.1	959.2	3,577.9	2,629.6	852.1	1,777.5	948.4
West Virginia .....	1,919.4	552.7	1,366.7	1,063.6	192.9	870.7	303.1
Wisconsin .....	5,820.5	1,188.8	4,631.6	3,643.7	1,330.1	2,313.6	987.9
Wyoming .....	656.9	188.1	468.8	330.2	137.1	193.1	138.7
Dist. of Col. ....	1,602.4	812.4	790.0	648.7	147.1	501.6	141.3

\* Source: Bureau of the Census, *Governmental Finances in 1975-76*.

Note: Because of rounding, detail may not add to total.

Table 4  
PER CAPITA GENERAL REVENUE OF STATE  
AND LOCAL GOVERNMENTS, BY SOURCE  
AND BY STATE: 1975-76\*

State or other jurisdiction	Total	From federal government	All general revenue from own sources	Taxes			Charges and miscel- laneous general revenue
				Total	Property	Other	
U.S. average .....	\$1,193.41	\$258.97	\$ 934.44	\$ 730.52	\$ 265.54	\$464.98	\$203.92
Median State .....	1,141.49	274.02	880.42	671.41	235.90	423.03	204.90
Alabama .....	916.39	257.20	659.19	455.19	57.37	397.82	204.00
Alaska .....	3,349.04	805.78	2,543.26	1,895.84	1,048.12	847.72	647.42
Arizona .....	1,141.49	215.46	926.03	731.43	282.18	449.25	194.60
Arkansas .....	889.65	275.39	614.26	453.74	101.20	352.54	160.52
California .....	1,477.76	289.38	1,188.38	964.20	415.23	548.97	224.18
Colorado .....	1,266.07	281.41	984.66	728.00	271.29	456.71	256.66
Connecticut .....	1,120.16	203.89	916.27	777.84	368.93	408.91	138.43
Delaware .....	1,372.09	297.17	1,074.93	768.30	130.12	638.18	306.63
Florida .....	963.78	177.06	786.72	565.80	191.36	374.44	220.92
Georgia .....	1,012.28	250.37	761.92	548.65	177.94	370.72	213.26
Hawaii .....	1,609.66	442.64	1,167.02	934.68	173.52	761.16	232.34
Idaho .....	1,075.82	283.94	791.88	590.38	190.12	400.26	201.50
Illinois .....	1,160.55	231.03	929.52	769.42	283.95	485.46	160.11
Indiana .....	944.86	172.28	772.58	588.14	225.88	362.26	184.44
Iowa .....	1,156.12	236.26	919.86	700.64	277.60	423.03	219.23
Kansas .....	1,072.84	213.88	858.96	651.27	274.06	377.21	207.69
Kentucky .....	981.83	261.96	719.87	548.66	104.74	444.61	171.19
Louisiana .....	1,147.65	274.02	873.63	609.84	90.26	519.59	263.79
Maine .....	1,094.20	280.58	813.62	671.42	297.01	374.41	142.20
Maryland .....	1,293.40	263.50	1,029.90	814.25	239.36	574.89	215.65
Massachusetts .....	1,345.48	294.59	1,050.89	902.71	430.52	472.19	148.18
Michigan .....	1,273.51	292.98	980.53	749.04	324.22	424.82	231.49
Minnesota .....	1,362.15	281.20	1,080.96	822.68	254.20	568.47	258.28
Mississippi .....	958.98	276.56	682.42	486.19	109.59	376.60	196.23
Missouri .....	933.32	214.69	718.63	570.20	194.87	375.33	148.43
Montana .....	1,292.22	356.47	935.75	708.88	350.25	358.62	226.88
Nebraska .....	1,118.16	237.73	880.43	657.62	318.78	338.85	222.80
Nevada .....	1,407.58	276.70	1,130.87	820.32	272.02	548.29	310.56
New Hampshire .....	951.50	222.26	729.24	571.44	347.91	223.54	157.79
New Jersey .....	1,174.68	213.73	960.95	792.83	446.48	346.35	168.12
New Mexico .....	1,217.65	319.35	898.30	598.12	102.51	495.61	300.19
New York .....	1,728.77	335.34	1,393.43	1,139.94	411.79	728.15	253.49
North Carolina .....	891.76	215.71	676.05	527.26	130.19	397.07	148.79
North Dakota .....	1,295.87	278.31	1,017.56	666.91	212.28	454.63	350.65
Ohio .....	967.87	185.99	781.88	585.79	223.65	362.15	196.09
Oklahoma .....	991.61	246.30	745.30	529.75	123.84	405.91	215.55
Oregon .....	1,315.45	338.81	976.65	703.39	332.95	370.44	273.25
Pennsylvania .....	1,073.58	250.82	822.75	683.91	175.62	508.29	138.85
Rhode Island .....	1,208.84	335.25	873.59	710.52	294.14	416.38	163.07
South Carolina .....	927.68	235.67	692.01	489.20	115.76	373.44	202.81
South Dakota .....	1,112.83	313.40	799.44	596.32	288.08	308.24	203.12
Tennessee .....	905.27	241.07	664.21	493.17	129.49	363.67	171.04
Texas .....	991.11	204.91	786.19	581.29	213.18	368.12	204.90
Utah .....	1,108.09	310.35	797.74	592.56	171.65	420.92	205.18
Vermont .....	1,323.57	400.04	923.54	742.00	307.88	434.11	181.54
Virginia .....	1,007.70	221.84	785.86	609.19	172.63	436.56	176.67
Washington .....	1,256.12	265.55	990.57	728.00	235.91	492.10	262.56
West Virginia .....	1,054.03	303.52	750.51	584.09	105.96	478.13	166.43
Wisconsin .....	1,262.84	257.94	1,004.91	790.57	288.60	501.97	214.34
Wyoming .....	1,684.37	482.26	1,202.12	846.56	351.61	494.95	355.55
Dist. of Col. ....	2,282.62	1,157.26	1,125.31	924.05	209.50	714.55	201.26

\* Source: Bureau of the Census, *Governmental Finances in 1975-76*.



Table 5  
**ORIGIN AND ALLOCATION, BY LEVEL OF GOVERNMENT,  
 OF GENERAL REVENUE OF STATE AND LOCAL GOVERNMENTS: 1975-76\***  
 (Dollar amounts in millions)

State or other jurisdiction	By originating level of government (before transfers among governments)							By final recipient level of government (after intergovernmental transfers)			
	Total general revenue	Amount			Percent			Amount		Percent	
		Federal	State	Local	Federal	State	Local	State(a)	Local	State	Local
United States .....	\$256,175.8	\$55,589.3	\$107,400.7	\$93,185.7	21.7	41.9	36.4	\$95,948.6	\$160,227.3	37.5	62.5
Alabama .....	3,358.6	942.6	1,554.4	861.5	28.1	46.3	25.7	1,704.7	1,653.9	50.8	49.2
Alaska .....	1,279.3	307.8	761.7	209.8	24.1	59.5	16.4	849.1	430.2	66.4	33.6
Arizona .....	2,591.2	489.1	1,203.0	899.1	18.9	46.4	34.7	921.6	1,669.6	36.0	64.0
Arkansas .....	1,876.3	580.8	842.3	453.2	31.0	44.9	24.2	956.2	920.1	51.0	49.0
California .....	31,801.3	6,227.4	12,310.4	13,263.5	19.6	38.7	41.7	9,447.6	22,353.7	29.7	70.3
Colorado .....	3,270.3	726.9	1,288.3	1,255.0	22.2	39.4	38.4	1,236.7	2,033.6	37.8	62.2
Connecticut .....	3,491.6	635.5	1,526.7	1,329.3	18.2	43.7	38.1	1,590.8	1,900.7	45.6	54.4
Delaware .....	798.6	173.0	471.5	154.1	21.7	59.0	19.3	443.4	355.1	55.5	44.5
Florida .....	8,116.0	1,491.0	3,347.2	3,277.8	18.4	41.2	40.4	2,501.4	5,614.6	30.8	69.2
Georgia .....	5,031.1	1,244.3	1,946.6	1,840.2	24.7	38.7	36.6	2,180.9	2,850.2	43.3	56.7
Hawaii .....	1,427.8	392.6	802.3	232.8	27.5	56.2	16.3	1,076.9	350.9	75.4	24.6
Idaho .....	894.0	236.0	400.9	257.2	26.4	44.8	28.8	427.7	466.3	47.8	52.2
Illinois .....	13,031.8	2,594.2	5,493.1	4,944.5	19.9	42.2	37.9	5,281.9	7,749.9	40.5	59.5
Indiana .....	5,009.6	913.4	2,381.6	1,714.6	18.2	47.5	34.2	1,948.5	3,061.1	38.9	61.1
Iowa .....	3,318.1	678.1	1,446.0	1,194.0	20.4	43.6	36.0	1,233.4	2,084.7	37.2	62.8
Kansas .....	2,478.3	494.1	1,050.6	933.6	19.9	42.4	37.7	1,081.0	1,397.2	43.6	56.4
Kentucky .....	3,365.7	898.0	1,705.1	762.6	26.7	50.7	22.7	1,910.9	1,454.9	56.8	43.2
Louisiana .....	4,408.1	1,052.5	2,264.0	1,091.6	23.9	51.4	24.8	2,185.9	2,222.2	49.6	50.4
Maine .....	1,170.8	300.2	628.6	242.0	25.6	53.7	20.7	654.9	515.9	55.9	44.1
Maryland .....	5,359.9	1,091.9	2,378.7	1,889.2	20.4	44.4	35.2	1,790.0	3,569.8	33.4	66.6
Massachusetts .....	7,815.9	1,711.3	3,161.1	2,943.5	21.9	40.4	37.7	3,409.4	4,406.5	43.6	56.4
Michigan .....	11,594.1	2,667.3	4,607.0	4,319.8	23.0	39.7	37.3	4,327.0	7,267.0	37.3	62.7
Minnesota .....	5,400.9	1,114.9	2,635.0	1,651.0	20.6	48.8	30.6	2,081.8	3,319.2	38.5	61.5
Mississippi .....	2,257.4	651.0	1,048.4	558.0	28.8	46.4	24.7	1,058.0	1,199.5	46.9	53.1
Missouri .....	4,459.4	1,025.8	1,658.1	1,775.6	23.0	37.2	39.8	1,750.8	2,708.7	39.3	60.7
Montana .....	973.0	268.4	357.6	347.0	27.6	36.8	35.7	436.7	536.4	44.9	55.1
Nebraska .....	1,736.5	369.2	623.2	744.1	21.3	35.9	42.9	707.9	1,028.6	40.8	59.2
Nevada .....	858.6	168.8	340.8	349.1	19.7	39.7	40.7	328.0	530.7	38.2	61.8
New Hampshire .....	782.1	182.7	263.0	336.4	23.4	33.6	43.0	335.4	446.7	42.9	57.1
New Jersey .....	8,617.4	1,567.9	2,904.1	4,145.4	18.2	33.7	48.1	2,608.2	6,009.3	30.3	69.7
New Mexico .....	1,422.2	373.0	823.5	225.7	26.2	57.9	15.9	756.8	665.4	53.2	46.8
New York .....	31,263.0	6,064.3	11,598.7	13,600.0	19.4	37.1	43.5	6,559.2	24,703.8	21.0	79.0
North Carolina .....	4,877.1	1,179.7	2,443.3	1,254.0	24.2	50.1	25.7	1,935.9	2,941.1	39.7	60.3
North Dakota .....	833.2	179.0	438.3	216.0	21.5	52.6	25.9	466.3	366.9	56.0	44.0
Ohio .....	10,346.5	1,988.1	4,067.5	4,290.9	19.2	39.3	41.5	3,494.3	6,852.2	33.8	66.2
Oklahoma .....	2,742.8	681.3	1,315.4	746.1	24.8	48.0	27.2	1,390.0	1,352.8	50.7	49.3
Oregon .....	3,063.7	789.1	1,147.7	1,126.9	25.8	37.5	36.8	1,317.3	1,746.4	43.0	57.0
Pennsylvania .....	12,734.7	2,975.3	5,781.0	3,978.5	23.4	45.4	31.2	5,633.6	7,101.2	44.2	55.8
Rhode Island .....	1,120.6	310.8	510.8	299.1	27.7	45.6	26.7	619.0	501.6	55.2	44.8
South Carolina .....	2,642.0	671.2	1,332.9	637.9	25.4	50.5	24.1	1,401.1	1,241.0	53.0	47.0
South Dakota .....	763.4	215.0	275.2	273.2	28.2	36.0	35.8	395.1	368.3	51.8	48.2
Tennessee .....	3,814.8	1,015.8	1,515.8	1,283.2	26.6	39.7	33.6	1,625.8	2,189.0	42.6	57.4
Texas .....	12,375.9	2,558.7	5,302.5	4,514.7	20.7	42.8	36.5	5,203.5	7,172.4	42.0	58.0
Utah .....	1,360.7	381.1	604.4	375.2	28.0	44.4	27.6	691.1	669.6	50.8	49.2
Vermont .....	630.0	190.4	270.0	169.6	30.2	42.8	26.9	385.1	244.9	61.1	38.9
Virginia .....	5,070.8	1,116.3	2,326.5	1,628.0	22.0	45.9	32.1	2,202.7	2,868.0	43.4	56.6
Washington .....	4,537.1	959.2	2,190.3	1,387.6	21.1	48.3	30.6	1,918.6	2,618.5	42.3	57.7
West Virginia .....	1,919.4	552.7	973.0	393.7	28.8	50.7	20.5	1,109.7	809.7	57.8	42.2
Wisconsin .....	5,820.5	1,188.8	2,832.0	1,799.6	20.4	48.7	30.9	2,036.5	3,784.0	35.0	65.0
Wyoming .....	656.9	188.1	250.9	217.9	28.6	38.2	33.2	329.6	327.3	50.2	49.8
Dist. of Col. ....	1,602.4	812.4	...	790.0	50.2	...	49.8	...	1,602.4	...	100.0

\*Source: Bureau of the Census, *Governmental Finances in 1975-76*.

Note: Because of rounding, detail may not add to totals. Local government data are estimates subject to sampling variation.

(a) Data not adjusted for federal receipts of \$1,331 million from state governments (mainly for Supplemental Security Income program).

Table 6  
DIRECT GENERAL EXPENDITURE OF STATE AND LOCAL GOVERNMENTS,  
FOR SELECTED ITEMS, BY STATE: 1975-76\*  
(In millions of dollars)

State or other jurisdiction	Total	Other than capital outlay	Education			Public welfare	Highways		
			Total	Other than capital outlay	Local schools		Total	Other than capital outlay	Health and hospitals
United States .....	\$255,551.3	\$214,381.5	\$97,216.3	\$87,105.3	\$67,673.6	\$31,434.8	\$23,906.8	\$9,697.9	\$20,686.2
Alabama .....	3,402.1	2,731.5	1,355.6	1,208.6	774.9	327.5	414.9	146.6	431.7
Alaska .....	1,176.0	832.2	371.9	302.5	268.6	49.1	190.4	35.5	42.1
Arizona .....	2,610.6	2,083.3	1,109.0	1,026.6	788.1	104.8	266.7	84.7	183.7
Arkansas .....	1,817.1	1,408.5	726.2	617.4	464.6	216.5	270.5	100.8	139.2
California .....	30,733.6	27,178.8	11,442.1	10,498.6	7,813.7	4,603.5	1,671.7	791.0	2,304.5
Colorado .....	3,265.7	2,600.5	1,426.6	1,254.1	944.2	304.5	329.6	125.5	233.5
Connecticut .....	3,403.2	2,926.5	1,248.9	1,141.6	961.8	408.5	261.5	128.7	193.4
Delaware .....	800.2	663.6	329.6	302.3	202.0	69.3	81.5	32.1	38.3
Florida .....	8,474.6	6,827.6	3,163.3	2,842.8	2,343.3	485.9	748.8	247.8	919.5
Georgia .....	4,825.4	4,010.3	1,763.0	1,576.3	1,249.3	492.2	498.5	180.1	714.7
Hawaii .....	1,566.9	1,172.5	427.4	370.1	251.4	164.1	153.8	42.6	104.4
Idaho .....	912.9	718.2	342.4	291.0	232.5	74.7	148.1	64.2	69.4
Illinois .....	13,200.8	11,012.8	5,220.8	4,632.1	3,692.5	1,847.4	1,426.3	527.1	815.7
Indiana .....	4,805.2	4,011.4	2,191.6	1,965.3	1,424.0	428.9	553.8	189.5	465.5
Iowa .....	3,295.0	2,636.5	1,368.8	1,252.4	940.8	345.7	555.8	228.8	243.8
Kansas .....	2,515.5	2,003.1	998.0	916.1	658.9	254.3	359.5	135.0	239.0
Kentucky .....	3,213.0	2,524.2	1,267.8	1,095.0	752.1	412.1	458.8	149.2	184.6
Louisiana .....	4,276.6	3,334.5	1,479.1	1,326.8	1,027.1	406.9	642.2	180.6	374.6
Maine .....	1,082.8	921.1	405.1	375.9	293.8	153.3	139.4	78.4	48.7
Maryland .....	5,579.6	4,395.1	2,141.8	1,836.5	1,509.1	512.5	509.7	137.2	375.5
Massachusetts .....	7,309.8	6,404.9	2,522.6	2,204.2	2,032.9	1,208.4	488.9	275.9	533.1
Michigan .....	11,903.7	10,246.4	4,791.0	4,291.6	3,531.1	1,891.5	907.3	331.5	941.5
Minnesota .....	5,401.9	4,365.1	2,176.8	1,926.4	1,478.2	724.5	611.9	269.3	368.3
Mississippi .....	2,263.8	1,806.1	854.5	790.1	537.9	208.3	384.9	146.9	244.6
Missouri .....	4,323.1	3,639.8	1,760.9	1,632.0	1,264.9	419.6	533.1	234.0	397.2
Montana .....	948.9	759.8	406.9	378.3	295.8	65.2	153.9	50.7	53.8
Nebraska .....	1,642.5	1,313.1	676.4	606.6	469.5	130.6	252.3	91.6	144.5
Nevada .....	867.8	712.5	280.5	238.0	198.0	51.7	99.9	44.1	81.7
New Hampshire .....	855.4	658.7	320.5	281.4	219.3	101.7	132.8	57.3	47.8
New Jersey .....	8,800.8	7,719.2	3,234.9	3,012.1	2,500.7	1,109.3	625.2	332.4	458.7
New Mexico .....	1,303.8	1,062.8	579.1	516.3	386.4	96.4	170.3	73.9	104.3
New York .....	31,383.1	27,725.7	9,339.9	8,540.1	6,927.0	5,082.8	1,511.7	840.7	3,214.7
North Carolina .....	5,062.4	4,060.2	2,243.6	1,982.2	1,440.9	413.8	567.7	198.4	467.3
North Dakota .....	758.1	594.6	305.3	272.7	185.3	50.3	139.8	49.4	27.0
Ohio .....	11,029.8	9,143.2	4,444.6	4,018.8	3,248.4	1,290.3	988.8	430.9	895.2
Oklahoma .....	2,630.7	2,166.4	1,054.4	909.9	654.7	336.9	296.4	151.5	226.1
Oregon .....	3,155.3	2,677.7	1,278.6	1,152.4	847.6	309.6	311.9	133.7	166.4
Pennsylvania .....	13,205.1	11,127.2	4,834.4	4,313.5	3,555.2	2,039.7	1,355.9	575.0	830.8
Rhode Island .....	1,113.3	987.7	402.1	365.1	263.8	193.5	59.3	33.3	81.1
South Carolina .....	2,749.8	2,227.4	1,134.6	991.3	703.2	208.5	213.0	81.1	347.5
South Dakota .....	777.8	588.6	310.0	268.5	205.3	69.0	144.4	49.1	37.7
Tennessee .....	3,490.0	3,070.3	1,486.1	1,229.8	931.4	382.9	539.7	210.3	412.7
Texas .....	11,982.2	9,812.0	5,337.9	4,658.6	3,659.5	1,081.8	1,180.1	425.7	1,067.1
Utah .....	1,373.0	1,081.6	700.0	579.8	442.9	102.7	156.5	47.0	85.9
Vermont .....	594.4	521.1	236.8	223.2	145.0	82.0	79.7	38.6	32.3
Virginia .....	5,145.8	4,150.3	2,100.5	1,912.0	1,441.3	459.5	643.9	185.6	366.1
Washington .....	4,379.2	3,671.1	1,860.7	1,666.9	1,178.8	400.6	423.5	192.5	238.0
West Virginia .....	1,901.8	1,462.3	686.8	603.8	518.6	171.9	397.8	131.0	125.1
Wisconsin .....	5,697.0	4,932.7	2,422.1	2,216.0	1,556.8	793.2	625.4	347.9	400.5
Wyoming .....	632.2	442.6	243.4	210.9	164.3	23.0	156.1	38.5	46.7
Dist. of Col. ....	1,462.2	1,258.1	330.4	280.1	276.2	273.9	73.0	24.6	120.5

\*Source: Bureau of the Census, *Governmental Finances in 1975-76*.

Note: Because of rounding, detail may not add to totals.

Table 7  
PER CAPITA DIRECT GENERAL EXPENDITURE OF STATE AND  
LOCAL GOVERNMENTS, FOR SELECTED ITEMS, BY STATE: 1975-76\*

State or other jurisdiction	Total	Other than capital outlay	Education			Public welfare	Highways		Health and hospitals
			Total	Other than capital outlay	Local schools		Total	Other than capital outlay	
U.S. average .....	\$1,190.50	\$998.71	\$452.89	\$405.79	\$315.26	\$146.44	\$111.37	\$45.18	\$ 96.37
Median state .....	1,118.08	917.75	435.53	391.40	302.30	110.89	127.96	48.47	85.45
Alabama .....	928.26	745.29	369.88	329.77	211.42	89.35	113.19	39.99	117.78
Alaska .....	3,078.53	2,178.54	973.64	791.88	703.19	128.43	498.35	92.94	110.13
Arizona .....	1,150.04	917.76	524.21	452.24	347.17	46.15	117.51	37.30	80.93
Arkansas .....	861.60	667.83	344.34	292.76	220.30	102.65	128.24	47.79	66.02
California .....	1,428.14	1,262.95	531.69	487.85	363.09	213.92	77.68	36.76	107.09
Colorado .....	1,264.31	1,006.76	552.30	485.53	365.52	117.89	127.60	48.58	90.38
Connecticut .....	1,091.81	938.88	400.67	366.25	308.56	131.06	83.89	41.30	62.06
Delaware .....	1,374.83	1,140.15	566.38	519.49	347.05	119.03	139.99	55.13	65.86
Florida .....	1,006.36	810.78	375.65	337.58	278.27	57.70	88.92	29.43	109.19
Georgia .....	970.90	806.90	354.73	317.17	251.37	99.03	100.31	36.24	143.80
Hawaii .....	1,766.51	1,321.89	481.80	417.22	283.43	185.01	173.37	48.06	117.71
Idaho .....	1,098.59	864.21	412.04	350.17	279.80	89.94	178.26	77.24	83.57
Illinois .....	1,175.60	980.75	464.94	412.51	328.84	164.52	127.02	46.94	72.64
Indiana .....	906.29	756.59	413.36	370.68	268.59	80.90	104.46	35.74	87.80
Iowa .....	1,148.08	918.65	476.95	436.38	327.80	120.45	193.65	79.73	84.96
Kansas .....	1,088.96	867.13	432.04	396.58	285.22	110.10	155.63	58.44	103.46
Kentucky .....	937.29	736.34	369.85	319.43	219.40	120.22	133.84	43.54	53.86
Louisiana .....	1,113.42	868.14	385.08	345.42	267.41	105.94	167.19	47.01	97.54
Maine .....	1,012.00	860.83	378.56	351.34	274.58	143.29	130.26	73.28	45.51
Maryland .....	1,346.42	1,060.60	516.83	443.17	364.17	123.67	123.00	33.11	90.62
Massachusetts .....	1,258.36	1,102.59	434.26	379.45	349.96	208.02	84.17	47.50	91.77
Michigan .....	1,307.52	1,125.49	526.25	471.40	368.09	207.77	99.66	36.41	103.42
Minnesota .....	1,362.38	1,100.92	549.00	485.86	372.80	182.74	154.34	67.92	92.88
Mississippi .....	961.67	767.24	363.00	335.65	228.50	88.50	163.49	62.39	103.92
Missouri .....	904.80	761.78	368.55	341.57	264.72	87.82	111.58	48.98	83.13
Montana .....	1,260.14	1,009.08	540.40	502.40	392.89	86.56	204.35	67.29	71.48
Nebraska .....	1,057.64	845.56	435.53	390.60	302.30	84.11	162.49	58.97	93.02
Nevada .....	1,422.63	1,168.06	459.82	390.17	324.54	84.68	163.84	72.35	133.93
New Hampshire .....	1,040.64	801.32	389.87	342.36	266.74	123.73	161.54	69.65	58.20
New Jersey .....	1,199.68	1,052.24	440.96	410.60	340.88	151.21	85.23	45.31	62.52
New Mexico .....	1,116.29	909.94	495.82	442.07	330.86	82.53	145.79	63.29	89.26
New York .....	1,735.41	1,533.16	516.47	472.25	383.05	281.07	83.60	46.49	177.77
North Carolina .....	925.65	742.40	410.23	362.44	263.46	75.67	103.80	36.27	85.44
North Dakota .....	1,179.00	924.77	474.78	424.18	288.12	78.21	217.47	76.79	42.02
Ohio .....	1,031.78	855.30	415.77	375.94	303.87	120.70	92.50	40.31	83.74
Oklahoma .....	951.08	783.24	381.21	328.97	236.71	121.81	107.14	54.76	81.74
Oregon .....	1,354.79	1,149.74	548.98	494.82	363.94	132.93	133.94	57.40	71.46
Pennsylvania .....	1,113.22	938.06	407.55	363.64	299.72	171.95	114.31	48.47	70.04
Rhode Island .....	1,200.97	1,065.46	433.78	393.90	284.61	208.70	64.02	35.95	87.45
South Carolina .....	965.53	782.08	398.40	348.08	246.90	73.21	74.78	28.49	122.03
South Dakota .....	1,133.75	858.03	451.94	391.40	299.22	100.57	210.53	71.54	54.96
Tennessee .....	934.98	728.59	352.65	291.84	221.03	90.87	128.08	49.91	97.93
Texas .....	959.58	785.78	427.48	373.08	293.07	86.64	94.51	34.09	85.46
Utah .....	1,118.08	880.77	570.03	472.14	360.68	83.67	127.48	38.28	69.94
Vermont .....	1,248.64	1,094.80	497.47	468.87	304.53	172.22	167.51	81.11	67.96
Virginia .....	1,022.61	824.78	417.42	379.97	286.44	91.31	127.96	36.89	72.76
Washington .....	1,212.39	1,016.36	515.16	461.49	326.36	110.90	117.25	53.30	65.89
West Virginia .....	1,044.37	803.01	377.18	331.59	284.82	94.41	218.48	71.92	68.72
Wisconsin .....	1,236.06	1,070.24	525.51	480.79	337.77	172.10	135.69	75.49	86.88
Wyoming .....	1,621.13	1,134.79	624.03	540.76	421.30	59.05	400.13	98.82	119.74
Dist. of Col. ....	2,082.91	1,792.10	470.65	398.99	393.45	390.11	103.97	35.07	171.67

\*Source: Bureau of the Census, *Governmental Finances in 1975-76*.

Table 8  
RELATION OF SELECTED ITEMS OF STATE AND LOCAL GOVERNMENT  
FINANCES TO PERSONAL INCOME: 1975-76\*

State or other jurisdiction	General revenue per \$1,000 of personal income					Direct general expenditure per \$1,000 of personal income				
	Total	From federal government	All state and local general revenue sources	Taxes	Charges and miscel- laneous general revenue	All general expendi- ture	Edu- cation	High- ways	Public welfare	Health and hos- pitals
U.S. average .....	\$203.74	\$ 44.21	\$159.53	\$124.72	\$34.81	\$203.25	\$ 77.32	\$19.01	\$25.00	\$16.45
Median state .....	205.11	48.11	155.42	118.26	37.09	207.58	78.51	23.63	19.64	15.33
Alabama .....	200.16	56.18	143.99	99.43	44.56	202.76	80.79	24.72	19.52	25.73
Alaska .....	384.88	92.60	292.28	217.87	74.40	353.79	111.89	57.27	14.76	12.66
Arizona .....	217.60	41.07	176.53	139.43	37.10	219.23	99.93	22.40	8.80	15.43
Arkansas .....	191.95	59.42	132.53	97.90	34.63	185.89	74.29	27.67	22.15	14.24
California .....	228.23	44.69	183.54	148.92	34.62	220.57	82.12	12.00	33.04	16.54
Colorado .....	215.60	47.92	167.68	123.97	43.71	215.30	94.05	21.73	20.08	15.39
Connecticut .....	161.77	29.44	132.32	112.33	19.99	157.67	57.86	12.11	18.93	8.96
Delaware .....	204.34	44.26	160.08	114.42	45.66	204.75	84.35	20.85	17.73	9.81
Florida .....	172.48	31.69	140.79	101.26	39.54	180.10	67.23	15.91	10.33	19.54
Georgia .....	200.82	49.67	151.15	108.85	42.31	192.61	70.37	19.90	19.65	28.53
Hawaii .....	251.63	69.20	182.44	146.12	36.32	276.15	75.32	27.10	28.92	18.40
Idaho .....	211.15	55.73	155.42	115.87	39.55	215.62	80.87	34.99	17.65	16.40
Illinois .....	172.23	34.28	137.94	114.18	23.76	174.46	69.00	18.85	24.41	10.78
Indiana .....	166.86	30.42	136.44	103.86	32.57	160.05	73.00	18.45	14.29	15.50
Iowa .....	190.26	38.88	151.38	115.30	36.08	188.93	78.49	31.87	19.82	13.98
Kansas .....	181.49	36.18	145.31	110.18	35.13	184.22	73.09	26.33	18.63	17.50
Kentucky .....	203.48	54.29	149.19	113.71	35.48	194.25	76.65	27.74	24.92	11.16
Louisiana .....	237.11	56.61	180.50	126.00	54.50	230.04	79.56	34.54	21.89	20.15
Maine .....	230.88	59.20	171.68	141.67	30.01	213.54	79.88	27.49	30.24	9.60
Maryland .....	202.01	41.15	160.85	127.17	33.68	210.29	80.72	19.21	19.31	14.15
Massachusetts .....	219.74	48.11	171.63	147.43	24.20	205.52	70.92	13.75	33.97	14.99
Michigan .....	205.11	47.19	157.92	120.64	37.28	210.59	84.76	16.05	33.46	16.66
Minnesota .....	236.96	48.92	188.04	143.11	44.93	237.00	95.50	26.85	31.79	16.16
Mississippi .....	237.53	68.50	169.03	120.42	48.60	238.19	89.91	40.50	21.92	25.74
Missouri .....	169.92	39.09	130.83	103.81	27.02	164.73	67.10	20.31	15.99	15.14
Montana .....	240.02	66.21	173.81	131.67	42.14	234.06	100.38	37.96	16.08	13.28
Nebraska .....	185.05	39.34	145.71	108.83	36.87	175.03	72.08	26.89	13.92	15.39
Nevada .....	218.20	42.89	175.31	127.16	48.14	220.54	71.28	25.40	13.13	20.76
New Hampshire .....	179.97	42.04	137.93	108.08	29.84	196.83	73.74	30.55	23.40	11.01
New Jersey .....	175.22	31.88	143.34	118.26	25.08	178.95	65.78	12.71	22.56	9.33
New Mexico .....	259.72	68.12	191.60	127.57	64.03	238.10	105.76	31.10	17.60	19.04
New York .....	262.81	50.98	211.83	173.29	38.54	263.82	78.51	12.71	42.73	27.02
North Carolina .....	180.66	43.70	136.96	106.82	30.14	187.53	83.11	21.03	15.33	17.31
North Dakota .....	228.16	49.00	179.16	117.42	61.74	207.58	83.59	38.29	13.77	7.40
Ohio .....	165.51	31.80	133.70	100.17	33.53	176.44	71.10	15.82	20.64	14.32
Oklahoma .....	192.65	47.85	144.80	102.92	41.88	184.78	74.06	20.82	23.66	15.88
Oregon .....	232.08	59.77	172.31	124.10	48.21	239.02	96.85	23.63	23.45	12.61
Pennsylvania .....	181.16	42.32	138.83	115.40	23.43	187.85	68.77	19.29	29.02	11.82
Rhode Island .....	207.02	57.41	149.61	121.68	27.93	205.67	74.29	10.96	35.74	14.98
South Carolina .....	203.02	51.57	151.44	107.06	44.38	211.30	87.19	16.36	16.02	26.70
South Dakota .....	226.87	63.89	162.98	121.57	41.41	231.13	92.13	42.92	20.50	11.20
Tennessee .....	186.08	49.55	136.53	101.37	35.16	192.19	72.49	26.33	20.13	20.13
Texas .....	179.61	37.14	142.48	105.35	37.13	173.90	77.47	17.13	15.70	15.49
Utah .....	229.20	64.19	165.00	122.56	42.44	231.26	117.90	26.37	17.31	14.47
Vermont .....	269.70	81.51	188.19	151.19	36.99	254.43	101.37	34.13	35.09	13.85
Virginia .....	176.49	38.85	137.63	106.69	30.94	179.10	73.11	22.41	15.99	12.74
Washington .....	204.76	43.29	161.47	118.67	42.80	197.63	83.98	19.11	18.08	10.74
West Virginia .....	216.46	62.33	154.13	119.95	34.18	214.48	77.46	44.87	19.39	14.11
Wisconsin .....	222.93	45.53	177.40	139.56	37.84	218.20	92.77	23.95	30.38	15.34
Wyoming .....	286.36	81.99	204.37	143.92	60.45	275.61	106.09	68.03	10.04	20.36
Dist. of Col. ....	289.03	146.54	142.49	117.01	25.48	263.75	59.60	13.16	49.40	21.74

\*Source: Bureau of the Census, *Governmental Finances in 1975-76*.

Table 9  
INDEBTEDNESS OF STATE AND LOCAL GOVERNMENTS  
AT END OF FISCAL 1975-76, BY STATE\*  
(In millions of dollars, except per capita amounts)

State or other jurisdiction	Total	Long-term debt		Short- term debt	Per capita debt	
		Total(a)	General only		Total	Long- term only
United States .....	\$240,085.9	\$221,308.8	\$190,528.7	\$18,777.2	\$1,118.46	\$1,030.98
Alabama .....	2,999.9	2,901.4	2,526.7	98.5	818.52	791.65
Alaska .....	1,382.2	1,320.4	1,221.0	61.8	3,618.23	3,456.45
Arizona .....	2,370.1	2,340.1	1,231.7	30.0	1,044.12	1,030.89
Arkansas .....	1,115.4	1,058.1	944.1	57.3	528.88	501.71
California .....	20,384.4	20,003.0	14,742.0	381.4	947.23	929.51
Colorado .....	2,093.7	2,042.0	1,464.4	51.7	810.56	790.56
Connecticut .....	4,991.3	4,367.4	4,285.7	623.9	1,601.32	1,401.15
Delaware .....	1,137.1	1,102.3	1,057.6	34.8	1,953.80	1,894.01
Florida .....	7,141.2	6,977.3	5,400.3	163.9	848.02	828.56
Georgia .....	4,019.8	3,891.7	3,218.3	128.2	808.82	783.04
Hawaii .....	1,639.3	1,605.6	1,560.8	33.7	1,848.10	1,810.13
Idaho .....	260.7	244.0	228.4	16.8	313.75	293.58
Illinois .....	10,454.7	9,220.7	8,318.2	1,234.0	931.05	821.15
Indiana .....	2,803.1	2,679.7	2,494.5	123.3	528.68	505.42
Iowa .....	1,314.7	1,283.3	1,137.0	31.3	458.08	447.16
Kansas .....	2,109.7	2,025.6	1,702.2	84.0	913.27	876.90
Kentucky .....	4,088.7	4,012.0	3,453.1	76.7	1,192.72	1,170.35
Louisiana .....	4,341.9	4,296.9	3,819.5	45.0	1,130.40	1,118.68
Maine .....	964.3	896.3	846.6	68.0	901.21	837.71
Maryland .....	5,822.0	5,653.4	5,172.4	168.6	1,404.93	1,364.25
Massachusetts .....	8,760.2	7,447.1	6,745.4	1,313.1	1,508.04	1,282.00
Michigan .....	8,767.6	8,376.6	7,681.4	391.1	963.05	920.10
Minnesota .....	4,783.8	4,534.7	4,371.0	249.1	1,206.51	1,143.68
Mississippi .....	1,757.4	1,710.0	1,549.8	47.5	746.58	726.41
Missouri .....	2,806.1	2,710.8	2,413.4	95.4	587.30	567.34
Montana .....	464.6	461.0	417.0	3.6	616.93	612.19
Nebraska .....	2,552.8	2,415.8	802.5	137.0	1,643.81	1,555.57
Nevada .....	672.8	669.5	522.7	3.4	1,103.02	1,097.52
New Hampshire .....	673.8	601.4	581.9	72.4	819.69	731.65
New Jersey .....	9,005.3	7,954.9	7,668.3	1,050.5	1,227.55	1,084.36
New Mexico .....	778.8	772.0	672.2	6.8	666.75	660.95
New York .....	46,037.3	37,703.6	34,189.7	8,333.7	2,545.75	2,084.91
North Carolina .....	2,558.8	2,371.3	1,953.0	187.5	467.87	433.59
North Dakota .....	352.9	348.0	318.9	4.9	548.83	541.24
Ohio .....	8,532.8	7,323.4	6,907.4	1,209.4	798.20	685.07
Oklahoma .....	2,296.7	2,233.7	2,024.7	63.0	830.33	807.55
Oregon .....	3,351.0	3,313.0	2,981.7	37.9	1,438.80	1,422.52
Pennsylvania .....	15,623.8	14,816.1	14,113.6	807.7	1,317.13	1,249.04
Rhode Island .....	1,004.8	883.1	840.5	121.8	1,083.97	952.59
South Carolina .....	2,167.4	2,124.7	1,910.8	42.7	761.03	746.04
South Dakota .....	224.5	221.1	199.5	3.4	327.19	322.27
Tennessee .....	4,052.9	3,889.0	2,997.0	163.9	961.76	922.88
Texas .....	12,096.2	11,882.5	9,548.3	213.6	968.70	951.59
Utah .....	653.6	653.1	589.4	0.5	532.29	531.88
Vermont .....	581.9	553.6	537.0	28.4	1,222.51	1,162.93
Virginia .....	3,924.1	3,679.2	3,337.8	244.8	779.82	731.16
Washington .....	6,007.7	5,914.4	5,279.9	93.3	1,663.26	1,637.43
West Virginia .....	1,763.4	1,709.7	1,671.3	53.7	968.36	938.87
Wisconsin .....	3,536.0	3,437.0	3,279.7	99.0	767.19	745.71
Wyoming .....	459.7	459.7	418.8	(b)	1,178.77	1,178.71
Dist. of Col. ....	2,403.1	2,217.6	1,179.8	185.5	3,423.27	3,159.02

\*Source: Bureau of the Census, *Governmental Finances in 1975-76*.  
Note: Because of rounding, detail may not add to total.

(a) Including debt for local utilities not shown separately.  
(b) Less than half the unit of measurement shown.

## 2. Taxation

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### RECENT TRENDS IN STATE TAXATION

By John Gambill\*

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THERE WAS A MODERATE AMOUNT of legislative activity relating to state taxation during the 1976-77 biennium. The greatest number of increases dealt with taxes on alcoholic beverages and motor fuels. There was revision of severance taxes in a number of states.

Sales taxes were adjusted in several states, usually upward. North Dakota voters decided, however, to reduce theirs.

New Jersey joined the list of states having a personal income tax while some other states increased their rates on corporate and personal incomes.

Although the majority of rate changes were increases, the bulk of other tax legislation dealt with deductions, credits, and exemptions designed to reduce tax burdens. These included the exemption of food and prescription drugs from the sales tax, changes in personal exemptions and standard deductions for income tax, income tax credits for care of dependents, income tax credits and property tax exemptions for alternate energy devices, increased inheritance tax exemptions, and enactment of property tax relief for low-income persons and the elderly.

Effects of legislative action during the biennium are summarized below.

#### General Sales Taxes

##### Tax Rates

The Nebraska rate was changed several times: from 2.5 to 3 percent on September 1, 1976, to 3.5 percent on July 1, 1977, and then to 3 percent, effective January 1, 1978. Rhode Island raised its rate from 5 to 6 percent. Tennessee increased its rate from 3.5 to 4.5 percent. Washington increased its rate from 4.5 to 4.6 percent and imposed a 6 percent surtax on the business and occupational taxes from June 1, 1976, to June 30, 1979. Maryland increased its sales and use tax and its motor vehicle titling tax from 4 to 5 percent. Connecticut reduced the tax on machinery used exclusively in manufacturing and certain business services to 2.5 percent, having previously reduced it to 3.5 percent from the general 7 percent. This rate was also made applicable to machinery used in an agricultural production process.

Missouri voters approved an increase in the state sales tax from 3 to 3.125 percent to fund wildlife programs. The North Dakota electorate reduced the sales tax rate from 4 to 3 percent.

Oklahoma increased its use tax to 4 percent while keeping the sales tax rate at 2 percent. The receipts from the increase will be primarily distributed to local governments on the basis of their local sales tax revenues. Utah reduced the rate on fuels used for domestic or residential purposes from 4 to 1 percent.

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The District of Columbia raised the sales tax on certain parking charges from 8 to 12 percent and the sales tax on restaurant meals, transient accommodations, and alcoholic beverages for on-premise consumption from 6 to 8 percent.

### **Local Sales Taxes**

California authorized several transit districts to impose a 0.5 percent sales and use tax, subject to voter approval, for public transit purposes. In addition, it repealed the termination date for the San Francisco Bay Area Rapid Transit sales and use tax. Florida authorized charter counties to impose a 1 percent sales tax for rapid transit purposes, to be administered by the state. Kentucky authorized local transit authorities to impose a 0.5 percent sales tax, to be administered by the state revenue department. Texas authorized the board of a municipal rapid transit authority to levy a 1 percent sales and use tax, subject to voter approval.

Missouri authorized one county to impose a sales tax and extended the authority to use local sales taxes for public transportation purposes. Kansas raised the maximum county sales tax from 0.5 to 1 percent. New Mexico increased the maximum rate for the municipal sales tax from 0.25 to 0.5 percent.

### **Exemptions and Credits**

The Washington electorate exempted food other than prepared food from the sales tax effective July 1, 1978. Kansas exempted prescription drugs and appliances. South Carolina, Tennessee, and Utah exempted prescription drugs. Of the 45 sales tax states, 22 now exempt food and 36 exempt prescription drugs. The District of Columbia also exempts food and prescription drugs.

Colorado increased, for one year, the income tax credit for sales tax on food for persons with incomes below \$4,000. Nebraska increased the income tax credit for the sales tax from \$16 to \$20 for each income tax exemption. New Jersey exempted manufacturing and newspaper machinery and equipment. Louisiana exempted monetized bullion. Texas exempted newspapers and mandatory charges for service of meals. Arizona, Connecticut, and Maine exempted solar energy equipment.

### **Miscellaneous**

Massachusetts repealed the 8 percent tax on meals and subjected meals to the 5 percent sales tax (to be taxed at 6 percent for an intermediate period from January 1, 1978 to June 30, 1980).

## **Individual Income Taxes**

### **New Tax**

New Jersey in 1976 enacted an individual income tax of 2 percent on income up to \$20,000 and 2.5 percent on additional income. Exemptions of \$1,000 are provided for the taxpayer, spouse, dependents, senior citizens, and blind or disabled taxpayers, with an additional exemption for each dependent child who is a full-time student at a private or parochial elementary school. Medical expenses in excess of 2 percent of income and alimony payments are the only allowable deductions. There is no standard deduction.

### **Tax Rates**

Kansas enacted higher rates for taxpayers with incomes over \$10,000, effective with 1977 tax years. Maine raised its tax on all income above \$4,000 taxable income. The

maximum rate was increased from 6 percent on income over \$50,000 to 8 percent in 1976 and to 10 percent on income over \$25,000 in 1977. Louisiana increased its income tax for all taxpayers, effective with 1977 tax years.

Minnesota enacted higher rates for incomes over \$25,000 effective with 1978 tax years. Nebraska raised its income tax rate from 15 to 17 percent of the federal income tax for 1976, to 18 percent for 1977, and reduced it to 16 percent for 1978. Michigan permanently extended its 4.6 percent rate, which was scheduled to revert to 4.4 percent on July 1, 1977. New York terminated its 2.5 percent surtax as of December 31, 1976. It also reduced its rate in the \$25,000 to \$30,000 range from 15 to 14 percent. Pennsylvania raised the personal income tax from 2 to 2.2 percent, effective January 1, 1978.

Utah reduced its tax rates by 0.25 percent in all brackets, effective January 1, 1976. California enacted a nonrefundable low-income tax credit. The credit is \$40 for single persons and separate returns with less than \$5,000 in adjusted gross income, and \$80 for joint returns and heads of households with less than \$10,000 in adjusted gross income. The District of Columbia raised its tax on all income above \$4,000 taxable income, effective with 1976 tax years. The rate in the over \$25,000 bracket was increased from 10 to 11 percent.

### **Special Income Taxes**

Effective with 1977 tax years, Connecticut changed its dividends tax from a flat 7 percent to a sliding scale of 1 to 9 percent; Maine imposed a minimum tax on tax preference income equal to 15 percent of the federal minimum tax on individuals and corporations; and Minnesota enacted a minimum tax on preference items equal to 40 percent of the taxpayer's federal minimum liability for tax preference items.

### **Exemptions and Personal Credits**

Hawaii increased its schedule of tax credits for taxpayer and dependents; the maximum credit, for incomes less than \$5,000, was increased from \$30 to \$40. Kentucky increased the amount of the additional personal credit for senior citizens and blind persons from \$20 to \$40.

Kansas increased the exemption for taxpayers and dependents from \$600 to \$750. Minnesota increased its per capita credit for taxpayers and dependents from \$21 to \$30. New Mexico enacted a temporary tax credit for 1976 and 1977 equal to \$30 for each personal exemption or 30 percent of the tax liability, whichever is greater. New York enacted a household credit of up to \$50, depending on household income.

### **Standard Deduction and Low-Income Allowance**

Kentucky increased the amount of the standard deduction from \$500 to \$650. Maine increased the standard deduction to 16 percent of state adjusted gross income, up to \$2,800 for joint returns, \$2,400 for single persons, and \$1,400 for married persons filing separately. It also specified a minimum deduction or low-income allowance. Wisconsin revised its low-income deduction, increasing the amounts and graduating it by income.

### **Specific Credits**

Indiana provided a credit for investments in impoverished areas. Idaho provided a credit for contributions to nonprofit private educational institutions. California, Georgia, Hawaii, Minnesota, and Oklahoma provided credits for employment-related expenses for the care of dependents. Arkansas enacted such a credit to replace a related deduction.



Credits to encourage the use of solar energy devices, and in some cases other sources of energy, were enacted in Arizona, California, Hawaii, Kansas, Montana, New Mexico, North Carolina, North Dakota, Oklahoma, and Oregon. Alaska, Arizona, and North Carolina also provided credits for expenditures on insulation. Alaska enacted a credit equal to 5 percent of residential fuel expenses. New Mexico increased the amounts for its low-income credit for state and local taxes.

### **Specific Deductions**

Idaho provided deductions for residential insulation and for energy devices using solar radiation, wind, geothermal resources, or wood or wood products for heating and cooling. Idaho, Montana, and Virginia enacted deductions for dependent care. Alabama enacted a deduction for net operating loss (for personal taxes only, not for corporation income taxes).

Oregon provided a deduction for dependent expenses. Arkansas and Colorado enacted deductions for solar energy systems. Alabama enacted a deduction for conversion to wood heating equipment. Arkansas and Kansas enacted deductions for insulation.

### **Withholding**

North Carolina provided for monthly rather than quarterly payment of withholding taxes for employers withholding more than \$3,000 per month. California, Delaware, Maine, Maryland, Minnesota, Nebraska, New York, Oklahoma, and Rhode Island provided for withholding of state income taxes from residents serving in the armed forces. Arkansas provided for withholding from persons contracting with state agencies as consultants. Colorado provided that quarterly rather than monthly withholding would be required from employers withholding less than \$600 per quarter.

### **State-Federal Conformity**

Massachusetts updated the definition of the Internal Revenue Code to that of May 23, 1977. Utah updated the definition to mean the current code, except for personal exemptions and the standard deduction, which are based on the December 31, 1974, code. All states making reference to the Internal Revenue Code in defining the state personal income tax base now use the current code or that of a recent date.

## **Corporation Income Taxes**

### **Tax Rates**

Effective with 1977 tax years, Delaware increased its rate from 7.2 to 8.7 percent and Louisiana from a flat 4 percent to a graduated tax of 4 to 8 percent. Nebraska increased its rates from 3.75 to 4.5 percent on the first \$25,000 and from 4.125 to 4.95 percent on additional amounts over the biennium, but effective January 1, 1978, cut its rates to 4 percent and 4.4 percent respectively. New York State extended its 20 percent surtax through the end of 1977, but provided that each taxpayer's surtax would be reduced by \$5,000.

New Hampshire increased its business profits tax on corporations and unincorporated businesses from 7 to 8 percent. The District of Columbia imposed a surtax equal to 10 percent of the tax on corporations and unincorporated businesses for the 1976 and 1977 tax years. Utah reduced its rate from 6 to 4 percent, effective with 1977 tax years, but eliminated the deduction for federal income taxes. The Pennsylvania rate was raised from 9.5 to 10.5 percent.

**Federal Base and Uniform Apportionment**

Tennessee revised its corporate excise tax. The tax base was defined to be equal to federal taxable income with certain adjustments. The provisions of the Uniform Division of Income for Tax Purposes Act were adopted.

**Miscellaneous**

Connecticut and Maryland provided for an acceleration of the payment of estimated income taxes. Colorado enacted a one-year tax credit for compensation paid new employees. Arkansas and Colorado permitted affiliated corporations to file consolidated income tax returns. Iowa required quarterly payment of estimated tax for corporations whose tax liability exceeds \$1,000 for the year. Oregon enacted a tax credit for increasing the number of employees and another for investments which may be expected to create new jobs.

**Motor Fuel Taxes****Tax Rates**

Washington State enacted the first variable rate motor fuel tax. Effective January 1, 1978, the motor fuel tax rate will be adjusted every half year to equal 21.5 percent of the average retail selling price of motor fuel (excluding federal and state excises), as established by a statewide survey. The rate is subject to a minimum of 9 cents and a maximum of 12 cents per gallon. If fuel tax revenues exceed appropriations by 5 percent, the rate will be reduced.

Connecticut, Idaho, Kansas, Montana, Nebraska, New Hampshire, North Dakota, and South Carolina raised their motor fuel tax rates. Hawaii and South Dakota permanently extended previous temporary increases.

Delaware raised its rate for the period July 1, 1977, to December 31, 1979. The increase will expire sooner if the state treasurer certifies that there are sufficient funds to pay the principal and interest on certain general obligation bonds. Nebraska provided that motor fuel containing a minimum of 10 percent blend of agricultural ethyl alcohol will be taxed 5 cents less than regular motor fuel.

For vehicles using LPG, New Mexico and Washington State provided for a flat fee based on weight in place of the per gallon tax. Alabama increased the fuel tax for aircraft with reciprocating engines, Maine increased the tax for fuel used in jets on international flights, and Oregon increased the rate on aircraft fuel for other than jets. Alaska increased the watercraft fuel tax and broadened the base to include all fuel used on watercraft rather than only fuel used for propulsion.

**Local Taxes**

Virginia authorized cities and counties in the Washington Metropolitan Area Transit Authority to levy a 4 percent tax on the retail sale of motor fuel, provided that all five jurisdictions agree to impose the tax. The tax has not been levied. California authorized the imposition of a 1-cent-per-gallon tax on motor fuel by transit districts and other units of local government for public mass transit, subject to voter approval.

**Motor Carriers**

Illinois imposed a tax of 7.5 cents per gallon on fuel used by commercial motor vehicles operating on Illinois highways.

### **Exemptions and Refunds**

Delaware provided for the refund of the tax on fuel used in taxicabs. Kentucky provided that the liquified petroleum motor gas tax is not collected on fuel sold for use in motor vehicles equipped with carburetion systems approved by the state Department of Natural Resources and Environmental Protection. Maryland provided for the refund of fuel taxes for buses used to provide municipal public transportation. Maryland, Virginia, and West Virginia provided for the exemption or refund of tax on fuel used by volunteer fire departments and rescue squads. Indiana allowed persons using fuel for nonhighway purposes to claim an income tax credit for taxes on such fuel in lieu of the refund.

Connecticut provided for a refund of 50 percent of the tax on fuel used in operating taxicabs on town and city roads. Wisconsin provided for a refund for fuel used by a taxicab. Iowa exempted fuel used in the operation of an urban transit system. Minnesota exempted municipal transit systems from fuel taxes.

### **Tobacco Taxes**

Colorado, Florida, Indiana, South Carolina, and the District of Columbia increased their cigarette tax rates. The Colorado increase is scheduled to expire July 1, 1978.

New Jersey revised the definition of cigarette to include cigarettes made entirely of materials other than tobacco. Utah repealed its tax on cigarette tubes and papers. Arkansas changed the tax on cigars and smoking and chewing tobacco from 15 percent of the wholesale selling price to 16 percent of the manufacturer's selling price, computed on the manufacturer's actual invoice price before discounts and deals.

### **Alcoholic Beverage Taxes**

#### **Tax Rates**

Colorado, Florida, Kansas, Nebraska, Oregon, and Virginia increased the rates on beer, wine, and spirits. Indiana increased the tax on spirits and wine containing 21 percent or more alcohol. Vermont increased the tax on wine. South Carolina imposed a 9 percent surtax on all taxes on alcoholic liquors. Montana increased the liquor license tax and the tax on beer; the liquor license tax is in addition to the liquor tax.

Hawaii provided a five-year exemption from the excise tax on alcoholic beverages for fruit wine manufactured in Hawaii from products grown in the state. Mississippi, which has a state store system, provided a rate of 5 cents per gallon for native wine, and added a 3 percent markup on all alcoholic beverages from August 1, 1977 to August 1, 1978. Colorado provided special rates for wine manufactured in limited quantities in the state from state grown fruits and Tennessee for wine produced in the state from fruits, berries, or vegetables grown in the state.

#### **Miscellaneous**

Georgia authorized cities and counties to impose a tax of up to 3 percent on the sale of alcoholic products other than malt products, which are subject to a uniform local tax rate.

Georgia authorized the state revenue commissioner to provide, by regulation, for the collection of the distilled spirits tax by a reporting system rather than through the use of tax stamps. Colorado, Minnesota, South Carolina, and Wisconsin specified rates for alcoholic beverages sold in metric containers.

## **Property Tax Relief**

### **General Residential**

Minnesota, Oregon, Wisconsin, and the District of Columbia, whose circuit-breaker programs apply to people regardless of age, increased the benefits provided by their programs. Colorado enacted a one-time refundable income tax credit equal to 10 percent of the property tax on owner-occupied residential property.

Arizona provided for a reduction in the assessment level of rented residential property from 27 to 21 percent of value. Hawaii increased the amount of its homestead exemption from \$8,000 to \$12,000 of the value of the property, and Louisiana increased its homestead exemption from \$2,000 to \$5,000 of assessed value. Montana provided for the exemption of \$5,000 of appraised value of residential homesteads, with provision for the state to reimburse the counties for revenue foregone. New Jersey provided a homestead exemption equal to \$1.50 per \$100 of equalized value plus 12.5 percent of the effective tax rate multiplied by the equalized value (equalized value is limited to \$10,000 or two thirds of the actual equalized value). New Jersey also provided that landlords must rebate tenants of residential realty an amount based on the property tax reduction derived from aid to the municipalities from the State Aid for Schools Fund.

### **Senior Citizens**

New Mexico, Rhode Island, South Dakota, and Utah enacted circuit-breaker property tax relief for senior citizen homeowners (and renters, except in South Dakota). Arizona, California, Colorado, Idaho, Illinois, Iowa, Maine, Maryland, Missouri, Nevada, and North Dakota extended their programs.

Alaska completely exempted the residential property of senior citizens; previously the exemption was for a specific amount determined each year by the Department of Community and Regional Affairs. North Carolina increased the amount of the senior citizen homestead exemption and relaxed the income criteria. Wyoming repealed its senior citizen homestead exemption.

### **Statewide Property Tax**

In December 1977, Maine voters repealed a uniform statewide property tax system enacted in 1973 to help fund public school education.

### **Agricultural Land**

Delaware adopted a constitutional amendment authorizing use value assessment for agricultural land. Kansas voters approved a constitutional amendment to permit the assessment of agricultural land on the basis of agricultural income or productivity, actual or potential. Louisiana adopted legislation implementing constitutional provisions for use value assessment of agricultural, horticultural, timber, and marsh land. Maine revised its provisions for the assessment of farmland and open-space land. Under the new law, the commissioner of agriculture will determine the average 100 percent productivity value for good cropland, orchard land, and pasture land in each county, with special adjustments for very good and very poor land. Tennessee provided for use value assessment of farm, forest, and open-space land. All five states made provision for recapture of part or all of the tax reduction if the use of the land is changed. Illinois provided a formula for the valuation of farms based on the value per acre per year of agricultural products for that county as

determined by state and federal crop information sources plus 10 percent of the average sale price of agricultural land in that county for the most recent three years.

### **Personal Property Tax Relief**

Arkansas exempted intangibles from all local ad valorem taxes. New Jersey exempted machinery and equipment from the business personal property tax. Georgia voters approved a constitutional amendment authorizing local governments to exempt inventories of finished goods destined for shipment outside Georgia. Indiana exempted households with incomes of less than \$10,000 from the intangibles tax. Ohio provided for a gradual reduction in the assessment level of merchants' inventories and manufacturing articles. South Carolina exempted all livestock and poultry; formerly, only cattle were exempt. Virginia authorized local governments to exempt farm animals, certain grains, farm machinery, and farm implements.

### **Solar Energy**

Incentives for installing solar energy devices were enacted in Connecticut, Georgia, Hawaii, Kansas, Maine, Maryland, Michigan, Nevada (also systems using wind energy, geothermal resources, and energy derived from solid waste conversions or water power), New Jersey, Oregon, and Rhode Island.

## **Miscellaneous**

### **Severance Taxes**

Severance taxes were increased or revised in Alabama (coal and lignite), Alaska (oil and gas), Arkansas (timber), Colorado (coal, oil and gas, molybdenum, oil shale, rock, sand, gravel, stone products, earths, limestone, and dolomite), Florida (phosphate), Idaho (mining in general), Kentucky (coal), Louisiana (oil and gas), Minnesota (iron, iron sulphides, and taconite), Montana (coal, oil and gas), New Mexico (coal, gas and oil, and uranium), North Carolina (forest products), North Dakota (coal), Oklahoma (asphalt, coal, oil, gas and various metal-bearing ores), Oregon (forest products), South Dakota (oil and gas), Wisconsin (metalliferous minerals), and Wyoming (coal, uranium, and trona).

### **Death Taxes**

Exemptions under the inheritance tax for one or more classes of heirs were increased in Delaware, Idaho, Illinois, Iowa, Kentucky, Minnesota, Montana, North Carolina, South Dakota, and West Virginia. Vermont provided for a reduction in the amount of the estate and gift taxes.

Colorado increased its inheritance tax rates and increased the amounts of the exemptions for Class A beneficiaries. Hawaii increased the inheritance tax exemptions and revised the tax rates. Indiana increased the amount of the surviving spouse exemption and increased its rates on Class B and C heirs. North Dakota revised its estate tax rates. Oregon changed the inheritance tax to a tax of 12 percent on the net taxable estate and provided for phasing out the tax by 1987; similar changes were made in the gift tax. Utah replaced its former estate tax with a tax in the amount of the maximum federal credit for state death taxes.

# STATE EXCISE RATES\*

As of January 1, 1978

State or other jurisdiction	Sales and gross receipts (percent)	Ciga- rettes (cents per pack)	Gaso- line(a) (cents per gallon)	Distilled spirits(b) (per gallon)	State or other jurisdiction	Sales and gross receipts (percent)	Ciga- rettes (cents per pack)	Gaso- line(a) (cents per gallon)	Distilled spirits(b) (per gallon)
Alabama .....	4	12	7	...	Montana .....	...	12	8	...
Alaska .....	...	8	8	\$4.00	Nebraska .....	3(o)	13	9.5	2.25
Arizona .....	4(c)	13	8	2.50	Nevada .....	3(p)	10	6	1.90
Arkansas .....	3	17.75	8.5	2.50	New Hampshire .....	...	12	10	...
California .....	4.75	10	7	2.00(d)	New Jersey .....	5	19	8	2.80
Colorado .....	3	15(e)	7	2.16	New Mexico .....	4	12	7	1.50(q)
Connecticut .....	7(f)	21	11	2.50	New York .....	4	15	8	3.25
Delaware .....	...	14	11(g)	2.25	North Carolina .....	3(r)	2	9	...
Florida .....	4(h)	21	8	4.75(i)	North Dakota .....	3(s)	11	8	2.50
Georgia .....	3	12	7.5	3.75	Ohio .....	4	15	7	...
Hawaii .....	4(j)	40% of wholesale price	8.5	20% of wholesale price	Oklahoma .....	2	13	6.58	4.00
Idaho .....	3	9.1	9.5	...	Oregon .....	...	9	7	...
Illinois .....	4	12	7.5	2.00	Pennsylvania .....	6	18	9	...
Indiana .....	4(k)	10.5	8	2.62	Rhode Island .....	6	18	10	2.50
Iowa .....	3	13	7	...	South Carolina .....	4	7	9	2.96(t)
Kansas .....	3	11	8	2.50	South Dakota .....	4	12	8	3.05
Kentucky .....	5	3	9(l)	1.92	Tennessee .....	4.5(u)	13	7(v)	4.00
Louisiana .....	3	11	8	2.50	Texas .....	4	18.5	5	2.00
Maine .....	5	16	9	...	Utah .....	4	8	7	...
Maryland .....	5	10	9	1.50	Vermont .....	3	12	9	...
Massachusetts .....	5	21(m)	8.5(m)	4.05(m)	Virginia .....	3	2.5	9(w)	...
Michigan .....	4	11	9	...	Washington .....	4.6(x)	16	11(y)	...
Minnesota .....	4	18	9	4.39	West Virginia .....	3(z)	12	8.5	...
Mississippi .....	5(n)	11	9	...	Wisconsin .....	4	16	7	2.60
Missouri .....	3.125	9	7	2.00	Wyoming .....	3	8	8	...
					Dist. of Col. ....	5(aa)	13	10	2.00

\*Prepared by the Federation of Tax Administrators on the basis of legislation enacted at the 1977 sessions.

(a) In a number of states, diesel fuel and liquefied petroleum gas used for motor vehicle purposes are taxed at a different rate than gasoline. These states are:

State	Motor fuel	Rate in cents per gallon
Alabama .....	Diesel and liquefied petroleum gas	8
Alaska .....	Liquefied petroleum gas	no tax
Arkansas .....	Diesel	9.5
	Liquefied petroleum gas	7.5
California .....	Liquefied petroleum gas	6
Hawaii .....	Liquefied petroleum gas	6
Idaho .....	Diesel and liquefied petroleum gas	8.5
Iowa .....	Diesel	8
Kansas .....	Diesel	10
	Liquefied petroleum gas	7
Michigan .....	Diesel	7
Mississippi .....	Diesel	10
	Liquefied petroleum gas	8
Montana .....	Diesel	10
	Liquefied petroleum gas	no tax
New Jersey .....	Liquefied petroleum gas	4
New York .....	Diesel	10
South Dakota .....	Liquefied petroleum gas	6
Tennessee .....	Diesel	8
Texas .....	Diesel	6.5
Vermont .....	Diesel and liquefied petroleum gas	no tax
Washington .....	Liquefied petroleum gas	no tax
Wyoming .....	Diesel and liquefied petroleum gas	no tax

(b) Seventeen states have liquor monopoly systems (Alabama, Idaho, Iowa, Maine, Michigan, Mississippi, Montana, New Hampshire, Ohio, Oregon, Pennsylvania, Utah, Vermont, Virginia, Washington, West Virginia, and Wyoming.) (North Carolina has county-operated stores on a local option basis.) Some of the monopoly states impose taxes, generally expressed in terms of percentage of retail price. Only gallonage taxes imposed by states with license systems are reported in the table. Excise tax rates shown are general rates; some states tax distilled spirits manufactured in the state from state-grown products at lower rates.

(c) This rate is for retailers. Selected businesses are taxed at rates ranging from 0.375 to 4 percent.

(d) If not over 100 proof. If over 100 proof, \$4.00 per gallon.

(e) Scheduled to revert to 10 cents per pack on July 1, 1978.

(f) Manufacturing and agricultural production machinery is taxed at 2.5 percent and certain business services at 3.5 percent.

(g) Scheduled to revert to 9 cents per gallon on January 1, 1980 or when the state treasurer certifies that there are sufficient funds to pay the

principal and interest on certain general obligation bonds, whichever occurs first.

(h) Farm equipment is taxed at 3 percent.

(i) On beverages containing 14 to 48 percent alcohol. The tax rate on beverages containing more than 48 percent alcohol is \$9.53 per gallon.

(j) Wholesalers and manufacturers, 0.5 percent; retailers, 4 percent.

(k) In addition to the 4 percent sales tax, a gross income tax is imposed, under which wholesale and retail sales are taxed at 0.375 percent in 1978. Thereafter, the gross income tax will be reduced annually until 2008, when it goes out of existence.

(l) Heavy equipment motor carriers pay an 11 cents per gallon tax on a use basis.

(m) Until June 30, 1980.

(n) Among other rates imposed under the tax: wholesale sales, 0.125 percent; automobiles, trucks, and truck tractors, 3 percent; manufacturing or processing machinery and farm tractors, 1 percent; contractors (on compensation exceeding \$10,000), 2.5 percent.

(o) The rate for 1978. State board of equalization and assessment determines rate annually.

(p) Includes a mandatory, statewide, state-collected 1 percent county sales tax.

(q) If not over 100 proof. If over 100 proof, \$2.40 per gallon.

(r) Motor vehicles, boats, railway cars and locomotives, and airplanes, 2 percent with a maximum tax of \$120. A tax of 1 percent is imposed on various items used in agriculture and industry. On some items subject to the 1 percent rate, the maximum tax is \$80 per article.

(s) The tax on farm machinery and agricultural irrigational equipment is 2 percent.

(t) Includes 9 percent surtax. In addition, there is a tax of \$4.88 (\$4.48 plus 9 percent surtax) per case on wholesale sales.

(u) Rate scheduled to revert to 3 percent on June 30, 1978.

(v) Also subject to special privilege tax of 0.7 cents per gallon.

(w) An 11 cents per gallon tax is imposed on motor carriers of property on a use basis.

(x) Scheduled to revert to 4.5 percent on July 1, 1979. Also has a gross income tax with rates varying from 0.01 percent to 1 percent according to type of business. Retailers are subject to a 0.44 percent tax under the business and occupation tax. A 6 percent surtax on the gross income tax is imposed through June 30, 1979.

(y) Rate redetermined twice a year as 21.5 percent of average retail price.

(z) Also has a gross income tax at rates ranging from 0.27 to 8.63 percent, according to type of business. Retailers are subject to a 0.55 percent rate under this tax.

(aa) Parking charges are taxed at 12 percent; rooms, lodging, accommodations, food or drink for immediate consumption at 8 percent; alcoholic beverages for off-premise consumption at 6 percent; food or drink sold from vending machines, 2 percent.

## STATE INDIVIDUAL INCOME TAXES\*

As of January 1, 1978

State or other jurisdiction	Rate range(a) (percent)	Income brackets		Personal exemptions			Federal income tax deductible
		Lowest (ends)	Highest (over)	Single	Married	Dependents	
Alabama	1.5 to 5(4)	\$ 1,000	\$ 5,000	\$1,500	\$3,000	\$ 300	★
Alaska	3 to 14.5(24)	2,000(b)	200,000(b)	750(m)	1,500(m)	750(m)	...
Arizona	2 to 8(7)	1,000(c)	6,000(c)	1,000	2,000	600	★
Arkansas	1 to 7(6)(d)	3,000	25,000	17.50(e)	35(e)	6(e)	...
California	1 to 11(11)	2,000(f)	15,500(f)	25(e)	50(e)	8(e)	...
Colorado	3 to 8(11)(g)	1,000	10,000	750	1,500	750	★
Delaware	1.6 to 19.8(15)	1,000	100,000	600	1,200	600	★(h)
Georgia	1 to 6(6)	750(i)	7,000(i)	1,500(j)	3,000(j)	700	...
Hawaii	2.25 to 11(11)(k)	500	30,000	750	1,500	750	...
Idaho	2 to 7.5 (6)(l)	1,000	5,000	750(l,m)	1,500(l,m)	750(l,m)	...
Illinois	2.5	Flat rate		1,000	2,000	1,000	...
Indiana	2	Flat rate		1,000	2,000(n)	500	...
Iowa	0.5 to 13(13)(o)	1,000	75,000	15(e)	30(e)	10(e)	★
Kansas	2 to 9(8)	2,000	25,000	750	500	750	★
Kentucky	2 to 6(5)	3,000	8,000	20(e)	40(e)	20(e)	★
Louisiana	2 to 6(3)(r)	10,000	50,000	2,500	5,000	400	★
Maine	1 to 10(8)	2,000	25,000	1,000	2,000	1,000	...
Maryland	2 to 5(4)	1,000	3,000	800	1,600	800	...
Massachusetts	5.375(p)	Flat rate		2,000	2,600(q)	600	...
Michigan	4.6	Flat rate		1,500	3,000	1,500	...
Minnesota	1.6 to 18(14)	500	50,000	30(e)	60(e)	30(e)	★
Mississippi	3 to 4(2)	5,000	5,000	4,500	6,500	750	...
Missouri	1.5 to 6(10)	1,000	9,000	1,200	2,400	400	★
Montana	2 to 11(10)(s)	1,000	35,000	650	1,300	650	★
Nebraska	16% of U.S. tax(t)	...	...	...	...	...	...
New Jersey	2-2.5(2)(u)	20,000	20,000	1,000	2,000	1,000	...
New Mexico	0.9 to 9(16)(v)	500	100,000	750(m)	1,500(m)	750(m)	...
New York	2 to 15(14)	1,000	30,000	650	1,300	650	...
North Carolina	3 to 7(5)	2,000	10,000	1,000	2,000	600	...
North Dakota	1 to 10(6)(w)	1,000	8,000	750(m)	1,500(m)	750(m)	★
Ohio	0.5 to 3.5(6)	5,000	40,000	650	1,300	650	...
Oklahoma	0.5 to 6(7)(x)	1,000	7,500	750	1,500	750	★(h)
Oregon	4 to 10(7)	500	5,000	750(m)	1,500(m)	750(m)	★(h)
Pennsylvania	2.2	Flat rate		...	...	...	...
Rhode Island	17% of U.S. tax	...	...	...	...	...	...
South Carolina	2 to 7(6)	2,000	10,000	800	1,600	800	★(h)
Utah	2.25 to 7.75(7)(y)	750	4,500	750(m)	1,500(m)	750(m)	★
Vermont	25% of U.S. Tax(z)	...	...	...	...	...	...
Virginia	2 to 5.75(4)	3,000	12,000	600	1,200	600	...
West Virginia	2.1 to 9.6(24)(aa)	2,000	200,000(aa)	600	1,200	600	...
Wisconsin	3.1 to 11.4(15)	1,000	14,000	20(e)	40(e)	20(e)	...
Dist. of Col.	2 to 11(10)	1,000	25,000	750	1,500	750	...

## STATE INDIVIDUAL INCOME TAXES\*

## (Footnotes)

\*Prepared by the Federation of Tax Administrators on the basis of legislation enacted at 1977 sessions.

Note: The table excludes the following state taxes: Connecticut taxes dividends and capital gains at 1 to 9 percent. New Hampshire taxes interest and dividends at 5 percent. Tennessee taxes dividends and interest at 6 percent; it imposes a 4 percent tax on dividends from corporations with property at least 75 percent of which is assessable for property tax in Tennessee.

(a) Figure in parentheses is the number of steps from lowest to highest tax rate.

(b) The range reported is for single persons. For joint returns, the same rates are applied to brackets ranging from \$4,000 to \$400,000. For heads of households, the brackets range from \$2,000 to \$300,000.

(c) For joint returns, the tax is twice the tax imposed on half the income.

(d) Provides for the exemption of or the imposition of lower rates on taxpayers with incomes below certain levels.

(e) Tax credits.

(f) The range reported is for single persons. For married persons, the tax is twice the tax imposed on half the income. For heads of households, brackets range from \$4,000 to \$18,000.

(g) Imposes a surtax of 2 percent on gross income from intangibles which exceed \$5,000. A credit is allowed on taxable income up to \$9,000, computed by dividing taxable income by 200.

(h) The federal tax deduction is limited: in Delaware to \$300 for single persons and \$600 for joint returns; in Oklahoma to \$500 plus 5 percent of federal income tax in excess of \$500, but total tax deduction may not exceed \$1,700; in Oregon to \$5,000; and in South Carolina to \$500.

(i) The range reported is for single persons. For joint returns and heads of households, the same rates are applied to income brackets ranging from \$1,000 to \$10,000. For married persons filing separately, the income brackets range from \$500 to \$5,000.

(j) In addition, low-income taxpayers are allowed a tax credit up to \$15 for single persons and \$30 for heads of households or married persons filing jointly.

(k) The range reported is for single persons. For joint returns, the tax is twice the tax imposed on half the income. Different rates and brackets apply to heads of households.

(l) In the case of joint returns, the tax is twice the tax imposed on half the income. A filing fee of \$10 is imposed on each return. A credit of \$15 is allowed for each personal exemption.

(m) These states by definition allow personal exemptions provided in the Internal Revenue Code. Under existing law, Idaho follows the federal code as of January 1, 1977, North Dakota as of December 31, 1976, and Utah (for purposes of personal exemptions) as of December

31, 1974. Alaska, New Mexico, and Oregon automatically accept amendments to the federal code.

(n) Allows \$1,000 for individual taxpayers and \$500 for dependents. On joint returns, each spouse may subtract the lesser of \$1,000 or adjusted gross income; the minimum exemption is \$500 for each spouse.

(o) No tax is imposed on persons whose net income does not exceed \$4,000.

(p) A 10.75 percent rate is applied to interest and dividends (other than from savings deposits) and on net capital gains. The 5.375 percent rate applies to all other income, including earned income and interest and dividends from savings deposits. These rates include a 7.5 percent surtax.

(q) Minimum allowance; permits exemption of a spouse's earnings up to \$2,000.

(r) These are the official rates and exemptions, mandated by state constitution. The actual tax is found by referring to a table that relates federal tax liability, exemptions, and filing status to amount of state tax.

(s) In addition, a permanent 10 percent surcharge is imposed.

(t) The rate is determined annually by the state board of equalization and assessment.

(u) A separate tax is levied on New York-New Jersey commuters. Taxpayers are liable only for the larger of the applicable taxes.

(v) The rate range reported is for single persons; for joint returns and heads of households, tax rates range from 0.9 percent on income not over \$1,000 to 9 percent on income over \$200,000. Different rates apply to married persons filing separately.

(w) Also, a 1 percent tax is imposed on net incomes over \$2,000 derived from a business, trade, or profession other than as an employee.

(x) The rate range shown is for single persons. For joint returns, and surviving spouses, tax rates range from 0.5 percent on the first \$2,000 to 6 percent on amounts over \$15,000. For heads of households, tax rates range from 0.5 percent on the first \$1,500 to 6 percent on amounts over \$11,250.

(y) The rate range reported is for single persons. For joint returns, rates range from 2.75 percent on income up to \$1,500 to 7.75 percent on amounts over \$7,500. Different rates and brackets apply to married persons filing separately.

(z) A surtax is imposed at the rate of 9 percent. Also, if Vermont tax liability for any taxable year exceeds Vermont tax liability determinable under federal law in effect January 1, 1967, the taxpayer will be entitled to a credit equal to the excess plus 6 percent of that amount.

(aa) The range reported is for single persons and heads of households. For joint returns the same rates are applied to brackets ranging from \$4,000 to \$400,000.



## RANGE OF STATE CORPORATE INCOME TAX RATES\*

As of January 1, 1978

State or other jurisdiction	Tax rate† (percent)	Federal income tax deductible	State or other jurisdiction	Tax rate† (percent)	Federal income tax deductible
<b>Alabama</b> .....		*	<b>Michigan</b> .....	(ac)	...
Business corporations .....	5		<b>Minnesota</b> .....		...
Banks & financial corps. ....	6		Business corporations .....	12(m)	...
<b>Alaska</b> .....		...	Banks .....	12	...
Business corporations .....	5.4(a)		<b>Mississippi</b> .....		...
Banks & financial corps. ....	7(b)		\$0 to \$5,000 .....	3	...
<b>Arizona</b> .....		*	Over \$5,000 .....	4(2)	...
\$0 to \$1,000 .....	2.5		<b>Missouri</b> .....		*
Over \$6,000 .....	10.5(7)		Business corporations .....	5	...
<b>Arkansas</b> .....		...	Banks & trust companies .....	7	...
\$0 to \$3,000 .....	1		<b>Montana</b> .....	6.75(n)	...
Over \$25,000 .....	6(5)		<b>Nebraska</b> .....		...
<b>California</b> .....		...	\$0 to \$25,000 .....	4(o)	...
Business corporations .....	9(c)		Over \$25,000 .....	4.4(2)(o)	...
Banks & financial corps. ....	9-13(d)		<b>New Hampshire</b> .....	8(p)	...
<b>Colorado</b> .....		...	<b>New Jersey</b> .....	7.5(q)	...
Connecticut .....	10(e)		<b>New Mexico</b> .....		...
<b>Delaware</b> .....		...	Business corporations .....	5	...
Florida .....	8.7		Banks & financial insts. ....	6(r)	...
<b>Georgia</b> .....		...	<b>New York</b> .....		...
Hawaii .....	6		Business corporations .....	10(s)	...
Business corporations:			Banks & financial corps. ....	12(t)	...
\$0 to \$25,000 .....	5.85(g)		<b>North Carolina</b> .....		...
Over \$25,000 .....	6.435(2)		Business corporations .....	6	...
Banks & financial corps. ....	11.7		Building & loan assoc. ....	7.5	...
<b>Idaho</b> .....		...	<b>North Dakota</b> .....		*
<b>Illinois</b> .....		...	Business corporations:		
<b>Indiana</b> .....		...	\$0 to \$3,000 .....	3(u)	...
<b>Iowa</b> .....		(j)	Over \$15,000 .....	6(4)(u)	...
Business corporations:			Banks & financial corps. ....	5(v)	...
\$0 to \$25,000 .....	6		<b>Ohio</b> .....		...
Over \$100,000 .....	10(3)		\$0 to \$25,000 .....	4(w)	...
Banks:			Over \$25,000 .....	8(2)(w)	...
\$0 to \$25,000 .....	5		<b>Oklahoma</b> .....	4	...
Over \$100,000 .....	8(4)		<b>Oregon</b> .....	7.5(x)	...
<b>Kansas</b> .....		...	<b>Pennsylvania</b> .....	10.5	...
Business corporations .....	4.5(k)		<b>Rhode Island</b> .....	8(y)	...
Banks .....	5(k)		<b>South Carolina</b> .....		...
Trust companies & savings & loan assoc. ....	4.5(k)		Business corporations .....	6	...
<b>Kentucky</b> .....		...	Banks .....	4.5	...
\$0 to \$25,000 .....	4		Financial associations .....	8	...
Over \$25,000 .....	5.8(2)		<b>South Dakota</b> .....		*
<b>Louisiana</b> .....		*	Banks & financial corps. ....	5.5(z)	...
\$0 to \$25,000 .....	4		<b>Tennessee</b> .....	6	...
Over \$200,000 .....	8(5)		<b>Utah</b> .....	4(aa)	...
<b>Maine</b> .....		...	<b>Vermont</b> .....		...
\$0 to \$25,000 .....	5		\$0 to \$10,000 .....	5(ab)	...
Over \$25,000 .....	7(2)		Over \$250,000 .....	7.5(4)(ab)	...
<b>Maryland</b> .....		...	<b>Virginia</b> .....	6	...
<b>Massachusetts</b> .....		...	<b>West Virginia</b> .....	6	...
Business corporations .....	9.4962(1)		<b>Wisconsin</b> .....		...
Banks & trust companies .....	12.54		\$0 to \$1,000 .....	2.3	...
Utility corporations .....	6.5		Over \$6,000 .....	7.9(7)	...
			<b>Dist. of Col.</b> .....	9(ab)	...

\* Prepared by the Federation of Tax Administrators on the basis of legislation enacted at 1977 sessions.

† Figure in parentheses is number of steps from lowest to highest tax rate.

(a) Plus a surcharge of 4 percent of taxable income; the state surcharge exemption follows the federal surcharge exemption.

(b) Banks and other financial institutions are subject to a license tax.

(c) Minimum tax is \$200.

(d) Rate adjusted annually: maximum, 13 percent—minimum, 9 percent; minimum tax is \$200.

(e) Or 0.31 mills per dollar (maximum \$100,000) of capital stock and surplus, or \$50, whichever is greater.

(f) An exemption of \$5,000 is allowed.

(g) Taxes capital gains at 3.08 percent.

(h) An additional tax of \$10 is imposed on each return.

(i) Consists of 3 percent basic rate plus a 3 percent supplemental tax.

(j) Fifty percent of federal income tax deductible.

(k) Plus a surtax of 2.25 percent of taxable income in excess of \$25,000.

(l) Rate includes a 14 percent surtax, as does the following: a tax of \$2.60 per \$1,000 on taxable tangible property (or net worth allocable to state, for intangible property corporations). Minimum tax of \$228 including surtax. Corporations engaged exclusively in interstate or foreign commerce are taxed at 5 percent of net income and are not subject to surtax.

(m) Minimum tax is \$100.

(n) Minimum tax is \$50; for small business corporations, \$10.

(o) Twenty-five and 27.5 percent of individual income tax rate, determined annually by state board of equalization and assessment, imposed on net taxable income.

(p) Business profits tax imposed on both corporations and unincorporated business.

(q) This is the corporation business franchise tax rate, plus a net worth tax at millage rates ranging from 2 mills to 0.2 mill; minimum tax is \$250. Corporations not subject to the franchise tax are subject to a 7.25 percent income tax.

(r) Minimum tax is \$100.

(s) Or \$250; 1.78 mills per dollar of capital; or 10 percent of 30 percent or net income plus salaries and other compensation to officers and stockholders owning more than 5 percent of the issued capital stock less \$15,000 and any net loss, if any of these is greater than the tax computed on net income.

(t) Minimum tax is \$250 or 1.6 mills per dollar of capital stock; for savings institutions, the minimum tax is \$250 or 2 percent of interest credited to depositors in preceding year. A 30 percent surcharge, less \$50,000, is imposed on 1978 tax years.

(u) In addition to the tax shown, imposes a privilege tax of 1 percent on income in excess of \$2,000 on corporations not subject to personal property (or in lieu) taxes.

(v) Minimum tax is \$50; plus an additional 2 percent tax.

(w) Or 5 mills times the value of the taxpayer's issued and outstanding shares of stock as determined according to the total value of capital surplus, undivided profits, and reserves; minimum tax \$50.

(x) Minimum tax is \$10.

(y) Or, for business corporations, the tax is 40 cents per \$100 of corporate excess, if greater than the tax computed on net income. For banks, if a greater tax results, the alternative tax is \$2.50 per \$10,000 of capital stock; minimum tax is \$100.

(z) Minimum tax is \$200 per authorized location.

(aa) Minimum tax is \$25.

(ab) Minimum tax is \$50.

(ac) Michigan imposes a single business tax (sometimes described as a business activities tax or value added tax) of 2.35 percent on the sum of federal taxable income of the business, compensation paid to employees, dividends, interest, and royalties paid, and other items.

**FOOD AND DRUG SALES TAX EXEMPTIONS\***  
As of January 1, 1978

State or other jurisdiction	Tax rate	Exemptions		Related income tax credit	State or other jurisdiction	Tax rate	Exemptions		Related income tax credit
		Food	Prescription drugs				Food	Prescription drugs	
Alabama .....	4	...	(a)	...	New Jersey .....	5	*	*	...
Arizona .....	4	...	*	...	New Mexico .....	4	...	...	*(b)
Arkansas .....	3	...	...	...	New York .....	4	*	*	...
California .....	4.75	*	*	...	North Carolina .....	3	...	*	...
Colorado .....	3	...	*	*	North Dakota .....	3	*	*	...
Connecticut .....	7	*	*	...	Ohio .....	4	*	*	...
Florida .....	4	*	*	...	Oklahoma .....	2	...	...	...
Georgia .....	3	...	...	...	Pennsylvania .....	6	*	*	...
Hawaii .....	4	...	...	*	Rhode Island .....	6	*	*	...
Idaho .....	3	...	*	*	South Carolina .....	4	...	*	...
Illinois .....	4	...	...	...	South Dakota .....	4	...	*	...
Indiana .....	4	*	*	...	Tennessee .....	4.5	...	*	...
Iowa .....	3	*	*	...	Texas .....	4	*	*	...
Kansas .....	3	...	*	...	Utah .....	4	...	*	...
Kentucky .....	5	*	*	...	Vermont .....	3	*	*	*
Louisiana .....	3	*	*	...	Virginia .....	3	...	*	...
Maine .....	5	*	*	...	Washington .....	4.6	*(c)	*	...
Maryland .....	5	*	*	...	West Virginia .....	3	...	*	...
Massachusetts .....	5	*	*	*	Wisconsin .....	4	*	*	...
Michigan .....	4	*	*	...	Wyoming .....	3	...	*	...
Minnesota .....	4	*	*	...	Dist. of Col. ....	5	*	*	...
Mississippi .....	5	...	...	...					
Missouri .....	3.125	...	...	...					
Nebraska .....	3	...	*	*					
Nevada .....	3	...	*	...					

\* Prepared by the Federation of Tax Administrators on the basis of legislation enacted at 1977 sessions.

(a) Persons over age 65 are exempt from the sales tax on prescription drugs.

(b) Has a credit for medical and dental expenses, including drugs, and a credit for state and local taxes.

(c) Effective July 1, 1978.

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## STATE TAX COLLECTIONS IN 1977\*

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TAX COLLECTIONS of state governments increased by 13.2 percent during fiscal 1977,<sup>1</sup> to \$101 billion. This rate of growth exceeded the 11.4 percent rise in taxes during fiscal 1976 and the 8 percent rise during fiscal 1975. While nearly all types of state taxes showed an increase, there was a wide range in their percentage rates of growth.

Tax amounts presented here are net of refunds paid, but include amounts of state-imposed taxes collected or received by the state and subsequently distributed to local governments as grants-in-aid or shared revenues. Locally collected and retained taxes are not included. The 1977 figures are preliminary.

### Major Tax Sources

The distribution of revenue among the various types of state-imposed taxes showed little change during fiscal 1977. Sales tax revenue, including both general and selective sales taxes, continued to decline as a percentage of total tax revenue. In 1957, sales taxes accounted for 58.1 percent of all tax revenue; in 1970 they totaled 56.8 percent; in 1977 they further declined to 51.8 percent of the total.

State general sales and gross receipts taxes were the single largest source of tax revenue (\$30.9 billion in 1977). Since 1957, general sales taxes have grown from 23.2 to 30.6 percent of all tax revenue, but with the percentage staying between 30 and 31 percent since 1974.

The many selective sales taxes applicable to the purchase of specific goods or services have decreased considerably as a percentage of total tax revenue. In 1957, such sales taxes amounted to 34.9 percent of all revenue, actually exceeding the amount of general sales tax revenue. By 1970, selective sales taxes were 27.3 percent of all taxes. The 1977 selective sales tax revenue of \$21.5 billion was 21.3 percent of all tax collections.

Taxation of the sale of motor fuels, alcoholic beverages, cigarettes, and insurance premiums exists in all 50 states, with taxation of other selective goods or services (public utility gross receipts, amusements, pari-mutuels, and the like) found quite frequently. Motor fuel taxes totaled \$9.1 billion in 1977, and have risen 1.8, 0.6, 4.9, and 4.9 percent in 1974, 1975, 1976, and 1977, respectively. This rate of growth has been far below that of other taxes, reflecting the impact of fuel conservation measures undertaken since the oil embargo of 1973-74.

State taxation of income (including both corporation and individual net income taxes) is the second major group of taxes and the fastest growing major tax group, having increased from 17.6 percent of total tax revenue in 1957 and 27 percent in 1970, to the current 34.3 percent. Individual income taxes (imposed by 44 states) totaled \$25.5 billion in 1977, while corporation net income taxes (imposed by 46 states) totaled \$9.2 billion. The individual income tax is the second most important tax nationally, behind the general sales tax, in terms of total tax yield.

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\*Adapted by Maurice Criz and David Kellerman, Senior Advisor and Statistician, respectively, Governments Division, U.S. Bureau of the Census, from the annual report, *State Tax Collections in 1977*.

License taxes totaled \$7.1 billion during 1977, accounting for 7.1 percent of all tax revenue. Included in this tax category are motor vehicle, public utility, alcoholic beverage, and business and occupation license taxes. While many such taxes are imposed for purposes of regulation, some are imposed to raise revenue.

State government use of property taxation as a revenue source has become rather limited, applying primarily to special classes of property. Total state property tax collections during 1977 were \$2.3 billion. Alaska accounted for much of this national total from a tax on oil and gas reserves and mining equipment, imposed to capture revenue from the North Slope oil exploration and development prior to actual production.

The shifting distribution of state tax revenue over the past 20 years, especially between general sales, selective sales, and individual income taxes, has been the result of a number of factors. Economic growth and inflation have been important, along with such factors as the adoption of new taxes, changes in tax base or rate, and other administrative actions. For example, nine states have adopted an individual income tax since 1966, while six states have adopted a general sales tax. The last general sales tax was adopted in 1969; since then five states have adopted some sort of an individual income tax. This accounts for at least some of the growth in income taxes relative to general sales taxes since the late 1960s.

Estimates of the distribution of state tax revenue growth between economic factors and political action indicate that over the 1966 to 1976 period, 70 percent of the growth of all sales and income taxes was the result of economic growth and 30 percent the result of political actions. During 1976, individual income tax growth was attributable primarily to economic growth (76 percent) and rate changes (21 percent). General sales tax revenue growth was attributable to economic growth (86 percent), rate changes (7 percent), and other administrative actions (6 percent).<sup>2</sup>

Included among the factors that have affected the distribution of tax revenue has been the increased use of the individual income tax as a mechanism for providing tax relief or for administering other aid programs. Many states allow credits on the individual income tax for property (and renters) tax relief programs. Some states have legislated minimum levels below which no income taxes are to be paid as a means of easing the tax burden on low-income residents. Other credits or refunds for energy conservation measures, taxes paid on the purchase of motor fuel for nonhighway use, and sales taxes paid on prescription drugs or food are or have been commonly allowed in many states.

During 1977, for example, New Mexico legislated a major tax credit on the individual income tax following a state budget surplus. Taxpayers received credits amounting to about \$45 million under this statute. As a result, New Mexico individual income tax revenue decreased 54 percent, from \$58.2 million in 1976 to \$26.6 million in 1977.

### Individual State Comparisons

Forty-nine states reported increased tax revenue during fiscal 1977, with New Jersey (35.4 percent), Alaska (29.2 percent), and Michigan (27.1 percent) showing the largest rates of growth. The smallest rates of growth during 1977 were found in North Dakota (3.1 percent), Louisiana (3.4 percent), and New Mexico (3.9 percent).

Maine was the only state to show a decrease in total tax revenue, from \$530.6 million in 1976 to \$468.5 million in 1977, an 11.7 percent decrease. This was brought on by a change in the collection and disbursement procedure for property taxes used to finance local schools. During 1975 and 1976, the state uniform school property tax was collected by local tax collectors and remitted to the state for redistribution to local jurisdictions. Accordingly, the

entire amount of the uniform school tax was considered to be a state tax. In 1977, the procedure was changed so that the only portions of the tax remitted to the state were those in excess of the amount which the state was to distribute to the local jurisdictions. Most of the uniform school tax thus is treated as a local property tax for 1977.

Per capita tax revenue varied considerably among the states. During 1977, per capita state tax revenue was \$600 or more in 4 states, \$500-\$599 in 11 states, \$400-\$499 in 24 states, \$300-\$399 in 9 states, and \$200-\$299 in 2 states (see Table 2). New Hampshire had the lowest per capita taxes with \$244, followed by South Dakota (\$292), and Ohio (\$334). The highest per capita tax revenue was found in Alaska (\$2,026), Hawaii (\$773), and Delaware (\$672).

Such interstate differences in per capita state taxes should not be interpreted to mean that the overall tax burdens of the residents are less in one state or another. Responsibility for the provision and financing of services also varies considerably among the states. In many cases, local governments are authorized to impose taxes that are elsewhere imposed by state governments. Regional economic differences and service levels provided also play important roles in determining the per capita tax distribution among the states.

The predominance of given tax sources among the states generally follows the pattern described previously in the discussion on the distribution of tax revenue by type of tax. The general sales tax is the primary tax source in 32 states; the individual income tax is the primary source in 15 states; while the motor fuel tax, severance tax, and property tax is the primary source in one state each. In the 39 states with both general sales and individual income taxes, the predominant tax source is general sales in 26 states, individual income in 12 states, and severance in one state.

### Severance Taxes

Taxation of the extraction of natural resources has attracted a great deal of attention in recent years. Increased prices and the increased demand for coal, oil, natural gas, and timber have resulted in substantial increases in revenue in those states which impose severance taxes. Severance tax revenue grew by 47.6 percent in 1974, 38.7 percent in 1975, and 16.5 percent in 1976. The 1977 growth rate of 6.9 percent reflected a leveling in resource production, plus the fact that few new taxes were imposed in 1977 compared to previous years.

Much of the recent increases in severance tax revenue have resulted from a general rise in prices, as many severance taxes are based upon the price of the product. However, some states have imposed new severance taxes in recent years as exploration for oil and gas reserves has expanded. Revenue from many of these new taxes is specifically designated to aid local governments in areas directly affected by the oil and gas exploration. In Alaska, taxes on oil and gas production are just beginning to yield large amounts of revenue.

Alaska also provides an example of nonseverance taxes being applied to energy resource production and exploration. Legislation adopted in 1974 levied a property tax on equipment being used in the exploration or production of oil and gas. This tax yielded \$6.6 million in fiscal 1975, \$83.3 million in fiscal 1976, and \$139.1 million in fiscal 1977. A similar property tax on oil and gas reserves, effective January 1, 1976, yielded \$223.1 million in fiscal 1976 and \$270.6 million in fiscal 1977.

Other states capture revenue from coal, oil, or other mineral production via the general sales tax (as in West Virginia) or the property tax. The importance of severance taxation for those states which produce coal, oil, gas, or other minerals varies considerably. In Louisiana, severance taxes are the single largest source of tax revenue, and totaled \$495.5 million in

fiscal 1977. Texas, Kentucky, and Oklahoma also rely heavily on severance taxation. On the other hand, Pennsylvania, a major coal producer, has no special severance, property, or sales tax on coal mining. (See Table 6 for severance tax rates.)

Consequently, use of the severance tax revenue figures presented here to assess the impact of energy-related resource production on state tax collections may not provide a complete picture. A more thorough analysis would need to examine tax contributions in the various states by the product being taxed, regardless of what the tax is called or the manner in which it is imposed.

### The Role of Tax Revenue

Historically, taxation has been the predominant means of raising revenue for state governments. Yet a number of factors have contributed to a decline in the relative importance of taxes as a revenue source. The following table depicts total tax revenue as a percentage of total revenue and total general revenue of state governments:

<i>Fiscal year</i>	<i>Percentage of</i>		<i>Fiscal year</i>	<i>Percentage of</i>	
	<i>Total revenue</i>	<i>General revenue</i>		<i>Total revenue</i>	<i>General revenue</i>
1976.....	48.2	58.7	1971.....	53.0	60.6
1975.....	51.8	59.6	1970.....	53.9	61.7
1974.....	52.7	60.7	1966.....	53.2	62.8
1973.....	52.4	60.2	1956.....	60.3	72.7
1972.....	53.3	60.7			

The large percentage decline in terms of total revenue between 1975 and 1976 reflects the inclusion of state insurance trust system revenue in the base (total) figure. Especially in recent years, insurance trust revenue (which includes contributions from other governments as employers, as well as contributions from employees) has increased dramatically. Federal governmental contributions and advances to state unemployment compensation systems, resulting from the continued high rate of unemployment nationally, were substantial in 1976.

Of primary importance in the long-term decline of taxes as a percentage of total general revenue has been the growth of intergovernmental revenue. Over the 20-year period 1956 to 1976, this particular source of revenue has increased from 15.2 percent to 24.1 percent of the total.

Correspondingly, taxes have not kept pace with the rate of growth in state total expenditure or state general expenditure. While taxes have grown at an average annual rate of 10.9 percent since 1970, total expenditure and general expenditure have grown by 13.5 and 12.1 percent respectively. The explosive growth in debt issued during the past several years has been one of the vehicles enabling this rapid increase in expenditure.

The implications of the differing rates of growth in tax revenue and expenditure are not immediately clear. Certainly increased federal aid to the states has, as mentioned, been the source of funding for many state programs. Whether these increased expenditures would have been funded out of tax revenue if the intergovernmental revenue had not been available is only conjecture. It could well be that the availability of increased amounts of aid was the reason for increased expenditures, rather than the increased aid being a response to the funding needs of already existing programs. The actual relationship is probably a combination of both factors. Regardless, it does appear that the trend will continue to show taxes declining in relative importance as a source of state government revenue, at least in the near future.

## Footnotes

1. Tax revenue amounts pertain to state fiscal years, which end on June 30 except for Alabama, Michigan, New York, and Texas (see Table 7). Although Michigan extended its 1976 fiscal year from July 1, 1975, to September 30, 1976, fiscal year totals presented here reflect a 12-month period which ended June 30, 1976.

2. Advisory Commission on Intergovernmental Relations, *Significant Features of Fiscal Federalism, 1976-77 Edition*, vol. II, tables 33-36 (Washington, D.C.: March 1977).

Table 1  
NATIONAL SUMMARY OF STATE TAX REVENUE, BY TYPE OF TAX:  
1975 TO 1977\*

Tax source	Amounts (in millions)			Percentage change year-to-year		Percentage distribution, 1977	Per capita 1977
	1977 (prelim.)	1976	1975	1976 to 1977	1975 to 1976		
Total collections .....	\$101,026	\$89,256	\$80,155	13.2	11.4	100.0	\$472.18
Sales and gross receipts .....	52,351	47,391	43,346	10.5	9.3	51.8	244.68
General .....	30,870	27,333	24,780	12.9	10.3	30.6	144.28
Selective .....	21,481	20,058	18,566	7.1	8.0	21.3	100.40
Motor fuels .....	9,087	8,660	8,255	4.9	4.9	9.0	42.47
Alcoholic beverages .....	2,135	2,057	1,963	3.8	4.8	2.1	9.98
Tobacco products .....	3,500	3,462	3,286	1.1	5.4	3.5	16.36
Insurance .....	2,336	1,960	1,751	19.2	12.0	2.3	10.92
Public utilities .....	2,363	2,060	1,740	14.7	18.4	2.3	11.05
Other .....	2,059	1,858	1,570	10.8	18.3	2.0	9.62
Licenses .....	7,141	6,899	6,289	3.5	9.7	7.1	33.37
Motor vehicles .....	4,236	4,046	3,655	4.7	10.7	4.2	19.80
Motor vehicle operators .....	346	310	286	11.6	8.7	0.3	1.62
Corporations in general .....	1,041	1,135	1,041	-8.3	8.9	1.0	4.86
Alcoholic beverages .....	177	154	147	14.6	4.5	0.2	0.82
Other .....	1,341	1,254	1,159	6.9	8.2	1.3	6.27
Individual income .....	25,453	21,448	18,819	18.7	14.0	25.2	118.96
Corporation net income .....	9,187	7,273	6,642	26.3	9.5	9.1	42.94
Property .....	2,250	2,118	1,451	6.2	45.9	2.2	10.52
Death and gift .....	1,802	1,513	1,418	19.1	6.7	1.8	8.42
Severance .....	2,168	2,029	1,741	6.9	16.5	2.1	10.13
Other .....	674	585	449	15.2	30.5	0.7	3.15

\*Source: Bureau of the Census, *State Tax Collections in 1977*.

Note: Because of rounding, detail may not add to totals. Per capita and percent figures are computed on the basis of amounts rounded to

the nearest thousand. Provisional population figures as of July 1, 1976, were used to calculate per capita amounts (see Table 7).

Table 2  
SUMMARY OF STATE TAX REVENUE: 1975 TO 1977\*

State	Amounts (in millions)			Percentage change year-to-year		Per capita 1977
	1977 (prelim.)	1976	1975	1976 to 1977	1975 to 1976	
All states .....	\$101,026	\$89,256	\$80,155	13.2	11.4	\$472.18
Alabama .....	1,404	1,243	1,111	12.9	11.9	382.99
Alaska .....	774	599	203	29.2	195.2	2,025.62
Arizona .....	1,160	1,018	938	14.0	8.5	511.04
Arkansas .....	803	725	653	10.7	11.1	380.71
California .....	12,589	10,761	9,565	17.0	12.5	585.00
Colorado .....	1,077	964	866	11.7	11.3	417.07
Connecticut .....	1,457	1,264	1,059	15.3	19.4	467.48
Delaware .....	391	359	336	9.0	6.6	671.62
Florida .....	3,275	2,936	2,791	11.6	5.2	388.89
Georgia .....	1,907	1,676	1,548	13.8	8.3	383.60
Hawaii .....	686	639	576	7.3	11.1	773.06
Idaho .....	368	329	298	11.9	10.3	442.63
Illinois .....	5,320	4,783	4,410	11.2	8.5	473.73
Indiana .....	2,163	1,916	1,854	12.9	3.3	407.94
Iowa .....	1,293	1,200	1,062	7.8	13.0	450.35
Kansas .....	969	854	769	13.5	11.0	419.48
Kentucky .....	1,560	1,404	1,284	11.2	9.4	455.19
Louisiana .....	1,715	1,656	1,529	3.4	8.3	446.40
Maine .....	468	531	369	-11.7	43.8	437.81
Maryland .....	2,128	1,960	1,731	8.6	13.2	513.44
Massachusetts .....	2,934	2,728	2,219	7.6	22.9	505.12
Michigan .....	4,791	3,769	3,486	27.1	8.1	526.22
Minnesota .....	2,486	2,219	2,022	12.0	9.7	626.88
Mississippi .....	969	874	797	10.9	9.6	411.75
Missouri .....	1,598	1,444	1,303	10.7	10.8	334.47
Montana .....	312	278	233	12.5	19.4	414.87
Nebraska .....	610	489	425	24.7	15.2	392.94
Nevada .....	329	294	267	12.0	10.2	539.46
New Hampshire .....	200	184	172	9.0	6.6	243.59
New Jersey .....	3,104	2,292	2,101	35.4	9.1	423.08
New Mexico .....	598	575	520	3.9	10.7	511.65
New York .....	10,743	9,780	8,939	9.8	9.4	594.07
North Carolina .....	2,385	2,060	1,900	15.8	8.4	436.05
North Dakota .....	296	287	264	3.1	9.0	460.86
Ohio .....	3,571	3,311	3,039	7.9	8.9	334.03
Oklahoma .....	1,139	1,000	884	13.9	13.2	411.79
Oregon .....	973	826	793	17.8	4.1	417.84
Pennsylvania .....	5,591	5,127	4,733	9.0	8.3	471.32
Rhode Island .....	439	389	350	12.9	11.1	473.40
South Carolina .....	1,188	1,042	957	13.9	9.0	416.99
South Dakota .....	200	192	171	4.2	12.3	291.71
Tennessee .....	1,530	1,273	1,152	20.1	10.5	362.96
Texas .....	4,749	4,214	3,637	12.7	15.9	380.31
Utah .....	531	475	399	11.9	19.0	432.64
Vermont .....	230	205	187	11.9	9.8	482.78
Virginia .....	2,055	1,822	1,663	12.8	9.6	408.35
Washington .....	2,100	1,848	1,554	13.6	18.9	581.41
West Virginia .....	904	829	743	9.1	11.6	496.65
Wisconsin .....	2,733	2,421	2,141	12.9	13.1	593.03
Wyoming .....	233	193	154	20.8	25.2	598.30

\*Source: Bureau of the Census, *State Tax Collections in 1977*.

Note: Because of rounding, detail may not add to totals. Per capita and percent figures are computed on the basis of amounts rounded to

the nearest thousand. Provisional population figures as of July 1, 1976, were used to calculate per capita amounts (see Table 7).



**Table 3**  
**STATE TAX REVENUE, BY TYPE OF TAX: 1977\***  
(In thousands of dollars)

<i>State</i>	<i>Total</i>	<i>Sales and gross receipts</i>	<i>Licenses</i>	<i>Individual income</i>	<i>Corporation net income</i>	<i>Property</i>	<i>Death and gift</i>	<i>Severance</i>	<i>Documentary and stock transfer</i>	<i>Other</i>
Number of states using tax .....	50	50	50	44	46	44	49	31	29	16
All states .....	\$101,026,105	\$52,351,058	\$7,140,614	\$25,452,742	\$9,187,038	\$2,249,925	\$1,802,493	\$2,168,145	\$630,484	\$43,606
Alabama .....	1,403,674	908,556	99,704	261,895	75,874	34,095	4,208	13,757	5,585	...
Alaska .....	773,787	66,124	25,147	210,309	35,759	409,757	191	23,705	...	2,795
Arizona .....	1,160,068	710,534	72,598	190,591	51,788	129,834	4,723	...	...	...
Arkansas .....	802,913	490,681	62,317	163,781	67,210	1,703	2,416	10,495	2,248	2,062
California .....	12,589,124	6,004,651	514,635	3,620,933	1,641,595	439,446	366,334	1,530	...	...
Colorado .....	1,077,285	550,147	74,150	338,920	80,575	2,438	26,516	2,320	...	2,219
Connecticut .....	1,457,139	1,052,935	94,110	59,333	201,742	...	49,019	...	...	...
Delaware .....	390,882	68,974	108,612	168,000	29,036	...	7,660	...	8,574	26
Florida .....	3,274,802	2,415,293	379,180	...	194,199	68,555	49,319	47,076	121,129	51
Georgia .....	1,906,506	1,134,968	75,182	495,639	170,885	9,903	15,272	...	4,230	427
Hawaii .....	685,703	444,892	5,188	203,018	27,605	...	4,104	...	896	...
Idaho .....	367,823	175,932	44,397	112,470	31,034	228	3,559	203	...	...
Illinois .....	5,319,547	3,014,857	412,505	1,413,368	384,410	4,778	83,561	...	6,068	...
Indiana .....	2,162,899	1,432,495	114,400	479,259	86,198	23,568	26,399	580	...	...
Iowa .....	1,292,507	572,115	145,219	447,409	91,894	117	33,068	...	2,685	...
Kansas .....	969,005	520,649	82,653	209,171	122,712	15,447	17,557	816	...	...
Kentucky .....	1,560,385	838,101	75,139	338,160	131,254	43,413	19,229	113,005	2,084	...
Louisiana .....	1,714,616	851,520	118,587	133,614	95,248	147	20,002	495,498	...	...
Maine .....	468,462	295,922	39,049	75,157	35,200	14,317	8,041	...	776	...
Maryland .....	2,127,712	989,212	99,235	806,740	115,297	72,446	19,845	...	20,951	3,986
Massachusetts .....	2,934,261	1,175,179	88,919	1,191,531	397,237	609	71,933	...	8,853	...
Michigan .....	4,790,719	2,147,300	246,022	1,425,728	802,621	110,846	48,628	9,574	...	...
Minnesota .....	2,485,565	983,370	150,063	956,933	258,095	3,083	43,214	59,718	13,452	17,637
Mississippi .....	969,251	701,035	57,480	131,598	57,480	3,613	4,294	25,358	...	...
Missouri .....	1,598,094	929,413	149,108	389,594	105,772	4,492	19,715	...	...	...

Montana .....	312,399	82,977	26,344	111,862	24,957	15,636	6,483	43,543	...	597
Nebraska .....	610,235	343,083	49,970	170,595	41,946	232	1,861	1,131	1,417	...
Nevada .....	329,069	257,327	48,345	...	...	22,105	...	105	1,187	...
New Hampshire .....	200,231	113,986	31,503	7,066	32,563	6,164	7,340	144	1,464	1
New Jersey .....	3,103,725	1,576,619	304,471	709,653	332,775	80,491	86,997	...	12,719	...
New Mexico .....	597,604	376,073	42,038	26,639	29,486	16,095	4,490	102,783	...	...
New York .....	10,743,249	3,963,222	449,658	4,526,975	1,295,001	24,168	199,273	...	284,952	...
North Carolina .....	2,384,780	1,128,673	194,540	782,092	204,291	38,041	37,053	...	...	...
North Dakota .....	296,330	164,945	32,875	55,037	21,800	2,605	3,650	15,418	...	...
Ohio .....	3,570,771	2,132,628	370,748	614,879	315,481	108,347	24,770	3,918	...	...
Oklahoma .....	1,139,000	493,385	135,050	216,833	70,635	...	27,451	191,351	2,925	1,370
Oregon .....	973,145	159,329	128,369	561,895	91,104	64	28,445	3,680	259	...
Pennsylvania .....	5,590,840	2,804,955	664,741	1,178,071	665,993	62,524	146,474	...	68,082	...
Rhode Island .....	438,841	254,778	22,826	103,784	40,842	5,738	8,964	...	600	1,309
South Carolina .....	1,187,589	710,710	56,939	290,393	106,601	4,824	10,785	...	7,337	...
South Dakota .....	200,115	173,929	17,514	...	2,504	...	5,632	536	...	...
Tennessee .....	1,529,531	1,129,592	156,017	22,385	156,042	...	41,628	2,052	16,252	5,563
Texas .....	4,748,947	3,181,034	551,309	...	...	42,755	66,568	907,281	...	...
Utah .....	531,276	307,448	26,002	158,268	24,866	197	5,564	8,931	...	...
Vermont .....	229,803	112,865	23,042	70,334	16,900	338	2,595	...	2,234	1,495
Virginia .....	2,054,831	978,755	129,857	714,086	159,152	22,077	23,958	705	24,486	1,755
Washington .....	2,100,035	1,589,541	119,676	...	...	303,165	47,822	35,265	4,566	...
West Virginia .....	904,400	654,357	50,143	164,671	23,329	565	9,034	...	2,301	...
Wisconsin .....	2,733,294	1,053,340	133,874	1,144,073	251,657	91,910	53,257	698	2,172	2,313
Wyoming .....	233,336	132,562	41,164	...	...	9,049	3,592	46,969	...	...

\*Source: Bureau of the Census, *State Tax Collections in 1977*.

**Table 4**  
**SALES AND GROSS RECEIPTS TAX REVENUE: 1977\***  
(In thousands of dollars)

State	Total	General sales or gross receipts	Selective sales and gross receipts								
			Total	Motor fuels	Alcoholic beverages	Tobacco products	Insurance	Public utilities	Pari-mutuels	Amusements	Other
Number of states using tax .....	50	45	50	50	50	50	50	39	30	29	30
All states .....	\$52,351,058	\$30,870,320	\$21,480,738	\$9,087,101	\$2,135,052	\$3,499,988	\$2,336,174	\$2,363,347	\$721,461	\$120,869	\$1,216,746
Alabama .....	908,556	454,754	453,802	165,464	71,249	49,541	46,774	99,131	...	77	21,566
Alaska .....	66,124	...	66,124	20,610	8,214	4,613	8,061	1,193	...	...	23,433
Arizona .....	710,534	602,911	207,623	111,507	17,780	35,497	20,816	14,481	7,542	...	...
Arkansas .....	490,681	274,295	216,386	119,213	18,430	46,066	20,483	...	12,194	...	...
California .....	6,004,651	4,314,027	1,690,624	811,455	127,459	271,504	322,766	14,111	103,755	326	39,248
Colorado .....	550,147	359,570	190,577	102,378	19,920	33,242	27,836	556	6,505	140	...
Connecticut .....	1,052,935	583,478	469,457	159,159	24,297	75,084	42,682	117,374	40,731	10,130	...
Delaware .....	68,974	...	68,974	29,805	4,372	12,246	7,006	8,493	6,105	109	838
Florida .....	2,415,293	1,398,590	1,016,703	384,330	187,075	186,355	81,307	60,767	82,799	2,449	31,621
Georgia .....	1,134,968	687,415	447,553	245,264	76,347	74,593	51,349	...	...	...	...
Hawaii .....	444,892	341,017	103,875	32,819	16,222	10,311	13,322	31,201	...	...	...
Idaho .....	175,932	103,860	72,072	44,925	6,617	7,997	11,616	...	320	...	...
Illinois .....	3,014,857	1,842,319	1,172,538	405,680	76,307	177,171	78,588	334,008	73,051	9,779	17,954
Indiana .....	1,432,495	1,045,571	386,924	262,607	28,310	51,521	44,403	...	...	83	...
Iowa .....	572,115	346,785	225,330	133,108	14,748	46,277	30,910	...	...	...	287
Kansas .....	520,649	326,708	193,941	119,001	17,311	32,108	24,801	383	...	337	...
Kentucky .....	838,101	463,841	374,260	184,376	14,924	22,253	50,106	...	11,227	238	91,136
Louisiana .....	851,520	481,677	369,843	173,143	45,308	56,954	48,874	16,961	16,608	272	11,723
Maine .....	295,922	169,665	126,257	55,293	24,350	24,296	9,049	12,027	1,242	...	...
Maryland .....	989,212	465,840	523,372	188,720	28,200	54,349	69,368	61,222	17,637	543	103,333
Massachusetts .....	1,175,179	441,878	733,301	214,168	77,084	142,759	96,114	...	33,767	7,733	161,676
Michigan .....	2,147,300	1,389,366	757,934	430,350	80,043	140,271	81,556	...	25,671	43	...
Minnesota .....	983,370	466,658	516,712	197,109	50,502	83,802	46,697	65,309	...	10	73,283
Mississippi .....	701,035	475,465	225,570	138,521	28,116	31,072	26,824	...	...	1,037	...
Missouri .....	929,413	596,434	332,979	204,591	23,288	59,458	45,295	347	...	...	...

Montana	82,977	...	82,977	43,958	9,135	11,528	11,158	3,797	...	...	3,401
Nebraska	343,083	198,736	144,347	87,935	10,339	22,610	15,655	...	6,349	681	778
Nevada	257,327	115,744	141,583	29,574	10,536	11,130	7,270	1,120	224	81,530	199
New Hampshire	113,986	...	113,986	40,279	4,087	27,130	8,382	2,089	15,305	...	16,714
New Jersey	1,576,619	913,100	663,519	292,913	53,825	168,780	68,661	50,076	28,887	55	322
New Mexico	376,073	257,239	118,834	64,802	6,596	13,683	13,151	4,973	2,208	81	13,340
New York	3,963,222	2,218,162	1,745,060	511,889	150,194	334,173	175,834	418,580	153,162	1,228	...
North Carolina	1,128,763	511,501	617,262	289,692	86,763	20,308	56,387	143,992	...	...	20,120
North Dakota	164,945	110,224	54,721	29,777	6,243	8,570	6,459	1,071	...	...	2,601
Ohio	2,132,628	1,135,466	997,162	393,258	71,997	196,910	101,499	212,043	21,455	...	...
Oklahoma	493,385	205,092	288,293	123,752	33,948	51,960	38,263	3,595	...	...	36,775
Oregon	159,329	...	159,329	91,302	5,965	31,817	24,597	1,087	4,561	...	...
Pennsylvania	2,804,955	1,524,515	1,280,440	499,053	106,360	247,966	119,374	281,708	25,878	79	22
Rhode Island	254,778	141,770	113,008	40,737	7,180	24,393	9,831	29,124	1,722	21	...
South Carolina	710,710	415,277	295,433	140,497	74,078	23,575	27,698	16,211	...	3,445	9,929
South Dakota	173,929	101,023	72,906	36,196	6,967	9,027	7,829	248	2,050	...	10,589
Tennessee	1,129,592	733,641	395,951	192,807	42,500	67,829	44,934	9,425	...	245	38,211
Texas	3,181,034	1,695,848	1,485,186	444,118	151,432	287,549	127,359	121,780	...	69	352,879
Utah	307,448	226,949	80,499	54,671	5,377	7,680	11,901	870	...	...	...
Vermont	112,865	32,497	80,368	23,210	12,211	9,600	4,486	8,954	1,948	...	19,959
Virginia	978,755	426,848	551,907	265,149	63,974	17,859	59,569	84,031	...	86	61,239
Washington	1,589,541	1,172,572	416,969	180,357	68,036	59,518	30,781	72,677	5,567	33	...
West Virginia	654,357	439,473	214,884	79,271	20,895	28,028	20,371	...	12,984	...	53,335
Wisconsin	1,053,340	667,939	385,401	170,832	38,661	84,353	33,575	57,735	...	10	235
Wyoming	132,562	94,580	37,982	27,476	1,280	4,672	4,547	...	7	...	...

\*Source: Bureau of the Census, *State Tax Collections in 1977*.

Table 5  
LICENSE TAX REVENUE: 1977\*  
(In thousands of dollars)

State	Total	Motor vehicles	Motor vehicle operators	Corporations in general	Public utilities	Alcoholic beverages	Amusements	Occupations & businesses	Hunting & fishing	Other
Number of states using tax .....	50	50	49	49	33	49	32	50	50	43
All states .....	\$7,140,614	\$4,235,979	\$346,476	\$1,040,791	\$97,029	\$176,504	\$50,238	\$811,283	\$334,057	\$48,257
Alabama .....	99,704	34,129	5,602	36,671	658	2,409	...	15,413	4,822	...
Alaska .....	25,147	11,002	594	715	...	953	107	7,547	4,229	...
Arizona .....	72,598	48,279	3,405	1,726	...	1,581	...	7,238	4,208	6,161
Arkansas .....	62,317	40,352	4,429	2,426	1,942	765	193	5,331	6,708	171
California .....	514,635	344,127	14,454	3,283	11,424	31,387	47	81,643	26,274	1,996
Colorado .....	74,150	41,734	2,010	2,148	171	1,651	69	11,463	14,851	53
Connecticut .....	94,110	61,670	11,606	1,107	...	5,319	2	12,895	1,079	432
Delaware .....	108,612	19,746	948	57,949	1,624	433	50	27,153	294	415
Florida .....	379,180	272,651	22,628	5,041	6,151	12,757	224	50,126	5,145	4,457
Georgia .....	75,182	43,697	6,563	7,448	...	773	...	10,656	5,773	272
Hawaii .....	5,188	112	...	467	1,028	...	...	3,380	142	59
Idaho .....	44,397	24,476	1,284	886	213	619	...	10,791	6,128	...
Illinois .....	412,505	326,427	26,360	27,455	...	1,211	624	23,860	5,706	862
Indiana .....	114,400	90,969	(a)	2,275	186	6,559	39	9,044	4,261	1,068
Iowa .....	145,219	116,017	5,759	5,327	73	4,492	...	7,598	4,431	1,522
Kansas .....	82,653	58,146	3,393	4,980	1,212	838	53	10,058	3,613	360
Kentucky .....	75,139	43,177	2,453	8,803	1,508	1,281	408	11,534	5,450	525
Louisiana .....	118,587	34,401	5,477	47,460	484	1,808	111	24,231	4,216	399
Maine .....	39,049	21,361	2,328	648	...	1,201	135	7,504	5,319	553
Maryland .....	99,235	75,530	6,111	2,311	...	231	295	11,334	2,890	533
Massachusetts .....	88,919	54,089	11,344	4,196	...	540	507	14,618	2,843	782
Michigan .....	246,022	180,318	14,492	5,638	1,307	11,728	19	14,858	17,297	365
Minnesota .....	150,063	103,799	6,756	1,296	...	344	4	24,243	10,739	2,882
Mississippi .....	57,480	20,307	3,717	15,714	731	1,813	...	11,735	3,463	...
Missouri .....	149,108	96,226	4,165	21,042	3,123	1,691	...	12,467	9,914	480

Montana .....	26,344	12,712	1,506	288	...	1,328	...	3,604	6,906	...
Nebraska .....	49,970	34,888	1,392	2,066	...	132	232	7,503	3,523	234
Nevada .....	48,345	17,288	864	1,123	...	22	22,679	3,654	1,812	903
New Hampshire .....	31,503	18,863	2,254	2,201	419	564	35	4,255	2,194	718
New Jersey .....	304,471	188,007	17,882	74,666	27	2,880	...	15,399	4,361	1,249
New Mexico .....	42,038	29,376	1,436	2,500	44	311	83	4,184	4,104	...
New York .....	449,658	285,524	18,620	5,025	26,796	36,413	19,558	43,249	12,708	1,765
North Carolina .....	194,540	104,254	6,743	37,819	3	535	1,654	36,047	6,757	728
North Dakota .....	32,875	23,467	1,340	296	88	212	62	5,799	1,611	...
Ohio .....	370,748	181,983	9,919	130,108	6,713	11,744	...	20,770	8,035	1,476
Oklahoma .....	135,050	96,953	6,807	11,850	2	992	715	6,773	5,767	5,191
Oregon .....	128,369	78,945	8,447	2,031	2,488	1,008	440	21,714	12,000	1,296
Pennsylvania .....	664,741	267,777	36,638	213,268	21,160	8,884	8	93,009	21,984	2,013
Rhode Island .....	22,826	17,075	2,116	1,131	...	102	18	1,925	283	176
South Carolina .....	56,939	29,220	2,498	3,807	...	2,345	1,310	12,452	3,633	1,674
South Dakota .....	17,514	10,813	987	261	...	125	...	2,588	2,455	285
Tennessee .....	156,017	89,049	6,347	33,969	681	901	...	17,795	6,843	432
Texas .....	551,309	245,546	20,882	236,612	346	8,929	...	23,439	13,298	2,257
Utah .....	26,002	15,283	1,548	...	73	98	...	2,793	5,998	209
Vermont .....	23,042	16,443	1,533	144	...	428	124	1,512	2,563	295
Virginia .....	129,857	85,370	10,209	5,560	...	1,527	14	20,201	6,373	603
Washington .....	119,676	68,113	9,999	3,695	4,230	3,149	420	17,887	12,072	111
West Virginia .....	50,143	35,209	1,900	3,309	1,500	1,400	...	3,000	3,800	25
Wisconsin .....	133,874	90,828	8,437	1,752	18	81	...	14,361	16,197	2,200
Wyoming .....	41,164	30,251	294	298	606	10	...	650	8,985	70

\*Source: Bureau of the Census, *State Tax Collections in 1977*.

(a) Included in motor vehicle licenses.

Table 6  
STATE SEVERANCE TAXES: 1977\*

State	Title and application of tax (a)	Rate
Alabama .....	Iron Ore Mining Tax Forest Products Severance Tax Oil and Gas Conservation Tax Oil and Gas Production Tax Coal Severance Tax	3¢/ton Varies by species & ultimate use 2% of gross value at point of production 4% of gross value at point of production 13.5¢/ton (b)
Alaska .....	Raw Fish Tax (c) Cold Storage and Other Fish Processes (d) Oil and Gas Properties Production Tax	1 to 3% of raw fish value based on type of fish 1% for shore facilities & 4% for freezer ships Percentage of gross value determined annually
Arkansas .....	Natural Resources Severance Tax Oil and Gas Conservation Tax	Separate rate for each substance Less than 10 mills/bbl. of oil & 1 mill/1,000 cu. ft. of gas
California .....	Oil and Gas Production Tax	Rate determined annually by Dept. of Conservation
Colorado .....	Coal Tonnage Tax Oil and Gas Conservation Tax Oil and Gas Production Tax	0.7¢/ton 1 mill/\$1 market value at wellhead Progressive rates dependent upon income for oil & gas
Florida .....	Oil and Gas Production Tax Solid Minerals Tax (e)	5% of gross value at point of production 5% of market value at point of severance
Georgia .....	Oil and Gas Production Tax	5 mills/bbl. of oil & ½ mill/1,000 cu. ft. of gas
Idaho .....	Ore Severance Tax Oil and Gas Production Tax	2% of net value 5 mills/bbl. of oil & 5 mills/50,000 cu. ft. of gas (f)
Indiana .....	Petroleum Production Tax (g)	1% of the value
Kansas .....	Oil and Gas Production Tax	\$ .0035/bbl. of oil & \$.00085/1,000 cu. ft. of gas (h)
Kentucky .....	Oil Production Tax Coal Severance Tax	½% of market value (i) 4¼% of gross value
Louisiana .....	Natural Resources Severance Tax Gas Gathering Tax	Rate varies according to substance 1¢/1,000 cu. ft. of gas (j)
Michigan .....	Gas and Oil Severance Tax	2% of gross value (k)
Minnesota .....	Iron Severance Tax (l) Ore Royalty Tax Taconite, Iron Sulphides and Agglomerate Taxes Semi-Taconite Tax Copper-Nickel Taxes	15 to 15.5% of value (depending on ore) minus credits 15 to 15.5% of royalty (depending on ore) minus credits (m) (m) 1% of value of ores mined or produced (n)
Mississippi .....	Oil and Gas Severance Tax Timber Severance Tax Salt Severance Tax	The greater of 6% of value or 6¢/bbl. of oil and 6% of value or 3 mills/1,000 cu. ft. of gas 18¢ to 80¢/1,000 board ft. depending on use 3% of value of amount produced
Montana .....	Coal Severance Tax Metalliferous Mines License Tax (o) Oil or Gas Producers Severance Tax Micaceous Minerals Cement License Tax (p) Mineral Mining Tax	Varies by quality of coal & type of mine Progressive gross value tax from 0.15% to 1.438% of value Progressive gross value tax from 2.1% to 2.65% of value 5¢/ton produced 22¢/bbl. of cement, 5¢/ton of gypsum \$25 plus ½% of gross value over \$5,000
Nebraska .....	Oil and Gas Severance Tax Oil and Gas Conservation Tax	2% of value Not to exceed 4 mills per dollar of wellhead value
Nevada .....	Net Proceeds of Mines Tax Oil and Gas Conservation Tax	Property tax rate of place where mine is located 5 mills/bbl. of oil & 5 mills/50,000 cu. ft. of gas
New Hampshire ...	Refined Petroleum Products Tax	0.1% of value
New Mexico .....	Resources Excise Tax (q) Severance Tax (q) Oil and Gas Severance Tax Oil and Gas Privilege Tax Natural Gas Processors Tax Oil and Gas Ad Valorem Production Tax Oil and Gas Conservation Tax (r)	3/4% for most substances Different rate for each substance 45¢/bbl. of oil & 5¢/1,000 cu. ft. of gas 2.55% of value 0.45% of value Variable Variable percentage
North Carolina ....	Oil and Gas Conservation Tax Primary Forest Assessment Tax	5 mills/bbl. of oil and ½ mill/1,000 cu. ft. of gas (f) 12¢ to 50¢/1,000 board ft. depending on use
North Dakota .....	Oil and Gas Gross Production Tax Coal Severance Tax	5% of gross value at well 65¢/ton & 1¢/ton for each 3 point increase in wholesale price index

**Table 6—Concluded**  
**STATE SEVERANCE TAXES: 1977\***

<i>State</i>	<i>Title and application of tax (a)</i>	<i>Rate</i>
<b>Ohio</b> .....	Resource Severance Tax	Separate rate for each substance
<b>Oklahoma</b> .....	Oil, Gas and Mineral Gross Production Tax (s)	Separate rate for each substance
<b>Oregon</b> .....	Forest Products Severance Tax Severance Tax on Eastern Oregon Timber Severance Tax on Western Oregon Timber	5¢/1,000 board ft. 5% of value 6¼% of value
<b>South Dakota</b> .....	Mineral Severance Tax Oil and Gas Severance Tax	4% of net profits (t) 3% of wellhead value
<b>Tennessee</b> .....	Oil Production Tax (g) Coal Severance Tax	5¢/bbl. of oil & 5% of sale price of gas 20¢ per ton
<b>Texas</b> .....	Natural Gas Production Tax Oil Production Tax Sulphur Production Tax Cement Distributor's Tax	7¼% of market value 4.6% of value if greater than \$1/bbl.; otherwise 4.6¢/bbl. \$1.03/long ton 2¼¢/100 lbs.
<b>Utah</b> .....	Mining Occupation Tax (u) Oil and Gas Conservation Tax	1% of value for metals & uranium, 2% of value for oil & gas Up to 2 mills per dollar of wellhead value
<b>Virginia</b> .....	Forest Products Tax	Varies by species & ultimate use
<b>Wisconsin</b> .....	Metalliferous Minerals Occupation Tax	Progressive net proceeds tax from 6% to 20%
<b>Wyoming</b> .....	Oil and Gas Production Tax Mining, Excise and Severance Taxes	2/5 mill/dollar (f) Varies by substance from 1.6% to 3% of value

\*Source: Commerce Clearing House, *State Tax Guide*.

(a) Application of tax is same as that of title unless otherwise indicated by a footnote.

(b) Tax scheduled to terminate upon the redemption of all bonds issued by the Alabama State Docks Department.

(c) Applies to those persons operating a salmon, crab, or clam cannery or a herring processing plant.

(d) Persons not taxed by the raw fish tax who are engaged in cold storage or processing of fish.

(e) Clay, gravel, phosphate rock, lime, shells, stone, sand, and rare earths.

(f) Maximum ratio—set annually by administrative action.

(g) Oil and gas.

(h) Figures are the total of parts of the tax designed for conservation and pollution prevention.

(i) 61 counties impose an additional 1% tax.

(j) In addition to Natural Resources Severance Tax.

(k) Plus a fee (not to exceed 1% of gross value) on oil and gas produced the previous year.

(l) All ores.

(m) \$1.25/ton plus a surcharge up to 1.6% based on the percentage iron content of the ore, except for semitaconites which are taxed at 10¢/ton plus the surcharge.

(n) Plus miscellaneous taxes on royalties and additional tax based on the percentage copper-nickel content of the ore.

(o) Metals and gems and precious stones.

(p) Cement and gypsum or allied products.

(q) Natural resources except oil and gas.

(r) Oil, gas, geothermal energy, coal, and uranium.

(s) Asphalt, oil, gas, uranium, and metals.

(t) Only imposed on annual market value if above \$100,000.

(u) Metals, oil, gas, and uranium.



Table 7  
FISCAL YEAR, POPULATION, AND PERSONAL INCOME, BY STATE

State	Date of close of fiscal year in 1977	Total population (excluding armed forces overseas) in thousands (a)		Personal income, calendar 1976 (b)		State government portion of state-local tax revenue in fiscal 1975-76 (c) (percent)
		July 1, 1976 (provisional)	July 1, 1975	Amount (in millions)	Per capita	
All states	...	213,957	212,320	\$1,367,849	\$ 6,393	56.9
Alabama	September 30	3,665	3,615	18,714	5,106	74.5
Alaska	June 30	382	365	3,979	10,415	82.7
Arizona	June 30	2,270	2,212	13,166	5,799	61.3
Arkansas	June 30	2,109	2,110	10,408	4,934	75.8
California	June 30	21,520	21,198	153,892	7,151	51.9
Colorado	June 30	2,583	2,541	16,633	6,440	51.3
Connecticut	June 30	3,117	3,100	22,929	7,356	52.1
Delaware	June 30	582	579	4,092	7,030	80.2
Florida	June 30	8,421	8,277	50,690	6,020	61.6
Georgia	June 30	4,970	4,931	27,576	5,548	61.5
Hawaii	June 30	887	868	6,198	7,080	77.1
Idaho	June 30	831	813	4,684	5,640	67.0
Illinois	June 30	11,229	11,197	82,503	7,347	55.4
Indiana	June 30	5,302	5,313	32,990	6,222	61.4
Iowa	June 30	2,870	2,861	17,923	6,245	59.7
Kansas	June 30	2,310	2,280	14,945	6,469	56.8
Kentucky	June 30	3,428	3,387	18,439	5,379	74.6
Louisiana	June 30	3,841	3,806	20,762	5,405	70.7
Maine	June 30	1,070	1,058	5,741	5,366	73.9
Maryland	June 30	4,144	4,122	28,514	6,880	58.1
Massachusetts	June 30	5,809	5,814	38,272	6,588	52.0
Michigan	September 30	9,104	9,111	61,485	6,754	55.3
Minnesota	June 30	3,965	3,921	24,515	6,183	68.0
Mississippi	June 30	2,354	2,341	10,663	4,529	76.4
Missouri	June 30	4,778	4,767	28,494	5,963	53.0
Montana	June 30	753	746	4,283	5,689	52.0
Nebraska	June 30	1,553	1,544	9,450	6,086	47.9
Nevada	June 30	610	590	4,368	7,162	58.7
New Hampshire	June 30	822	812	4,942	6,010	39.1
New Jersey	June 30	7,336	7,333	54,152	7,381	39.4
New Mexico	June 30	1,168	1,144	6,217	5,322	82.3
New York	March 31	18,084	18,076	126,925	7,019	47.4
North Carolina	June 30	5,469	5,441	29,821	5,453	71.4
North Dakota	June 30	643	637	3,761	5,846	67.0
Ohio	June 30	10,690	10,735	68,541	6,412	52.9
Oklahoma	June 30	2,766	2,715	15,788	5,707	68.3
Oregon	June 30	2,329	2,284	14,580	6,261	50.4
Pennsylvania	June 30	11,862	11,860	76,385	6,439	63.2
Rhode Island	June 30	927	931	5,866	6,331	59.0
South Carolina	June 30	2,848	2,816	14,662	5,147	74.8
South Dakota	June 30	686	681	3,512	5,120	47.0
Tennessee	June 30	4,214	4,173	22,606	5,364	61.3
Texas	August 31	12,487	12,238	77,436	6,201	58.1
Utah	June 30	1,228	1,203	6,570	5,350	65.2
Vermont	June 30	476	472	2,577	5,411	58.1
Virginia	June 30	5,032	4,981	31,908	6,341	59.4
Washington	June 30	3,612	3,559	24,569	6,802	70.3
West Virginia	June 30	1,821	1,799	9,941	5,460	77.9
Wisconsin	June 30	4,609	4,589	28,190	6,117	66.4
Wyoming	June 30	390	376	2,593	6,642	58.5

Note: Because of rounding, detail may not add to totals.

(a) Bureau of the Census, *Current Population Reports*, Series P-25, Number 642, December 1976.

(b) U.S. Department of Commerce, *Survey of Current Business*, August 1977.

(c) Bureau of the Census, *Governmental Finances in 1975-76*, September 1977.

# **Section VI**

## **MAJOR STATE SERVICES**

### **1. Education**

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#### **STATE PUBLIC SCHOOL SYSTEMS\***

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DURING THE 1976-77 biennium, state public school systems were faced with many problems, e.g., the struggle for increased financial resources in a time of dwindling supply and increased competition from other social services, violence and vandalism, declining enrollments, demands from citizens for a return to the basics, equal opportunity for the handicapped, desegregation, and increasing resistance from the taxpayer. School finance continued to be the number one issue according to a poll taken by the Priorities Committee of the Education Commission of the States (ECS). The passage of P.L. 94-142 (Education for All Handicapped Children Act) put the federal government squarely in the day-to-day operations of local school districts while at the same time causing great concern in gubernatorial offices and legislative halls over the costs of implementation. Meanwhile, collective bargaining, so prominent in the previous biennium, seemed to be receding as a legislative matter as teachers concentrated more on job security in the face of reductions in force due to declining enrollments and less on salaries and attempts to pass mandatory collective bargaining laws. The importance of court decisions in the areas of integration, students' rights, and teachers' rights continued unabated.

Meanwhile, a new issue spread rapidly through the legislative corridors and state boards of education. Arising from the demands for accountability and a return to the basics, the concept of minimal competency testing has had almost instant appeal to state decisionmakers. It has been one of the most rapidly moving legislative issues ever observed by veteran legislative trackers.

#### **Fluctuating Enrollments**

Fluctuating enrollments continue to be a problem for states and local school districts. From the end of World War II to approximately 1959, live births increased at a dramatic rate. Between 1959 and 1973, live births declined and now appear to be gradually on the increase again. The phenomenon that demographers are now watching will be the number of children born to women between 18 and 30 years of age. The potential for an "echo" of the postwar baby boom appears possible.

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The declining enrollment phenomenon now moving through the public schools has, for the most part, cleared the elementary schools and is now moving into the secondary schools. Elementary enrollments are expected to begin gradually increasing after 1980.

While the overall picture is one of decline, at the school district and building level it can best be described as an enrollment fluctuation. The declines, in short, vary significantly from one district to another, and even vary dramatically within a district. Managing the decline in enrollment is not easy because it does not permit a systematic closing of schools or the transfer of students. Neighborhood schools, busing for integration purposes, and teacher tenure, along with collective bargaining agreements, all make the systematic handling of any enrollment decline difficult. In effect, financial decreases usually lag behind enrollment decreases and, in some cases, state foundation formulas need to be altered so that certain types of school districts—urban, rural, or suburban—can handle the change more effectively. Some states are even adding a safety cushion to the declines so that districts with dramatic drops in enrollment will not suffer a large monetary loss in one year. In these instances, school districts are allowed to average a decline over a period of years or, in other instances, the state places a dollar floor on the amount of decrease a school district is expected to absorb each year.

Changes in the geographic distribution of population within a state will have many states struggling with this fluctuating enrollment issue throughout the remainder of this decade. (See Tables 2 and 3.)

### **Reduction in Force**

As the 1977 school year opened, more than one half of the nation's 16,000 school districts reported they had used some form of reduction in force over the previous two years. Instructional and support staff cutbacks were brought on by declining enrollments, financial strains, and program cutbacks.

One of the issues facing states and school districts in staff reduction is the legal question surrounding teacher tenure laws, affirmative action programs, and the scope of collective bargaining. In New Jersey, the state supreme court refused to hear a lower court decision dealing with the obligation of school boards to negotiate reduction in force (RIF). The ruling handed down by the appellate division of the superior court in late 1976 stated that boards of education had the sole right to determine the manner in which nontenured staff are RIF'd.

Only about one half of the states mentioned dismissal in the event of decreased enrollment or financial difficulties in their teacher tenure statutes. This is probably because many of the tenure laws were originally written during the times of teacher shortages. Where dismissal is mentioned in the tenure laws, the states take a variety of approaches. Usually nontenured teachers are to be dismissed first. Some states' laws provide a process by which dismissed teachers have priority for reentering the teaching field within their own district. Some states are concerned that reduction in force policies that do not recognize the teaching certificate subject area for each teacher and only recognize seniority would soon have teachers carrying assignments outside their certificated area.

### **Minimal Competency Testing**

Throughout the United States there is a growing demand from the public that schools measure the accomplishment of children and that children be expected to achieve a certain level of competency in the subject matter at one grade level before they are promoted or before they graduate from high school. In some ways the call for reform is similar to the

changes made in the public schools in science and math following Sputnik in the late 1950s. This time the push, however, appears to be headed for the entire instructional program, specifically reading, writing, and arithmetic. The code words for the movement appear to be "back to the basics" or "competency-based education." The impetus for this change is legislation and state board rulings on minimal competency testing for high school graduation or grade promotion. Some people feel the push for this reform grows out of the accountability movement dating back to the early 1970s. Others feel the impetus stems from the general public dissatisfaction with rising school costs and declining enrollments, or from increased violence and vandalism and declining test scores. At any rate, the movement clearly has its beginnings at the grass-roots level of America, usually among noneducators. It is one of the few times in the history of American education that reform has started at the state policy level with legislation and state board action rather than at the college or school district level.

At the end of 1977, 30 states had already taken action either by state board ruling or legislation, and in the remaining states, nearly all have initiated legislative interim studies, blue-ribbon task forces, state department of education studies, state board policies studies, or local district studies. In a majority of the states, the policy debate has moved away from the discussion of the merits or the need for this type of program to the policy debate over implementation strategy, roles of the federal, state, and local education agencies, and the relationship of this phenomenon to other aspects of the education establishment and instructional programs. In a majority of the states, local districts or state departments of education are mandated to establish standards in the basic skill areas which will be used as a prerequisite for high school graduation. Many of the mandates require that this testing begin early in the high school program so that remedial work can be given to those students who need assistance. Some state legislation and board rulings have mandated that the program become an "early warning" system and test students as low as the elementary level. In most states, legislation and state board rulings will have a phase-in period usually dating up to 1981. This is to allow local school districts and state departments of education to have time to put testing programs into place, time to initiate standards and cutoff scores, and time to allow students to obtain remedial assistance prior to graduation from high school.

### **Special Education**

"A free appropriate public education for all handicapped children"—this is the heart of the new federal thrust, P.L. 94-142, forming a national commitment to the handicapped child. This also describes the guarantee that states will have to agree to as a condition for receiving federal funds under the act.

The comprehensive nature of the federal law is highlighted by an extension of the due process procedures for parents and guardians of handicapped children, the creation of a new supervisory role for the state department of education, and the requirement that local school districts create an individualized learning program for each new student.

Even by itself, P.L. 94-142 is a complex law, but added to the implementation problems is the unique relationship of this law to Section 504 of the Rehabilitation Act of 1973. While P.L. 94-142 is a program of federal assistance for a specific program, Section 504 is a civil rights law. Section 504 requires that recipients of federal aid treat the handicapped people in an equitable manner.

All states currently have special education programs. State laws differ widely and quite often do not contain the same provisions as P.L. 94-142. They do, however, represent many

years of effort to provide an education for the handicapped children in each state. Many state legislators and state department of education officials are concerned that the new federal legislation preempts much of the activity started at the state level. In general, state statutes differ from P.L. 94-142 as it relates to: (a) eligibility by age group and handicapping condition, (b) due process procedures, (c) program specifics such as "least restrictive environment" and individualized education programs, (d) services provided as compared to "related services" defined in Public Law 94-142, and (e) state agency responsibility for special education. (See Table 4.)

Many states have found it necessary to amend the existing statutes by introducing bills which will bring the special education programs into compliance with the new federal legislation.

### **The States and the Federal Government**

While federal aid to education has not risen in any large proportion, most state and local school district officials perceive an increased role of the federal government and its education agencies in the governance and daily operations of the schools. Indeed, many local district board members and administrators have been extremely vocal in proclaiming an erosion of their authority to operate the schools and that the federal government has more influence on the schools than the amount of federal dollars appropriated would warrant. While the dollars have not increased dramatically, the reporting requirements and the attendant paperwork have. The U.S. Office of Education conducted a review of its reporting requirements and found that different bureaus have differing reporting requirements, some requiring semiannual reports, some quarterly, and others monthly. As a result of this study, the U.S. Commissioner of Education has announced a cutback in reporting requirements. It is estimated that such a move, if successfully implemented, would result in halving the paperwork required. Predictably, school officials greeted the announcement with considerable enthusiasm, tempered by some skepticism.

However, while the reporting requirements may be reduced, recently enacted legislation has pointed out the tendency of Congress to alter the method of governance of school districts. Specifically, in the amendments to the Elementary and Secondary Education Act and in the Education for All Handicapped Children Act, provisions have been made for parent advisory councils at the local school building level. While, on the one hand, Section 842 of the amendments to the Elementary and Secondary Education Act encourages states to provide a more equalizing system of school finance, the provisions of the Impact Aid law have been shown to have a disequalizing effect and actually hamper states attempting to accomplish school finance reform.

### **The Courts and the Schools**

Many school district officials feel that in those areas in which the federal government has not usurped their authority through congressional action, it has done so through court action. Problems of integration continue to plague many large city school districts as exemplified by court decisions affecting schools in Chicago, Los Angeles, Milwaukee, Louisville, Boston, Indianapolis, Detroit, Wilmington, and Dayton, among others. The increasing percentage of minorities in city school districts caused by the "white flight" to the suburbs has made it more difficult for a balancing of the races without including the suburban school districts. However, the U.S. Supreme Court has handed down no clear dicta as is evident in the Detroit city schools having to attempt integration without including

the suburban schools, while the opposite was held in the case of the Wilmington public schools.

Aside from the very important area of school integration, the courts have made a number of decisions that hold great importance for schools and state school systems. Of prime importance to states in their attempts to provide some support for private, church-affiliated schools was the decision issued in the case of *Wolman v. Walter*. At the root of this case was an Ohio statute providing for the funding by the state of numerous services for children attending Ohio's private schools, 96 percent of whom were attending parochial schools. The entire statute had been found to be constitutional by the U.S. District Court for Southern Ohio. A split court ruled that providing state aid for the purchase of textbooks; standardized tests and scoring services; speech, hearing, and psychological diagnostic services; and therapeutic guidance and remedial services did not violate the constitution. However, appropriating state dollars for instructional materials and equipment and field trip transportation was held to be invalid.

### Elementary/Secondary Education Finance

The set of public policy issues related to equitable and efficient financing of a state's elementary and secondary schools continues to dominate many state legislatures. Nearly all states, with the assistance of federal funds under Section 842 of the 1974 amendments to the Elementary and Secondary Education Act, are in the process of studying or evaluating their elementary/secondary education finance and tax structures. Since 1970, approximately 25 states have passed fundamental school finance reforms, with changes in education financing and related property tax reform constituting major elements in this resurgence. Courts, however, as indicated by the December 1977 decision of the California Supreme Court in the *Serrano* appeal and the March 1977 decision of the Connecticut Supreme Court in the *Horton* case, continue to apply pressure on states to develop fair and constitutionally permissible education finance systems.

Public elementary and secondary schools are still supported primarily by local property taxes. For 1976-77, it was estimated that local sources provided 48.3 percent of public school revenues, with state sources contributing 43.3 percent and the federal government 8.3 percent. These averages have remained fairly stable over the last 10 years. The proportions varied among the states, however, as indicated in Table 5. Perhaps the most dramatic change over the past decade has been the increase in the state role, which rose by 4.2 percentage points.

For the 1976-77 school year, it was estimated that approximately \$74 billion was spent on public education for students in elementary and secondary schools. Current operating expenditures per pupil were estimated to average \$1,564 across the country, an increase of 173 percent over the previous decade. As Table 6 shows, however, per pupil expenditures varied considerably across the states, ranging from a low of \$1,095 to a high of \$2,938. In addition, expenditures per pupil varied considerably within most states, with expenditure differences between high- and low-spending districts exceeding three to one ratios in most states.

Table 1 shows average teacher salaries for 1975-76. Average teacher salaries in 1976-77 were estimated to be \$13,830, an increase of 94 percent from the 1966-67 school year. After adjusting the salary figure by the consumer price index, however, the real gain in the purchasing power of the average teacher salary amounted to only 17.5 percent in the decade since the 1966-67 school year.

### The Shape of School Finance Reform

Twenty-five states have enacted basic school finance reforms during the 1970s. The key feature of each new school aid program is a revised general aid equalization formula that distributes relatively more state aid to school districts poor in property wealth. Indeed, California, Minnesota, Montana, and Utah have recapture clauses in their new programs under which the state collects excess property taxes raised in the wealthiest school districts and reallocates them to poorer districts.

Three different types of equalization formulas have been enacted:

(a) High-level foundation programs as found in Iowa, Minnesota, South Carolina, Tennessee, Utah, and Washington;

(b) Foundation programs augmented by guaranteed tax base or guaranteed yield programs for those districts that choose to spend above the foundation level, as found in California, Florida, Maine, Missouri, and South Dakota; and

(c) Pure guaranteed tax base, guaranteed yield, or percentage equalization programs that guarantee equal revenues for equal tax rates as found in Colorado, Illinois, Kansas, Michigan, New Jersey, Ohio, and Wisconsin.

Many states are phasing these new programs in over a three- to five-year period; thus, the full impact of the new finance structures will not occur until the programs are funded fully.

A second characteristic of the school finance reforms has been increased attention to student populations requiring special education, compensatory education, or bilingual-bicultural education services. The most dramatic increases in state aid have occurred in state special education appropriations; the billions of dollars states are spending for these services dwarfs, at this time, the \$500 million federal role, although the federal role should rise when P.L. 94-142, the Education for All Handicapped Children Act, is fully funded. Florida, New Mexico, South Carolina, South Dakota, and Utah are states that have linked the distribution of state special education aid to the general aid formula, by a pupil weighted formula, thus equalizing the flow of categorical aid in the same manner as general aid.

Nearly 20 states have enacted compensatory education programs for the economically disadvantaged students. Illinois and Minnesota, moreover, recognize that it is concentration of poverty that produces the most severe educational disadvantage; these two states allocate greater dollar amounts per pupil as the concentration of poverty students increases in local school districts.

Bilingual programs are also rapidly being enacted in states with concentrations of students for whom English is not the first language. California, Colorado, Massachusetts, New Mexico, New York, and Texas are states taking the lead in implementing these programs.

A third element in the new school aid bills is recognition of the fiscal plights of many central city school districts as well as the high costs incurred by school districts in poor and isolated rural areas. Michigan, in fact, recognizes the drain on the education budget of the demand for noneducation services by allocating additional state aid to school districts whose noneducation tax rates exceed the statewide average by more than 25 percent.

A fourth factor that describes the shape of newly enacted education finance structures is the increasing interest in and enactment of income factors. The new Missouri formula decreases the required tax rate for the foundation part of its formula for low-income districts and increases it for high-income districts. Kansas and Maryland measure local school district fiscal capacity by a combination of property wealth and taxable income. Connecticut and

Rhode Island weight the property wealth measure by a median family income ratio. California, Illinois, Michigan, Nebraska, Ohio, Oregon, and Wisconsin are states studying the role of income and possible ways of modifying their aid programs with income factors.

A fifth new element of school finance reform is the increasing interest in cost-of-education adjustments. Florida adjusts its state aid allocations by a cost-of-living factor, but that adjustment has been criticized because cost-of-living differences are not the same as cost-of-education differences. Missouri is completing a two-year study of cost-of-education differences and California has just begun a major study which will produce cost-of-education indices for each local school district.

A final element in revised school aid programs is the increasing use of tax and expenditure controls to stabilize property tax rates and prevent education expenditures from increasing too rapidly. Although the expenditure controls in some states have become outdated with the nation's high rate of inflation, and actually impede the progress of low-spending districts in "catching up" with high-spending districts, the use of expenditure controls and tax limits continues, both in school aid formulas as well as in programs for other state and local services.

In addition to these characteristics of the new state aid distributions mechanisms, property tax relief and reform have accompanied school finance changes in states. Arizona, Colorado, Kansas, North Dakota, and Wisconsin are states whose school finance programs reduced absolutely the property tax burden. Equalizing, based on property wealth school aid formulas, makes the property tax burden more equitable on a school district basis both by decreasing tax rates in poor school districts and by providing equal revenue for equal tax rates. Many states have also enacted state-financed circuit-breakers of property tax relief that limit property tax payments as a percent of income for low-income families and individuals, thus creating a property tax structure that is equitable for both school districts and individuals. Minnesota, Michigan, and Wisconsin are states that have expanded their circuit-breaker programs in the wake of school finance reform to protect all low-income households, especially those in wealthy school districts, from property tax overburdens.

As mentioned earlier, another hallmark of school finance reform has been a large increase in the state fiscal role. For the 18 states that enacted new school aid bills prior to 1975, the state role increased from 39 to 51 percent, a rise of 12 percentage points. In most cases, this increase occurred without increases in state sales or income tax rates, but Minnesota revised both corporate and individual income tax rates as part of its 1971 reform and New Jersey enacted an income tax to fund its new program.

It is important to note, moreover, that an increase in state financing of elementary and secondary schools can occur without an increase in state administrative control over the schools. In both California and Florida, for example, the school aid changes have been accompanied by governance changes that not only encourage but in some cases require decentralization of both budget and administrative control below the district level to the school site level.

### **Emerging Issues**

As the 1977-78 school year progressed, a number of issues appear to be coming into focus for states and local school districts. While these issues have not received enough attention at the state level to be labeled a trend, they bear watching during the next biennium. These issues and concerns are:

- Taxpayer revolt/resistance to increasing property tax.



- School governance changes mandating building site advisory councils for budgetary reporting (this idea was included in school finance legislation passed late in 1977 in California and South Carolina).

- Secondary and postsecondary curricula are under scrutiny in a number of states because more high school seniors are carrying reduced course loads while postsecondary institutions are searching for new students.

- Minimal competency testing in the basic skill areas will come in for increased debate at the federal, state, and local levels. The big issue will be: Should the federal government mandate some form of competency testing for high school graduation purposes for all school districts and states?

- While collective bargaining has tended to cool down, a new related issue appears to be administrative unionism. How will school principals, supervisors, and others be represented in the collective bargaining law, and should they form their own collective bargaining or professional agency? (See Table 7.)

- Malpractice court cases appear to be occurring in greater numbers. At issue are the competency levels implied with the granting of a high school diploma.

Table 1  
AVERAGE ANNUAL SALARY OF INSTRUCTIONAL STAFF IN  
PUBLIC ELEMENTARY AND SECONDARY DAY SCHOOLS, BY STATE,  
1967-68, 1972-73 AND 1975-76\*

State	1967-68	1972-73	1975-76	State	1967-68	1972-73	1975-76
Alabama	\$5,900	\$ 8,262	\$10,803	Montana	\$6,675	\$ 8,908	\$11,560
Alaska	9,658(a)	15,176(b)	20,573(a)	Nebraska	6,250	9,080	10,418
Arizona	7,840	10,863	12,807	Nevada	8,200	11,472	14,000
Arkansas	5,723	7,613	9,986	New Hampshire	6,450	9,313	10,560
California	9,450	12,700	15,600	New Jersey	8,162	11,750	13,941
Colorado	7,175	10,280	12,600	New Mexico	7,040	8,600	13,500
Connecticut	8,400	11,200	13,349	New York	8,800	13,450(c)	16,511(c)
Delaware	7,900	11,100	13,120	North Carolina	6,443	9,314	11,312
Florida	7,500	9,740	10,996	North Dakota	5,750	8,362	10,112
Georgia	6,775	8,644	10,847	Ohio	7,600	9,800	11,950
Hawaii	8,100	10,900	15,638(a)	Oklahoma	6,203	8,200	9,800
Idaho	6,200	8,058	10,564	Oregon	7,625	9,949	12,627
Illinois	8,000	11,564	14,419	Pennsylvania	7,525	11,000	12,900
Indiana	8,200	10,300	12,311	Rhode Island	7,450	10,800	13,754
Iowa	7,382	10,564	12,101	South Carolina	5,750	8,310	9,821
Kansas	6,723	8,839	11,115	South Dakota	5,300	8,034	9,363
Kentucky	6,300	8,150	10,135	Tennessee	6,170	8,450	10,470
Louisiana	7,450	9,388	10,422	Texas	6,675	9,029	11,818
Maine	6,300	9,277	10,665	Utah	6,950	8,990	11,800
Maryland	8,315	11,787	14,445	Vermont	6,450	9,110	10,300
Massachusetts	7,750	11,200	12,600	Virginia	6,900	9,842	11,970
Michigan	8,000	12,400	16,030	Washington	8,100	11,100	14,450
Minnesota	7,500	11,115	14,065	West Virginia	6,300	8,505	10,764
Mississippi	4,735	7,145	9,649	Wisconsin	7,537	10,812	12,816
Missouri	6,807	9,329	10,843	Wyoming	7,163	9,900	11,600

\*Source: *Rankings of the States, 1968, 1973 and 1976*, National Education Association, Washington, D.C.

(a) Reduce 25% to make purchasing power comparable to the figures for other areas of the U.S.

(b) Reduce 30% to make purchasing power comparable to figures for other areas of the U.S.

(c) Median salary.

Table 2  
FALL ENROLLMENT IN PUBLIC ELEMENTARY AND  
SECONDARY DAY SCHOOLS, 1975-76 AND 1976-77\*

State or other jurisdiction	1975-76 fall enrollment			1976-77 estimated fall enrollment			Percentage change 1975-76 to 1976-77
	Elementary	Secondary	Total	Elementary	Secondary	Total	
United States .....	25,405,601	19,441,139	44,846,740	25,046,264	19,441,373	44,487,637	-0.8
Alabama .....	384,947	374,399	759,346	380,102	372,388	752,490	-0.9
Alaska .....	50,303	38,992	89,295	51,590	39,600	91,190	2.1
Arizona .....	353,799	141,755	495,544	344,737	156,080	502,817	1.5
Arkansas .....	250,179	227,369	477,548	240,004	220,589	460,593	-3.6
California .....	2,653,818	1,765,753	4,419,571	2,638,000	1,778,000	4,416,000	-0.1
Colorado .....	302,092	266,759	568,851	300,750	269,250	570,000	0.2
Connecticut .....	452,357	200,092	652,449	430,540	204,900	635,440	-2.6
Delaware .....	64,512	62,964	127,476	60,754	61,546	122,300	-4.1
Florida .....	793,745	757,793	1,551,538	777,982	760,257	1,538,239	-0.9
Georgia .....	672,647	417,645	1,090,292	672,816	422,326	1,095,142	0.4
Hawaii(a) .....	92,100	84,600	176,700	91,400	85,200	176,600	-0.1
Idaho .....	99,922	96,694	196,616	103,368	96,637	200,005	1.7
Illinois .....	1,359,280	910,612	2,269,892	1,338,716	881,819	2,220,535	-2.2
Indiana .....	606,041	567,791	1,173,832	569,717	592,351	1,162,068	-1.0
Iowa .....	322,297	289,814	612,111	315,291	289,142	604,433	-1.3
Kansas .....	242,827	198,676	441,503	237,940	200,260	438,200	-0.7
Kentucky .....	429,258	262,354	691,612	430,280	263,720	694,000	0.3
Louisiana(a) .....	507,969	336,432	844,401	507,450	338,800	846,250	0.2
Maine .....	171,742	73,687	245,429	169,371	72,845	242,216	-1.3
Maryland .....	459,731	421,169	880,900	441,251	420,392	861,643	-2.2
Massachusetts .....	626,134	563,433	1,189,567	605,000	564,000	1,169,000	-1.7
Michigan .....	1,082,797	1,045,120	2,127,917	1,060,000	1,021,900	2,081,900	-2.2
Minnesota .....	426,779	453,165	879,944	419,327	451,550	870,877	-1.0
Mississippi .....	285,865	226,542	512,407	282,245	227,600	509,845	-0.5
Missouri .....	645,886	319,474	965,360	630,956	319,186	950,142	-1.6
Montana(a) .....	114,646	57,142	171,788	114,175	57,275	171,450	-0.2
Nebraska .....	167,896	147,677	315,573	166,927	146,256	313,183	-0.8
Nevada .....	72,035	67,710	139,745	73,000	69,000	142,000	1.6
New Hampshire .....	103,392	71,196	174,588	105,035	70,461	175,496	0.5
New Jersey .....	920,296	532,583	1,452,879	890,400	536,600	1,427,000	-1.8
New Mexico .....	142,680	140,783	283,463	143,888	140,838	284,726	0.4
New York .....	1,748,419	1,657,596	3,406,015	1,706,000	1,672,997	3,378,997	-0.8
North Carolina .....	817,537	367,459	1,184,996	832,410	370,919	1,203,329	1.5
North Dakota .....	59,829	71,502	131,331	59,076	70,030	129,106	-1.7
Ohio .....	1,360,494	926,781	2,287,275	1,340,080	912,155	2,252,235	-1.5
Oklahoma .....	320,077	276,661	596,738	318,000	278,000	596,000	-0.1
Oregon .....	274,099	203,460	477,559	274,000	204,514	478,514	0.2
Pennsylvania .....	1,128,946	1,117,272	2,246,218	1,095,300	1,100,000	2,195,300	-2.3
Rhode Island .....	101,414	74,826	176,240	100,858(a)	74,242(a)	175,100(a)	-0.6
South Carolina .....	382,693	247,036	629,729	389,244	244,458	633,702	0.6
South Dakota .....	99,699	51,182	150,881	97,296(b)	50,784	148,080	-1.9
Tennessee .....	539,024	339,811	878,835	540,083	342,059	882,142	0.4
Texas .....	1,517,060(c)	1,295,828	2,812,888	1,521,993(c)	1,300,761	2,822,754	2.5
Utah .....	163,453	146,255	309,708	168,428	146,043	314,471	1.5
Vermont .....	63,090	41,784	104,874	62,574	41,692	104,266	-0.6
Virginia .....	685,782	417,887	1,103,669	680,069	420,654	1,100,723	-0.3
Washington .....	398,825	386,624	785,449	395,749	384,981	780,730	-0.6
West Virginia .....	229,919	173,728	403,647	233,880	170,586	404,466	0.2
Wisconsin .....	539,731	424,488	964,219	521,379	423,958	945,337	-2.0
Wyoming .....	45,350	42,834	88,184	47,503	43,084	90,587	2.7
District of Columbia .....	72,188	57,950	130,138(d)	69,330	56,688	126,018(d)	-3.2

\*Adapted from National Education Association, *Estimates of School Statistics, 1976-77*.

(a) NEA estimates.

(b) Includes 200 prekindergarten pupils.

(c) Includes prekindergarten pupils.

(d) With some exceptions, enrollment data is based on organizational level, i.e., kindergarten and grades 1-6 as elementary, and junior and senior high school, grades 7-12, as secondary.

Table 3  
ESTIMATED SCHOOL-AGE POPULATION, 1975; AS PERCENTAGE  
OF TOTAL POPULATION, 1975; AND PERCENTAGE CHANGES,  
1974 TO 1975\*

State	School-age population (5-17), 1975 (in thousands)	Total state population, 1975 (in thousands)	School-age population as percentage of total population, 1975	Percentage change in total population, 1974 to 1975	Percentage change in school-age population, 1974 to 1975
Alabama	880	3,614	24	+0.5	-2.0
Alaska	96	352	27	+4.5	+1.1
Arizona	547	2,224	25	+3.3	-0.4
Arkansas	497	2,116	23	+2.6	-1.6
California	4,773	21,185	23	+1.3	-1.6
Colorado	605	2,534	24	+1.5	-2.4
Connecticut	723	3,095	23	+0.2	-1.9
Delaware	141	579	24	+1.0	-3.4
Florida	1,763	8,357	21	+3.3	-0.1
Georgia	1,189	4,926	24	+0.9	-2.1
Hawaii	207	865	24	+2.4	-1.4
Idaho	205	820	25	+2.6	+3.5
Illinois	2,648	11,145	24	+0.3	+0.7
Indiana	1,293	5,311	24	-0.4	-2.2
Iowa	694	2,870	24	+0.5	-4.3
Kansas	515	2,267	23	-0.1	-3.4
Kentucky	810	3,396	24	+1.2	-2.2
Louisiana	990	3,791	26	+0.7	-3.2
Maine	257	1,059	24	+1.1	+2.0
Maryland	1,005	4,098	25	+0.1	-2.4
Massachusetts	1,358	5,828	23	+0.5	-2.3
Michigan	2,300	9,157	25	+0.6	-0.6
Minnesota	994	3,926	25	+0.2	-0.6
Mississippi	608	2,346	26	+0.9	0.0
Missouri	1,096	4,763	23	-0.3	-2.9
Montana	187	748	25	+1.8	+0.5
Nebraska	363	1,546	23	+0.2	-1.9
Nevada	144	592	24	+3.3	+2.9
New Hampshire	196	818	24	+1.2	-2.0
New Jersey	1,723	7,316	24	-0.2	-3.4
New Mexico	307	1,147	27	+2.2	-0.3
New York	4,117	18,120	23	0.0	-1.2
North Carolina	1,282	5,451	24	+1.6	0.0
North Dakota	155	635	24	-0.3	-6.6
Ohio	2,588	10,759	24	+0.2	-1.6
Oklahoma	608	2,712	22	+0.1	-1.6
Oregon	520	2,288	23	+1.0	-2.4
Pennsylvania	2,682	11,827	23	-0.1	-2.4
Rhode Island	212	927	23	-1.1	-5.4
South Carolina	701	2,818	25	+1.2	-1.3
South Dakota	166	683	24	+0.1	-2.4
Tennessee	971	4,188	23	+1.4	-2.7
Texas	2,933	12,237	24	+1.6	-0.3
Utah	316	1,206	26	+2.8	+0.3
Vermont	119	471	25	+0.2	+1.7
Virginia	1,172	4,967	24	+1.2	-0.8
Washington	835	3,544	23	+2.0	+1.8
West Virginia	409	1,803	23	+0.7	-1.7
Wisconsin	1,150	4,607	25	+0.9	-3.1
Wyoming	91	374	24	+4.2	+5.8

\*Sources: National Education Association. Figures from or derived from *Estimates of School Statistics for 1974-75*, and 1976-77,

Table 2; and U.S. Department of Commerce, Bureau of the Census, *Statistical Abstract of the United States: 1976*.

**Table 4**  
**STATE LEGISLATION PROVISIONS AND STATE EDUCATION AGENCY**  
**EXPENDITURES FOR HANDICAPPED CHILDREN\***

State or other jurisdiction	Year effective	Legal age of eligibility for special education services	Level of state (only) expenditures (in millions of dollars)		Percentage increase since 1971
			1971-72	1975-76	
Total .....	...	...	\$998.10	\$2,537.88	154.2
Alabama .....	1977	6-21	15.00	34.63	130.9
Alaska .....	1971	3-19	N.A.	12.00	N.A.
Arizona .....	1976	5-21	3.10	22.00	609.7
Arkansas .....	1979	6-21	0.45	6.50	1344.4
California .....	1978	5-18	171.80	275.00	60.0
Colorado .....	1973	5-21	6.70	24.60	267.2
Connecticut .....	1967	4-21	22.70	44.00	93.8
Delaware .....	1935	4-21	5.80	19.90	243.1
Florida .....	1973	5-18	42.80	137.00	220.1
Georgia .....	1977	6-17	18.50	62.06	235.5
Hawaii .....	N.A.	5-20	N.A.	9.23	N.A.
Idaho .....	1972	5-21	N.A.	12.18	N.A.
Illinois .....	1969	3-21	56.90	135.95	138.9
Indiana .....	1973	6-18	N.A.	28.00	N.A.
Iowa .....	1975	Birth-20	3.70	38.65	944.6
Kansas .....	1979	5-21	3.70	12.11	227.3
Kentucky .....	1979	7-16	8.40	32.44	286.2
Louisiana .....	1972	3-21	12.00	44.47	270.6
Maine .....	1975	5-20	1.30	5.50	323.1
Maryland .....	1979	Birth-20	24.00	53.65	123.5
Massachusetts .....	1974	3-21	18.80	132.90	606.9
Michigan .....	1973	Birth-25	55.00	123.80	125.1
Minnesota (a) .....	1957	4-21	20.10	38.60	92.0
Mississippi .....	1973	Birth-21	3.70	11.11	200.3
Missouri .....	1974	5-20	14.00	32.30	130.7
Montana .....	1979	6-21	5.90	19.20	225.4
Nebraska .....	1976	5-21	3.60	12.59	249.7
Nevada .....	1973	6-17	N.A.	8.80	N.A.
New Hampshire .....	1965	6-21	0.87	1.40	60.9
New Jersey .....	1954	5-20	35.40	67.71	91.3
New Mexico .....	1977	6-21	4.50	15.44	243.1
New York .....	1973	5-21	21.60	227.24	952.0
North Carolina .....	1974	5-17	30.00	47.00	56.7
North Dakota .....	1980	6-21	1.40	3.50	150.0
Ohio .....	1976	6-18	65.50	121.44	85.4
Oklahoma .....	1970	4-21	5.10	9.37	83.7
Oregon .....	1973	6-21	2.10	N.A.	N.A.
Pennsylvania .....	1976	6-21	73.60	189.00	156.8
Rhode Island .....	1964	3-21	N.A.	13.50	N.A.
South Carolina .....	1978	6-21	10.00	23.44	134.4
South Dakota .....	1972	Birth-21	0.35	1.25	257.1
Tennessee .....	1974	4-21	13.50	38.50	185.2
Texas .....	1976	3-21	92.70	217.16	134.3
Utah .....	1959	5-21	N.A.	19.21	N.A.
Vermont .....	1972	Birth-21	3.20	3.55	10.9
Virginia .....	1976	2-21	8.60	28.60	232.6
Washington .....	1973	6-21	56.00	70.68(b)	262.1
West Virginia .....	1974	5-23	0.57	N.A.	N.A.
Wisconsin .....	1976	6-18	50.70	63.70	25.6
Wyoming .....	1969	7-20	0.33	7.51	2175.8
Dist. of Col. ....	1975	7-16	4.70	11.79	150.9

\*Sources: *State Profiles in Special Education*, published by the National Association of State Directors of Special Education, 1977, and incomplete special Education Commission of the States survey, 1977.

N.A.—Not available.

(a) Permissive legislation.

(b) 1975-77 biennium, estimate.

Table 5  
ESTIMATED REVENUE RECEIPTS, PUBLIC SCHOOLS, 1976-77, AND  
STATE AND LOCAL TAX COLLECTION AS A PERCENTAGE  
OF PERSONAL INCOME, 1975\*

State or other jurisdiction	Total receipts (in thousands of dollars)	Receipts by source, percent			Total state and local tax collections as a percentage of personal income
		Federal	State	Local	
Total .....	\$73,882,867	8.3	43.3	48.3	11.4
Alabama .....	899,833	15.7	63.0	21.3	9.1
Alaska .....	302,920	16.5	66.4	17.0	8.7
Arizona .....	788,146	10.3	45.7	44.0	11.4
Arkansas .....	513,085	16.3	51.1	32.6	9.1
California .....	8,512,547	10.5	37.4	52.1	12.6
Colorado .....	968,200	6.7	39.2	54.1	10.6
Connecticut .....	1,213,075	4.8	30.3	64.9	10.7
Delaware .....	239,000	9.2	68.2	22.6	10.8
Florida .....	2,144,774	10.1	52.3	37.6	9.6
Georgia .....	1,329,820	11.3	60.5	28.1	10.0
Hawaii .....	283,250	11.3	85.0	3.7	12.7
Idaho .....	259,720	10.3	48.8	41.0	9.7
Illinois .....	4,224,800	7.7	47.4	45.0	11.2
Indiana .....	1,657,297	5.9	42.2	51.9	10.6
Iowa .....	1,224,014	3.7	40.8	55.5	11.2
Kansas .....	700,737	7.8	44.4	47.8	10.4
Kentucky .....	881,640	12.2	58.4	29.3	9.9
Louisiana .....	957,500	17.5	55.9	26.5	11.3
Maine .....	318,600	8.2	45.4	46.5	13.0
Maryland .....	.....	...	...	...	...
Massachusetts .....	2,213,000	3.9	22.0	74.1	13.3
Michigan .....	3,352,271	7.7	36.2	56.1	11.5
Minnesota .....	1,542,000	5.4	54.7	39.9	12.8
Mississippi .....	543,000	21.2	55.2	23.6	11.2
Missouri .....	1,343,768	7.5	36.4	56.1	10.0
Montana .....	294,500	5.4	60.6	34.0	11.8
Nebraska .....	467,736	8.8	22.7	68.5	10.3
Nevada .....	211,000	5.2	37.4	57.3	12.3
New Hampshire .....	255,241	5.1	8.6	86.3	9.8
New Jersey .....	2,910,000	4.1	38.9	57.0	10.9
New Mexico .....	406,567	16.9	67.2	15.9	11.7
New York .....	7,956,000	4.3	39.1	56.6	15.5
North Carolina .....	1,699,609	14.6	66.0	19.4	9.9
North Dakota .....	190,000	8.7	46.3	45.0	9.3
Ohio .....	3,201,416	6.1	39.8	54.1	9.0
Oklahoma .....	797,000	11.3	52.7	36.0	9.4
Oregon .....	806,000	5.5	28.8	65.8	10.8
Pennsylvania .....	4,401,556	8.7	46.5	44.8	11.3
Rhode Island .....	326,025	7.2	35.7	57.1	11.3
South Carolina .....	760,456	15.1	55.2	29.6	9.8
South Dakota .....	195,600	12.1	14.3	73.6	11.1
Tennessee .....	1,012,523	12.2	48.8	39.0	9.3
Texas .....	3,890,520	10.4	48.1	41.5	9.4
Utah .....	448,081	7.1	52.7	40.1	10.5
Vermont .....	169,440	6.6	26.9	66.6	14.6
Virginia .....	1,552,050	10.2	28.8	61.0	9.6
Washington .....	1,281,956	7.7	65.1	27.2	10.9
West Virginia .....	526,711	11.2	59.6	29.2	10.3
Wisconsin .....	1,683,064	4.4	34.5	61.2	13.3
Wyoming .....	181,500	5.7	30.4	63.9	10.9
Dist. of Col. ....	246,053	18.1	...	81.9	10.3

\* Sources: National Education Association, *Estimates of School Statistics, 1976-77*, Table 9, and *Rankings of the States, 1976*, Table F-5.

Table 6  
ESTIMATED EXPENDITURES FOR PUBLIC ELEMENTARY  
AND SECONDARY SCHOOLS, 1976-77\*

State or other jurisdiction	Total current expenditures (in thousands of dollars)	Per pupil in ADA (a)	Capital outlay (in thousands of dollars)	Total current expendi- tures, capital outlay, and interest (in thou- sands of dollars)
United States .....	\$63,865,988	\$1,564	\$6,067,122	\$74,075,722
Alabama .....	825,786	1,163	71,780	912,406
Alaska .....	252,129	2,938	42,000	308,629
Arizona .....	660,840	1,446	103,653	788,146
Arkansas .....	462,079	1,112	41,625	517,757
California .....	6,825,005	1,595	580,000	8,114,784
Colorado .....	820,000	1,556	150,000	1,001,500
Connecticut .....	1,124,762	1,888	25,000	1,189,762
Delaware .....	209,000	1,866	13,000	232,000
Florida .....	2,067,173	1,483	220,000	2,341,173
Georgia .....	1,147,465	1,144	44,600	1,240,165
Hawaii .....	209,381	1,275	35,000	258,981
Idaho .....	219,231	1,158	62,400	288,974
Illinois .....	3,670,015	1,876	625,342	4,616,331
Indiana .....	1,365,000	1,307	160,000	1,606,000
Iowa .....	903,037	1,669	132,635	1,052,575
Kansas .....	636,620	1,555	66,690	744,395
Kentucky .....	696,300	1,095	45,000	772,500
Louisiana .....	852,800	1,123	73,000	956,000
Maine .....	300,000	1,333	18,000	338,300
Maryland .....	1,466,390	1,889	155,096	1,664,241
Massachusetts .....	1,879,280	1,683	100,000	2,157,990
Michigan .....	3,042,545	1,589	333,269	3,557,159
Minnesota .....	1,341,533	1,646	210,000	1,712,533
Mississippi .....	548,565	1,148	28,100	583,365
Missouri .....	1,106,623	1,300	93,000	1,246,623
Montana .....	281,755	1,730	10,000	295,355
Nebraska .....	451,713	1,534	9,928	476,850
Nevada .....	184,000	1,423	17,000	212,600
New Hampshire .....	203,373	1,261	13,451	223,232
New Jersey .....	2,714,000	2,104	130,000	2,957,000
New Mexico .....	363,018	1,342	70,210	445,628
New York .....	6,995,800	2,333	360,000	7,824,200
North Carolina .....	1,323,928	1,210	175,000	1,738,623
North Dakota .....	173,240	1,399	16,000	195,740
Ohio .....	2,903,000	1,403	300,000	3,363,000
Oklahoma .....	705,000	1,261	70,000	792,000
Oregon .....	680,000	1,600	95,000	792,000
Pennsylvania .....	3,379,400	1,862	219,000	4,415,300
Rhode Island .....	236,000	1,499	16,250	274,700
South Carolina .....	661,476	1,104	90,000	784,476
South Dakota .....	178,122	1,280	27,567	210,059
Tennessee .....	952,524	1,146	135,035	1,143,529
Texas .....	2,959,736	1,154	378,400	3,502,136
Utah .....	365,706	1,242	96,245	484,543
Vermont .....	144,329	1,440	11,500	165,710
Virginia .....	1,416,064	1,395	107,131	1,608,637
Washington .....	1,225,388	1,694	70,640	1,338,549
West Virginia .....	437,025	1,194	79,116	527,054
Wisconsin .....	1,519,103	1,926	94,725	1,659,759
Wyoming .....	146,000	1,765	44,900	196,700
District of Columbia .....	234,719	2,060	834	246,053

\*Source: National Education Association, *Estimates of School Statistics*, 1976-77.

(a) Average daily attendance.

Table 7  
MANDATORY COLLECTIVE BARGAINING LAWS  
COVERING ELEMENTARY/SECONDARY PUBLIC SCHOOL PERSONNEL\*

State	Coverage of personnel (a)		Provisions for strikes, limited or unlimited		Provisions for binding arbitration of contract disputes; permissive or mandatory; partial or total
	Professional (b)	Classified (c)	Permitted	Prohibited	
Alabama	...	...	...	...	...
Alaska	★	...	...	...	...
Arizona	...	...	...	...	...
Arkansas	...	...	...	...	...
California	★	★	...	★	...
Colorado	...	...	...	...	...
Connecticut	★	★	...	★	★(d)
Delaware	•	...	...	★	...
Florida	★(e)	★(e)	...	★	★(f)
Georgia	...	...	...	...	...
Hawaii	★(e)	★(e)	★	...	★
Idaho	•	...	...	...	...
Illinois	...	...	...	...	...
Indiana	★	(g)	...	★	★
Iowa	★(e)	★(e)	...	★	★
Kansas	★	•	...	★	...
Kentucky	...	...	...	...	...
Louisiana	...	...	...	...	...
Maine	★	★	...	★	★
Maryland	★	★(h)	...	★	...
Massachusetts	★(e)	★(e)	...	★	★
Michigan	★(e)	★(e)	...	★	...
Minnesota	★(e)	★(e)	...	★	★
Mississippi	...	...	...	...	...
Missouri	...	•	...	★	...
Montana	★	★	...	...	★
Nebraska	•	...	...	...	★
Nevada	★	★	...	★	★(i)
New Hampshire	★(e)	★(e)	...	★	★
New Jersey	★(e)	★(e)	...	...	★
New Mexico	...	...	...	...	...
New York	★(e)	★(e)	...	★	★
North Carolina	...	...	...	...	...
North Dakota	★	...	...	★	...
Ohio	...	...	...	...	...
Oklahoma	★	★	...	★	...
Oregon	★(e)	★(e)	...	...	...
Pennsylvania	★(e)	★(e)	★	...	★
Rhode Island	★	★	...	★(h)	★
South Carolina	...	...	...	...	...
South Dakota	★(e)	★(e)	...	★	...
Tennessee	...	...	...	...	...
Texas	...	...	...	...	...
Utah	...	...	...	...	...
Vermont	•	★	★	...	★(d)
Virginia	...	...	...	...	...
Washington	★	★	...	...	...
West Virginia	...	...	...	...	...
Wisconsin	★	★	...	★	...
Wyoming	...	...	...	...	...

\*Source: Research and Information Services Department, Education Commission of the States.

(a) In these columns only, ★ = collective bargaining law and • = meet and confer law.

(b) Generally, a certified teacher or one with similar or higher status.

(c) Generally, one below the rank of a certified teacher, i.e., clerk, food employee, bus driver, custodian, paraprofessional, etc.

(d) Classified personnel only.

(e) Single omnibus law covering most public employees in a state, including educational personnel.

(f) Final settlement by "appropriate legislative body."

(g) Declared unconstitutional in 1977.

(h) Covers 12 of 23 counties; Baltimore has separate procedures.

(i) Within governor's power.

Table 8  
 NUMBER OF SCHOOL DISTRICTS (BASIC ADMINISTRATIVE UNITS),  
 1951-52 AND 1976-77, AND NUMBER OF NONOPERATING DISTRICTS,  
 1976-77\*

State or other jurisdiction	1951-52	1976-77	Percentage change 1951-52 to 1976-77	Number of non- operating districts 1976-77
United States .....	71,021	16,370	-77.0	303
Alabama .....	108	127	17.6	0
Alaska .....	27	52	92.6	0
Arizona .....	329	250	-24.0	1
Arkansas .....	425	385	-9.4	2
California .....	2,044	1,042	-49.0	0
Colorado .....	1,333	181	-86.4	0
Connecticut .....	172	177	2.9	10
Delaware .....	17	26	53.0	0
Florida .....	67	67	0.0	0
Georgia .....	204	188	-7.8	0
Hawaii .....	1	1	0.0	0
Idaho .....	281	115	-59.0	0
Illinois .....	3,413	1,021	-70.1	5
Indiana .....	1,115	305	-72.6	1
Iowa .....	4,649	449	-90.3	0
Kansas .....	3,704	307	-91.7	0
Kentucky .....	231	181	-21.6	0
Louisiana .....	67	66	-1.5	0
Maine .....	492	279	-43.3	57
Maryland .....	24	24	0.0	0
Massachusetts .....	351	437	24.5	53
Michigan .....	4,736	583	-87.7	3
Minnesota .....	6,108	440	-92.8	1
Mississippi .....	1,989	152	-92.4	0
Missouri .....	4,573	562	-87.7	3
Montana .....	1,386	627	-54.8	39
Nebraska .....	6,499	1,167	-82.0	47
Nevada .....	177	17	-90.4	0
New Hampshire .....	238	168	-29.4	11
New Jersey .....	555	610	9.9	18
New Mexico .....	107	88	-17.8	0
New York .....	3,175	746	-76.5	8
North Carolina .....	172	145	-15.7	0
North Dakota .....	2,135	344	-83.9	32
Ohio .....	1,429	617	-56.8	0
Oklahoma .....	2,066	623	-69.8	0
Oregon .....	995	334	-66.4	2
Pennsylvania .....	2,514	568(a)	-77.4	1
Rhode Island .....	39	40	2.6	0
South Carolina .....	521	92	-82.3	0
South Dakota .....	3,390	196	-94.2	0
Tennessee .....	150	147	-2.0	0
Texas .....	2,281	1,123	-50.8	7
Utah .....	40	40	0.0	0
Vermont .....	263	274	4.2	0
Virginia .....	127	141	11.0	0
Washington .....	560	303	-45.9	2
West Virginia .....	55	55	0.0	0
Wisconsin .....	5,463	436	-92.0	0
Wyoming .....	313	51	-83.7	0
District of Columbia .....	1	1	0.0	0

\*Sources: U.S. Department of Health, Education, and Welfare, Office of Education, *Statistics of State School Systems: Organization, Staff, Pupils and Finances, 1951-52*; National Education Association, *Estimates of School Statistics, 1976-77*.

(a) Includes 63 area vocational technical schools.



Table 9  
STATE BOARDS OF EDUCATION AND CHIEF SCHOOL OFFICERS  
FOR THE COMMON SCHOOL SYSTEMS, 1947 AND 1977\*

State	Chief method of selecting state board						Chief method of selecting chief state school officer					
	Elected by people		Appointed by governor		Other		Elected by people		Appointed by state board		Appointed by governor	
	1947	1977	1947	1977	1947	1977	1947	1977	1947	1977	1947	1977
Alabama	...	★	★	...	...	...	★	...	...	★	...	...
Alaska	...	...	★	★	...	...	...	...	★	★	...	...
Arizona	...	...	...	★	★	...	★	★	...	...	...	...
Arkansas	...	...	★	★	...	...	...	...	★	★	...	...
California	...	...	★	★	...	...	★	★	...	...	...	...
Colorado	...	★	...	...	★	...	★	...	...	★	...	...
Connecticut	...	...	★	★	...	...	...	...	★	★	...	...
Delaware	...	...	★	★	...	...	...	...	★	★	...	...
Florida	...	...	...	...	★	★(a)	★	★	...	...	...	...
Georgia	...	...	★	★	...	...	★	★	...	...	...	...
Hawaii	...	★	★	...	...	...	...	...	...	★	★	...
Idaho	...	...	★	★	...	...	★	★	...	...	...	...
Illinois (c)	...	...	...	★	...	...	...	...	...	★	...	...
Indiana	...	...	★	★	...	...	★	★	...	...	...	...
Iowa (c)	...	...	...	★	...	...	★	...	...	★	...	...
Kansas	...	★	★	...	...	...	★	...	...	★	...	...
Kentucky	...	...	★	★	...	...	★	★	...	...	...	...
Louisiana	★	★(b)	...	...	...	...	★	★	...	...	...	...
Maine (c)	...	...	...	★	...	...	...	...	...	...	★	★
Maryland	...	...	★	★	...	...	...	...	★	★	...	...
Massachusetts	...	...	★	★	...	...	...	...	★	★(d)	...	...
Michigan	★	★	...	...	...	...	★	...	...	★	...	...
Minnesota	...	...	★	★	...	...	...	...	★	★	...	...
Mississippi	...	...	...	...	★	★(e)	★	★	...	...	...	...
Missouri	...	...	★	★	...	...	...	...	★	★	...	...
Montana	...	...	★	★	...	...	★	★	...	...	...	...
Nebraska (c)	...	★	...	...	...	...	★	...	...	★	...	...
Nevada	★	★	...	...	...	...	★	...	...	★	...	...
New Hampshire	...	...	★	★	...	...	...	...	★	★	...	...
New Jersey	...	...	★	★	...	...	...	...	...	...	★	★
New Mexico	...	★	★	...	...	...	★	...	...	★	...	...
New York	...	...	...	...	★	★(f)	...	...	★	★(g)	...	...
North Carolina	...	...	★	★	...	...	★	★	...	...	...	...
North Dakota (c)	...	...	...	★	...	...	★	★	...	...	...	...
Ohio (c)	...	★	...	...	...	...	...	...	...	★	★	...
Oklahoma	...	...	★	★	...	...	★	★	...	...	...	...
Oregon	...	...	★	★	...	...	★	★	...	...	...	...
Pennsylvania	...	...	★	★	...	...	...	...	...	...	★	★
Rhode Island (c)	...	...	...	★	...	...	...	...	...	★(g)	★	...
South Carolina	...	...	★	...	...	★(h)	★	★	...	...	...	...
South Dakota (c)	...	...	...	★	...	...	★	...	...	★	...	...
Tennessee	...	...	★	★	...	...	...	...	...	...	★	★
Texas	...	...	★	...	...	...	★	...	...	...	...	...
Utah	...	★	...	...	★	...	★	...	...	★	...	...
Vermont	...	...	★	★	...	...	...	...	★	★	...	...
Virginia	...	...	★	★	...	...	...	...	...	...	★	★
Washington	...	...	...	...	★	★(i)	★	★	...	...	...	...
West Virginia	...	...	...	...	...	...	...	...	...	★	...	...
Wisconsin	...	...	No state board				★	★	...	...	...	...
Wyoming	...	...	...	★	...	...	★	★	...	...	...	...
Total	3	12	30	32	8	5	31	18	11	27	8	5

\*Sources: Adapted from Council of State Governments, *The Forty-eight State School Systems*, 1949, Tables 11 and 12 (data for Alaska and Hawaii since added); National Association of State Boards of Education for 1977 information.

(a) State commissioner of education, governor, attorney general, secretary of state, commissioner of agriculture, insurance commissioner, state treasurer, and comptroller.

(b) Eight are elected, 3 appointed at large by the governor with consent of the senate.

(c) No state board in 1947.

(d) Besides the commissioner of education, Massachusetts has an appointed secretary of education in the governor's cabinet.

(e) State superintendent of education, secretary of state, attorney general.

(f) State legislature.

(g) Appointed by state board of regents.

(h) Legislative delegation.

(i) Local school boards.

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## POSTSECONDARY EDUCATION

By Richard M. Millard and Nancy M. Berve\*

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### Demography and Changing Student Clienteles

THE 1977-78 SCHOOL YEAR may well mark the transition from a period of expansion of higher education that began in 1952 to an uncertain period of possible enrollment decline. As noted later in this chapter, in 1976, for the first time in 15 years, enrollments dropped instead of increased. While the decrease was not major (1.5 percent) and was not expected to be repeated in fall 1977, it underlines a series of changes in demography and student composition that may call for major shifts in state and institutional planning and higher education operation.

While the overall decrease in 1976 was estimated at 1.5 percent, the estimated decrease in freshmen was 6.5 percent (9 percent among public institutions) in spite of the fact that the traditional college-age population, although it is leveling off, has not yet started to decrease.<sup>1</sup> The number of high school graduates going on to college has constantly decreased since 1968 as has the proportion of high school graduates to total high school population.

As one looks ahead, the traditional college-age group (18- to 24-year-olds) will decrease between 1980 and 1985 nationally by 4.1 percent. However, the states will not be affected equally; neither will all institutions within the states. Twenty-six states will experience decreases in 18- to 24-year-olds between 1976 and 1980, from a low of 1.3 percent in Arizona to a high of 12 percent in West Virginia. From 1980 to 1985, when most states will experience decreases, six states will maintain or slightly increase this population sector. However, in some states the accumulative drop from 1976 to 1985 will approximate 25 percent.<sup>2</sup>

While enrollments are obviously affected by more than just the number of 18- to 24-year-olds, such as in- and out-migration, participation rates, and older students, it seems clear that the period of expansion is over and that without additional student clienteles the general trend in enrollment is likely to be downward. The most obvious new clientele is increased participation of older students. In fact, a major shift to older students has already occurred. Today, one half the college students are beyond traditional college age and one in 10 is over age 35.<sup>3</sup> While the potential market of older students has been estimated as anywhere between 32 and 79 million people<sup>4</sup> and interest in lifelong learning has increased, the assumption that older students will necessarily take the place of the decreasing 18- to 24-year-old population in traditional institutions and programs is open to question. It may be the case that many of the older students interested in continuing their education in such institutions are already there. While the number of students over age 35 increased 50 percent between 1973 and 1975, there was no increase in 1976.<sup>5</sup> Further, while the number of older students will undoubtedly increase, most of them are and will be part-time students. It will require many more such students to equal full-time equivalents of traditional college-age students. To this must be added the concern of governors and legislatures in a number of

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states, such as California, that older working students should pay the full costs of their additional education.

One area of growing importance in a number of states is the need for effective statewide planning for adult and continuing education, and lifelong learning to avoid overlap and excessive competition and to ensure that programs are designed to meet the real needs of older students. In the 1976 annual reports of state higher and postsecondary education agencies, adult, continuing, and off-campus education ranked among the top 10 issues of state agency concern.<sup>6</sup> Studies of the problem have been undertaken by a number of states, including Iowa and Ohio. At least three states—New Jersey, New York, and Ohio—have added the equivalent of directors of adult, continuing education and lifelong learning to their state postsecondary education staffs. Of particular concern are off-campus operations within states, programs that cross state lines, and the issue of program quality control.

The changing demographic situation, the concern with older students, and the prospects of unsteady or declining enrollments underline the transitional character of postsecondary education and set the stage for other developing issues.

### **Accountability, Priorities, and Program Review**

State appropriations for higher education operating expenses now exceed \$15.3 billion. For the two-year period 1976-78, state appropriations increased by 20 percent. However, when adjusted for inflation the real increase was closer to 6 percent. The rate of higher education appropriation increases continued to diminish (4 percentage points over the previous two-year comparison).<sup>7</sup>

There seem to be a number of factors involved. One is the continuing development of other higher priorities at the state level such as welfare, health, energy, conservation, and taxpayer relief. In addition, even though enrollments have already dropped in elementary-secondary education, state concerns with minimal competency, school district equalization, meeting additional federal requirements as in the case of the handicapped legislation, and concern with reform tend to give elementary-secondary education a continuing high priority. A second factor is that in a number of states budget formulas are affected by enrollments and the leveling off of enrollments in 1976 is reflected in 1977 appropriations. A third factor is a continuing public concern with what appears to be overproduction of highly educated persons and the difficulty of the labor market in absorbing them.

Along with the slowing down of appropriation increases, many states insist on greater accountability not only in fiscal efficiency but in program effectiveness. The prospects of steady or decreasing enrollments have reinforced this. Legislatures and governors, as well as state higher education agencies, have become concerned with program results, outputs, and effectiveness, and some 28 legislatures have set up postaudit oversight activities.<sup>8</sup> More specifically, some 20 states have established performance audit units that report either to the legislature or the governor.<sup>9</sup> While these have not been created primarily to audit higher education, at least 11 of them have made studies of some aspect of higher education.<sup>10</sup> Such performance audits raise issues of institutional autonomy and whether judgments of academic effectiveness can or should be made outside the academic community. While these issues have not been resolved, they have highlighted the importance of program review on the part of institutions and state higher education agencies.

In addition to the 21 states with statewide consolidated governing boards, 20 states with statewide coordinating agencies place the responsibility for program approval with that agency. While this responsibility in the past has been limited primarily to new programs, a

number of states now extend this review to existing programs with a focus on quality, efficiency, reduction of duplication, and assessment of results. Florida, Kansas, Louisiana, New Jersey, New York, Washington and Wisconsin have undertaken major reviews of graduate programs, including recommendations for discontinuance of nonproductive, qualitatively marginal, and duplicative programs. In Wisconsin, program review has been extended to all levels of the university system. It seems clear that both program review and performance audit will become progressively important in postsecondary education.

### **Private Higher Education**

While private as well as public institutions of postsecondary education undoubtedly will feel the impact of changing enrollments, private institutions now appear to be in a better position than they were in the early 1970s. In 1976, overall enrollments in the private sector increased slightly (0.6 percent) and while the public institutions decreased an estimated 9 percent in first-time enrollments, private institutions increased by 4.3 percent.<sup>11</sup> Some of the more dire predictions during the first part of the decade of financial difficulties and closings of private institutions have not been borne out. The Carnegie Council on Policy Studies in Higher Education reports that the current economic position of the private sector has roughly stabilized.<sup>12</sup> The number of closures of private institutions has gone from 26 in 1971 to 10 in 1976, with eight new private institutions opening in 1976.<sup>13</sup> This is not to suggest that all private institutions are operating without difficulty. The situations vary widely from institution to institution. It does suggest, however, that private institutions seem to be in a stronger relative position than in the past few years.

This position may reflect, in part, increased state awareness of the private sector and its importance in the total postsecondary education picture. Currently some 43 states make public funds available in some form to private institutions. By far the most frequent form is through aid to students at both public and private institutions. The states spent some \$746 million on comprehensive student aid in 1977-78, more than one half of which went to students in private institutions. In addition, 13 states provide tuition equalization grants or grants specifically earmarked for students in private institutions, and 10 states provide direct aid to private institutions. Other forms of state aid include contracts for services; special funds for the disadvantaged and minorities; special subventions and student programs, including grants and scholarships, in medical, dental, nursing, and other health education fields; facilities assistance authorities to provide tax-exempt bonds; and other miscellaneous programs.

### **Student Aid**

State concern with student aid is underscored by the fact that in 1977-78 all 50 states, the District of Columbia, and the five commonwealths and territories provide state scholarship or grant awards to more than 1,190,000 students. All but three states increased their student aid appropriations in 1977. Total appropriations for comprehensive need-based programs amounted to more than \$746 million, a 14.5 percent increase over 1976. To this must be added another \$52.96 million plus other types of scholarships for special purposes, some of which are not need-based. While these figures are relatively small in relation to the U.S. Office of Education student aid funds (\$3.3 billion), state programs provide a flexibility to meet the needs of lower- and middle-income students at public and private institutions that would not be possible with federal funds alone. The growth in state programs over the last few years is remarkable. In comparison to 1969, when only 19 states had programs, in 1976-

78, 14 additional states and territories added programs to make up the current 56 state and territorial programs.

This growth in student aid has been considerably encouraged by the federal State Student Incentive Grant program (SSIG), enacted into law in 1972 and first funded in 1974. The program, originally funded at only \$19 million, provided matching funds to help states begin new programs or expand existing ones, and in fiscal 1977-78 the funds were increased to \$60 million. The federal matching funds apply only to new state funds or programs enacted after the base year, 1971-72. Although SSIG funds have acted as a catalyst, they constitute only 8 percent of state student aid funds. Two thirds of the state funds are concentrated in five states — California, Illinois, New York, Ohio, and Pennsylvania. When one takes into account population concentrations and expenditures per student, however, the distribution is not as overbalanced as it might seem. What is significant is the number of states with programs and the states' concern for filling unmet student aid needs.<sup>14</sup>

State concern with student aid, however, extends beyond specific state programs to the issue of coordination of federal, state, and institutional programs in meeting the needs of students. The various federal programs—Basic Educational Opportunity Grants, Supplemental Educational Opportunity Grants, Work-Study Programs, National Defense Student Loans, and the Guaranteed Student Loan program—were not necessarily designed to complement each other or state programs.

In 1975, the National Task Force on Student Aid Problems recommended steps toward the development of a federal-state-institutional partnership in student aid, including utilization of a common application form, a common needs analysis, an integrated state-federal calendar, and decentralization (where feasible) of administration of federal student aid programs to the states.<sup>15</sup> To follow up on the work of the task force, the American Council on Education and the Education Commission of the States cosponsored a continuing Coalition for Coordination of Student Financial Aid. Through the combined efforts of the coalition, the U.S. Office of Education, and Congress, some progress in the implementation of the task force's recommendations has been made. In the Education Amendments of 1976, Congress provided incentives for states that did not have their own guaranteed loan programs to develop them, increased the authorization for the SSIG Program, and authorized experimentation with up to five states in decentralizing the processing of the Basic Educational Opportunity Grant program applications. More recently, the U.S. Commissioner of Education authorized a single application process for federal and state grant programs, developed a uniform calendar, and authorized a multiple processing approach to basic grants whereby states under certain conditions could become involved in the processing of basic grants. Pennsylvania and New Jersey are undertaking such processing on an experimental basis. While there is still a considerable way to go before the partnership is fully realized, important steps have been taken in this direction.

One of the persistent problems in student aid is the relatively small number of individuals and institutions that abuse the programs. Default rates in the guaranteed loan programs are considered too high. One of the reasons Congress developed incentives for the states to develop their own guaranteed loan agencies is that default rates have tended to be lower in state programs than in the federal direct insured loan program. However, the problem also involves unscrupulous institutions that have used guaranteed loans to defraud both students and the federal government. Here the states do have a responsibility in developing more effective agencies and procedures for licensing or authorizing institutions to operate and assuring they do so with integrity. Currently 47 states and the District of

Columbia have statutes governing licensing of proprietary institutions and 38 states and the District of Columbia have statutes governing authorization of degree-granting institutions to operate. These laws vary considerably in strength and implementation. In 1972, the Education Commission of the States developed model legislation in this area that has been utilized in some form to date by 23 states.

### **Impact of Federal Legislation**

Although education, including postsecondary education, is primarily a state responsibility, over the last 20 years the federal government, through laws and regulations, has had a growing impact on statewide and institutional postsecondary education activities. This impact includes not only legislation developed in relation to postsecondary education, but other congressional legislation serving general social purposes that also affects postsecondary education.

The federal impact is threefold. First is the increasing demand imposed on institutions and state agencies by federal legislation in such areas as civil rights, affirmative action, the handicapped, occupational safety, unemployment compensation, and Social Security, which are not aimed primarily at postsecondary education. These have statewide financial, planning, and administrative implications as well as implications for individual institutions. In six institutions studied by the American Council on Education, the costs of some of these programs amounted to from 1 to 4 percent of the total institutional operating budgets.<sup>16</sup> Multiplied by the number of public institutions in a state, the costs to the state as well as the institutions are considerable.

The second impact is the specific demands made upon institutions, growing out of eligibility for federal funds, requiring the supplying of prescribed information for students, financial disclosure, and furnishing evidence of fiscal probity specified in the Education Amendments of 1976. Since these are new provisions, the costs have not yet been documented.

The third impact is the range of federal programs that call for statewide plans and add new responsibilities to state agencies. These programs are not necessarily integrated at the federal level and frequently have led to the creation of multiple agencies at the state level. In the Higher Education Act of 1965 (as amended in 1976), in addition to federal support for state postsecondary commissions (Section 1202), specific statewide plans are called for in Title IA (community service and continuing education), Title VI (undergraduate equipment), Title VII (facilities), Title XA (community colleges), and Title IV, Sections 418A and 418B (education information centers). State planning may also be implied under Title IB (lifelong learning). Generally, the federal government does carry at least part of the cost connected with the administration and planning activities for these programs.

In addition, the Vocational Education Act as amended in 1976 calls for extensive planning that involves various segments of postsecondary education, including the state agency responsible for postsecondary planning. One of the critical problems on the state level is integrating or coordinating such statewide planning activities. In some states all of these various planning activities are under one agency, in others each is handled by a separate agency, and in a number of states some activities are under one agency while others are not. If states are to avoid fragmentation of planning activities required by the federal government, the relationships among these activities need to be looked at carefully.

### Planning, Coordination, and Governance

In what appears to be a transition period, state coordinating and governing boards and agencies are faced with new problems and are themselves under scrutiny in a number of states in terms of whether they are currently constituted to adequately deal with these problems and responsibilities. Among these issues are planning for an uncertain future; program review; performance audit; planning for adult and continuing education, and lifelong learning; effective involvement of the private sector; coordination of federal programs; and review and revision of the budget formula and request procedures, including reexamination of formulas to deal with the changed conditions.

Special executive or legislative commissions have been set up in some states to review coordination, governance, and structure, with a charge to recommend changes if necessary. Some of these commissions have completed their reports, such as those in New York and Connecticut, while others still are in process or recently appointed, such as those in Colorado and Massachusetts. Some 15 states reported changes in coordination and governance under consideration in 1976 and 17 states so reported in 1977. Six states in 1976 considered changing from coordinating to consolidated governing boards, but none enacted legislation to do so. Most changes made within the biennium have strengthened existing agencies.

An additional factor has, however, entered the picture. With the growth and strengthening of legislative and executive staffs, there has been a tendency for executive and legislative branches of government to assume some higher education functions normally performed by other agencies. This has occurred where state coordinating agencies have appeared weak or where institutions have been unwilling to cooperate effectively with the agencies in providing appropriate information for adequate planning and program review. For example, in Nebraska a legislative committee has been assigned the responsibility for determining institutional role and scope. In Colorado, the budget request development process was taken over for a time by the legislative joint budget committee. It would appear, however, that the general trend will continue toward strengthening coordinating and governing boards to meet the problems ahead.

### Campus Developments

#### Student Enrollments

For the first time since 1951, the national total of enrollments in colleges and universities failed to rise to a new high in the fall of 1976. According to the National Center for Education Statistics (NCES), total enrollment in fall 1976 declined 1.5 percent, following a year that saw the largest increase since 1965—11.4 percent in fall 1975. However, preliminary NCES estimates for fall 1977 assume enrollments in academic year 1977-78 will return to a more normal pattern and NCES predicts an overall rise of 2.6 percent to 11.3 million for the 50 states and the District of Columbia.

As noted in the table below, the growth rate gradually decreased from fall 1968 to 1972.

YEAR-TO-YEAR CHANGES IN COLLEGE ENROLLMENT

<i>Fall</i>	<i>Public</i>	<i>Private</i>	<i>Total</i>	<i>Fall</i>	<i>Public</i>	<i>Private</i>	<i>Total</i>
1968.....	+12.8%	-0.7%	+ 8.7%	1973.....	+ 4.9%	+1.8%	+ 4.2%
1969.....	+ 8.6%	+1.2%	+ 6.5%	1974.....	+ 7.7%	+2.4%	+ 6.5%
1970.....	+ 9.0%	+2.1%	+ 7.2%	1975.....	+11.4%	+7.1%	+10.4%
1971.....	+ 5.9%	-0.4%	+ 4.3%	1976.....	- 2.1%	+0.6%	- 1.5%
1972.....	+ 3.9%	0.0%	+ 3.0%	1977.....	+ 2.9%	+1.7%	+ 2.6%

The unusual pattern of 1975 and 1976 — that is, a large increase one year followed by a decrease the next, with the 1976 decline attributed primarily to a sharp drop in the number of veterans eligible for education benefits — is not expected to be repeated.

The 1976 enrollment decline hit the public postsecondary education sector the hardest, with a 2.1 percent decrease in total enrollment at all levels of institutions, compared to a 0.6 percent increase in total enrollment at private institutions. Although all public and private institutions showed a healthy increase from 1974 to 1975, the only level of institutions with an increase in 1976 enrollments (1.6 percent) in either sector was the private four-year colleges. Even the two-year colleges, which had enjoyed dramatic increases over the past decade, experienced enrollment declines in 1976, with a 2.2 percent decrease in the public sector and a 1.7 percent decrease in the private institutions.

The percentage of total enrollment in public institutions varied little from 1974 to fall 1977 — 78.1 percent in 1974, 79 percent in 1975, 78.6 percent in 1976, and 78.8 percent in 1977. In fall 1976, 181,031 fewer students enrolled in public institutions, compared with 8,309 more students in private institutions. From 1974 to 1976, the ratio of men to women enrolled in all institutions of postsecondary education continued to approach one to one, with the ratio in 1976 at 53 percent for men and 47 percent for women. Enrollment of men decreased 5.5 percent in fall 1976 while the number of women students increased 3.3 percent.<sup>17</sup>

Because of tight budgets, a number of states found it necessary in 1975 to restrict enrollments. For example, in 1976 the Wisconsin State University System held its enrollment almost at the 1975 level, with just 300 fewer students enrolling in 1976 than the previous year. In the fall of 1977, several states rescinded enrollment restrictions and these states expect the fall enrollment to once again increase.<sup>18</sup>

### Degrees

In 1975-76, the number of bachelor's and advanced degrees conferred by colleges and universities in the 50 states and the District of Columbia decreased for the first time. A total of 1,271,581 degrees were awarded, a decrease of 3 percent over the 1,310,441 awarded in 1973-74. The rate of increase in degrees conferred slowed considerably during the 1970s, from an increase of 12 percent in 1970-1972 to an estimated increase from 1972-73 to 1974-75 of 3.3 percent, with the decrease appearing in 1975-76.

The 1975-76 decrease in degrees was restricted totally to the number of bachelor's degrees awarded, which dropped 7.4 percent compared to a 12.5 percent increase in the master's degrees awarded and a 0.7 percent increase in doctorates. In 1975-76, 72.8 percent of the degrees awarded were bachelor's and first professional, compared with 76.3 percent in 1973-74. The percentage of master's degrees rose from 21.1 percent to 24.5 percent while the percentage of doctorates remained fairly stable (2.6 percent in 1973-74 and 2.7 percent in 1975-76). The number of women pursuing graduate work continued to show a greater increase than men, with the number of women earning master's degrees increasing 21.3 percent in 1975-76 and 21 percent in doctoral programs. The number of men earning master's degrees, by comparison, increased by 6 percent, with the number earning doctorates decreasing 4 percent.

From 1973-74 to 1975-76, the number of bachelor's degrees conferred in the two largest fields of study — education and the social sciences — declined. Social sciences, which had been showing the greatest increase in bachelor's degrees, decreased 16 percent while education degrees decreased 16.4 percent. Over the two-year period, other decreases



appeared in the fields of engineering (8 percent), foreign languages (18 percent), letters (21 percent), and mathematics (26 percent), while such areas as agriculture and natural resources, architecture and environmental design, communications, public affairs, and the health professions showed increases ranging from 17 percent to 39 percent.<sup>19</sup>

### **Faculty**

The number of regular full-time and part-time resident instructional staff in institutions of higher education was estimated for fall 1976 at 680,000, with a projected total of 700,000 by fall 1977. These figures reflect percentage increases of 1.5 and 2.9 percent respectively. This compares with an estimated increase from 1973 to 1974 of 3.8 percent and a 7.7 increase from 1974 to 1975. The increases in faculty totals have remained below the 1969 increase of 9 percent.

The percentage of women among full-time instructional faculty has continued to slowly increase, from 20.6 percent in 1972-73 to an estimated 25.3 percent in 1976-77. Females continued to hold only a small percentage of full professorships, with little growth between 1972 and 1976 (from 9.4 percent to 10 percent). In contrast, more than one half of the instructors are women and it is at this level that the largest percentage increase appears. In 1975, 40.5 percent of the instructors were women; in 1976, this had increased to 50.6 percent. In 1975, the percentage of women increased only in the assistant professor rank, while in 1976 it was estimated the percentage of women increased in all ranks. In 1976-77, 63 percent of the men and 44.4 percent of the women who were full-time faculty had tenure.<sup>20</sup>

From 1975 to 1976, average faculty salaries increased 4.9 percent, according to the National Center for Education Statistics. The rate of increase was the smallest reported by the federal government since 1972-73. The salaries for both public and private institutions continue to fail to keep pace with the cost of living. In 1976-77, the U. S. Department of Labor's consumer price index rose 6.4 percent. The NCES data shows that public college and university faculty salaries increased 4.7 percent while faculty at private institutions received a 5.6 percent increase. The average salary of all faculty members of all ranks at all institutions was \$17,456 for the 1976-77 academic year. Wages for faculty at the lecturer rank actually decreased an average of 1.7 percent from 1975 to 1976. Salaries for women faculty members increased at a slightly greater rate than did those for men. Overall, women received 5.2 percent more in wages, while male salaries increased 5.1 percent.<sup>21</sup>

### **Student Costs**

According to an annual survey by the College Scholarship Service of the College Entrance Examination Board, the average total cost (tuition and fees, room and board, and other expenses) of attending an institution of higher education in the United States rose only 4 percent from fall 1976 to fall 1977. This is the smallest increase recorded over the past five years and contrasts with an increase in average costs of 8 percent between the 1975 and 1976 academic years. The scholarship service credited an unforeseen stability in public institutional tuition for much of the low increase. The average tuition and fees for resident students at public four-year institutions remained constant at \$621 for both 1976-77 and 1977-78, while an increase of 6.3 percent (from \$2,329 to \$2,476) was realized at private four-year institutions.

From 1971-72 to 1977-78, the total costs for students living on campus at public four-year institutions rose 60.3 percent (from \$1,875 to \$3,005). Costs for commuting students at those institutions rose 49.9 percent. Over the same period, total cost for students living on

campus at private four-year institutions increased 54.7 percent (from \$3,171 to \$4,905) and 66.6 percent for commuting students.

In 1971-72, the average tuition and fees for resident students at private four-year institutions were 3.8 times greater than the average tuition and fees at four-year public institutions. Since that time, this relationship has varied very little with private institutions' average tuition and fees being four times the public institutions' in 1977-78.<sup>22</sup>

### **Expenditures**

Total expenditures of all institutions of higher education were projected to reach a high of \$49.2 billion in current dollars in 1976-77, an increase of 99.2 percent from \$24.7 billion in 1969-70 and an increase of 9.8 percent over 1975-76. The federal share of these expenditures has grown from 14.9 percent in 1959-60 to a high of 19.1 percent in 1967-68, and was expected to drop to 15 percent in 1976-77. During fiscal 1976, institutions of higher education absorbed 9 percent more students and 7 percent higher costs with only 10 percent more spending, according to preliminary data for 1976-77.

The data indicates a continuing trend in which public institutions are spending a growing share of postsecondary education dollars in the country. For every \$1,000 spent for current operations for colleges and universities, public institutions expended \$674 in 1976-77, \$671 in 1975-76, and \$566 a decade earlier. Average revenues and expenditures for all institutions appear to be increasing at a lower rate than in past years.

The 1976-77 increase of 10 percent in current-fund spending by public and private institutions of postsecondary education compares with an inflation rate of 7.1 percent as measured by the U.S. Department of Labor's consumer price index. It also compares with an increase of 6.6 percent in a higher education price index developed by the National Institute for Education to show changes in the operating costs of colleges and universities.

For all institutions, the growth of current-fund revenues decreased to 10.1 percent in fiscal 1976, from 12.6 percent in 1975. Tuition and fees at public institutions accounted for 13.1 percent of the total current-fund revenue in 1976-77, compared with 12.8 percent the year before. In 1976-77, both public and private institutions seem to have relied more heavily on student tuition and fees to help meet operating expenses, with the average revenue from this source rising faster than enrollment or total operating revenue.<sup>23</sup>

### **Voluntary Support**

Preliminary estimates indicate that voluntary support for colleges and universities totaled more than \$2.4 billion in 1975-76, an increase of 11.6 percent from 1974-75. The Council for Financial Aid to Education indicated that this would be the largest increase in 10 years and the first time during the period that the increase in educational giving would keep pace with the increases in educational outlay. All categories of donors increased their support in 1975-76, with the largest increases coming from individuals, both alumni and nonalumni. Donations by alumni, which had declined by 4.5 percent in 1974-75, rose by 21 percent to \$588 million in fiscal 1976, the highest total ever reported.

For the first time since 1968-69, private colleges and universities reported larger gains in voluntary support than public institutions. Private institutions received increases of 12.9 percent while public institutions had increases of 9.4 percent. The average size of gifts to annual funds rose 4.7 percent, support from religious groups rose 16.1 percent (the highest since 1967-68), and support from business corporations rose 6.2 percent to an all-time high of \$379 million.

Voluntary support for postsecondary education had grown at a rate of 5.3 percent annually in the decade from 1965 to 1975, after having risen at a rate of 11.9 percent in the preceding 16 years. Because of increases in the rate of inflation, voluntary support per student (in 1967 dollars) fell from \$272 to \$149 over the 10 years.

The 10 institutions receiving the most voluntary support in 1975-76 follow (numbers in parentheses indicate top 10 rank in 1973-74).<sup>24</sup>

1. (1) Harvard University	\$59,025,806	6. (-) University of Pennsylvania	\$31,676,698
2. (4) University of California	57,480,517	7. (6) Columbia University	30,122,556
3. (3) Stanford University	41,759,938	8. (8) University of Minnesota	27,105,899
4. (2) Yale University	37,724,243	9. (-) Case-Western Reserve University	26,637,746
5. (-) University of Rochester	33,577,123	10. (9) University of Chicago	26,614,127

The three institutions that dropped from the top 10 since 1973-74 were Cornell University, the University of Michigan, and the University of Wisconsin.<sup>25</sup>

### Federal Expenditures

In fiscal 1976, federal outlays for higher education were \$9,901 million and were estimated to have decreased to \$9,480 million, or 4.25 percent, by fiscal 1977, the first recorded decrease in federal funding in many years. A further estimated decrease of 13.6 percent, to \$8,193 million, for fiscal 1978 was presented in the president's fiscal 1978 budget. This brought the total decrease over the three-year period to 17.25 percent. Approximately 40 percent of these outlays are for educational purposes, while the remaining 60 percent are for other basic federal purposes such as veterans readjustment, military service academies, and reserve officer training programs. Funds for research and development carried out in colleges and universities and for adult and continuing education are not included.

Over the period from fiscal 1976-1978, the only increase recorded occurred in funds for education purposes from 1976 to 1977. These were \$3,946 million in 1976 and \$4,803 million in 1977, an increase of 21.7 percent. In 1978, the funds for education purposes decreased 11 percent to \$4,273 million. Over the three-year period, funds for other programs decreased 34.2 percent. In the U.S. Office of Education, student assistance programs outlays are estimated to have increased from \$2,188 million in fiscal 1976 to \$2,910 million in 1978, an increase of 33 percent in three years as compared to an increase of 109 percent between 1974 and 1976. Over the same period from 1976-1978, a decrease of 18 percent is estimated in the total federal funding for student support.

The reduction in student support in 1978 may be attributed primarily to the decline in total veterans benefits as the eligible veteran population declines. Student support continued to be the predominant higher education expenditures as federal support for higher education continues to shift from institutional to student assistance. In 1978, approximately 82 percent of total higher education outlays will be direct grants or subsidies via loans to students, while outlays for two- and four-year institutions are estimated to decrease by about 14 percent below the 1977 level. An estimated \$6.7 billion will be available for student support in 1978. The G.I. Bill will provide 38 percent of the total for all student assistance, while the Office of Education will spend another 36 percent to support various grant and loan programs.

In the category of "other basic purposes," the largest outlays continue to be for veterans readjustment benefits, as they were in the 1974-76 period. However, funds for these benefits peaked in 1976 at \$5.2 billion and have steadily decreased in the three-year period since. The funds were estimated to have decreased to \$3,769 million in fiscal 1977 and decreasing again to \$3,044 million in fiscal 1978.

As indicated, the figures above do not include outlays for federal research and development carried out in colleges and universities. These are estimated to have been \$2,676 million in 1976 and are estimated to have increased to \$2,936 million by fiscal 1978.<sup>26</sup>

## Footnotes

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20. *The Condition of Education*, 1976 edition (Washington, D.C.: National Center for Education Statistics, March 1976); and *Chronicle of Higher Education* (May 2, 1977), p. 5.
21. *Chronicle of Higher Education* (May 2, 1977), p. 5.
22. *Chronicle of Higher Education* (March 28, 1977), pp. 1,13.
23. National Center for Education Statistics unpublished data; and *Chronicle of Higher Education* (May 2, 1977), pp. 4-5.
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**TOTAL ENROLLMENTS IN HIGHER EDUCATION, 1976\***  
(Including degree credit and nondegree credit students)

State or other jurisdiction	Total enrollment		Public institutions		Private institutions	
	Number of students, 1976	Percentage change, 1974-76	Number of students, 1976	Percentage change, 1974-76	Number of students, 1976	Percentage change, 1974-76
United States .....	11,012,137	7.7	8,653,477	8.3	2,358,660	5.5
Alabama .....	156,173	9.1	136,641	8.2	19,532	15.3
Alaska .....	18,500	31.7	18,017	39.5	483	-57.0
Arizona .....	174,687	14.7	169,839	15.4	4,848	-6.0
Arkansas .....	67,453	19.0	58,012	22.2	9,441	2.5
California .....	1,727,671	8.2	1,553,136	7.9	174,535	10.7
Colorado .....	149,455	5.8	135,817	6.2	13,638	1.9
Connecticut .....	145,136	-0.9	89,267	-3.7	55,869	3.9
Delaware .....	31,182	2.7	26,380	0.5	4,802	16.7
Florida .....	345,743	12.7	284,352	10.2	61,391	26.2
Georgia .....	169,643	8.8	138,466	8.9	31,177	8.3
Hawaii .....	47,108	7.4	43,743	8.4	3,365	-3.7
Idaho .....	38,439	7.6	30,757	7.8	7,682	6.8
Illinois .....	609,242	13.8	466,113	16.9	143,129	4.9
Indiana .....	220,228	8.0	165,997	10.7	54,231	0.7
Iowa .....	120,984	6.4	84,166	10.2	36,818	-1.4
Kansas .....	122,143	7.8	108,553	7.4	13,590	10.4
Kentucky .....	128,866	13.3	106,784	12.7	22,082	16.3
Louisiana .....	154,386	9.8	132,602	10.8	21,784	4.5
Maine .....	39,489	7.8	29,229	5.6	10,260	14.8
Maryland .....	209,513	12.1	180,705	13.4	28,808	4.5
Massachusetts .....	360,874	1.3	164,124	5.6	196,750	-2.0
Michigan .....	469,454	2.7	409,835	2.0	56,619	1.8
Minnesota .....	186,043	11.3	147,657	10.3	38,386	15.1
Mississippi .....	97,703	12.1	87,031	11.7	10,672	15.7
Missouri .....	221,927	10.6	155,040	8.8	66,887	14.8
Montana .....	29,713	5.8	26,664	5.2	3,049	10.6
Nebraska .....	77,204	14.7	63,463	17.5	13,741	3.4
Nevada .....	29,995	14.2	29,810	14.2	185	12.8
New Hampshire .....	39,373	14.6	22,967	17.0	16,406	11.4
New Jersey .....	290,603	5.3	220,309	5.7	70,294	4.3
New Mexico .....	54,435	7.4	50,166	8.3	4,269	-1.7
New York .....	938,890	-0.9	541,781	-7.0	397,109	8.9
North Carolina .....	248,480	10.7	195,815	12.1	52,665	5.7
North Dakota .....	30,187	5.8	28,215	5.3	1,972	13.3
Ohio .....	444,913	8.8	345,682	11.9	99,231	-0.7
Oklahoma .....	145,196	9.3	123,829	10.9	21,367	1.1
Oregon .....	146,068	5.0	130,301	4.6	15,767	8.6
Pennsylvania .....	473,571	6.0	287,698	7.2	185,873	4.1
Rhode Island .....	59,626	0.3	31,063	0.2	28,563	0.5
South Carolina .....	121,544	6.0	95,942	5.1	25,602	9.3
South Dakota .....	30,186	12.4	21,716	5.1	8,470	36.7
Tennessee .....	181,346	10.3	139,870	12.6	41,476	3.2
Texas .....	621,155	13.5	542,749	16.1	78,406	-1.7
Utah .....	85,682	4.4	54,471	4.5	31,211	4.4
Vermont .....	29,351	3.8	17,463	5.3	11,888	1.6
Virginia .....	244,276	13.2	214,425	14.7	29,851	3.4
Washington .....	248,389	18.3	224,139	20.6	24,250	0.2
West Virginia .....	80,156	12.5	69,403	13.7	10,753	5.6
Wisconsin .....	232,729	2.7	202,695	2.7	30,034	2.9
Wyoming .....	19,183	-1.4	19,183	-1.4	...	...
Dist. of Col. ....	80,344	-1.3	13,895	-3.3	66,449	-0.9
U.S. Service Schools (a) .....	17,500	...	17,500	...	...	...
Outlying areas (b) .....	109,289	11.7	59,157	-3.2	50,132	36.5

\*Sources: *Fall Enrollment in Higher Education, 1974* (Washington, D.C.: U.S. Department of Health, Education, and Welfare, National Center for Education Statistics, 1975); and Andrew J. Pepin, *1976 Opening Fall Enrollment in Higher Education—Final Count*, University and College Surveys and Studies Branch (Washington, D.C.: U.S. Department of Health, Education, and Welfare, National Center for Education Statistics, August 1977).

(a) Enrollments for the Community College of the Air Force are not included in the 1976 totals since CCAF does not offer classes itself, but are included in the 1974 totals. Therefore, no percentage change is shown as comparative figures are not available.

(b) Includes American Samoa, Canal Zone, Guam, Puerto Rico, Trust Territory of the Pacific Islands, and Virgin Islands.

**APPROPRIATIONS OF STATE TAX FUNDS FOR OPERATING EXPENSES  
OF HIGHER EDUCATION, WITH DOLLAR GAINS AND PERCENTAGE GAINS  
OVER MOST RECENT TWO YEARS AND OVER 10 YEARS\***  
(In thousands of dollars)

State	Fiscal year			1976-78		1968-78	
	1967-68	1975-76	1977-78	Two-yr. gain	Percent	Ten-yr. gain	Percent
Alabama	\$ 58,192	\$ 272,819	\$ 310,974	\$ 38,155	14.0	\$ 252,782	434.4
Alaska	8,619	52,884	64,013	11,129	21.0	55,394	642.7
Arizona	46,281	162,657	215,599	52,942	32.6	169,318	365.9
Arkansas	38,985	103,202	126,155	22,953	22.2	87,170	223.6
California	534,075	1,541,528	1,961,525	419,997	27.2	1,427,450	267.3
Colorado	61,856	184,313	220,907	36,594	19.9	159,051	257.1
Connecticut	53,655	136,623	164,478	27,855	20.4	110,823	206.6
Delaware	11,313	41,966	44,190	2,224	5.3	32,877	290.6
Florida	128,109	410,952	489,609	78,657	19.1	361,500	282.2
Georgia	87,369	240,490	302,907	62,417	26.0	215,538	246.7
Hawaii	26,320	95,231	109,642	14,411	15.1	83,322	316.6
Idaho	20,101	61,558	77,072	15,514	25.2	56,971	283.4
Illinois	301,136	641,623	740,190	98,567	15.4	439,054	145.8
Indiana	132,628	295,297	352,406	57,109	19.3	219,778	165.7
Iowa	85,773	196,070	244,253	48,183	24.6	158,480	184.8
Kansas	59,003	153,078	188,869	35,791	23.4	129,866	220.1
Kentucky	74,371	169,691	217,405	47,714	28.1	143,034	192.3
Louisiana	93,123	198,996	242,469	43,473	21.9	149,346	160.4
Maine	18,167	44,818	45,324	506	1.1	27,157	149.5
Maryland	67,700	207,451	266,050	58,599	28.3	198,350	293.0
Massachusetts	57,667	217,238	251,742	34,504	15.9	194,075	336.5
Michigan	231,567	556,806	660,404	103,598	18.6	428,837	185.2
Minnesota	95,034	316,674	380,885	64,211	20.3	285,851	300.8
Mississippi	36,720	149,363	186,579	37,216	24.9	149,859	408.1
Missouri	92,934	213,774	260,142	46,368	21.7	167,208	179.9
Montana	21,375	44,665	52,251	7,586	17.0	30,876	144.5
Nebraska	33,248	100,082	131,199	31,117	31.1	97,951	294.6
Nevada	11,773	37,719	45,523	7,804	20.7	33,750	286.7
New Hampshire	9,201	22,432	22,859(a)	427	1.9	13,658	148.4
New Jersey	83,758	267,337	340,645	73,308	27.4	256,887	306.7
New Mexico	28,954	74,226	95,756	21,530	29.0	66,802	230.7
New York	431,212	1,256,593	1,298,754	42,161	3.4	867,542	201.2
North Carolina	106,550	368,754	460,932	92,178	25.0	354,382	332.6
North Dakota	19,888	48,865	61,240	12,375	25.3	41,352	207.9
Ohio	150,527	451,566	551,174	99,608	22.1	400,647	266.2
Oklahoma	46,858	127,656	173,261	45,605	35.7	126,403	269.8
Oregon	67,305	159,328	198,234	38,906	24.4	130,929	194.5
Pennsylvania	179,212	620,862	676,211(a)	55,349	8.9	496,999	277.3
Rhode Island	18,401	47,801	61,044	13,243	27.7	42,643	231.7
South Carolina	35,148	205,483	227,148	21,665	10.5	192,000	546.3
South Dakota	16,992	35,728	41,093	5,365	15.0	24,101	141.8
Tennessee	64,472	176,001	230,585	54,584	31.0	166,113	257.7
Texas	234,109	830,320	1,050,400	220,080	26.5	816,291	348.7
Utah	33,695	87,848	117,146	29,298	33.4	83,451	247.7
Vermont	10,304	20,138	22,983	2,845	14.1	12,679	123.1
Virginia	74,335	277,198	330,586	53,388	19.3	256,251	344.7
Washington	137,051	310,131	380,250	70,119	22.6	243,199	177.5
West Virginia	44,448	103,125	126,304	23,179	22.5	81,856	184.2
Wisconsin	131,505	334,322	399,410	65,088	19.5	267,905	203.7
Wyoming	11,123	33,821	42,883	9,062	26.8	31,760	285.5
Total	\$4,422,142	\$12,707,103	\$15,261,660	\$2,554,557		\$10,839,518	
Weighted average					20.1		245.1

\*Source: M. M. Chambers, *Appropriations of State Tax Funds for Operating Expenses of Higher Education, 1977-78* (Washington, D.C.: National Association of State Universities and Land-Grant Colleges, December 1977).

(a) Final appropriations had not received legislative approval at the time this chart was completed.

**PROGRAMS OF STUDENT FINANCIAL AID, BASED UPON NEED, FOR  
STATE RESIDENTS TO ATTEND EITHER PUBLIC OR NONPUBLIC  
COLLEGES OR UNIVERSITIES, 1974-76\***

State or other jurisdiction	Number of monetary awards		Two-year percentage increase 1974-1976	Payout dollars (thousands)		Two-year percentage increase 1974-1976	Average award amount	
	1974	1976		1974	1976		1974	1976
Total .....	813,088	1,104,361	35.8	\$440,771	\$651,404	47.8	\$ 542	\$ 590
Alabama .....	(a)	2,641	...	...	470	...	...	178
Alaska .....	(a)	189	...	...	72	...	...	381
Arizona .....	(a)	1,215	...	...	769	...	...	633
Arkansas .....	(a)	1,416	...	...	246	...	...	174
California .....	47,744	53,246	11.5	41,890	68,388	63.3	877	1,284
Colorado .....	12,805	12,500	-2.4	6,992	8,521	21.9	546	682
Connecticut .....	7,947	8,484	6.8	5,513	5,761	4.5	694	679
Delaware .....	255	555	117.7	138	599	334.1	541	1,079
Florida .....	4,448	7,412	66.6	4,864	6,922	42.3	1,094	934
Georgia .....	2,692	6,144	128.2	657	1,781	171.1	443	290
Hawaii .....	(a)	400	...	...	186	...	...	465
Idaho .....	(a)	558	...	...	255	...	...	457
Illinois .....	76,773	92,766	20.8	58,403	69,721	19.4	761	752
Indiana .....	20,438	25,538	25.0	11,515	18,209	58.1	563	713
Iowa .....	7,823	10,127	29.5	6,581	10,162	54.4	841	1,003
Kansas .....	3,627	4,798	32.3	2,902	3,965	36.6	800	826
Kentucky .....	1,700	8,172	380.7	555	2,444	340.4	326	299
Louisiana .....	(a)	1,442	...	...	558	...	...	387
Maine .....	594	1,453	144.6	384	487	26.8	646	335
Maryland .....	2,055	3,205	56.0	1,300	1,729	33.0	633	539
Massachusetts .....	18,789	22,450	19.5	11,430	13,470	17.9	608	600
Michigan .....	24,386	28,477	16.8	19,272	24,928	29.4	790	875
Minnesota .....	11,861	20,722	74.7	8,157	16,713	104.9	688	807
Mississippi .....	(a)	1,423	...	...	711	...	...	500
Missouri .....	10,500	10,240	-2.5	3,876	4,207	8.5	369	411
Montana .....	(a)	656	...	...	76	...	...	116
Nebraska .....	800	2,150	168.8	278	285	2.5	348	133
Nevada .....	(a)	(b)	...	...	...	...	...	...
New Hampshire .....	(a)	532	...	...	269	...	...	506
New Jersey .....	46,034	51,261	11.4	24,537	25,697	4.7	533	501
New Mexico .....	(a)	200	...	...	200	...	...	1,000
New York .....	275,505	432,000	56.8	96,932	211,800	118.5	352	488
North Carolina .....	(a)	3,055	...	...	1,571	...	...	514
North Dakota .....	707	854	20.8	248	279	12.5	351	327
Ohio .....	43,902	54,485	24.1	18,964	25,000	31.8	432	459
Oklahoma .....	2,688	6,462	140.4	491	1,256	155.8	183	194
Oregon .....	5,154	6,903	33.9	1,997	2,879	44.2	387	417
Pennsylvania .....	112,743	119,833	6.3	71,164	65,050	-8.6	631	543
Rhode Island .....	2,786	2,915	4.6	2,041	2,388	17.0	733	819
South Carolina .....	5,164	7,516	45.6	6,291	7,716	22.7	1,218	1,027
South Dakota .....	576	1,214	110.8	231	243	5.2	370	200
Tennessee .....	5,697	2,309	-59.5	3,370	1,447	-57.1	592	627
Texas .....	15,997	26,495	65.6	8,159	12,459	52.7	510	470
Utah .....	537	1,094	103.7	168	670	298.8	313	612
Vermont .....	3,967	5,216	31.5	2,755	2,568	-6.8	694	492
Virginia .....	1,602	7,085	342.3	733	1,738	137.1	458	245
Washington .....	7,711	7,650	-0.8	3,196	2,975	-6.9	414	389
West Virginia .....	3,646	4,567	25.3	1,643	2,310	40.6	451	506
Wisconsin .....	23,387	30,072	28.6	12,931	19,281	49.1	553	641
Wyoming .....	...	85	...	...	28	...	...	329
Dist. of Col. ....	(a)	690	...	...	689	...	N.A.	999
American Samoa .....	...	100	...	...	250	...	...	2,500
Guam .....	48	70	45.8	232	313	34.9	4,833	4,471
Puerto Rico .....	...	2,200	...	...	720	...	...	327
TTPI .....	...	718	...	...	560	...	...	780
Virgin Islands .....	...	351	...	...	413	...	...	1,177

\*Comprehensive undergraduate state competitive and noncompetitive programs. All figures include both state and federal State Student Incentive Grant Program funds. Source: Joseph D. Boyd, *7th Annual Survey, 1975-76 Academic Year, National Association of State Scholarship Programs* (Deerfield, Ill.: Illinois State Scholarship Commission, November 1975); *9th Annual Survey, 1977-78 Academic Year, National Association of State Scholarship and Grant Programs* (Deerfield, Ill.: Illinois State Scholarship Commission, November 1977).

N.A.—Not available.

(a) No program in operation in 1974-75.

(b) Student incentive grant program initiated in 1977-78.

# FEDERAL FUNDS FOR HIGHER EDUCATION DISTRIBUTED THROUGH STATE AGENCIES: 1974-77\*

State or other jurisdiction	1974	1975	1976	1977	4-year total
<b>Total</b> .....	\$46,577,885	\$81,040,969	\$62,692,856	\$80,306,219	\$270,617,929
Alabama .....	405,452	1,322,815	986,929	1,258,158	3,973,354
Alaska .....	111,264	217,228	179,004	187,561	695,057
Arizona .....	314,816	720,378	913,991	1,169,998	3,119,183
Arkansas .....	252,891	711,125	449,235	575,597	1,988,848
California .....	5,442,452	9,445,411	8,492,272	11,446,441	34,826,576
Colorado .....	663,062	1,440,988	873,785	1,076,539	4,054,374
Connecticut .....	665,962	1,187,903	891,450	1,063,090	3,808,405
Delaware .....	258,804	302,609	291,831	300,993	1,154,237
Florida .....	1,306,099	2,479,041	1,843,635	2,382,648	8,011,423
Georgia .....	804,696	1,552,994	1,138,962	1,470,467	4,967,119
Hawaii .....	176,260	445,654	338,254	394,150	1,354,318
Idaho .....	182,886	394,258	302,943	350,042	1,230,129
Illinois .....	2,186,926	4,047,544	2,961,219	3,812,818	13,008,507
Indiana .....	1,040,322	1,939,463	1,349,253	1,585,947	5,914,985
Iowa .....	1,257,418	550,538	758,084	922,573	3,488,613
Kansas .....	1,090,919	513,198	735,441	914,169	3,253,727
Kentucky .....	634,621	1,202,370	814,252	1,031,775	3,683,018
Louisiana .....	418,760	1,432,729	949,639	1,174,828	3,975,956
Maine .....	268,976	464,699	325,226	387,029	1,445,930
Maryland .....	795,036	1,511,455	1,102,560	1,402,968	4,812,019
Massachusetts .....	1,463,233	2,583,469	2,040,256	2,603,548	8,690,506
Michigan .....	1,871,914	3,600,680	2,551,896	3,254,124	11,278,614
Minnesota .....	839,856	1,508,705	1,186,418	1,502,447	5,037,426
Mississippi .....	314,489	914,348	606,310	789,324	2,624,471
Missouri .....	974,211	1,781,728	1,220,524	1,605,191	5,581,654
Montana .....	172,449	379,549	278,329	315,465	1,145,792
Nebraska .....	405,954	688,360	511,769	603,903	2,209,986
Nevada .....	135,586	252,040	252,048	328,387	968,061
New Hampshire .....	175,104	336,434	308,131	367,592	1,187,261
New Jersey .....	1,184,674	2,279,603	1,652,797	2,081,076	7,198,150
New Mexico .....	210,247	445,821	278,342	460,721	1,395,131
New York .....	3,704,061	6,836,018	5,179,061	7,290,028	23,009,168
North Carolina .....	581,070	1,935,390	1,408,197	1,783,741	5,708,398
North Dakota .....	242,449	381,650	268,711	298,971	1,191,781
Ohio .....	1,932,994	3,922,441	2,430,607	3,028,782	11,314,824
Oklahoma .....	655,824	1,161,328	883,402	1,185,213	3,885,767
Oregon .....	630,836	1,062,428	848,114	1,021,185	3,562,563
Pennsylvania .....	3,610,374	2,575,555	2,691,471	3,359,055	12,236,455
Rhode Island .....	316,287	507,591	419,835	506,833	1,750,546
South Carolina .....	643,091	943,707	760,246	1,033,891	3,380,935
South Dakota .....	241,920	374,575	266,464	311,762	1,194,721
Tennessee .....	813,082	1,524,082	1,084,373	1,347,518	4,769,055
Texas .....	2,365,672	4,295,410	3,163,756	4,154,875	13,979,713
Utah .....	437,697	726,407	545,207	652,268	2,361,579
Vermont .....	214,270	307,564	253,373	285,212	1,060,419
Virginia .....	810,925	1,764,139	1,289,868	1,664,124	5,529,056
Washington .....	919,055	1,609,262	1,221,427	1,543,396	5,293,140
West Virginia .....	517,730	634,472	514,491	621,967	2,288,660
Wisconsin .....	1,070,098	1,990,128	1,375,576	1,705,354	6,141,156
Wyoming .....	135,933	208,717	180,503	207,123	732,276
Dist. of Col. ....	208,098	574,174	520,341	610,741	1,913,354
Puerto Rico .....	412,126	866,745	544,927	756,099	2,579,897
Virgin Islands .....	32,704	131,998	35,358	38,667	238,727
Outlying areas(a) .....	56,250	354,051	58,963	79,845	549,109

\*Obligations not funded directly to institutions or students: distributed in accordance with plans submitted and approved by a state agency. Figures prepared by the staff of the Office of State Planning Commissions, Bureau of Higher and Continuing Education, U.S. Office of Education.

(a) American Samoa, Guam, and Trust Territory of the Pacific Islands.



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# STATE LIBRARY AGENCIES: AN OVERVIEW

By Mary R. Power\*

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EACH STATE HAS one or more agencies concerned with providing library services and has designated one with the responsibility for library planning and development statewide. The organizational structure and specific functions of these agencies vary, reflecting the state's historical patterns, its governance, and its information needs.

State-level functions may include the operation of a major state library facility offering direct reference and library service to state government. Responsibility for building and maintaining special agency libraries and collections and coordination with various special libraries may also be the function of a state library agency. The first major survey of special libraries serving state governments is currently being conducted by the State Library of Ohio for the National Center for Education Statistics. In addition to serving state government, the state library may also provide direct service to the public, particularly the professions (law, education, etc.) and those doing research in history and genealogy, and political affairs of the state.

Statewide and network access to information and materials is another state-level function usually carried out by the state library agency. Services frequently include responsibility for the coordination of interlibrary loans, the management or support of bibliographic data bases, and serving as a resource for little-used materials needed at the local level.

## Impetus for Library Services

Planning and development to improve and coordinate library services and resources statewide are state-level functions common to all 50 states. Responsibilities which may be included in these functions are to coordinate statewide library development, to provide consultant services within the state, to administer federal and state funding programs for library service, to sponsor continuing education for library personnel, and to develop and coordinate a master plan for the full utilization of all library and information resources within a state, including programs involving all types of libraries. The impetus for these library services comes both from the states and from the federal government.

At the state level, the need for library and information services must be realistically assessed and balanced with taxpayer expectations for service, efficiency, and access to resources. This is particularly true as publishing proliferates, costs go up, and persons encounter difficulty in getting access to materials in academic or special libraries.

At the federal level, the impetus began in 1956 with the enactment of the first federal aid program for libraries, the Library Services Act, and has continued since 1967 under the revised Library Services and Construction Act (LSCA). Although the major thrust of the legislation remains the same—the extension and improvement of library services—there have been many phases in the programming. The result can be measured in terms of greatly

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improved library resources, new facilities, improved personnel, and a more sophisticated exchange of information. Some states are now completing 10 years of construction programs under LSCA.

The concept of networks and shared services needs long-range planning and funding to be effectively implemented statewide. Much progress has been made in this effort through the LSCA programs. In order to receive LSCA funds, each state has been required to develop and annually update a five-year plan using a model explicated in a 1971-72 national seminar on statewide planning and evaluation. Measurements and evaluations which are responsive to national and state demands for accountability have been created as an integral part of the model. The LSCA program has been revised and extended through fiscal 1981 with a new provision for urban libraries requiring that specific plans be incorporated into the state five-year plans and that certain LSCA funds be designated for urban library development and services. New money, however, will only be available for urban libraries if the total LSCA appropriation exceeds \$60 million.

### National Concerns

In May 1975, the National Commission on Libraries and Information Science (NCLIS) published *Toward a National Program for Library and Information Services: Goals for Action*. In this proposed national plan, the commission views the coordination of system and network development for all types of libraries and information resources within the state as a fundamental responsibility of the state library agency. The plan further advocates sustained state and federal funding in order to fulfill the responsibilities of effecting a nationwide information network. Such a plan would provide equitable access to the nation's resources. Integral in this development is a White House Conference on Library and Information Services to be held in October 1979. The purpose of the conference is to develop recommendations for the further improvement of the nation's libraries and information centers and their use by the public. To assure maximum state and local input, each state will hold a pre-White House Conference to assess state and local needs and to examine the state-federal relationship in the development of a national information network. The first two state conferences (Georgia and Pennsylvania) were held in the fall of 1977.

In 1973, the Chief Officers of State Library Agencies (COSLA) organized as an independent group of individuals who head state agencies responsible for statewide library development. Primary concerns of this group include (1) effective statewide planning and action to ensure library services adequate to meet the needs of all communities; (2) the strengthening of state library agencies, library systems, and effective networks; (3) federal legislation and federal appropriations for library services; (4) state-federal partnership implications of the proposed National Program for Library and Information Services; (5) state library services; (6) availability of state and federal documents; (7) improved library statistics programs; (8) continuing library education programs; and (9) state-federal responsibilities for talking book service to blind and physically handicapped persons throughout the nation. Meeting four times a year, COSLA facilitates cooperative action to strengthen the nation's library services by providing a mechanism for dealing with problems faced by these top library officials. Major meetings are held in the spring in Washington, D.C., and in the fall in a state capital; brief business sessions are scheduled in conjunction with the midwinter meeting and annual conference of the American Library Association (ALA). COSLA cooperates with the Association of State Library Agencies (ASLA), the (ALA) Washington Office, and other units of the association.

Organized in 1956, ASLA is a division of the American Library Association. A major purpose of this membership unit is to develop and strengthen the usefulness, efficiency, and services of the various state library agencies for library and related services. As state library agencies have received increasing recognition from the profession and from state and federal governments in the 1960s and 1970s, ASLA has conducted several major nationwide surveys to report the developments taking place in the states. *The State Library Agencies: A Survey Project Report* gives the organizational structure, program activities, budgets, and other important data for each of the state library agencies. *The ASLA Report on Interlibrary Cooperation* is a detailed survey of all cooperative library activities, including funding, for the 50 states. ASLA takes responsibility for publishing *Standards for Library Functions at the State Level*, currently being revised and expanded by a working committee of the association.

### A Look Ahead

The reorganization and change of state library development is continuous. This is reflected in the revision of the standards, the heavy involvement in networking, a greater partnership developing with the Library of Congress, changes in personnel (in less than four years more than one half of the directors of state library agencies have changed, several retiring after more than a quarter century of service), and new state library buildings which offer greater capacity for service and allow new forms of organization. The challenges ahead include the continued use and investment in automation and networking, greater multitype library system development, meeting more specialized information needs, and more state funding for system development and library services.

The future is accountability—accountability to the appointing or governing authorities; accountability to state legislatures; accountability to the federal government; accountability to advisory councils and groups; and, ultimately, accountability to the public. State library agencies must be deeply involved in creating a climate in which the changes necessary in legislation and governmental structure needed for a coordinated and unified library network can be accomplished. They must provide leadership, imagination, and action if the states are to fulfill their role in providing effective library and information services to the nation.

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## MAJOR FUNCTIONS OF STATE LIBRARY AGENCIES

### LIBRARY SERVICES TO STATE GOVERNMENT

- Documents: A strong collection of federal, state, and local documents maintained for historical research, public affairs, and special informational needs.
- Information and reference service: A quick information and extensive bibliographic service for state staffs on government assignments.
- Legislative reference or information service: The research and digesting of information to help state legislators meet their generally increased responsibilities.
- Law collection: An extensive collection of constitutions, codes, statutes, sessions, laws, and legal documents to serve the judicial, legislative, and executive branches of government, the lower courts, students, and the general public.
- Genealogy and state history collection: Primary nonofficial source material to support intensive study of the state's political, economic, and cultural history.
- Archives: The state's own records preserved, organized, and used for the legal and administrative functions of government.
- Liaison with institutional libraries: An effort to facilitate the initial development and growth of libraries in the areas of health, welfare, and corrections programs.

### STATEWIDE LIBRARY SERVICE DEVELOPMENT

- Coordination of total library growth: A responsibility for the development of a statewide plan for library growth in each of the following types of libraries.
  - Academic: Coordination of library growth in academic libraries.
  - Public: Coordination of library growth in public libraries.
  - School: Coordination of library growth in school libraries.
  - Institutional: Coordination of library growth in institutional libraries.
  - Research: A means of identifying programs, resources, and other background information on various levels that are needed to further library growth.
- Coordination of library systems: The determination and implementation of the most effective structure to provide access to the total library resources.
- Consulting services: Individual or small group contact with state and local officials emphasizing special aspects of library service, and offering guidance and stimulation to all libraries to develop their potential.
- Interlibrary loan, reference and bibliographic service: Information services designed to supplement community and regional library services.
- Statistical gathering and analysis: The gathering, compiling, interpreting, publicizing, and disseminating of annual statistics of all types of libraries in the state to aid in the planning and development of total library service.
- Library legislation review: The constant scrutinizing of both federal and state legislation affecting library service to foster new legislation to enable the implementation of state plans and to ensure the compatibility of library laws.
  - Interstate library compacts, contracts, and other cooperative efforts: The effort of the state agency to provide a legal and equitable means for extending cooperation across state lines.
- Specialized resource centers: Libraries designated by the state agency to permit more specialized and comprehensive resources that provide backup for the local collection.
  - Direct library service to the public: The means used in very special circumstances, such as sparse population and low economic base, to provide access to materials, usually by bookmobile or by mail.
- Annual reports: The compilation used to show the state library agency's activity as a coordinating agency providing information to legislators and citizenry of the state.
- Public relations: The interpretation of library service to the government and to the public to create a climate of public opinion favorable to library development.
- Continuing education: Providing meetings, seminars, and workshops to bring facts and needed information to the attention of librarians and trustees.

### STATEWIDE DEVELOPMENT OF LIBRARY RESOURCES

- Long-range planning: Stated goals for developing, coordinating, maintaining, and improving the total library resources which affect the socioeconomic, political, cultural, intellectual, and educational life of the state.
- Determining the size and scope of collections: The extent of collections needed in relation to other existing collections and strengths of resources within and without the state.
- Mobilization of resources: Cooperative agreements made to ensure that materials are made quickly and easily available by various means.
  - Subject and reference centers: Specialized information resource centers located at convenient intervals to enable the serious reader direct access to specialized materials and to provide backup support in the total library program of the state.
  - Defining types of resources—books: Full resources needed for the affairs of state (encompassing the holdings of the state library agency, collections of public libraries, schools, colleges and universities, special institutions, private holdings, and research and industrial centers) form the total library resource often reaching into the millions of volumes.
  - Other printed materials: In addition to books, such materials as current journals and newspaper reports in the original or in miniaturized forms are essential for the researcher, the legislator, the student, and all other citizens.
  - Multimedia: Films, filmstrips, slides, recordings, and other new forms of communication media are important elements of the total resources of the state.
  - Materials for the blind and handicapped: Talking books on discs and tapes and books in braille and in large print are needed in each state.
- Coordination of resources: The development of a plan to build and use the total library resources within each state and to foster cooperative agreements to make materials widely and genuinely available through varying means, such as a central record of holdings, bibliographies and indexes of state materials, rapid communication systems among libraries to facilitate location of needed information and resources, interlibrary loan provisions, and duplicating equipment for supplying copies of material that cannot be loaned.
- Little-used material centers: Locations established for the holding of rare and out-of-print materials disposed of by libraries participating in the total state program.

### STATEWIDE DEVELOPMENT OF INFORMATION NETWORKS

- Planning of information networks: The development and implementation of formal coordinated structures for the optimum utilization of the total library and information resources within a state.
- Centralized informational facilities: The determination of the most advanced techniques for acquiring, recording, and processing all kinds of informational material and the centralizing of these activities to ensure the most economical and efficient service possible.
- Exchanging information and material: The opening of new sources and channels for the flow of information through networks.
- Interstate cooperation: The responsibility of the state library agency to see that its networks are linked to other networks at the state, regional, national, and international level.

### FINANCING LIBRARY PROGRAMS

- Administering federal aid: Monies obtained from federal sources to provide incentive money to help states improve the quality of library service.
- Administering state aid: Monies voted by the state legislature to share in the direct cost for library service and facilities in recognition of the library's part of the state educational system.
- Organization and reorganization of library systems and networks: State and federal monies devoted to the establishment of library systems, networks, and resource centers in order to utilize the strengths of the state and the constant evaluation and reorganization of the above.

# FUNCTIONS AND RESPONSIBILITIES OF STATE LIBRARY AGENCIES\*

State	Library services to state governments						Statewide library services development																	
	Documents	Information and reference service	Legislative reference	Law library	Genealogy and state history	Archives	Liaison with institutional libraries	Coordination of academic libraries	Coordination of public libraries	Coordination of school libraries	Coordination of institutional libraries	Research	Coordination of library systems	Consulting services	Interlibrary loan, reference and bibliographic service	Statistical gathering and analysis	Library legislation review	Interstate library compacts and other cooperative efforts	Specialized resource centers	Direct service to the public	Annual reports	Public relations	Continuing education	
Alabama	★	★					★		★	★	★	★	★	★	★	★	★	★	★	†	★	★	★	★
Alaska	★	★	★				★	†	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★
Arizona	★	★	★	★	★	★	★		★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★
Arkansas	★	★	★	★	★		★		★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★
California	★	★		★	★		★		★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★
Colorado	†	★	★	†			★	†	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★
Connecticut	★	★		★	★	†	★		★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★
Delaware	★	★	†		★		★	†	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★
Florida	★	★			★		★		★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★
Georgia	†	★	★				★		★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	†
Hawaii	★	★			★		★		★	★	★	†	†	†	†				★	★	†	†	†	†
Idaho	★	★	†			†	★	†	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★
Illinois	★	★	†		★	★	†	†	★	†	★	†	★	†	★	★	†	★	★	★	★	★	★	†
Indiana	★	★			★	★	★		★	★	★	†	★	★	★	★	★	★	★	★	★	★	★	†
Iowa	†	★	†	†	†		★		★	★	†	†	★	★	★	★	★	★	★	★	★	★	★	†
Kansas	★	★	★	★			★	†	★	†	★	†	★	★	★	★	★	★	★	★	†	★	†	†
Kentucky	†	★	†		†	★	★	†	★	★	★	★	†	★	★	★	★	★	★	★	★	★	★	†
Louisiana	★	★			★		★	†	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★
Maine	★	★					★		★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★
Maryland	†	†					★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★
Massachusetts		†					★	★	★	★	★	★	★	†	†	★	★	★	★	★	★	†	†	†
Michigan	★	★	★	★	★		★		★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	†
Minnesota		†					†	†	★	†	★	†	★	★	★	★	★	★	★	★	★	★	★	★
Mississippi	†	†	†				★	†	★	†	★		★	★	★	★	†	★	★	★	★	★	★	★
Missouri	†	†					★	†	★	†	★	★	★	★	★	★	★	★	★	★	★	★	★	★
Montana	†	★	†		†		★	†	★	†	★	†	★	★	★	★	★	★	★	★	★	★	★	★
Nebraska	★	★					★		★	★	★	★	★	★	★	★	★	†	★	★	★	★	★	★
Nevada	★	★			†		★		★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★
New Hampshire	★	★	★	★	★		★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★
New Jersey	★	★	†	★	★	★	†	†	★	★	†	†	★	★	★	★	★	†	★	†	★	★	†	†
New Mexico	★	★	★		†		★	†	★	†	★	★	★	★	★	★	†	★	★	†	†	★	★	★
New York	★	★		★	★	†	★	†	★	†	★	★	★	★	★	★	★	★	★	★	★	★	★	★
North Carolina	★	★	†	†	†		★	†	★	†	★	★	★	★	★	★	★	★	★	★	★	★	★	★
North Dakota	★	★	†		†		★	†	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★
Ohio	★	★	†		†		★	†	★	†	★	★	★	★	★	★	★	★	★	†	†	†	†	†
Oklahoma	★	★	★	★	†	★	★	†	★	†	★	†	★	★	★	★	★	★	†		★	†	†	†
Oregon	★	★					★		★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★
Pennsylvania	★	★	†	★			★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★
Rhode Island		†					★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★
South Carolina	†	★	★		†		★	†	★	†	★	†	★	★	★	★	★	★	★	★	★	★	★	†
South Dakota	★	★	★		†	★	★	†	†	†	★	★	★	★	★	★	★	★	★	★	★	★	★	★
Tennessee	★	†	†	†	★	★	†		★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★
Texas	★	★			★	★	★		★	★	★	★	★	★	★	★	★	†	★	★	★	★	★	★
Utah	★	★	†				★		★	†	★	★	★	★	★	★	★	★	★	★	★	★	★	★
Vermont	★	★	†	★	†		★		★	★	★	†	★	★	★	★	★	★	†	★	★	★	★	†
Virginia	★	†	†		★	★	★	†	★	★	★	†	★	★	★	†	†	★	†	†	†	†	†	†
Washington	★	★	★		★		★		★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★
West Virginia		†	†				★		★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★
Wisconsin	†	★					★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★
Wyoming	★	★		†	†		★	★	★	★	★	†	★	★	★	★	★	★	★	★	★	★	★	★

\*Prepared by the Association for State Library Agencies.

★—Primary.

†—Shared.

... None.



# STATE LIBRARY AGENCIES\*

## Structure and Appropriations

### Fiscal 1977

			Appropriations					
State	Organi- zation struc- ture†	Agency reports to‡	State		Federal		Other sources of income	Total
			Agency appro- priation	Direct assistance to public libraries	Library Services and Con- struction Act	Other		
Alabama .....	I	G	\$ 297,350	\$ 652,650	\$ 1,032,066	\$ 1,413,040	...	\$ 3,395,106
Alaska .....	U	E	1,322,800	9,000	327,197	...	\$ 94,573	1,753,570
Arizona .....	U	A	1,754,300	225,000	718,564	...	20,000	2,717,864
Arkansas .....	U	E	420,171	803,000	698,180	...	...	1,921,351
California .....	U	C	3,884,325	1,000,000	4,865,225	...	...	8,749,550
Colorado .....	U	E	602,769	792,214	693,069	...	...	2,088,052
Connecticut .....	I	B	2,655,100	500,000	923,725	...	...	4,078,825
Delaware .....	U	D	182,815	33,384	324,567	...	...	540,766
Florida .....	U	S	650,975	1,400,000	3,696,196(a)	...	171,858	5,919,029
Georgia .....	U	E	936,449	7,271,071	1,320,534	...	...	9,528,054
Hawaii .....	U	E	7,060,400	(b)	429,210	...	...	7,489,610
Idaho .....	U	B, E	681,100	357,000	355,400	21,600	10,500	1,425,600
Illinois .....	U	S	2,389,098	10,914,507	2,712,577	...	...	16,016,182
Indiana .....	I	G	1,141,020	800,000(c)	1,417,132	...	...	3,358,152
Iowa .....	I	B	288,884	...	765,582	...	...	1,054,466
Kansas .....	I	G	583,716	445,000	758,336	...	...	1,787,052
Kentucky .....	I	G	4,292,200	380,300	983,102	...	15,000	5,670,602
Louisiana .....	I	C	538,255	...	1,227,187	...	70,062	1,835,504
Maine .....	U	E	1,094,570	200,000	472,441	...	...	1,767,011
Maryland .....	U	E	646,100	5,956,496	1,145,847	2,376,262	1,516,000	11,640,705
Massachusetts .....	U	E	234,405	4,727,013	1,524,810	...	...	6,486,228
Michigan .....	U	E	1,626,700	7,181,000	2,259,936	4,667,022	...	15,734,658
Minnesota .....	U	E	357,775	2,150,000	1,105,180	...	...	3,612,955
Mississippi .....	I	C	773,260	1,151,761	641,406	36,419	...	2,602,846
Missouri .....	U	B	582,325	1,434,308	2,210,451	...	...	4,227,084
Montana .....	U	E	317,000	...	496,823	...	...	813,823
Nebraska .....	I	C	627,719	150,000	521,423	...	...	1,299,142
Nevada .....	I	G	517,933	46,970	453,292	...	...	1,018,195
New Hampshire .....	I	G	407,083	...	415,512	...	...	822,595
New Jersey .....	U	E	1,879,893	6,745,714	1,862,241	26,000	131,356	10,645,204
New Mexico .....	I	C	723,950	157,450	443,700	...	19,000	1,344,100
New York .....	U	E	4,100,000	24,940,000(d)	4,100,000	...	...	33,140,000
North Carolina .....	U	R	1,649,866	3,504,056	1,430,869	...	914,884	7,499,675
North Dakota .....	U	I	200,000	...	380,910	...	5,000	585,910
Ohio .....	I	B	1,984,154(e)	658,000(e)	2,620,630	...	378,930	5,641,714
Oklahoma .....	I	B	907,687	125,725	833,995	...	...	1,867,407
Oregon .....	I	B	939,132	...	902,219(f)	...	14,688	1,856,039
Pennsylvania .....	U	E	1,486,000	8,896,000	2,863,458	...	...	13,245,458
Rhode Island .....	I	G	405,454	846,530	572,386	...	...	1,824,370
South Carolina .....	I	B	660,869	906,681	854,820	...	...	2,422,370
South Dakota .....	U	G	494,636	...	390,000	...	45,000	929,636
Tennessee .....	U	E	885,400	1,722,200	1,387,163	...	...	3,994,763
Texas .....	I	C	4,777,070	4,810,115	3,509,192(f)	...	75,000	13,171,377
Utah .....	I	C	1,095,700	...	489,600	...	379,200	1,964,500
Vermont .....	I	G	513,510	...	343,688	...	19,892	877,090
Virginia .....	I	B	1,650,320	1,734,910	1,316,000	...	...	4,701,230
Washington .....	I	C	3,796,070	...	1,176,333	22,028	276,211	5,270,642
West Virginia .....	I	C	744,890	2,000,000	635,258	...	...	3,380,148
Wisconsin .....	U	E	1,044,000	2,659,947	1,073,300	...	...	4,777,247
Wyoming .....	I	B	199,848	46,000	372,414	...	10,000	628,262
Total .....	...	...	\$67,005,046	\$107,334,002	\$62,053,146	\$8,562,371	\$4,167,154	\$249,121,719

\*Prepared by the Association for State Library Agencies.

†Abbreviations: I—Independent; U—Unit within larger unit.

‡Abbreviations: A—Department of Administration; B—Board; C—Commission; D—Department of Community Affairs and Economic Development; E—Department of Education; G—Governor or Governor's Board; I—Director of Institutions; R—Department of Cultural Resources; S—Secretary of State.

(a) Includes both contested 1976 and regular 1977 appropriation.

(b) Hawaii has a totally integrated system; all public and state library support included in previous column.

(c) Appropriated through state auditor's budget.

(d) Excludes state aid to reference/research systems and institutional libraries.

(e) By governor's executive order, spending had to be reduced 3% below appropriation indicated.

(f) Includes appropriation for transitional quarter (July 1, 1977 - September 30, 1977).

## 2. Transportation

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### TRANSPORTATION

By James F. Runke\*

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TRANSPORTATION IS a multifaceted area of interaction between government, private industry, and the public. Within this complex transportation infrastructure, which includes the construction, maintenance, and operation of the rail, water, highway, aviation, and mass transit networks and facilities, state government has a major role and set of responsibilities, many of which have been delegated through federal legislation and programs. The states are the primary focus for planning, coordinating, managing, and the brokerage of funds, revenue development, and implementation of projects. With the exception of some rail and waterway programs, the states, under federal program guidelines and in cooperation with regional, county, and local governments, attempt to meet the demands and needs of the general public and the industrial sector for transportation.

Beyond the intergovernmental functions, state government also has internal responsibility for all aspects of highway, rail, aviation, pipeline, and mass transportation programs. These responsibilities infiltrate the executive, legislative, and judicial branches of government which alternatively establish direction and involvement of any individual state in the various transportation programs. Further, the impetus for changes in existing federal transportation legislation or creation of new programs continuously adjusts any state's matrix of responsibilities in the transportation arena.

#### State DOTs

For many years the major responsibility for transportation in any state was the highway network and the associated functions of vehicle and vehicle operator registration. Each state organized single or multiple agencies to handle these responsibilities (see Tables 1 and 2). As aviation, mass transportation, and railroad demands came of age, similar actions were taken to respond to needs and develop adequate service programs. To reduce the proliferation of individual agencies for each mode of transportation or respond to general state government reorganization, states consolidated most transportation functions into a single agency—a department of transportation (DOT).

At present, 37 states have created a DOT. The most recently created DOTs were in Alaska, Arkansas, Louisiana, Minnesota, Oklahoma, and Washington. In New Mexico, a DOT will begin operation in 1978 and five other states have development of a DOT under study. Within any individual DOT, the organizational structure and responsibilities will vary. The variation depends on perceived needs, political climate, demographic characteristics, and time available.

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\*Mr. Runke is Coordinator of Transportation Research, the Council of State Governments. The sections on aviation and no-fault insurance were contributed by John Nammack, Executive Director, National Association of State Aviation Officials, and William Rozett, Special Assistant for Transportation, National Conference of State Legislatures, respectively.



State DOTs have three organizational structures: (1) modal, (2) functional, and (3) mixed. For example, Texas has a modal organization with responsibility for highways and public transportation, while New York is organized according to function, i.e., planning, maintenance, right-of-way, regulation, etc. Most DOTs have a mixed organizational structure, e.g., modal responsibilities and additional functions such as regulation.

Regardless of the organizational structure, a DOT generally has responsibility for a minimum of two modes and a maximum of six. Over time and as the DOT matures, the modal and functional responsibilities appear to increase. All states, except Missouri, have jurisdiction over highways with the majority also having responsibility for aviation, mass transportation, and railroads. In mass transportation and railroads, many states may only have authority for planning and coordination, while project implementation is a responsibility of other levels of government. Many coastal and inland waterway states have responsibility for waterway planning and, in some states, authority for ports management.

With creation of new DOTs and expansion of responsibilities in existing ones, the states have had difficulty meeting financial demands for programs. Most states have funded highway and aviation programs from dedicated fuel taxes. Mass transit has been funded from fare-box revenues and, in a limited number of states, from highway fuel taxes or supplemental general fund appropriations. Railroads and waterway programs have usually been financed from general fund revenues.

Because demand and cost for transportation programs have increased, many states have had to examine their approach to transportation finance. The traditional fuel taxes have been increased in a number of states, while others have applied the sales and use taxes to fuel purchases to increase revenues. Washington has enacted a variable gallonage tax rate to augment revenues. Several other states are contemplating variable per-cent/per-gallon taxes based either on the wholesale or retail price. One or more of these approaches are being considered by some states to develop a comprehensive funding package for all transportation responsibilities. Maryland has utilized a variant of this approach during the development of its transportation trust fund concept. Connecticut is the only state which finances transportation strictly from general funds.

### **Highways**

The highway network represents the largest component of the national transportation system (see Table 3). There are approximately 3.8 million miles of paved and unpaved roads over which 143 million cars, trucks, buses, and motorcycles travel to work, to shop, or for recreation (see Table 4). Within this 3.8 million mile network, state departments of highways or transportation administer and cooperatively fund 798,000 miles of urban and rural roads. Counties, parishes, or township road systems approximate 2,825,000 miles, while municipalities are responsible for 648,000 miles of streets and highways. In 25 states, toll road authorities have been established to administer approximately 5,000 miles of roads. The remaining 234,000 miles of roads in parks, forests, reservations, and preserves are administered by several federal agencies.

The construction, maintenance, and rehabilitation of this vast system has been and continues to be a cooperative effort between federal, state, county, and local governments. In 1976, state governments expended approximately \$21.4 billion on the highway network (see Table 5). The magnitude of investment, however, is not sufficient to meet the short-term immediate problems of the highway system (bridge rehabilitation or maintenance) or the projected long-term highway needs. The major cause of revenue shortfall to meet these

demands is the impact of inflation on maintenance, rehabilitation, and construction costs. Based on 1967 cost indexes, maintenance and construction have risen 160 percent and 203 percent, respectively. Besides escalating costs, revenues from flat-fee gallonage taxes have not kept pace with increases in fuel prices. Revenues have increased very slowly and with more energy-efficient automobiles this trend may continue.

Several of the problems within the highway network may be partially resolved by the Highway Act of 1976. With this legislation, Congress recognized that the states have different problem areas in the highway system. Some states had completed construction under one segment of the highway program, e.g., interstate highways, but need funds to continue work in the rural primary program. Therefore, great flexibility in utilization and transfer of funds between highway programs was included in the legislation.

The Highway Act of 1976 provides \$17.6 billion in authorization for the transition quarter (July-September 1976) and fiscal 1977 and 1978. Major categories of funding were \$3.25 billion for the interstate highway system and \$1.35 billion for the new consolidated rural primary, priority primary, and urban primary extension program for each of the two fiscal years. The secondary and urban systems were authorized \$400 million and \$800 million respectively in each of the two fiscal years. By redefining the definition of construction, \$170 million is available in fiscal 1978 for resurfacing segments of the interstate highway system more than five years old (see Table 6). Finally, \$1.049 billion was authorized to improve safety and capacity of existing "off system" roads, for the National Highway Traffic Commission's safety grant programs, and for the new consolidated highway safety programs.

The changes in existing legislation which added greater flexibility to state administration and utilization of federal funds were the consolidation of the number of separate construction and safety programs. Further, states were allowed to transfer between primary and secondary system programs 40 percent of apportioned funds and between primary and urban systems 20 percent of apportioned funds. Also, federal standards for certification for highway construction and safety requirements were somewhat relaxed. Maximum bus widths on interstates were increased and the life of the Highway Trust Fund was continued through fiscal 1979.

Although these measures will assist states in resolving some problems in the highway network, there still remain significant problems in financing the larger percentage of the highway system that is not included under these federal programs.

### **Mass Transit**

In the past several years, urban mass transportation has experienced a reversal of a 30-year trend in ridership. The increase in ridership in many transit operations has been a result of greater funding commitments at all levels of government, realization of the continued need for mass transit, the expansion of types of services to meet the transportation needs, and growing concern and awareness of energy problems.

Mass transit, in the last decade, has been expanded to include not only the traditionally fixed route bus and rail commuter systems, but also new services such as demand responsive dial-a-ride systems, van and car pooling, rural transit, and transportation for the elderly and handicapped. In many instances, the impetus for these new programs comes from federal legislation modeled after state, local, or private enterprise experiments. The experiments, of course, require availability, flexibility, and increased financial support from all levels of

government. Since 1974, state and local government financial support for mass transit has grown from approximately \$412 million to \$1.2 billion in fiscal 1976.

The financial support provided by states has been for operating deficits, capital equipment acquisitions, and other facilities such as maintenance facilities, passenger shelters, and so forth. Further, some states also supply a percentage of local matching fund requirements for federal mass transit programs. Some states also provide funds for reduced fares for special user groups, i.e., elderly, handicapped, or school children, or for special marketing or promotional activities to increase ridership during off-peak hours.

The mechanisms by which states provide funds for mass transit programs generally take two forms. First, the states raise revenues for state-developed programs. These revenues usually come from the general fund or bond issues, although a number of states have dedicated a portion of motor fuel tax collections and driver registration fees for mass transit. In Massachusetts, financial aid for public transportation is derived from a cigarette tax, while Washington levies a 2 percent motor excise tax on automobiles and Illinois uses a small percentage (1/32 or 2/32) of the state sales tax as a support mechanism.

Second, the states have enacted legislation to allow other governmental jurisdictions to organize, administer, coordinate, and finance mass transit activities. Counties and local governments have been given the option to raise revenues through direct taxing powers, add-on local sales taxes, or increases in property, gasoline, or payroll taxes.

Beyond financial assistance for mass transit, many states have expanded their other functions. The major areas of expanded activities are technical assistance, training, planning, grant development, coordination, and purchasing of equipment, parts, and other material. Many of these activities have been expanded to assist other jurisdictions in meeting requirements for a variety of federal mass transportation programs.

Two of the federal programs under the Federal Aid Highway Act of 1973, 1974, and 1976 which have placed new service and technical assistance demands on state mass transit agencies are the Interstate Funds Transfer and the Rural Highway Public Transportation Demonstration Program.

Under the transfer of interstate highway funds, communities may turn down segments of interstate highway projects and apply the funds to mass transportation projects. More than \$750 million has been requested for transfers, with \$454 million approved in fiscal 1976.

The Rural Highway Public Transportation Demonstration Program of the 1973 Federal Aid Highway Act authorized funds to encourage the development, improvement, and use of public transportation for nonurban areas. Funding for rural public transportation was approximately \$25 million for fiscal 1975 and 1976. Since the concept of rural mass transportation is relatively new, the states played a major role in assisting and coordinating the demonstration projects and in fostering the implementation of some 100 systems now in operation.

Besides increased expenditures by federal and state governments, similar state activities continued and expanded under the Urban Mass Transportation Act of 1964, as amended (see Table 7). The expansion has been generally in the areas of paratransit, demand responsive systems, and greater emphasis and awareness of the mass transit needs of the elderly and handicapped. Paratransit is an out-growth of the energy problems and provides an excellent alternative to fixed-route bus and rail commuter systems. Paratransit, by definition, encompasses most forms of ride sharing, i.e., van pooling, car pooling, and taxis. The concept is a very viable method of reducing energy consumption, pollution, and highway congestion. Approximately \$13 million has been expended by the Urban Mass

Transportation Administration for demonstration projects in dial-a-ride systems to various pooling programs. Several states have augmented the federal program with state employee pooling programs. Amounts equal to the \$13 million for paratransit have also been spent by various federal and state agencies for special elderly and handicapped transportation projects to improve their mobility and help them obtain essential services.

The increased commitment to rural and urban mass transit and the energy problem are bringing better utilization of scarce resources and reducing the reliance on individual auto ownership. Consideration is now being given to consolidation of highway and mass transportation programs to bring about more coordinated, flexible, and efficient utilization of funds to meet transportation demands at all levels of government. If this should occur at the federal, state, and local levels, state transportation agencies will have an even greater role to play in the delivery of technical assistance, and the planning, financing, and coordination of transportation systems.

### Aviation

The governors, state aviation officials, and state DOT secretaries were actively involved during 1976 and 1977 in the development of aircraft noise control and airline regulatory reform legislation, in addition to their continuing interest and activity in improving the airport development aid program (ADAP). Despite some political difficulties, the states succeeded in persuading Congress to authorize an admittedly modest four-state demonstration program intended to demonstrate state capabilities to administer portions of ADAP more efficiently than the federal government. Independent studies conducted for the DOT/FAA in 1974-1975 had concluded that airports could be developed at considerably less cost and in less time by state and local governments unfettered by federal red tape.

The National Association of State Aviation Officials (NASAO), supported by the National Governors' Association (NGA) and state DOT officials, has been urging Congress and federal officials for several years to convert ADAP into a block grant program administered by the states. NASAO also recognized the need for reform of the Civil Aeronautics Board (CAB) and amendment of the Federal Aviation Act to improve the nation's air transportation services, particularly those offered to smaller communities, by making the airline regulatory policies more competitive through the introduction of less stringent entry procedures for new carriers, by encouraging fare flexibility, and by granting formal recognition to third-level commuter airlines which are better equipped to provide more frequent service to small communities as well as to serve additional communities not now receiving scheduled air service. NGA adopted similar national policy positions in 1977, as did the American Association of State Highway and Transportation Officials.

NASAO was able to convince the Senate Commerce Committee to include in the reform bill a requirement that CAB directly consult with state aviation officials on all matters affecting air service to small communities, such as levels of service, addition and deletion of points, and federal subsidy eligibility. NASAO also worked very closely with the House Public Works and Transportation Committee in the development of the Aircraft and Airport Noise Reduction Act, which is still pending. States recognize that aircraft noise constitutes the major obstacle to further development of the nation's airport system so that it can accommodate predicted passenger and air cargo growth.

With the cooperation of six other national aviation organizations, NASAO continued its efforts to obtain federal support for the installation of an improved instrument landing system—the interim standard microwave landing system—in the interests of promoting

aviation safety. Minnesota and Michigan purchased, installed, and currently maintain the first production models of this improved safety equipment.

Most of the states continued to pursue their airport system planning and development programs, as well as other programs related to flight safety, accident prevention, regulation of intrastate air carriers, provision of supplementary air navigational aids, and aviation information programs for the public.

The continuing reluctance of some federal officials and members of Congress to strengthen the federal-state partnership for aviation system development is based upon a perceived unevenness and lack of uniformity among the individual state aviation agency capabilities. Indeed, Colorado and Nevada have not yet organized state aviation agencies, and in a few other states the commitment of state resources to its aviation agency is so limited that the agency cannot pursue more than token aviation development effort. Until all states can demonstrate at least minimal levels of service to administer programs such as ADAP, it is doubtful that Congress will agree to transfer any additional programs or responsibilities to the states.

Conversely, no state official doubts that once the responsibilities are assigned to the states, each state will then commit the resources required by its aviation agency to fulfill those responsibilities. In their official aviation policy statement, the governors urged each state to address this issue and to strengthen its aviation resources.

### **Rail Transportation**

The national rail system consists of some 200,000 miles of track, 28,000 locomotives, 1.7 million freight cars, and 483,000 employees. The rail system is operated by 51 major (Class I) railroads and 435 smaller (Class II) railroads. The interaction of these components of the rail system handled 24 million carloads of freight and 271 million passengers. Operating revenues and expenses rose during 1976, providing the rail industry with a 1.59 percent return on investment.

Rail transportation represents an area of growing concern and involvement for state government. Sectors of the rail freight and passenger operations have been subsidized by the federal government and the states. Amtrak and state rail passengers and commuter operations have required increasing amounts of federal and state government funds to continue services. With the completion of the reorganization of the eight bankrupt railroads in the northeast and midwest, Congress authorized \$2.1 billion to create a new railroad, Conrail, to provide rail freight services in these regions. This action was part of the Regional Railroad Reorganization Act (3R) of 1973, which also provided an active and new role for state government.

As the eight railroads were reorganized and consolidated into Conrail, many sections of duplicate, unprofitable, or obsolete trackage were to lose service. Rail shippers, communities, and other sectors were to suffer the impacts of loss of service, tax revenues, employment, and other socioeconomic disruptions. To lessen these impacts and spread them over time, a local rail assistance program was incorporated into the 3R Act.

Under this program, states were to analyze, plan, and select which segments of track were to receive initial federal funds and later federal and state funds. During the first year of the program, the states in those regions developed the necessary state rail plans. By April 1, 1976, the state rail plans were completed and rail service was continued on 2,500 miles of rail lines out of a total of 7,500. After the first year of subsidized rail service, states reevaluated the need for continued rail service and eliminated some service. This program for the 18

northeast and midwest states was expanded to include all 50 states under the Railroad Revitalization and Regulatory Reform Act of 1976 (4R).

With the expansion of the program to all states in the 4R Act, the state rail planning process has been incorporated into the transportation program of all states except Hawaii (no railroads), Alaska (the only railroad is owned by the federal government), and Montana (Montana has not passed enabling legislation). Under the new program, the state must meet the requirements of the legislation and regulations, and develop and have approved a state rail plan. After complying with these regulations, a state may implement four types of projects and receive federal funds: (1) subsidize continued rail service over rail branch lines, (2) purchase a rail branchline, (3) rehabilitate or modernize a rail branchline, or (4) substitute alternate freight services.

The funding for any state program is based on a ratio of miles of track approved for abandonment to total track miles approved for abandonment nationwide. Total funds authorized for the program are \$360 million; \$15 million is for development of state rail plans. The federal-state matching ratio is indicated below.

<i>Fiscal year</i>	<i>Federal share (in percent)</i>	<i>State share (in percent)</i>
1977.....	100	0
1978.....	90	10
1979.....	80	20
1980.....	up to 70	up to 30
1981.....	up to 70	up to 30

To date, no state rail plan or project has been approved for those states outside the 3R Act program by the Federal Railroad Administration, which has jurisdiction over the program.

### **No-Fault Automobile Insurance**

In the late 1960s and early 1970s, reform of the automobile insurance industry was a major issue confronting state legislators, congressmen, insurance companies, the legal profession, and the American motorist. The consensus was that the system for recovering losses suffered in automobile accidents was not working, legal and administrative fees were too costly, and insurance premiums were soaring.

The search for a solution led to the development of no-fault automobile insurance. Under the more comprehensive no-fault plans, the insured motorist's accident losses are paid by his insurance company (first-party benefits), regardless of who is at fault, and the right to sue for general damages ("pain and suffering") is retained if medical expenses reach a certain minimum amount or threshold (see Table 8).

Since 1967 all 50 state legislatures have considered no-fault, with Massachusetts in 1971 taking the lead in enacting such a law. Since then, 15 other states have passed no-fault laws with tort restrictions (thresholds), and eight have passed legislation without tort restrictions.

Of the 16 states with no-fault laws, the tort liability thresholds in 13 states range from \$200 in New Jersey to \$2,000 in Minnesota. In Florida and Michigan, a verbal threshold allows court action only if the victim has suffered death, permanent injury or disfigurement, or other specific injuries. In Hawaii, the tort liability threshold is set annually by the

insurance commissioner, who uses the total amount of medical benefits paid during the preceding year to determine the figure.

In the other eight states, which have no tort restrictions, Delaware, Maryland, Oregon, and South Carolina require motorists to purchase insurance for first-party benefits. In Arkansas, South Dakota, Texas, and Virginia, the purchase of insurance for first-party benefits is optional.

The range of benefits under state no-fault laws also differs among states. Michigan, New Jersey, and Pennsylvania provide unlimited first-party medical benefits to accident victims, while South Carolina, which lacks a tort liability threshold, provides total first-party benefits of \$1,000, the lowest first-party benefits package of all states.

All no-fault states provide some form of income loss benefits and, except for South Dakota and Virginia, provide benefits for the replacement of essential services. Thirteen states provide some form of survivors' benefits in addition to funeral expenses.

States with no-fault laws generally report that their systems are working well, but that increases in premium rates are creating problems. A key factor behind the passage of no-fault laws in some states was the promise that insurance premiums would be reduced. Some states even mandated rate reductions in their no-fault laws. However, rate increases have occurred. These increases cannot be blamed solely, if at all, on no-fault laws. Inflation accounted for a 51 percent rise in hospital and medical care costs over the past five years. During that time, the price tag on auto replacement parts increased by 86.6 percent nationally, which has affected total auto insurance costs. In addition, there have been more auto accidents causing injuries and deaths.

No-fault laws have caused a marked decline in the number of lawsuits prompted by auto accident-related injuries. Michigan showed a 22 percent decline from 1973 to 1976 in driver negligence cases. Colorado court cases declined by 20 percent and Massachusetts court cases by 45 percent. These declines have helped to unclog state courts and to reduce the waiting time for the cases of seriously injured victims.

Another benefit of no-fault is that a larger portion of each premium dollar goes to the victim. In Florida, for example, 50 percent more of the premium dollar compensates the victim under no-fault. Under the fault system, one third to one half of the claim dollar goes to pay attorneys' fees alone.

No-fault also provides benefits to victims who would receive nothing under the fault system: one-car accident victims and those equally or totally at fault in an accident. It is significant that victims' medical costs and earnings losses are covered by no-fault laws, since about one third of all auto accident injuries are the result of single-car accidents.

A low tort liability threshold or none at all is one weakness of some laws. In states with a threshold of less than \$1,000, an accident victim can incur medical expenses which quickly reach the threshold, allowing him or her to then sue for general damages. Florida and New York encountered this problem within the last two years, and replaced a dollar threshold with a verbal threshold.

Another weakness in some no-fault laws is the low maximum amount of first-party benefits. Only three states have unlimited benefits under no-fault, while 10 states include first-party benefits of \$2,500 or less. With the inflated medical costs, these maximum benefit levels may not cover all of the victims' losses.

The leading no-fault bill in Congress this session is S.B. 1381. If passed, the bill would preempt virtually all state no-fault laws in some respects. The eight states which have no tort restrictions would have federal restrictions imposed upon them. Of the 16 states with tort

restrictions, only Michigan and Florida would meet the federal tort restrictions. Only Michigan, New Jersey, and Pennsylvania have first-party medical benefits which would meet or exceed federal standards. The bill would require the 26 states which do not have no-fault to alter their auto insurance systems.

Proponents of federal no-fault standards say that the system would provide more benefits to more accident victims than the present state laws, save motorists money on their auto insurance premiums, and provide a high degree of state control and flexibility in the administration of federal standards.

Opponents of federal no-fault feel that the states should be given more time to test the no-fault concept since reliable data has not been compiled on states' experiences. Since there are great variations across the country in traffic patterns, court conditions, the number of urban and rural inhabitants, per capita income, natural environment, and other factors, opponents feel that each state should adopt its own law to meet the needs of its citizens.

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Table 1  
RESPONSIBILITIES OF STATE DEPARTMENTS  
OF TRANSPORTATION—1977\*

State	Highways	Aviation	Mass transit	Railroads	Water transport	Pipelines	Motor vehicles	Highway or transportation safety	Highway patrol	Transportation regulation
Alaska	*	*		*	*			*		
Arizona	*	*	*				*			
Arkansas	*		*	*				*		*
California	*	*	*					*		
Connecticut	*	*	*	*	*		*	*		
Delaware	*	*	*				*			
Florida	*	*	*	*	*		*			
Georgia	*	*	*				*			
Hawaii	*	*			*			*		
Idaho	*	*	*					*		
Illinois	*		*		*		*	*		
Iowa	*	*	*	*	*		*			*
Kansas	*	*	*	*	*	*		*		
Kentucky	*	*					*			
Louisiana	*	*	*	*	*					*
Maine	*	*		*						
Maryland	*	*	*		*		*	*		
Massachusetts	*	*	*		*					
Michigan	*	*	*		*					
Minnesota	*	*	*	*	*	*				*
Missouri		*	*	*	*	*				
New Jersey	*	*	*	*	*		*	*		
New York	*	*	*	*	*		*	*		*
North Carolina	*	*	*	*			*	*	*	
Ohio	*	*	*	*	*					
Oklahoma	*	*	*	*	*			*		
Oregon	*	*	*		*					
Pennsylvania	*	*	*	*	*			*		
Rhode Island	*	*	*	*	*					
South Dakota	*	*		*						
Tennessee	*	*	*		*					
Texas	*		*							
Utah	*	*	*	*				*		
Vermont	*	*	*	*	*		*	*		
Virginia	*		*					*		
Washington	*	*	*	*	*			*		*
Wisconsin	*	*	*							

\*Sources: State of Minnesota, *Routes of the Future: The DOT Idea*, report of the Inter-departmental Transportation Task Force. Information on post-1971 DOTs taken from ACIR staff review of state

legislation and budget documents and the Council of State Governments' DOT Responsibility Update Survey, October 1977.

Table 2  
STATE DEPARTMENTS OF TRANSPORTATION AND PRIMARY  
FORM OF ORGANIZATION\*

State	Name of agency	Year established	Form of organization		
			Modal	Functional	Mixed
Alaska .....	Department of Transportation and Public Facilities	1977	...	...	★
Arizona .....	Department of Transportation	1973	...	...	★
Arkansas .....	Highway and Transportation Department	1977	...	...	★
California .....	Business and Transportation Agency (a)	1960	...	...	★(b)
Connecticut .....	Department of Transportation	1969	...	...	★
Delaware .....	Department of Transportation	1970	...	...	★
Florida .....	Department of Transportation	1967	...	...	★
Georgia .....	Department of Transportation	1973	★	...	...
Hawaii .....	Department of Transportation	1959	★	...	...
Idaho .....	Department of Transportation	1974	★	...	...
Illinois .....	Department of Transportation	1971	...	★	...
Iowa .....	Department of Transportation	1974	...	...	★
Kansas .....	Department of Transportation	1975	...	★	...
Kentucky .....	Department of Transportation	1974	...	...	★
Louisiana .....	Department of Transportation and Development	1977	★	...	...
Maine .....	Department of Transportation	1971	...	...	★
Maryland .....	Department of Transportation	1970	★	...	...
Massachusetts .....	Executive Office of Transportation and Construction	1969	...	...	★
Michigan .....	Department of State Highways and Transportation	1973	...	...	★
Minnesota .....	Department of Transportation	1976	...	...	★
Missouri .....	Department of Transportation (c)	1974	...	...	★
New Jersey .....	Department of Transportation	1966	...	...	★
New York .....	Department of Transportation	1967	...	★	...
North Carolina .....	Department of Transportation	1971	★	...	...
Ohio .....	Department of Transportation	1972	...	★	...
Oklahoma .....	Department of Transportation	1976	...	...	★
Oregon .....	Department of Transportation	1969	★	...	...
Pennsylvania .....	Department of Transportation	1970	...	...	★
Rhode Island .....	Department of Transportation	1970	...	...	★
South Dakota .....	Department of Transportation	1973	...	...	★
Tennessee .....	Department of Transportation	1972	...	...	★
Texas .....	Department of Highways and Public Transportation	1975	★	...	...
Utah .....	Department of Transportation	1975	...	★	...
Vermont .....	Agency of Transportation	1975	...	...	★
Virginia .....	Department of Highways and Transportation	1974	★	...	...
Washington .....	Department of Transportation	1977	...	...	★
Wisconsin .....	Department of Transportation	1967	...	...	★

\*Sources: Advisory Commission on Intergovernmental Relations, *Toward More Balanced Transportation: New Intergovernmental Proposals* (Washington, D.C., 1975) and the Council of State Governments' DOT Responsibility Update Survey, October 1977.

(a) Reorganized in 1973 to form a Department of Transportation

with broader responsibilities within the Business and Transportation Agency.

(b) Before the DOT was reorganized in 1973, California's DOT had a modal structure.

(c) All modes except highways.

Table 3  
TOTAL ROAD AND STREET MILEAGE—1976\*  
(Classified by system)

State or other jurisdiction	Rural mileage				Municipal mileage			Total rural and municipi- pal mileage
	Under state control (a,b)	Under local control (c)	Under federal control (d)	Total rural roads	Under state control (a)	Under local control, local city streets (e)	Total municipi- pal mileage	
Total .....	711,412	2,263,772	233,841	3,209,025	86,909	561,422	648,331	3,857,356
Alabama .....	19,613	48,220	275	68,108	2,247	16,321	18,568	86,676
Alaska .....	4,740	1,766	1,767	8,273	508	1,149	1,657	9,930
Arizona .....	5,631	22,688	18,966	47,285	394	8,067	8,461	55,746
Arkansas .....	13,886	51,396	1,783	67,065	2,039	8,347	10,386	77,451
California .....	15,085	71,857	37,182	124,124	2,420	46,297	48,717	172,841
Colorado .....	8,499	67,804	1,222	77,525	631	7,950	8,581	86,106
Connecticut .....	1,522	4,005	...	5,527	2,370	11,147	13,517	19,044
Delaware .....	4,107	114	...	4,221	451	572	1,023	5,244
Florida .....	12,042	57,206	1,184	70,432	2,364	25,298	27,662	98,094
Georgia .....	15,790	70,973	1,065	87,828	2,576	12,422	14,998	102,826
Hawaii .....	882	1,716	100	2,698	118	978	1,096	3,794
Idaho .....	4,770	25,111	24,522	54,403	358	3,027	3,385	57,788
Illinois(f) .....	13,464	89,881	284	102,629	3,840	27,090	30,930	133,559
Indiana .....	9,477	65,824	...	75,301	1,667	14,694	16,361	91,662
Iowa .....	9,173	89,642	121	98,936	1,259	12,265	13,524	112,460
Kansas .....	10,076	112,894	70	123,040	802	10,779	11,581	134,621
Kentucky .....	23,865	39,180	609	63,654	1,150	4,902	6,052	69,706
Louisiana .....	14,297	28,188	323	42,808	1,974	10,032	12,006	54,814
Maine .....	10,922	7,898	174	18,994	934	1,742	2,676	21,670
Maryland .....	5,071	16,319	426	21,816	368	3,929	4,297	26,113
Massachusetts .....	1,842	11,863	41	13,746	1,811	17,310	19,121	32,867
Michigan .....	8,316	88,169	2,460	98,945	1,314	18,739	20,053	118,998
Minnesota .....	11,036	98,024	1,539	110,599	2,133	15,724	17,857	128,456
Mississippi .....	9,777	50,141	257	60,175	1,118	6,415	7,533	67,708
Missouri .....	29,750	68,648	714	99,112	2,342	15,769	18,111	117,223
Montana .....	6,569	59,251	9,505	75,325	181	2,396	2,577	77,902
Nebraska .....	9,854	79,400	471	89,725	532	6,637	7,169	96,894
Nevada .....	6,480	27,823	13,676	47,979	524	1,565	2,089	50,068
New Hampshire .....	2,984	6,933	142	10,059	1,434	3,840	5,274	15,333
New Jersey .....	1,645	11,960	13	13,618	1,437	18,071	19,508	33,126
New Mexico .....	11,826	46,311	7,309	65,446	960	4,452	5,412	70,858
New York .....	12,141	54,185	35	66,361	5,439	37,619	43,058	109,419
North Carolina .....	71,790	...	3,878	75,668	4,053	11,466	15,519	91,187
North Dakota .....	6,775	94,992	1,297	103,064	300	3,066	3,366	106,430
Ohio(g) .....	17,244	69,090	29	86,363	3,176	21,081	24,257	110,620
Oklahoma .....	11,679	82,075	34	93,788	1,311	14,507	15,818	109,606
Oregon .....	9,591	35,742	56,526	101,859	651	5,768	6,419	108,278
Pennsylvania .....	42,772	47,261	793	90,826	6,072	19,982	26,054	116,880
Rhode Island .....	588	1,341	...	1,929	577	3,031	3,608	5,537
South Carolina .....	33,153	20,296	559	54,008	5,264	2,022	7,286	61,294
South Dakota .....	8,781	68,971	1,537	79,289	292	2,845	3,137	82,426
Tennessee .....	8,042	59,702	1,211	68,955	2,086	10,526	12,612	81,567
Texas .....	61,823	135,486	1,016	198,325	8,243	51,081	59,324	257,649
Utah .....	4,890	21,420	17,348	43,658	669	4,174	4,843	48,501
Vermont(f) .....	2,625	10,028	208	12,861	233	815	1,048	13,909
Virginia .....	50,304	916	2,135	53,355	2,830	7,245	10,075	63,430
Washington .....	16,878	40,200	16,804	73,882	671	9,773	10,444	84,326
West Virginia .....	32,618	...	908	33,526	858	2,860	3,718	37,244
Wisconsin .....	10,758	79,594	116	90,468	1,761	13,291	15,052	105,520
Wyoming .....	5,969	22,268	3,207	31,444	167	1,243	1,410	32,854
Dist. of Col. ....	...	...	...	...	...	1,101	1,101(h)	1,101(h)

\*Source: Federal Highway Administration, U.S. Department of Transportation. Compiled for calendar year ending December 31, 1976, from reports of state authorities.

(a) Includes mileage of county roads under state control in all counties of Delaware, North Carolina, and West Virginia; 10 counties in Alabama; rural boroughs in Alaska; all but two counties in Virginia; some mileage in Kentucky and Nevada; mileage designated as farm-to-market in Louisiana; and the state aid system in Maine.

(b) Includes mileage of state park, forest, institutional, toll, and other roads that are not part of the state highway system.

(c) Includes mileage in special highway districts and mileage not identified by administrative authority.

(d) Mileage in federal parks, forests, and reservations that are not a part of the state and local highway systems.

(e) Includes all roads, streets, and public ways not under state control in municipalities and delimited unincorporated places having an estimated population of 1,000 or more.

(f) Preliminary 1976 data used.

(g) 1976 data not submitted; 1975 data used.

(h) Includes 89 miles of streets in federal parks.

Table 4  
STATE MOTOR VEHICLE REGISTRATIONS—1976\*

State or other jurisdiction	Automobiles (a)	Motorcycles (a)	Buses (a,b)	Trucks (a)	Comparison of total motor vehicle registrations		
					1975	1976	Percentage change
Total .....	110,351,327	4,989,232	478,339	27,719,597	137,925,584	143,538,495	4.1
Alabama .....	1,951,914	63,072	7,970	615,993	2,567,298	2,638,949	2.8
Alaska .....	156,204	13,292	1,255	92,976	238,214	263,727	10.7
Arizona .....	1,070,842	60,278	3,153	405,361	1,527,335(c)	1,539,634	0.8
Arkansas .....	902,070	33,096	6,876	440,101	1,320,285(c)	1,382,143	4.7
California .....	11,478,776	667,363	22,323	2,814,744	14,559,130	14,983,206	2.9
Colorado .....	1,512,098	95,787	5,270	509,920	2,020,513	2,123,075	5.1
Connecticut .....	1,919,975	69,966	8,011	159,135(d)	2,014,584	2,157,087	7.1
Delaware .....	297,453	7,153	1,492	62,638	358,639	368,736	2.8
Florida .....	4,835,141	180,998	21,648	991,195	5,560,354	6,028,982	8.4
Georgia .....	2,599,365	93,546	11,027	721,810	3,309,068	3,425,748	3.5
Hawaii .....	424,862	6,214	2,532	70,414	467,973	504,022	7.7
Idaho .....	425,645	43,134	2,675	253,267	691,874	724,721	4.7
Illinois .....	5,515,959	227,391	25,433	1,135,191	6,561,948	6,903,974	5.2
Indiana .....	2,653,168	140,741	14,755	782,612	3,457,798	3,591,276	3.9
Iowa .....	1,592,789	151,829	9,365	583,598	2,248,693	2,337,581	4.0
Kansas .....	1,283,647	86,789	4,907	585,020	1,895,763	1,960,363	3.4
Kentucky .....	1,727,456	59,351	6,602	616,088	2,306,165	2,409,497	4.5
Louisiana .....	1,691,109	57,832	17,087	634,055	2,241,062	2,400,083	7.1
Maine .....	556,400	27,584	2,122	140,374	675,226	726,680	7.6
Maryland .....	2,138,357	66,298	11,154	355,551	2,487,431	2,571,360	3.4
Massachusetts .....	2,865,383	72,614	9,947	325,173	3,188,300	3,273,117	2.7
Michigan .....	4,726,259	267,306	13,780	961,333	5,837,182	5,968,678	2.3
Minnesota .....	2,073,302	151,270	14,130	680,998	2,662,512	2,919,700	9.7
Mississippi .....	1,036,295	28,413	8,640	401,101	1,407,421	1,474,449	4.8
Missouri .....	2,232,558	96,201	9,338	699,195	2,968,187	3,037,292	2.3
Montana .....	391,428	38,580	1,787	245,738	650,712(c)	677,533	4.1
Nebraska .....	909,664	55,383	3,224	380,481	1,227,975	1,348,752	9.8
Nevada .....	374,985	18,260	1,098	132,322	481,585	526,665	9.4
New Hampshire .....	444,051	25,957	1,282	81,944(d)	512,427	553,234	8.0
New Jersey .....	3,831,041	86,753	11,647	414,517(d)	4,238,073	4,343,958	2.5
New Mexico .....	592,640	37,699	3,742	287,264	861,831	921,345	6.9
New York .....	6,734,255	120,695	30,182	886,232(d)	7,704,243	7,771,364	0.9
North Carolina .....	3,002,710	105,633	23,166	864,978	3,801,120	3,996,487	5.1
North Dakota .....	335,600	24,627	1,784	226,007	575,609	588,018	2.2
Ohio .....	6,179,074	254,482	22,872	943,888	7,411,323	7,400,316	-0.1
Oklahoma .....	1,499,745	109,621	8,513	705,834	2,220,404	2,323,713	4.7
Oregon .....	1,431,974	85,809	6,873	351,899	1,700,860	1,876,555	10.3
Pennsylvania .....	6,947,303	361,918	25,897	1,154,255(d)	7,998,742	8,489,373	6.1
Rhode Island .....	512,426	19,919	1,083	71,932(d)	582,793	605,360	3.9
South Carolina .....	1,402,938	45,801	10,350	356,910	1,813,288	1,815,999	0.1
South Dakota .....	343,668	25,127	2,089	195,906	544,937	566,790	4.0
Tennessee .....	2,153,922	85,763	8,705	642,213	2,822,856(c)	2,890,603	2.4
Texas .....	6,586,572	270,089	31,612	2,351,570	8,670,352	9,239,843	6.6
Utah .....	605,108	50,357	1,100	271,182	896,042	927,747	3.5
Vermont .....	244,157	14,681	1,099	59,673	300,968	319,610	6.2
Virginia .....	2,764,444	72,302	11,123	526,685	3,342,012	3,374,554	1.0
Washington .....	1,977,629	111,825	11,063	696,211	2,649,975	2,796,728	5.5
West Virginia(e) .....	759,637	54,062	2,393	232,645	1,026,413	1,048,737	2.2
Wisconsin .....	2,199,985	125,161	9,462	439,450	2,706,280	2,774,058	2.5
Wyoming .....	214,093	17,288	2,163	144,632	352,556	378,176	7.3
Dist. of Col. ....	245,251(f)	3,922	2,538	17,186	259,253	268,897	3.7

\*Source: Federal Highway Administration, U.S. Department of Transportation. Compiled for calendar year ending December 31, 1976, from reports of state authorities. Where the registration year is not more than one month removed from the calendar year, registration-year data is given. Where the registration year is more than one month removed, registrations are given for the calendar year.

(a) Includes federal, state, county, and municipal vehicles. Vehicles owned by the military services are not included.

(b) Those portions of the total which reflect the number of private and commercial buses are estimates by the Federal Highway Administration of the numbers in operation, rather than the registration counts of the states.

(c) Additional information required the revision of the 1975 data. (d) The following farm trucks, registered at a nominal fee and restricted to use in the vicinity of the owner's farm, are not included in this total: Connecticut—4,038; New Hampshire—3,943; New Jersey—7,059; New York—16,971; Pennsylvania—5,634; and Rhode Island—1,348.

(e) The state was unable to provide motor vehicle registration data for 1976. The figures shown here are estimates by the Federal Highway Administration.

(f) Includes 3,547 automobiles of the Diplomatic Corps.

Table 5  
STATE RECEIPTS AND DISBURSEMENTS FOR HIGHWAYS—1976\*  
(In thousands of dollars)

State or other jurisdiction	Receipts									Disbursements								
	Federal funds									Capital outlay								
	State highway user tax revenues	Road and crossing tolls (a)	Other state imposts, general fund revenues	Miscellaneous income	Federal highway administration	Other agencies	Transfers from local governments	Bond proceeds (b)	Total receipts	Federal aid systems			Maintenance and traffic services	Administration and highway police	Bond interest	Grants-in-aid to local governments	Bond retirement (b)	Total disbursements
										Inter-state	Other federal aid systems	Other roads and streets						
Total .....	\$12,172,216	\$1,115,941	\$676,692	\$513,219	\$6,221,372	\$258,466	\$218,142	\$1,458,564	\$22,634,612	\$3,747,961	\$5,572,439	\$1,259,523	\$3,164,712	\$2,660,684	\$917,499	\$3,169,090	\$899,272	\$21,391,180
Alabama .....	208,253	...	18,736	15,541	158,086	11,613	1,367	...	413,596	121,160	107,938	17,203	36,143	23,306	16,196	78,118	20,475	420,539
Alaska .....	29,115	12,975	57,596	2,166	116,612	786	970	15,415	235,635	...	117,903	8,736	49,338	45,301	7,046	1,956	4,159	234,439
Arizona .....	159,695	...	...	1,209	84,735	958	3,685	...	250,282	62,348	63,811	...	31,692	34,172	46	54,068	200	246,337
Arkansas .....	159,965	...	19,240	1,375	72,395	35,100	3,775	...	291,850	28,157	106,013	3,499	40,224	29,053	...	53,722	...	260,668
California .....	1,105,949	38,503	...	27,116	349,516	20,853	12,268	50,351	1,604,556	165,308	216,638	158,977	157,795	283,536	6,522	387,582	9,835	1,386,193
Colorado .....	127,773	...	1,873	3,404	127,660	13,182	3,871	...	277,763	93,014	60,428	4,784	39,384	30,162	...	60,146	...	287,918
Connecticut .....	153,949	35,710	...	12,595	41,649	1,241	200	105,474	350,818	23,311	33,611	32,540	41,896	39,246	35,821	17,705	52,349	276,479
Delaware .....	39,851	21,338	...	4,934	24,232	534	...	7,756	98,645	13,045	24,119	12,215	12,597	13,667	14,062	2,000	17,353	109,058
Florida .....	546,450	65,963	...	27,390	152,970	3,188	13,099	13,061	822,121	127,245	192,224	72,207	84,274	54,240	46,183	111,890	30,900	719,163
Georgia .....	242,721	...	...	9,388	145,767	1,985	1,009	48,500	449,370	175,172	80,705	46,892	55,984	43,547	24,521	9,473	22,742	459,036
Hawaii .....	42,425	...	7,436	412	56,028	738	...	1,088	108,127	52,295	18,185	130	10,379	4,549	7,692	12,977	5,976	112,183
Idaho .....	73,107	...	1,000	744	50,616	3,709	1,367	...	130,543	24,354	42,980	576	19,431	15,592	...	26,636	...	129,569
Illinois .....	609,279	79,470	...	12,754	409,166	8,483	13,769	205,010	1,337,931	272,799	363,127	129,551	122,283	127,743	35,291	233,530	17,596	1,301,920
Indiana .....	335,853	23,657	54,367	5,456	96,560	2,637	4,477	...	523,007	49,272	150,073	4,890	66,053	74,456	4,938	160,592	10,414	520,688
Iowa .....	251,947	1,595	66,197	6,610	104,338	2,367	3,962	...	437,016	35,620	168,693	900	39,593	42,728	375	116,209	245	404,363
Kansas .....	142,503	17,473	...	32,323	75,769	1,845	145	114,000	384,058	43,417	93,831	500	50,252	28,355	12,672	31,022	19,813	279,862
Kentucky .....	306,940	16,846	43,223	36,218	138,045	1,196	2,462	...	544,930	69,951	138,206	62,529	93,653	45,549	59,229	6,334	31,794	507,245
Louisiana .....	220,510	910	144,572	9,726	167,434	4,146	12,566	...	559,864	139,547	239,202	48,874	52,791	51,979	23,237	28,488	23,623	607,741
Maine .....	72,227	13,642	1,480	3,953	36,152	50	3,262	...	131,366	27,095	19,834	6,666	45,008	15,423	4,293	2,470	9,662	130,451
Maryland .....	255,557	51,130	9,747	11,808	191,189	1,625	...	1,150	522,206	135,266	118,236	5,236	49,549	66,515	29,273	70,615	46,521	521,211
Mass. ....	228,052	50,768	5,351	5,982	123,524	2,269	...	125,000	540,946	58,989	90,169	36,485	52,046	87,867	37,191	42,422	50,788	455,957
Michigan .....	522,291	6,950	41,447	21,998	195,524	3,917	8,539	...	800,666	146,250	164,518	147	70,260	83,105	12,335	293,367	38,687	808,669
Minnesota .....	288,746	...	...	17,403	141,276	2,192	10,415	...	460,032	65,890	140,998	2,314	61,008	43,749	3,586	92,002	10,769	420,316
Mississippi .....	150,399	...	47,907	6,507	90,504	3,397	2,092	76,675	377,481	51,493	175,348	7,977	16,699	25,253	20,587	46,402	14,566	358,325
Missouri .....	280,924	...	11,761	7,302	145,499	6,609	1,387	...	453,482	85,915	166,742	1,045	96,010	53,235	...	45,927	...	448,874

Montana .....	60,974	...	3,313	1,480	95,544	4,978	...	...	166,289	70,980	43,721	1,380	16,745	21,808	...	15,356	...	169,990
Nebraska .....	116,108	...	18,121	3,311	55,504	2,537	6,594	...	202,175	11,819	73,788	2,356	24,223	21,032	831	51,666	1,000	186,715
Nevada .....	40,660	...	...	3,202	42,261	779	764	...	87,666	23,937	9,408	3,405	18,735	21,924	...	6,462	...	83,871
New Hamp. ....	59,940	8,431	...	1,719	29,506	615	1,260	25,187	126,658	25,754	19,987	14,997	25,498	15,295	3,622	5,078	4,705	114,936
New Jersey ...	189,028	162,987	...	31,795	96,280	2,714	454	18,941	502,199	87,267	46,426	30,960	93,143	98,826	89,290	3,491	34,774	494,177
New Mexico ..	86,492	...	5,073	1,471	68,200	1,771	320	...	163,327	30,371	34,461	2,276	55,101	19,340	...	9,625	...	151,174
New York .....	656,874	227,954	...	37,750	207,746	7,159	279	...	1,137,762	99,157	288,310	16,439	216,149	170,922	91,428	111,008	114,794	1,108,207
No. Carolina ..	384,498	401	...	19,889	185,022	2,376	2,651	...	594,837	89,560	74,593	167,068	121,610	99,488	5,467	30,751	18,000	606,537
No. Dakota ..	50,215	...	4,653	230	48,164	1,778	7,071	...	112,111	18,220	46,207	2,687	13,673	9,559	...	19,356	...	109,702
Ohio .....	578,175	40,807	455	13,589	191,012	5,466	19,141	100,835	949,480	126,013	160,576	21,046	114,211	129,150	33,640	258,832	77,947	921,415
Oklahoma ....	190,937	24,257	11,739	7,598	67,014	3,059	8,110	...	312,714	24,296	89,333	8,414	42,625	32,898	14,364	79,653	5,298	296,881
Oregon .....	153,257	1,177	...	3,810	91,673	28,051	4,831	...	282,799	47,966	57,746	1,128	38,034	37,195	3,374	73,700	2,300	261,443
Pennsylvania ..	745,318	101,405	8	40,472	320,591	5,746	10,586	354,922	1,579,048	200,961	376,376	111,122	307,316	139,563	149,801	119,340	65,259	1,469,738
Rhode Island ..	40,965	3,464	...	432	23,088	555	...	3,764	72,268	2,201	32,999	1,977	12,457	5,510	7,090	387	9,622	72,243
So. Carolina ..	161,588	...	...	111	63,249	1,589	1,624	30,000	258,161	29,102	33,057	53,934	47,744	30,819	5,442	16,874	7,500	224,472
So. Dakota ....	56,204	...	10,604	279	45,720	803	1,688	...	115,298	23,029	35,525	3,708	18,755	15,617	...	13,691	...	110,325
Tennessee .....	284,954	...	3,352	3,568	184,093	4,882	1,603	35,148	517,600	74,493	181,885	23,379	35,764	32,805	7,998	86,510	13,660	456,494
Texas .....	590,654	12,637	7,680	18,849	272,933	5,501	18,252	...	926,506	141,050	301,083	13,787	149,319	136,596	1,335	42,942	4,671	790,783
Utah .....	64,243	...	7,170	259	80,316	970	2,164	...	155,122	61,165	18,528	3,796	17,480	29,054	...	16,948	...	146,971
Vermont .....	46,861	...	...	142	30,621	477	...	6,029	84,130	24,615	9,972	2,279	13,872	11,122	5,585	5,579	8,540	81,564
Virginia .....	372,151	51,812	28,533	12,682	208,560	3,155	11,503	...	688,396	198,746	158,040	16,204	117,323	72,040	14,989	37,948	18,411	633,701
Washington ....	228,129	30,825	...	11,623	124,708	10,202	4,137	...	409,624	84,431	84,221	1,401	76,675	50,267	20,807	72,661	21,767	412,230
West Va. ....	156,532	12,854	42,002	9,602	202,006	8,354	...	100,297	531,647	101,164	132,381	75,022	116,408	27,216	44,439	...	30,602	527,232
Wisconsin .....	227,119	...	...	2,387	94,290	2,559	9,703	17,711	353,769	28,625	120,259	10,701	49,359	39,205	9,937	87,077	17,161	362,324
Wyoming .....	48,027	...	1,395	1,884	57,167	16,519	720	...	125,712	32,141	38,212	2,978	15,722	9,156	...	8,502	...	106,711
Dist. of Col. ...	27,832	...	661	771	40,858	651	...	2,250	73,023	23,985	11,813	2,206	12,429	21,949	6,964	...	4,794	84,140

\*Source: Federal Highway Administration, U.S. Department of Transportation. Compiled for calendar year ending December 31, 1976, from reports of state authorities.

(a) Toll receipts allocated for nonhighway purposes are excluded.  
(b) Par value of bonds issued and redeemed by refunding are excluded.

Table 6  
**APPORTIONMENT OF FEDERAL AID HIGHWAY FUNDS—FISCAL 1978\***  
 (In thousands of dollars)

State or other jurisdiction	Consolidated primary(a)	Rural secondary (a)	Urban system (a)	Interstate (b)	Metro- politan planning (a)	Forest highway fund (c)	Lapsed interstate (d)	Interstate resurfacing (b)	Total (e)
Total .....	\$1,263,025	\$389,043	\$778,083	\$3,251,934	\$29,201	\$33,001	\$12,046	\$170,204	\$6,040,075
Alabama .....	23,895	8,533	9,737	73,683	318	94	283	3,200	119,743
Alaska .....	46,438	21,270	3,890	15,805	146	2,877	...	...	90,426
Arizona .....	15,785	5,482	7,039	84,778	262	1,858	326	4,793	120,323
Arkansas .....	16,711	6,585	4,401	20,357	146	449	78	2,453	57,147
California .....	79,545	13,083	92,192	177,901	3,690	4,726	684	13,207	385,028
Colorado .....	19,265	6,667	8,681	71,027	323	2,370	273	3,948	112,554
Connecticut .....	11,819	2,413	11,868	92,080	508	...	354	1,918	120,960
Delaware .....	6,315	1,945	3,890	15,805	146	...	...	90	28,191
Florida .....	32,749	8,235	26,842	113,069	1,072	192	435	4,421	195,015
Georgia .....	31,089	10,977	13,161	86,643	426	116	333	4,252	146,997
Hawaii .....	6,315	1,945	3,890	39,765	146	...	153	177	52,391
Idaho .....	11,027	4,674	3,890	74,726	146	3,360	53	2,554	41,509
Illinois .....	51,692	11,977	46,354	129,980	1,807	38	500	6,486	248,834
Indiana .....	29,195	9,226	16,579	28,354	543	22	109	4,236	137,885
Iowa .....	25,720	9,931	7,572	33,886	191	...	130	3,126	80,556
Kansas .....	22,811	8,746	6,956	43,337	178	...	167	2,673	84,868
Kentucky .....	21,388	7,795	8,102	74,726	257	68	287	2,996	115,619
Louisiana .....	20,854	6,625	11,708	117,652	404	76	452	2,185	176,658
Maine .....	8,556	3,377	3,890	15,805	146	12	32	1,164	32,982
Maryland .....	17,763	4,253	15,393	123,373	587	...	474	1,936	163,779
Massachusetts .....	21,122	3,518	24,309	55,412	982	...	213	2,131	107,687
Michigan .....	43,863	11,833	32,818	84,936	1,300	354	327	5,460	180,891
Minnesota .....	29,908	10,639	12,349	77,255	443	456	297	3,271	134,618
Mississippi .....	18,513	7,383	4,535	22,759	146	156	88	2,787	56,367
Missouri .....	31,864	10,568	16,151	54,432	584	169	209	4,818	118,795
Montana .....	16,662	7,271	3,890	29,429	146	2,631	113	3,705	63,847
Nebraska .....	17,774	7,063	4,449	15,805	146	31	5	2,117	47,390
Nevada .....	10,648	4,407	3,890	16,121	146	592	62	2,152	38,018
New Hampshire .....	6,315	1,945	3,890	21,463	146	176	83	824	34,842
New Jersey .....	24,465	2,924	32,642	90,183	1,378	...	347	1,245	153,184
New Mexico .....	14,357	5,757	3,890	28,639	146	1,322	110	4,380	58,601
New York .....	72,265	13,030	79,289	154,414	3,274	...	594	4,230	352,394
North Carolina .....	32,695	12,317	10,823	65,116	310	203	250	2,907	124,621
North Dakota .....	12,105	5,234	3,890	15,805	146	...	1	2,436	39,617
Ohio .....	48,432	11,974	40,496	86,927	1,507	18	334	6,706	196,394
Oklahoma .....	21,791	7,915	8,361	15,805	238	23	50	3,099	57,282
Oregon .....	17,626	6,404	6,756	85,821	223	4,546	330	3,572	125,278
Pennsylvania .....	56,970	15,585	41,784	124,164	1,583	88	478	5,418	246,070
Rhode Island .....	6,315	1,945	4,239	28,259	169	...	...	435	41,362
South Carolina .....	17,036	6,400	5,707	21,084	164	108	81	2,751	53,331
South Dakota .....	12,811	5,581	3,890	15,805	146	259	25	2,579	41,096
Tennessee .....	26,628	9,407	11,251	73,430	363	111	282	4,078	125,550
Texas .....	74,090	22,869	44,195	133,836	1,585	104	515	13,880	299,024
Utah .....	10,741	3,877	4,218	36,478	166	1,096	140	2,626	59,342
Vermont .....	6,315	1,945	3,890	15,805	146	59	44	1,122	29,326
Virginia .....	27,205	8,772	14,769	154,952	544	215	596	4,291	211,344
Washington .....	21,424	6,748	12,253	99,287	455	2,294	382	3,618	146,461
West Virginia .....	12,573	4,994	3,890	70,364	146	130	271	1,097	93,465
Wisconsin .....	28,688	9,581	14,279	28,038	468	185	108	2,533	83,880
Wyoming .....	9,892	4,344	3,890	15,805	146	1,408	48	4,029	39,562
Dist. of Col. ....	2,213	...	3,932	140,474	171	...	540	92	147,422
Puerto Rico .....	10,787	3,074	7,433	...	246	9	...	...	21,549

\*Source: Federal Highway Administration, U.S. Department of Transportation.

(a) Apportioned July 1, 1977.

(b) Apportioned October 27, 1976.

(c) Apportioned July 1, 1977. These funds are limited to those forest highways which are on a federal aid system as provided in Section 141 of the 1970 Federal Aid Highway Act.

(d) Apportioned November 3, 1976.

(e) Includes special urban high-density traffic program funds allocated to these states: Arkansas, \$5,967; Indiana, \$49,621; and Texas, \$7,950; and priority primary (discretionary) funds allocated to these states: Florida, \$8,000; Louisiana, \$16,702; and New York, \$25,298.

Table 7  
URBAN MASS TRANSPORTATION ADMINISTRATION:  
DISTRIBUTION OF FUNDS\*  
(Fiscal 1965-76 and fiscal 1977)

State or other jurisdiction	Capital Improvement: Section 3		Capital & Operating Assistance: Section 5		Technical Studies: Section 9		Elderly and Handicapped: Section 16(b)(2)	
	Fiscal 1965-76	Fiscal 1977	Fiscal 1965-76	Fiscal 1977	Fiscal 1965-76	Fiscal 1977	Fiscal 1965-76	Fiscal 1977
Alabama .....	\$ 6,023,568	...	\$ 2,092,028	\$ 2,202,196	\$ 771,533	\$ 290,152	\$ 327,136	...
Alaska .....	3,425,654	...	...	548,894	191,296	35,000	90,792	...
Arizona .....	14,225,377	\$ 4,826,724	3,275,746	7,178,834	1,160,554	270,000	220,012	...
Arkansas .....	3,214,057	...	432,634	582,287	441,642	121,000	464,056	\$ 369,432
California .....	684,908,585	99,664,954	87,925,058	113,130,759	31,415,788	6,100,300	2,055,588	999,980
Colorado .....	28,159,253	30,917,720	7,612,406	1,786,169	3,473,461	662,500	245,256	158,716
Connecticut .....	147,345,169	3,167,840	2,055,085	12,255,445	955,150	97,048	261,000	...
Delaware .....	6,440,275	...	1,304,008	1,516,209	466,825	147,000	...	4,080
Florida .....	63,914,452	19,249,896	14,014,340	15,283,077	7,760,484	1,842,000	699,000	...
Georgia .....	557,437,408	140,816,668	6,328,848	5,435,573	10,368,246	954,872	...	...
Hawaii .....	27,442,270	2,000,000	...	5,170,101	3,270,592	346,000	131,596	...
Idaho .....	667,808	...	225,073	262,304	164,270	...	158,000	...
Illinois .....	578,667,780	170,488,844	50,554,685	57,123,403	17,879,149	2,774,542	838,032	910,410
Indiana .....	23,032,690	755,848	9,831,445	9,194,068	1,438,768	570,000	411,880	418,638
Iowa .....	11,270,389	4,864,308	1,380,738	2,631,700	725,999	239,500	285,004	332,000
Kansas .....	2,548,071	...	2,068,440	746,103	424,420	131,000	435,712	282,892
Kentucky .....	23,740,477	8,900,908	5,218,615	5,798,903	910,865	298,048	421,700	...
Louisiana .....	30,404,493	...	1,808,752	5,816,903	3,114,397	300,000	417,600	465,000
Maine .....	2,853,514	447,232	433,762	530,646	403,013	33,484	169,904	187,732
Maryland .....	287,746,840	106,530,657	17,491,145	14,904,842	6,458,856	567,520	608,792	296,424
Massachusetts .....	427,612,233	56,422,332	17,413,646	22,184,072	8,796,715	1,657,460	443,548	...
Michigan .....	81,208,874	18,666,052	33,471,223	33,474,557	6,007,941	2,366,000	639,280	...
Minnesota .....	61,710,549	6,213,324	9,184,938	9,856,974	4,191,258	770,000	411,880	281,440
Mississippi .....	2,768,440	...	355,004	389,675	288,627	112,000	408,164	307,096
Missouri .....	233,850	547,200	12,245,084	7,917,264	4,879,804	1,342,300	453,932	508,104
Montana .....	343,312	717,756	...	366,914	143,633	74,000	99,452	150,344
Nebraska .....	11,370,186	946,392	1,354,120	2,256,227	652,460	167,000	22,616	129,432
Nevada .....	...	...	...	92,302	306,824	81,660	125,844	12,380
New Hampshire .....	2,746,112	...	...	456,322	252,400	35,640	125,596	122,580
New Jersey .....	211,644,709	45,053,336	12,936,019	359,182	1,751,300	...	585,536	609,100
New Mexico .....	6,187,742	...	...	...	332,800	103,000	182,264	243,280
New York .....	1,134,358,851	346,371,852	123,416,757	132,897,081	34,971,861	6,472,000	1,947,668	1,439,560
North Carolina .....	13,434,822	1,888,240	2,541,331	1,846,817	1,086,636	428,240	867,772	206,984
North Dakota .....	499,412	631,436	...	660,408	70,600	53,000	144,000	150,000
Ohio .....	100,405,314	67,887,144	42,485,038	24,180,997	6,747,586	2,447,456	756,560	...
Oklahoma .....	5,270,481	...	1,483,139	2,869,715	754,436	148,000	384,400	...
Oregon .....	46,428,998	1,340,688	5,490,716	4,862,141	2,565,051	440,000	248,300	265,624
Pennsylvania .....	370,731,330	39,422,798	47,313,326	36,242,270	15,409,617	2,452,796	1,093,400	186,648
Rhode Island .....	3,684,926	4,057,240	4,396,277	2,591,529	532,086	56,000	158,816	...
South Carolina .....	157,788	...	...	...	577,797	154,440	228,208	...
South Dakota .....	...	...	...	110,843	119,200	47,000	66,236	165,032
Tennessee .....	17,617,597	8,467,216	6,833,153	7,387,434	1,030,260	366,000	433,420	408,684
Texas .....	64,943,418	24,071,752	22,378,309	19,842,383	9,061,737	2,191,000	932,000	...
Utah .....	18,626,018	...	...	4,771,974	788,521	183,184	150,912	165,988
Vermont .....	571,466	200,000	...	...	179,000	119,588	...	...
Virginia .....	32,054,898	1,851,752	7,933,570	10,344,753	1,611,807	331,200	397,852	315,532
Washington .....	114,245,219	5,177,032	1,243,318	8,889,269	5,081,709	867,600	351,760	344,900
West Virginia .....	76,159,069	51,232	1,646,194	1,457,251	877,529	116,000	...	...
Wisconsin .....	34,967,868	2,399,548	2,561,330	6,944,768	2,170,901	747,096	632,148	...
Wyoming .....	...	...	...	...	20,000	...	81,744	...
Dist. of Col. ....	8,637,250	17,400,000	8,355,404	8,093,881	8,643,364	2,057,486	156,652	...

\*Source: Urban Mass Transportation Administration, U.S. Department of Transportation. Information refers to sections in the Urban Mass Transportation Act of 1964, as amended:

Section 3—*Capital Improvement Grants* are made to public agencies and provide 80% of the cost of new system equipment, property acquisition, construction and modernization of transit facilities.

Section 5—*Operating Assistance Grants* are made to public agencies and cover up to 50% of the operating deficits involved in providing transit service and 80% of the cost for annual routine bus and related equipment replacements.

Section 9—*Technical Studies Grants* are made to public agencies and provide 80% of the cost of transportation planning, engineering surveys, and designing and evaluation of urban transportation projects.

Section 16(b)(2)—*Capital Assistance Grants to Support Transit for Elderly and Handicapped Riders* provide funds to private nonprofit organizations for providing transit services for elderly and handicapped persons where existing transportation services are unavailable, insufficient, or inappropriate for elderly and handicapped persons. Section 3 funds are also available to public agencies for elderly and handicapped transportation services.

Grants may cover more than one year's program activities; therefore, some states may not have fiscal 1977 funds in specific grant categories.



Table 8  
STATE NO-FAULT MOTOR VEHICLE INSURANCE LAWS\*

State	Purchase of first-party benefits	Minimum tort liability threshold(a)	Maximum first-party (no-fault) benefits			
			Medical	Income loss	Replacement services	Survivors/funeral benefits
Arkansas	Optional	None	\$2,000 if incurred within 2 yrs.	10% of lost income up to \$140/wk. beginning 8 days after accident, for up to 52 wks.	Up to \$70/wk. beginning 8 days after accident, for up to 52 wks.	\$5,000
Colorado	Mandatory	\$500	\$25,000 if incurred within 3 yrs. (additional \$25,000 for rehabilitation)	Up to \$125/wk. for up to 52 wks.	Up to \$15/day for up to 52 wks.	\$1,000
Connecticut	Mandatory	\$400	Limited only by total benefits limit	85% of actual loss for income loss & replacement services up to \$200/wk.		85% of actual loss for income loss & replacement services up to \$200/wk. Funeral benefit: \$2,000
\$5,000 overall max. on first-party benefits						
Delaware	Mandatory	None; but amt. of no-fault benefits received cannot be used as evidence in suits for general damages	Limited only by total benefit limit, but must be incurred within 2 yrs.	\$100 of loss; no weekly max.	Limited only by total benefits limit	Funeral benefit: \$2,000
\$10,000 per person, \$20,000 per accident overall max. on first-party benefits						
Florida	Mandatory	No dollar threshold(b)	80% of all costs	50% of loss; no weekly max.	Limited only by total benefits limit	Funeral benefit: \$1,000
\$5,000 overall max. on first-party benefits						
Georgia	Mandatory	\$500	\$2,500	85% of lost income up to \$200/wk.	\$20/day	Max. wage loss & replacement services amounts. Funeral benefit: \$1,000
\$5,000 overall max. on first-party benefits						
Hawaii	Mandatory	Floating threshold set annually by insurance commissioner.	Limited only by total benefits limit(c)	Up to \$800/month for income loss and replacement services (c)		Up to \$800/month for income loss & replacement services. Funeral benefit: \$1,500
\$15,000 overall max. on first-party benefits						
Kansas	Mandatory	\$500	\$2,000 (additional \$2,000 for rehab.)	85% of lost income up to \$650 a month for 1 yr.	\$12/day for 1 yr.	Up to \$650/month for lost income & \$12/day for replacement services, less disability payments received, for up to 1 yr. Funeral benefit: \$1,000
\$10,000 overall max. on first-party benefits						
Kentucky	(d)	\$1,000	Limited only by total benefits limit	85% of lost income (more if tax advantage is less than 15%) up to \$200/wk.	Up to \$200/wk.	Up to \$200/wk. each for survivors' economic loss & survivors' replacement services loss. Funeral benefit: \$1,000
\$10,000 overall max. on first-party benefits						
Maryland	Mandatory	None	Limited only by total benefits limit, but must be incurred within 3 yrs.	100% of loss; no weekly max.	Limited only by total benefits limit; only for services usually performed by nonincome-earners	Funeral benefit: limited only by total benefits limit
\$2,500 overall max. on first-party benefits for expenses incurred within 3 yrs. of accident						
Massachusetts(e)	Mandatory	\$500	Limited only by total benefits limit, if incurred within 2 yrs.	Up to 75% of actual loss	Limited only by total benefits limit; payments made to nonfamily members	Funeral benefit: limited only by total benefits limit
\$2,000 overall max. on first-party benefits						
Michigan(e)	Mandatory	No dollar threshold(f)	Unlimited	85% of lost income up to \$1,285/30-day period for up to 3 yrs.; max. amount adjusted annually for cost of living	\$20/day for 3 yrs.	Up to \$1,000/30-day period for lost income & \$20/day for replacement services, for up to 3 yrs. Funeral benefit: \$1,000

\*Source: National Conference of State Legislatures.

(a) Refers to minimum amount of medical expenses necessary before victim can sue for general damages ("paid and suffering"). Lawsuits allowed in all states for injuries resulting in death and permanent disability. Some states allow lawsuits for one or more of the following: serious and permanent disfigurement, certain temporary disabilities, loss of body member, loss of certain bodily functions, certain fractures, or economic losses (other than medical) which exceed stated limits.

(b) Victim cannot sue for general damages unless injury results in one of the following: death; loss of body member; permanent loss of bodily function; permanent injury other than scarring or disfigurement; significant permanent scarring or disfigurement; serious nonpermanent injury that has a material bearing on the victim's ability to resume his normal activity and life-style during all or substantially all of the 90-day period after the injury, if the effects of the injury are medically or scientifically demonstrable at the end of that period. Before 1976, Florida had a \$1,000 tort threshold.

**Table 8—Concluded**  
**STATE NO-FAULT MOTOR VEHICLE INSURANCE LAWS\***

State	Purchase of first-party benefits	Minimum tort liability threshold(a)	Maximum first-party (no-fault) benefits			
			Medical	Income loss	Replacement services	Survivors/funeral benefits
Minnesota .....	Mandatory	\$2,000	\$20,000	85% of lost income up to \$200/wk.	\$15/day, beginning 8 days after accident	Up to \$200/wk. each for income loss & replacement services. Funeral benefit: \$1,250
Nevada .....	Mandatory	\$750	Limited only by total benefits limit	85% of lost income up to \$175/wk.	Up to \$18/day for up to 104 wks.	At least \$5,000 but not more than 1 yr.'s disability benefits. Funeral benefit: \$1,000
New Jersey .....	Mandatory	\$200	Unlimited	100% of lost income up to \$100/wk. for 1 yr.	Up to \$12/day up to a max. of \$4,380/person	100% of lost income up to \$100/wk. & \$12/day for replacement services. Up to difference between aggregate amount payable & amount received by victim. Funeral benefit: \$1,000
New York .....	Mandatory	\$500	Limited only by total benefits limit	80% of lost income up to \$1,000/month for 3 yrs.	\$25/day for 1 yr.	None
North Dakota .....	Mandatory	\$1,000	Limited only by total benefits limit	85% of lost income up to \$150/wk.	\$15/day	85% of lost income up to \$150/wk. & \$15/day for replacement services. Funeral benefit: \$1,000
Oregon .....	Mandatory	None	\$5,000, if incurred within 1 yr.	70% of lost income up to \$750/month for up to 52 wks., only if victim is disabled at least 14 days	Up to \$18/day for up to 52 wks., only if victim is disabled at least 14 days	Funeral benefit: \$1,000
Pennsylvania .....	Mandatory	\$750	Unlimited	Up to \$15,000(g)	Up to \$25/day for 1 yr.	Income loss & replacement services benefits up to \$5,000. Funeral benefit: \$1,500
South Carolina .....	Mandatory	None	Limited only by total benefits limit if incurred within 3 yrs.	100% of lost income. No weekly limit	Limited only by total benefits limit	Funeral benefit: limited only by total benefits limit
South Dakota .....	Optional	None	\$2,000 if incurred within 2 yrs.	\$60/wk. for up to 52 wks., only if victim is disabled at least 14 days	\$30/wk. for up to 52 wks., only if victim is disabled at least 14 days. Benefits to nonwage-earning named insureds only	\$10,000 death benefit if death occurs within 90 days of accident
Texas .....	Optional	None	Limited only by total benefits limit if incurred within 3 yrs.	100% of lost income; no weekly limit	Limited only by total benefits limit. Payable only to nonwage-earners	Limited only by total benefits limit
Utah .....	Mandatory	\$500	\$2,000	85% of lost income up to \$150/wk. for up to 52 wks. 3-day waiting period which does not apply if disability lasts longer than 14 days	\$12/day for up to 365 days. 3-day waiting period which does not apply if disability lasts longer than 14 days	\$2,000 death benefit. Funeral benefit: \$1,000
Virginia .....	Optional	None	\$2,000 if incurred within 1 yr.	100% of lost income up to \$100/wk. for up to 52 wks.	None	Funeral benefit: included in medical benefit

(c) Income loss not payable to public assistance recipients receiving free insurance.

(d) Accident victim is not bound by tort restriction if (1) he has rejected the tort limitation in writing or (2) he is injured by a driver who has rejected the tort limitation in writing. Rejection bars recovery of first-party benefits.

(e) Liability for property damage for all states with no-fault insurance is under the state tort system. Michigan and Massachusetts

have no tort liability for vehicle damage.

(f) Victim cannot sue for general damages unless injuries result in death, serious impairment of bodily function, or serious permanent disfigurement.

(g) Maximum monthly income loss benefit of \$1,000 times the relationship of the average Pennsylvania per capita income to the average U.S. per capita income; or 100% of income loss if income is disclosed prior to accident.

Table 9  
MOTOR VEHICLE LAWS\*  
As of January 1977

State or other jurisdiction	Age for driver license		Driver license renewal (in years)	Financial responsi- bility law (a)	Has no-fault insurance law	Safety inspection	Chemical test for intoxi- cation (b)
	Regular	Restrictive					
Alabama	16	14(c)	4	*	...	(d)	*
Alaska	18	16(e)	3	*	...	Spot	*
Arizona	18	16(e)	3	*	...	...	*
Arkansas	18	14(e)	2	*	*	*	*
California	18	16(f)	4	*(g)	...	Spot	*
Colorado	21	16(f)	3	*	*(g)	*	*
Connecticut	18	16(f)	2	*	*(g)	Spot	*
Delaware	18	16(f)	4	*	*(g)	*	*
Florida	18	15(e)	4	*	*(g)	*	*
Georgia	18	16(e)	4	*(g)	*	*	*
Hawaii	18	15(e)	2 or 4	*	*	*	*
Idaho	16	14(f)	3	*(g)	...	...	*
Illinois	18	16(e,f)	3	*	...	Trucks only	*
Indiana	18	16(e,f)	4	*	...	*	*
Iowa	18	16(f)	2 or 4	*	...	Spot(h)	*
Kansas	16	14	4	*	*(g)	*(h)	*
Kentucky	18	16(e)	2	*	*	*	*
Louisiana	17	15	2	*	...	*	*
Maine	17	15(f)	2	*	...	*	*
Maryland	18	16(e,f)	4	*	*(g)	*(h)	*
Massachusetts	18	16½(e,f)	4	*(g)	*(g)	*	*
Michigan	18	16(e,f)	2, 3 or 4	*	*(g)	Spot	*
Minnesota	18	16(f)	4	*	*(g)	Spot(d)	*
Mississippi	15	...	2	*	...	*	*
Missouri	16	15½(f)	3	*	...	*	*
Montana	18	15(e,f)	4	*	...	*	*
Nebraska	16	14	4	*	...	*	*
Nevada	18	16(e)	4	*	*(g)	*	*
New Hampshire	18	16(f)	4	*	...	*	*
New Jersey	17	16	1 or 3	*(i)	*(g)	*	*
New Mexico	16	15(f)	2	*(j)	...	*	*
New York	18	16(e,f)	4	*(g,j)	*(g)	*	*
North Carolina	18	16(e,f)	4	*(g)	*	*	*
North Dakota	16	14(e,f)	2 or 4	*(g,i,j)	*(g)	Spot	*
Ohio	18	16(f)	4	*	...	Spot	*
Oklahoma	16	15½(f)	2	*(g)	...	*	*
Oregon	16	14	4	*	*(g)	Spot	*
Pennsylvania	18	16(e,f)	2	*	*	*	*
Rhode Island	18	16(f)	2	*	...	*	*
South Carolina	16	15	4	*(g)	*	*	*
South Dakota	16	14	4	*	*	*	*
Tennessee	16	14	2	*	...	(d)	*
Texas	18	16(f)	4	*(j)	...	*	*
Utah	16	...	4	*	*(g)	*	*
Vermont	18	16	2	*	*	*	*
Virginia	18	16(e,f)	4	*	...	*	*
Washington	18	16(f)	2	*	...	Spot	*
West Virginia	18	16(e)	4	*	...	*	*
Wisconsin	18	16(f)	2	*	...	Spot	*
Wyoming	18	16(e)	3	*	...	*	*
Dist. of Columbia	18	16(e)	4	*	...	*	*
Guam	18	16(e)	3	*	...	*	...
Puerto Rico	18	16(e)	4	*	...	*	*
Virgin Islands	18	...	3	*(g)	...	*	*

\*Compiled from data supplied by the American Automobile Association.

(a) Security and/or future proof requirements.

(b) All jurisdictions have law containing implied consent provision except District of Columbia and Guam. In Maryland, express consent for residents, implied consent for nonresidents.

(c) Restricted to motor-driven cycle, 5 h.p., 200 lb. maximum.

(d) Certain or all cities may provide for compulsory inspection.

(e) Under "Regular" age, need consent of parent or guardian.

(f) Must have completed approved driver education course.

(g) Compulsory insurance.

(h) Iowa: required prior to first registration and on all transfers; Kansas: required upon resale, accident, and new title vehicle; Maryland: used passenger cars, ½ and ¾ ton trucks, and camping and travel trailers up to 35 feet in length, upon resale or transfer.

(i) Unsatisfied claim and judgment fund.

(j) Mandatory uninsured motorist coverage.

Table 10  
MOTOR VEHICLE OPERATORS AND CHAUFFEURS LICENSES—1977\*

State or other jurisdiction	Operators licenses			Chauffeurs licenses			Estimated total licenses in force during 1976 (a)
	Years for which issued	Renewal date	Amount of fees	Years for which issued	Renewal date	Amount of fees	
Alabama	4	Birthday	\$ 9.00	...	...	...	1,944,155(e)
Alaska	3	Birthday	5.00	...	...	\$ 5.00	208,397
Arizona	3	Birthday	5.00	3	Birthday	7.50	1,326,436
Arkansas	2	Birth month	6.00	1	Birth month	5.00	1,312,403
California	4	Birthday	3.25	4	Birthday	3.25	13,564,000
Colorado	3	Birthday	2.25	3	Birthday	2.25	1,689,795
Connecticut	2	Birth month	10.00	2	Birth month	5.00	1,860,781
Delaware	4	Birthday	10.00	1	May 31	1.00	373,774
Florida	4	Birthday	6.50	4	Birthday	10.50	5,673,691
Georgia	4	Birthday	4.50	4	Birthday	8.50	3,038,079(e)
Hawaii	2 or 4(b)	Birthday	2.00 or 4.00(b)	2 or 4(b)	Birthday	2 or 4(b)	517,667
Idaho	3	Birthday	7.00	3	Birthday	9.00	522,944
Illinois	3	Birthday	8.00	3	Birthday	8.00	6,389,533
Indiana	4	Birth month	6.00	1	Birth month	2.50	3,337,783
Iowa	2 or 4(c)	Birthday	5.00 or 10.00(c)	2 or 4(c)	Birthday	10.00 or 20.00(c)	1,883,513
Kansas	4	Birthday	6.00	4	Birthday	10.00	1,671,609
Kentucky	2	Birth month	4.00	2	Birth month	2.00	1,910,041†
Louisiana	2	Birthday	3.50	2	Issuance	9.00	2,121,974
Maine	2	Birthday	5.00	2	Birthday	5.00	627,962
Maryland	4	Birthday	6.00	4	Birthday	6.00	2,440,554
Massachusetts	4	Birthday	10.00	1	Issuance	2.50	3,554,287(e)
Michigan	2, 3 or 4	Birthday	3.75, 4.50, or 6.00	2, 3 or 4	Birthday	8.00, 11.00 or 14.50	5,949,949
Minnesota	4	Birthday	5.50	4	Birthday	2.50	2,416,869(e)
Mississippi	2	Birth month	5.00	2	Birth month	9.25	1,456,039
Missouri	3	Issuance	3.00	3	Issuance	10.00	2,971,765
Montana	4	Birthday	8.00	4	Birthday	8.00	514,426
Nebraska	4	Birthday	6.00	...	...	...	1,063,910(e)
Nevada	4	Birthday	6.00	4	Birthday	6.00	418,704
New Hampshire	4	Birthday	12.00	4	Birthday	12.00	534,094
New Jersey	1 or 3	Issuance	4.00 or 11.00	(d)	(d)	15.00	4,323,242†
New Mexico	2	Birth month	3.75	1	Birth month	3.25	735,172
New York	4	Birth month	4.00	4	Birth month	8.00	8,832,000(e)
North Carolina	4	Birthday	4.00	2	Birthday	5.00	3,294,096
North Dakota	4	Birth month	8.00	4	Birth month	8.00	372,554
Ohio	4	Birthday	5.00	4	Birthday	5.00	7,545,084
Oklahoma	2	Birth month	7.00	2	Birth month	11.00	1,720,912
Oregon	4	Birthday	9.00	4	Birthday	2.50	1,551,356
Pennsylvania	2	Birth month	10.00	1	Issuance	None	6,861,134
Rhode Island	2	Birthday	8.00	2	Birthday	8.00	528,512
South Carolina	4	Birthday	2.00	1	January 1	2.00	1,566,027†
South Dakota	4	Birthday	6.00	...	...	...	417,698
Tennessee	2	Birthday	4.00	2	Birthday	6.00	2,430,363
Texas	4	Birthday	7.00	2	Birthday	13.00	7,509,497
Utah	4	Birthday	5.00	4	Birthday	5.00	729,193
Vermont	2	Birthday	8.00	...	...	...	309,940(e)
Virginia	4	Birth month	9.00	1	Birth month	6.00	3,017,481
Washington	2	Birthday	7.00	2	Birthday	12.50	2,176,585
West Virginia	4	Issuance	5.00	1	Issuance	3.00	1,262,038
Wisconsin	2	Birthday	4.00	1	Birthday	4.00	2,721,284†
Wyoming	3	Birthday	2.50	3	Birthday	2.50	280,057
Dist. of Col.	4	Issuance	12.00	...	...	...	335,515
Guam	3	Birthday	5.00	...	...	...	N.A.
Puerto Rico	4	Issuance	10.00	...	...	...	N.A.
Virgin Islands	3	Birthday	9.00	...	...	...	N.A.

\*Sources: American Automobile Association, *Digest of Motor Laws—1977*, and Federal Highway Administration, U.S. Department of Transportation, *1976 Driver License: Administration Requirements and Fees*.

†Chauffeurs licenses have not been added to operators licenses in the states that require an operators license in addition to a chauffeurs license.

N.A.—not available.

(a) Allowance has been made for deaths, emigration, and revocations in the states that were able to do so.

(b) Two years at \$2 per persons 15-24 years old and 65 years old and over; 4 years at \$4 for persons 25-64 years old.

(c) Two years at \$5 for operators licenses and \$10 for chauffeurs licenses for persons 16-20 years old and 65 years old and over; 4 years at \$10 for operators and \$20 for chauffeurs 21-64 years old.

(d) Issued for an indefinite period, but evidence of physical fitness, good character, and experience must be furnished every 12 months.

(e) Data not available from state. Estimated by Federal Highway Administration.

### 3. Human Services

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#### STATE HEALTH AGENCY PROGRAMS

by Jonathan Bromberg and Ronald E. Whorton\*

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PUBLIC HEALTH PROGRAMS of state health agencies (SHAs) may be classified into six program areas—personal health, environmental health, health resources, laboratory, general administration and services, and funds to local health departments not allocated to program areas. In addition, some state health agencies are designated within their states to administer the Medicaid program for providing the poor and near-poor with health care. Since it is primarily a payment program, Medicaid is treated here as public welfare rather than public health.

This chapter presents a brief summary of public health programs of state health agencies, but does not report public health activities of other state agencies. Information is based on data collected on such programs by the Association of State and Territorial Health Officials (ASTHO) through its National Public Health Program Reporting System (NPHPRS).<sup>1</sup>

##### Expenditures

Public health expenditures of 54 SHAs<sup>2</sup> were \$3 billion in fiscal 1976, an increase of about 15 percent over the \$2.6 billion reported by those SHAs for 1975. The distribution of these expenditures to the six program areas is displayed in Table 1.

Among the individual SHAs, the range of expenditures for public health programs was from \$4 million to \$858 million. This large spread in expenditures is related both to the variation in state populations and to the wide variation in responsibilities of these agencies. While some SHAs have responsibility only for traditional public health services, others have such additional responsibilities as the provision of services for mental health and for the operation of hospitals and other institutions. Furthermore, the balance of responsibility between state and local governments for public health services varies greatly from one state to the next.

Of the \$3 billion in public health expenditures, \$2.3 billion — three fourths of the total — was used for personal health programs, with \$732 million of that amount spent for the operation of hospitals and other institutions by 21 SHAs. Expenditures for each of the other program areas ranged from about \$100 million to \$200 million.

##### Sources of Funds

The funds for public health programs come from state, federal, and local and other sources. These sources provided 63 percent, 28 percent, and 9 percent, respectively, of the \$3 billion expended for public health programs.

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Examination of the sources of funds by program area reveals a varied pattern of support. While state funds always were the largest source of funds for each program area, federal funds also were of great significance. For example, funds from the federal government accounted for over 42 percent of the expenditures for health resources programs. Table 2 displays the distribution of the major sources of funds, by program area.

Funds from state sources for the 54 SHAs increased from \$1.65 billion in 1975 to \$1.88 billion in 1976, an increase of about 14 percent. Federal sources provided SHAs with nearly \$840 million in 1976, a 23 percent increase over the \$684 million in such funds reported for 1975. Most prominent among the various federal sources of funds were Maternal and Child Health, Title V, Social Security Act (\$178 million), the Department of Agriculture's supplemental food program for Women, Infants and Children (\$130 million); and the Comprehensive Public Health Services Formula Grants, Section 314(d)(7)(A), Public Health Service Act (\$71 million). The 314(d) funds are the only federal formula grants to SHAs which are not tied to specific program categories. These funds are particularly valuable to the states since they can be used to meet public health needs as seen by the individual states. Table 4 provides a comprehensive display of the individual sources of funds for public health programs, by program area.

### **Personal Health**

Expenditures for personal health programs of SHAs were \$2.3 billion in 1976, about three fourths of all their public health program expenditures. The personal health programs of SHAs have been placed into nine program categories — general and supporting, maternal and child health, crippled children, communicable disease, dental health, chronic disease, mental health and related areas, SHA-operated institutions, and other personal health. The most important of these categories in terms of funds expended were: SHA-operated institutions (\$732 million), maternal and child health (\$475 million), and mental health and related areas (\$426 million). Figure 1 displays the personal health program expenditures of SHAs by program category.

In addition to SHA-operated institution programs, other personal health programs provided inpatient care by purchasing hospital services. It is not possible to state with precision the magnitude of the expenditures of SHAs for this purchased care; however, NPHPRS has estimated \$393 million in such expenditures. This figure, added to the \$732 million expended for all services of SHA-operated institution programs, indicates that SHA expenditures for hospital and other institutional services are of the order of magnitude of \$1.1 billion—about one half of all personal health expenditures.

While the SHA programs provided general services for protection of the health and well-being of the entire population, they also provided direct personal health services to an estimated 58 million persons—one of every four Americans. The services most often provided were health screening to 41.1 million persons, clinic outpatient and other ambulatory services to 8.5 million persons, and immunizations to 7.8 million persons. Inpatient care was provided to 0.5 million persons. The program categories which provided services to the greatest number of persons were maternal and child health programs (21.6 million) and communicable disease programs (19 million) (Table 3).

### **Environmental Health**

Historically, environmental health services were provided by state and local health departments. With the growing national concern over environmental threats has come the

creation of new state and local agencies whose primary purpose is the protection of the environment. After the federal government created the Environmental Protection Agency in 1970, some states reorganized their own agencies in line with the federal model, thereby divesting SHAs of such functions as water pollution control and solid waste management. As a result of these shifts, environmental health responsibilities and services of SHAs now vary widely.

For 1976, 50 SHAs reported environmental health programs with expenditures of \$183 million (excluding capital expenditures), a 20 percent increase over the \$153 million reported for like programs of the same SHAs for 1975.

The environmental health program area has seven categories—consumer protection and sanitation, water, air quality control, solid waste management, occupational safety and health, radiation control, and general environmental health. Figure 2 displays the environmental health expenditures of SHAs, by program category.

The types of activities carried out by these programs include standard-setting, enforcement of laws and regulations, conducting environmental planning studies, and preparing environmental impact statements.

Certain environmental health activities are common to most SHAs. Taken together, the environmental health programs of SHAs made 3.9 million field inspections; trained some 234,000 persons; issued licenses, permits, or registrations for more than 1.5 million persons or establishments; and took more than 405,000 enforcement actions.

### **Health Resources**

As a result of the growth in national concern over the cost, accessibility, and quality of health care, many new initiatives have been undertaken by state, federal, and local governments to deal with these problems. Most prominent is the Health Planning and Resources Development Act of 1974 (P.L. 93-641) which created the national complex of local Health Systems Agencies (HSAs) and State Health Planning and Development Agencies (SHPDAs). In addition, as of early 1978, the Carter Administration was working on health care cost containment legislation and a national health insurance plan. A variety of other legislative actions such as certificate of need and professional standards review organizations are attempts at solving some of the perceived problems with our nation's health resources.

Fifty-four SHAs reported health resources programs with expenditures of \$194 million (excluding capital expenditures), an increase of about 18 percent over the \$164 million reported for like programs of the same SHAs for 1975. Figure 3 displays the health resources expenditures of SHAs by program category. In terms of funds expended, the most prominent were health facilities and services regulation (\$82 million), emergency medical services (\$34 million), and health statistics (\$33 million).

Nearly 48 percent of the funds for health resources programs came from state sources, over 42 percent from federal funds, and about 10 percent from other sources.

### **Laboratories**

All SHAs provide laboratory services, and 52 reported one or more separate laboratory programs for 1976, with expenditures of \$97 million, a 7 percent increase over the \$91 million reported by the same SHAs for like programs in 1975.

NPHPRS classifies laboratory programs into the following categories: general laboratory, clinical laboratory, environmental health laboratory, laboratory improvement,

medical examiner, and toxicology. Most were reported as general laboratory programs with expenditures of \$74 million. Nine SHAs reported clinical laboratory programs with expenditures totaling \$10 million, and seven reported environmental health laboratory programs with total expenditures of \$6 million.<sup>3</sup>

### Local Health Departments

While SHAs are the focal points for the statewide coordination, planning and delivery of public health services, in most states it is the local health departments (LHDs) that provide the bulk of direct services to the nation's population. In a few states there are no LHDs, and SHAs provide all direct public health services. In states which have LHDs, there are wide variations in the relationships between SHAs and LHDs. These range from strong control on the part of SHAs over the budgets and activities of LHDs to complete autonomy of LHDs.<sup>4</sup>

For the NPHPRS study, 43 of the 54 participating SHAs reported a total of 3,273 LHDs in their states. No LHDs were reported for the District of Columbia or the territories, and five SHAs (Delaware, New Mexico, Rhode Island, South Carolina, and Wyoming) reported that, using the NPHPRS definition of LHD, there were no LHDs in their states. Most of the LHDs are small agencies with only a few full-time employees. However, a number of them are large local agencies with thousands of employees and budgets ranging up to hundreds of millions of dollars.

SHAs reported that they granted a total of \$729 million to LHDs in their states. Most of those funds were spent for personal health and environmental health programs, and are reflected in the totals reported for those program areas. Twelve SHAs were unable to provide an allocation of \$136 million in funds which they granted to LHDs, thereby leaving a program area called "funds to LHDs not allocated to program areas."

Several SHAs were able to provide a reasonably comprehensive picture of the expenditures of LHDs in their states. For those states, it seems that for each dollar which the SHA granted to LHDs, the LHDs spent an additional amount of about two dollars which they received from other sources such as local governments, fees, and direct federal grants.

### Medicaid

Title XIX of the Social Security Act requires the designation of a single state agency to administer the state plan for the medical assistance program (Medicaid) in each state. Nine of the reporting SHAs were the Medicaid Single State Agencies for their states in 1976. Together, these SHAs spent a total of \$3 billion for their Medicaid programs. This amount represents about 20 percent of the \$14.7 billion in total Medicaid expenditures of all Medicaid Single State Agencies in the nation.<sup>5</sup> These funds are entirely separate from the public health expenditures discussed in this article.

Nearly one half of the \$3 billion in SHA expenditures for the Medicaid Single State Agencies programs came from the federal government as Title XIX grants, 41 percent came from state sources of funds, and 11 percent came from local and other sources of funds. (For further information see Medicaid section in the chapter "Public Welfare and Services for the Aging.")

### Footnotes

1. ASTHO/NPHPRS, *Comprehensive NPHPRS Report: Services, Expenditures and Programs of State and Territorial Health Agencies—Fiscal Year 1976* (Washington, D.C.: April 1978).

2. There are 56 SHAs—the 50 states, the District of Columbia, American Samoa, Guam, Puerto Rico, the Trust Territory, and the Virgin Islands. SHAs in Ohio and Puerto Rico did not report to NPHPRS for fiscal 1976;



therefore, all data here pertains to 54 SHAs and any comparisons made with fiscal 1975 figures relate to the same 54 SHAs.

3. Further details on state laboratory programs are available in ASTHO/DHEW, *Consolidated Annual Report on State and Territorial Public Health Laboratories, Fiscal Year 1976* (Washington, D.C.: U.S. Department of Health, Education, and Welfare, 1976).

4. C.A. Miller, et al., "Local Public Health Departments and Their Directors," *American Journal of Public Health*, 67:931-939, 1977.

5. *Medicaid Statistics, Fiscal Year 1976* (Washington, D.C.: U.S. Department of Health, Education, and Welfare, 1977).

Figure 1  
PERSONAL HEALTH PROGRAM EXPENDITURES OF STATE HEALTH AGENCIES,  
BY PROGRAM CATEGORY, FISCAL 1976  
(In millions)

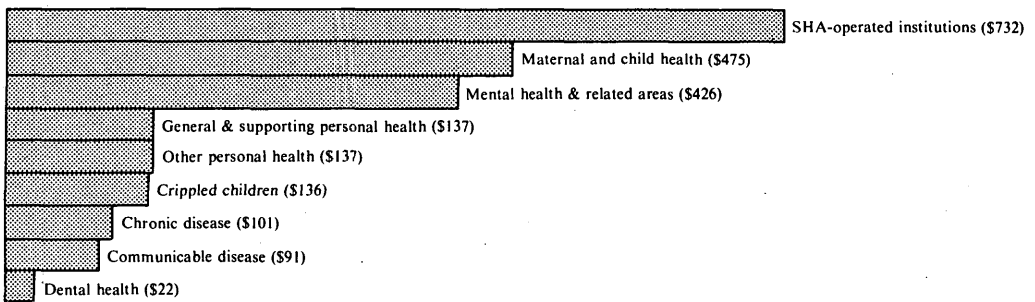


Figure 2  
ENVIRONMENTAL HEALTH PROGRAM EXPENDITURES OF STATE HEALTH AGENCIES,  
BY PROGRAM CATEGORY, FISCAL 1976  
(In millions)

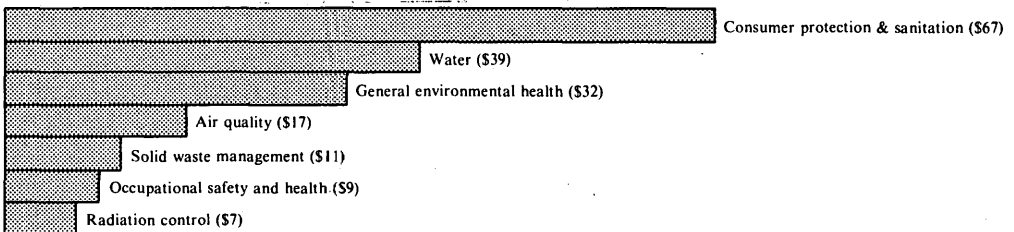


Figure 3  
HEALTH RESOURCES PROGRAM EXPENDITURES OF STATE HEALTH AGENCIES,  
BY PROGRAM CATEGORY, FISCAL 1976  
(In millions)

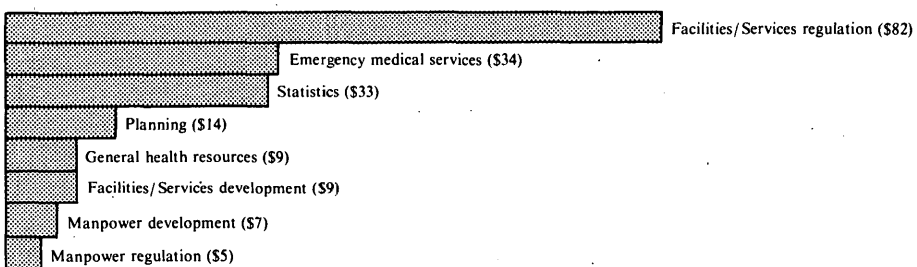


Table 1  
STATE HEALTH AGENCY PUBLIC HEALTH EXPENDITURES,  
BY PROGRAM AREA, FISCAL 1976\*  
(In thousands of dollars)

State or other jurisdiction	Total public health expenditures	Personal health	Environmental health	Health resources	Laboratory	General administration and services	Funds to local health departments not allocated to program areas
Total .....	\$2,994,473	\$2,258,159	\$182,570	\$193,510	\$97,486	\$126,539	\$136,207
Alabama .....	29,217	15,579	1,932	2,668	3,026	2,089	3,924
Alaska .....	10,501	6,937	1,072	954	1,171	367	...
Arizona .....	53,784	42,387	5,901	2,060	954	2,482	...
Arkansas .....	20,323	11,437	3,366	1,359	1,058	3,102	...
California .....	858,002	806,601	12,693	24,028	8,459	1,976	4,244
Colorado .....	26,219	15,457	4,523	2,729	1,274	2,237	...
Connecticut .....	30,236	20,745	481	3,787	3,312	1,911	...
Delaware .....	14,637	12,726	544	431	264	672	...
Florida .....	94,343	53,396	15,095	9,170	4,106	12,575	...
Georgia .....	45,194	29,196	1,250	2,545	2,232	949	9,022
Hawaii .....	77,756	70,474	3,162	1,554	721	1,845	...
Idaho .....	6,405	3,180	...	1,970	1,116	139	...
Illinois .....	42,750	25,056	4,121	8,146	2,488	2,939	...
Indiana .....	19,885	6,340	7,718	1,336	1,047	3,444	...
Iowa .....	12,345	9,212	230	2,302	...	600	...
Kansas .....	12,124	5,216	2,978	2,143	1,263	524	...
Kentucky .....	90,093	62,992	2,057	5,115	1,411	10,660	7,859
Louisiana .....	30,977	16,991	5,015	822	1,832	1,763	4,553
Maine .....	6,135	3,133	486	1,562	870	84	...
Maryland .....	244,118	201,553	14,808	7,361	3,826	16,569	...
Massachusetts .....	78,908	67,135	1,872	4,157	3,372	2,373	...
Michigan .....	95,081	69,963	5,077	9,187	7,128	3,728	...
Minnesota .....	18,819	4,999	1,403	4,017	1,973	6,427	...
Mississippi .....	30,447	23,219	2,755	2,091	733	1,649	...
Missouri .....	40,305	20,588	498	2,323	805	921	15,171
Montana .....	10,570	5,001	2,956	1,779	369	371	93
Nebraska .....	10,452	5,199	555	3,997	363	339	...
Nevada .....	6,014	3,818	414	676	486	253	367
New Hampshire .....	5,858	3,838	758	600	286	376	...
New Jersey .....	48,438	35,600	3,184	5,034	3,352	418	851
New Mexico .....	8,011	6,399	...	807	236	569	...
New York .....	226,025	96,624	7,019	19,802	15,745	6,920	79,915
North Carolina .....	45,142	36,363	2,799	1,305	2,805	1,870	...
North Dakota .....	16,287	13,226	1,064	1,525	282	191	...
Ohio(a) .....	...	...	...	...	...	...	...
Oklahoma .....	20,522	11,186	4,545	2,612	584	1,595	...
Oregon .....	14,041	6,943	1,443	3,218	1,112	1,325	...
Pennsylvania .....	87,920	60,948	...	12,802	2,017	3,648	8,505
Rhode Island .....	14,615	5,074	4,678	2,694	1,452	716	...
South Carolina .....	51,536	33,135	9,983	2,705	1,422	4,292	...
South Dakota .....	5,061	3,333	200	1,105	271	150	...
Tennessee .....	62,602	39,818	12,612	3,555	3,034	3,583	...
Texas .....	106,880	79,066	9,491	9,333	2,517	6,473	...
Utah .....	10,912	4,427	2,298	2,281	1,378	527	...
Vermont .....	10,552	8,433	590	759	481	288	...
Virginia .....	70,577	50,555	12,525	2,022	755	4,720	...
Washington .....	26,413	19,649	1,312	3,575	1,244	633	...
West Virginia .....	15,306	10,585	774	1,007	720	516	1,704
Wisconsin .....	14,517	5,386	2,529	4,849	411	1,342	...
Wyoming .....	5,864	4,415	256	773	277	143	...
Dist. of Col. ....	71,347	69,582	...	...	921	843	...
American Samoa ..	4,083	3,764	123	105	4	88	...
Guam .....	5,297	4,041	488	93	141	534	...
Puerto Rico(a) ..	10,691	9,868	545	278	...	...	...
TTPI .....	20,336	17,373	390	404	382	1,788	...
Virgin Islands ..	...	...	...	...	...	...	...

\*Source: Association of State and Territorial Health Officials,  
National Public Health Program Reporting System.

(a) Ohio and Puerto Rico did not report to NPHRS for fiscal  
1976.

Table 2  
SOURCES OF FUNDS FOR PUBLIC HEALTH EXPENDITURES  
OF STATE HEALTH AGENCIES, BY PROGRAM AREA,  
FISCAL 1976\*

Source of funds	Personal health					Laboratory	General adminis- tration and services	Local health departments unallocat- ed
	Total public health	Other personal health	SHA- operated institutions	Environ- mental health	Health resources			
Millions of dollars								
Total .....	\$2,994.5	\$1,525.8	\$732.4	\$182.6	\$193.5	\$ 97.5	\$126.5	\$136.2
Non-federal .....	2,154.8	871.3	720.8	139.9	111.5	80.8	106.5	124.1
State .....	1,882.0	769.7	634.4	106.8	92.4	77.1	91.9	109.7
Local .....	103.9	59.1	(a)	19.2	2.2	0.1	9.0	14.4
Fees, reimbursements, and other .....	168.8	42.4*	86.4	13.9	17.0	3.6	5.6	(a)
Federal .....	839.7	654.5	11.6	42.7	82.0	16.7	20.1	12.1
Percentage distribution								
Total .....	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Non-federal .....	72.0	57.1	98.4	76.6	57.6	82.9	84.2	91.1
State .....	62.8	50.4	86.6	58.5	47.8	79.1	72.6	80.5
Local .....	3.5	3.9	(a)	10.5	1.1	0.1	7.1	10.6
Fees, reimbursements, and other .....	5.6	2.8	11.8	7.6	8.8	3.7	4.4	(a)
Federal .....	28.0	42.9	1.6	23.4	42.4	17.1	15.9	8.9

\*Source: Association of State and Territorial Health Officials,  
National Public Health Program Reporting System.

(a) Less than \$50,000 and percentages less than 0.05.

Table 3  
NUMBER OF PERSONS SERVED BY STATE HEALTH AGENCIES,  
BY PERSONAL HEALTH PROGRAM CATEGORY AND  
SELECTED TYPES OF SERVICES, FISCAL 1976\*  
(In thousands of persons)

Type of service provided	Total	General and supporting personal health	Maternal and child health	Crippled children	Communi- cable disease	Dental health	Chronic disease	Mental health and related programs	Other personal health	SHA- operated insti- tutions
Total .....	58,025	2,107	21,607	632	18,954	2,891	8,640	1,536	1,063	596
Health screening .....	41,057	1,098	17,362	266	13,112	1,654	7,237	13	161	154
Immunization .....	7,762	246	1,387	U	6,045	...	8	...	74	1
Dental services .....	3,273	4	914	10	...	2,140	(a)	(a)	192	12
Family planning .....	2,128	26	2,095	U	...	...	U	...	4	3
Maternity services .....	339	27	304	...	...	U	5	(a)	2	4
WIC nutrition services .....	1,438	326	1,111	...	...	...	...	...	1	...
Mental health .....	86	4	(a)	3	...	...	7	63	5	3
Alcohol abuse .....	208	(a)	...	...	...	...	(a)	207	(a)	(a)
Drug abuse .....	936	(a)	U	...	...	...	...	936	(a)	(a)
Other clinic, outpatient, and ambulatory services .....	8,531	754	3,540	289	2,852	...	530	15	280	290
Home health care .....	526	54	(a)	(a)	1	...	15	(a)	456	...
Renal dialysis .....	10	U	...	(a)	...	...	9	...	...	(a)
Inpatient care .....	547	15	49	54	8	(a)	6	77	123	215

\*Source: Association of State and Territorial Health Officials,  
National Public Health Program Reporting System.

Note: Figures for individual types of service add to more than total,

since total represents estimated unduplicated count for each program.

U—Unobtainable.

(a) Less than 500.

Table 4  
PUBLIC HEALTH EXPENDITURES OF STATE HEALTH AGENCIES,  
BY SOURCE OF FUNDS, FISCAL 1976\*  
(In millions of dollars)

Funding source	Personal health					Labora- tory	General administration and services	Funds to local health depart- ments not allocated to program areas
	Total public health	Other personal health	SHA- operated institutions	Environ- mental health	Health resources			
Total public health expenditures .....	\$2,994.5	\$1,525.8	\$732.4	\$182.6	\$193.5	\$97.5	\$126.5	\$136.2
Total non-federal .....	2,154.8	871.3	720.8	139.9	111.5	80.8	106.5	124.1
State .....	1,882.0	769.7	634.4	106.8	92.4	77.1	91.9	109.7
Local .....	103.9	59.1	(a)	19.2	2.2	0.1	9.0	14.4
Fees and reimbursements .....	142.3	35.6	78.3	12.7	11.4	1.3	3.0	...
Other .....	26.5	6.8	8.1	1.2	5.6	2.3	2.6	(a)
Total federal .....	839.7	654.5	11.6	42.7	82.0	16.7	20.1	12.1
Department of Health, Education, and Welfare .....	665.8	518.9	8.9	17.6	76.8	15.0	16.5	12.1
Public Health Service .....	464.8	364.4	2.7	17.5	39.1	14.2	14.7	12.1
314(d)7(A) public health .....	68.8	31.0	0.3	10.6	2.2	10.7	6.3	7.7
314(d)7(A) mental health .....	2.0	1.9	0.1	...	...	...	(a)	...
314(d)7(B) hypertension .....	0.4	0.4	...	...	...	...	...	...
Community and Family Health Centers (314(E) or 330) .....	5.8	5.8	...	...	(a)	...	...	...
Crippled Children, Title V .....	44.2	42.1	0.6	...	0.1	0.3	1.1	(a)
Emergency Medical Services Systems .....	16.4	0.1	...	...	16.1	...	0.2	...
Family Planning, Title X .....	41.4	40.5	...	...	0.1	...	0.1	0.6
Maternal and Child Health, Title V .....	178.5	166.2	0.2	0.1	1.0	1.4	5.8	3.7
Migrant Health .....	4.3	4.2	...	(a)	...	...	(a)	...
National Center for Health Statistics .....	4.8	(a)	...	0.3	4.4	...	0.2	...
Hill-Burton .....	2.7	...	...	(a)	2.6	...	0.1	...
314(a) Comprehensive Health Planning .....	6.4	...	...	...	6.1	...	0.2	...
Alcohol, Drug Abuse and Mental Health (ADAMHA) .....	48.5	47.5	0.5	0.1	0.1	0.1	0.3	...
Center for Disease Control .....	22.5	16.8	...	4.1	(a)	1.3	0.2	0.1
Food & Drug Administration .....	1.9	0.1	...	1.7	0.1	0.1	(a)	...
National Institutes of Health .....	6.9	5.7	...	0.4	0.5	0.2	(a)	...
Other public health service .....	9.4	2.0	1.2	0.2	5.7	0.1	0.2	...
Social & Rehabilitation Service .....	167.3	143.3	1.6	(a)	21.1	(a)	1.3	...
Social Security Administration .....	22.3	5.9	...	(a)	15.6	0.4	0.3	...
Office of Human Development .....	7.4	3.1	3.7	...	0.6	(a)	...	...
Developmental Disabilities (P.L. 91-517, P.L. 94-103) .....	5.9	3.0	2.3	...	0.6	...	...	...
Rehabilitation .....	1.5	0.1	1.4	...	...	...	...	...
Other .....	0.1	(a)	...	...	...	(a)	...	...
Office of Education .....	1.8	1.1	0.7	...	(a)	...	(a)	...
Other (DHEW) .....	2.1	1.1	0.1	(a)	0.3	0.3	0.2	...
Other federal agencies .....	170.9	135.4	2.7	24.7	4.6	1.4	2.1	(a)
Dept. of Agriculture .....	134.5	128.8	...	4.0	...	0.1	1.5	...
Dept. of Defense .....	0.3	...	...	0.1	0.2	...	(a)	...
Dept. of Justice .....	1.3	1.1	...	...	...	0.1	...	...
Dept. of Labor .....	3.7	0.5	0.2	2.3	0.3	0.2	0.3	...
Dept. of Transportation .....	4.3	0.6	...	1.1	2.2	0.3	0.1	...
Dept. of Treasury .....	0.4	0.2	...	0.1	0.1	(a)	(a)	...
Environmental Protection Agency .....	17.8	0.2	...	16.7	(a)	0.6	0.2	...
Regional Commission .....	5.2	3.6	...	0.1	1.6	...	(a)	...
Veterans Administration .....	1.7	(a)	1.7	...	...	...	...	...
Other .....	1.8	0.3	0.9	0.5	0.1	(a)	(a)	(a)
Unidentified federal .....	3.0	0.2	(a)	0.4	0.6	0.3	1.5	...

\*Source: Association of State and Territorial Health Officials, National Public Health Program Reporting System.

(a) Less than \$50,000.

Table 5  
MEDICAL MALPRACTICE LEGISLATION\*

State	<i>Ad damnum</i>	<i>Advance payment</i>	<i>Attorney fee</i>	<i>Awarding costs</i>	<i>Collateral source</i>	<i>Informed consent</i>	<i>Itemized verdict</i>	<i>Statute of limitations</i>	<i>Special statute for minors</i>	<i>Limitation on recovery</i>	<i>Standard of care</i>	<i>Expert witness</i>	<i>Burden of proof</i>	<i>Notice of intent to sue</i>	<i>Periodic payment</i>	<i>Statute of frauds</i>	<i>Joint underwriting association</i>	<i>Captive company</i>	<i>Assigned risk pools</i>	<i>Mandatory insurance</i>	<i>Mandatory claim reporting</i>	<i>Channeling</i>	<i>Excess recovery fund</i>	<i>Arbitration</i>	<i>Pretrial screening</i>
Alabama	★	★						★			★				★	★	★				★			★	
Alaska	★	★			★	★		★	★		★		★		★	★	★	★		★				★	★
Arizona			★															★							★
Arkansas																									★
California	★		★		★			★	★	★				★	★		★				★				★
Colorado						★		★									★				★		★		
Connecticut		★						★																	
Delaware		★	★		★	★		★	★		★	★	★		★	★	★				★			★	★
Florida	★				★	★	★	★			★	★	★		★	★	★	★				★		★	★
Georgia																			★						
Hawaii	★	★	★		★	★		★									★			★	★		★	★	★
Idaho	★		★		★	★		★	★	★	★	★	★				★			★	★			★	★
Illinois	★			★	★		★	★									★				★				★
Indiana	★	★	★					★	★	★						★			★		★		★	★	★
Iowa			★		★	★		★									★	★							
Kansas	★		★		★			★	★						★						★	★		★	★
Kentucky	★	★						★								★	★			★	★		★	★	★
Louisiana	★	★				★		★	★	★	★	★	★			★			★	★			★	★	★
Maine																									
Maryland	★	★	★					★	★						★		★	★	★		★				★
Massachusetts	★							★	★								★								★
Michigan			★					★				★								★					
Minnesota								★									★				★				
Mississippi								★									★	★							
Missouri	★							★	★								★	★			★				

*Standard of care:* legislation defining the locality from which the applicable standard of care is to be derived.

**Pretrial screening:** prerequisite to trial whereby a panel gives an informal and nonbinding decision on the merits to encourage settlement.

Table 6  
SELECTED STATE HEALTH STATUTES\*

State	Certificate of need	Health Maintenance Organization laws	Statutory right to treatment in mental health facilities	Physician assistants—Role recognized	Emergency medical system organization created by statute	Clinical labs—State regulation	Death with dignity	Generic drug substitution allowed	Mandatory continuing physician medical education
Alabama .....	...	...	★	★	★	...	...	...	...
Alaska .....	★	...	★	★	...	...	...	★	★
Arizona .....	★	★	...	★	★	★	...	...	...
Arkansas .....	★	★	...	★	...	...	★	★	★
California .....	★	★	★	★	...	★	★	★	★
Colorado .....	★	★	★	★	...	...	...	★	★
Connecticut .....	★	...	...	★	★	★	...	★	...
Delaware .....	...	...	...	★	★	...	...	★	...
Florida .....	★	★	★	★	★	★	...	★	★(b)
Georgia .....	★(a)	...	★	★	★	★	...	★	...
Hawaii .....	★	...	★	★	★	★	...	...	...
Idaho .....	...	★	★	★	★	...	★	...	...
Illinois .....	★	★	★	★	...	★	...	...	★
Indiana .....	...	...	...	...	...	...	...	...	...
Iowa .....	★	★	...	★	...	...	...	★	...
Kansas .....	★	★	★	★	★	★	...	...	★
Kentucky .....	★	★	★	...	...	★	...	...	★(b)
Louisiana .....	...	★	...	...	...	...	...	...	...
Maine .....	...	...	★	...	★	...	...	★	...
Maryland .....	★	★	...	★	...	★	...	★	★(b)
Massachusetts .....	★	...	...	...	★	★	...	★	...
Michigan .....	★	★	★	★	...	★	...	...	★
Minnesota .....	★	★	...	...	...	...	...	★	★(b)
Mississippi .....	...	...	...	...	★	...	...	...	...
Missouri .....	...	...	★	...	...	...	...	...	...
Montana .....	★	...	...	★	★	...	...	★	...
Nebraska .....	...	...	...	★	★	...	...	...	★(b)
Nevada .....	★	★	★	★	★	★	★	...	...
New Hampshire .....	...	...	...	★	★	...	...	★	...
New Jersey .....	★	★	★	...	...	★	...	...	...
New Mexico .....	...	...	★	★	...	★	★	★	★(b)
New York .....	★	★	★	...	...	...	...	...	...
North Carolina .....	★	...	...	★	★	...	★	...	...
North Dakota .....	★	★	★	...	...	...	...	...	...
Ohio .....	★	★	★	...	...	...	...	...	★
Oklahoma .....	★	★	★	★	...	...	...	★	...
Oregon .....	★	...	...	...	★	★	★	★	...
Pennsylvania .....	...	★	★	...	★	★	...	★	★(b)
Rhode Island .....	★	...	...	...	★	★	...	★	...
South Carolina .....	★	...	...	...	★	★	...	...	...
South Dakota .....	★	★	★	★	...	...	...	...	...
Tennessee .....	★	★	★	...	★	★	...	★	...
Texas .....	★	★	★	...	★	...	★	...	...
Utah .....	...	★	★	★	...	...	...	★	★(b)
Vermont .....	...	...	★	★	★	...	...	...	...
Virginia .....	★	...	...	★	★	...	...	★	...
Washington .....	★	★	★	...	★	...	...	...	★(b)
West Virginia .....	★	...	...	★	...	...	...	...	...
Wisconsin .....	...	...	...	...	...	...	...	★	★
Wyoming .....	...	...	★	★	...	...	...	...	...
Total .....	31	25	29	35	25	21	6	26	20

\*Sources: Gary J. Clarke, *Health Programs in the States: A Survey* (New Brunswick, N.J.: Eagleton Institute, Rutgers University, 1975), plus revisions, additions, and updates by the Council of State Governments.

(a) Only for long-term care facilities.

(b) State medical boards may impose continuing education requirements.

Table 7  
HEALTH OCCUPATIONS LICENSED IN EACH STATE\*

State or other jurisdiction	Acupuncturist	Nursing home administrator	Clinical lab director	Clinical lab technician	Emergency medical personnel	Inhalation therapist	Midwife	Occupational therapist	Optician	Physical therapist assistant	Physician's assistant	Psychologist	Radiology technician	Sanitarian	Social worker	Speech pathologist/ Audiologist	Animal health technician
Alabama	...	*	...	...	...	...	*	...	...	*	*	*	...	*	...	...	...
Alaska	...	*	...	...	...	...	*	...	*	*	*	*	...	*	...	...	...
Arizona	...	*	...	...	...	...	*	...	*	*	*	*	...	*	...	...	...
Arkansas	...	*	...	...	...	*	...	...	...	...	*	*	...	*	*	*	*
California	*	*	...	*	*	...	...	...	*	*	*	*	*	*	*	*	*
Colorado	...	*	...	...	...	...	*	...	...	...	*	*	...	*	*	...	...
Connecticut	...	*	*	...	...	...	*	...	*	...	*	*	...	*	...	*	...
Delaware	...	*	...	*	*	...	*	*	*	*	...	*	...	*	...	*	...
Florida	...	*	...	*	...	...	*	*	*	*	...	*	...	*	...	*	...
Georgia	...	*	*	...	...	...	*	...	*	*	*	*	...	*	...	*	...
Hawaii	*	*	...	*	...	...	*	...	*	...	...	*	*	*	...	*	...
Idaho	...	*	*	...	...	...	*	...	...	...	*	*	...	*	...	*	...
Illinois	...	*	*	...	...	...	*	...	...	*	*	*	...	*	...	*	*
Indiana	...	*	...	...	*	...	*	...	...	*	*	*	...	*	...	*	*
Iowa	...	*	...	...	...	...	...	...	...	...	*	*	...	*	...	*	...
Kansas	...	*	...	*	...	...	...	...	...	*	*	*	...	*	*	...	*
Kentucky	...	*	...	...	...	...	...	...	*	*	*	*	...	*	*	*	*
Louisiana	...	*	...	...	...	...	*	...	...	...	...	*	...	*	*	*	*
Maine	...	*	...	...	...	...	...	...	...	...	...	*	...	*	*	*	*
Maryland	...	*	...	...	...	...	*	...	*	*	...	*	...	*	*	*	...
Massachusetts	...	*	...	...	...	...	...	...	*	...	*	*	...	*	...	...	...
Michigan	...	*	...	...	...	...	...	...	...	...	*	*	...	*	...	...	...
Minnesota	...	*(a)	...	...	...	...	*	...	...	...	*	*	...	*	...	...	...
Mississippi	...	*	...	...	...	...	...	...	...	...	...	*	...	*	...	*	...
Missouri	...	*	...	...	...	...	...	...	...	...	...	...	...	...	...	*	...
Montana	*	*	...	...	...	...	...	...	...	...	...	*	*	*	...	*	*
Nebraska	...	*	...	...	...	...	...	...	...	...	...	*	*	*	...	*	*
Nevada	*	...	...	...	...	...	...	...	*	*	*	*	...	*	...	...	...
New Hampshire	...	*	...	...	...	...	...	...	...	...	...	*	...	*	...	...	...
New Jersey	...	*(b)	*	...	...	...	*	...	*	*	...	*	*	*	...	...	...
New Mexico	...	*	...	...	*	...	...	...	...	...	*	*	...	*	...	...	*
New York	*	...	...	...	*	...	...	*	*	...	...	*	*	...	*	*	*
North Carolina	...	*	...	...	...	...	...	...	*	*	...	*	...	*	...	*	*
North Dakota	...	*	...	...	...	...	...	...	...	...	...	*	...	*	...	*	*
Ohio	...	*	...	...	...	...	...	...	...	...	...	*	...	*	...	*	*
Oklahoma	...	*	...	...	...	...	...	...	...	*	...	*	...	*	*	*	*
Oregon	...	*	...	...	*	...	...	...	...	*	*	*	...	*	...	*	*
Pennsylvania	...	*	...	...	...	...	*	...	...	*	...	*	...	*	...	*	*
Rhode Island	...	*	...	...	...	...	...	...	*	...	...	*	...	*	...	*	*
South Carolina	...	*	*	...	...	...	...	...	*	*	...	*	...	*	...	*	...
South Dakota	...	*	...	...	...	...	...	...	...	...	*	...	...	*	*	...	...
Tennessee	...	*	*	*	*	...	...	...	*	...	...	*	...	*	...	*	*
Texas	...	*	...	...	...	...	...	...	...	*	...	*	...	*	...	*	*
Utah	...	*	...	...	...	...	...	...	...	...	...	*	...	*	*	*	...
Vermont	...	*	...	...	...	...	...	...	*	*	...	...	*	...	...	...	...
Virginia	...	*	...	...	...	...	*	...	*	*	*	*	...	*	*	*	*
Washington	...	*	...	...	...	...	*	...	*	...	*	*	...	*	...	*	*
West Virginia	...	*	...	...	*	...	...	...	...	...	...	*	...	*	...	...	*
Wisconsin	...	*	...	...	*	...	...	...	...	...	*	*	...	*	...	...	...
Wyoming	...	*	...	...	...	...	*	...	...	...	...	*	...	*	...	*	...
Dist. of Col.	...	*	...	...	...	...	*	...	...	...	...	*	...	...	...	...	...

\*Source: Adapted from Bureau of Health Manpower, Health Resources Administration, Public Health Service, U.S. Department of Health, Education, and Welfare, *State Regulation of Health Manpower, 1977*. In addition to the health occupations listed in the table, the following are licensed in all jurisdictions:

Chiropractor  
Dentist  
Dental hygienist  
Practical nurse  
Professional nurse  
Optometrist

Pharmacist  
Physical therapist  
Physician (M.D.)  
Physician (D.O.)  
Podiatrist  
Veterinarian

(a) Also licenses hospital administrator.

(b) Also licenses health department administrator.



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## PUBLIC WELFARE AND SERVICES FOR THE AGING

By John E. Hansan, David P. Racine, and Margo L. Vignola\*

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THE HISTORY OF PUBLIC WELFARE in the United States has been one of continuing change and growth. Early in this century and for many years prior, state and local governments shared with private charitable organizations the major financial responsibility for public welfare. As the nation became more industrial and urban, the demands for relief grew beyond the means or the willingness of private auspices to provide. States and localities began to assume progressively more responsibility. For example, by 1926, 40 states had established some form of public assistance for widows with dependent children, and within a few years the majority of states were extending cash assistance to the needy elderly through old age pensions. However, this emerging system of mostly public, partly private, welfare was ill-suited to meet the challenges lying ahead.

The Great Depression of the 1930s left masses of people unemployed and impoverished. The existing system of relief was meager in comparison to the need. Under circumstances of extreme want, it was essential for the federal government to step in.

The government's first initiative was to form the Federal Emergency Relief Administration (FERA) in 1933. During that year, FERA distributed more than \$1 billion to the states in an effort to shore up their relief programs. But FERA was only a temporary measure. It became clear that more fundamental reform was needed. In 1935 Congress responded and enacted the Social Security Act.

The Social Security Act established two sets of programs to serve different purposes: a national system of social insurances for wage earners and a system of federal-state welfare programs for destitute persons. The Unemployment Insurance and the Old Age, Survivors, and Disability Insurance created by the act, to this day, form the bulwark of protection for the vast majority of workers and their families against the loss of income due to retirement, death, disability, or temporary unemployment. To provide support to persons who were not then eligible or likely to become eligible for benefits under the wage-related insurances, the act authorized federal financial participation in state-administered relief programs—aid to the aged, aid to the blind, and aid to dependent children. A program of aid to the disabled was added in 1950. The framers of the act also recognized that certain groups had needs for particular services which cash assistance alone could not or should not provide. To meet these needs, grants were authorized to the states for maternal and child health, crippled children, child welfare, and medical assistance for the aged. Further expansion of medical assistance occurred in 1965 with the enactment of Medicare (Title XVIII) for social security beneficiaries and Medicaid (Title XIX) for welfare recipients.

The basic shape of the state-federal public welfare system formed by the Social Security Act remained largely intact until 1973, when Congress federalized the adult cash assistance programs (aid to the aged, blind, and disabled) as Supplementary Security Income (SSI). In 1975, stemming from the efforts of a national coalition of governors and state public welfare

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directors, Title XX of the act was enacted, consolidating most of the social service provisions of the cash assistance titles into a single program of social services for needy citizens.

Many years of piecemeal development have resulted in a public welfare system that is very large and very complicated. Not surprisingly, the control and financing of this system have become difficult and have been persistent sources of tension between the states and the federal government, as each level has sought to protect its interests. States, for example, have appealed for relaxation of federal policies and rules which they feel hamstringing their efforts to administer programs responsibly; yet, the federal government has adopted these strictures often for the very purpose of instilling discipline in state administration. It is perhaps endemic to the federal system, in which the roles and responsibilities of different levels of government are not always distinct, that such disputes should arise. In the search for ways to improve the efficiency and effectiveness of the public welfare system, federal-state disputes may actually spur progress rather than hinder it.

The programs currently comprising the public welfare system, and their place in the future, will be described in more detail in succeeding sections. Tables 1 through 6 provide current national statistics for public welfare programs.

### **Income Assistance**

#### **Aid to Families with Dependent Children**

Aid to Families with Dependent Children (AFDC) provides income assistance to families where children lack adequate parental support. Assistance is granted in the form of cash benefits funded through a combination of federal, state and, in some states, local revenues. While federal and state rules jointly govern the determination of eligibility and payment levels, daily administration is the full responsibility of the states and their political subdivisions. AFDC's large size and administrative complexity have made it a main target of efforts to reform the public welfare system.

The growth which characterized AFDC during the 1960s and early 1970s has greatly slowed in recent years, though not stopped. In fiscal 1977, an average 11.1 million persons per month received AFDC benefits at a cost for the year of about \$11.5 billion—\$10.2 billion for benefits and \$1.3 billion for program administration. The federal government financed 55 percent of benefit costs and, as required by law, 50 percent of administrative expenses. For the previous year (fiscal 1976) the program accounted for \$11 billion in federal, state, and local funds, with an average monthly participation of 11 million persons. Projections for fiscal 1978 show benefit costs reaching \$11.4 billion and the annual case load increasing to 4.5 million families.

How much assistance to provide is largely determined by the states. Consequently, AFDC benefit levels vary widely. In August 1977, the average monthly payment per person ranged from \$14.49 to \$113.25, a ratio of roughly one to eight (see Table 1). In the last few years, however, the disparity has been narrowed by the availability of food stamp benefits for public assistance recipients. These benefits are inversely related to AFDC payments and other income. For August 1977, the addition of food stamps reduced the ratio between the highest and lowest states to roughly one to three.

The AFDC population is far from homogeneous, but it has several striking features which should be considered in any plans to improve the program. Its most distinctive trait is the large proportion of families headed by women—over 80 percent by recent estimates. A basic profile of AFDC mothers, from the 1975 study of AFDC by the Department of Health, Education, and Welfare (HEW), shows that more than one half were under age 30, most had

not graduated from high school, and less than one in six was employed while on assistance; fathers in the program were generally older than mothers, slightly better educated, and less often employed. The basic reason for family eligibility in the majority of cases was the absence of a parent, chiefly the father, because of divorce, separation, or desertion, or because the parents were never married. (In 1977, unemployed fathers were eligible for AFDC in only 27 states.) A little more than 30 percent of all the children receiving aid were illegitimate. Approximately 80 percent of the families in the study had three or fewer children receiving assistance.

In addition to considerations of major welfare reform, several smaller efforts have aimed at improving the AFDC program's operation and effectiveness in reducing dependency.

*The Child Support Enforcement Program.* This program, initiated in 1975, has led to marked progress in locating and obtaining child support from absent parents, a significant problem in AFDC. Established as Title IV-D of the Social Security Act, it has moved the federal government into a significant role in assisting states and localities with their responsibility for enforcement. An Office of Child Support Enforcement has been set up within HEW to oversee the program and operate the Federal Parent Locator Service, which helps states find absent parents. In addition, the law provides financial incentives to states and their political subdivisions, based on the amounts of child support collected. For fiscal 1976, total expenditures for state and local administration of the program were \$131,707,300, with the federal government sharing 75 percent of the cost. Collections exceeded expenditures by more than 50 percent: \$192 million in AFDC collections and \$34 million in non-AFDC collections. States received over \$8 million in incentive payments. It has been predicted that when the Child Support Enforcement Program becomes fully operational, every dollar spent on administration will bring in four dollars in collections, reducing the amount of funds spent on AFDC.

*The Quality Control Program.* Another initiative designed to strengthen AFDC administration has been the Quality Control Program (QC). Its original purpose was as a management tool to help states reduce errors committed in making AFDC payments to ineligible, overpaid, and underpaid recipients. Later, HEW issued regulations to force states to bring errors within specified tolerance levels or face the threat of financial penalty. In 1976, the courts ruled that even though HEW had the authority to penalize states for errors, the tolerance levels selected were arbitrary and could not be used as bases for withholding federal AFDC funds from the states. Efforts have been under way for some time to seek agreement between the states and the federal government on a less severe means of reducing errors indicated by the QC program.

*AFDC-Unemployment Compensation.* In 1975, a court decision in Vermont invalidated a federal regulation that made any person eligible for unemployment compensation ineligible for the state's AFDC program for unemployed parents. This, in effect, permitted persons to choose which benefit they would take. P.L. 94-566, enacted in 1976, eliminated the need to choose by allowing unemployment compensation benefits to be counted as income in determining AFDC eligibility and the amount of benefits.

### General Assistance

In addition to the various federal-state programs of income assistance, most states and many localities operate programs of general assistance. These programs are funded and administered exclusively by state and local governments, and vary greatly among the states

in terms of eligibility standards, benefits, and administration. By and large, general assistance is used to aid persons who are not eligible for AFDC and SSI benefits (see below). According to estimates by the U.S. Congressional Budget Office, general assistance was provided to approximately 1 million persons at a cost of nearly \$1.2 billion in fiscal 1976. (See Table 3 for August 1977 figures.)

### **Supplemental Security Income**

Federal and state governments provide assistance to the aged, blind, and disabled through the Supplemental Security Income (SSI) program. A person who is 65 years of age or older, legally blind, or permanently or totally disabled, and who meets prescribed income and resource requirements, can receive a basic federal cash grant of up to \$167 per month (in fiscal 1977). In fiscal 1976, some 4.3 million persons received SSI payments, amounting to \$6 billion in state and federal funds. The states' share, composed of mandatory and optional supplements, was approximately 25 percent or \$1.5 billion. (See Table 2.)

The SSI program (Title XVI of the Social Security Act) is administered by the federal government within the Social Security Administration. This agency assumed responsibility for SSI in January 1974. Prior to that time, public assistance for the aged, blind, and disabled was administered by the states as the adult counterpart to AFDC. The federalization of the adult categories, mandated by P.L. 92-603, was designed, among other things, to reduce the variations in benefit levels among the states by providing a uniform national minimum benefit, and to streamline administration by lodging it in the existing social security system, which had for many years ably managed the social insurance program. Though states were mandated to supplement the basic federal benefit up to the level of assistance they were providing in December 1973 and could provide optional supplements to higher levels, it was anticipated that state financial participation would decline as the federal benefit rose.

The first years of the SSI program have met with mixed results. Gains have been made in the number of people served and in the adequacy of benefit levels. Tying the federal standard to the cost of living has assured that benefits will roughly keep up with inflation. Outside of these improvements in benefits, the program has yet to realize what has been expected of it. Hastily enacted and implemented, SSI has been the subject of numerous and complex administrative problems, not the least of which has been state supplementation.

When the SSI program began operation in 1974, states were given the option either to administer their mandatory and optional supplementary payments themselves, or turn this responsibility over to the federal government. Thirty-one states chose the latter option, the rest preferring to retain their administrative control.

In both cases, inaccuracies in the data gathered and used by the Social Security Administration to determine eligibility and payment levels have resulted in erroneous supplemental payments. For the 31 states with federal administration of supplements, the Social Security Administration has agreed, at least in principle, to make restitution for these mistakes. The legislation required to reimburse those states that administer their own supplements passed Congress in late 1977. The new law mandates federal reimbursement for erroneous supplemental payments made during 1977.

Another issue related to supplementation is the implementation of recently enacted provisions in P.L. 94-566 which mandate the "pass-along" of increased federal SSI benefits to recipients. This change, in effect, prohibits states from offsetting federal benefit increases by reducing their optional supplementation. It was enacted to assure that SSI beneficiaries

actually receive a higher total income when the basic federal grant is periodically adjusted for inflation.

While most states would probably have adopted such a policy anyway, several have questioned whether the federal government can require them to expend state funds. Moreover, requiring a sustained level of state financial participation appears to run counter to the original objective of federalization.

### **The Food Stamp Program**

After two years of national debate, legislation to reform the Food Stamp program was signed into law on September 29, 1977. Attached to an omnibus farm bill, the reform measure aimed at solving a number of problems that had grown with the program since its beginning in 1965. Surprisingly, reform came at a time when issues which had sparked congressional interest two years before enactment, such as high levels of program participation and claims of fraud and abuse, were no longer dominant.

The new law makes many changes designed to simplify administration and target benefits to those most in need. Perhaps the most important of these changes is the elimination of the purchase requirement. Under the old program, a standard allotment of stamps, varied only by household size, was purchased at a discount determined by the recipient's income. The difference between the purchase price and the allotment was known as the bonus value. During congressional debate, it was shown that many needy recipients, particularly the elderly, did not always have the cash on hand to make the initial stamp purchase. The elaborate procedures involved in stamp issuance were also of concern. Under the new law, households will receive only the bonus value to which they are entitled based on their income, instead of purchasing a full allotment of stamps. No cash contribution is required.

The law makes several other significant modifications: (1) it standardizes the deductions allowed in determining a person's income for purposes of eligibility and benefit amounts—these were itemized in the old program; (2) it ends automatic eligibility for AFDC and SSI recipients; (3) it gives SSI recipients the opportunity to apply for food stamps through Social Security offices to improve access; and (4) it puts a dollar "ceiling" on federal expenditures: \$5.85 billion in fiscal 1978, \$6.16 billion in fiscal 1979, \$6.19 billion in fiscal 1980, and \$6.24 billion in fiscal 1981 when the law expires. The fourth provision is of particular consequence—the growth in expenditures to meet need was not limited before. Additional changes were made to enhance the work effort of recipients and to improve administrative performance. (See Table 4 for April 1977 recipients and payments.)

### **The Medicaid Program**

Medicaid (Title XIX of the Social Security Act) is a federal-state program which provides medical assistance for all recipients of AFDC and SSI. In addition, 32 states cover medically needy persons who meet the categorical requirements of public assistance but who exceed the maximum allowable income for those programs. Currently, 24.6 million persons receive Medicaid benefits, including nearly 12 million children, 5 million AFDC adults, and 7 million SSI recipients.

Medicaid, almost silently enacted in 1965, has become the focus of intense concern in recent years. Increases in eligibility, utilization, and inflation have swelled program costs from \$362 million in 1966 to \$17 billion in fiscal 1977, an average increase of 15 percent a year. The annual expenditure per eligible person now averages \$700, with states paying

about 50 percent of these costs. The bulk of these expenditures is consumed by institutional services such as hospitals and nursing homes. Physician services claim only 10 percent of Medicaid costs.

Medicaid regulations allow states fairly broad discretion in determining program benefits, eligibility levels, and administrative procedures. As a result, program administration varies from state to state. Some states have more generous benefits; some have more sophisticated management systems. This unevenness, along with many other issues, has brought Medicaid under increasing scrutiny as national health insurance is discussed.

*Cost Containment.* The greatest problem facing Medicaid is containment of costs. A number of strategies have been proposed to curb the growth of expenditures, primarily focused on changes in reimbursement of providers, particularly hospitals. Experiments in prospective reimbursement, rate review, and capital expenditures control have been undertaken—all designed to move away from the inflationary method of cost-related reimbursement (where virtually all costs are covered). Other programs have been developed to control inappropriate utilization of services.

Another target of cost containment efforts is elimination of fraud and abuse within Medicaid. Estimates reveal that up to \$700 million annually is wasted in fraudulent or abusive practices by Medicaid providers. HEW has launched a massive effort to uncover and prosecute fraudulent providers, while at the same time attempting to deter reportedly widespread abuse.

It is generally acknowledged that one of the keys to ongoing cost containment is improved program management. Numerous programs have been developed to enhance state administration of eligibility determination, claims processing, fraud and abuse detection, utilization control, and data collection.

*Quality Assurance.* As the Medicaid program has grown, so has its potential to influence the delivery of health services. Regulations governing the provision of care in nursing homes for Medicaid recipients have dramatically improved the quality of care for all nursing home patients, although much remains to be accomplished. The recent implementation of Professional Standards Review Organizations (PSROs) to review the medical necessity and appropriateness of care financed by Medicaid (and Medicare) also promises to have an impact on quality.

*Early and Periodic Screening, Diagnosis, and Treatment.* The most ambitious effort to actually assure provision of health services under the Medicaid program is the Early and Periodic Screening, Diagnosis and Treatment (EPSDT) program. EPSDT mandates that all eligible AFDC children undergo health screening and, if necessary, treatment on a periodic basis. The requirement is not new; it was included in the 1967 amendments to the Social Security Act. However, only recently have broad implementation efforts been undertaken. Current provisions require active participation of state Medicaid agencies in several EPSDT areas: outreach, scheduling, transportation, and documentation of both treatment and screening procedures. While the ultimate impact of EPSDT on child health is unknown at this time, it seems clear that the effect of this large federal-state effort will have great implications for national health insurance.

### Social Services

The term "social services" is used to convey many different things. It is often used interchangeably with such terms as social welfare, human services, and social work services.

In its 1976 report on the "Future for Social Services in the United States," the National Conference on Social Welfare stated:

Social services are viewed as activities purposely and critically used to assist, to develop, and to maintain the ability of individuals and families to cope with the social roles and requirements expected by society. As such, they may be organized in different ways, delivered in different settings, and conveyed in conjunction with other human services.

Routinely utilized are one or more of the following functions:

- provision of personal care and support;
- provision of advice and/or counseling including help with personal and behavioral problems;
- provision of assistance in securing and utilizing opportunity and resources such as housing, income, health, legal counsel, education, including case and class advocacy;
- provision of technical assistance to communities and groups and to other systems seeking to improve social conditions that affect people's coping ability;
- provision of support activities for the above functions.

In the context used here, social services are described as those funded under Title XX, Title IV-B, and the Work Incentive Program (WIN) of the Social Security Act. Both titles provide funds for state governments to help organize, finance, and administer services intended to help citizens in need.

### **Title XX—Social Services**

Title XX of the Social Security Act, enacted January 4, 1975, (P.L. 93-647) authorizes \$2.5 billion for allocation among the states in providing social services to needy citizens (see Table 5). These services include a wide array of programs and activities designed to promote employability, reduce or prevent dependency, and strengthen family life. Some of the most commonly funded services under Title XX have been day care, family planning counseling, protective services, foster care, and transportation. Fifty percent of the services are to be targeted to current public assistance recipients, and at least three services must be specially designed for recipients of SSI (aged, blind, and disabled). Each state is free to establish the conditions of eligibility for Title XX services, although there is a federal limit on client income of 115 percent of the state's median income.

Like other federal-state public welfare programs, social services programs developed over many years, during which different national policymakers alternately attempted to help public assistance recipients or halt the increase in persons needing public assistance. In 1956, the Social Security Act was first amended to permit states to claim 50 percent federal financial participation for the costs of social services provided to public assistance recipients. The act was amended again in 1962, raising the level of federal participation to 75 percent and, at the same time, expanding eligibility to include persons who were likely to become recipients. The 1967 amendments required states to provide child care services and family planning to persons referred to the WIN program for work training and placement. The same amendments authorized states to purchase services from other public and private agencies and expanded eligibility to permit "group" eligibility.

As a result of these changes, states vastly increased their claims for social services. Between 1969 and 1972, the federal share of the costs for AFDC and Medicaid doubled, but the federal costs for social services quadrupled. To control this escalation Congress, in 1972, placed a \$2.5 billion ceiling on the amount the federal government could distribute as reimbursement to the states for social services. In addition, HEW attempted to control rising costs by issuing strict program regulations. The states organized to resist these changes, and after several years of effort by the National Governors' Association, the American Public Welfare Association, and other national groups, Congress pushed through Title XX as a

form of special revenue sharing for social services to replace the social service authorities vested in Titles IV-A and VI of the Social Security Act.

Under Title XX, the role of the federal government is very limited. States are free to select the number and types of services, the manner of their delivery, the social problems to be addressed, and the eligibility criteria; states also determine whether to provide the services directly or purchase them by contract with other public and private agencies. To be eligible for the 75 percent federal matching, up to the state's ceiling, each state must develop a Comprehensive Annual Service Plan (CASP) for public review and comment. The social services included in the plan must be identified as meeting one of five basic goals:

1. Achieving or maintaining economic self-support to prevent, reduce, or eliminate dependency;
2. Achieving or maintaining self-sufficiency, including reduction or prevention of dependency;
3. Preventing or remedying neglect, abuse, or exploitation of children and adults unable to protect their own interests, or preserving, rehabilitating, or reuniting families;
4. Preventing or reducing inappropriate institutional care by providing for community-based care, home-based care, or other forms of less intensive care; and
5. Securing referral or admission for institutional care when other forms of care are not appropriate, or providing services to individuals in institutions.

### Social Services Reporting Requirements

Data for Title XX is reported with data from Title IV-B (Child Welfare Services) and the WIN program because they provide many of the same services. Data is collected through the Social Services Reporting Requirements (SSRR), which is designed to provide detailed information on service recipients, services provided, and the cost of specific services. During the first nine months of the Title XX program, about 5 million primary recipients were served. Approximately two thirds of all services were provided to adults and one third was provided to children. The categories of persons receiving social services break down as follows: 1. AFDC (37 percent), 2. Medicaid (4 percent), 3. Child welfare (3 percent), 4. SSI (14 percent), 5. Income eligible (27 percent), and 6. No relation to income (12 percent).

For the April-June quarter of 1976, the largest expenditures for services and the corresponding number of recipients served were:

<i>Services</i>	<i>Number of recipients</i>	<i>Total expenditures</i>	<i>Average expenditure per recipient</i>
Day care (children) .....	419,507	\$148,873,076	\$355
Foster care (children) .....	207,442	60,626,125	292
Protective services (children) .....	353,329	51,057,351	145
Counseling services .....	544,332	45,920,715	84
Homemaker services .....	152,781	37,087,217	243
Chore services .....	194,679	45,213,758	232
Health-related services .....	726,932	34,988,521	48
Employment services .....	148,939	26,329,365	177
Education & training .....	221,743	47,087,327	212
Residential care & treatment .....	76,417	22,287,884	292

### Title IV-B—Child Welfare Services

Authorized in 1935 as Title IV-B of the Social Security Act, Child Welfare Services are defined as public social services which supplement or substitute for parental care and supervision in order to:



- a. Prevent, remedy, or assist in the solution of problems which may result from child neglect, abuse, or exploitation;
- b. Protect or care for homeless, dependent, or neglected children;
- c. Protect and promote the welfare of children of working mothers; and
- d. Otherwise protect and promote the welfare of children, including strengthening of their own homes (where possible) or, where needed, providing adequate care of children away from their homes in foster family homes or day care or other child care facilities.

One of the distinctive characteristics of Title IV-B is that any child is eligible for services, regardless of the social or economic status of the child or his family. Among the services states provide with these funds are protective services, health-related services, family counseling, emergency shelter, homemaker services, and subsidized adoptions.

For several years Congress has limited the funding for Title IV-B to \$56.5 million, which is distributed to the states by a complicated formula requiring a degree of state/local matching. National organizations concerned about children and youth have launched an intensive effort to convince Congress to make Title IV-B an entitlement program and fund it at the authorization level of \$266 million.

### **Work Incentive Program**

The Work Incentive program (WIN) is authorized under Title IV (parts A and C) of the Social Security Act and administered jointly by the Employment and Training Administration of the Department of Labor and HEW. WIN's purpose is to provide self-support, employment, and training services to help AFDC recipients obtain jobs in the regular economy, training, or public service employment. All AFDC recipients must register for WIN except: children under 16 or in school full time; ill, elderly, or incapacitated persons; persons who live too far from a project to participate; persons needed at home to care for invalids; mothers or other relatives caring for a child under six; and mothers or other female caretakers of a child if the father or other male relative in the home is registered in WIN. Recipients not required to register for WIN may do so voluntarily.

As an incentive for recipients to participate in institutional training or unpaid work experience programs, \$30 a month of the monthly income and one third of the remainder of monthly pay are disregarded by the welfare agency in recomputing the AFDC grant. Employable recipients who refuse training or jobs meeting WIN standards may lose AFDC payments for themselves from their families' cash grants. As an incentive to private employers (including those employing domestics) as well as employers in business and industry, the Tax Reduction Act of 1975 provides for the use of tax credits to employers of AFDC recipients.

### **Assistance and Services for the Aging**

The commitment of substantial public resources to meet the needs of the elderly is a relatively recent phenomenon. Before the economic eclipse of the 1930s, it was customary for families and, to a lesser extent, communities to be responsible for the care of their older members. If circumstances warranted, state and local governments would often help out, but the prevailing attitude was to spurn governmental intervention in this as well as most other areas of daily life.

The birth of the Social Security Act in 1935 stood as a radical departure from this tradition. It gave the government a major role in meeting the income needs of the elderly through social insurance and welfare assistance and, by so doing, gave the family—at least

theoretically—the option of reducing or withdrawing its support. At the act's inception, its programs were not anticipated to grow very much and were certainly not seen as substitutes for family responsibility; people thought that once the economy regained its strength, life would return to normal. Such expectations were never realized. In the years that followed, the interplay of economic, political, and social forces brought the public sector, primarily through the Social Security Act, into an increasingly larger role in providing for the welfare not only of the growing older population but other needy groups as well.

Today, many needs of the elderly for income security, health care, and social services are met through public means. The programs established for them under the Social Security Act have been strengthened and new programs, such as the Older Americans Act, have been added. While not all that can be done has been done, the powerful interests of older people coupled with society's increasing sensitivity to their needs have assured that governments at all levels will continue working to improve the quality of life for the aged.

### **Income Security**

The economic needs of older people are met from a variety of sources. The bulk of their income is derived from earnings, private pensions and, most important, social security, which provides benefits to retired workers and their dependents or their survivors. In 1976, social security benefits were paid out to about 31 million people at an estimated cost of \$76 billion. When income from work-related sources is inadequate or absent altogether, assistance is available from the SSI and Food Stamp programs discussed earlier. Various federal, state, and local tax benefits and housing programs provide additional, albeit limited, support.

By far the most critical issue in income security has been the financial soundness of Social Security. In recent years, the payroll tax revenues used to finance the program have consistently fallen short of the amount needed to pay for benefits. To make up the deficit, the federal government has had to draw heavily on the program's reserves. With these reserves expected to run out in the early 1980s, there have been intensive efforts to find acceptable ways of ensuring the program's financial integrity in the years to come. Both the Ford and Carter administrations introduced measures to accomplish this, and in December 1977, legislation designed to shore up the program's finances was passed.

The attention given to Social Security's financing difficulties has overshadowed other concerns, in particular, the adequacy of its benefits. Since 1972, Social Security benefits have been regularly adjusted for changes in the cost of living, as measured by the Consumer Price Index. It is generally agreed that indexing in this way has materially improved the well-being of older people. Nevertheless, questions have been raised about whether the Consumer Price Index, an average of the price changes in many areas, accurately measures the full impact of rapid inflation on older people, whose expenditures tend to be concentrated in those areas increasing most sharply, i.e., health care.

Benefit adequacy has also been at issue in SSI—not only the effects of inflation (like Social Security, SSI is adjusted for inflation) but, perhaps more important, also the basic sufficiency of the benefit levels. This issue has assumed importance both for recipients who have been hard pressed to live on close to poverty level benefits and for states which are anxious to see the federal government fulfill its intent to establish an adequate national minimum income for the elderly, the blind, and the disabled.

The SSI program has also been criticized for its apparent failure to reach many potentially eligible older people. Approximately 2.24 million elderly received benefits in

1976. In that same year, an estimated 7 million aged persons were poor or near poor. Whether a substantially greater number of these people would have sought SSI had the outreach effort been stronger is difficult to determine. It has been observed that the elderly are often discouraged by the stigma of welfare and the bureaucratic impediments to receiving it. Surprisingly, after one of these impediments was removed by the 1976 amendments—counting the value of one's home in determining SSI eligibility—the proportion of new applicants who were homeowners climbed markedly. As the program is fine-tuned and gains visibility and acceptance, it may be that special measures will not be needed to fortify participation.

The Food Stamp program has become one of the most important sources of assistance to the low-income elderly. In September 1975, close to 1 million households whose head was 65 years of age or over received food stamp benefits, representing almost 17.2 percent of all food stamp households. Participation of older people is likely to be enhanced under the reformed Food Stamp program discussed previously through the elimination of the purchase requirement and the creation of opportunities for SSI recipients to apply for stamps at Social Security district offices.

Like food stamps, the purpose of housing assistance is to help the aged secure a basic necessity. The main federal housing program is known as Section 202, which was renewed in August 1976 after lying dormant for many years. In fiscal 1977, \$3.3 billion was made available under Section 202 for loans to nonprofit sponsors in developing housing designed especially for the elderly and the handicapped.

Rent supplementation for low-income persons, including those who are aged, is available from the Section 8 program. Slated to benefit 200,000 households in 1976, Section 8 actually had provided aid to slightly better than 80,000 households as of November of that year. Despite this slow start, the elderly have fared relatively well under the program: 44 percent of the participants are estimated to be older persons.

Housing assistance is also provided indirectly through state and local property tax benefits. A large number of the elderly population own their own homes. Property taxes, which have risen considerably in recent years, impose a significant burden on many. To soften the impact of these taxes on older people, all but two states had put tax relief measures in place, such as circuit breakers or homestead exemptions, by the close of 1976.

Further tax advantages were offered to the elderly by the Tax Reform Act of 1976. Most important, that act increased the level of income at which tax liability begins for the aged. It also broadened the retirement income credit to include persons 65 and older with earnings, in addition to those with retirement income.

### **Health Care of the Aged**

While at any one time the vast majority of the elderly is fit, it is still true that advancing age brings with it greater vulnerability to poor health. Older people, in particular, are far more prone than the rest of the population to chronic illness and disability—health problems which require more intensive and ongoing medical care. Thus, older people are more likely to be hospitalized, to stay in the hospital longer, and to receive follow-up help in long-term care institutions. Moreover, because they may find travel to sources of health care difficult, it may often be necessary to provide some care to them at home.

It was recognition of these unique problems that spurred Congress to enact Medicare (Title XVIII of the Social Security Act) in 1965. Medicare provides basic health insurance coverage for nearly all citizens in this country 65 years of age or older. Part A of Medicare

covers hospital services and Part B (Supplemental Medical Insurance) covers a substantial portion of physicians' services. Medicare is largely an entitlement program financed by Social Security tax revenues. However, eligible persons must pay a deductible for hospital services and a 20 percent copayment on physicians' services. In fiscal 1977, some 24 million people were eligible for the program, with 22 million of these actually receiving services. The total cost of the program was \$19.6 billion and the average bill per beneficiary was \$2,200. Of that expenditure, almost 80 percent went to hospitals and another 20 percent to physicians. Relatively few dollars were spent on home health care and nursing home services, chiefly because the coverage of these services is very limited.

Indigent, elderly persons who are unable to pay the out-of-pocket expenses of Medicare may also be eligible for Medicaid, either as recipients of the SSI program or as persons whose income and resources disqualify them for SSI (the so-called medically needy). In this case, the state Medicaid program pays the Medicare copayment and deductible, in addition to financing a number of services currently not covered by Medicare. A special example of the latter is nursing home care, for which Medicaid picks up the greatest share of the cost largely for disabled and aged individuals who have exhausted both their resources and their Medicare coverage. About 38 percent of Medicaid's \$17 billion expenditure in fiscal 1977 was consumed by persons over 65, although the aged represented only 18 percent of the total population eligible for Medicaid.

While Medicare has greatly broadened and improved health insurance coverage for the elderly, it has fallen short of its intended goal of comprehensive care. Several services, for example, are not covered by Medicare, but do represent a significant proportion of costs for the elderly. Maintenance drugs, dental care, and optometric services are among the most costly and heavily used items which still remain out-of-pocket expenses for the elderly. Moreover, the rising cost of co-insurance and deductibles has eaten away at least some of the program's original benefits.

A more general problem in the provision of health services to the aging is the reliance on intensive medical treatment to the exclusion of other kinds of care and services. While most of the elderly do in fact require some medical services, the vast majority can function with a minimum level of assistance, particularly if such help is available in their homes. However, Medicare coverage of home health services is quite restrictive, forcing many elderly people into nursing homes or precarious existence in their own homes.

Health care is but one component in a constellation of long-term services that are needed by elderly persons. Social services, home health, housing assistance, nutrition counseling, and Meals on Wheels are forms of assistance that complement traditional health care. Presently, these services are limited in supply and underfunded in comparison to health services. In addition, they are financed and provided by a myriad of funding sources and delivery mechanisms. Despite these limitations, progress is being made in the development of community-based care. Programs such as the Minneapolis Age and Opportunity Center and the Triage Project in Connecticut have demonstrated the efficiency of community-based programs in evaluating individual needs, coordinating services, delivering care, and integrating funding sources. Already, numerous proposals are under consideration in Congress to establish such coordinating bodies on a national basis.

### **Social Services**

Social services for the aging are available under the titles of the Older Americans Act, typically under Title XX of the Social Security Act (Title XX was discussed in a previous

section). The Older Americans Act's overriding purpose is to stimulate the provision of needed services and assistance specifically for older people. Though some of its programs are targeted to needs other than social services, its preeminent focus is the development of comprehensive, coordinated service systems in all parts of the country. Leadership for this is lodged at the federal level in the Administration on Aging of HEW, with implementation being the responsibility of state and area agencies on aging.

The cornerstone of the Older Americans Act is Title III, which provides partial funding for the states to plan, coordinate, evaluate, and administer aging programs and, through them, to develop local area agencies responsible for guiding the development of local service systems. In fiscal 1977, total federal funds for Title III were set at \$137.8 million, with \$17 million allocated to the state functions and the remainder to the local area agencies. Total funding in the previous year was \$110 million (see Table 6).

The area agencies on aging are the basic building blocks of the service systems envisioned by the 1973 amendments to the Older Americans Act. The principal intent of these amendments was to encourage states to rationally plan the development of social services for the aging by (1) identifying manageable, local service areas and (2) designating in those areas public or private nonprofit agencies capable of coordinating service delivery and people's needs without providing services directly. By the end of fiscal 1976, states had approved plans and budgets for 536 area agencies, covering roughly 90 percent of the elderly population in the United States. Agencies actually in operation in that year served over 11 million persons 60 years of age or older.

The largest and one of the more successful ventures of the Older Americans Act has been the Title VII nutrition program. The aim of this program has been both to enhance nutrition among the elderly and to support their existence in the community. The \$187.5 million budget for Title VII in fiscal 1976 funded 809 nutrition projects in all states, serving 275,000 meals daily to over 1.7 million persons during the year. Funding was increased to \$203.5 million in fiscal 1977 so that participation could be expanded.

The Title V program (multipurpose senior centers) established by the 1973 amendments noted above provides funds for the acquisition, renovation, or alteration of a facility that will serve as a senior center. Construction and operating costs are not covered, although these may be picked up under other federal programs. Title V received its first funding in the transitional quarter of fiscal 1976: \$5 million, which was used to fund 549 centers. In fiscal 1977, the program was allocated \$20 million to develop an estimated 1,000 centers.

It should be clear from this brief description that the Older Americans Act functions in large part as a catalyst to other federal programs and state and local governments to improve their service to the aging. One of the main targets of its influence in recent years has been the Title XX program.

In theory, Title XX is designed to give some preference to older people. At least 50 percent of the service population must be public assistance recipients, which would include persons receiving SSI, many of whom are aged. SSI recipients are also the intended beneficiaries of the requirement that states provide them no less than three services under the program. Finally, in the fall of 1976, the Title XX law was revised to give states the option of providing services (except child care) to a group of people without having to determine eligibility for each person. This change was made largely in response to pressure from senior center participants who objected to having their income tested.

On the other hand, certain aspects of Title XX may put the elderly at a disadvantage. The \$2.5 billion ceiling on federal funds limits the amount that can go to any one group. The

availability of services under the Older Americans Act may weaken the position of the aged in vying for a share of limited Title XX funds. Further, the stigma associated with public services intended mainly for the "welfare" poor may deter older people from seeking them.

Whether the sum of these positive and negative features has helped or hurt the elderly in the program is impossible to determine accurately at this time. The data available on how much has been spent on what and for whom is limited, though the data is better than that generated before the initiation of Title XX. From this data, however, it has been roughly estimated that in the first year of operation between 10 and 12 percent of the services under Title XX were provided to aged SSI recipients, with the proportion varying significantly from state to state. The most common services received by them were homemaker, chore, health-related, home management, and transportation. The amounts and types of service going to other elderly people could not be determined, however. Further assessments of how the elderly benefit from Title XX will have to await more complete data.

Obtaining services for the aged from Title XX has been a major task of state and area agencies on aging, which are required to pool the services and funds of other sources. In the few years since enactment of Title XX, state agencies on aging, and to a lesser extent area agencies, have become increasingly involved in planning the program. In several states these efforts have resulted in Title XX being used to substantially fund various service programs operated by the state aging agency. Formal agreements to coordinate the activities of the Title XX agency and the aging agency have been put together in many states. Though these developments are not conclusive, it seems clear that opportunities to draw on Title XX for services to the aging do exist and can be tapped.

### Conclusion

The programs discussed in this chapter comprise a network of vital services and benefits in which intergovernmental relations play a central part. Many of the problems, as well as the advances, in public welfare over the years have been the consequence of the ever-changing pattern of roles, responsibilities, and influences among the different levels of government.

How might this pattern change in the future? It is difficult to speculate on an issue as fluid as intergovernmental relations in public welfare, but two initiatives taken by the Carter administration may have a marked impact in years to come. Shortly after assuming office in 1977, President Carter's HEW secretary, Joseph A. Califano, Jr., announced a major reorganization of his agency, the first such action in a planned overhaul of the entire federal bureaucracy. The reorganization dissolved the Social Rehabilitation Service, where most welfare programs have been housed since 1967, and dispersed its functions among several different offices in HEW. The reorganization also centralized control in Washington by greatly weakening the authority of the regional HEW offices. While the effect of these decisions on state-federal relations in public welfare is yet to be determined, there can be no doubt that, at the very least, new channels of communication will be established—a common precursor of change.

The other development, perhaps more important than the first, was the introduction on September 12, 1977, of legislation to reform the cash assistance programs of the public welfare system. Titled the "Better Jobs and Income Program," the measure, if enacted, would combine the current programs of AFDC, SSI, and Food Stamps into a single, national, uniform assistance program, augmented by a public jobs program. Though states would participate in the costs of the program for the first several years, the Carter

administration's proposal envisions an eventual federal take-over of both financing and administration. States would retain their responsibilities for Medicaid (unless national health insurance is enacted) and for Social Services.

Public welfare is an intergovernmental responsibility. Even though the distribution of control may be uneven at any one time, each level plays a critical role in assuring that people receive the services and benefits to which they are entitled.

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Table 1  
AID TO FAMILIES WITH DEPENDENT CHILDREN:  
RECIPIENTS AND PAYMENTS, AUGUST 1977\*

State or other jurisdiction	Number of families	Number of recipients			Payments to recipients		Percentage change from June 1976 in	
		Total	Children	Total amount	Average per		Number of recipients	Amount
					Family	Recipient		
Total (a) .....	3,571,285	11,028,733	7,155,118	\$829,053,738	\$232.14	\$ 75.17	-1.8	1.4
Alabama .....	56,481	171,990	126,025	6,363,439	112.67	37.00	3.4	20.7
Alaska .....	4,420	11,758	8,526	1,312,335	296.91	111.61	8.5	13.3
Arizona .....	18,808	57,145	42,532	2,640,373	140.39	46.20	-5.2	-0.7
Arkansas .....	31,045	95,486	70,923	4,171,033	134.35	43.68	-10.5	2.8
California .....	471,257	1,415,393	962,770	137,332,248	291.42	97.03	0.8	14.4
Colorado .....	31,863	92,089	64,726	5,929,403	186.09	64.39	-2.8	-4.6
Connecticut .....	44,311	136,340	96,622	12,005,642	270.94	88.06	2.0	8.3
Delaware .....	10,705	31,472	22,438	2,207,246	206.19	70.13	4.3	16.9
Florida .....	82,280	242,351	178,988	11,183,398	135.92	46.15	2.8	20.0
Georgia .....	85,156	241,921	180,202	8,208,334	96.39	33.93	-12.0	-8.5
Hawaii .....	17,398	56,202	38,206	6,186,270	355.57	110.07	5.3	11.5
Idaho .....	6,873	20,164	13,918	1,731,812	251.97	85.89	1.9	6.1
Illinois .....	227,102	767,399	549,251	60,409,174	266.00	78.72	-2.7	-0.8
Indiana .....	54,272	162,443	117,753	9,066,963	167.07	55.82	-9.6	-9.0
Iowa .....	31,340	94,205	63,677	7,437,480	237.32	78.95	-2.8	-10.3
Kansas .....	27,677	74,636	54,650	6,292,394	227.35	84.31	-1.9	10.8
Kentucky .....	67,522	204,630	141,922	11,392,618	168.72	55.67	0.1	0.6
Louisiana .....	65,060	215,833	161,567	7,664,951	117.81	35.51	-5.6	-6.1
Maine .....	19,770	59,885	41,277	3,706,316	187.47	61.89	-3.0	5.7
Maryland .....	74,037	210,249	147,774	11,849,279	160.05	56.36	-1.8	-2.0
Massachusetts .....	122,779	373,674	255,182	36,940,744	300.87	98.86	3.2	12.3
Michigan .....	204,285	648,527	449,722	58,101,451	284.41	89.59	-4.1	-2.1
Minnesota .....	46,221	130,044	89,871	11,763,391	254.50	90.46	1.8	4.9
Mississippi .....	52,999	173,222	132,154	2,510,424	47.37	14.49	-4.7	-3.3
Missouri .....	87,815	261,681	187,633	11,801,709	134.39	45.10	-4.8	-5.2
Montana .....	6,386	17,678	12,591	1,096,501	171.70	62.03	-5.8	-0.6
Nebraska .....	11,561	34,363	24,445	2,327,037	201.28	67.72	-2.5	-0.9
Nevada .....	4,112	11,560	8,231	661,594	160.89	57.23	-27.0	-22.7
New Hampshire .....	8,626	25,194	17,454	1,789,196	207.42	71.02	-4.6	-7.7
New Jersey .....	137,423	443,744	314,478	36,028,306	262.17	81.19	-0.4	-2.9
New Mexico .....	17,365	54,690	39,081	2,426,113	139.71	44.36	-6.7	-5.7
New York .....	375,848	1,218,557	839,930	138,005,843	367.19	113.25	-0.9	-3.6
North Carolina .....	71,917	199,752	146,357	10,974,612	152.60	54.94	4.9	3.2
North Dakota .....	4,931	13,908	9,859	1,101,052	223.29	79.17	0.8	-0.1
Ohio (a) .....	184,222	556,466	380,518	35,221,955	191.19	63.30	-6.7	-6.5
Oklahoma .....	28,785	89,376	66,566	5,907,844	205.24	66.10	1.3	4.9
Oregon .....	42,859	121,596	80,575	10,854,424	253.26	89.27	6.1	9.5
Pennsylvania (a) .....	208,093	658,162	447,856	58,361,002	280.46	88.67	3.4	4.7
Rhode Island .....	17,329	53,117	36,920	4,377,223	252.60	82.41	0.5	8.8
South Carolina .....	48,006	141,823	103,290	4,018,006	83.70	28.33	2.9	4.7
South Dakota .....	7,892	23,509	17,192	1,432,162	181.47	60.92	-4.4	-5.7
Tennessee .....	62,804	179,351	131,129	6,460,528	102.87	36.02	-12.6	-8.4
Texas .....	96,210	310,370	230,601	9,860,431	102.49	31.77	-7.4	-8.4
Utah .....	12,672	37,203	27,090	3,060,163	241.49	82.26	5.0	10.4
Vermont .....	6,655	21,271	14,058	1,669,087	250.80	78.47	-13.5	-10.8
Virginia .....	59,321	172,794	123,628	11,229,293	189.30	64.99	-1.8	-1.4
Washington .....	48,418	139,932	91,110	11,794,719	243.60	84.29	-2.8	2.2
West Virginia .....	20,969	62,159	43,566	3,549,354	169.27	57.10	-7.0	-3.3
Wisconsin .....	68,739	199,703	138,585	18,198,074	264.74	91.13	4.0	-8.5
Wyoming .....	2,401	6,429	4,671	467,064	194.53	72.65	-0.5	7.5
Dist. of Col. ....	31,593	96,127	68,137	7,571,399	239.65	78.76	-1.9	5.3
Guam .....	1,200	4,464	3,389	231,050	192.54	51.76	59.0	62.7
Puerto Rico .....	42,298(b)	182,916(b)	132,458(b)	2,021,897(b)	47.80	11.05	-7.2	3.0
Virgin Islands .....	1,174(b)	3,780(b)	3,054(b)	149,382(b)	127.24	39.52	2.1	5.9

\*Source: Public Assistance Statistics, U.S. Department of Health, Education, and Welfare, Social Security Administration, Office of Research and Statistics, September 1977. (Includes nonmedical vendor payments, unemployed father segment, and AFDC-foster care data.)

(a) Estimated data.

(b) Incomplete. Data for foster care not reported.



Table 2  
SUPPLEMENTAL SECURITY INCOME FOR THE AGED, BLIND, AND DISABLED, AUGUST 1977\*

State or other jurisdiction	Payment (in thousands)											
	Number of persons receiving federally administered payments				Total federal payments				Average monthly amount of combined federal and state payments			
	Total	Aged	Blind	Disabled	Total federal payments	Federal SSI	Federally administered state supple- mentation(a)	State- administered state supple- mentation(b)	Total	Aged	Blind	Disabled
Total (c) .....	4,237,028	2,079,599	76,848	2,080,581	\$529,882	\$406,727	\$123,155	\$14,861(b)	...	...	...	...
Alabama (d) .....	141,565	90,465	1,907	49,193	13,882	13,882	...	1,031	...	...	...	...
Alaska (d) .....	3,099	1,286	75	1,738	394	394	...	348	...	...	...	...
Arizona (d) .....	28,666	13,089	496	15,081	3,448	3,448	... 86	...	...	...	...	...
Arkansas .....	85,079	52,088	1,631	31,360	7,895	7,869	...	25	\$ 92.79	\$ 79.33	\$122.20	\$113.62
California .....	690,313	325,318	16,920	348,075	124,777	49,353	75,424	...	180.75	143.79	223.77	213.21
Colorado (d) .....	33,412	17,107	330	15,975	3,483	3,483	...	1,478	...	...	...	...
Connecticut (d) .....	22,594	8,336	297	13,961	2,577	2,577	...	926	...	...	...	...
Delaware .....	7,077	2,939	206	3,932	760	706	55	...	107.44	77.34	115.30	129.53
Florida .....	162,656	88,578	2,528	71,550	18,654	18,643	11	93	114.69	99.66	135.72	132.54
Georgia .....	160,499	83,496	2,948	74,055	16,504	16,469	34	...	102.83	84.82	130.11	122.04
Hawaii .....	9,634	5,214	137	4,283	1,330	970	359	...	138.01	117.12	167.48	162.50
Idaho (d) .....	7,948	3,365	105	4,478	773	773	...	218	...	...	...	...
Illinois (d) .....	129,019	41,967	1,623	85,429	14,881	14,881	...	2,723	...	...	...	...
Indiana (d) .....	41,191	18,665	1,052	21,474	3,939	3,939	...	...	...	...	...	...
Iowa .....	27,267	13,707	1,104	12,456	2,464	2,371	93	...	90.38	69.10	127.09	110.55
Kansas .....	22,565	10,521	341	11,703	2,088	2,073	15	...	92.52	73.41	127.04	108.69
Kentucky (d) .....	96,892	51,397	2,011	43,484	10,507	10,507	...	896	...	...	...	...
Louisiana .....	148,781	82,143	2,176	64,462	16,246	16,130	116	...	109.20	91.10	137.56	131.30
Maine .....	22,867	11,634	265	10,968	2,017	1,679	338	...	88.21	60.59	124.81	116.62
Maryland .....	47,907	17,756	544	29,607	5,648	5,609	40	26	117.90	79.58	135.99	140.56
Massachusetts .....	127,027	73,160	4,494	49,373	17,310	7,944	9,366	...	136.27	106.95	198.71	174.03
Michigan .....	116,927	45,231	1,616	70,080	16,118	11,392	4,726	...	137.85	103.81	160.91	159.28
Minnesota (d) .....	35,774	16,153	654	18,967	3,208	3,208	...	266	...	...	...	...
Mississippi .....	119,504	72,841	1,888	44,775	12,366	12,356	11	...	103.48	86.05	134.94	130.51
Missouri (d) .....	93,283	53,104	1,687	38,492	9,558	9,558	...	1,374	...	...	...	...

Montana.....	7,844	3,123	144	4,577	858	773	84	...	109.33	74.27	118.61	132.96
Nebraska (d).....	14,382	7,013	226	7,143	1,330	1,330	...	357	...	...	...	...
Nevada.....	6,002	3,457	337	2,208	711	531	180	...	118.45	99.43	179.31	138.94
New Hampshire (d).....	5,378	2,604	140	2,634	526	526	...	235	...	...	...	...
New Jersey.....	79,893	34,460	1,002	44,431	10,107	8,318	1,788	...	126.50	98.28	136.76	148.16
New Mexico (d).....	25,891	11,588	417	13,886	2,882	2,882	...	12(b)	...	...	...	...
New York.....	379,546	154,334	3,956	221,256	56,552	38,491	18,061	...	149.00	110.42	168.50	175.56
North Carolina (d).....	145,376	72,925	3,470	68,981	14,693	14,693	...	1,448	...	...	...	...
North Dakota (d).....	7,341	4,174	66	3,101	696	696	...	5	...	...	...	...
Ohio.....	125,894	45,293	2,374	78,227	14,382	14,347	35	598	114.24	79.32	130.26	133.97
Oklahoma (d).....	78,198	44,389	1,072	32,737	7,936	7,936	...	2,041	...	...	...	...
Oregon (d).....	23,905	8,959	537	14,409	2,540	2,540	...	420	...	...	...	...
Pennsylvania.....	164,856	65,780	3,970	95,106	22,353	17,167	5,186	...	135.59	100.08	142.94	159.84
Rhode Island.....	15,527	6,518	184	8,825	1,714	1,268	446	...	110.38	78.17	139.98	133.56
South Carolina (d).....	82,694	43,007	1,884	37,803	8,386	8,386	...	121(b)	...	...	...	...
South Dakota.....	8,605	4,789	126	3,690	799	792	7	28	92.85	76.07	134.39	113.21
Tennessee.....	134,834	71,642	1,785	61,407	13,795	13,791	4	...	102.31	79.90	137.03	127.44
Texas (e).....	272,340	171,375	4,029	96,936	25,624	25,624	...	...	...	...	...	...
Utah (d).....	8,452	3,012	160	5,280	901	901	...	...	...	...	...	...
Vermont.....	8,662	4,034	116	4,512	1,070	738	332	...	123.54	94.05	145.50	149.34
Virginia (d).....	78,665	39,869	1,437	37,359	7,728	7,728	...	131	...	...	...	...
Washington.....	48,976	18,370	506	30,100	7,105	5,201	1,905	...	145.08	107.04	173.06	167.82
West Virginia (d).....	42,710	17,503	633	24,574	5,093	5,093	...	...	...	...	...	...
Wisconsin.....	66,663	33,904	928	31,831	8,164	4,040	4,124	...	122.47	95.59	160.30	150.00
Wyoming (d).....	2,238	1,086	33	1,119	223	223	...	...	...	...	...	...
Dist. of Col.....	14,895	4,646	195	10,054	2,004	1,968	36	...	134.51	93.15	154.05	153.25
Unknown.....	5,715	2,185	86	3,444	881	528	353	...	...	...	...	...

\*Source: Public Assistance Statistics, U.S. Department of Health, Education, and Welfare, Social Security Administration, Office of Research and Statistics, September 1977.

(a) Excludes payments for state supplementation under state-administered programs.

(b) Includes data for New Mexico and South Carolina that was not distributed by reason for eligibility.

(c) Includes persons with federal SSI payments and/or federally administered state supplementation, unless otherwise indicated.

(d) Data for federal SSI payments only. State has state-administered supplementation.

(e) Data for federal SSI payments only. State supplementary payments not made.

Table 3  
GENERAL ASSISTANCE:  
RECIPIENTS AND PAYMENTS, AUGUST 1977\*

State or other jurisdiction	Payments to recipients					Percentage change from June 1976 in	
	Number of		Total amount	Average per		Number of recipients	Amount
	Cases	Recipients		Case	Recipient		
Total .....	678,666	861,204	\$102,794,441	\$151.47	\$119.36	-6.1	5.2
Alabama .....	23	23	288	(a)	(a)	(a)	(a)
Arizona .....	2,616	2,616	256,114	97.90	97.90	8.6	7.3
California .....	47,914	50,096	5,892,902	122.99	117.63	-3.1	15.1
Colorado .....	426	912	29,991	70.40	32.88	-71.2	-88.8
Connecticut .....	14,659	22,728	1,939,869	132.33	85.35	-1.7	18.8
Delaware .....	1,500	2,158	83,843	55.90	38.85	-20.7	-13.3
Georgia .....	1,674	2,703	110,925	66.26	41.04	-2.0	21.1
Hawaii .....	7,946	15,223	2,049,822	257.97	134.65	13.4	27.2
Illinois .....	69,820	82,213	9,482,781	135.82	115.34	10.3	16.4
Kansas .....	6,000	6,703	790,964	131.83	118.00	-33.6	-21.0
Louisiana .....	2,935	3,060	161,083	54.88	52.64	-19.6	-21.1
Maine .....	3,521	9,466	208,179	59.12	21.99	-7.7	-10.2
Maryland .....	18,732	19,800	2,156,198	115.11	108.90	10.2	16.6
Massachusetts .....	22,055	24,256	2,967,215	134.54	122.33	3.2	-14.7
Michigan .....	48,116	59,299	8,226,470	170.97	138.73	-17.5	-18.0
Minnesota .....	13,091	15,767	1,841,375	140.66	116.79	-2.5	2.4
Mississippi .....	1,114	1,328	17,432	15.65	13.13	21.3	37.6
Missouri .....	6,556	7,037	446,617	68.12	63.47	-19.0	-18.6
Montana .....	635	1,067	37,112	58.44	34.78	-2.7	1.2
New Hampshire .....	1,417	2,560	178,395	125.90	69.69	-18.3	48.8
New Jersey .....	31,996	57,395	5,123,912	160.14	89.27	1.0	6.0
New Mexico .....	281	297	22,092	78.62	74.38	-26.7	-28.6
New York .....	149,767	195,955	29,543,478	197.26	150.77	-19.1	3.6
North Carolina .....	1,821	3,741	78,247	42.97	20.92	11.7	29.6
North Dakota .....	95	188	7,021	73.91	37.35	-0.5	50.8
Ohio (b) .....	44,214	52,950	3,968,363	89.75	74.95	-0.5	0.9
Oklahoma .....	171	377	5,085	29.74	13.49	233.6	300.4
Oregon .....	4,519	6,539	415,201	91.88	63.50	42.7	-4.4
Pennsylvania .....	136,300	162,575	22,104,116	162.17	135.96	11.8	21.7
Rhode Island .....	3,420	5,250	565,890	165.46	107.79	-42.8	-26.3
South Carolina .....	832	918	45,814	55.06	49.91	26.1	31.3
South Dakota .....	453	1,058	20,131	44.44	19.03	36.0	40.2
Utah .....	1,350	1,649	219,523	162.61	133.12	-10.7	5.7
Virginia .....	7,288	10,413	830,083	113.90	79.72	-1.7	-0.3
Washington .....	8,410	9,156	956,723	113.76	104.49	-21.6	-6.3
West Virginia .....	3,129	7,283	112,826	36.06	15.49	13.1	-9.9
Wisconsin .....	7,528	9,418	944,989	125.53	100.34	1.3	15.0
Wyoming .....	315	665	19,885	63.13	29.90	100.3	53.5
Dist. of Col. ....	5,485	5,774	910,024	165.91	157.61	-13.8	-6.9
Guam .....	50	52	4,058	(a)	78.04	(a)	(a)
Puerto Rico .....	221	221	2,978	13.48	13.48	11.1	11.3
Virgin Islands .....	271	315	16,427	60.62	52.15	-0.9	-2.5

\*Source: Public Assistance Statistics, U.S. Department of Health, Education, and Welfare, Social Security Administration, Office of Research and Statistics, September 1977. Data includes nonmedical vendor payments. Data does not include Alaska, Arkansas, Florida, Idaho, Indiana, Iowa, Kentucky, Nebraska, Nevada, Tennessee, Texas, and Vermont because (1) programs are administered by townships and

local areas and reports are not available or (2) counties are unable to report on their state-assisted programs.

(a) Average payment not computed on base of fewer than 50 cases or recipients; percentage change on fewer than 100 recipients.

(b) Estimated data.

Table 4  
FOOD STAMP PROGRAM, APRIL 1977\*

State or other jurisdiction	Recipients			Payments		
	Total	Public assistance recipients	Nonpublic assistance recipients	Total value of coupons distributed	Total bonus value	Average bonus value per recipient
Total .....	17,147,457	8,205,545	8,941,912	\$692,517,850	\$415,820,945	\$24.25
Alabama .....	316,442	88,859	227,583	12,575,261	8,192,067	25.89
Alaska .....	12,417	3,307	9,110	697,122	517,020	41.64
Arizona .....	140,388	32,836	107,552	5,320,498	3,703,330	26.38
Arkansas .....	212,913	54,421	158,492	8,614,281	5,396,666	25.35
California .....	1,363,132	940,099	423,033	54,707,643	27,313,579	20.04
Colorado .....	149,022	67,277	81,745	6,182,925	4,123,345	27.67
Connecticut .....	180,878	96,550	84,328	7,487,701	3,921,961	21.68
Delaware .....	26,837	19,924	6,913	1,253,145	746,811	27.83
Florida .....	709,601	159,853	549,748	28,810,388	20,829,153	29.35
Georgia .....	465,982	127,590	338,392	18,304,241	11,882,500	25.50
Hawaii .....	111,301	69,394	41,907	5,491,765	2,907,993	26.13
Idaho .....	31,599	14,028	17,571	1,306,839	807,176	25.54
Illinois .....	935,316	674,977	260,339	40,310,456	23,497,666	25.12
Indiana .....	197,068	97,476	99,592	7,782,701	4,954,055	25.14
Iowa .....	106,550	67,679	38,871	4,242,714	2,412,106	22.64
Kansas .....	64,014	42,288	21,726	2,564,384	1,294,293	20.22
Kentucky .....	408,199	130,229	277,970	16,651,394	10,842,379	26.56
Louisiana .....	429,144	154,470	274,674	17,091,404	11,172,108	26.03
Maine .....	108,272	34,474	73,798	4,208,165	2,584,395	23.87
Maryland .....	259,529	173,468	86,061	10,865,602	7,133,921	27.49
Massachusetts .....	600,450	329,491	270,959	23,199,941	13,000,147	21.65
Michigan .....	641,412	501,502	139,910	23,932,453	10,856,072	16.93
Minnesota .....	161,185	86,649	74,536	6,479,729	3,572,102	22.16
Mississippi .....	334,355	79,020	255,335	13,265,382	8,825,832	26.40
Missouri .....	223,895	111,788	112,107	9,166,213	5,823,522	26.01
Montana .....	27,479	10,830	16,649	1,095,162	726,349	26.43
Nebraska .....	40,710	19,393	21,317	1,595,721	901,785	22.15
Nevada .....	18,570	5,923	12,647	773,535	549,561	29.59
New Hampshire .....	46,326	19,866	26,460	1,855,834	1,146,673	24.75
New Jersey .....	524,927	341,948	182,979	22,728,237	13,575,341	25.86
New Mexico .....	119,864	39,042	80,822	4,886,441	3,376,463	28.17
New York .....	1,611,582	1,158,214	453,368	63,897,154	28,933,222	17.95
North Carolina .....	434,066	100,986	333,080	17,095,210	11,144,386	25.67
North Dakota .....	15,221	4,487	10,734	593,863	334,569	21.98
Ohio .....	809,777	505,896	303,881	32,922,196	21,949,406	27.11
Oklahoma .....	161,086	51,227	109,859	6,375,277	3,115,682	19.34
Oregon .....	157,228	85,476	71,752	6,251,396	3,613,033	22.98
Pennsylvania .....	879,388	622,684	256,704	36,503,656	17,931,011	20.39
Rhode Island .....	79,134	51,490	27,644	3,164,000	1,507,059	19.04
South Carolina .....	281,845	68,649	213,196	11,213,612	7,512,396	26.65
South Dakota .....	26,311	9,370	16,941	1,038,409	617,396	23.47
Tennessee .....	391,021	97,538	293,483	15,841,595	11,017,099	28.18
Texas .....	843,301	211,227	632,074	31,843,854	20,975,779	24.87
Utah .....	36,503	25,624	10,879	1,457,306	776,880	21.28
Vermont .....	43,225	19,287	23,938	1,733,857	944,623	21.85
Virginia .....	292,658	98,374	194,284	11,633,436	8,096,292	27.66
Washington .....	213,906	122,902	91,004	8,874,258	5,212,378	24.37
West Virginia .....	181,981	69,448	112,533	6,964,006	4,361,699	23.97
Wisconsin .....	183,148	119,037	64,111	7,028,634	3,268,977	17.85
Wyoming .....	8,775	3,304	5,471	350,281	226,056	25.76
Dist. of Col. ....	97,805	74,998	22,807	4,013,812	2,093,339	21.40
Guam .....	23,801	2,336	21,465	1,283,256	824,900	34.66
Puerto Rico .....	1,383,857	103,344	1,280,513	57,674,421	43,836,780	31.68
Virgin Islands .....	24,061	1,996	22,065	1,317,084	941,612	39.13

\*Source: Food and Nutrition Service, U.S. Department of Agriculture.

Table 5  
**SOCIAL SERVICES PROGRAM, TITLE XX OF THE  
 SOCIAL SECURITY ACT, FEDERAL ALLOTMENT FOR STATE USE\***

State or other jurisdiction	Actual use of federal allotments in fiscal 1976 (a)			Planned use of federal allotments in fiscal 1977 (b)		
	Total state use			Planned state use		
	Federal allotment available	Amount spent	Percentage of allotment	Federal allotment available	Amount to be spent	Percentage of allotment
Total .....	\$2,500,000,000	\$2,079,688,510	83.2	\$2,500,000,000	\$2,444,000,000	98
Alabama .....	42,250,000	29,900,310	71	42,300,000	42,300,000	100
Alaska .....	4,000,000	4,000,000	100	3,975,000	3,975,000	100
Arizona .....	24,500,000	6,434,197	26	25,450,000	24,345,000(c)	96
Arkansas .....	24,250,000	11,948,505	49	24,375,000	24,375,000	100
California .....	245,500,000	245,500,000	100	247,250,000	247,250,000	100
Colorado .....	29,000,000	28,999,965	100	29,525,000	29,525,000	100
Connecticut .....	36,750,000	36,750,000	100	36,525,000	36,525,000	100
Delaware .....	6,750,000	6,365,550	94	6,775,000	6,775,000	100
Florida .....	91,500,000	89,045,043	97	95,675,000	95,675,000	100
Georgia .....	57,000,000	52,270,283	92	57,725,000	57,725,000	100
Hawaii .....	10,000,000	8,322,329	83	10,025,000	9,966,000(c)	99
Idaho .....	9,250,000	9,250,000	100	9,450,000	9,450,000	100
Illinois .....	133,750,000	94,127,339	70	131,650,000	131,650,000	100
Indiana .....	63,250,000	8,707,974	14	63,025,000	30,598,000(c)	49
Iowa .....	34,500,000	34,500,000	100	33,775,000	33,775,000	100
Kansas .....	27,250,000	17,613,254	65	26,850,000	26,850,000	100
Kentucky .....	39,750,000	39,750,000	100	39,700,000	39,700,000	100
Louisiana .....	44,750,000	31,839,730	71	44,525,000	44,525,000	100
Maine .....	12,250,000	10,100,510	83	12,375,000	12,375,000	100
Maryland .....	48,500,000	43,972,900	91	48,425,000	48,425,000	100
Massachusetts .....	69,250,000	64,108,618	93	68,600,000	68,600,000	100
Michigan .....	107,750,000	102,837,187	95	107,575,000	107,575,000	100
Minnesota .....	46,500,000	46,498,929	100	46,325,000	46,325,000	100
Mississippi .....	27,250,000	8,321,227	31	27,475,000	11,406,000(c)	42
Missouri .....	56,750,000	28,230,178	50	56,500,000	56,500,000	100
Montana .....	8,500,000	8,500,000	100	8,700,000	8,700,000	100
Nebraska .....	18,250,000	18,250,000	100	18,250,000	18,250,000	100
Nevada .....	6,500,000	3,824,090	59	6,775,000	6,594,000(c)	97
New Hampshire .....	9,500,000	7,159,145	75	9,550,000	9,550,000	100
New Jersey .....	87,750,000	82,480,142	94	86,700,000	86,700,000	100
New Mexico .....	13,250,000	10,614,823	80	13,275,000	13,275,000	100
New York .....	217,500,000	217,500,000	100	214,200,000	214,200,000	100
North Carolina .....	62,750,000	41,356,243	66	63,425,000	63,425,000	100
North Dakota .....	7,500,000	5,518,110	74	7,525,000	7,525,000	100
Ohio .....	127,750,000	61,471,744	48	126,975,000	126,975,000	100
Oklahoma .....	31,750,000	26,605,714	84	32,050,000	32,050,000	100
Oregon .....	26,500,000	25,464,676	96	26,800,000	26,800,000	100
Pennsylvania .....	141,750,000	115,402,679	81	139,975,000	139,975,000	100
Rhode Island .....	11,500,000	11,500,000	100	11,075,000	11,075,000	100
South Carolina .....	32,500,000	27,683,910	85	32,925,000	32,925,000	100
South Dakota .....	8,250,000	6,552,320	79	8,075,000	8,075,000	100
Tennessee .....	49,250,000	28,335,546	58	48,825,000	42,891,000(c)	88
Texas .....	140,500,000	140,500,000	100	142,500,000	142,500,000	100
Utah .....	13,750,000	10,334,625	75	13,875,000	13,875,000	100
Vermont .....	5,500,000	5,500,000	100	5,550,000	5,550,000	100
Virginia .....	57,250,000	38,181,073	67	58,050,000	58,050,000	100
Washington .....	40,750,000	40,749,990	100	41,100,000	41,100,000	100
West Virginia .....	21,500,000	19,450,299	91	21,175,000	21,175,000	100
Wisconsin .....	54,500,000	54,500,000	100	54,000,000	54,000,000	100
Wyoming .....	4,250,000	3,769,353	89	4,250,000	4,205,000(c)	100
Dist. of Col. ....	9,000,000	9,000,000	100	8,550,000	8,550,000	100

\*Source: Office of the Assistant Secretary for Planning and Evaluation, Department of Health, Education, and Welfare.

(a) Social and Rehabilitation Service Budget Office actual use report.

(b) Final CASP plan estimates.

(c) These are states not planning to use their full federal allotment for fiscal 1977, based on data available in the fiscal 1977 final CASP plans.

Table 6  
 OLDER AMERICANS ACT, TITLES III AND VII,  
 FUNDING LEVELS FOR FISCAL 1977\*

State or other jurisdiction	TITLE III Grants for state and community programs on aging			TITLE VII Nutrition programs
	Total Amount	Authorized funding levels		State allotment
		Area planning and social services	State administration	
Total	\$137,780,000	\$120,780,000	\$17,000,000	\$201,489,750
Alabama	2,167,712	1,939,191	228,521	3,234,752
Alaska	803,900	603,900	200,000	1,007,448
Arizona	1,352,746	1,152,746	200,000	1,922,888
Arkansas	1,555,763	1,355,763	200,000	2,261,540
California	11,878,016	10,625,833	1,252,183	17,724,803
Colorado	1,295,136	1,095,136	200,000	1,826,790
Connecticut	1,876,166	1,676,166	200,000	2,796,002
Delaware	803,900	603,900	200,000	1,007,448
Florida	7,221,566	6,460,267	761,299	10,776,331
Georgia	2,505,787	2,241,626	264,161	3,739,243
Hawaii	803,900	603,900	200,000	1,007,448
Idaho	803,900	603,900	200,000	1,007,448
Illinois	6,659,308	5,957,282	702,026	9,937,304
Indiana	3,026,775	2,707,692	319,083	4,516,684
Iowa	2,000,779	1,789,856	210,923	2,985,647
Kansas	1,598,498	1,398,498	200,000	2,332,826
Kentucky	2,088,745	1,868,549	220,196	3,116,915
Louisiana	1,994,304	1,784,064	210,340	2,975,985
Maine	828,893	626,893	200,000	1,045,716
Maryland	2,027,869	1,814,091	213,778	3,026,073
Massachusetts	3,798,274	3,397,859	400,415	5,667,947
Michigan	4,751,248	4,250,370	500,878	7,090,016
Minnesota	2,430,744	2,174,494	256,250	3,627,261
Mississippi	1,468,845	1,268,845	200,000	2,116,553
Missouri	3,312,172	2,963,002	349,170	4,942,565
Montana	803,900	603,900	200,000	1,007,448
Nebraska	1,148,674	948,674	200,000	1,582,477
Nevada	803,900	603,900	200,000	1,007,448
New Hampshire	803,900	603,900	200,000	1,007,448
New Jersey	4,502,525	4,027,868	474,657	6,718,861
New Mexico	803,900	603,900	200,000	1,007,448
New York	11,729,349	10,492,838	1,236,511	17,503,038
North Carolina	2,902,563	2,596,574	305,989	4,331,329
North Dakota	803,900	603,900	200,000	1,007,448
Ohio	6,131,481	5,485,099	646,382	9,149,660
Oklahoma	1,863,608	1,663,608	200,000	2,775,055
Oregon	1,528,702	1,328,702	200,000	2,216,399
Pennsylvania	7,987,781	7,145,707	842,074	11,919,710
Rhode Island	803,900	603,900	200,000	1,007,448
South Carolina	1,421,106	1,221,106	200,000	2,036,919
South Dakota	803,900	603,900	200,000	1,007,448
Tennessee	2,527,141	2,260,729	266,412	3,771,108
Texas	6,645,321	5,944,770	700,551	9,916,435
Utah	803,900	603,900	200,000	1,007,448
Vermont	803,900	603,900	200,000	1,007,448
Virginia	2,513,233	2,248,287	264,946	3,750,354
Washington	2,073,879	1,855,250	218,629	3,094,731
West Virginia	1,293,097	1,093,097	200,000	1,823,389
Wisconsin	2,890,584	2,585,858	304,726	4,313,454
Wyoming	803,900	603,900	200,000	1,007,448
Dist. of Col.	803,900	603,900	200,000	1,007,448
American Samoa	364,450	301,950	62,500	507,724
Guam	364,450	301,950	62,500	507,724
Puerto Rico	1,267,310	1,067,310	200,000	1,780,374
Trust Territory	364,450	301,950	62,500	507,724
Virgin Islands	364,450	301,950	62,500	507,724

\*Source: Administration on Aging, Office of Human Development, Department of Health, Education, and Welfare, October 1977.

## 4. Public Protection

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### THE STATES AND THE CRIMINAL JUSTICE SYSTEM\*

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THE CRIMINAL JUSTICE SYSTEM—composed as it is of courts, police, and corrections—extends across all three branches of government as well as having an intergovernmental character. Actions by the federal government often exercise a profound influence on state policies. Thus, the first section of this article summarizes the major U.S. Supreme Court decisions affecting criminal justice systems which were handed down during the Court's last term. The federal government also impacts upon state criminal justice agencies through its grant-in-aid programs. Renewal of federal grant programs, authorized under the Juvenile Justice and Delinquency Prevention Act and the Safe Streets Act, is discussed.

State legislatures play a crucial role in effecting criminal justice reform by enacting statutes and authorizing funds for state criminal justice agency operations. Judging from the quantity of important legislation enacted in 1976 and 1977, criminal justice, and in particular corrections issues, is a top item on the agenda of state legislatures. This legislative activity in the states is summarized in the second section of this article.

The final section catalogs recent developments and trends in addressing the problems of juvenile delinquency. Two primary trends are described—the deinstitutionalization of status offenders and the establishment of a more due process oriented system for juvenile criminal offenders.

#### Federal Activities

##### The Supreme Court

In 1976, the U.S. Supreme Court upheld the death penalty laws of Florida, Georgia, and Texas which provided guidelines for judges and juries to follow when imposing a death sentence, and created a two-tier trial system—one trial for determining guilt and one for setting sentence. However, the Court struck down North Carolina and Louisiana laws making the death sentence mandatory for first-degree murder.

In 1977, the Court set further guidelines for the death penalty by overturning two state laws. The justices ruled that Louisiana's mandatory death penalty for murdering an on-duty policeman was an unconstitutional form of cruel and unusual punishment because it did not allow mitigating circumstances to be considered. Factors cited in the opinion which might warrant a lesser sentence include the age of the murderer, whether the murderer was under the influence of drugs or alcohol, or whether the murderer suffered from an emotional disturbance. The Court also struck down Georgia's death penalty for rape, finding that the penalty was unconstitutionally harsh for the crime.

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\*Various sections of this article were written by Michael Kannensohn and Robert Weber of the Council of State Governments' staff; Joseph L. White of the Academy for Contemporary Problems; and Tassie Hanna of the National Conference of State Legislatures. Mr. Kannensohn coordinated the preparation of the material.

In other decisions, the Court upheld the *Miranda* procedural requirements imposed on police to inform a defendant of the right to remain silent and the right to legal counsel. Twenty-two states had joined in the suit asking the Court to overturn or relax the requirements, but the justices decided the case without confronting the *Miranda* issue.

The justices also ruled that prison officials must help inmates prepare and file legal claims. Because inmates have a constitutional right of access to courts, the opinion held that officials must either make law libraries or legal assistance available.

The role of undercover agents in law enforcement was upheld. The justices approved a case involving an agent who participated in pretrial discussions between a defendant and attorney and then testified against the defendant during the trial.

### **Juvenile Justice and Delinquency Prevention Act Renewal**

Congress, in 1977, reauthorized the Juvenile Justice and Delinquency Prevention Act for three years and expanded its provisions. First adopted in 1974, the federal program is designed to help states develop effective delinquency prevention programs, divert juveniles from the juvenile justice system, and stimulate alternatives to traditional detention and corrections facilities. It primarily provides formula grants to states that have written comprehensive delinquency plans, and requires states to spend 75 percent of their federal funds on prevention, diversion, and alternatives. During hearings on the bill, witnesses repeatedly stressed that severely inadequate appropriations had hindered the law's successful implementation. Funding authorization, therefore, was increased to \$150 million in fiscal 1978, \$175 million in 1979, and \$200 million in 1980.

Congressional approval caused several important changes in the program. Most notably, one very controversial requirement in the act was relaxed. Originally, states and localities were required to separate all juvenile offenders from adult offenders and deinstitutionalize their treatment of status offenders within two years of participating in the program. While most states had taken steps to accomplish these objectives within the time period, a few states had objected to the federal requirements and elected not to participate. Under the new law, states have an additional year, or a total of three years, to reach substantial compliance (75 percent) in deinstitutionalizing treatment of status offenders and an additional two years if the state can show it is taking steps to comply.

The bill also revised the requirements for matching program grants, and spending for planning and administration. Previously, states were required to provide a 10 percent match to federal juvenile justice funds and were permitted to spend up to 15 percent of their grant award for planning and administration. Beginning in 1979, a 50 percent cash match of planning and administration costs will be required and only 7.5 percent of the federal funds will be allowed for planning and administration. No match will be required for program funds.

Congress strengthened the role of state juvenile justice advisory groups in the state plan development and expanded their jurisdiction beyond the state planning agency to include the governor and legislature. Advisory groups were also granted review and comment authority on all juvenile-related grant applications.

### **Law Enforcement Assistance Administration**

Indicative of growing congressional dissatisfaction with LEAA's record of operation, appropriations for fiscal 1978 were considerably reduced from the previous year's level of \$754 million to \$647 million. A substantial portion of the block grant was earmarked for



specific programs, placing even greater limits on state and local spending. Appropriations include: \$100 million for juvenile delinquency, \$15 million for community anticrime measures, \$30 million for the Law Enforcement Education Program, and \$15 million for the Public Safety Officers Benefit.

LEAA also came under examination within the Department of Justice itself. The U.S. Attorney General appointed a study group to conduct a major review of the department's assistance to state and local governments for crime control and criminal justice improvements. The study group recommended major changes which would require substantial legislative changes and administrative action if implemented. Congress held initial hearings on the study group's report in preparation for detailed review in 1978.

The report of the study group called for replacing LEAA's three block grant programs with a single aid program similar to revenue sharing. While most restraints on the use of the money would be removed under a new direct assistance program, minimum funding levels would have to be maintained for certain categories. In addition, the recommendations support an end to the extensive federal planning requirements.

The second major thrust of the report called for a revised national research and development role in criminal justice programs. State and local governments would be authorized to use a portion of their direct aid grants to implement national demonstration projects.

### **State Legislative Activities**

Criminal justice issues continued to be a top item on the agenda of state legislators in 1976 and 1977. Moreover, many of the current concerns of legislators reflect priorities of the past two years. The following summarizes legislative action in these areas of primary concern.

#### **Criminal and Penal Code Revision**

The trend of recent years in the revision of state criminal and penal codes is reflected by action during 1976 and 1977. Prior to the revisions, these codes were characterized by often overlapping, duplicative, and inconsistent statutes, many of which had not been updated during this century. Penalties for crimes were revised in Alabama, Arizona, Indiana, Iowa, Missouri, and South Dakota, bringing to 34 the total number of states with revised codes. In addition, revision was completed but not enacted during 1977 in California, Maryland, and New Jersey and was well under way in Alaska and Michigan.

#### **Handgun Control**

To meet the continuing rise in violent crimes, states have passed measures providing for stiffer penalties, some mandating incarceration, for felony offenses committed while in possession of a handgun. Fifteen states enacted this type of legislation (Colorado, Georgia, Hawaii, Kansas, Maine, Michigan, Mississippi, Missouri, New Hampshire, Oklahoma, Rhode Island, Tennessee, Texas, Utah, and Virginia). In 1976 and 1977, legislation also passed in Iowa, Minnesota, and Wisconsin requiring cooling-off periods before a gun could be purchased. A new law in Utah specifies that prison inmates or those on parole may not own or possess a dangerous weapon.

#### **Crime Victim Compensation**

With action in Florida, Kentucky, Michigan, Ohio, Pennsylvania, Virginia, and Wisconsin, 24 states now have programs in which victims of violent crime are granted

financial compensation by the state. Criminals also may be required to make direct financial restitution to their victims in Colorado, Florida, Pennsylvania, South Carolina, Texas, and Virginia, and in Oklahoma in the case of a suspended sentence. While victim compensation and restitution programs differ according to the source providing financial redress, the types of offenses covered also vary under both types of statutes. State compensation is awarded to victims of violent crimes; restitution by offenders to their victims is generally provided for property or related offenses. Nonetheless, the two approaches reflect the priority that states are placing upon providing financial assistance to victims of crime.

### **Court Reform**

The increasing case dockets of recent years have accelerated long-standing efforts to make court systems more economical, efficient, and effective in their operations. As such, the courts have been a major target for legislative reform measures. These consisted of creating unified courts, the state assuming the costs of operating local courts, reorganizing lower courts, dividing the state into districts to better equalize court burdens, establishing time limits to ensure a speedy trial of charged criminal offenders, etc. Details on court reform are in another article, "The State of the Judiciary," appearing elsewhere in this volume.

### **Capital Punishment**

In its 1972 *Furman v. Georgia* decision outlawing capital punishment, the U.S. Supreme Court did not explicitly establish the unconstitutionality of death penalty statutes. Responding to the Court's objections to capital punishment in that decision, states have attempted, over the last five years, to reinstitute or extend mandatory death penalty statutes for selected categories of crime. With action in Alabama, Illinois, Kentucky, New Hampshire, and New Jersey, 36 states now have death penalty legislation on the books. These new laws have taken two basic forms. Some states have enacted laws which call for a separate sentencing procedure. After guilt has been determined, the difference between life and death depends on certain specified and unspecified aggravating and mitigating circumstances. In addition to the U.S. Supreme Court decision previously mentioned, some state statutes have also been interpreted by state supreme courts as still not meeting the guidelines established by the Court in *Furman* and the July 1976 rulings. In response to either state supreme court action, or the July 1976 U.S. Supreme Court decisions, or both, six states have revised their statutes to comply with the latest rulings (California, Louisiana, Missouri, Oklahoma, Virginia, and Wyoming). The number of prisoners under sentence of death is shown in the table on the next page.

### **Child Pornography**

In recent years, the multibillion dollar pornography industry has taken a new form—the exploitation of children. Consequently, legislatures have moved to curb the growth of child pornography in sexually explicit magazines and films. The trend in this legislation is toward stiff fines and prison terms for people who use a minor in an obscene performance which will be photographed or filmed, with the definition of a minor's age varying from state to state. Seven states (Arizona, Connecticut, Delaware, Illinois, Missouri, New Hampshire, and Ohio) have joined North Carolina, North Dakota, Rhode Island, South Dakota, and Tennessee as states prohibiting and establishing tough penalties for child pornography. More generally, other types of obscenity and pornography also came under new regulation through legislation enacted in Arizona, Arkansas, Colorado, Iowa, Maine, New Hampshire, and Texas.

## STATE DEATH PENALTY STATUTES\*

(As of August 1, 1977)

State	Method of execution	Persons on death row	State	Method of execution	Persons on death row
Alabama . . . . .	Electrocution	7	New York . . . . .	Electrocution	2
Arizona . . . . .	Lethal gas	16	North Carolina . . . . .	Lethal gas	0
Arkansas . . . . .	Electrocution	7	Ohio . . . . .	Electrocution	73
California . . . . .	Lethal gas	0	Oklahoma . . . . .	Lethal intravenous injection (a)	4
Colorado . . . . .	Lethal gas	5	Pennsylvania . . . . .	Electrocution	18
Connecticut . . . . .	Electrocution	0	Rhode Island . . . . .	Lethal gas	2
Delaware . . . . .	Hanging	0	South Carolina . . . . .	Electrocution	0
Florida . . . . .	Electrocution	85	Tennessee . . . . .	Electrocution	0
Georgia . . . . .	Electrocution	59	Texas . . . . .	Lethal intravenous injection	62
Idaho . . . . .	Hanging	3	Utah . . . . .	Hanging or firing squad (b)	5
Illinois . . . . .	Electrocution	0	Vermont . . . . .	Electrocution	0
Indiana . . . . .	Electrocution	9	Virginia . . . . .	Electrocution	0
Kentucky . . . . .	Electrocution	0	Washington . . . . .	Hanging	1
Louisiana . . . . .	Electrocution	0	Wyoming . . . . .	Lethal gas	0
Mississippi . . . . .	Lethal gas	22			
Missouri . . . . .	Lethal gas	0			
Montana . . . . .	Hanging	5			
Nebraska . . . . .	Electrocution	4			
Nevada . . . . .	Lethal gas	3			
New Hampshire . . . . .	Hanging	0	Total . . . . .		392

\*Source: Compiled from statistics of the National Center for State Courts and the American Civil Liberties Union Capital Punishment Project. Sixteen states have no capital punishment law in effect.

(a) If intravenous injections are ruled unconstitutional, the alternative modes are electrocution first and firing squad second.

(b) In Utah, the prisoner chooses the method of execution. If he will not choose, the sentencing judge must decide.

## Rape Laws

A top priority of many feminist groups has been to bring about changes in laws governing rape. In particular, efforts have been directed toward limiting admission of the victim's prior sexual conduct. Alabama, Arkansas, Kentucky, Maryland, Mississippi, New Jersey, North Carolina, Pennsylvania, Vermont, West Virginia, and Wisconsin are the latest states passing legislation providing such protection of victims' rights. In addition, Vermont, along with West Virginia and Wisconsin, revised its rape laws to include new degrees of sexual assault.

## Collective Bargaining

Corrections officers continue to organize and negotiate for higher wages and safer working conditions. Contracts are not easy to negotiate and legislatures are sometimes reluctant to appropriate dollars to meet agreed-upon terms. Walkouts by guards in Connecticut and Wisconsin required administrative personnel in the former and the National Guard in the latter to maintain institutional operations. Ohio and Pennsylvania have had a number of walkouts. More than 20 states had collective bargaining agreements with prison guards as of 1976.

## Consolidation of Corrections Agencies

Executive and legislative study committees continue to examine alternative methods of organizing corrections services. New Mexico, which placed corrections in a public safety

umbrella agency, and West Virginia, which established an independent department of corrections by separating it from the Department of Public Institutions (including health institutions and children's homes), are the states which have most recently reorganized that functional component. Illinois, New York, and Ohio are currently considering restructuring of corrections services. Reorganization proposals reflect the trend toward unification of corrections in recent years. (For details see another article in this volume, "State Administrative Organization Activities.") Unification efforts, however, have moved away from housing corrections in human services agencies and more toward the public safety umbrella or independent corrections agency models.

### **Accreditation and Its Implications**

As a result of over 10 years of planning, a pilot project, and debate, the Commission on Accreditation for Corrections was established for evaluating facilities, programs, and services offered by federal, state, and local corrections agencies. In particular, standards were developed governing adult parole authorities, corrections institutions, parole and probation agencies, and community residential facilities.<sup>1</sup> Jail standards were to be issued in early 1978. The accreditation standards can provide measures for agency self-evaluation in the assessment of facility and service quality. Participation in the accreditation process by corrections agencies is strictly voluntary.

Although an agency's failure to be accredited does not, in itself, carry any punitive sanctions, these standards can serve as a baseline measurement for the judiciary in determining whether inmate constitutional rights are met when court action is brought. Therefore, the failure of an agency to comply with accreditation standards may potentially leave it vulnerable to litigation. Meeting accreditation standards, however, will have significant implications for state legislatures, which must appropriate necessary funds. While LEAA dollars can support some improvements for many of the older prisons and may be available to pay accreditation fees, compliance with the standards will be costly.<sup>2</sup>

### **Corrections and the Court**

Requests from prisoners for judicial relief from the conditions of their confinement have increased in the past 10 years. Both federal and state courts continued their trend of recent years in affirming certain rights of imprisoned offenders. As a result of court decisions, prisoners have won—among other rights—access to legal resources and judicial processes, the right to medical treatment, the right to due process, the right to refuse medical experimentation, the right to refuse participation in rehabilitation programs, and the right of access to communication outlets. These rights of prisoners established in case law are increasingly reflected in revised administrative regulations of corrections agencies and, in some states, changes in statutes.

Nonetheless, state corrections systems in at least 10 states were operating under court orders as of late 1977, although a number of these orders are subject to reversal on pending appeals. The substance of the orders applies primarily to prison population size, due process in disciplinary hearings, access to medical care and legal resources, visitation privileges, personal grooming, and censorship of inmate communication to the outside.

### **Prison Population**

Federal court orders to upgrade and expand facilities in at least 10 states and the District of Columbia have called attention to prison overcrowding. Alabama, Arkansas,

Delaware, Florida, Georgia, Louisiana, Mississippi, New Jersey, Oklahoma, Rhode Island, and the District of Columbia are under federal court order, and 19 states are involved in litigation in which overcrowding is the issue. A survey conducted on January 1, 1977, revealed that there were over 280,000 inmates in state corrections institutions and an additional 250,000 in local jails. State-by-state data for 1976 appears below. The court orders setting population ceilings have exacerbated an already severe overcrowding problem. To reduce populations to levels prescribed by the courts, early paroles, increased gubernatorial pardons, and commutations, a prevalent response has been for legislatures to appropriate substantially more capital funds to expand the bed capacity of corrections institutions (Colorado, Georgia, Iowa, New Hampshire, Virginia, and Wyoming). At the same time, states have also attempted to relieve prison population pressures by enacting legislation designed to stimulate alternatives to costly expansion of state penal institutions. One method for accomplishing this has been through state financial incentives to local corrections programs. These incentives have taken the form of direct state dollar subsidies to local governments. Five states (Colorado, Iowa, Maryland, Oregon, and Texas) passed legislation

TRENDS IN PRISON POPULATION OF STATE AND FEDERAL ADULT  
CORRECTIONS INSTITUTIONS\*

State or other jurisdiction	Number of inmates		Percentage change	State or other jurisdiction	Number of inmates		Percentage change
	1/1/75	1/1/76			1/1/75	1/1/76	
Alabama .....	4,260	4,420	+ 4	New Mexico ...	979	1,118	+14
Alaska .....	322	349	+ 9	New York .....	14,387	16,056	+12
Arizona .....	2,183	2,712	+25	North Carolina .	11,997	12,486	+ 4
Arkansas .....	2,007	2,338	+17	North Dakota ...	173	205	+19
California .....	24,780	20,007	-20	Ohio .....	9,326	11,451	+23
Colorado .....	1,968	2,104	+ 7	Oklahoma .....	2,867	3,435	+20
Connecticut ....	2,805	3,060	+ 9	Oregon .....	2,001	2,442	+22
Delaware .....	555	701	+27	Pennsylvania ...	6,768	7,054	+ 4
Florida .....	11,420	15,709	+38	Rhode Island ...	550	594	+ 8
Georgia .....	9,772	11,067	+13	South Carolina .	4,422	6,100	+38
Hawaii .....	310	366	+18	South Dakota ..	277	372	+34
Idaho .....	536	593	+11	Tennessee .....	3,779	4,569	+21
Illinois .....	6,672	8,110	+22	Texas .....	16,833	18,934	+12
Indiana .....	4,360	4,392	+ 1	Utah .....	575	696	+21
Iowa .....	1,520	1,857	+22	Vermont .....	387	393	+ 2
Kansas .....	1,421	1,696	+19	Virginia .....	5,635	6,092	+ 8
Kentucky .....	2,958	3,257	+10	Washington ....	2,698	3,063	+14
Louisiana .....	4,759	4,774	+ 0.3	West Virginia ...	940	1,213	+29
Maine .....	527	643	+22	Wisconsin .....	2,591	3,055	+18
Maryland .....	6,128	6,606	+ 8	Wyoming .....	222	384	+73
Massachusetts ..	2,047	2,278	+11	Dist. of Col. ....	1,321	1,538	+16
Michigan .....	8,702	10,882	+25	Total States and D.C. ....	203,442	225,582	+11
Minnesota .....	1,370	1,724	+26	U.S. Bureau of Prisons ....	22,361	24,134	+ 8
Mississippi .....	2,117	2,429	+15	Total U.S. ....	225,903	249,716	+11
Missouri .....	3,754	4,150	+11				
Montana .....	344	377	+10				
Nebraska .....	1,254	1,259	+ 0.4				
Nevada .....	854	893	+ 5				
New Hampshire ..	285	302	+ 6				
New Jersey .....	4,824	5,277	+ 9				

\*Source: *Corrections Magazine*, 1976 survey.

permitting state subsidy programs. Consequently, 41 adult and juvenile programs were operative in 23 states in 1976 (see the table at end of this chapter). Complementing its increase in capital construction appropriation, the Colorado legislature stipulated that community-based program alternatives were to be developed. Similar initiatives for community-based programs were contained in Alabama corrections reform legislation.

In other reform actions—at least partially motivated by the need to reduce prison populations—Alabama and Georgia prescribed deductions from the term of the sentence for inmates as a reward for good behavior; Minnesota set minimum standards for facilities and authorized furloughs; South Carolina expanded its work-release program; and Florida, in a two-year pilot project, established a contract parole program, whereby contracts between the prisoners and the state are drawn up regarding confinement period and release dates.

### Sentencing

Since 1974, reform of sentencing code and practices has emerged as a major area of state legislative attention. In particular, advocates of comprehensive restructuring have argued for reduced discretion in sentencing criminal offenders through the creation of a definite sentencing system. Two somewhat divergent and perhaps contradictory motivations seem to have prompted state activity in this area. The first is public alarm over the continued rise in crime, particularly that involving violence and personal injury and harm. The other element of support for definite sentencing comes from those discontented with the inequities, arbitrariness, and unfairness to offenders attributed to the current system of indeterminate sentencing, which still operates in most states. Definite sentencing is advocated on the grounds that narrowed sentencing discretion will reduce sentencing disparities. Although provisions differ among some proposals, definite sentencing essentially has two primary features: (1) fixed terms of imprisonment within narrow ranges of sentencing discretion, and (2) the abolition of parole release decisionmaking. However, most proposals retain a period of postrelease parole supervision. The passage of legislative proposals in California, Illinois, Indiana, and New Mexico brought the number to five states (including Maine, which passed legislation in 1975) with statutes providing fixed terms for convicted adult offenders. Washington became the first state to extend determinate sentencing to juvenile offenders with the enactment of its new juvenile code in 1977.

There were also numerous mandatory sentencing laws among the 1976 and 1977 criminal justice statutory changes. However, proposals to institute mandatory sentencing are commonly confused with definite sentencing. These two approaches are distinguishable on two points. First, mandatory sentencing eliminates judicial and parole board discretion by requiring imprisonment for selected categories of offenses; definite sentencing involves terms of imprisonment while retaining judicial choice to prescribe penalties other than incarceration (such as probation), where appropriate. Unlike definite sentencing, mandatory sentencing also tends to be oriented toward selected categories of offenses, usually those involving armed, violent, drug, or repeat offenders. Alabama, Colorado, Mississippi, North Carolina, Tennessee, and Virginia enacted mandatory statutes for repeat offenders. Iowa took similar action against those selling certain hard drugs. Alabama, Mississippi, North Carolina, and Tennessee precluded probation or parole and required imprisonment for certain violent offenders. Although they did not prescribe mandatory terms, more stringent penalties were created in Oklahoma (repeat offenders), Texas (organized crime), and Pennsylvania (assaults on victims 60 years or over).

On the other hand, the New York Legislature modified its stiff drug law by allowing minor offenders to plea bargain to a lesser offense.

### **The Attack on Parole**

Critics of the indeterminate sentence have attacked the parole release function to dramatize the need for greater certainty and predictability in sentencing. They recommend that parole boards be abolished and sentencing codes revised to reflect a fixed determinate sentence based on the offense and not the characteristics of the individual offender. Instead, early release from an institution is based on satisfactory service of an offender's sentence rather than his presumed rehabilitation. Many of the determinate sentencing proposals or enactments eliminate parole release decisionmaking but retain a period of postrelease supervision. While most corrections administrators continue to oppose abolition of parole board release authority, a growing number are supporting a shift in sentencing structure from indeterminate to determinate.

A number of arguments are advanced in support of parole abolition: (1) future behavior cannot be predicted; (2) parole decisionmaking and revocation decisions are too often capricious; (3) parole contributes to prisoners deluding authorities; (4) parole does not protect the public; and (5) coerced participation in programs and services is counterproductive.

In lieu of determinate sentencing, some states are adopting contract parole programs for certain inmates as a means of providing more sentencing certainty. Under this program, an agreement is made setting out the specific programs which the corrections department would provide to the inmate, the inmate's agreement to successfully complete the program and specific objectives, and a specific parole date contingent upon successful completion of set goals. In 1976 and 1977, contract parole was established in Delaware, Florida, Hawaii, and North Carolina.

### **Other Legislation**

Legislation of significance was passed in other areas which are not as amenable to a general classification.

One type of criminal justice law change established new legal rights and protections for state and local criminal justice officials. Included were California's law enforcement officers' bill of rights, a requirement in Indiana that the attorney general defend judges and prosecutors in suits against them arising from the performance of their duties, and state payments of legal defense for Florida law officers in suits against them.

In another measure, Hawaii permitted prepaid legal service. New York banned job discrimination against ex-offenders. Criminal justice information systems were established in Arizona and Kentucky. Relatedly, a minor may petition the court to expunge the record in Arkansas, while court records of ex-offenders must be expunged after a certain period in Virginia. New York revised its procedures for selecting juries, while Connecticut allowed defense attorneys to be present during grand jury hearings, and Florida created an office to coordinate the activities of statewide grand juries.

Reform of drug laws was furthered by Missouri's decriminalization of public intoxication and Mississippi's, New York's, and North Carolina's removal of criminal penalties for possession of small quantities of marijuana. Thirty-six states now have decriminalized public intoxication while 10 have removed criminal sanctions for marijuana possession. Minnesota did not go so far, however, and reduced the penalty of possession of

1.5 ounces of marijuana to a petty misdemeanor. Penalties were made more severe, however, for the sale of heroin in California and Mississippi.

### **Juvenile Delinquency**

In every state juvenile code, there is an offense which is identified as juvenile delinquency, the violation of which can subject children, their parents or guardians, and other adults to the juvenile judicial process. However, there are no degrees of delinquency, so the violation of the most minor misdemeanor is indistinguishable from a major felony.

In addition, states variously define delinquency, generally following one of three basic patterns. Over one half of the states restrict the definition to acts which, if committed by adults, would be crimes. One variation frequently encountered is that such definitions include violations of previous court orders as a basis for delinquency, in addition to criminal-type offenses. The second type of statute includes the aforementioned offenses and also includes other offenses, such as curfew violation, which only apply to juveniles. The third variation is one in which delinquency is defined as constituting all criminal-type offenses, violations of court orders, and all child-related offenses currently known as status offenses. Status offenses encompass such acts as truancy, ungovernability, violation of smoking or drinking laws, or attempting to get married under the legal age without parental consent. In states having either of the first two types of definitions, separate offenses are established to cover such behavior. Although the term "status offense" does not appear in any state code, a variety of synonymous terms are employed, such as child, person, minor, or juvenile in need of supervision (CINS, PINS, MINS or JINS); unruly child; incorrigible or ungovernable child; or wayward youth.

In recent years, several fundamental issues have arisen which deal, in one way or another, with the jurisdiction of juvenile courts over children in trouble. Bills have been introduced or passed in state legislatures which address aspects of due process in connection with juvenile detention, hearings, and dispositions; the separation of status from criminal-type offenders; and the degree to which dangerous juvenile offenders should be treated as adults.

### **Status Offenders**

Two trends have clearly emerged in handling status offenders—one relating to jurisdiction and the other to treatment. In a few states, legislation has been passed which abolishes original and exclusive court jurisdiction over status offenders, requiring such juveniles to be referred to specified social agencies. Courts are authorized to assume jurisdiction only when the efforts of these agencies fail to alleviate the status-offending behavior. In other states, delinquency has been redefined to either create status offense categories or expand previous definitions of dependency or neglect. As of late 1977, no state had abolished jurisdiction over status offenses despite the introduction of numerous bills in state legislatures designed to accomplish that objective. Where such legislation is being contemplated, there is an apparent expectation that community-based services, such as educational alternatives, crisis intervention, family counseling, and shelter care, would preclude the necessity for judicial intervention.

Less drastic has been the trend toward what has become known as the deinstitutionalization of status offenders. Again, this phenomenon may be viewed from two perspectives, neither one of which necessarily lives up to the euphemism describing the phenomenon. The first noticeable change in state practices has been a growing separation of



status offenders from juveniles who have committed criminal-type offenses, both in institutional and noninstitutional programs. The second change has been the removal of status offenders from institutions defined as juvenile detention or corrections facilities. Their removal is specifically mandated as a condition for receiving federal funds under the Juvenile Justice and Delinquency Prevention Act of 1974, and has undoubtedly impacted upon state policies in this regard. It should be borne in mind, however, that neither the segregation of status offenders nor their removal from detention and corrections facilities necessarily means that they will be exempt from either confinement in other types of facilities or from court jurisdiction itself. It does signify, however, an important step in ameliorating some of the more pernicious effects of mixing younger, less experienced children who have committed no crimes, with older, more sophisticated delinquent youth.

### **Dangerous Juvenile Offenders**

In addition to a growing separation between status offenders and juveniles who commit criminal-type offenses, so has there been a growing propensity to distinguish between delinquents who commit minor and property-related crimes and those who are charged with more serious offenses — murder, rape, armed robbery, kidnapping, and aggravated assault. State laws permit such juveniles to be treated more like adults than children, under limited circumstances which vary from state to state.

Juveniles may be treated as adults for certain serious crimes in Connecticut, Tennessee, and Virginia at an earlier age than before. In New York, offenders 14 to 15 years of age may be confined for up to two years for violent crimes. Confinement of juveniles convicted of multiple felonies was mandated in Delaware. Kentucky legislation provides that violent juvenile offenders may be treated more like adults. Similarly, California's 16- and 17-year-old juvenile offenders accused of violent crimes, such as murder, kidnapping, and rape, will be handled by adult courts. Parental liability of parents was increased from \$300 to \$1,500 for criminal acts committed by minors. At the same time, other children will be dealt with nonpunitively as a result of action in some states. Utah went furthest in this regard by removing runaways and ungovernables from the jurisdiction of the juvenile courts. In effect, this new law has not merely deinstitutionalized status offense acts, as called for in the federal legislation, but decriminalized offenses that would not be a crime if committed by an adult. Deinstitutionalization legislation passed in Arkansas mandates that status offenders be released from training schools, although those juveniles may still be held in detention facilities up to 72 hours for investigative purposes. In other actions, South Carolina allowed furloughs for less serious offenders under state custody; Indiana banned jailing of neglected children; and Tennessee, in its Juvenile Justice Act, authorized community-based programs for juveniles under certain circumstances.

The trend toward transferring jurisdiction of dangerous juvenile offenders from juvenile to adult courts has led to a reexamination of the intended purposes of juvenile courts. Clearly, the traditional techniques of juvenile courts and their related services appear inadequate to deal with the rise in violent crime by juveniles. Yet, the juvenile court movement was predicated upon the desire to protect juveniles from the vicissitudes of the adult penal system, regardless of their crimes.

### **Due Process for Juveniles**

Interestingly, little concern has been shown recently over what becomes of those youth who commit nondangerous criminal acts, even though they far outnumber the others. The

due process and programmatic questions relating to status and dangerous juvenile offenders have captured both public and professional interest at the moment, thereby limiting serious debate over how to handle other juvenile offenders.

An equally curious phenomenon has occurred in the field of delinquency prevention. In the early 1970s, much attention was paid to the prevention of juvenile delinquency as a logical step toward the prevention of subsequent serious criminal activity. The whole approach of delinquency prevention program development was based on the assumption that we knew what caused juveniles to commit criminal acts: poor education, substandard living conditions and, most important, the lack of opportunities for employment, recreation, and accomplishment. Whether these assumptions were false, or whether they were never fully tested, the answer may now be somewhat academic. In the mid-1970s, delinquency prevention activity declined sharply from the efforts of several years ago, in favor of programs with more generalized objectives.

Similarly, less importance has been placed, in public dialogue and in official legislation, upon the concept of *parens patriae* (the state as being the legal guardian of its people), which has for decades been the legal basis for justifying juvenile court intervention in the life of troubled children. In the past, debate continuously centered around the adequacy of service delivery. Were the courts doing enough? Were they giving the best service available? In the mid-1970s, there has been a decided shift to a point where questions now are centered upon the propriety of service delivery. By what right do the courts intervene? How voluntary are the options available to the affected child?

Carried to its logical conclusion, one must ultimately question the need for a special children's court. If due process requires, as many would argue, the erasure of the differences in levels of proof, informed consent, the specificity of charges, and judicial discretion, then a trier of the fact and applier of the law could just as easily be an adult court judge as a juvenile one. The fusion of adult and juvenile courts would in no way require the commingling of delinquents and adult criminals in corrections facilities.

The proponents for retaining present juvenile court jurisdiction and the concept of *parens patriae* argue that removing status offenders from the jurisdiction of juvenile courts will ultimately result in the complete destruction of the separation of juveniles from adults within the judicial system. Their fear is that concern for providing the due process guarantees to juveniles will result in a highly rigid and formalized series of alternative dispositions, thereby abandoning the 80-year-old notion of surrogate paternal control.

#### Footnotes

1. Available from the Commission on Accreditation for Corrections, 6110 Executive Blvd., Suite 750, Rockville, Maryland 20852.

2. American Civil Liberties Union Foundation, National Prison Project, *The Alabama Prison System: An Analysis and Estimate of the Cost and Economic Considerations Resulting from the Orders of the United States District Court in Pugh v. Locke and Jones v. Wallace* (Washington, D.C.: 1977).

# STATE SUBSIDIES TO LOCAL CORRECTIONS\*

State	Eligibility criteria			Range of total annual budget appropriation(a) (in millions of dollars)						Funding target					Programs funded				Recipient units		
	Allow- able costs	For- mula	Per- form- ance	Under 1	1-5	5-10	10-15	15-20	20-30	P	C	O	D	Comp.	Det.	Res.	Non- res.	Res. & non- res.	County	City	Joint county/ city eligibility
STATE SUBSIDIES TO LOCAL ADULT CORRECTIONS PROGRAMS																					
California	*	...	...	*	...	...	...	...	...	...	...	*	...	...	*	...	...	...	*	...	...
Colorado	*	...	...	*	...	...	...	...	...	...	...	*	*	...	*	...	...	...	*	*	...
Colorado	*	...	...	...	...	...	...	...	...	...	...	*	...	...	*	...	...	...	...	...	*
Georgia	*	...	...	...	*	...	...	...	...	...	...	*	...	...	...	*	...	...	*	...	...
Indiana	...	*	...	...	Program not funded					*	...	*	*	...	...	...	...	*(b)	*	...	...
Iowa	*	...	...	...	*	...	...	...	...	...	...	*	...	*	...	...	...	*	...	...	*
Maine	*	...	...	*	...	...	...	...	...	...	...	*	...	...	...	...	...	...	...	...	...
Maryland	*	...	...	...	Program not funded					...	...	...	...	*	...	...	...	...	*	...	...
Michigan	...	...	*	*	...	...	...	...	...	*	...	*	*	...	...	...	...	*	*	...	...
New York	*	...	...	...	...	...	...	*	...	*	...	*	...	...	...	...	*	...	*	...	...
Pennsylvania	*	...	...	...	*	...	...	...	...	*	...	...	...	...	...	...	*	...	...	...	...
Virginia	*	...	...	...	...	*	...	...	...	...	*	*	...	...	*	...	...	...	...	...	*
Washington	*	*	...	...	Program not funded					*	...	...	*	...	...	...	...	...	*(b)	*	...
STATE SUBSIDIES TO LOCAL JUVENILE CORRECTIONS PROGRAMS																					
Alabama	...	*	...	...	*	...	...	...	...	*	...	...	...	...	...	...	*	...	*	...	...
Arizona	...	*	...	*	...	...	...	...	...	...	...	...	*	...	...	...	*	...	*	...	...
Arizona	*	...	...	...	*	...	...	...	...	...	...	*	...	...	...	...	*	...	*	...	...
California	*	...	...	...	*	...	...	...	...	...	*	*	...	...	...	...	*	...	*	...	...
Georgia	...	*	...	*	...	...	...	...	...	...	...	*	...	...	*	...	...	...	*	...	...
Illinois	*	...	...	...	*	...	...	...	...	*	...	...	...	...	...	...	*	...	*	...	...
Iowa	...	*	...	*	...	...	...	...	...	...	...	*	...	...	...	*	...	...	...	...	*
Louisiana	*	...	...	...	Program not funded					...	...	...	*	...	...	...	...	...	*(b)	...	*
Michigan	...	*	...	*	...	...	...	*	...	...	...	...	*	...	...	...	...	*	*	...	...
Michigan	*	...	...	...	...	...	...	...	...	*	...	...	*	...	...	...	...	*	*	...	...
Michigan	...	*	...	...	*	...	...	...	...	...	...	...	...	...	...	...	*	...	*	...	...
Minnesota	*	...	...	*	...	...	...	...	...	*	...	...	...	...	...	...	*	...	*	...	...
Minnesota	*	...	...	*	...	...	...	...	...	...	...	...	*	...	...	*	...	...	*	...	...
Missouri	...	*	...	...	Program not funded					...	...	...	...	*	...	...	...	...	*(b)	*	...
Nevada	...	*	...	*	...	...	...	...	...	*	...	*	...	...	...	...	...	*	*	...	...
New York	*	...	...	...	...	...	...	...	...	...	...	*	...	...	...	...	...	*	...	...	*
Ohio	*	...	...	*	...	...	...	...	...	*	...	...	...	...	...	...	*	...	*	...	...
Ohio	*	...	...	*	...	...	...	...	...	...	...	...	*	...	...	*	...	...	*	...	...
Ohio	...	*	...	*	...	...	...	...	...	...	...	...	...	...	*	...	...	...	*	...	...
Ohio	*	...	...	*	...	...	...	...	...	...	*	*	...	...	...	*	...	...	*	...	...

Oregon .....	...	★	...	★	...	...	...	...	...	★	...	★	★	...	...	...	★	★	...	...
Pennsylvania .....	★	...	...	...	★	...	...	...	...	...	★	...	...	...	★	★	...	★	...	...
Pennsylvania .....	★	...	...	...	★	...	...	...	...	...	★	...	...	...	...	...	★	★	...	...
Texas .....	...	...	★	...	★	...	...	...	...	...	★	...	★	...	...	...	★	★	...	...
Utah .....	★	...	...	★	...	...	...	...	...	★	...	★	...	...	★	...	...	★	...	...
Virginia .....	★	...	...	...	...	...	...	...	...	...	...	...	...	★	★	★	...	...	...	★
Virginia .....	★	...	...	★	...	...	...	...	...	★	...	...	...	...	...	...	★	...	...	★
Washington .....	...	...	★	...	★	...	...	...	...	★	...	★	★	...	...	...	★	★	...	...

## STATE SUBSIDIES TO LOCAL ADULT/JUVENILE CORRECTIONS PROGRAMS

California .....	...	...	★	...	...	...	...	★	★	...	★	★	...	...	...	...	★	★	...	...
Minnesota .....	★	...	...	★	...	...	...	...	...	...	★	...	...	...	★	...	...	★	...	...
Minnesota .....	★	...	...	...	★	...	...	...	...	...	★	...	...	...	...	...	★	...	...	...
Minnesota .....	...	...	★	★	...	...	...	...	...	...	★	...	...	...	...	...	...	★	...	...
Washington .....	...	★	...	...	...	...	★	...	...	...	★	...	...	★	★	...	...	...	...	★

\*Source: The Council of State Governments, *State Subsidies to Local Corrections: A Summary of Programs, 1977*.

Symbols:

P = Salary and ancillary personnel costs  
 C = Construction costs  
 O = Operations and maintenance costs  
 D = Direct care through purchase of services  
 Comp. = Comprehensive  
 Det. = Detention and jail facilities  
 Res. = Residential treatment  
 Nonres. = Nonresidential treatment

(a) Based on last available fiscal year figures.  
 (b) When program becomes operational.

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# STATE POLICE AND HIGHWAY PATROLS

By Norman Darwick\*

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ONE OF THE BASIC BELIEFS held by citizens of the United States has been that government should be locally controlled to the greatest extent possible. That belief, and the lack of need for more geographically extensive law enforcement agencies, delayed the development of state law enforcement forces until rapid transportation on the fully developed network of railroads and motor vehicle highways became a reality. It was then possible for nearly every American to move speedily from one jurisdiction to another.

Not only did professional criminals utilize such superior transportation for travel to places where they were previously unknown to commit their crimes, but also the ordinarily honest citizen had to be controlled as he took to the newly developed and reliable motor car for extensive travel. Local law enforcement agencies simply did not have jurisdictional authority or resources large enough to cope with these new problems effectively.

Thus, one reason for the formation of the state police and highway patrols was to keep abreast of the problems associated with the rapidly expanding transportation readily available to everyone. One should note that Hawaii is the only state which does not have a state police or highway patrol. Because of its geographical nature, Hawaii is also the only state from or into which the public cannot travel in their private automobiles and, since most of Hawaii's county boundaries are coterminous with the individual islands of the state, one cannot drive between counties. Law enforcement agencies in Hawaii are county forces.

A few specialized state law enforcement agencies were established in the nineteenth century, but modern state police forces began with the formation of the Pennsylvania State Police in 1905. Highway patrols were organized to answer the need for uniform enforcement of motor vehicle codes and regulations as motor vehicles and the modern highways upon which they could be operated grew after World War I. Every state had a state police or highway patrol by 1940.

Full police services by state law enforcement agencies are seldom provided uniformly throughout a state. The basic belief in local control of law enforcement is still strong, and generally state officers are restricted, either by statutes or executive decisions, from providing law enforcement services when they are being supplied by local police in the same area. State officers seldom patrol streets within a municipality, especially when a city has its own police force. State agency investigators do operate within cities, but usually the cases investigated involve either a specific request for their assistance by local officials or criminal activities entailing offenses which cross jurisdictional boundaries. Ordinarily, state law enforcement agencies supply police services only in those areas (usually unincorporated) which are without fully developed police or sheriffs' forces, and on turnpikes, state highways, and the interstate system.

A growing part of state law enforcement services in recent years is that of providing assistance to local law enforcement agencies, particularly those which are small and with

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limited resources in technical expertise and sophisticated equipment. Training to local officers is often provided for recruits, experienced officers, and technicians, including courses in planning, supervision, and management. The services of polygraph operators, crime laboratories and criminalists, identification and criminal histories units, and the operation of dispatching centers and communications networks are provided by many state agencies to local law enforcement forces. Another service is that of coordinating the actions of several agencies' countermeasures directed against criminal activities affecting several jurisdictions; for example, the California Highway Patrol's responsibility to coordinate law enforcement efforts to control auto theft in California.

### **Categories of Enforcement Agencies**

Although one ordinarily equates state-level law enforcement with the agency which operates the uniformed patrol force with the greatest public visibility, a variety of other state-level enforcement agencies exist. In some states, state law enforcement functions are fractionated, with responsibility vested in various separate and distinct independent units operating only within their specialized areas of expertise; in others, near total state law enforcement responsibility is placed within the organization which operates the large and most visible uniformed field force. In one state, a crime commission may be responsible for combatting organized crime, a health department may include the unit responsible for conducting investigations of narcotics violations, a university may operate the crime laboratory, an attorney general may control the identification and criminal histories function, and a training commission may provide the required training for police officers. In another state, all those functions are the responsibility of one state law enforcement agency, along with the operation of the uniformed field patrol force.

There is one feature which distinguishes a state police or highway patrol from other state-level law enforcement agencies, and that is its operation of a uniformed field patrol force on highways throughout the state.<sup>1</sup> The Division of State and Provincial Police of the International Association of Chiefs of Police defines state-level law enforcement agencies as follows:<sup>2</sup>

1. State police—a state-level law enforcement agency which:
  - Operates a uniformed field patrol force and nonuniformed investigative units.
  - Conducts criminal law investigations generally, rather than concentrating on, or being restricted to, a specialized category of offenses or specifically assigned sensitive cases.
  - Is responsible for providing general police services and activities.
2. Highway patrol—a state-level law enforcement agency which:
  - Operates a uniformed field patrol force and concentrates its police services on traffic, vehicle, and highway-related activities.
3. Department of law enforcement—a state-level law enforcement investigative agency which:
  - Does not operate a uniformed field patrol force.
  - Is responsible for criminal investigations generally, rather than concentrating on a specialized category of offenses or specifically assigned sensitive cases.
4. Law enforcement unit—a state-level law enforcement investigative agency which:
  - Does not operate a uniformed field patrol force.
  - Is responsible only for investigations of specialized categories of offenses or specifically assigned sensitive cases.
5. Security police—a state-level law enforcement agency which:
  - Employs uniformed personnel as security guards or patrol officers deployed within narrowly restricted geographic areas, such as on university grounds, state parks, or other state-owned or state-controlled facilities.
  - May conduct investigations restricted to offenses committed within the narrowly restricted geographical areas designated as its responsibility.

6. Fish and game enforcement unit—a state-level law enforcement agency which:
  - Operates a uniformed field patrol force and concentrates its police services on fish and game law enforcement.
  - May conduct investigations restricted to offenses committed in violation of statutes regulating the taking of fish and game.

### **Departmental Responsibilities**

The major factor which distinguishes state police from highway patrol agencies is that the former are generally responsible for the providing of full police services and the latter direct their primary efforts to the enforcement of highway and motor vehicle regulations and traffic safety programs. However, a tendency to shift the burden of traffic responsibility to the state police is evident. Highway patrol personnel expend about two thirds of their time on traffic-related matters, but the state police average nearly one half of their time expenditures on traffic. Therefore, although many of the state police departments have broad law enforcement responsibilities, they must still expend more time on traffic-related activities than on any other category; the average for traffic is three times that for crime-related activities.

State police are much more likely to be involved in investigations of narcotics and criminal intelligence cases than are highway patrols. The proportion of state police agencies with central narcotics units is twice that of highway patrols. Fifty-four percent of the highway patrols have intelligence units, but the state police average is 86 percent. Sixty-five percent of the state police agencies are charged with the responsibility of combatting organized crime activities, but only 35 percent of the highway patrols have similar duties.

Although those departments which classify themselves as state police are distinguished by significantly greater involvement in various criminal investigation activities, it is also apparent that some agencies classified as highway patrols do, in fact, provide police services nearly as broad as those supplied by state police. The difference between the two types of agencies is more apparent when the time expenditures are compared; average state police time expenditure on criminal matters is four times that of highway patrols. Although advocated for many years, the assignment of full police powers and responsibilities to highway patrols, so that they can be full-service law enforcement agencies, has rarely been adopted.

### **Structural Location**

In the early years of state law enforcement agencies, the heads of the state police were generally supervised directly by the governor, but it appears that only six are now. Highway patrols, when first organized, were often located within departments of highways or under a director of motor vehicles, although for the most part their executive heads also reported directly to the governor. Today, only four highway patrol heads officially report directly to their governors.

At least 76 percent of all state police and highway patrols are now part of a larger organization. Although it may be that some reorganizations were more in name than substance, in most the chief of the highway patrol or state police finds himself one to three steps removed from the governor. Twenty-three of the state law enforcement agencies are now designated as "Department of Public Safety," or bear a similar title.

### **Number of Personnel**

For the first time in recent years, state law enforcement agencies have shown a loss in sworn personnel. *Comparative Data Reports* from 1968 through 1974 each showed gains in

sworn personnel strength by the state police and highway patrols which ranged from 4.1 percent to 10.1 percent.<sup>3</sup> A comparison of the numbers of sworn personnel of those 43 agencies which responded to a questionnaire relating to enforcement of the National Maximum Speed Limit (NMSL) in late 1976 with the sworn strengths of those same agencies in 1974 showed that they had suffered a net loss of 880 sworn officer positions. This was a loss of 2 percent of their sworn personnel.

Eleven of the 17 agencies which suffered losses were located in the west and east. Sixteen of the 20 departments which gained in sworn personnel were located in the south and north central regions of the nation. The state agencies in Arizona, California, and Texas lost a total of 923 sworn positions. The number of sworn officers among the state police and highway patrols in 1974 was 44,915. If 2 percent losses also prevail among the six departments which did not respond to the NMSL study, then there are now approximately 44,017 officers in state police and highway patrols. At the very least, however, it appears that the state law enforcement agencies' growth has ceased at this time.

### **National Maximum Speed Limit Enforcement**

Federal requirements for enforcement of the national 55-mile-per-hour speed limit have conflicted with the traditional policy of assigning state police resources to highways with high accident rates. Now, state police and highway patrols have been diverted to limited-access, low-accident highways where speeds are significantly in excess of the national maximum speed limit.

Various proposals are presently under discussion to correct such problems; however, they all contain the essential factor of federal funding to the state law enforcement agencies to support and continue NMSL enforcement programs sufficient to meet federal requirements for NMSL compliance.

Almost without exception, state law enforcement agencies' position relating to an acceptable funding level for NMSL enforcement, determined in a recent survey of their needs and desires, was in support of a federal funding level for NMSL enforcement of 20 percent of each state department's total annual budget. It also was considered essential, contrary to normal funding practices, that NMSL funding must continue for approximately 10 years. Only under such conditions, it was argued, can personnel and equipment sufficient (in proportion to the miles of highway each officer must patrol) to achieve compliance with NMSL be provided by the states.

### **Labor Relations/Collective Bargaining**

A rapidly developing area within the police community today is labor relations. Recent years have seen the advent of union organizations, collective bargaining, and contract negotiations in law enforcement personnel administration. In some instances, administrators, their legal advisors, and their immediate subordinates are unable to cope with the challenges posed by these events because of their lack of experience or training in labor relations and negotiations.

Police executives must now be prepared to handle or deal effectively with collective bargaining, lobbying, political activity, lawsuits, referenda, publicity campaigns, and work slowdowns, speedups, or stoppages. Although aggressive tactics rarely have been encountered from state-level agencies' law enforcement personnel, they could be a factor in the future.

Attempts to increase emphasis on education, minority recruitment, lateral entry, and



use of innovative procedures, methods, and programs have all resulted in union-management friction. Discord arising from differences in positions taken by management and employees on these and other subjects has, in some cases, been unnecessarily severe because of the forceful stance taken by both sides. Some administrators have transferred employees who advocate collective bargaining to less desirable assignments, and some employee organizations have been equally destructive of harmony by advocating strikes, slowdowns, or other actions.

State-level law enforcement agencies are particularly prone to a lack of adequate internal communication because their personnel are spread throughout the state. When internal communications are inadequate, employees will turn to their employee organization with grievances instead of the regular departmental communication system. If sufficiently repeated, employees may well become so habituated to utilizing their own system that the use of management's will cease. The free interchange of ideas between labor and management personnel will accordingly decrease.

Employee organizations which negotiate contracts with the employer have sought provisions that reduce administrative authority. For example, the "Policeman's Bill of Rights," incorporated into a number of collective bargaining agreements, stipulates that during an internal investigation an officer cannot be required to take a polygraph examination, denied counsel during interrogation, or threatened with disciplinary action to elicit information. Without such provisions, all these powers have been permitted to the chief by numerous court decisions.

Collective bargaining has permitted police middle-managers to engage in contract negotiations in the same manner as troopers. This can result in supervisory personnel identifying with the goals of troopers and engaging in labor activities—a conflict with supervisors' management and organizational roles.

State-level law enforcement administrators are beginning to respond to these labor relations problems because failure to do so could lead to institutionalizing the problems and causing employees to resort only to militant labor tactics when management is perceived as unresponsive to their needs.

### **Executive Turnover**

Police agencies, to be most effective, need stability in leadership. Police agencies in which the chiefs retain their office for only one to three years usually lack concerted action to accomplish agency objectives. It generally takes at least five years to develop objectives, obtain fiscal support, build teams of personnel, and implement programs, all of which are the direct responsibility of an agency's chief executive officer.

State law enforcement agencies are generally much larger than the average police department. Tenure of police chief executives in large agencies is generally shorter than in small agencies, and this holds true for the states' agency heads. The problem of the short term in office for state law enforcement heads is especially acute, averaging only four years, shorter than local law enforcement executives. Heads of state agencies with 400 to 999 personnel had an average tenure of only 2.5 years, shorter than any other group by either number of personnel or level of government.<sup>4</sup>

Factors to be considered in encouraging more stability in the selection of law enforcement leaders include minimum certification, experience, and educational qualifications for the position; a formal selection process, including a written application, extensive interviews, comprehensive background investigation, and evaluation of past

performance; confirmation of the appointment by the legislature; and an understanding between the police executive and his immediate superior as to responsibilities, priorities, enforcement philosophies, bases for assessment of performance, and goals and programs contemplated.

Several factors are involved in the retention in office of successful, professional law enforcement executives. Among them are development of an effective team of top policy managers; insulation from partisan influence or manipulation; sufficient authority to replace subordinates for poor performance; protection against arbitrary and unjustified termination; and the ability to keep pace with changing law enforcement and management practices while retaining contact with and support from the community being served, other governmental agencies, and the criminal justice system.

### **Entry-Level Recruitment and Selection**

The recruitment of minority personnel has received significant attention in state-level law enforcement agencies. Nearly every state police or highway patrol agency has initiated a minority recruitment program. Recruiting racial minorities has been a problem to some of the agencies because those potential applicants who meet the high standards for state troopers are too often lured away by other employers able to provide superior benefits.

The recruitment of females for the position of road patrol officer has suffered to some extent from a lack of applicants, but the more serious problem facing state agency administrators is that of retaining female troopers. Within one or two years, nearly one half of those who successfully complete their recruit training and begin road patrol duties resign from the force. Some state that the physical danger inherent to the work is more than they bargained for; others discover that they are "threatened with loss of their femininity"; and some leave after marriage. Loss of a significant number of female personnel after training is costly, but so far no solution has been discovered.

One of the greatest upheavals in the recruitment area has been in the development and application of appropriate standards by which the applicants will be judged and hired. Lawsuits have questioned the validity of written examinations and nearly every aspect of physical requirements, such as height and tests for measuring physical agility. State agencies have found it necessary to study the job being performed by state troopers and develop standards and tests specifically designed to measure applicants' abilities to perform that job.

### **The Future**

Developments which might be anticipated and their impact on the nation's state police and highway patrols include:

- Additional federal funding of enforcement programs for the 55-mile-per-hour speed limit. Such funding should significantly increase the now-unexplained decrease in the number of sworn personnel employed by state law enforcement agencies.
- A broadening of responsibilities of state law enforcement agencies, especially for the highway patrols, to permit more effective and uniform crime prevention and safety efforts by either the state agencies themselves or in their role as coordinators of state and local efforts.
- Continual upgrading of initial, in-service, and management training and education for the sworn personnel of the agencies.
- An exemption for state police and highway patrols from federal motor vehicle standards that limit top speeds and acceleration capabilities of vehicles which states

purchase for patrol duty. Otherwise, slower new cars will be incapable of overtaking persons driving models built prior to the standards required for smaller vehicles.

**Footnotes**

1. As opposed to patrol by uniformed officers only within narrowly restricted geographical areas or on roadways which may be closed to the public, such as on university grounds or other state-owned or controlled facilities.

2. Division membership includes Canadian provincial police and state-level agencies as defined by the first three categories.

3. Division of State and Provincial Police of the International Association of Chiefs of Police, *Comparative Data Report* (Gaithersburg, Md.: 1968, 1970, 1972, and 1974).

4. Executive Committee of the International Association of Chiefs of Police, *The Police Chief Executive Report* (Washington, D.C.: Law Enforcement Assistance Administration, 1976), p. 5.

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# CONSUMER PROTECTION

By Benjamin J. Jones\*

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CONSUMER PROTECTION activities in the states during 1976-77 reflect a continuation of the decade-long trend of steadily increasing momentum and commitment. Many types of consumer protection measures now are law in almost every state and are administered by increasing numbers of state agencies with specific consumer protection mandates. Administrative rules and regulations are now frequently used to implement legislative consumer protection policies. The passage by most states of broad consumer protection statutes has led to increased use of the courts to apply the laws to specific kinds of consumer controversies. Private and class-action suits also continue to be major vehicles for consumer relief. In addition, many recent reforms in state regulatory and licensing institutions have been initiated at least partly to achieve greater consumer representation and to ensure that government decisions involve consideration of consumer interests.

Specific areas of state consumer protection activity during 1976-77 include:

- Identification of and legislative reaction to specific areas of consumer abuse. This activity includes dozens of specific state consumer protection statutes enacted during 1976-77. Such legislation covers diverse areas from automobile repair regulation to state "bills of rights" for hospital and nursing home patients.
- Antitrust and unfair trade practices suits by state attorneys general along with political and judicial efforts to increase state powers over such anticompetitive activities. Federal legislation and federal court decisions in the antitrust area have had major effects during 1976-77 in both limiting and assisting state business practices regulation.
- Continued adjustment and definition in the division of responsibility for consumer protection among various state agencies and departments. Although fewer consumer protection agencies were created during 1976-77 than in previous years, this may be a reflection of the prior creation in most states of high-visibility governmental consumer protection units. Although some consumer protection functions appear to be allocated to the same type agency in most states, governments seem to have found generally that many different models of consumer protection agency alignments may be effective.
- Administrative initiatives and regulations. State legislation is sometimes broad enough to allow consumer protection agencies to issue rules and regulations restricting commercial practices or fraudulent schemes. Such state administrative activity seems to have increased along with the increasing state attention given to consumer protection problems. Even in states without administrative consumer protection authority, state consumer protection agencies are initiating new educational efforts and procedures for dealing with consumer complaints. Of course, enforcement activities and court action are also significant areas of state administrative activity.

## Health Care

The last two years have seen several states enact significant new consumer protection

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legislation in the area of health care and health services. As in the past, much of the activity has revolved around prescription drugs. Alaska, Colorado, Connecticut, Florida, Iowa, Kentucky, Michigan, New Mexico, New York, Pennsylvania, Rhode Island, Utah, Virginia, and Wisconsin all enacted generic drug substitution laws in 1976-77 (bringing the total number of states with such laws to 36), while Arkansas, California, Connecticut, Iowa, Louisiana, Maine, Maryland, Michigan and New Jersey loosened restrictions on prescription drug advertising or price posting. Nursing homes and home care services also came under state regulation in several more jurisdictions during 1976-77. States imposing some form of nursing home licensing, inspection, and certification, or standards of operation were California, Connecticut, Delaware, Missouri, Nevada, Oregon, Washington, and Wisconsin. Home care services came under similar regulation in California, Nevada, Oregon, Vermont, and West Virginia.

### **Consumer Credit**

Consumer credit continued to be an area of state consumer protection activity during 1976-77. The holder-in-due-course doctrine was eliminated or modified by Kentucky, Maryland, New Jersey, North Carolina, Oregon, Rhode Island, South Carolina, and Washington. This brings to 32 the total number of states which have eliminated or substantially modified the doctrine.

States also paid particular attention to interest rates during the last two years. Allowable interest rates were tied to federal economic indicators in Alaska, Illinois, and Minnesota. Illinois and Wisconsin legislatively restricted the escalation of mortgage interest rates, while South Carolina lowered allowable consumer loan rates and New York regulated its method of calculation.

In 1977, New York also enacted a Fair Credit Reporting Act, which provides significant new protections for individual privacy. The act provides that individuals have the right to inspect their credit bureau files and to enter dissenting material into the file. The legislation also provides that credit files or investigative reports may not be disseminated to a lender without the applicant's signed permission. The inclusion of criminal history in such files (except for convictions) is also prohibited by the act.

Yet another area of consumer credit coming under increased state regulation during 1976-77 was debt collection. State legislation regulating debt collectors or their practices was enacted in California, Connecticut, Illinois, Maryland, Missouri, New Jersey, North Carolina, and Oregon. Contacts made by bill collectors with debtor's employers was a favorite area of debt collection practices regulation.

Other creditor remedies were regulated by New Jersey (repossession) and Minnesota and Nevada (assignments, confessions of judgment, and garnishment of wages).

Both state and federal governments acted to control the practice of mortgage lenders drawing "red lines" around low-income neighborhoods and refusing or discriminating against mortgage applications in those areas. Many proponents of regulation argued that by forcing disclosure of lender mortgages by geographical area, those living in that area could tell if particular institutions were accepting deposits and savings from the area while effectively refusing to serve it with loans and mortgages.

Much state redlining legislation was enacted to complement the federal Home Loan Mortgage Disclosure Act, passed in 1975. This legislation requires lenders to disclose their mortgages by census tract, thereby providing states and consumers with the essential information for spotting redlining practices. In 1977, this act was expanded to require lender

disclosure of loans rejected. Information concerning race, sex, and marital status is also required to uncover redlining of specific demographic groups.

State redlining legislation has been enacted thus far in California, Connecticut, Illinois, Maryland, Missouri, New Jersey, New York, and Washington. Illinois, which in 1975 became the first state to enact redlining legislation, added a special investigator in 1977 to check complaints of redlining in homeowner insurance company practices. Most of the enacted state legislation prohibits bank redlining and provides for damages or penalties.

### **Antitrust and Business Practices Regulation**

Continuing state legislative activity over the last 20 years has resulted in most states having broad trade practice regulatory power. All states except Alabama now have some form of unfair and deceptive trade practices act and many have enacted a "Little Federal Trade Commission Act." During 1976-77, deceptive trade practices legislation was enacted for the first time in Georgia and Tennessee, and amended or replaced in California, Kentucky, Michigan, Nevada, New Mexico, North Carolina, Oregon, and Pennsylvania. Most statutes ban specific trade practices such as bait-and-switch, misleading advertising, and deceptive sales techniques. In addition, many deceptive trade practices statutes also provide for individual or class-action suits and set the allowable range of damages which may be assessed. Often, direct action against violators by the state attorney general is also authorized. In states which have particularly broad unfair and deceptive trade practices statutes, many consumer frauds or unfair practices may be controlled which might otherwise require a specific statute directed at that practice.

State "Little FTC" acts were passed or amended during 1976-77 in Connecticut, Michigan, New Mexico, North Carolina, Tennessee, and Virginia. The Tennessee Consumer Protection Act of 1977 is typical of such changes. It assigns general consumer protection authority and responsibility to the state attorney general and the Consumer Affairs Division of the Department of Agriculture. Intake and processing of consumer complaints were assigned to the Consumer Affairs Division, while negotiation and litigation will be responsibilities of the attorney general.

The ability of state attorneys general to bring antitrust suits on behalf of citizens injured by price-fixing was also a subject of controversy during 1976-77. Lobbying by the National Association of Attorneys General (NAAG) and various other consumer interest groups had resulted in the enactment by Congress of the Hart-Scott-Rodino Antitrust Act which authorized such *parens patrie* suits by state attorneys general. The legislation allowed damages up to three times the harm done to price-fixing victims. NAAG had even begun establishing a clearinghouse for information on such suits and their success. But *Illinois Brick Co. v. Illinois*, decided by the U.S. Supreme Court (June 1977, No. 76-404), has at least severely limited the effective use of *parens patrie* to state governments. *Illinois Brick* arose when Illinois tried price-fixing actions against a company which had contracted to supply materials to the builder of a new state government building. The Supreme Court based its ruling on the premise that since the state purchased the building rather than the brick, it had no standing to allege price-fixing against the subcontractor. This holding significantly limits the ability of any plaintiff to sue an indirect supplier of materials or goods to another on price-fixing grounds. NAAG and other interested groups are attempting to nullify the effect of the Court decision through further congressional action.

Additional antitrust and business practices legislation enacted during 1976-77 included new antitrust laws in California, Illinois, Iowa, Kentucky, and Maine, as well as the repeal of

state fair trade laws in Georgia, Kentucky, and Maine. Laws controlling business takeovers were passed during 1976-77 in Indiana, Kentucky, Michigan, Pennsylvania, and South Dakota. These statutes attempt to prevent secret business takeovers by large corporations by requiring notice to stockholders and to state government of the intention to purchase a controlling portion of the enterprise. Constitutional objections have been made to such statutes on the grounds that they regulate the conduct of commerce beyond the borders of the individual state, but currently most such statutes are still in effect.

Business franchising and franchise sales have continued to be an area of state interest during the last two years. New franchising legislation was passed in Arkansas, California, Maryland, Nevada, and North Carolina. About one half of the states now have some form of franchising regulation statute.

States also took action during 1976-77 to encourage increased competition among providers of professional services. Maine repealed its ban on advertising by chiropractors, optometrists, podiatrists, and dentists, while in Connecticut the state attorney general ruled that the state may not prohibit competitive bidding by architects for building contracts.

One consumer controversy which has received much attention during the last year involved the sale by General Motors of automobiles made by one of its divisions which contained engines manufactured by another "brand" of the company. Under the terms of a December 1977 agreement between General Motors and the attorneys general of at least 44 states, about 90,000 auto buyers are eligible for \$200 cash settlement checks and three-year extended engine warranties for their cars amounting to another \$200 in value.

Final agreement on the settlement occurred during meetings between the attorneys general and a GM negotiating team during the 1977 midterm meeting of the National Association of Attorneys General. Although most of the states signed the terms of the agreement, a few states did not sign the releases which exempted GM from any further court action in the cases. The settlement with General Motors marks the first time that most of the nation's chief legal officers have collectively settled consumer protection civil actions. If the cases had been tried, it is estimated that legal costs to the states would have totaled more than \$2 million.

### **Land and Housing**

Land sales continued as a source of consumer fraud. Alabama and Florida experienced major consumer land sales frauds during 1976-77. In Alabama, the state Office of Consumer Protection launched an investigation of a land fraud scheme suspected of bilking at least 100 persons. In Florida, the state regulated land sales in the wake of the state's largest land securities fraud.

Both complaints from purchasers and the possibilities for future fraud led seven more states (California, Connecticut, Florida, Illinois, Nevada, Oregon, and Rhode Island) to enact condominium regulatory statutes during 1976-77. Such statutes typically provide protection for the purchaser through disclosure rules and regulated practices. A related development involved a December 1976 Florida Supreme Court ruling that condominium lease escalator clauses are binding on an estimated 200,000 affected consumers. The court said that the 1975 statute which was designed to eliminate such clauses was not retroactive and therefore did not affect the contracts. Pennsylvania placed limits on contracts to purchase real estate by requiring that the contracts disclose particular attributes of the land such as sewer availability.

State mechanics' lien statutes also have continued to undergo change during the

biennium. States which lessened the force of such liens during that period were California, Florida, Illinois, Louisiana, Michigan, and Ohio. Meanwhile, home insulation sales were controlled in California, Michigan, and New York, and home repair services were regulated in Arkansas, California, Connecticut, Louisiana, and New Hampshire. Increasing consumer complaints also led Illinois, New Jersey, Oregon, and Utah to place tighter restrictions on the business of selling and installing home solar power devices. Minnesota gave increased attention to the protection of purchasers by requiring that home builders warrant their houses for 10 years against major structural defects, one year against faulty workmanship or materials, and two years against plumbing or electrical defects.

Since the beginning of the 1960s, mobile homes and landlord-tenant rights and responsibilities have been subjects of controversy and state legislation. States again examined those areas in 1976-77. California, Delaware, Maryland, Michigan, Nevada, Ohio, Oregon, Pennsylvania, Rhode Island, Virginia, Washington, and Wisconsin all enacted or modified legislation concerning the relationships of mobile home park tenants and their landlords. Many of these statutes establish permissible fees for tiedowns and for mobile home movement, provide for written leases, and prohibit some kinds of landlord activity. During the same period, Rhode Island and Wyoming joined the list of states which provide construction standards for mobile home units.

One of the most frequent complaints of tenants is unfair retention of rent security deposits. A common response to the problem by states has been to require that such security deposits be placed in bank escrow accounts and removed only for specific reasons. States enacting such provisions during 1976-77 were Connecticut, Georgia, Kentucky, Maine, Nevada, New Mexico, North Carolina, North Dakota, Rhode Island, Tennessee, Virginia, and Washington. In addition, broad landlord-tenant legislation covering many aspects of the relationship was enacted by Delaware, Maine, Michigan, Minnesota, Nevada, North Carolina, North Dakota, Rhode Island, and Tennessee. Almost every state now has broad landlord-tenant rights act.

### **Consumer Sales and Services**

Statistics maintained by consumer protection agencies in the states indicate that the majority of consumer complaints are connected with the direct interaction between purchasers and vendors of products and services. The variety of subjects covered by such complaints is as great as the number of different products and services available for purchase.

Business carried out through the use of the mails seemed to be a particular target of state regulation during 1976-77. Subscription sales of books and magazines were regulated in Louisiana, Michigan, and New York. The New York legislation took the interesting approach of requiring that magazines sent through the mail have the date at which the subscription expires noted on them and requiring that renewal subscriptions not begin until the termination date of the previous subscription. Correspondence schools were controlled by Illinois, Mississippi, Nebraska, and New York, while mail solicitation was restricted in California, Maine, and Michigan. Multilevel or pyramid sales schemes came under stricter supervision in Nevada and South Carolina.

Other state consumer sales and services legislation enacted during 1976-77 included limits on charitable solicitation in Connecticut, Kentucky, Maine, Maryland, Mississippi, Missouri, New Jersey, New York, Ohio, Rhode Island, and Tennessee. Promotions, games, and prizes were controlled in California and Oregon during 1976-77, while new or modified



controls on door-to-door sales went into effect in Hawaii, New York, and Pennsylvania. Invention marketing services were the subject of new state laws in Maryland and Virginia, along with "buying clubs" in Wisconsin and itinerant vendors in Maine. In addition, possible misleading practices of merchants who hold "specials" or "sales" were controlled in Michigan.

Several types of professional and specialized services were regulated by states during the last two years. Private business and trade schools received new or modified guidelines in Michigan, Minnesota, Nevada, New Mexico, North Carolina, Rhode Island, South Carolina, and Virginia, while private employment agencies were controlled in California, Missouri, Nebraska, and New York. Missouri also established parameters around the operation of private counselors and psychologists. A new statute in Connecticut is intended to prevent consumer fraud in health club contracts. In New York, a new statute is aimed at protecting parents and their children by regulating advertising and solicitation in the state by summer camps. Full disclosure is required by such camps on their mailings to prospective customers and also to the state department of health.

Automobiles and automobile dealers again received their share of complaints during 1976-77. New auto dealer practices legislation came into effect in California, Florida, Indiana, Kentucky, Louisiana, Missouri, Nebraska, Nevada, New Hampshire, Ohio, Tennessee, and Washington. Auto repair services were the subject of legislation in Alaska, Connecticut, Illinois, Louisiana, Michigan, Nevada, New Hampshire, and Washington. Another form of repair service also received attention; radio and television repair services came under state regulation in Louisiana and Rhode Island.

Other major areas of consumer sales and services legislation during the two-year period included controls on hearing aid dispensers in Delaware, Indiana, Kentucky, Nevada, Pennsylvania, Washington, and Wyoming, and shelf price markup in Illinois and Michigan.

Funeral and cemetery services were an area of much activity, with California, Connecticut, Delaware, Florida, Illinois, Louisiana, Maine, Mississippi, Nevada, Rhode Island, and Washington all enacting relevant legislation. Food products came under new legislation mandating open dating on perishable items in Illinois, Michigan, and Tennessee. Unit pricing of food items was required by California, Illinois, New Jersey, and Oregon, while purchase receipts or a visible cash register display was required in South Dakota. Refund policies and product warranties were also controlled by several states during the period. In New York, merchants must now clearly disclose refund policies by a conspicuous sign on the business premises and California, Florida, Illinois, Michigan, Minnesota, New York, North Carolina, and Rhode Island all enacted legislation intended to clarify the warranty which accompanies products sold.

### **Insurance**

Millions of Americans have some form of insurance and will eventually make a claim against an insurance policy. Given the enormous impact of insurance on the consumer and the fact that it is still for the most part a state-regulated industry, one should not be surprised that insurance company practices constitute a significant portion of the total number of consumer complaints received by states. States continually respond to these complaints with new and revised legislation and through administrative regulation of the industry.

During 1976-77, several insurance-related state laws were enacted. No-fault automobile insurance was revised in Florida and Massachusetts. In Florida, the revision was intended to

lower the cost of auto insurance policies, while in Massachusetts the initial effect of the change was to remove property damage coverage from the no-fault system.

Other insurance-related statutes enacted during the period were credit life insurance regulatory statutes in California and Missouri, guidelines for payments to insureds in Kansas and Michigan, and a comprehensive revision of the state insurance code in Wisconsin. The Wisconsin legislation also established ethical standards for insurance agents for the first time in that state's history. Consumer dissatisfaction with the language of insurance policies led to the requirement of simple language for policies in New York and Virginia. Arizona, California, and Kansas provided protection specifically to those insured under health insurance policies, with new regulatory statutes directed at health insurers.

### **Consumer Representation**

Although New Jersey continues to be the only state with a cabinet-level citizen's advocate department, almost all states now have ombudsmen, or citizen representatives, in at least one substantive area. Statewide ombudsmen with responsibilities covering many different types of citizen problems were established during 1976-77 in Louisiana and Illinois. Yet another method of enhancing the representation of consumer views by state agencies was implemented by 11 states during 1976-77 through the appointment of consumer representatives on state regulatory boards and commissions. Arkansas, California, Connecticut, Delaware, Kentucky, Nevada, New York, Ohio, Tennessee, Utah, and Wisconsin have established such representatives since 1976.

State court action also affected consumer representation when the Georgia Supreme Court ruled that the "Consumer Utility Counselor" position was not unconstitutionally vague and upheld legislation intended to authorize him to challenge state public service commission utility rate increases.

### **Utilities**

Utility billing and service practices substantially impact almost every consumer and commercial enterprise. This widespread impact ensures that the decreasing availability and increasing cost of utility service will be a topic of interest to consumers and state officials. During 1976-77, states struggled with the evaluation of utility price increase requests, customer service procedures, and procedural and structural questions directed at the manner in which state governments regulate public utilities. Among the actions taken by states were the banning of telephone directory assistance charges in California, and the granting of authority to the state public service commission to issue "customer service regulations" in Missouri. In Connecticut the state public utility authority ordered utilities to offer a time-of-day billing schedule by 1978, while Missouri for the first time authorized the state's public utility consumer counsel to appeal public service commission rate decisions to the state courts.

### **Government and Private Remedies**

Investigatory and enforcement powers may ultimately decide whether a state can effectively impose its will in the protection of consumers. Since state fiscal and organizational limitations make state governmental consumer protection efforts inherently unable to deal with all instances of consumer abuse, private consumer rights to sue also are important means of implementing consumer protection policies. States have neglected neither governmental nor private enforcement powers. The years 1976-77 brought an

increased emphasis in the states on individual consumer action against consumer violators as an adjunct to governmental enforcement activities.

In Arkansas, penalties for violators of the state's consumer protection act were increased to a maximum of \$10,000 per violation. Connecticut chose to strengthen yet another method of discouraging consumer abuse when it allowed the state attorney general to file class-action suits (*parens patrie*) against violators of the consumer protection statutes. New York's attorney general was for the first time given statutory authority to seize books and records for examination in the course of consumer protection investigations. Legislation also authorized him to seek damages from violators as well as restitution to the victims.

Relief for victims of unfair business practices was made easier during 1976-77 by the creation or strengthening of small claims courts in several states. Arkansas, California, Kentucky, Missouri, Nebraska, and New York all either instituted or modified such courts. Use of the general mechanism of civil suits by individual consumers was encouraged by legislation in many states during the last two-year period. In Delaware, Michigan, Nevada, New Mexico, North Dakota, Pennsylvania, and Tennessee, private remedies against violators of consumer laws were authorized or strengthened, while attorney's fees as a permissible element of private relief were authorized in California, Connecticut, Florida, Indiana, Louisiana, Michigan, New Jersey, New Mexico, North Carolina, Rhode Island, South Carolina, Tennessee, and Virginia. Treble damages in private suits where the consumer rights violation was especially serious were authorized in California, Delaware, Kentucky, Louisiana, New Jersey, North Carolina, Rhode Island, South Carolina, and Tennessee.

One of the most effective consumer rights tools is the class-action suit. Through class actions, consumers are able to build relatively small individual actions into major combined suits. This allows consumer relief in circumstances which are uneconomical for small suits. Class actions can be effective in concentrating government, business, and public attention on specific business practices. During the last few years, federal courts have adopted a number of restrictive rules for class-action suits prosecuted in the federal courts. These rules may have increased the attention given to the class-action device as a means of gaining state court relief for consumers. Most states have allowed some form of class-action suits for many years, but 1976-77 saw a broadening and liberalization of the rules in several states which could have significant effect on the use of the mechanism for state court consumer actions. States which made changes in class-action procedures during 1976-77 were Florida, Kentucky, Michigan, New Hampshire, New Mexico, New York, North Carolina, North Dakota, and South Carolina.

The new class-action rules in North Dakota are patterned after a model class-action statute adopted in 1976 by the National Conference of Commissioners on Uniform State Laws (NCCUSL). The statute is intended to provide a balance between those provisions which encourage class-action suits and those rules which make it easy for business to fight them. The bill allows a suit to represent all those members of the consumer class except those who specifically request not to be included; it also curtails the use of the damage device of "fluid recovery." "Fluid recovery" is the policy of awarding damages to consumers as a whole when the specific customers who suffered the injury cannot be identified or isolated. The NCCUSL bill substitutes for fluid recovery a procedure allowing the judge to award damages back to the defendant under requirements ensuring that the money will be used to benefit consumers. Whatever final form state class-action rules take, it is at least certain to be an area of interest and activity over the coming years.

### **State Consumer Affairs Agencies**

The 1970s have seen a striking increase in the number of state administrative units which have consumer protection as a major or exclusive function. The number of such offices zoomed from 16 in 1969 to 347 in 1975. This explosive growth seems to have slowed since 1975, perhaps because emphasis has changed in the states from the creation of consumer agencies to the definition of their role and powers. Administrative rulemaking authority has been granted to some state consumer offices while many without such specific authority have established investigatory units and used publicity and consumer education programs to administratively influence business practices and consumer frauds.

Along with the growth in the number of state administrative agencies charged with consumer protection has come increasing prominence for consumer protection in legislative committee systems. All states have legislative committees which are designated as the forum for consideration of all or some consumer protection measures. Since 1965, however, states have begun to make consumer affairs an exclusive or major responsibility of specific consumer committees. At least nine states (Hawaii, Michigan, Missouri, New Hampshire, New York, Oregon, Pennsylvania, Utah, and Wisconsin) now have committees on consumer protection in one or both houses.

This chapter only sketches the enormous variety of state consumer protection activities undertaken during 1976-77. It provides a sampling of such activity to indicate (1) the broad scope of consumer interests and (2) the flexibility of the states' response. In a complex, modern nation of consumers, concern with their welfare will shift among topics and issues, but it will continue to be felt more and more strongly.

**STATE LAWS ON MAJOR CONSUMER ISSUES\***  
As of 1977

<i>State or other jurisdiction</i>	<i>Auto repair dealer registration/licensing</i>	<i>Consumer education compulsory</i>	<i>Holder-in-due-course</i>	<i>Home solicitation sales: cooling-off period</i>	<i>Landlord-tenant: rights/ responsibilities set</i>	<i>Landlord-tenant: rent escrow deposits</i>	<i>Mobile home con- struction standards</i>	<i>Multilevel sales regulated</i>	<i>Open dating for foods required</i>	<i>Private remedies provided</i>	<i>Private remedies: class actions</i>	<i>Private remedies: attorneys' fees</i>	<i>Private remedies: treble damages</i>	<i>Prescription drug ad- vertising permitted</i>	<i>Private business &amp; trade schools regulated</i>	<i>Small claims courts</i>	<i>TV-radio repair dealer registration/ licensing</i>	<i>Unit pricing required</i>	<i>Unfair, deceptive trade practice law</i>
Alabama .....	..	*	*	*	..	*	*	..	..	*	*	*	*	*	*	*	..	..	*
Alaska .....	..	..	*	*	*	..	*	*	..	*	..	..	..	..	*	*	..	..	*
Arizona .....	..	..	..	*	*	..	*	*	..	..	..	..	..	..	..	*	..	..	*
Arkansas .....	..	..	*	*	*	..	*	..	..	..	..	..	..	..	..	*	..	..	*
California .....	*	..	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	..	*
Colorado .....	..	..	*	*	..	*	*	*	..	*	..	..	..	*	*	*	..	..	*
Connecticut .....	*	..	*	*	*	*	*	*	*	..	*	..	..	*	..	*	*	*	*
Delaware .....	..	*	*	*	*	*	*	*	..	*	..	*	*	*	*	*	*	*	*
Florida .....	..	*	*	*	..	*	*	*	*	..	*	*	*	*	*	*	*	*	*
Georgia .....	..	..	..	*	..	*	*	*	..	..	..	..	..	..	..	*	..	..	*
Hawaii .....	..	*	*	*	*	*	*	*	..	*	*	*	*	*	*	*	..	..	*
Idaho .....	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Illinois .....	*	*	*	*	*	*	*	..	*	*	*	*	*	*	*	*	*	*	*
Indiana .....	..	..	..	*	*	..	*	*	..	*	*	*	..	..	..	*	*	..	*
Iowa .....	..	..	*	*	*	*	*	*	..	*	*	*	..	*	*	*	..	..	*
Kansas .....	..	..	*	*	..	*	*	*	..	*	*	..	*	*	*	*	..	..	*
Kentucky .....	..	*	*	*	*	..	..	..	..	..	*	..	*	..	..	*	..	..	*
Louisiana .....	*	..	*	*	*	*	*	*	..	*	..	*	*	*	*	*	*	*	*
Maine .....	..	..	*	*	*	*	*	..	..	*	*	..	..	*	..	*	*	*	*
Maryland .....	*	..	*	*	*	*	*	*	..	..	..	..	..	*	..	*	*	*	*
Massachusetts .....	..	..	..	*	*	*	*	*	..	*	*	*	*	..	*	*	*	*	*
Michigan .....	*	..	*	..	..	..	*	*	*	..	*	..	..	*	*	*	..	..	*
Minnesota .....	..	..	*	*	*	*	*	*	*	*	..	*	..	..	*	*	..	..	*
Mississippi .....	..	..	..	*	..	..	*	..	..	*	..	..	..	..	*	*	..	..	*
Missouri .....	..	..	*	*	..	..	*	*	..	*	*	..	..	*	..	*	..	..	*
Montana .....	..	..	..	*	*	..	*	*	..	*	..	*	*	*	*	*	..	..	*
Nebraska .....	..	..	..	*	..	..	*	*	..	*	*	..	..	..	*	*	..	..	*
Nevada .....	..	..	..	*	*	*	*	*	..	*	..	..	..	*	*	*	..	..	*
New Hampshire .....	*	..	*	*	..	*	*	*	..	*	*	*	..	*	*	*	..	*	*
New Jersey .....	..	..	*	*	..	*	*	*	*	..	..	*	*	*	..	*	..	*	*
New Mexico .....	..	..	..	..	..	*	*	*	..	*	*	*	..	*	*	*	..	..	*
New York .....	*	..	*	*	..	*	*	*	..	..	..	..	..	*	..	*	*	*	*
North Carolina .....	..	..	*	*	*	*	*	*	..	*	*	*	*	*	*	*	..	..	*
North Dakota .....	..	..	..	*	*	*	*	*	..	..	*	*	..	..	*	*	..	..	*
Ohio .....	..	..	*	*	*	*	*	*	..	*	*	..	..	*	*	*	..	..	*

Oklahoma	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Oregon	...	★	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Pennsylvania	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Rhode Island	...	★	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
South Carolina	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
South Dakota	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Tennessee	...	★	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Texas	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Utah	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Vermont	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Virginia	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Washington	...	★	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
West Virginia	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Wisconsin	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Wyoming	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Dist. of Col.	...	★	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Puerto Rico	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Virgin Islands	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...

\*Source: U.S. Office of Consumer Affairs, Department of Health, Education, and Welfare, *State Consumer Action: Summary '74*; updated by the Council of State Governments to 1977.

## STATE CONSUMER AFFAIRS OFFICES: POWERS AND DUTIES\*

State or other jurisdiction	Enforces state's type of Unfair and Deceptive Trade Practice Law	Receives & refers complaints on broad consumer issues	Receives & refers complaints on specific areas only	Arbitrates or mediates complaints	Investigates complaints	Accepts assurances of discontinuance	Executes investigative demand	Holds hearings	Has power of subpoena	Issues cease and desist orders	Seeks & obtains restraining orders; temporary or permanent injunctions	Seeks court orders for restitution	Prosecutes cases	Revokes licenses, charters, franchises	Promulgates rules & regulations	Represents consumers before administrative and/or regulatory agencies	Has consumer education responsibility
Alabama	A,B	...	...	A,B	A,B	B	...	B	...	...	B	B	B	B	...	A,B	A
Alaska	B	B	...	B	B	B	B	B	...	B	B	B	B	...	B	B	B
Arizona	B	B	...	B	B	B	...	B	...	B	B	B	B	...	B	B	B
Arkansas	B	B	C	B	B,C	C	B	B,C	B,C	B,C	B,C	B,C	B,C	B,C	C	B,C	B,C
California	B	D,F	...	C,D,F	B,C,D,F	C,D	B,C,D,F	C,G	B,C,F	B,C	B,C	B	B,C	C,F	C,F	B,D	D
Colorado	B	B	B	B	B	B	...	B	...	B	B	B	B	...	B	...	B
Conn.	B,D	B,D	...	D	D	D	D	D	D	D	D	B	B	B	D	...	D
Delaware	B,M	M	...	M	M	M	...	M	B	M	B	B	B	...	M	M	M
Florida	B	B,G	C,F,H,K,M	B,G	B,G	B	G	B	B,G	B	B,G	B	B	...	B	B	G
Georgia	A	A,B	...	A	A	...	...	...	...	...	...	...	B	...	...	...	A
Hawaii	A	A	...	...	A	...	...	A	A	A	A	...	...	...	A	...	...
Idaho	B	B	...	B	B	B	B	B	B	B	B	B	B	...	B	B	B
Illinois	B	A,B	C	A,B,C	A,B,C	B	B	A,B,C	A,B,C	B,C	B	B	B	B	B,C	A	A,B
Indiana	B	B	C,K	B,K	B,C	K	K	K	K	B,K	B,K	B	B	C,K	K	B	B,K
Iowa	B	B	...	B	B	B	...	B	B	B	B	B	B	...	B	...	B
Kansas	B,C	B	C	B,C	B,C	B,C	C	B,C	B,C	B,C	B,C	B,C	B,C	B,C	B,C	B	C
Kentucky	B	B	...	B	B	B	B	B	B	B	B	B	B	...	B	B	B
Louisiana	B,Q	Q	E	...	B,Q	Q	Q	Q	Q	B	...	...	...	...	Q	...	E,Q
Maine	B	...	...	B	B	B	B	B	B	B	B	B	B	...	B	B	...
Maryland	B	B	I,J	B,I,J	B,I,J	B,I,J	...	B,I,J	B,I,J	B,I,J	B,I,J	B	B,I	B,I,J	B,I,J	B,I,J	B,I,J
Mass.	B	A,B	...	A,B	A,B	B	B	B	B	...	B	B	B	...	B,D	B,D	B
Michigan	B	B	B	...	B	B	B	B,C,E,F	B	B	B	B	B	F	B,C,E,F	D	D
Minnesota	B,F	B,F	...	F	B,F	F,G	B	F	B	B	B,F	F	B,F	F	F	F	...
Mississippi	B	B	...	B	B	B	B	...	...	...	...	...	...	...	...	...	B
Missouri	B	A,B,F	C,F,K	B,F	B,F	B,F	B,F	F	F	F	B,F	B,F	B,F	F	F	F	F
Montana	F	F	...	F	F	F	F	F	F	F	F	F	F	F	F	F	F
Nebraska	B	B	...	B	B	B	B	B	B	B	B	B	B	...	...	...	...
Nevada	B,F	B,F	...	B,F	B,F	B,F	F	B,F	B,F	B	B,F	B,F	B	...	F	B,F	F
N. Hamp.	B	B	...	B	B	B	...	B	B	B	B	B	B	...	B	...	B
New Jersey	B	B	C	B	B,C	C	...	B,C	B,C	B,C	B	B	B,C	B,C	B,C	B,C	B,C
New Mex.	B	B	A,C	B	B	B	B	B	P	B	B	B	B	...	B	B	...
New York	B	A,B	...	A,B	A,B	...	...	A	B	B	B	B	B	...	A	A	A,B
N. Carolina	B	B	C,E	B,E	B,C,E	B,E	B	C,E,N	B,E	E	B,E	B	B	C,E,N	C,E	B,E	B,E
N. Dakota	B	B,O	...	O	B,O	B	B	B	B	B	B	B	B	B	B,O	...	O
Ohio	B	B	...	...	B	B	B	B	F	B	...	B	B	...	B	...	B
Oklahoma	B	B	...	B	B	...	...	B	B	B	B	B	B	...	...	...	...
Oregon	B	F	E,F	F	B,F	B,E	B	B,E	B	E	B,E	B	B	E	B,E	E,F	E,F
Penn.	B,C	B	C,E	B	B,C	B,C	B,C	B,C	B,C	C	B,C	B,C	...	...	B,C	...	B,E
Rhode Is.	B	B,D	...	B,D	B,D	B	B	...	D	B	B,D	B	B	...	D,F	B,D	D
S. Carolina	B	D	B,C,E,N	...	B,C,D	B,D	B,D	B,C,D,K	B,C,D	B,D	B,D	B	B,D	C,K	B,D	B	D
S. Dakota	F	F	...	F	F	F	F	F	F	F	...	...	...	F	F	F	F
Tennessee	B	E	E	E	E	B,E	B	...	B	...	B	B	B	B,P	...	...	E
Texas	B	B,E	D	B,D,E	B,E	B,D	B	...	B,D	B,D	B	B	B	...	...	...	E
Utah	B,F	F	K	F,K	B,F	F,K	...	F,K	F,K	B	B,F,K	B,F	B,F	K	B,F	...	F
Vermont	B	B,P	P	B,P	B,P	B,P	B,P	P	B	B,P	B,P	B,P	B,P	P	B,P	...	P
Virginia	B	B,L	C,N	C	B,L	B,C	B,C	B,C	B	C	B,C	B	B	C	C	B	L
Wash.	B	B,E	...	B,E	B,E	B	B	E	...	B	B,E	B	B,E	E,F	E,F	...	E
W. Va.	B	B,N	E,N	B	B,E	B	B	B,E	B,N	B,E	B,E	B,E	B,E,N	B,E,N	B,E	B	B,E,N
Wisconsin	B,E	A,B,E	A	A,B,E	A,B,E	B,E	E	A,E	B,E	E	B,E	B,E	B,E	...	E	A,B	B,E
Wyoming	B	...	...	...	B	...	...	...	...	B	B	...	...	...	...	...	...
Puerto Rico	D	D	...	D	D	D	D	D	D	D	D	D	D	D	D	D	D
Virgin Is.	D	D	...	D	D	D	...	D	D	D	D	D	D	D	D	D	D

\*Source: U.S. Office of Consumer Affairs, U.S. Department of Health, Education, and Welfare, *State Consumer Action: Summary '74*. Updated by the Council of State Governments to December 1977.

## Symbols:

A—Governor's Office  
 B—Attorney General's Office  
 C—Dept. of Insurance  
 D—Independent Consumer Protection Agency  
 E—Dept. of Agriculture  
 F—Dept. of Commerce, Business Regulation, Licensing, or similar agency (in some states the agency may be called Dept. of Commerce and Consumer Affairs, etc.).

G—Dept. of Agriculture and Consumer Services  
 H—Comptroller  
 I—Motor Vehicle Administration  
 J—Commission of Consumer Credit  
 K—Dept. of Banking, Financial Institutions, or similar dept.  
 L—Dept. of Agriculture and Commerce  
 M—Dept. of Community Affairs and Economic Development  
 N—Dept. of Labor  
 O—State Laboratories Dept.  
 P—Dept. of Banking and Insurance  
 Q—Office of Consumer Protection, Dept. of Urban and Community Affairs.

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# DEVELOPMENTS IN PUBLIC UTILITY REGULATION

By James E. Suelflow\*

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BEGINNING IN THE LATE 1960s and gaining momentum during the early 1970s, the role of public utility regulation by administrative agencies achieved new recognition. The demands for energy conservation, protection of the environment, competitive forms of communication, and consumerism were prominent motivating factors for these changes.

State public utility regulatory agencies are known by several different titles. In most states they are identified as the public service commission, while in others they may be known as the public utility commission, the state corporation commission, the commerce commission, and even the railroad commission. This diversity of titles shows the broad range of regulatory activities vested within these administrative agencies. The table at the conclusion of this chapter gives some idea of the scope of their regulatory authority. Even though certain types of transportation common carriers fall under the aegis of the public utility commissions, this chapter will be confined to the economic, territorial, and safety regulations over the more traditional energy and communications firms—electric utilities, natural gas utilities, telephone and telegraph utilities, and community antenna television (CATV) or cable television companies.

To give some insight into the magnitude of state regulatory responsibility, these state agencies are responsible for the regulation of approximately 2,206 telephone companies; 355 investor-owned (private) electric utilities; 665 rural electric cooperatives; 592 municipal, regional, and other publicly owned electric systems; 809 investor-owned gas distribution utilities; and 387 publicly owned gas systems which lie within and operate facilities within the jurisdictional bounds of state and territorial commissions. In addition, these agencies regulate a significant portion of over 25,000 water utilities (public and private). The scope of the regulation of these firms includes such activities as revenue requirements and rate regulation, as well as entry, exit, and territorial limits. In order to accomplish these tasks, it has been found necessary for commissions to prescribe uniform accounting systems and procedures, perform account audits, and control financial practices, as well as provide safety regulations and oversight on both quality and quantity of service.

## Possible Federal Dominance

State commissions with mandatory regulatory powers over common carriers (railways) were first established in the midwest during the 1870s. Commission regulation of electric, gas, water, telecommunication, and various other activities defined as public utilities began during the mid-1880s, and experienced its greatest surge of growth between 1907 and 1920. Federal regulation of railroads began in 1887 with establishment of the Interstate Commerce Commission. Federal commission regulation of interstate utilities other than railroads and pipelines achieved relatively full development during the 1930s.

In recent years, the federal commissions, by comparison with state commissions, have

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taken the initiative in pursuing regulatory changes. This is reflected by the increasing domination of interstate over intrastate aspects of utility controls, as required by federal laws and court decisions.

An interesting aspect in the so-called federal-state relationship on regulation is that of encouraging increased competition while, at the same time, pursuing increased regulation. Increased regulation at the federal level may result in usurping state authority over public utility operations.

In the energy field, federal influence tends to be dominant. A number of bills have recently been introduced in Congress suggesting or implying rate reform so that regulatory commissions—whether federal or state—would be required to adhere to minimum standards for rate regulation. These recommendations would include such minimum requirements as cost of service rates, lifeline rates, and time-of-day rates for residential, industrial, and commercial users.

The creation of the Department of Energy (DOE) is another example. DOE undoubtedly will lead to greater federal control and, at the very least, create a situation whereby “regional” regulation will become more important.

Increased attention to forcing natural gas supplies into interstate commerce, rather than allowing such gas to remain in the producing state, is an indication of federal dominance. Federal concerns about the deregulation of natural gas production also will have its impact on the effectiveness of state control. Both of these phenomena point toward greater reliance on federal antitrust policy as a regulatory mechanism.

Until recently, public utilities were relieved from antitrust liability for price fixing and other anticompetitive practices when such actions were allowed by state regulatory authorities. This immunity, however, has deteriorated. For example, in *Otter Tail Power Company v. the U.S.* (410 US 366, 97 PUR 3d 209, 1975) and in *Paul Y. Chastain et al. v. American Telephone and Telegraph Company* (13 PUR 4th 185, 1976), federal antitrust law prevailed. In the latter case, the Bell system’s refusal to provide mobile telephone service for connection with customer-owned equipment was cut down. In *Cantor v. The Detroit Edison Company* (15 PUR 4th 401), the courts allowed an exemption from federal antitrust laws in the case of state regulatory action as opposed to private decisions. In this case, the exemption referred to involved the state public service commission allowing the Detroit Edison Company to supply light bulbs to its customers and include the cost of these bulbs in its rates. The U.S. Supreme Court, however, reversed the decision that commission approval of this exchange program was sufficient to exempt Detroit Edison from federal antitrust laws.

Efforts of the states to regulate telephone terminal equipment in intrastate commerce were rejected by the federal courts in *North Carolina Utilities Commission v. FCC* [(CA 4th 1976) 537 F 2d 787]. The Supreme Court denied review (97 US 651). The Court said that in both instances the Communication Act of 1934 prevented the frustration of FCC jurisdiction in interstate and foreign communications by such state actions. Consequently, the Court ruled that the FCC must remain free to determine what terminal equipment could safely and advantageously be interconnected with the interstate communications network and how that would be done.

Still another area where federal control may increase concerns the Securities and Exchange Commission’s (SEC) jurisdiction over public utility holding companies. Allegations in a recent Government Accounting Office report state that the SEC has been failing to live up to its mandate in the oversight of public utility holding companies and the report calls for more forceful action.

While regulatory reform continues, advocates reiterate that procedural improvements promulgated either through rulemaking or congressional enactments could help to reduce regulatory lag.

Other changes in regulatory trends, stimulated in part by the recent experience with steep inflation, have also emerged. Emphasis has been shifting somewhat from rate base valuation and the determination of allowable rates of return thereon to the use of ratemaking standards of end results or on the amount of earnings required to attract capital for necessary utility investment. In addition, the need for innovation in rate design and the encouragement of competitive services have been given increasing attention. Changes such as these come about in two ways: (1) by administrative action of the regulatory commissions themselves, and (2) by legislative action changing the law or policy under which the commissions operate.

FCC furnishes an example of the first alternative in its treatment of interstate telephone rates and services with a policy which continues to encourage the introduction and interconnection of customer-owned equipment with the national telephone network by independent telephone manufacturers and suppliers. Along the same line, the Federal Power Commission (FPC)—since absorbed by the Department of Energy and now known as the Federal Energy Regulatory Commission (FERC)—has sought to relax regulatory restraints over natural gas production for interstate service and Congress has shown interest in this aspect of "deregulation." The U.S. Supreme Court has also turned to the relaxation of monopolistic service practices of interstate gas and electric supply utilities through broader interpretation of antitrust laws. At the state level during the past few years, more attention has been paid to changes in rate design for various purposes: conservation of services, environmental protection, and welfare consideration for consumers.

### **The Industries**

#### **Electricity**

The winter of 1976-77 marked a period of almost unprecedented shortages, curtailments, and increased rates by utilities supplying energy. Electric utilities probably experienced more shortages than their customers. Cutbacks in the supply of natural gas and staggering increases in the prices of fuel oil and coal, all factors in the production of electricity, were evident. Additionally, curtailments of construction programs of many utilities, especially those building nuclear plants, were also evident.

Although few technological advances are evident over the past few years, cost increases and shortages have perhaps been the primary topics of concern in the industry.

#### **Natural Gas**

Quantitatively, most of the regulatory action in 1976-77 was in the area of electric utility ratemaking, where most of the pressure for rate increases was felt. Corresponding impact in the gas utility field took the form of efforts, mainly in Congress and at FPC, to "deregulate" gas producer rates on the assumption that this will spur more discovery and investment in an area where low producer rate ceilings over many years have led to declining reserves and increasing demand. As of late 1977, Congress had not approved the "deregulation" approach, although increasing activity along that line was expected.

FPC activity to deregulate natural gas production rates has so far been frustrated in the federal courts. Consumer interests have been mainly responsible for resistance to deregulation in the natural gas field, on the assumption that the withdrawal of controls

would lead to widespread rate increases. The counter argument is that decontrol would really protect the consumer interest—even at higher rates—by stimulating and assuring a more ample and reliable supply of gas. This is a very controversial point. Higher prices obviously will not create more gas although they might be an incentive to greater discovery effort if greater supply does, in fact, exist.

### **Community Antenna Television (CATV)**

CATV or cable television experienced actions that might affect its industry. While the industry continues to grow, FCC and the courts have been concerned about regulation of program content and charges by electric and telephone companies for CATV cable attachment and rate setting. In *Home Box Office, Inc. et al. v. FCC and U.S.* (40 RR 2d 283, March 25, 1977), the D.C. Court of Appeals struck down what have become known as antisiphoning rules as they apply to cablecasters, specifically to the so-called pay-cable suppliers. The antisiphoning rules are designed to prevent the attraction of programs from commercial to pay-cable T.V. The court found that lack of proper evidence made the rules arbitrary and of doubtful validity with respect to First Amendment requirements. Other issues center around regulation and charges for pole attachments and actual rate regulation by the companies themselves.

### **Telecommunications**

In the telephone service field, competition has been stimulated on behalf of the consumer by means of relaxing constraints applicable to terminal equipment and by certification of new, independent bulk service carriers. The Bell system and independent telephone companies have resisted efforts to throw open the network system to competitive manufacturers and suppliers. FCC has taken the view that such innovations would benefit telephone users through lower rates, and the U.S. Supreme Court on November 28, 1977, affirmed this approach by refusing to hear an appeal by the telephone companies. The state commissions, to a large extent, have taken the view that the resulting lower operating costs would chiefly benefit long distance and business subscribers at the expense of and disadvantage to residential home service.

In other action, the Michigan commission determined, over the objection of the Michigan Bell Telephone Company, that a telephone communication company offering two-way mobile telephone service and one-way paging service was a telephone in the meaning of the state statutes. The commission further determined that the paging service and the telephone company should agree on any revenue separations when a toll call involved the new two-way radio paging service. On the other hand, the Ohio Supreme Court reversed a state commission decision which held that a one-way radio paging service broadcasting a radio call signal from its own transmitter to its subscriber's pager is not a "telephonic message" even though the radio paging service is interconnected to a land-line telephone facility for the sole purpose of transmitting the signal. The issue is whether or not a paging service is a "communications" device.

### **Regulatory Update**

Sharp departures from traditional practice have characterized recent decisions in electric ratemaking proceedings before state commissions.<sup>1</sup> The first of these is in the area of revenue requirements. Included are determinations of operating expenses and utility operating income based on rate base—rate of return calculations.

Certain aspects of operating expenses which state commissions allow in a utility's cost of service have come under scrutiny. New York and Oregon have provided specific guidelines for advertising allowances. In the latter, the utility is limited to 0.5 percent of the company's net operating income. Additionally, the company is required to identify who is paying for such advertisements. New Jersey banned advertising as part of the cost of service, and Maryland provides a similar rule regarding charitable contributions.

With respect to rate base determinations, several states have recently switched to original cost bases (the actual dollar amount invested to provide customer service) from some other form of rate base determination such as fair value and reproduction cost new. Among the most recent ones are Minnesota, North Carolina, and Ohio.

A second area is that of rate design and experimentation. Included in these are lifeline rates, peak-load pricing, and automatic adjustment clauses.

### **Lifeline Rates**

The continued pressure of price inflation and economic recession has given fresh emphasis and momentum to rate concessions for poor and fixed-income groups. The prospect that this movement will grow and broaden is a definite possibility. Although viewed with misgiving by the utility industries as a matter which should be classed as a welfare problem, the federal government has offered encouragement and the states have been responding.

The most common approach is to provide a low, uniform kilowatt-hour charge for the first several hundred kilowatt-hours consumed by residential customers. (In Massachusetts and New Jersey the lifeline plan allows 300 kilowatt-hours at 3 cents per kilowatt-hour on the assumption that this meets the basic needs of a customer who does not use or need frill appliances, and electric space heating, cooking, or air conditioning.) An alternative approach to lifeline rates is the use of fuel stamps, similar to food stamps, which would place the subsidy burden on the taxpayer rather than other ratepayers.

As of late 1977, lifeline rates had been adopted in at least five states and were being considered in at least six others. California, Florida, Massachusetts, New Jersey, and New York now have such methodologies. The California act was designed to provide lifeline electric rates and at the same time encourage energy conservation. The act freezes rates at the level in effect on January 1, 1976. The measure bars any increase in the lifeline rate until "the average system rate in cents per kilowatt-hour or cents per therm increased 25 percent or more over the January 1, 1976 level." In at least one state, Louisiana, the state commission voted to defeat a lifeline rate which it said was a "welfare issue" and not one to be considered by public utilities.

### **Pricing Structures**

Conventional approaches to the pricing of electric service have produced rate structures characterized, in most instances, by decreasing block rates for residential users and by charges to commercial and industrial users which lack the declining block feature but are lower than residential rates. This pattern of ratemaking has been defended with, among other things, the contention that it induces higher levels of electricity usage and hence results in the achievement of lower unit costs when electricity supply takes place under conditions of declining short-run or long-run average cost. The pricing of electricity on the basis of its average cost per kilowatt-hour of use by each class of customer is said to result almost

inevitably in the sale of peak-load service at rates below the additional costs incurred in fulfilling peak-load demand.

More definite recognition of this emerged when various politically active groups aggressively promoting environmentalist and conservationist causes began, during the early 1970s, to argue that traditional electric rate structures—with their underpricing at peak periods and consequent “overselling” of electricity—caused excessive environmental damage and waste of exhaustible and irreplaceable natural resources. At least 18 states have made rate decisions which have involved modification of declining block rate structures in the direction of flattening or leveling of the rate regardless of quantity of service used. Types of rates include rate block flattening, time-of-day or peak-load pricing, winter-summer differentials, and demand metering for larger users.

Time-of-day or peak-load pricing has been approved in Vermont, where the commission ordered two electric utilities to offer optional time-of-day as well as seasonal pricing rates to all residential and general service customers. Likewise, California, Florida, Wisconsin, and the District of Columbia have instituted time-of-day ratemaking. Wisconsin has also instituted a type of peak-load pricing which it calls synthesized rates. This rate is designed to follow general use patterns where time-of-day meters have not been installed.

Seasonal pricing schemes with winter-summer differentials have also been approved in Iowa. Delaware's Public Service Commission approved a three-part rate consisting of a customer charge, demand charge, and a single kilowatt-hour charge. The intent is to enable residential customers to be able to benefit from the rate by keeping the demand charge, which is based on maximum summer usage, as low as possible. Similarly, New York approved a flat rate structure for an electric company in that state. Missouri approved what it calls cost-of-service pricing and Florida has approved an inverted rate structure—a rate that charges more per unit for increased consumption.

### **Automatic Adjustment Clauses**

Regulatory lag has continued to plague state commissions. The time needed to conduct a full-blown rate hearing has often raised financial concern with both utilities and the investment community. Thus, the so-called automatic or fuel adjustment clauses have continued their popularity.

The relatively high rates of inflation presently being experienced within the American economy have impacted heavily upon three factor inputs—plant and equipment, financial capital, and fuel—which utilities rely on. As a result, state commissions have been confronted by a flood of rate increase applications which, ideally, should be processed in a manner that will: (1) enable utilities to adjust rates at a pace commensurate with inflation-induced changes in costs and thus maintain service of requisite quantity and quality, and (2) provide for adequate treatment of the various public interest considerations in public utility ratemaking. A number of methods have been suggested for meeting this critical challenge.

To cope with the volume and frequency of revenue requirement increases imposed upon electric utilities by recent fuel price escalations, approximately 40 states have approved the use of fuel adjustment clauses which, in essence, permit utilities to pass fuel cost changes on to customers without either filing a conventional rate increase application or otherwise obtaining specific permission from a regulatory agency. Such clauses do eliminate the time lag which regulatory procedures can impose upon utilities' efforts to recoup higher costs via rate increases. However, they have drawn a rising level of criticism from consumer groups and from some state commissioners and elected officials.

Failure to assure or provide adequate incentive for seeking the lowest available fuel price is a leading complaint against fuel clauses. Also, it has been alleged that some utilities have used the clauses to obtain additional payments from consumers which, taken as a whole, exceed total fuel cost increases incurred by the companies. So controversial are these clauses, that in the past two years both federal and state commissions and legislatures have begun investigations. Included are FPC and commissions in California, Florida, New York, North Carolina, Ohio, and Vermont. A congressional subcommittee investigation has also begun.

Other methods for minimizing regulatory lag and reducing the procedural costs of adjusting regulated rates to meet costs of utilities have been sought and, in some instances, subjected to limited application.

The most dramatic of recent state regulatory decisions in this area occurred on April 22, 1975, when the New Mexico Public Service Commission authorized the Public Service Company of New Mexico to implement procedures providing for automatic electricity rate adjustments directed toward the achievement and maintenance of an earned rate of return of between 13.5 and 14.5 percent on the book value of the company's common equity capital. Under the procedures, which were initially proposed by the company, adjustments in each of the company's various categories of retail electric rates will be made when the company's accounting reports indicate that its earned rate of return on common equity capital for the preceding accounting period has either exceeded or fallen short of the 13.5 to 14.5 percentage range. If return on equity exceeds the prescribed range, all of the company's retail electric service rates are to be decreased by amounts designed to reduce the rate of return to 14.5 percent during the accounting period ending with the company's next quarterly business period. Conversely, upward rate adjustments are to be made if the company's return on equity falls below 13.5 percent.

The first adjustment was made in August of 1975 with an upward adjustment of 2 mills per kilowatt hour (KWH). At the end of 1975, the adjustment was reduced to 1.994 mills per KWH with a corresponding adjustment in rates. The adjustment stabilized until September 1976 when it was increased to 2.2 mills per KWH and has increased each quarter thereafter to its present level of 8.8 mills per KWH.

The company claims these adjustments have helped maintain a AA bond rating in spite of poor interest coverage and growth in capital needs which are among the highest in the country. At the same time, the company's rates are among the nation's lowest and consumers have not experienced a real dollar cost increase for electric service.

The commission supports its acceptance of the company's quarterly rate adjustment method by stating, among other reasons, that it represents the most effective means for providing the company with an opportunity to generate earnings commensurate with its cost of capital and other expenses, while simultaneously precluding the company's rates and total revenues from rising to levels significantly higher than justified by prevailing cost conditions.

Interestingly, the New Mexico Public Service Commission rejected a cost-of-service index for a gas company in that state based on the fact that the company did not need it to attract capital. The commission further stated that conventional ratemaking was still satisfactory.

In a turnabout, a farmer who sells milk to an electric company for testing purposes involving nuclear pollution puts an adjustment clause in the price of the milk based on the company's fuel adjustment clause to the farmer since the farmer used electricity to milk the cows. The company has paid the increased cost of milk based on the adjustment.

### **Actions in Other Utilities**

The telephone communications industry has also come under rate reform within the past several years. Lifeline telephone rates have been proposed in Illinois, based on a minimal service of a basic residential rate of 20 measured units. New York has approved special rates for the handicapped, including deaf and blind. Further, New York has ordered a two-tiered rate more related to costs—the first tier covers all fixed costs whereas the second tier covers variable costs. Along these same lines, California has approved a timed rate for local service during certain hours of the day.

The other important area in telephone ratemaking receiving increased attention is the company's charge for directory assistance which is said to be cost related. Colorado, Georgia, Illinois, North Carolina, Ohio, South Carolina, and Washington have approved such charges. However, Virginia denied such a request and the Public Service Commission in Florida rejected a staff recommendation that a statewide system be instituted for directory assistance charges as well as an increase in coin telephone charges from 10 to 20 cents.

Attempts to apply comprehensive automatic adjustment clauses to telephone ratemaking have drawn positive and negative responses in recent cases. In December 1973, the New Jersey Board of Public Utility Commissioners approved an automatic adjustment clause for telephone utilities under their jurisdiction (Docket 732-134). This comprehensive adjustment clause (CAC) was applied to key cost areas of the company's cost of service. In a subsequent case (Docket 747-422), decided in February 1975, the board continued the CAC but cautioned the utility that it had now received the emergency relief requested and that no future relief through this route should be expected. During the conduct of this case, the state's public advocates challenged the concept of CACs in the court. The New Jersey Supreme Court ruled that the concept of CACs is legal and amounted to good regulatory practice. The second decision by the commission followed this court decision.

Although the CAC is no longer used, evidence of the adjustments is still in the company's rate structure and undoubtedly will be for some time. The adjustment clause, evidently the first in the nation approved for a telephone utility, achieved its objective—emergency rate relief.

In a more recent action, the Illinois Bell Telephone Company sought use of an automatic revenue adjustment clause that would permit decreases and increases in rates by applying a cost and efficiency adjustment factor. The Illinois Commerce Commission rejected the company's proposal holding, in essence, that determination of the just and reasonable nature of operating expenses incurred by Illinois Bell could be best performed by hearings focusing on the propriety and reasonableness of proposed rates and charges.

Financial problems continue to face regulated utilities. While automatic adjustment clauses or price indexing help alleviate the problem to some extent, cash flow problems are not solved. Another method suggested and being adopted by a number of state commissions concerns the allowance of construction work in progress in the rate base. North Carolina recently instituted such a procedure. This allows the utility to earn a return on plants not yet completed and producing revenue. Thus, the cash flow problem is somewhat reduced.

### **Other Recent Developments**

Conservation and environmental standards have gained increased attention. For example, Virginia and New York have issued mandates regarding gas consumption. In the former, the commission issued an order to phase out all outdoor gas lighting by November 1980; in the latter, pilot lights are banned after 1980. In New Jersey, the Atlantic City Electric

Company ordered that air conditioners with a poor efficiency rating (EER of seven or less) cannot be utilized.

Conservation of energy through the use of insulation is also in evidence. Michigan, New Jersey, New York, Pennsylvania, and Virginia have instituted plans for installing sufficient insulation. The Michigan Public Service Commission approved a Detroit Edison proposal to lend money to qualified customers for home installation projects. In New Jersey, the commission authorized an electric company to put into effect a limited program of financing home insulation for customers. Similar plans are authorized in Pennsylvania and Virginia. In New York, the commission set insulation standards for single and two-family homes which must be met in order to qualify for connection for new and expanded electrical service.

California has faced a rather peculiar problem brought about by its water conservation efforts. While the state was asking for conservation in the neighborhood of 15 percent, customers in actuality cut their consumption considerably more, in some cases by double and triple that amount. Water companies appeared before the California Public Service Commission to ask for rate increases caused by the continuing fixed costs normally spread over more units of output which, under the conservation measures, had now declined, resulting in costs not being covered.

Regulation involving social goals continues to increase. In fact, the very bedrock of the public utility concept and state regulation is being challenged. One area already discussed concerns ratemaking changes and includes lifeline rate structures. Other areas include those which center around safety, health, and the environment. One such example is in Colorado, where the state supreme court confirmed a lower court decision which held that customers of public utilities do not have an absolute right to a hearing on the termination of utility service. The contest is tied to the right of due process. In this case the claim was the right of uninterrupted continuance of public utility services.

Quality of service becomes another important issue. Recent decisions in Florida, Louisiana, Nebraska, and Oklahoma have reduced rate requests on the basis of the quality of service offered by the utilities to their customers.

The Michigan Public Service Commission approved in 1977 a consumer bill of rights for customers of telephone companies. This bill is similar in scope to the Consumers' Rights Bill adopted for both gas and electric companies in 1975.

Another example of consumer rights is the Virginia Commerce Commission's approval of a dual telephone listing based on customer requests. Couples with the same surname and living at the same address may have both names listed as one entry at no additional charge. On the other hand, a Missouri Public Service Commission decision (in early 1976) stopped a so-called consumer bill of rights specifying the responsibilities of electric, gas, and water utilities, and the rights of residential customers. Likewise, the Maryland Senate defeated a bill which would have created a citizens' utility board to represent the consumer at public utility hearings.

A number of issues have also developed between private (investor-owned) and public (municipal- or co-op owned) utilities. One such concern is the joint venture in which both private and public utilities enter into a construction program to provide facilities otherwise thought to be impossible for either to undertake on their own due to the costs involved. Michigan and North Carolina are two states where such joint ownership has been approved. In the former, the Public Service Commission approved, in principle, a plan whereby two electric cooperatives would buy 20 percent ownership of a Detroit Edison's nuclear plant. This joint venture allowed the plant to be completed after previously being halted due to the



lack of funding. An even more recent decision by the Nuclear Regulatory Commission commanded the Consumer's Power Company to sell part of its plant in Midland, Michigan, to a small competitor utility nearby.

One final aspect of state commission regulation which has received increased attention during the past few years has to do with the management audit.<sup>2</sup> These audits have been directed toward assessing the effectiveness of the management of public utilities under the state commission's jurisdiction. Consumer reaction to rising utility rates has spurred a number of the state commissions to scrutinize all facets of the utility business to test managerial competence and efficiency. In New York, the state commission analyzed a 348-page report of a six-month study of the nation's largest utility, Consolidated Edison Company of New York, Inc. Since that time similar audits have been made in California, Connecticut, Illinois, Maryland, North Carolina, Oregon, and the District of Columbia. The Illinois Commerce Commission granted one electric company a higher rate of return based on a favorable audit report which cited the company for cost responsiveness and its role in innovative ratemaking.

### Determinants of Commission Performance

The cases noted above, together with a vast number of other activities, provided state commissions with a 1976-77 workload markedly in excess of previous periods. This workload increase imposed additional pressure upon two basic ingredients of regulatory performance—personnel and funding. Both ingredients had already been regarded in relatively short supply at many state commissions.

### Position and Salary Levels

As noted in the opening section of this chapter, thousands of firms providing electric, gas, telecommunications, water, and other services operate within the jurisdiction of one or more of the 53 state and territorial commissions. Taken collectively, the commissions employ more than 8,000 individuals. This total is distributed unevenly relative to the dimensions of individual commissions' regulatory tasks.

In the past, inevitable budgetary limitations have created perceptible difficulties for state commissions in obtaining and holding requisite personnel. However, the resurgence of attention cast upon state regulation by events noted in this chapter has contributed toward various recent efforts to improve the attractiveness of regulatory employment. These efforts have attained varying degrees of success.

Continuing professional development for incumbent staff members is being utilized by some commissions. For example, the California Public Utilities Commission provides partial tuition reimbursement for classes offered by outside institutions and presents various in-house training sessions. Likewise, the Missouri Public Service Commission sponsors an annual conference focusing on the use of electronic data processing in regulation. The National Association of Regulatory Utilities Commissions offers study programs in regulatory functions. The result of this training is that the quality of commissioners' educational and professional accomplishments attained before assuming their appointments is now quite impressive in many states.

### Footnotes

1. A discussion of this can be found in Alan E. Finder, *The States and Electric Utility Regulation* (Lexington, Ky.: The Council of State Governments, 1977).

2. See, also, *The Management Audit: A New Experiment in State Regulation of Utilities* (Lexington, Ky.: The Council of State Governments, 1977).

## STATE PUBLIC UTILITY COMMISSIONS\*

State or other jurisdiction	Regulatory authority	Members		Selection of chairman	Length of commissioners' terms (in years)	Number of full-time employees
		Number	Selection			
Alabama	Public Service Commission	3	E	E	4	68
Alaska	Public Utilities Commission	3	G	G	6	36
Arizona	Corporation Commission	3	E	E	6	170
Arkansas	Public Service Commission	4	G	G	6	55
California	Public Utilities Commission	5	G	G	6	900
Colorado	Public Utilities Commission	3	G	G	6	89
Connecticut	Public Utilities Control Authority	3	G	C	6	102
Delaware	Public Service Commission	5	G	C	5	9
Florida	Public Service Commission	3	E	C	4	345
Georgia	Public Service Commission	4	E	C	6	108
Hawaii	Public Utilities Commission	3	G	G	6	17
Idaho	Public Utilities Commission	3	G	G	6	65
Illinois	Commerce Commission	5	G	C	5	230
Indiana	Public Service Commission	3	G	G	4	82
Iowa	State Commerce Commission	3	G	G	6	115
Kansas	State Corporation Commission	3	G	G	4	141
Kentucky	Public Service Commission	5	G	G	4	52
Louisiana	Public Service Commission	5	E	E	6	93
Maine	Public Utilities Commission	3	GS	GS	7	55
Maryland	Public Service Commission	5(a)	G	G	6	82
Massachusetts	Department of Public Utilities	3	G	G	4	122
Michigan	Public Service Commission	3	G	G	6	292
Minnesota	Department of Public Service	5	G	C	6	132
Mississippi	Public Service Commission	3	E	E	4	73
Missouri	Public Service Commission	5	G	G	6	208
Montana	Public Service Commission	5	E	E	4	34
Nebraska	Public Service Commission	4	E	C	6	55
Nevada	Public Service Commission	3	G	G	4	66
New Hampshire	Public Utilities Commission	3	G	G	6	34
New Jersey	Board of Public Utilities	3	G	G	7	260
New Mexico	Public Service Commission	3	G	G	6	24
New York	Public Service Commission	7	G	G	6(b)	631
North Carolina	Utilities Commission	7	G	G	8	111
North Dakota	Public Service Commission	3	E	C	6	51
Ohio	Public Utilities Commission	3	G	G	6	318
Oklahoma	Corporation Commission	3	E	E	6	209
Oregon	Public Utility Commissioner	1	G	...	4	315
Pennsylvania	Public Utility Commission	4	G	G	10	584
Rhode Island	Public Utilities Commission	3	G	G	6	20
South Carolina	Public Service Commission	6	L	(c)	4	138
South Dakota	Public Utilities Commission	3	E	E	6	31
Tennessee	Public Service Commission	3	E	E	6	152
Texas	Public Utility Commission	3	G	G	6	46
	Railroad Commission	3	E	C	6	610
Utah	Public Service Commission	3	G	G	6	22
Vermont	Public Service Board	3	G	G	6(d)	28
Virginia	State Corporation Commission	3	L	L	6	493
Washington	Utilities and Transportation Commission	3	G	G	6	179
West Virginia	Public Service Commission	3	G	G	6(e)	129
Wisconsin	Public Service Commission	3	G	G	6	143
Wyoming	Public Service Commission	3	G	G	6	32
Dist. of Col.	Public Service Commission	3	P(f)	M(g)	3	31
Puerto Rico	Public Service Commission	3	G	G	4	256

\*Source: National Association of Regulatory Utility Commissioners, 1976 Annual Report on Utility and Carrier Regulation (Washington, D.C.: 1977).

*Symbols:*

G—Appointed by governor.

GS—Appointed by governor, with confirmation by senate.

E—Elected.

C—Elected by commission.

L—Appointed by legislature.

P—Appointed by president of the United States.

M—Appointed by mayor.

(a) Two are part-time.

(b) Chairman designated by and serves at pleasure of governor.

(c) Rotates annually.

(d) Chairman appointed by governor for 2 years.

(e) Chairman appointed by governor for 1 year.

(f) One commissioner.

(g) Chairman and vice chairman.

# CERTAIN REGULATORY FUNCTIONS OF STATE PUBLIC UTILITIES COMMISSIONS\*

State or other jurisdiction†	Agency has authority to															
	Controls rates of privately owned utilities on sales to ultimate consumers of				Prescribe temporary rates, pending investigation			Require prior authorization of rate changes			Suspend proposed rate changes			Initiate rate investigations on its own motion		
	Elec- tric	Gas	Tele- phone	CATV	Elec- tric	Gas	Tele- phone	Elec- tric	Gas	Tele- phone	Elec- tric	Gas	Tele- phone	Elec- tric	Gas	Tele- phone
Alabama PSC .....	★	★	★	...	★	★	...	★	★	...	★	★	★	★	★	★
Alaska PUC .....	★	★	★	★	★	★	...	★	★	...	★	★	★	★	★	★
Arizona CC .....	★	★	★	...	★	★	★	★	★	★	★	★	★	★	★	★
Arkansas PSC .....	★	★	★	...	★	★	★	★	★	★	★	★	★	★	★	★
California PUC .....	★	★	★	...	★(a)	★(a)	★(a)	★	★	★	★	★	★	★	★	★
Colorado PUC .....	★	★	★	...	★(b)	★(b)	★(b)	★	★	★	★	★	★	★	★	★
Connecticut PUCA .....	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★
Delaware PSC .....	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★
Florida PSC .....	★	★	...	★	★	★	★	★	★	★	★	★	★	★	★	★
Georgia PSC .....	★	★	★	...	★	★	★	★	★	★	★	★	★	★	★	★
Hawaii PUC .....	★	★	★	...	★	★	★	★	★	★	(c)	(c)	(c)	★	★	★
Idaho PUC .....	★	★	★	...	★	★	★	★	★	★	★	★	★	★	★	★
Illinois CC .....	★	★	★	...	★	★	★	★	★	★	★	★	★	★	★	★
Indiana PSC .....	★	★	★	...	...	...	...	★	★	★	★	★	★	★	★	★
Iowa SCC .....	★	★	★(d)	...	★(c)	★(c)	★(c)	★	★	★	★	★	★(d)	★	★	★(d)
Kansas SCC .....	★	★	★	...	★	★	★	★	★	★	★	★	★	★	★	★
Kentucky PSC .....	★	★	★	...	★	★	★	★	★	★	★	★	★	★	★	★
Louisiana PSC .....	★	★(f)	★	...	★	★	★	★	★	★	★	★	★	★	★	★
Maine PUC .....	★	★	...	...	★	★	...	★	★	★	★	★	★	★	★	★
Maryland PSC .....	★	★	★	...	★	★	★	★	★	★	★	★	★	★	★	★
Massachusetts DPU ..	★	★	★	...	★	★	★	★	★	★	★	★	★	★	★	★
Michigan PSC .....	★	★	★	...	★(g)	★(g)	★(g)	★	★	★	(h)	(h)	(h)	★	★	★
Minnesota DPS .....	★	★	★	...	★	★	...	...	...	...	★	★	★	★	★	★
Mississippi PSC .....	★	★	★	...	...	...	...	★	★	★	★	★	★	★	★	★
Missouri PSC .....	★	★	★	...	★	★	★	★	★	★	★	★	★	★	★	★
Montana PSC .....	★	★	★	...	★	★	★	★	★	★	★	★	★	★	★	★
Nebraska PSC(i) .....	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Nevada PSC .....	★	★	★	★	...	...	...	★	★	★	★	★	★	★	★	★
New Hampshire PUC ..	★	★	★	...	★	★	...	★	★	★	★	★	★	★	★	★
New Jersey BPU .....	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★
New Mexico PSC .....	★	★	(j)	...	...	...	...	★	★	...	★	★	...	★	★	(j)
New York PSC .....	★	★	...	...	★	★	...	...	...	...	★	★	...	★	★	★
North Carolina UC ..	★	★	★	...	★	★	★	★	★	★	★	★	★	★	★	★
North Dakota PSC ..	★	★	★	...	★	★	★	★	★	★	★	★	★	★	★	★
Ohio PUC .....	★	★	★	...	★	★	★	★	★	★	(h)	(h)	(h)	★	★	★
Oklahoma CC .....	★	★	★	...	★	★	★	★	★	★	★	★	★	★	★	★
Oregon PUC .....	★	★	★	...	★	★	★	★	★	★	★	★	★	★	★	★
Pennsylvania PUC ..	★	★	★	...	★	★	★	★	★	★	★	★	★	★	★	★
Rhode Island PUC ..	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★
South Carolina PSC ..	★	★	★	...	★	★	★	★	★	★	★	★	★	★	★	★
South Dakota PUC ..	★	★	★	...	★	★	★	★	★	★	★	★	★	★	★	★
Tennessee PSC .....	★	★	★	...	★	★	...	★	★	...	★	...	...	★	★	★
Texas PUC .....	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Texas RC .....	...	★(k)	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Utah PSC .....	★	★	★	...	...	...	...	★	★	★	★	★	★	★	★	...
Vermont PSB .....	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★
Virginia SCC .....	★	★	★	...	★	★	★	★	★	★	★	★	★	★	★	★
Washington UTC .....	★	★	★	...	★	★	★	★	★	★	★	★	★	★	★	★
West Virginia PSC ..	★	★	★	...	★	★	★	★	★	★	★	★	★	★	★	★
Wisconsin PSC .....	★	★	★	...	★	★	...	★	★	★	(h)	(h)	(h)	(h)	(h)	(h)
Wyoming PSC .....	★	★	★	...	★	★	★	★	★	★	★	★	★	★	★	★
Dist. of Col. PSC .....	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Puerto Rico PSC .....	...	...	(l)	...	...	...	(l)	...	...	(l)	...	...	(l)	...	...	(l)

\*Source: National Association of Regulatory Commissioners, 1976 Annual Report on Utility and Carrier Regulation (Washington, D.C.: 1977).

†Full names of commissions on preceding table.

(a) May fix temporary rates, but practice is not followed.

(b) No specific statutory authority.

(c) Rate increases may not go into effect until approved by the commission.

(d) Not for companies with less than 2,000 stations.

(e) Application rates are temporary and are collected under bond, subject to refund from 1 to 90 days after suspension.

(f) Except no authority over rates charged to industrial customers by any gas company.

(g) Commission has authority to grant partial and immediate rate

relief during pendency of final order, after statutory requirements are met.

(h) Specific authority required to change rates. Rates do not become effective after a specified period; consequently, no suspension is required.

(i) Telephone is the only regulated utility.

(j) Regulated by New Mexico State Corporation Commission.

(k) The commission has original jurisdiction over companies in unincorporated areas, and appellate jurisdiction over companies in cities. Cities have original jurisdiction over companies operating within their limits.

(l) The Puerto Rico Telephone Authority, a state public corporation, purchased the Puerto Rico Telephone Company.

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# THE NATIONAL GUARD

by Carl A. Labonge, Jr.\*

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THE ARMY NATIONAL GUARD (ARNG) had a deployable strength of 364,394 on December 31, 1976. Despite one of its most productive recruiting years in fiscal 1976 (enlisting slightly more than 108,000 persons), the ARNG lost 135,260, indicating a sharp drop in retention and imposing a net loss of 26,779.

As of July 1977, ARNG strength stood at 355,724. This was about 56,000 below the level authorized by the Department of Defense and 76,276 short of an all-out mobilization requirement of 432,000.

Recruiting and retention efforts during fiscal 1976 required major exertions, particularly by low-echelon leaders, without positive results, as the strength data reveals. Any additional exertion inescapably would impinge on training, maintenance, and administration—three elements which form part of the term “readiness.”

The Air National Guard (ANG) historically has been able to meet programmed strength requirements. However, during fiscal 1976, the ANG failed to achieve desired strength levels, dropping about 2,000 persons from 1975 to 1976. This unexpected volume of losses could not be overcome. The unprogrammed losses forced an increase in the recruiting objective without a corresponding increase in the number of recruiters.

As of July 1977, ANG strength stood at approximately 90,900. This was about 8,600 short of an all-out mobilization requirement of 99,500. A greater state of readiness in Guard units can be achieved by raising the ceiling on technician strength, but Congress has not raised the ceiling since 1971. In the intervening six years, much has changed. Missions of higher priority and of far greater urgency have been assigned to both Army Guard and Air Guard units. Modernization programs have placed greater quantities of sophisticated equipment in units, with far heavier maintenance requirements. In addition, the degree of readiness required today is many times greater than it was when those congressional ceilings were established. There are validated requirements for 59,159 technicians, 34,000 for the Army Guard and 25,159 for the Air Guard. However, there are on hand 27,799 for the ARNG and 21,756 for the ANG; leaving shortages of 6,201 and 3,403, respectively.

## Equipment Status

There have been no major foreign aid drawdowns on the ARNG in the past fiscal year, albeit the reconstitution of Active Army prepositioned stocks in Europe has lowered delivery of some items previously planned for Guard use. However, with ARNG on-hand equipment assets now at only 68 percent of war requirements, with 3 percent of present items in the nondeployable or marginal category, the ARNG will continue to be hampered by equipment shortages for the foreseeable future. This will deter attainment of improved combat capability through fiscal 1978 and beyond. Substantial improvement will be made in the next two years to reduce shortages.

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All ANG flying units have full authorization of aircraft. Group support equipment is adequate for operations and war-plan mobility requirements. The real problem for the ANG is that many of the aircraft are old and not expected to do well in a sophisticated air-war environment. Although flying units are being modernized, the F-100, F-105, O-2, A-37, C-121, C-7, and C-130A aircraft need replacing. Since 1973, Congress has added 72 A-7D aircraft to the procurement budget; however, it must also continue to appropriate additional funds for modernization. Although the Air Force has approved the retention of 36 C-131s in the ANG for administrative support, efforts must be continued to ensure retention of the aircraft or replace the C-131 with a suitable aircraft on a one-for-one basis.

### Progress

One of the highlights of force improvement was the attainment of the lowest major flying accident rate in the history of the Air National Guard and best aircraft accident prevention program of all Air Force commands in 1976.

The percentages of Guard aircraft and crews the Air Force relies on as part of the total force are: 47 percent of tactical airlift aircraft, 50 percent of strategic airlift wartime capability, 50 percent of tactical reconnaissance aircraft, 12 percent of strategic jet tanker aircraft, 26 percent of Air Force tactical fighter aircraft, 60 percent of air defense interceptors, and 50 percent of the tactical air control system.

In addition to the air safety record, Air Guard units won first place in two categories of fighter aircraft competition during the 1976 "William Tell" air-to-air weapons-firing competition between 11 teams representing the best fighter interceptor units from the Active U.S. Air Force, Air Guard, and Canada.

On the Army side, the "affiliation" program, conceived in 1973 by the Secretary of Defense as a plan to equip and train battalions to deploy as a portion of an Active Army division plus other early deploying brigades, reached an affiliated total of 81 ARNG battalions. This represents more than 83 percent of participating Reserve units. The national commitment, known as "Total Force Policy," requires Guard and Reserve forces to provide, in most cases, over 50 percent of the forces required for mobilization and deployment. In the breakout of units, ARNG units provide the bulk of the combat forces, while the Reserves provide the combat support and logistical units. The percentages of Army support provided by the Guard and Reserves are: 54 percent of Army deployable forces (selected reserve units as a percentage of total Army), 45 percent of Army aviation forces, 57 percent of Army special forces groups, 52 percent of infantry and armor battalions, 58 percent of field artillery battalions, 65 percent of combat engineer battalions, and 67 percent of tactical support.

The Army Guard "round-out" program, which actually places an Army Guard unit in an Active division as an integral component of the division, added one Army Guard brigade. The 41st Infantry Brigade in Oregon became a round-out element to the 7th Infantry Division, Fort Ord, California.

Most commanders report reaping great benefits from the "round-out" and "affiliation" programs. Although still short many items of first-line equipment, they have noted a substantial increase in the issuance of modern equipment.

The combat power of many National Guard units increased with the delivery of 747 top-grade tanks. The current five-year Army plan for equipping the Army Guard calls for all Guard tank authorizations to be filled by early fiscal 1978.

Other significant modernization programs included the introduction of Gamma Goats (six-wheeled, articulated, jeeplike, amphibian vehicles) into the highest priority and earliest

deploying combat units, and the introduction of a new family of FM radios to high-priority units. The introduction of the TOW antitank missile system into the Guard infantry battalions, begun in September 1977, will conclude in November 1979.

Significant improvement in modern aircraft has also been realized. Changeover of the Army Guard's rotary wing aircraft to total turbine power has resulted in improved readiness and realistic training opportunities for Army aviators. This has also streamlined the Army aviation logistical system that maintains nearly 3,000 first-line combat aircraft as well.

During fiscal 1976, the Air Guard underwent 17 conversions of aircraft and mission. The continued upgrade to more modern weapon systems includes unit conversions to KC-135A refueling tankers, RF-4C Phantoms, C-130D Hercules, and A-7D and F-4C fighter aircraft. The 154th Fighter Interceptor Group at Hickam AFB, Hawaii, was redesignated the 154th Tactical Fighter Group, coincidentally with conversion from delta-winged F-102A to F-4C Phantom aircraft. The 141st Aerial Refueling Wing was relocated from Spokane, Washington, to Fairchild AFB, Washington, at the time of conversion from KC-135A aircraft. The Strategic Air Command replaced Tactical Air Command as the wartime command for all KC-97L refueling units. This change was designated to preclude dual-command management of tanker forces during the time the Air Guard units were converting.

Tactical fighter and reconnaissance aircraft were deployed to European locations for two-week training periods, and three units participated in multithreat simulated combat training at Nellis AFB, Nevada, called "Red Flag." A Pentagon study on the causes of pilot losses during combat missions led to the creation of "Red Flag." Results of the study showed that a high percentage of pilots were downed before their tenth mission. The logical solution was to give pilots more combat experience via a peacetime mock war to improve their readiness.

"Operation Creek Party" completed its ninth successful year, providing refueling support for fighter/reconnaissance forces in overseas locations. "Creek Party" was, without question, one of the most advanced missions ever given a Reserve force and one of the most productive exercises for readiness improvement. This operation called for the Air Guard to provide air refueling of Active Air Force fighters over Europe on a continuing basis.

### **The Future**

While the federal mission of the National Guard expands in importance and scope, the secondary mission, state service, continues to be demanding. A National Guard soldier must train to achieve and maintain high standards of readiness to meet the nation's emergencies. He or she must be ready to respond 24 hours a day, 365 days a year, to the governor's call for assistance in state emergencies.

The Guard is being equipped with more modern equipment, receiving increased recognition as an essential and economical element of the total force, and is being integrated into the immediate defenses of the country as never before in history. This increased reliance by our nation on the National Guard has evolved because of many factors, but one factor that stands out above all others is the dedication of the National Guard. The Guard has made it clear that it is available and anxious to assume more of the burden of assuring a national readiness to meet an emergency and to preserve the peace.

## NATIONAL GUARD FEDERAL APPROPRIATIONS: FISCAL 1976\*

<i>State or other jurisdiction</i>	<i>Army National Guard</i>	<i>Air National Guard</i>	<i>State or other jurisdiction</i>	<i>Army National Guard</i>	<i>Air National Guard</i>
Total .....	\$1,192,019,065	\$695,857,471	Montana .....	9,414,538	9,583,440
Alabama .....	48,559,942	17,039,659	Nebraska .....	12,516,229	6,752,868
Alaska .....	11,330,193	6,785,583	Nevada .....	5,883,225	7,846,667
Arizona .....	11,979,546	19,688,728	New Hampshire .....	7,056,907	5,249,264
Arkansas .....	22,812,022	11,191,021	New Jersey .....	37,856,299	18,166,919
California .....	76,150,574	32,272,432	New Mexico .....	11,582,939	7,134,181
Colorado .....	9,560,648	17,682,791	New York .....	54,031,221	30,798,340
Connecticut .....	19,136,436	6,290,660	North Carolina .....	28,831,551	6,302,005
Delaware .....	10,839,174	5,501,675	North Dakota .....	7,588,700	6,906,866
Florida .....	23,584,644	8,730,421	Ohio .....	34,948,436	35,530,939
Georgia .....	33,627,294	16,463,577	Oklahoma .....	24,575,399	12,089,758
Hawaii .....	14,178,918	13,837,970	Oregon .....	18,854,378	11,827,611
Idaho .....	15,220,745	8,236,092	Pennsylvania .....	44,821,709	25,133,592
Illinois .....	25,292,745	17,622,319	Rhode Island .....	9,887,148	6,581,841
Indiana .....	30,628,904	14,303,921	South Carolina .....	25,296,503	7,895,397
Iowa .....	22,011,470	13,773,313	South Dakota .....	12,169,445	6,095,959
Kansas .....	18,090,562	16,665,332	Tennessee .....	30,087,081	20,613,600
Kentucky .....	15,692,145	7,007,164	Texas .....	53,825,540	22,098,804
Louisiana .....	25,946,695	5,748,927	Utah .....	13,739,029	6,962,251
Maine .....	10,371,482	8,629,770	Vermont .....	7,928,172	5,520,706
Maryland .....	18,778,718	8,866,922	Virginia .....	22,931,920	7,446,420
Massachusetts .....	31,783,083	21,761,034	Washington .....	20,828,669	14,106,910
Michigan .....	34,313,160	33,627,584	West Virginia .....	10,583,199	11,046,075
Minnesota .....	26,284,412	17,518,352	Wisconsin .....	22,428,032	13,568,363
Mississippi .....	42,841,556	13,435,070	Wyoming .....	6,916,030	4,964,713
Missouri .....	30,848,696	15,893,261	Dist. of Columbia .....	8,581,610	14,389,898
			Puerto Rico .....	18,044,445	8,681,506
			Virgin Islands .....	946,947	.....

\*Source: Extracted from National Guard Bureau figures.

## 5. Housing and Development

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### COMMUNITY DEVELOPMENT AND HOUSING

By Anne D. Stubbs\*

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THE 1976 AND 1977 BIENNIUM was a time of consolidation and refinement of previous initiatives in housing and community development. In an important emerging trend, the distinction between housing and community development programs blurred as many states and the federal government focused on revitalization and redevelopment of urban areas and existing neighborhoods. Program initiatives and new legislation in the states, as well as at the federal level, increasingly addressed problems of developed areas. Concern for conservation and revitalization of center cities, town centers, and urban neighborhoods was augmented by the costs of new housing and support services and the economic health of communities. The closer linkage of traditional housing and community development programs reflected growing recognition of the integral relationship of housing availability and quality to the larger context of viable neighborhoods.

The Carter administration pledged to develop a comprehensive urban strategy to target funds to communities with special needs for revitalization. The community development block grant program was renewed, after changes in the allocation formula to channel proportionately more funds to older urban areas. Older communities may also benefit from the modified categorical grant program of Urban Action Development Grants, which channel funds to larger communities for special development projects. The federal new communities program, after a three-year hiatus, was being reexamined for its potential to package and target development assistance to new town-in-town development.

#### **Community Development Programs**

The emphasis on conservation and rehabilitation of existing areas and structures marks an important policy and program distinction from previous urban renewal programs. States have developed a number of policy and program tools to encourage urban conservation. State programs which directly address development and rehabilitation coexist with new legislative initiatives to attract private investment to core urban areas. Enabling legislation to enhance local government's capability to finance redevelopment projects was adopted in many states.

A common element of new state efforts to encourage community development was the targeting of programs and incentives to rehabilitative efforts and to special areas of blight. This targeting of state programs was in contrast to the federal community development block grant program. Communities frequently expended these funds on projects of general communitywide need.

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\*Ms. Stubbs is Policy Assistant, Office of the Governor, Rhode Island. Research information was contributed by the National Conference of State Legislatures, the Council of State Community Affairs Agencies, and the Council of State Housing Agencies.



### State Urban Policy

Two states developed explicit policy positions which endorsed an urban strategy for existing state programs. In Massachusetts, a legislatively initiated growth management study was paralleled by executive action to counteract sprawl growth through an aggressive urban strategy. Existing regulatory authorities and state capital investment programs are to be packaged and targeted, where possible, to assist core urban areas in both larger cities and smaller town centers. Massachusetts officials also seek maximum flexibility in implementation of federal programs to target these programmatic and financial resources to urban areas.

In California, a similar urban strategy has been proposed for public debate and executive branch action. The proposed strategy would have all state housing, transportation, air and water quality, and capital investment plans and programs guided by a priority concern for conservation and revitalization of existing city and suburban areas. Development of serviced, vacant land in existing communities would be favored over development of land adjacent to existing communities.

### Strengthening Local Government

The problem of development financing continues to plague state and local government efforts toward community revitalization. States alleviate the financial burden of local governments with programs of state-funded revenue sharing or state assistance in the local match requirement for federal grant programs.

The strong efforts of Michigan and New Jersey to strengthen the financial capability of local government suggests the emergence of an urban strategy without benefit of formal policy proclamations. Michigan increased its general financial assistance to cities, particularly Detroit, through an increase in state revenue sharing and through state equity payments to Detroit for public services. Tax benefits for new construction or rehabilitation of housing and factories were also adopted. New Jersey's urban orientation also builds on alleviation of the financial burden of communities. Adoption of a permanent income tax in 1977, and a set aside of 8 percent of these revenues for local use, lessens local government's dependence on property taxes and provides an assured source of state financial assistance. Tax abatement for rehabilitation or new construction of factories was targeted to depressed areas. Finally, the state will attempt to build new industrial parks in each major city.

*Special Financing Mechanisms.* The effort to improve local government's capability to finance necessary redevelopment through use of special financing tools gained momentum during 1976-77. While no other states have yet followed Minnesota's example of regional tax-base sharing, California and Michigan are examining Minnesota's experience for possible adoption. Equally important, over 20 states have adopted enabling legislation for local governments' use of special financing tools.

Tax increment financing is authorized in 20 states. Several Ohio cities actively use this authority which permits a community to freeze the property tax of a specified area, redevelop it with special revenue bonds, and retire the bonds with property tax revenues generated by the redevelopment. During 1976-77, Arizona, Florida, Illinois, Kansas, Texas (if a special constitutional amendment is adopted), and Wisconsin authorized tax increment financing. Tax increment financing legislation in California was amended to restrict the conditions under which noncontiguous areas could be included in the project area. Utah adopted a rural version of tax increment financing with passage of the Tax Stability and Trust Fund Act in

1977. This law permits a county to establish a trust fund, generated by a special property tax levy when the tax base is increasing, to offset lessened revenues when the tax base decreases.

A related financing mechanism made available to local governments in several states is the special assessment district for development projects. Iowa, Kansas, and Nebraska adopted legislation enabling cities to establish special development districts for downtown commercial districts. The Kansas law authorizes special obligation bonds for property acquisition and necessary public services, among other uses. Nebraska's law permits several methods of special assessment for development projects in the district. Colorado amended its downtown development district law in 1976 to give property owners and tenants a greater voice in planning and implementation within the district.

Hawaii gave extensive authority to the newly created Hawaii Community Development Authority. The corporation may acquire property (through condemnation measures if necessary), designate a community development district, develop a districtwide plan for public facilities, and establish district rules on health, safety, buildings, planning, zoning, and land use. A special feature of the Hawaii law is that, upon final approval, rules of the authority supersede all other inconsistent ordinances and rules on land-related planning, zoning, and development.

*General Development Authority.* Recent state efforts to improve local governments' capability for development projects are not specifically limited to designated urban areas or to redevelopment. In several states, the power of local redevelopment authorities was expanded. California authorized issuance of local bonds for rehabilitation of historically or architecturally significant structures, sites, and areas. A Louisiana law permitting transfer of development rights in the French Quarter will assist New Orleans officials in preserving areas and structures with historic and aesthetic values. Florida law now permits city and county redevelopment agencies to issue revenue bonds, and requires these agencies to prepare redevelopment plans and neighborhood impact statements for areas where subsidized housing is planned. Municipalities in West Virginia may establish a neighborhood redevelopment fund for loans and loan guarantees for rehabilitation of one- to four-family dwellings. New York authorized municipalities to use federal funds for residential rehabilitation loans in blight areas in joint participation with private lenders. Ohio now permits municipalities to acquire tax delinquent properties for redevelopment or public use under a "land reutilization" program.

### **Direct State Programs**

State efforts to encourage urban conservation and community development extend beyond technical assistance and enabling legislation for local government programs. While California and Massachusetts have evolved urban development policy positions, many states are undertaking direct state-level measures to address community redevelopment in partnership with local government.

In addition to its increased financial assistance to local governments, New Jersey is building on 1975 program initiatives designed to coordinate and assist in local financing activities for viable neighborhoods. Five-year property tax exemptions and abatements are offered to encourage industrial and commercial construction and rehabilitation in state-designated blight areas. Connecticut established a rehabilitation program for abandoned commercial and industrial buildings, as well as created a grant program for businesses expanding in a community with high unemployment. Indiana authorized property tax deductions for certain redevelopment and rehabilitation work in "urban development

areas," and income tax credits (up to 50 percent of the contribution) for companies providing or contributing community services in impoverished areas. Virginia authorized a special 10-year property tax classification for rehabilitated residential and commercial buildings.

Ohio officials, through State Programs Urging Redevelopment, attempt to identify and interpret state laws promoting housing and commercial/industrial redevelopment. The Massachusetts Department of Community Affairs attempts to stabilize transitional neighborhoods through the Neighborhood Improvement Program. The program is designed to coordinate state, federal, local, and private programs geared to housing rehabilitation, neighborhood facilities, and homeownership. In Pennsylvania, a five-community project, Neighborhood Preservation Support System, is a first step in development of a statewide system for neighborhood revitalization. The public-private partnership program, designed to conserve existing housing stock, property values, and neighborhood social structures, provides a diagnosis of neighborhoods, an information clearinghouse, and secures and allocates resources for neighborhood revitalization.

Missouri is initiating a Neighborhood Assistance Program in which state advice and incentives in the form of annual tax credits of 50-70 percent of contribution are offered for business participation in physical improvement, community services, education, crime prevention, and job training programs for rural and urban impoverished areas. Local initiatives and endorsement of the program are mandatory.

### **Housing Programs**

States play a significant role in assisting communities and low- and moderate-income families to plan for and achieve the national goal of decent, affordable housing. The year 1977 marked a period of adjustment and rebuilding in housing programs, as the housing recession weakened and as new federal housing subsidy programs became fully active. State housing finance programs contributed significantly to new single and multifamily housing construction. State technical assistance and coordination programs for planning and grants management continued to support local governments' housing efforts. State and local housing agencies became the major delivery mechanisms for Section 8 federal housing subsidy funds.

State as well as federal housing programs reflected changed conditions in the housing market. The high cost of new construction, pushed up by rises in interest rates, land prices, and building materials, created strong interest and action in programs to rehabilitate existing housing stock.

Continued interest in the urban homesteading program led the Department of Housing and Urban Development (HUD) to shift the program from a demonstration to an operational project in 1977. The adoption of uniform statewide building codes, and regulation of the growing market for mobile and manufactured housing, attracted interest in several states. The rising prices of home heating fuels led to state and federal efforts to provide direct funds and incentives for retrofitting of existing homes.

The evolving state role in housing programs is only slowly being recognized by the federal government. Funds for technical assistance to local governments under Section 811 of federal housing and community development legislation were first authorized in 1977; yet HUD appeared reluctant to allocate these funds to state housing and community affairs agencies. HUD displayed a similar lack of recognition of state involvement in housing in its uncertainty in defining a state role in the small cities regulation for the 1977 Housing and Community Development Act.

## Housing Finance Agencies

State housing finance agencies (HFAs) continued to play a significant role in the delivery of financing for housing in 1976-77. Though the private market for single-family housing revived during the biennium, state HFAs were a major catalyst for new multifamily construction. The success of these state agencies in developing and processing finance programs tailored to the needs of local housing markets and special groups (elderly, Indians, handicapped) led Congress to support a set aside of Section 8 funds for state HFAs.

Agencies in several states commenced initial financing programs or obtained expanded program authority. Bonding authority for HFAs in several states was increased, where successful implementation of programs resulted in the agency reaching existing debt ceilings (Colorado, Illinois, Maryland, Minnesota, West Virginia, Wisconsin). Kentucky's Housing Corporation obtained authority for loans-to-lenders financing. The Minnesota Housing Authority received authority to establish a Homeownership Assistance Fund to assist potential homeowners with the noninterest loans made in conjunction with first-mortgage loans. The Hawaii Housing Authority may now issue taxable bonds for new projects and refunding of existing bonds, acquire land for future use, and exempt its projects from local zoning and land development regulations in certain circumstances. The Maryland Community Development Administration, in 1977, considered a new program emphasis on multifamily housing.

Agencies in several Rocky Mountain states began active financing programs, as that area faces new growth associated with energy resource development. Agencies in Montana, Nevada, and Utah began financing activity with single-family programs, with multifamily programs soon to follow. The Idaho agency, as it began its first project with a Section 8 multifamily program, was also authorized to undertake interim financing, mortgage purchase, and mixed income projects. The Iowa and Oklahoma agencies began active financing programs during the biennium.

Improved market conditions for housing finance agency bonds and expanded legislative authority for many agencies during the biennium reflected renewed confidence in the basic soundness and performance of the state housing finance mechanism. Yet market access problems which several agencies experienced following the difficulties of the municipal and state bond market in 1974-75 resulted in a shift in the institutional basis of several state finance agencies.

In several states, an effort is under way to align state HFAs more closely to the organization and programs of state governments. State government in New York exercises close oversight of the several state housing finance agencies since the bond market access problems experienced by those agencies in 1974-75. In Pennsylvania, the legislature tightened financial requirements and specified that the director of the state community affairs agency serve as the chairman of the housing finance agency. In states where state community affairs agencies are active in housing subsidy programs, such as Connecticut and Massachusetts, the relationship of the finance agency and the administrative agency are being examined. In California, the state senate must approve the appointment of the finance agency president.

Closer coordination of the finance and administrative agencies has not always led to constraints on the finance agency. New Jersey is forging a mutually supportive link between the state housing finance agency and the community affairs agency with creation of the Revolving Housing Development and Demonstration Grant Fund. The fund, through

purchases of the obligations of the finance agency, advances initial development costs for development and rehabilitation projects and for demonstration projects to reduce blight. In Montana, the Board of Housing was shifted from the Department of Community Affairs to the Department of Administration in recognition of its central financing role. The West Virginia Housing Development Fund was given a greatly expanded role in the state housing strategy to provide single-family and rural housing.

Only one HFA was created during the biennium. The Arkansas Housing Development Agency, created in 1977 as housing and bond markets improved, has authority for indirect financing and construction loans for new and rehabilitation activities. Minnesota created local housing finance authorities in St. Paul and Minneapolis, with city-backed general obligation bond authority for moderate-income new construction and rehabilitation loan programs. However, in Florida, the governor's veto of enabling legislation for county finance agencies was upheld. In California, Georgia, and Iowa, the constitutionality of the agency bond authority was upheld, enabling these agencies to commence active financing programs. The California agency must obtain local referendum approval for all projects for low-income persons. Ohio voters rejected a constitutional amendment giving bond authority to the Ohio Housing Board.

*Rehabilitation Financing.* State efforts to encourage rehabilitation programs through tax abatement and incentive programs were reinforced by state housing finance agency programs during 1976-77. Using existing or new authority, agencies in several states assumed a strong role in urban neighborhood and rehabilitation programs. Maine's statewide housing plan ranks rehabilitation as a top priority for housing programs.

Several state HFAs instituted programs to make loans or grants available for rehabilitation or renovation. The Hawaii Housing Authority may make loans and provide planning assistance to qualified residents for rehabilitation or renovation of owner-occupied single-family or duplex units in order to meet minimum code requirements. Maryland initiated a statewide, state-financed rehabilitation loan program and required the targeting of the funds to areas of greatest need. Minnesota's Housing Finance Authority instituted statewide home improvement loan and grant programs in 1976, using partial state appropriations. The programs are coordinated with local government activities and make use of normal underwriting procedures. Minnesota is one of the first states to provide rehabilitation loans for rental property if the owner agrees that the rental units will be occupied by low- and moderate-income persons. The California agency, with new authority to undertake scattered site and concentrated rehabilitation programs, is considering a major focus on low-income, multifamily, rehabilitation and neighborhood improvement programs. In Michigan, bond revenues of the State Housing Development Authority and state and local funds are combined in a program to provide home improvement loans targeted to older homes and moderate-income families. Funds are to be allocated equitably among urban and rural areas and to existing neighborhood conservation programs.

*Rehabilitation and Neighborhoods.* In several states, housing finance agency rehabilitation programs are closely linked with state policy efforts for urban and neighborhood conservation. Connecticut and New Jersey are among several states which are building housing and community development linkages. Amendments to the Connecticut Housing Finance Authority Act provide for rehabilitation of low- and moderate-income family dwellings, as well as encourage urban mortgage investment. The agency, using bond revenues and state funds, may finance urban area mortgages to suitable homeowners who have been refused credit, and may insure mortgages of participating institutions. The urban

mortgage and rehabilitation loan programs are limited to urban cities of a specified size or population density.

Under a 1977 New Jersey program, state and local home mortgage financing at below market rates will be available in designated areas of 26 cities. The state Mortgage Finance Agency will purchase mortgages of the 36 savings and loan institutions which agreed to participate in the program.

### **Special Housing Programs**

*Antiredlining.* Efforts to remove barriers to mortgage lending in urban neighborhoods continue as at least 15 states adopted or considered antiredlining measures in 1976-77. California, Colorado, Connecticut, Michigan, Missouri, New Jersey, New York, and Utah followed Illinois' example in adopting mortgage disclosure measures by statute or regulation. California, Michigan, New Jersey, and Utah go beyond disclosure provisions to prohibit lending which considers discriminatory factors such as racial or ethnic characteristics of the neighborhood and to encourage affirmative lending by regulation or by selective deposit of state funds. Michigan's law, which requires disclosure of average down payments and average annual interest rates, also permits the levying of fines if the law is violated and legal action for damages suffered by aggrieved persons. Missouri extended antiredlining prohibitions to insurance programs which write fire and homeowners policies.

Antiredlining measures were also being considered in Indiana, Iowa, Maryland, Massachusetts, Minnesota, New York, Ohio, Pennsylvania, and Washington. State efforts to increase the availability of mortgage funds in urban neighborhoods would be complemented by federal measures if Congress applies mortgage disclosure to federally chartered financial institutions as proposed in the Community Reinvestment Act of 1977.

*Energy Conservation in Housing.* Residential and commercial buildings became prime targets for state energy conservation efforts in 1976-77. Over one half of the states have adopted policies or programs to encourage efficient energy use in buildings. A common measure is the adoption of tax incentives (property tax exemptions, income tax credits) to encourage greater use of nonfossil fuel/solar heating and cooling in buildings. Fifteen states adopted solar energy tax incentive measures during the biennium, for a total of 20 states with such incentive measures. A growing number of states require or encourage adoption of energy conservation measures in state and local building codes. Rhode Island is one of several states with programs to encourage and assist homeowners to obtain adequate home insulation. The Rhode Island Citizens Energy Conservation Corporation combines public and private sector resources to provide free home insulation counseling to all residents, regardless of income.

States also acted to assist low- and moderate-income persons to finance energy conservation measures in the home. While federal winterization funds are generally administered by state energy or community affairs agencies, state HFAs are providing funds for energy conservation in homes. Agencies in Colorado, Illinois, Michigan, Minnesota, Tennessee, Vermont, and Virginia provide energy conservation loans for low- and moderate-income families. Federal and state insurance programs are used to back the energy conservation loan programs.

*Housing Standards: Building Codes and Mobile Homes.* The trend toward adoption of statewide building codes continued in 1976-77, resulting in over 25 states having some form

(Continued on page 482.)

# STATE HOUSING FINANCE AND DEVELOPMENT AGENCIES

As of November 1977

State	Name of agency	Date established	Quasi-independent status	Financial and lending activity								Development activity		Administrative capabilities	
				Loans to lenders	Mortgage purchase	Mortgage loans	Construction loans	Seed money	Mortgage insurance program(a)	Rent supplement program(b)	Land acquisition(c)	Nonhousing(d)	Rehabilitation program	Technical assistance	Statewide housing needs evaluation
Alaska .....	Housing Finance Corporation	1971	No	•	•	•	•	•	•	•	•	•	•	•	•
Arkansas .....	Housing Development Agency	1977	Yes	•	•	•	•	•	•	•	•	•	•	•	•
California .....	Housing Finance Agency	1975	No	•	•	•	•	•	•	•	•	•	•	•	(e)
Colorado .....	Housing Finance Authority	1973	Yes	•	•	•	•	•	•	•	•	•	•	•	(e)
Connecticut .....	Housing Finance Authority	1969	Yes	•	•	•	•	•	•	•	•	•	•	•	(e)
Delaware .....	State Housing Authority	1968	No	•	•	•	•	•	•	•	•	•	•	•	•
Georgia .....	Residential Finance Authority	1974	Yes	•	•	•	•	•	•	•	•	•	•	•	•
Hawaii .....	Housing Authority	1935	Yes	•	•	•	•	•	•	•	•	•	•	•	•
Idaho .....	State Housing Agency	1972	Yes	•	•	•	•	•	•	•	•	•	•	•	•
Illinois .....	Housing Development Authority	1967	Yes	•	•	•	•	•	•	•	•	•	•	•	•
Iowa .....	Housing Finance Authority	1975	Yes	•	•	•	•	•	•	•	•	•	•	•	•
Kentucky .....	Housing Corporation	1972	Yes	•	•	•	•	•	•	•	•	•	•	•	•
Louisiana .....	Office of Housing Finance	1976	No	N.A.	N.A.	•	N.A.	N.A.	•	•	•	•	•	(e)	N.A.
Maine .....	State Housing Authority	1969	Yes	•	•	•	•	•	•	•	•	•	•	•	•
Maryland .....	Community Development Administration	1971	No	•	•	•	•	•	(e)	•	•	•	•	•	•
Massachusetts .....	Housing Finance Agency	1966	Yes	•	•	•	•	•	•	•	•	•	•	•	•
	Home Mortgage Finance Agency(f)	1974	Yes	•	•	•	•	•	•	•	•	•	•	•	•
Michigan .....	State Housing Development Authority	1966	Yes	•	•	•	•	•	•	•	•	•	•	•	(e)
Minnesota .....	State Housing Finance Agency	1971	Yes	•	•	•	•	•	•	•	•	•	•	•	•
Missouri .....	Housing Development Commission	1969	No	•	•	•	•	•	•	•	•	•	•	•	•
Montana .....	Board of Housing	1975	No	•	•	•	•	•	•	•	•	•	•	(e)	•
Nevada .....	State Housing Division	1975	No	•	•	•	•	•	•	•	•	•	•	•	•
New Hampshire .....	Housing Finance Agency(f)	1975	Yes	•	•	•	•	•	•	•	•	•	•	•	•
New Jersey .....	Housing Finance Agency	1968	Yes	•	•	•	•	•	•	•	•	•	•	•	(e)
	Mortgage Finance Agency(f)	1970	Yes	•	•	•	•	•	•	•	•	•	•	•	•
New Mexico .....	Mortgage Finance Agency	1975	Yes	N.A.	•	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.

New York.....	Housing Finance Agency	1960	Yes	...	...	★	★	...	...	★	...	★	★	★	●
	Mortgage Agency(f)	1970	Yes	...	★	...	...	...	...	...	...	...	...	...	...
	State Urban Development Corporation	1968	Yes	...	●	★	★	●	...	...	★	★	★	★	★
North Carolina.....	Housing Finance Agency	1974	No	...	★	...	...	...	★	...	...	...	...	...	...
Ohio.....	Housing Development Board	1970	Yes	●	●	●	●	★	●	...	...	●	●	★	(e)
Oklahoma.....	Housing Finance Agency	1975	Yes	●	...	●	●	●	...	...	...	...	●	...	...
Oregon.....	State Housing Division	1971	No	★	★	★	●	★	●	(e)	...	...	●	★	★
Pennsylvania.....	Housing Finance Agency	1972	Yes	...	★	★	★	●	...	...	...	...	★	★	●
Rhode Island.....	Housing and Mortgage Finance Corp.	1973	Yes	★	★	★	★	...	●	...	...	●	★	(e)	(e)
South Carolina.....	State Housing Authority	1971	Yes	●	●	●	●	...	...	...	...	...	●	★	★
South Dakota.....	Housing Development Authority	1973	Yes	●	★	★	★	●	●	●	●	●	●	★	(e)
Tennessee.....	Housing Development Agency	1973	Yes	...	★	★	★	●	●	...	●	●	●	★	★
Utah.....	Housing Development Division	1971	No	...	★	...	...	●	...	★	...	...	●	★	★
Vermont.....	Housing Finance Agency	1974	Yes	★	★	★	●	...	(e)	...	...	...	●	●	★
Virginia.....	Housing Development Authority	1972	Yes	●	★	★	★	★	●	...	●	●	★	★	★
West Virginia.....	Housing Development Fund	1968	Yes	★	...	★	★	●	★	...	★	...	★	★	★
Wisconsin.....	Housing Finance Authority	1972	Yes	●	★	★	★	●	...	...	●	...	●	★	★
Wyoming.....	Community Development Authority	1975	Yes	●	●	...	...	...	●	...	●	●	...	●	(e)

★—Agency presently performing function.

●—Statutory authority but not implemented.

N.A.—Not available.

(a) Refers to insurance programs, distinct from reserve funds for uninsured loans.

(b) Refers to state-funded rent supplement programs.

(c) Land acquisition refers to the power to acquire land for housing and housing-related projects rather than land acquired through foreclosure. Housing finance agencies in several states have full or

limited powers of eminent domain or zoning override, but these have seldom been used (Connecticut, South Dakota, West Virginia, Wyoming, and New York State Urban Development Corporation).

(d) Refers to commercial and/or community facilities which are ancillary to the housing project. The New York Urban Development Corporation and the Hawaii Housing Authority have broader powers for commercial, industrial, and community facilities development.

(e) Function shared with or performed by related state agency.

(f) Single-family only.



## FUNCTIONS OF STATE OFFICES OF COMMUNITY AFFAIRS\*

<i>State or other jurisdiction</i>	<i>Name of agency</i>	<i>Fiscal advice</i>	<i>Inter- local co- operation</i>	<i>Coordi- nation of state activities</i>	<i>Per- sonnel train- ing</i>	<i>Review &amp; recommend legislation</i>	<i>Finan- cial assist- ance</i>	<i>Func- tional planning assist- ance</i>	<i>Local plan- ning assist- ance</i>	<i>Regional plan- ning coordi- nation</i>	<i>Community develop- ment programs</i>	<i>Hous- ing pro- grams</i>	<i>Eco- nomic develop- ment programs</i>	<i>Human services &amp; anti- poverty</i>
Alabama .....	Development Office	...	*	*	*	*	*	*	*	*	*	*	*	*
Alaska .....	Dept. of Community & Regional Affairs	*	*	*	*	*	*	*	*	*	*	*	*	*
Arizona .....	Office of Economic Planning & Development	...	*	*	*	...	*	*	*	*	*	*	*	...
Arkansas .....	Dept. of Local Services	*	*	*	*	*	*	...	*	*	*	*	*	*
California .....	Dept. of Housing & Community Dev.	*	*	*	*	*	*	*	*	*	*	*	*	*
Colorado .....	Dept. of Local Affairs	*	*	*	*	*	*	*	*	*	*	*	*	...
Connecticut .....	Dept. of Community Affairs	*	*	*	...	*	*	*	*	*	*	*	*	*
Delaware .....	Dept. of Community Affairs & Econ. Dev.	...	*	*	*	*	*	...	...	*	*	*	*	*
Florida .....	Dept. of Community Affairs	*	*	*	*	*	*	*	*	*	*	*	*	*
Georgia .....	Dept. of Community Affairs	*	*	*	*	*	*	*	*	*	*	*	*	*
Idaho .....	Bureau of State Planning & Community Affairs	*	*	*	...	...	*	*	*	*	*	*	*	*
Illinois .....	Dept. of Local Government Affairs	...	*	*	*	*	*	*	*	*	*	*	*	*
Indiana .....	Gov.'s Exec. Asst. for Urban & Community Affairs	...	*	*	*	*	...	...	*	*	*	*	*	...
Iowa .....	Office for Planning & Programs	*	*	*	*	*	*	*	*	*	*	*	*	*
Kansas .....	Dept. of Economic Development	*	*	*	*	*	...	*	*	*	...	*	*	*
Kentucky .....	Dept. for Local Government	*	*	*	*	*	*	*	*	*	*	*	...	...
Louisiana .....	Dept. of Urban & Community Affairs	...	*	*	*	...	*	*	*	*	*	*	*	*
Maine .....	Div. of Community Services	...	*	*	...	*	...	*	*	*	*	*	...	...
Maryland .....	Dept. of Economic & Community Dev.	...	*	*	*	*	*	*	*	*(a)	*	*	*	*
Massachusetts .....	Dept. of Community Affairs	*	*	*	*	*	*	*	*	...	*	*	*	*
Michigan .....	Office of Intergovtl. Rel., Dept. of Mgt. & Budget	*	*	*	...	*	*	*	*	*	*	...	*	...
Minnesota .....	Office of Local & Urban Affairs, State Planning Agency	...	*	*	*	*	*	*	*	*	*	*	*	...
Mississippi .....	Research & Development Center	*	*	...	*	...	...	*	*	*	*	*	*	...
Missouri .....	Div. of Community Dev., Dept. of Consumer Affs., Reg. & Licensing	*	*	*	*	*	*	*	*	*	*	*	*	...
Montana .....	Dept. of Community Affairs	*	*	*	*	*	*	*	*	*	*	*	*	*

Nebraska	Div. of Community Affairs, Dept. of Econ. Dev.	*	*	*	...	*	*	*	*	*	*	*	*	...
Nevada	Office of Community Services, Gov.'s Office	...	*	...	...	*	*	*	*	*	*	*	...	...
New Hampshire	Community Planning, Office of Comprehensive Planning	...	*	*	...	*	*	*	*	*	*	*	...	...
New Jersey	Dept. of Community Affairs	*	*	*	*	*	*	*	*	*	*	*	*	*
New Mexico	State Planning Office	*	*	*	*	*	*	*	*	*	*	*	*	...
New York	Div. of Community Affairs, Dept. of State	...	*	*	*	*	*	*	*	*	*	*	*	...
North Carolina	Dept. of Natural Resources & Community Dev.	*	*	*	*	*	*	*	*	*	*	*	*	*
North Dakota	State Planning Division	*	*	*	*	*	*	*	*	*	*	*	*	*
Ohio	Dept. of Economic & Community Dev.	*	*	*	*	*	*	*	*	*	*	*	*	*
Oklahoma	Dept. of Economic & Community Affairs	...	*	*	*	*	*	*	*	*	*	*	*	*
Oregon	Intergovernmental Relations Div., Exec. Dept.	...	*	*	*	*	*	*	*	*	*	*	*	...
Pennsylvania	Dept. of Community Affairs	*	*	*	*	*	*	*	*	*	*	*	*	*
Rhode Island	Dept. of Community Affairs	*	*	*	*	*	*	*	*	*	*	*	*	*
South Carolina	Office of Community Dev., Div. of Admin.	*	...	*	...	*	*	*	*	...	*	...	*	*
South Dakota	State Planning Bureau, Dept. of Exec. Mgt.	*	...	*	...	...	*	*	*	*	...	*	*	...
Tennessee	Dept. of Economic & Community Dev.	...	...	*	...	...	*	*	*	...	*	*	*	*
Texas	Dept. of Community Affairs	*	*	*	*	*	*	*	*	*	*	*	*	*
Utah	Dept. of Community Affairs	*	*	*	*	*	*	*	*	*	*	*	*	*
Vermont	Dept. of Housing & Comm. Affairs,	*	*	*	*	*	*	*	*	*	*	*	*	*
	Agency for Dev. & Comm. Affairs													
Virginia	Dept. of Intergovernmental Affairs	*	*	*	...	...	...	*	*	*	...	...	*	...
Washington	Office of Community Development	*	*	...	*	...	...	*	*	...	...	*	*	*
West Virginia	Office of Econ. & Community Dev., Gov.'s Office	...	*	*	...	*	*	*	*	*	*	*	*	*
Wisconsin	Dept. of Local Affairs & Development	*	*	*	*	*	*	*	*	*	*	*	*	*
Wyoming	Dept. of Economic Planning & Dev.	*	*	*	*	*	*	*	*	*	*	*	*	...
Dist. of Col.	Municipal Planning Office	...	...	...	...	...	...	*	*	*	*	...	*	...

\*Based on a survey of community affairs agencies compiled by the Pennsylvania Department of Community Affairs, 1974, and updated by the Council of State Governments and a 1977 national survey by the Council of State Community Affairs Agencies. All agencies listed perform a research and information function.

(a) In Appalachian Regional Commission area.

*(Continued from page 477.)*

of statewide building code. While this trend created some local concern about state intrusion into local affairs, statewide, uniform codes can address a problem cited by builders—conflicting codes and standards which contribute to increased housing costs through delays and confusion.

Rhode Island adopted the basic Building Official and Code Administrator building code in 1976 and added energy conservation and flood provisions in 1977. Utah adopted legislation calling for an energy conservation building code with voluntary compliance. Montana's building code now applies consistently to cities and counties, with provision for either local or state administration. In Oregon, the preemptive state building code was upheld by the court, even though a local government might prefer a more stringent code.

States continue to adopt standards for mobile and manufactured homes, as these forms of housing meet a growing demand for moderately priced housing. States in 1976-77 adopted legislation to inspect and regulate mobile home parks (Michigan, Nebraska) and to develop statewide manufactured home codes or adopt uniform national codes (Arkansas, California, Maryland, Michigan, Missouri, Nebraska, New Mexico, Wisconsin). Idaho and Missouri made a major break in current practice by permitting permanent mobile homes to be assessed and taxed as real estate.

Minnesota moved beyond building codes to establish a program of statutory warranties to protect buyers of new residential buildings. The warranty addresses problems of defects due to faulty workmanship and noncompliance with building codes, faulty installation of utility systems, and major construction defects.

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# STATE PLANNING

By Robert N. Wise\*

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STATE PLANNING is an application of the rational decisionmaking process to a highly dynamic state governmental scene. As an activity allied with management science, it involves the organized and continuous interaction of goal definition, development and analysis of alternatives, program selection and design, resource allocation, and performance evaluation. State planning is concerned with the location as well as management of state programs. Coordination among all levels of government, state agencies, the private sector, and the state citizenry are also major features.

Among those states with a defined planning process, different roles are assigned to different units. How the organization chart establishes the structural relationships is secondary to the missions assigned to the units and the ways in which they interact and interrelate with one another.

## State Planning Agencies

There are three basic forms of the state planning function: (1) state planning, community affairs, and budget in separate agencies; (2) state planning and community affairs together and budget separate; and (3) budget and planning in the same agency and community affairs apart. Most states use some modification of one of these forms (see table at the end of this chapter).

California is an example of a state where there is a clear organizational distinction between the three functions. State planning is in the Governor's Office of Planning and Research, budget in the Department of Finance, and most community affairs activities are in the Business and Transportation Agency (including the State Housing Finance Agency and the Department of Housing and Community Development). The Office of Planning and Research has major plan coordinative powers with budgets through the governor's "Environmental Goals and Policies," with local planning through statutorily authorized planning guidelines, and with federal programs through the administration of OMB Circular A-95. Considerable attention has been paid recently to strengthening review and coordination of state agency plans as a means of enforcing gubernatorial policy and quality control.

State planning and community affairs are combined in Minnesota's highly centralized planning organization. The State Planning Agency has divisions of development, transportation, environmental planning, human resources, health planning, federal relations, financial and administrative services, and local and urban affairs. As in every state, the primary responsibility for the program planning in Minnesota lies with the line agencies. Functional planning—the planning that gives direction and cohesion to state programs—is, in Minnesota, a shared responsibility; planners from the State Planning Agency work with planners of one or more agencies with common or overlapping responsibilities. At the same

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time, the agency maintains close working relations with the legislature and legislative staffs. Another approach used by the agency is a system of "interlocking directorates" with membership on and staffing of interagency bodies.

The association of planning with budgeting usually occurs within a department of administration, office of planning and budget, or office of policy and management. In 1975, seven states were organized with planning and budgeting related structurally. By 1977, 20 states had moved to this approach, although with many variations on the general theme. These functions were structurally related in Colorado, Connecticut, Delaware, Florida, Georgia, Idaho, Illinois, Kansas, Kentucky, Michigan, Missouri, Montana, North Carolina, North Dakota, Rhode Island, South Carolina, Texas, Virginia, Washington, and Wisconsin.

Georgia's Office of Planning and Budget (OPB) has been one of the most noted planning and budgeting offices with its close ties in the governor's office and because it was organized under President Jimmy Carter when he was governor of Georgia. Among the major recent innovations of the OPB was the complete organizational combination of planning with budgeting. In many states, parallel but separate structures are maintained. A recent reorganization of OPB has created functional divisions of physical and economic development, human development, education and intellectual development, energy resources, general government and protection, intergovernmental relations, and management review. These reflect the combination of planning and budgeting as management and policy sciences in Georgia. Long-range planning is deemphasized in favor of short-range plans, including a governor's policy statement and budget report, and a state investment plan. The zero-base budgeting process in Georgia is utilized as a planning process for state investments.

### **Interagency Coordinating Councils**

At least 18 states have interagency coordinating councils of some sort. These councils take several different forms: cabinets or cabinet subgroups, generally chaired by the governor and made up exclusively of department heads; state planning boards, established as an adjunct to the overall state planning process and, again, made up primarily of agency heads; and interagency coordinating councils, frequently composed of lower-level departmental representatives and program officials. Their principal functions are to exchange information, to focus on common problems, to provide policy advice and recommendations to the governor and state legislature and, in some cases, to resolve conflicts among different agencies. The primary purpose of these bodies is to coordinate activities which cannot be consolidated into a single department or agency.

### **Substate Regional Planning**

For many states, the keystone in state-local cooperation and coordination is the multifunctional regional organization. Although almost all states have designated substate district systems, they vary widely in productivity, stability, and scope of activity.

The question is unresolved whether such regional organizations should represent local interests, state interests, or both. However, where regional organizations are most effective, they are recognized as representing local interests, albeit in the administration of state and federal programs. They are considered to be locally controlled and their programs compatible with local goals and concerns.

A major issue is evolving concerning the future direction of regional organizations.

Some federal agencies and regional officials are interested in those organizations evolving into regional governments. The U.S. Department of Housing and Urban Development, in 1977, considered a major devolution of responsibility to metropolitan areawide organizations designed to increase their control of federal investments in metropolitan areas.

### **Regional Cooperation<sup>1</sup>**

Multistate regional development commissions and councils provide member states with a mechanism to deal with growth problems which transcend state boundaries. As forums for planning and development, these regional institutions assist in the coordination of individual state plans and programs which affect the quality of life throughout the region. States have joined together at the initiative of the federal government as well as at the initiative of member states.

There is a wide variety of multistate regional institutions involved in state planning. Most, however, fall into four divisions: regional action planning commissions (Title V), river basin commissions (Title II), interstate compact commissions, and councils and coalitions of state officials. There are at least three major organizations not included in this classification: the Appalachian Regional Commission, the Tennessee Valley Authority, and Federal Regional Councils.

There are presently eight Title V commissions covering much of the nation: the New England, Ozarks, Upper Great Lakes, Coastal Plains, Four Corners, Old West, Southwest Border, and Pacific Northwest. Applications are being prepared for the Mid-Atlantic, Mid-America, California, Texas, and Mid-South. Administration of Title V commissions is with state and federal cochairmen and, usually, an executive director. The federal members, although appointed by the president and with veto power in commission decisions, customarily come from the affected region and have a political background sensitive to regional problems. Federal cochairmen have small staffs of their own as does the executive director, in most cases. Commissions prepare a long-range comprehensive economic development plan which must be approved by the Secretary of Commerce. In the development of regional plans, state planning is a major factor which guides their policy content. In the Pacific Northwest Regional Commission, the regional plan is based on the Idaho, Oregon, and Washington state planning processes, as well as independent economic and demographic forecasts.

River basin commissions were established under Title II of the Water Resources Planning Act. Multistate river basin commissions can be established by the president at the request of the Water Resources Council, if the council finds that states in a major river basin area are interested in participating in such a commission. Six commissions have been established under the program: the New England, Great Lakes, Ohio, Upper Mississippi, Missouri, and Pacific Northwest. Thirty-three states belong to one or more river basin commissions. The commissions include representatives from numerous federal agencies which have an interest in water resource planning. The commission's chairmen are full-time presidential appointees, whereas the vice chairmen are state officials elected from among state members. The commissions are planning and priority-setting institutions largely concerned with coordination of the programs and projects of the federal water agencies and have no regulatory or operational powers. State planning coordination with river basin commissions varies among the commissions, but a common theme is a major focus on water and natural resource data and physical development projects, although some commissions have made noteworthy efforts in land use, environment, and energy.

Interstate compacts are a third type of multistate enterprise and can be subdivided into those to which the federal government is signatory and those which require the consent of Congress but to which the federal government is not a party. The Delaware and the Susquehanna River Basin Compacts are two principal federal-interstate compacts in force and they differ considerably from the river basin commissions discussed above. These two compacts not only have carefully circumscribed authority to develop plans, but also to construct and operate services in furtherance of their basic missions. While such compacts are sometimes limited in function, there are over 150 such institutions in existence which involve the United States as signatory. (See chapter on "Interstate Compacts.")

The fourth type of interstate organizations are those which are clearly state instrumentalities. There has been in the last few years a major renaissance in regionalism. The frostbelt-sunbelt controversies are a manifestation of regional diversity. Since 1970, the Coalition of Northeastern Governors (CONEG), Southern Growth Policies Board, and the Federation of Rocky Mountain States have undertaken major research and public policy initiatives reflecting regional positions and problems. CONEG, composed of the governors of Connecticut, Maine, Massachusetts, New Jersey, New York, Pennsylvania, Rhode Island, and Vermont, has paid attention to the federal formulae which distribute revenues to state and local governments. A concept which recently emerged from regional concerns was the Western Governors' Policy Office (WESTPO), which is still evolving. It would replace or consolidate many existing regional bodies in the west. As an institution, WESTPO would be overseen by state governors and operated through a coordinating council composed of governors' principal staff assistants in the region. WESTPO is unique in that it is an attempt to consolidate or reorganize for the sake of executive management and efficiency, and is less concerned overtly with regional competition for resources.

### State Policy Planning

Land use, economic development, and executive planning have become major state activities which can be described as state policy planning. Policy planning, although having some long-range data components, is largely designed to develop a state (and usually gubernatorial) posture on key issues and state needs. Furthermore, it is designed to enhance the capability of the governor and other state policymakers to make decisions based on objective and perceived needs which are factually derived.

Thirty-six states have some form of plan or policy guideline and virtually all states have established state-level policy planning processes (see Figure 1). Few of these statements or studies have gone beyond the recognition of need and identification of some key components over which states may exercise initiative. In the few states that have developed sophisticated policy planning processes, three general types can be identified: (1) alternative futures analysis; (2) strategic issues identification; and (3) public investment planning.

The "alternative futures" approach involves a considerable number of goals and objectives being tested against alternative future scenarios. These scenarios are based on a range of alternatives, from a stabilized economy to highly accelerated economic growth rates. From the results of testing the alternatives, state officials can design a program to encourage a desired growth rate; that is, they can attempt to moderate and change past trends and location of growth by public actions. For example, South Dakota, in its futures program, considered at least three industrial development and two farming policies for future growth. Information was developed on the policies with 20-year projections, anticipated impacts from the policies, and a list of issue questions facing the state. As with

many similar efforts, extensive citizen participation was sought in state policy formulation.

The second approach is the "strategic issues" technique, which is currently being implemented in Kentucky and Maryland. This process focuses on those key elements of the state management which can evolve into improved state policy and decisionmaking.

In Kentucky, the Office for Policy Management's *Agency Planning Guide* is designed to streamline the planning process as a complement to budget preparation instructions. It focuses on the decisions to be made by the governor and legislature. Similarly, Maryland, in its *Executive Planning Process Guidance Manual*, explains a similar strategic issues method of state planning which relates long-range goals to short-term actions. As in Kentucky's approach, a common theme is policy formulation which can be utilized in the budget process as well as day-to-day policy guidance, and the state capital budget. Also, the planning process is annual and action, executive, and substantially data oriented.

The third type of policy planning centers on the development and execution of a state locational policy, utilizing taxation, regulation, and capital investments. The Massachusetts Office of State Planning has been pursuing a major urban agenda through incremental and largely administrative actions to channel investments and alter tax policy and regulation in order to revitalize central cities. Similarly, California's Office of Planning and Research has released a draft *Urban Development Strategy* designed to renew and maintain existing urban areas — both cities and suburbs. The development and evolution of major urban policies and related strategies within the framework of executive management at the state level will continue to be a major challenge.

### Opportunities for the Future<sup>2</sup>

Many opportunities are available to states for the future strengthening of state

Figure 1  
State Policy Planning Status\*

Completed Plans or Policy Guidelines		
Alabama (1975)	Kansas (1978)	North Dakota (1977)
Alaska (1977)	Kentucky (1977)	Ohio (1977)
Arizona (on-going)	Maine (1977)	Oklahoma (1977)
Arkansas (1976)	Maryland (1978)	Pennsylvania (1977)
California (1977)	Massachusetts (1977)	Rhode Island (1964-1977)
Colorado (1977)	Michigan (1977)	South Dakota (1977)
Connecticut (1977)	Minnesota (1977)	Tennessee (1977)
Florida (1977)	Montana (1976)	Texas (1977)
Georgia (1977)	Nebraska (1977)	Utah (1975)
Hawaii (1977)	Nevada (1976)	Wyoming (1976)
Idaho (1977)	New York (1977)	
Illinois (1977)	New Jersey (1977)	
Iowa (1974)	North Carolina (1978)	
Activities in Process of Being Established		
Delaware	New Hampshire	Vermont
Indiana	New Mexico	Virginia
Louisiana	Oregon	Washington
Mississippi	South Carolina	West Virginia
Missouri		Wisconsin

\*Source: Council of State Planning Agencies, *Growth and Investment—New Roles for Citizens*, White House Conference on Balanced National Growth and Economic Development, January 1978.



planning. Selection among these may depend largely on gubernatorial priorities for the state concerned. Briefly, some of these opportunities are:

*Policy Development and Coordination.* The Georgia, Idaho, and Kentucky efforts in this regard indicate that a planning agency in the governor's office with direct linkages to the budget process can effectively (with the governor) enunciate a set of policies which successfully set priorities and shape programs.

*State Management.* There is a need to better define the process of management of state government. Concurrently, work is needed to better define state planning's role within this overall framework of state management. Major improvements in states through executive reorganization, planning, and budgeting are seen as initial steps toward a concept of corporate management of state government. Maine and Oklahoma, for example, have been emphasizing this approach in recent years.

*Critical Issues Identification and Response.* Among the lessons learned over the past 10 years is the continuing need for long-term problems to be translated to policymakers in terms of immediate action items. Recent experiences with the national drought, dam ruptures, energy shortages, floods, pension system collapses, and financial chaos, particularly in older cities, indicate that state planning needs to anticipate possible problems. Development of a framework for anticipatory planning, mitigation of disasters, response to disasters, and long-term recovery is high on the planning agenda.

*Human Services Planning.* Because of the large expenditure of state resources for human services, states are in the lead when it comes to developing effective programs for education, public safety, health, and welfare. However, only a few states (California, Illinois, Iowa, Maryland, and Missouri, for example) have been really grappling with an overall framework for human services planning. States have considerable potential for achievement in this area.

*Community and Economic Development.* At least 10 states have married the functions of community development and economic development (Alabama, Arizona, Colorado, Delaware, Hawaii, Maryland, Ohio, Oklahoma, West Virginia, and Wyoming). To a large extent, this reflects the attempt to create a healthy community development environment based on solid economic solutions to social and community problems. A state-city partnership in these endeavors is clearly indicated.

*Packaging Federal Programs.* An important opportunity exists today if states will consciously enforce policy and forecasting consistency among various federally required state plans. For example, states regularly are encouraged to prepare and update statewide plans covering water quality, energy conservation, land use, housing, outdoor recreation, transportation, and economic development. State policies and forecasts can be formulated to guide these federal programs toward state objectives. This approach opens up constructive dialogue with local and substate officials and could involve all parties in policy formulation.

*The Private Sector.* Because state planning evolved in part from the city planning movement, an orientation toward regulation as a goal of planning still exists. The Section 302 program administered by the Economic Development Administration has been valuable in opening channels between the public and private sectors and in placing economists in close proximity to governors. This trend could foster a new realism in state planning concerning the intermingled fates of government and private enterprise.

*Environmental and Natural Resource Policy.* State planning's special contribution to environmental policies has been mentioned earlier. The next step appears to be a linkage of

environmental policies to other policy areas. The quality of life concept, comprehensive impact assessments, and environmental census-taking could be explored in this regard.

Millions of dollars are at stake under each of the headings briefly outlined above. There are other opportunities, of course. State planning often stands at the cutting edge of state management, able to adapt opportunities to the unique policy environment of state governments.

#### Footnotes

1. This section adapted from Leonard Wilson, *State Strategies for Multistate Organizations* (Washington, D.C.: Council of State Planning Agencies, 1977).

2. This section adapted from Harold Wise, *The History of State Planning* (Washington, D.C.: Council of State Planning Agencies, 1977).

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## NAME AND LOCATION OF STATE POLICY PLANNING OFFICE\*

State	Planning office	Separate department(a)	Governor's office	With budget function	With community and/or economic affairs
Alabama	Development Office, Planning Div.	...	★	...	★
Alaska	Div. of Policy Development & Planning	...	★	...	...
Arizona	Office of Economic Planning & Development	...	...	...	★
Arkansas	Office of Management & Planning	...	★	...	...
California	Office of Planning & Research	...	★	...	...
Colorado	Office of State Planning & Budgeting	...	★	★	...
	Div. of Planning, Dept. of Local Affairs	★	...	...	★
Connecticut	Office of Policy & Management	...	★	★	...
Delaware	Office of Management, Budget & Planning	...	★	★	...
Florida	Div. of State Planning, Dept. of Administration	★	...	★	...
Georgia	Office of Planning & Budget	...	★	★	...
Hawaii	Dept. of Planning & Economic Development	★	...	★(b)	★
Idaho	Div. of Budget, Policy Planning & Coordination	...	★	★	★
Illinois	Bureau of the Budget	...	★	★	...
Indiana	State Planning Services Agency	...	★	...	...
Iowa	Office for Planning & Programming	...	★	...	★
Kansas	Div. of Planning & Research, Dept. of Administration	★	...	★	...
Kentucky	Office for Policy & Management	...	...	★	...
Louisiana	State Planning Office	...	★	...	...
Maine	State Planning Office	...	★	...	...
Maryland	Dept. of State Planning	★	...	★(b)	...
Massachusetts	Office of State Planning	★	...	...	...
Michigan	Dept. of Management & Budget	...	...	★	★
Minnesota	State Planning Agency	...	★	...	★
Mississippi	Office of Planning & Coordination	...	...	...	...
Missouri	Div. of Budget & Planning, Office of Administration	★	...	★	...
Montana	Office of Budget & Program Planning	...	★	★	...
	Div. of Planning, Dept. of Community Affairs	...	...	...	★
Nebraska	Office of Planning & Programming	...	★	...	...
Nevada	Office of State Planning Coordinator	...	★	...	...
New Hampshire	Office of Comprehensive Planning	...	★	...	...
New Jersey	Div. of State & Regional Planning, Dept. of Community Affairs	★	...	...	★
New Mexico	State Planning Office	...	★	...	★
New York	Div. of State Planning, Dept. of State	★	...	...	★
North Carolina	Office of Policy Development, Dept. of Administration	...	...	★	...
North Dakota	State Planning Div., Dept. of Accounts & Purchases	...	...	★	★
Ohio	Program Coordination Section, Office of the Governor	...	★	...	...
	Dept. of Economic & Community Development	★	...	...	★
Oklahoma	Dept. of Economic & Community Affairs	★	...	...	★
Oregon	Intergovernmental Relations Div.	...	★	...	★
Pennsylvania	Office of State Planning & Development	...	★	...	...
Rhode Island	Statewide Planning Program, Dept. of Administration	...	...	★	...
South Carolina	Executive Assistant to Governor for Policy & Program Review	...	...	...	...
	Office of State Planning, Budget & Control Board	★	...	★	...
South Dakota	State Planning Bureau, Office of Executive Management	...	★	...	★
Tennessee	Special Assistant to the Governor for Policy Planning	...	★	...	...
	State Planning Office	★	...	...	...
Texas	Office of Budget & Planning	...	★	★	...
Utah	Office of State Planning Coordinator	...	★	...	...
Vermont	State Planning Office	...	★	...	...
Virginia	Dept. of Planning & Budget	★	...	★	...
Washington	Office of Fiscal Management	...	...	★	...
West Virginia	Governor's Office of Community & Economic Development	...	★	...	★
Wisconsin	Office of State Planning & Energy, Dept. of Administration	★	...	★	...
Wyoming	State Planning Coordinator	...	★	...	...

\*Source: Council of State Planning Agencies.

(a) A star in this category denotes either a separate department or an agency in a department other than the governor's office.

(b) Capital budget or improvement powers (some budget functions but not located organizationally within budget office).

## BUSINESS AND INDUSTRIAL DEVELOPMENT\*

A LOOK AT industrial development legislation over the last 10 years reveals a significant swing in the attitudes of state lawmakers toward attracting new business. There was a rush in the 1960s to adopt business development incentives in the states. While business is welcomed as usual in most states, some now are taking a much more cautious approach toward industrial development.

Enactment of new incentives has been spotty since the 1960s, as indicated in the table below.

Among state and local industrial financing programs, the most popular is state or local revenue bond financing: All but three states offer this form of low-cost financing. A new

THE EXPANSION OF BUSINESS INCENTIVES

<i>Incentive</i>	<i>Number of states offering incentive in</i>			<i>Incentive</i>	<i>Number of states offering incentive in</i>		
	1966	1971	1976		1966	1971	1976
State-sponsored industrial development authority	25	30	31	State financing aid for existing plant expansion	14	25	28
Privately sponsored development credit corporation	31	38	35	State matching funds for city and/or county industrial financing programs	5	7	8
State authority or agency revenue bond financing	8	16	21	Corporate income tax exemption	11	19	20
State authority or agency general obligation bond financing	4	5	8	Personal income tax exemption	15	19	17
City and/or county revenue bond financing	28	43	45	Excise tax exemption	5	9	10
City and/or county general obligation bond financing	14	14	21	Tax exemption or moratorium on land, capital improvements	11	15	22
State loans for building construction	11	15	17	Tax exemption or moratorium on equipment, machinery	15	22	28
State loans for equipment, machinery	8	11	13	Inventory tax exemption on goods in transit	32	40	39
City and/or county loans for building construction	8	6	8	Tax exemption on manufacturers' inventories	19	29	37
City and/or county loans for equipment, machinery	6	6	7	Sales/use tax exemption on new equipment	16	25	32
State loan guarantees for building construction	11	11	15	Tax exemption on raw materials used in manufacturing	32	40	44
State loan guarantees for equipment, machinery	9	9	13	Tax credits for use of specified state products	2	2	3
City and/or county loan guarantees for building construction	1	0	1	Tax stabilization agreements for specified industries	4	3	4
City and/or county loan guarantees for equipment, machinery	1	0	1	Tax exemption to encourage research and development	3	5	8

\*This material, along with the accompanying tables, was provided by Conway Publications, Inc., publishers of *Industrial Development* magazine.

twist to the traditional industrial revenue bond now cropping up in a few states is the "mortgage-modified" industrial revenue bond or the "tax-exempt mortgage." This method of financing focuses on real property as security for a loan, rather than the credit rating of the company which will benefit from the bond issue. The method is thus seen as a vehicle for financing plants for smaller firms.

According to the results of a survey of facilities planners and real estate executives for some of the nation's leading corporations,<sup>1</sup> the most popular tax incentives offered to industry by state and local governments are a tax exemption or moratorium on land and capital improvements and tax exemptions on manufacturers' inventories.

Following those in importance to industry are corporate income tax exemptions, tax exemptions or moratoriums on new equipment and machinery, sales and use tax exemptions on new equipment, and tax exemptions on raw materials used in manufacturing.

Among the special services offered by states, industries see state-supported training of industrial employees as most important.

**Footnote**

1. *Industrial Development*, May/June 1977.

## SPECIAL SERVICES FOR INDUSTRIAL DEVELOPMENT\*

State or other jurisdiction	State-financed speculative building	City and/or county-financed speculative building	City and/or county provide free land for industry (a)	City and/or county-owned industrial park sites (b)	State funds for city and/or county development-related public works projects	State funds for city and/or county master plans	State funds for city and/or county recreational projects	State funds for private recreational projects	State program to promote R & D	State program to increase export of products	University R & D facilities available to industry	State and/or universities conduct feasibility studies to attract or assist new industry	State-supported training of industrial employees (c)	State retraining of industrial employees	State-supported training of "hard-core" unemployed	State incentive to industry to train "hard-core" unemployed	State help in bidding on federal procurement contracts	State science or technology advisory council
Alabama	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Alaska	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Arizona	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Arkansas	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
California	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Colorado	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Connecticut	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Delaware	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Florida	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Georgia	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Hawaii	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Idaho	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Illinois	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Indiana	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Iowa	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Kansas	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Kentucky	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Louisiana	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Maine	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Maryland	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Massachusetts	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Michigan	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Minnesota	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Mississippi	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Missouri	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Montana	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Nebraska	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Nevada	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
New Hampshire	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
New Jersey	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
New Mexico	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
New York	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
North Carolina	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
North Dakota	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Ohio	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Oklahoma	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Oregon	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Pennsylvania	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Rhode Island	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
South Carolina	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
South Dakota	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Tennessee	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Texas	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Utah	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Vermont	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Virginia	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Washington	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
West Virginia	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Wisconsin	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Wyoming	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Puerto Rico	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..

\*Source: Adapted from Conway Publications, Inc., *Industrial Development*, November/December 1976.

(a) No state provides free land for industry.

(b) State-owned industrial park sites in Hawaii, Mississippi, New Hampshire, New Jersey, Oklahoma, Rhode Island, Tennessee, and Puerto Rico.

(c) All states provide for recruiting and screening of industrial employees.

(d) Only in rare instances. In California, a few cities and counties will lease land they own at nominal rates.

(e) Limited to technical assistance.

(f) Facilities available on a contract basis.

(g) State vocational program keyed to federally funded program.

(h) Carried out through local development corporations.

(i) Available to industry on a contract and/or consulting basis.

(j) City-owned land only. Cities may not purchase land to provide free land to industry.

(k) Highway Commission will build first two miles of road into new ski areas.

(l) Industrial Development Financing Authority will guarantee up to 80% of mortgages for land and 70% for equipment.

(m) Limited to certain units.

(n) A coal tax fund is available to areas directly impacted by coal development.

(o) Under New York Job Incentive Program, a corporate franchise or unincorporated business tax credit is allowed to firms locating, expanding, or improving facilities in the state under certain conditions.

(p) Funds are from public health for solid waste disposal projects.

(q) State matches funds from U.S. Dept. of Housing and Urban Development.

(r) Port districts only.

## FINANCIAL ASSISTANCE FOR INDUSTRY\*

State or other jurisdiction	State-sponsored industrial development authority	Privately sponsored development credit corporation	State authority or agency revenue bond financing	City and/or county revenue bond financing	State authority or agency general obligation bond financing	City and/or county general obligation bond financing	State loans for building construction	City and/or county loans for building construction	State loans for equipment or machinery	City and/or county loans for equipment or machinery	State loan guarantees for building construction	State loan guarantees for equipment or machinery	State financing aid for existing plant expansions	State matching funds for city and/or county industrial financing programs	State incentive for establishing industrial plants in areas of high unemployment	City and/or county incentive for establishing industrial plants in areas of high unemployment
Alabama	★	★	...	★	...	★(a)	...	...	...	...	...	...	★(b)	...	...	...
Alaska	(c)	...	(c)	★(d)	...	★(d)	★	...	★	...	...	...	...	...	...	...
Arizona	...	(c)	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Arkansas	★	★	...	★	...	...	...	...	...	...	★	★	...	...	...	...
California	...	★(c)	...	...	...	...	...	...	...	...	...	...	...	...	★(f)	...
Colorado	...	★	...	★	...	...	...	...	...	...	...	...	...	...	...	...
Connecticut	★	...	★	★	★	★	★	★	★	★	★(b)	★(b)	★	★	...	...
Delaware	★	...	★	...	★	...	★	...	★	...	★	★	★	...	...	...
Florida	...	...	...	★	...	...	...	...	...	...	...	...	...	...	...	...
Georgia	...	★	★(d)	★	...	...	...	...	...	...	...	...	...	...	...	...
Hawaii	★	...	★	★	...	★	★	...	★	...	...	...	★	★	★	...
Idaho	...	(c)	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Illinois	★	★	★	★	...	...	★	...	★	...	...	...	★	...	...	...
Indiana	...	★	...	★	...	★	...	...	...	...	★	★	...	★	...	...
Iowa	...	★	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Kansas	...	...	...	★	...	★	...	...	...	...	...	...	...	...	...	...
Kentucky	★	...	...	★	...	★	★	...	...	...	...	...	...	...	...	...
Louisiana	...	(c)	...	★	...	★	...	...	...	...	...	...	...	...	...	...
Maine	★	...	...	★	...	...	★	...	...	...	★	★	★	...	...	...
Maryland	★	★	...	★	...	★	...	...	...	...	★	★	...	★(g)	★	...
Massachusetts	★	★	...	★	...	★	...	★	...	★	★	★	★	...	★	★
Michigan	★	(c)	★	★	...	...	★	...	...	...	★	...	...	★	...	...
Minnesota	...	...	★	★	...	...	★(h)	★	★(h)	...	...	...	★	...	★	...
Mississippi	★	★	...	★	...	★	...	...	...	...	...	...	★(b)	...	...	★
Missouri	...	...	...	★	...	★	...	...	★(i)	...	...	...	...	...	...	...
Montana	...	★	...	★	...	...	★(j)	...	...	...	...	...	...	...	...	...
Nebraska	...	...	...	★	...	...	...	...	...	...	...	...	★(b)	...	...	...
Nevada	...	...	...	★	...	...	...	...	...	...	...	...	...	...	★	★
New Hampshire	★	★	★	...	...	...	★	...	...	...	★	★	★	...	...	...
New Jersey	★	...	★	...	★	★(k)	...	...	...	...	★	★	★	★	★	★
New Mexico	★	(c)	...	★	...	★	...	...	...	...	...	...	...	...	...	...
New York	...	★	★	★	★	...	★	★	★(l)	★	...	...	★	...	★(m)	★(m)
North Carolina	...	★	...	★	...	...	...	...	...	...	...	...	...	...	...	...
North Dakota	★	★	★	★	★	★	...	...	...	...	...	...	...	...	...	...
Ohio	★	★	★	★	...	...	...	...	...	...	...	...	...	...	...	...
Oklahoma	★	...	★	★	★	★	...	...	...	...	...	...	...	...	...	...
Oregon	...	★	★	★(k)	...	...	...	★(n)	★(n)	...	...	...	...	...	...	...
Pennsylvania	★	...	★	★	...	...	...	...	...	...	...	...	...	...	★	★
Rhode Island	★	★	★	★	...	...	...	...	...	...	...	...	...	...	...	...
South Carolina	★	★	★	★	...	...	...	...	...	...	...	...	...	...	...	...
South Dakota	...	...	...	★	...	...	...	...	...	...	...	...	...	...	...	...
Tennessee	★	...	...	★	★	...	...	...	...	...	...	...	...	...	...	...
Texas	★	...	...	★(o)	...	...	...	...	...	...	...	...	...	...	...	...
Utah	★	★	★	★	...	...	...	...	...	...	...	...	...	...	...	...
Vermont	★	★	★	★	...	...	...	...	...	...	...	...	...	...	...	...
Virginia	★	★	...	★	...	...	...	...	...	...	...	...	...	...	...	...
Washington	★	...	...	★(d)	...	★(d)	...	...	...	★(d)	...	...	...	...	...	...
West Virginia	★	★	★	...	...	...	...	...	...	...	...	...	...	...	...	...
Wisconsin	...	...	...	★	...	★(p)	...	...	...	...	...	...	...	...	...	...
Wyoming	...	★	...	★	...	...	...	...	...	...	...	...	...	...	...	...
Puerto Rico	★	★	★	★	★	★	★	...	★	...	★	★	★	★	★	★

\*Source: Adapted from Conway Publications, Inc., *Industrial Development*, November/December 1976.

- (a) Permitted in only specified municipalities.
- (b) Applies to cities and/or counties also.
- (c) Authorized but none active.
- (d) Activity limited to Anchorage Port Authority in Alaska, Ports Authority in Georgia, and port districts in Washington.
- (e) State-sponsored but privately operated nonprofit Regional Job Development Corporations may be established in low-income areas to provide loans to small businesses.
- (f) State guarantee of loans from privately operated nonprofit Regional Job Development Corporations serving low-income areas.
- (g) Limited to EDA-designated areas.
- (h) For processing products of agriculture, including forestry and timber production.
- (i) Also cover working capital, site improvements, and inventories.

(j) Authorized if a one-mill multipurpose tax levy is approved by local voters.

(k) Applies only to pollution control equipment.

(l) New York Job Development Authority may participate in loans to new manufacturing plants.

(m) Under New York Job Incentive Program, a corporate franchise or unincorporated business tax credit is allowed to firms locating, expanding, or improving facilities in the state under certain conditions.

(n) State and local program of participation in building construction.

(o) For electric generation and transmission facilities and for wastewater treatment facilities.

(p) For acquiring and developing sites.

## TAX INCENTIVES FOR INDUSTRY AND OTHER PERTINENT LAWS\*

State or other jurisdiction	Corporate income tax exemption	Personal income tax exemption	Excise tax exemption	Tax exemption or moratorium on land, capital improvements on equipment, machinery	Tax exemption or moratorium on equipment, machinery	Inventory tax exemption on goods in transit (free port)	Tax exemption on manufacturer's inventory	Sales/use tax exemption on new equipment	Tax exemption on raw materials used in manufacturing	Tax credit for use of specified state products	Tax stabilization agreements for specified industries	Tax exemption to encourage R & D	Accelerated depreciation of industrial equipment	State right-to-work law	State minimum wage law	State fair employment practice code	Statewide uniform property tax evaluation law	Statewide industrial noise abatement law (a)
Alabama	★	...	★	★	★	★	★	★	★	...	...	...	...	★	...	...	★	...
Alaska	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Arizona	★	★	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Arkansas	...	...	...	...	...	...	★(b)	★	...	...	...	...	...	...	...	...	...	...
California	...	...	...	...	...	...	★(c)	★(d)	★(c)	...	...	...	★(c)	...	...	...	...	...
Colorado	...	...	...	...	...	★(f)	★(f)	...	★(f)	...	...	...	...	...	...	...	...	...
Connecticut	★(d)	...	...	...	★(b)	...	...	...	...	...	...	...	...	...	...	...	...	...
Delaware	...	...	★(g)	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Florida	★	★(h)	...	...	...	...	...	★(c)	...	★(d)	...	...	...	...	...	...	...	...
Georgia	...	...	...	...	...	...	...	...	...	...	...	...	★(i)	...	...	...	...	...
Hawaii	...	★	★	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Idaho	...	...	...	...	...	...	...	...	...	...	...	...	★(i)	...	...	...	...	...
Illinois	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Indiana	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Iowa	★(j)	...	...	...	...	...	★(c)	...	★(n)	...	...	...	★(i)	...	...	...	...	...
Kansas	★(d)	...	...	★(d)	★(d)	...	...	★(d)	...	...	...	...	★(i)	...	...	...	...	...
Kentucky	...	...	...	★(k)	★(k)	...	...	...	★(k)	...	...	...	...	...	...	...	...	...
Louisiana	★(l)	...	...	★(m)	★	...	...	...	...	...	...	...	★(e)	...	...	...	...	...
Maine	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Maryland	...	...	...	★(p)	...	...	...	★(q)	...	...	...	...	...	...	...	...	...	...
Massachusetts	★(r)	★	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Michigan	...	...	...	★(r)	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Minnesota	...	...	...	★(e)	...	...	...	★(d)	...	...	...	...	★(i)	...	...	...	...	...
Mississippi	...	...	...	...	...	...	...	...	...	...	...	...	★(i)	...	...	...	...	...
Missouri	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Montana	★(d)	...	...	...	...	...	★(c)	★(s)	...	...	...	...	...	...	...	...	...	...
Nebraska	...	...	...	...	...	...	★(c)	...	★(c)	...	...	...	...	...	...	...	...	...
Nevada	★(t)	★(t)	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
New Hampshire	...	★(h)	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
New Jersey	...	...	...	...	★(c)	★(d)	...	...	...	...	...	...	...	★(c)	...	...	...	★(u)
New Mexico	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
New York	★(d)	★(d)	★(g)	★(d)	★(v)	★(v)	★(v)	★(v)	★(v)	...	...	★(d)	...	...	...	...	...	...
North Carolina	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
North Dakota	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Ohio	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Oklahoma	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Oregon	...	...	★(d)	★(m)	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Pennsylvania	...	...	...	...	...	...	★(b)	★(b)	★(w)	★(w)	...	...	...	...	...	...	...	...
Rhode Island	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
South Carolina	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
South Dakota	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Tennessee	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Texas	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Utah	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Vermont	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Virginia	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Washington	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
West Virginia	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Wisconsin	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Wyoming	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Puerto Rico	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...

\*Source: Adapted from Conway Publications, Inc., *Industrial Development*, November/December 1976.

- (a) All states have statewide air and water pollution control laws.  
 (b) Exemption of certain items at local or county level.  
 (c) A reduction or exemption in assessed valuation of some business inventories is allowed.  
 (d) Tax credit or exemption allowed for specified items, usually for specified time under certain conditions.  
 (e) Applies only to pollution control equipment.  
 (f) Law allows reduction in taxes but not exemption.  
 (g) Does not collect excise tax.  
 (h) Does not tax personal income.  
 (i) Allowable depreciation similar to that permitted under federal laws.

- (j) Credit or exemption percentage allowed for federal taxes paid.  
 (k) Applicable at local level.  
 (l) Applicable under tax equalization law only.  
 (m) Exemption extends only to specified items.

- (n) Taxed only on the value of raw materials.  
 (o) Except for sales/use tax on materials purchased for use as an ingredient in tangible personal property for sale.  
 (p) Local or county option. In Virginia, for specified items.  
 (q) Certain items taxed at lower rates.  
 (r) Local option in designated redevelopment areas.  
 (s) Does not collect sales/use tax.  
 (t) Does not tax corporate or personal income.  
 (u) Recommended by state for adoption by municipalities.  
 (v) Tangible and intangible personal property not subject to ad valorem taxes.  
 (w) Certain materials used for specified purposes exempt from sales/use tax.  
 (x) Seven-year annexation or de-annexation exemption.  
 (y) Local governments may tax at different rates than other tangible personal property.  
 (z) Deduction allowed for sales tax paid on energy.



## 6. Natural Resources

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### POLLUTION CONTROL AND ENVIRONMENTAL REGULATION\*

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#### Pollution Control

##### Air

The major activity in the control of air pollution over the preceding biennium was the adoption by Congress of the 1977 amendments to the Clean Air Act. Included was a relaxation of automobile emission standards. Enacted virtually on the eve of the opening of the new model year, the legislation postponed 1978 standards, which had already been postponed from 1975, until 1981, with an additional two year discretion given to the Environmental Protection Agency (EPA) administrator after that.

Of more immediate concern to the states was the issue of significant air quality deterioration which was addressed by the 1977 amendments. The amendments apply to regions where air quality is already above the ambient air quality standards and establishes a classification scheme for determining how much more pollution these regions can accept. This is most important in those areas where the air is currently clean, but where development pressures could reduce the quality of the air.

Under the amendments, clean air regions would be divided into three classes. Class I areas would be permitted only very little additional pollution; Class II, considerably more; and Class III still more pollution. National parks and wilderness areas are to be Class I areas. All other areas are listed as Class II, subject to reclassification by the governor of the state involved. The governor is also given authority to grant variance for sulfur dioxide levels in Class I areas for a particular facility. Public hearings must be held in such cases, and demonstrations must be made that the variance is necessary and that it will not adversely affect air quality values.

The Clean Air Act had originally called for attainment of ambient air quality standards for all areas by 1977 and had prevented the introduction of new pollution sources or the expansion of old sources after 1975 in areas where pollution levels exceeded the ambient standards. However, the 1977 amendments now require that states submit revised plans by 1979 that would achieve ambient air standards by 1982 for most areas. In areas heavily affected by automobile pollutants, standards will not have to be met until 1987.

The amendments allow the introduction of a new pollutant source if the source will meet "the lowest achievable emission rates" and if other sources in the same state under the same ownership are currently in compliance. Each year, the states will be required to demonstrate

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\*This chapter was prepared by Tom Hauger, former Special Assistant at the Council of State Governments, with special assistance from Sheila Mulvihill, staff member of the President's Council on Environmental Quality (CEQ), and Daniel W. Varin, Chief of Statewide Planning Program, Rhode Island. Much of the pollution control section is based on the 1977 annual report of the CEQ.

sufficient improvement in air quality to lead to a reasonable expectation of reaching the 1982 or 1987 deadline. To curtail automobile pollutants, the states' 1979 plans must include transportation control plans or the more stringent automobile standards modeled after the criteria developed in California.

Based on a Connecticut law, a new amendment attempts to eliminate the cost advantage some polluters realized by remaining in violation of the law and paying the relatively low penalties. Under this amendment, an administrative penalty can be levied against a violator in an amount equal to the monetary savings the violator would accrue by remaining out of compliance. Unlike the Connecticut law, however, the new federal amendment appears to contain some limitations that could restrict its broad application.

## Water

Most of the recent state activity in the control of water pollution has occurred in three areas: municipal grants for sewage treatment facilities, the National Pollutant Discharge Elimination System (NPDES), and planning under Sections 303(e) and 208 of the Federal Water Pollution Control Act (FWPCA) amendments of 1972. The municipal grants program has been primarily directed at assisting local governments meet the requirement of having at least secondary treatment of wastewater by July 1977. These grant funds, paying 75 percent of total cost, are administered by state governments on a priority basis and are matched by local and, frequently, state contributions. While the 1977 deadline passed with the goal not fully achieved, the federal EPA accepted some of the blame because of its slow procedures in approving projects and obligating funds in the program's early years. In recent years, some states have run out of federal money to spend on this program because of increased costs caused by administrative, legal, contractor, or siting delays.

To ensure the kind of funding continuity so important to state and local budget processes, an additional \$1 billion was appropriated by Congress in 1977 as a supplement to existing funds. Meanwhile, each state is continuing at its own pace in distributing federal and state dollars to the local projects. Another recent change of special interest to rural small communities (populations under 2,500) is the set of guidelines formulated by EPA in 1976 that offers alternative waste disposal systems to such communities. Still, it appeared that only about one third of the nation's municipal wastewater facilities were in compliance on July 1, 1977.

On another front, there were, as of July 1977, 28 states participating as implementers of the NPDES program. Under this program, all industrial and municipal dischargers of wastewater must obtain permits which specify limits on the concentrations and amounts of waste to be discharged and which include a schedule of pollutant reduction toward meeting these limits. As of late 1976, some 65,000 such polluters had been identified and permits had been issued to about 53,000 of them. As a way to relieve the increasing technical pressures on municipal systems, some states and municipalities are requiring that industries pretreat wastes before introducing those wastes into municipal systems. Proposed federal guidelines released in February 1977 do not delineate which level of government will be responsible for enforcing the pretreatment standards—the EPA, the municipalities, or the states.

The 1972 amendments to FWPCA confront states with two sets of planning requirements. Section 303(e) mandates that each state prepare water quality management plans for all drainage basins. These plans establish waste-load allocations for those water bodies receiving point source discharges and they set priority schedules for the abatement of existing pollution and the construction of new and expanded municipal treatment facilities.

Initially, EPA required that the states complete Phase I water quality management plans by June 1975. This was subsequently extended to June 1976.

The states are now preparing a second round (Phase II) of water quality management plans which must be completed for all drainage basins by November 1, 1978. In addition to updating pollution abatement and facilities construction schedules, these plans will incorporate information on nonpoint sources of pollution. Most of this information is being derived through the other major planning requirement of the 1972 Act, Section 208.

Section 208 of the 1972 FWPCA remains the most controversial. Its goal is to control nonpoint sources of water pollution through the preparation of areawide waste treatment and water management plans. It is the responsibility of each governor to designate the areawide districts and the agencies that will prepare the plans in these districts. The plans for nondesignated areas remain the charge of the state. The plans themselves are to include land use controls over a wide range of nonpoint pollution-generating activities. Through fiscal 1976, a total of 176 areawide agencies had been funded, and all states were recipients of funds for the nondesignated areas. In 1977, Colorado approved the first 208 plan and submitted it to EPA for approval. New EPA policy allows the use of 208 money for air quality activities that are also related to the section's water quality objectives. The nonpoint control techniques being written into 208 plans thus far remain largely experimental, and few have been given practical testing.

The Carter administration has proposed its own set of revisions for the FWPCA. This includes increasing the efficiency of the municipal grants program, new techniques for enforcement, and the protection of wetlands. The municipal grants proposal would authorize water conservation incentives, relate the funding of these grants to Section 208 provisions, and eliminate the funding of storm sewers from the program. Enforcement of water pollution regulations should be enhanced by the proposal that would impose economic penalties on violators similar to those called for in the 1977 Clean Air Act amendments described above. In the protection of wetlands, the administration amendments would authorize states to assume the role as permitter much as they have in the NPDES program.

### **Drinking Water**

Under the Safe Drinking Water Act of 1974, the federal EPA established primary standards to protect human health from organic, inorganic, microbiological, and turbidity contaminants in drinking water supplies. These standards went into effect in June 1977. Several states already have assumed the responsibility to enforce the provisions of the act while others are preparing to do so. In 1976, EPA adopted standards for the control of underground injections of fluids. These and other controls of drinking water sources are subject to EPA enforcement where states choose not to accept that role.

### **Solid Waste**

State action in the control of solid waste has largely been limited, partly by the relatively small budgets state programs are allotted. One of the most successful methods employed so far has been the beverage container law, which prohibits the sale of nonreturnable beverage containers—cans and bottles that contribute to total solid waste loads, result in lost resource opportunities, and become unsightly litter problems. The often-cited model for this type of legislation is the Oregon law that places mandatory deposit fees on beer and soft drink containers. In 1976, referenda to this effect appeared on the ballots of four states. The

citizens of Maine and Michigan passed the referenda; those in Colorado and Massachusetts did not. Congress has been considering similar legislation.

The most significant related federal action of the recent biennium was the passage of the Resource Conservation and Recovery Act (RCRA). Of primary importance is the new law's emphasis on the control of hazardous wastes. While an explicit federal role is called for, the act also encourages the involvement of states to regulate, inspect, and enforce federal guidelines with federal financial assistance. As with some other federal pollution control laws, RCRA provides for EPA to enforce the regulations in a state which fails to adopt an approved regulatory approach. The U.S. Supreme Court did not address this question in a 1977 case centering on the imposition of transportation control plans under the Clean Air Act. Eight states—California, Illinois, Maryland, Minnesota, Oklahoma, Oregon, Texas, and Washington—have already begun implementing their own laws to control hazardous wastes.

RCRA also calls for the promulgation of federal minimum standards for the maintenance of solid waste disposal sites. State programs are expected to carry a major portion of the implementation of these standards. States, under the current strategy, will also be called on to perform the inventory of open dump sites that the law requires. New EPA guidelines are to be prepared that will assist states in developing their solid waste management plans, and newly mandated technical assistance panels to provide help to the states are included in RCRA.

## **Environmental Regulation**

### **One-Stop Permitting**

One of the most widespread—and to some the most troubling—side effects of the expansion of environmental protection has been the increase in the number of permit programs that can potentially affect development growth and change. Developers who feel harried by these permit processes, and others who generally advocate efficiency in government, have been pushing for states to simplify the various permit procedures and to coordinate their jurisdictions and requirements to reduce the apparent conflicts and contradictions they now impose. The name often given the simplified process is “one-stop permitting,” though in no case is that a literal truth. Common manifestations of “one-stop permitting” are joint hearings of the several permitters involved, or a single office charged with soliciting from other agencies the relevance of their permit to a particular project, or a directory listing all the permits a state may require with the agency and its guidelines.

Washington and Oregon have established similar processes in which the prospective developer fills out a master or preapplication form to describe the proposed activity. This preapplication is then circulated by a state agency to other agencies who must, within a specified time, inform the developer of the permit interest they have in the project. In other states, Colorado and New Jersey, for instance, preapplication nonbinding conferences are held with developers and regulators to discuss development proposals along with the problems they are likely to encounter in obtaining permits and measures that could mitigate these problems. More formal joint permit hearings are possible on request from the developer in several states once the permit applications have been filed.

### **Land Use Planning**

The quiet revolution in land which we read about in the early 1970s has grown even

quieter, but perhaps ultimately as effective. The past few years have seen no new states adopt comprehensive land use regulations, yet every year some adjustment occurs in existing programs, and other states continue to add incremental programs for land use planning. These incremental programs are aimed at controlling a particular type of activity (e.g., powerplant siting, strip mining) or particular geographic areas (e.g., coastal zone, wetlands). In line with the environmental regulation discussion above, efforts are increasing in states that already have several of these incremental programs to provide coordination among them.

The 1976 California legislature enacted a law creating a Coastal Zone Conservation Commission with powers to establish guidelines to be followed by local government for development within the state's coastal zone, an area that varies from 1,000 yards to five miles in width. While that bill was the subject of some controversy during its consideration in California, it represents the general approach currently being taken by states in land use planning—mandated local government plans that must be in conformance with state-adopted guidelines. For some states, such as Florida, Idaho, Nevada, and Virginia, the laws imply that the planning be comprehensive in its view of land use. In others, such as California, the local plans are incremental in that they only apply to coastal areas.

Thirty states are eligible for planning grants from the federal Office of Coastal Zone Management (OCZM) to be used in preparing management plans for controlling development within coastal areas. The preparation of the management plans is expected to require three years of federal funding and state effort. So far only two states, Washington and Oregon, have received approval from OCZM for their management plans under the 1972 act, although approval has been given to the San Francisco Bay Conservation and Development Commission for its portion of the California plan and to the Culebra area of Puerto Rico. Several other states are anticipating approval, or will soon be submitting plans. These include California, Hawaii, Illinois, Maine, Maryland, Massachusetts, Michigan, North Carolina, Rhode Island, Texas, and Wisconsin.

A major concern that has run through the coastal zone management processes has been the requirement that federal agencies make their activities, to the maximum extent practicable, consistent with the state plans that have been approved—the so-called federal consistency provision. Federally owned lands and activities of overriding national interest are exempt from the provision, but secondary effects that may occur on other lands because of activities on the federal land were argued by states to be included in the federal consistency provision. Draft regulations were prepared by OCZM in mid-1977 that attempted to accommodate state and federal positions.

Other challenges to state land use authority have come from a variety of sources. In 1976 a referendum appeared on the Oregon ballot that would have repealed major portions of authority held by the state's Land Conservation and Development Commission. The referendum was defeated and the state land use authority was upheld. Throughout late 1977, implementation of the California Coastal Zone Commission was held up by a temporary restraining order issued by a U.S. district court in response to a petition put forth by six major oil companies and their representatives, who claimed that the environmental impact statement requires more consideration for offshore oil and gas production. State authority in Florida to designate areas of critical concern was successfully challenged in state courts over the designation of the Florida Keys. For the most part, however, states have moved cautiously enough to forestall debilitating decisions by either the public or the courts that would restrict state authority over land use control.

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# STATE PARKS AND OUTDOOR RECREATION

by Ney C. Landrum\*

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DESPITE concerns over the economic recession and rising costs, public demand for outdoor recreation in the United States continued to grow steadily during the 1975-77 biennium. Paradoxically, it seemed that Americans, even when faced with hard times, were unwilling to forgo their favorite leisure activities, giving credence to the modern contention that recreation is a human necessity rather than merely a luxury.

While public outdoor recreation interests and desires extend to an indefinite range of activities (including constantly evolving variations such as skateboarding, hang gliding, and tubing), the preponderant demand today is still for the more traditional forms: swimming, picnicking, camping, boating, and the like. It is in satisfying these needs that state park systems around the country continue to play a major, indispensable role.

## Growth and Expansion

From 1975 to 1977, attendance at state parks increased by over 14 percent, from 525,693,847 to 599,622,272. To keep pace with such heavy use, state park systems have continued to respond by acquiring new lands and building new facilities. At the same time, however, there is increasing realization that such expansion opportunities are ultimately limited and that recreational demand beyond a point must be met through new programs and activities conducted on a fixed real estate base.

Nevertheless, an adequate parks inventory is the fundamental goal of every state park system. Toward this end, the states added 575 new areas and 1,167,018 acres of land to their collective inventories over the past biennium. Some of the individual leaders in this respect were Wisconsin, which added 19 areas and 453,647 acres; Alaska, with four areas and 309,878 acres; Illinois, with 181 areas and 115,800 acres; Nebraska, with three areas and 107,000 acres; Tennessee, with 18 areas and 96,452 acres; and Florida, with nine areas and 61,974 acres. Virtually every state showed significant percentage increases in these categories.

Even with the steady expansion of parklands and facilities, all states still face problems of unevenly distributed use and consequent overcrowding at the more popular areas. Such overuse not only reduces the level of visitor enjoyment, but also leads to rapid deterioration of both resources and facilities. To cope with this growing problem, more and more states are instituting carrying capacities or visitation ceilings at their more heavily used parks. While this is undeniably a sound management practice, it is nonetheless difficult for the public to understand and appreciate its importance. Parks, however, have limited capacities just as restaurants, theaters, and other public use facilities, and stricter observance of these capacities will figure prominently in the outdoor recreational supply and demand picture in the future.

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### **Current Program Trends**

To respond appropriately to the ever-changing public outdoor recreational needs, a dynamic and forward-looking state park system must constantly explore new ground and seek new program opportunities. Some of the directions being pursued currently by many of the nation's state park systems are particularly noteworthy.

"Urban thrust" is one of the day's common catchwords. Long regarded as primarily rural-oriented, the state park systems today are searching for their proper role in meeting the special outdoor recreational needs of the big cities. Responding to increasing demands from urban governments, a prospective curtailment of public mobility due to fuel shortages, and a strong impetus from the federal government, most states are now intensifying efforts to acquire and develop parks more accessible to urban populations. The extent to which state park agencies might assume the unaccustomed role of direct recreational programming in urban areas remains to be seen, but further guidance in this matter may be forthcoming from the congressionally mandated national urban recreation study now nearing completion.

Two other concepts receiving increased attention at the state level are trails development and visitor programs conducted in the parks.

Trails, especially, have become a high-glamour item in the outdoor recreation portfolio, primarily because they involve so many interest groups and provide so much recreational opportunity at relatively small cost. Among the more popular trails activities are hiking, cycling, horseback riding, and trailbiking. Thousands of trails have been installed around the country to serve these needs. California's legislatively mandated Recreation Trails Plan and the Trails in Illinois program are but two of many comprehensive approaches to recreational trails developments now under way in the states.

Park visitor programs also are being intensified and diversified almost universally, in sharpening contrast with the traditional state park role of simply making available scenic resources and minimal facilities. A variety of visitor programs is possible, such as guided tours, instructional sessions, living history demonstrations, arts and crafts participation, festivals, and outdoor drama. If thoughtfully applied, they can greatly expand the recreational offerings to an otherwise static park environment. To capitalize on this potential, many states, such as Georgia and South Carolina, have added recreational program specialists to their state park staffs.

Although preservation of exceptional natural and cultural landscape features has always been a primary function of a state park system, special emphasis is being directed today toward selection and preservation on a highly comprehensive and systematic basis. This trend has presently evolved into what is popularly called the "heritage trust" concept, as epitomized by the Georgia Heritage Trust Program carried out under the administration of former governor Jimmy Carter. With able technical assistance from such organizations as the Nature Conservancy, more than a dozen states now have formal heritage trust programs under way. Other states are pursuing similar goals through differently styled programs: natural areas, nature preserves, critical areas, environmentally endangered lands, wildlands, wilderness areas, and the like. The whole concept is getting a major boost at this time from the establishment of a National Heritage Trust Program, a top priority of President Carter.

### **Impact of the Bicentennial**

A major focal point for parks and recreational programming during the past several years was provided by the American Revolution bicentennial celebration. State park systems were quick to seize upon this event as a timely opportunity for the accomplishment of a vast

array of imaginative projects. In some cases, as with Idaho, Montana, and New Jersey, entire new parks were acquired or developed in the name of the bicentennial. Many states, such as Florida, Missouri, and Pennsylvania, chose to commemorate the occasion through increased emphasis on historic preservation, restoration, and interpretation. Trails, again, received major attention as bicentennial projects, with notable successes in California, Nebraska, and Washington. Whether or not the bicentennial lived up to expectations in promoting visitation and use, it definitely had a beneficial impact on state parks by bringing about general reevaluation of and new commitment to high-quality projects and programs.

### **Funding**

Funding is the ever-present concern of every state park system. Over the past biennium, experience in this crucial area was highly mixed. Some states, such as Arkansas, Indiana, Kentucky, Minnesota, Missouri, and Tennessee, reported very encouraging financial pictures, but most apparently are not faring as well. Almost all states—especially those whose park systems have grown rapidly in recent years—see the shortage of operational and maintenance funds as their most serious problem. A few states have suffered actual cutbacks in budget and personnel in the face of continuing inflation.

To counter the effects of inadequate funding, state park systems have resorted to a variety of measures to cut costs and increase revenues. User fees are being raised or extended in many states. In some cases, operations are being curtailed and marginal parks purged from the system. Efforts to design and construct lower-maintenance facilities are being intensified, and maximum attention is being given to energy conservation and operating economy. At least one state, Indiana, is using solar heat in new park buildings, and Florida is experimenting with windmills to generate electricity for remote parks. Many states, such as Pennsylvania and Wyoming, are enlisting volunteers to offset shortages of paid park personnel.

In capital outlay funding, the current picture varies greatly from state to state. The big bonding boom of several years ago appears to have waned, and the multimillion-dollar issues of Alabama, California, Florida, Pennsylvania, and Washington are now virtually exhausted. Ohio suffered a setback in the failure of its \$75 million bond issue in late 1975. Still, other states — including Alaska, Louisiana, Missouri, and Virginia — have recently passed or have in prospect new bond issues ranging from \$6.6 million to \$150 million. Meanwhile, more federal matching funds from the Land and Water Conservation Fund are expected as early as fiscal 1978 as a result of the recently increased authorization level. Indications are that land acquisition will continue to receive high funding priority, although state park development may remain slow in many states for some time.

In its state parks, the nation has an incalculable investment in resources, facilities, and human effort. With adequate ongoing support, this investment will continue to return vast dividends in the form of quality recreational opportunities for the American people.



## STATE PARK ATTENDANCE, AREAS, AND ACREAGES, 1977\*

State	Administrative agency	Total attendance	Total areas	Total acres
Alabama	Dept. of Conserv. & Nat. Res., Div. of Parks	6,408,400(a)	21	45,024
Alaska	Dept. of Nat. Res., Div. of Parks	1,207,767(a)	68	1,487,193
Arizona	Parks Board	1,981,474(a)	15	25,000
Arkansas	Dept. of Parks & Tourism, Parks Div.	3,919,083(b)	38	27,993
California	Dept. of Parks & Rec.	48,530,946(a)	56	889,915
Colorado	Dept. of Nat. Res., Div. of Parks & Outdoor Rec.	5,630,213(a)	31	162,000
Connecticut	Dept. of Envir. Prot., Parks & Rec. Unit	7,296,557(b)	88	30,316
Delaware	Dept. of Nat. Res. & Envir. Cont., Div. of Parks & Rec.	3,395,117(a)	10	8,752
Florida	Dept. of Nat. Res., Div. of Rec. & Parks	10,915,229(a)	123	345,035
Georgia	Dept. of Nat. Res., Parks & Historic Sites Div.	14,533,978(a)	75	54,952
Hawaii	Dept. of Land & Nat. Res.	14,305,000(c)	56	19,906
Idaho	Dept. of Parks & Rec.	1,917,312(a)	21	43,247
Illinois	Dept. of Conserv., Div. of Lands & Historic Sites	30,577,365(a)	271	195,988
Indiana	Dept. of Nat. Res., Div. of State Parks	7,567,412(c)	22	66,185
Iowa	Conserv. Comm., Lands & Waters Div.	14,241,634(b)	95	48,402
Kansas	Park & Res. Authority	5,238,571(b)	20	27,520
Kentucky	Dept. of Parks	30,761,000(b)	49	40,577
Louisiana	Dept. of Culture, Rec. & Tourism, Off. of State Parks	5,656,829(a)	35	26,250
Maine	Dept. of Conserv., Bur. of Parks & Rec.	2,103,012(b)	104	61,636
Maryland	Dept. of Nat. Res.	6,612,869(b)	49	78,711
Massachusetts	Dept. of Envir. Mgt., Div. of Forests & Parks	5,284,019(a)	87	215,965
Michigan	Dept. of Nat. Res., Parks Div.	22,013,829(b)	93	223,440
Minnesota	Dept. of Nat. Res., Div. of Parks & Rec.	6,889,125(b)	65	214,000
Mississippi	Park Comm.	3,973,181(a)	24	48,932
Missouri	Dept. of Nat. Res., Div. of Parks & Rec.	10,065,338(a)	61	89,755
Montana	Dept. of Fish & Game, Div. of Rec. & Parks	9,000,000(b)	200	84,000
Nebraska	Game & Parks Comm.	7,000,000(b)	93	123,000
Nevada	Dept. of Conserv. & Nat. Res., Div. of State Parks	2,128,820(b)	16	136,681
New Hampshire	Dept. of Res. & Econ. Dev., Div. of Parks & Rec.	3,919,274(b)	48	68,146
New Jersey	Dept. of Envir. Prot., Div. of Parks & Forestry	4,777,222(a)	109	254,253
New Mexico	Park & Rec. Comm.	5,435,554(b)	30	71,391
New York	Exec. Dept., Off. of Parks & Rec.	44,171,000(b)	145	250,481
North Carolina	Dept. of Nat. & Econ. Res., Div. of Parks & Rec.	5,511,472(a)	38	108,056
North Dakota	Outdoor Rec. Agency, Park Ser.	985,037(b)	20	14,923
Ohio	Dept. of Nat. Res., Div. of Parks & Rec.	41,000,000(a)	64	200,000
Oklahoma	Tourism & Rec. Dept., Div. of State Parks	18,501,183(a)	69	54,791
Oregon	Dept. of Trans., Parks & Rec. Branch	30,825,236(c)	233	91,515
Pennsylvania	Dept. of Envir. Ser., Bur. of State Parks	34,806,594(b)	120	300,000
Rhode Island	Dept. of Envir. Cont., Div. of Parks & Rec.	8,000,000(a)	90	10,000
South Carolina	Dept. of Parks, Rec. & Tourism, Div. of State Parks	9,967,538(a)	56	61,726
South Dakota	Game, Fish & Park Dept., Div. of Parks & Rec.	3,200,000(b)	36	88,000
Tennessee	Dept. of Conserv., Div. of Parks & Rec.	17,500,000(a)	44	180,000
Texas	Parks & Wildlife Dept.	18,704,387(a)	99	140,257
Utah	Dept. of Nat. Res., Div. of Parks & Rec.	5,779,767(b)	43	69,363
Vermont	Dept. of Forests, Parks & Rec.	808,410(b)	40	31,903
Virginia	Dept. of Conserv. & Econ. Dev.	2,838,418(b)	36	48,000
Washington	Parks & Rec. Comm.	35,334,947(a)	168	82,676
West Virginia	Dept. of Nat. Res., Div. of Parks & Rec.	6,376,743(b)	36	64,293
Wisconsin	Dept. of Nat. Res.	11,148,532(a)	71	506,165
Wyoming	Rec. Comm.	876,878(d)	33	45,330

\*Source: Division of Recreation and Parks, Florida Department of Natural Resources.

(a) Fiscal 1977.

(b) Calendar 1976.

(c) Fiscal 1976.

(d) June 1, 1975-August 1, 1976.

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# STATE AGRICULTURE

By Wm. Stanwood Cath and James M. Ridenour\*

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OVER THE YEARS, state departments of agriculture have increased their activities to the point that they are now involved in the establishment and enforcement of weights and measures standards, and the inspection of fertilizers, pesticides, medicated feeds, seeds, and food products to assure consumers of the value of their purchases. This they do in cooperation with the U.S. Department of Agriculture (USDA) and other federal agencies.

Primary financial responsibility for some program funding lies with the federal government; in others, the states provide more of the funding and personnel. In all cases, the attempt is made to preserve as much state autonomy as possible. The ideal system is one in which states retain a large measure of control over local issues while still being consistent in enforcing a uniform national pattern of standards.

## Consumer Benefits

A specific benefit to the consumer is the passage of the Wholesome Meat Act. It has provided for minimum standards to be enforced in all states in regard to antemortem and postmortem inspections, reinspection, and sanitation of all meat and meat food products. Thirty-three states now inspect meat under standards at least equal to the federal program. The other 17 have turned their meat inspection responsibilities over to the U.S. Department of Agriculture for various reasons.

The inspection of poultry products and shell and processed eggs are also maintained under rigid standards. These enforcement procedures are a result of the passage of the Wholesome Poultry Products Act and the Wholesome Egg Products Inspection Act.

Closely tied with the consumer services program are the enforcement activities in the weights and measures area. Thirty-seven state departments of agriculture have the responsibility of weights and measures and are involved in assuring the public of the accuracy of weights, measures, and counts in their day-to-day purchases.

The eradication and suppression of animal disease is an important function of all state agricultural agencies. Some programs are aimed specifically at diseases transmissible to humans (such as tuberculosis and brucellosis of dairy cattle), and others are aimed at diseases which pose a serious and definite threat to the general health and welfare of all livestock such as hog cholera, hoof and mouth disease of cattle, and African swine fever.

State plant, insect disease, and weed laws have been enacted to protect the horticulture of specific regions and prevent the spread of a number of serious diseases, insects, and noxious weeds to other sections. Most agricultural pests are of foreign origin and the scope of the problem has enlarged in recent years with a tremendous increase in world tourism and expanding foreign trade. Plant industry divisions of state departments of agriculture cooperate with federal agencies in enforcing state and federal quarantines on the movement

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of products between infested and noninfested areas as well as assisting with import inspections at U.S. ports of entry.

Each state has a substantial interest in effective pest control programs which are carried on by other states. It often is difficult for an individual state to undertake necessary pest control activities on its own or even with federal assistance. It cannot be certain that companion measures will be taken in other states. An attempt has been made to remedy that situation in the Interstate Pest Control Compact. The compact provides an insurance fund to which each member state contributes financially, based upon an established formula that considers the agricultural and forestry resources of each state. Upon demonstration that a pest found in a member state applying for assistance constitutes a threat to valuable agricultural or forest crops or products in another state, the fund could provide financial support for control or eradication measures. States party to the compact are expected to maintain their existing pest control programs at normal levels, aside from any assistance from the insurance fund. Sixteen states are now party to the compact.

### **Agricultural Chemicals**

Most state departments of agriculture regulate the use of economic poisons by licensing commercial applicators, issuing dealers licenses or permits, and restricting or prohibiting the use of certain chemicals.

Amendments to the federal Insecticide, Fungicide, and Rodenticide Act have set rigid standards for the use of agricultural chemicals and placed the responsibility for enforcing these standards in the Environmental Protection Agency (EPA). Designated lead state agencies, which predominantly are departments of agriculture, have prepared and submitted state plans to the administrator of EPA for the training, certification, and licensing of all users of pesticides within their states.

The seed laws for most states assure quality by determining levels of germination and percentages of noxious weed seeds present. Some states also cooperate with seed-growing organizations by assisting in certified seed programs through testing of grower seed stock and determining varietal purity and freedom from contamination.

The inspection of feed for animal use involves determination of levels of medication and presence of bacterial contamination, such as salmonella, in the feed. Fertilizer and pesticide regulations in many states require registration of each product and laboratory analysis of its composition in order to provide growers and consumers a product that meets the standards claimed for the materials. These regulations also provide statistical data on the use of these products within the states. The pesticide residue analysis work conducted by state agricultural laboratories involves the detection of residues on food products in order to ensure that food items meet tolerance requirements as established by the Food and Drug Administration.

### **Agricultural Trade**

The United States is the world's leading exporter of agricultural products. About one sixth of the world's agricultural exports are shipped from this country. Put another way, crops from one of every 3.5 harvested acres are exported, a total of 96 million acres of the U.S. crop. Ten states—California, Illinois, Indiana, Iowa, Kansas, Minnesota, Nebraska, North Carolina, North Dakota, and Texas—account for 60 percent of the exports. Illinois is the nation's leading export state.

The foreign market provides an outlet for around two thirds of the rice and wheat, one

half of the soybeans, nearly two fifths of the cattle hides, over one third of the tallow, tobacco, and cotton, and about one fourth of the feedgrain output. Exports of wheat and flour, feedgrains, and soybeans account for almost 60 percent of the total exports of farm products.

States have moved to encourage new markets, with various groupings joined in developing foreign trade. These include 12 midwest states in the Mid-American International Agri-Trade Council; the Atlantic International Marketing group of North Carolina, Virginia, and Maryland; the Pacific Northwest International Trade of Washington, Oregon, Idaho, and Montana; and the New England states plus New York, New Jersey, Pennsylvania, and Delaware in the Eastern United States Agriculture and Food Export Council. A recent addition to these export efforts is the Southern U.S. Trade Association.

### **State-Federal Programs**

The U.S. Department of Agriculture has numerous cooperative agreements in effect with the states. Regulatory programs are conducted in animal health and plant pest control work. Cooperative programs are conducted with all states, Puerto Rico, and the Virgin Islands to control and eradicate various diseases and plant pests. All states are kept informed of progress toward eradication and are encouraged to adopt uniform procedures. Programs are also conducted to prevent the introduction of plant pests not known to exist or be widely distributed in the United States.

The Virus-Serum Toxic Act prohibits interstate commerce in worthless, contaminated, and harmful veterinary biologics. USDA is also responsible for programs involving consumer protection marketing services and marketing regulatory programs.

Cooperative market news programs are conducted in 43 states covered by 62 individual agreements. Commodities covered include fruits and vegetables, dairy and poultry, livestock, grain, and tobacco. In the administration of the Federal Seed Act, one standard cooperative agreement is in effect in all states. Under this agreement, the state, for the most part, draws samples and submits them to the state seed laboratory and reports any apparent violations to the Federal Seed Act administrators.

States are receiving matching funds under provisions of Title 2 of the Marketing Act of 1946. The intent of the act is to improve the efficiency and effectiveness of the National Marketing System by providing federal funds to finance up to one half the cost of service projects which assist growers and marketing agencies to improve the quality, trade, and consumer acceptance for agricultural products; to increase the efficiency and effectiveness in getting these products to the consumer; and to strengthen the marketing and bargaining position of producers.

USDA and departments of agriculture in 45 states assist each other in enforcement of their respective livestock and poultry licensing, registration, and bonding laws by providing ownership volume and operational information to each other, including the exchange of financial audit information. Each agency remains exclusively responsible for enforcement of its own statutes and no funds are exchanged.

Programs covering the selection and dissemination of agricultural estimates are conducted in 47 states with USDA. All agreements provide for the operation of a joint office under the supervision of the state statistician, who is a federal employee. The cooperative state agency in most cases is a state department of agriculture and, in a few states, it is a branch of the state university.

State departments of agriculture are engaged in a continuing program with the Food and Drug Administration (FDA) in the establishment of federal-state partnerships which will give the American consumer better protection from unsafe foods, drugs, cosmetics, devices, and hazardous household products. Generally speaking, programs administered by state departments of agriculture with FDA-type responsibilities involve various aspects of food and drug laws dealing with analysis of bakery products, soft drinks, candy and sugar products, fluid milk, manufactured milk products, eggs and egg products, canned and frozen foods, seafood products, animal feeds, drugs (human and veterinary), cosmetics, devices, and hazardous household substances. State departments of agriculture also have similar responsibilities for the determination of additives and residues in conjunction with work done in this area by the FDA.

### **Trends**

In addition to the activities considered traditional in state agriculture agencies, there are emerging, important trends to be considered. World food shortages, environmental concerns, energy needs, producer to consumer transportation systems, farm labor, and land and water use planning are just a few of the critical issues of concern for state departments of agriculture.

Credit to farmers from private banking sources and lending institutions has become exceedingly difficult to acquire in recent years. Escalating costs for farm inputs, escalating land values and taxes, and the cost of producing food are driving farmers out of business. State departments of agriculture are acutely aware of this problem and are experimenting with a number of programs designed to maintain a healthy agricultural community in the state. In some cases, state agriculture agencies are actively administering loan programs designed to keep the farmer in production. These programs are not giveaway programs but programs that provide financial relief to producers on a sound and equitable business basis.

State departments of agriculture are called upon in the event of a disaster to assist in the delivery of aid to stricken areas. Worldwide climatological changes, particularly those in the United States, have caused frequent floods, droughts, and other catastrophies in significant food-producing sections. National commitments to provide assistance many times have been delayed because of the federal government bureaucracy through which they must pass. The states are working with federal agencies to overcome these roadblocks and bring aid to farmers in the shortest possible time.

Other trends in state agriculture are the involvement of state agencies in water and land management and planning, and the implementation of regulations and guidelines that affect runoff from land, overhead and ditch irrigation, and subsurface water supplies.

The acquisition of American farms by foreign investors is a trend under the watchful eye of the states.

The role of the state departments of agriculture is expected to increase in conservation of energy by agriculture and conversion of agricultural by-products to new sources of energy.

## FARM INCOME—1976\*

State	Cash receipts from farming (in thousands of dollars)				Farm income (in millions of dollars)			
	Livestock & products	Crops	Government payments	Total	Realized gross farm income	Farm produc- tion expenses	Net change in farm inventories	Total net farm income (a)
All states	\$46,388,630	\$47,937,214	\$733,624	\$95,059,468	\$103,643	\$81,735	-\$1,894	\$20,014
Alabama	993,226	624,722	13,115	1,631,063	1,802.4	1,268.3	-75.8	458.3
Alaska	4,126	5,216	151	9,493	10.8	7.7	-0.1	3.1
Arizona	541,115	699,005	4,936	1,245,056	1,308.6	924.0	-20.6	364.0
Arkansas	1,059,002	1,237,025	9,097	2,305,124	2,476.2	1,824.3	-125.7	526.3
California	2,953,178	6,148,682	12,983	9,114,843	9,506.2	6,821.3	-165.7	2,519.2
Colorado	1,446,017	530,591	22,780	1,999,388	2,120.6	1,813.6	-41.8	265.3
Connecticut	137,281	93,678	443	231,402	255.6	205.0	-8.9	41.7
Delaware	182,805	98,757	290	281,852	295.3	210.8	-1.1	83.3
Florida	692,680	1,840,106	5,440	2,538,226	2,661.2	1,751.1	-12.7	897.4
Georgia	1,165,684	1,103,337	9,783	2,278,804	2,459.2	1,911.2	3.3	551.3
Hawaii	62,410	260,847	391	323,648	351.8	292.0	-1.1	58.7
Idaho	455,090	793,330	9,277	1,257,697	1,371.0	1,167.4	12.7	216.4
Illinois	1,866,939	4,243,954	9,700	6,120,593	6,686.2	5,098.3	-291.0	1,296.9
Indiana	1,334,757	1,995,998	6,016	3,336,771	3,768.3	2,932.2	97.0	933.1
Iowa	4,041,870	2,967,826	26,767	7,036,463	7,533.0	6,514.2	-135.2	883.6
Kansas	1,917,163	1,614,397	50,824	3,582,384	3,817.1	3,405.7	100.5	511.9
Kentucky	729,592	896,536	6,591	1,632,719	1,911.0	1,391.9	31.2	550.3
Louisiana	405,489	868,417	7,453	1,281,359	1,378.5	966.2	-91.5	320.7
Maine	268,081	174,987	2,083	445,151	482.3	337.5	0.4	145.2
Maryland	428,292	255,071	1,514	684,877	773.3	615.6	10.5	168.2
Massachusetts	114,163	100,560	599	215,322	240.9	195.8	4.4	49.5
Michigan	815,799	884,776	7,300	1,707,875	1,925.5	1,512.9	-51.8	360.8
Minnesota	2,181,606	1,720,943	59,085	3,961,634	4,352.9	3,402.6	-321.2	629.2
Mississippi	682,220	989,588	28,557	1,700,365	1,856.9	1,341.7	-113.1	402.2
Missouri	1,577,728	1,053,027	30,874	2,661,629	2,977.5	2,577.5	-82.0	318.0
Montana	453,381	543,594	10,497	1,007,472	1,118.0	917.9	44.5	244.6
Nevada	2,176,886	1,690,740	36,614	3,904,240	4,109.5	3,634.1	-9.0	466.4
Nevada	107,484	42,288	1,323	151,095	166.3	137.1	-9.4	19.8
New Hampshire	57,688	21,610	689	79,987	94.5	74.6	1.3	21.2
New Jersey	109,603	224,717	833	335,153	379.6	321.3	2.4	60.7
New Mexico	518,402	193,923	15,502	727,827	789.3	624.2	-27.3	137.7
New York	1,223,614	474,757	5,979	1,704,350	1,917.4	1,607.0	-13.5	296.9
North Carolina	1,073,071	1,748,541	7,784	2,829,396	3,141.1	1,991.4	22.6	1,172.2
North Dakota	484,362	1,171,511	22,744	1,678,617	1,820.7	1,538.2	66.6	349.1
Ohio	1,163,911	1,617,874	7,297	2,789,082	3,182.1	2,560.2	73.1	695.1
Oklahoma	1,248,848	663,084	27,679	1,939,611	2,129.4	1,823.0	-109.4	197.0
Oregon	355,774	666,702	5,277	1,027,753	1,162.2	969.5	34.7	227.5
Pennsylvania	1,300,409	500,069	5,774	1,806,252	2,044.4	1,700.2	13.9	358.0
Rhode Island	12,956	15,082	87	28,125	31.3	22.2	-0.6	8.5
South Carolina	285,482	553,932	5,285	844,699	940.5	737.9	-19.2	183.5
South Dakota	1,417,116	372,451	88,068	1,877,635	1,992.3	1,401.3	-380.0	210.9
Tennessee	675,368	635,168	11,392	1,321,928	1,544.5	1,211.9	26.0	358.6
Texas	3,189,219	3,109,198	111,735	6,410,152	6,910.7	6,015.4	36.0	931.3
Utah	262,186	97,121	5,611	364,918	406.2	330.9	-7.2	68.1
Vermont	244,825	18,492	1,187	264,504	294.8	227.3	6.2	73.8
Virginia	554,976	482,101	7,225	1,044,302	1,233.3	988.8	-43.6	200.8
Washington	523,110	1,231,157	5,007	1,759,274	1,927.8	1,415.7	-20.4	491.7
West Virginia	103,442	37,190	2,591	143,223	200.6	190.8	-9.0	0.8
Wisconsin	2,486,884	541,755	14,282	3,042,921	3,344.3	2,376.4	-285.0	682.9
Wyoming	303,320	82,781	7,113	393,214	440.3	429.3	-9.1	1.9

\*Source: Economic Research Service, U.S. Department of Agriculture.

(a) Of farm operators.

## FARM ACREAGE AND INCOME PER FARM—1976\*

State	Farms		Realized gross income per farm(a)	Realized net income per farm (a)	Total net income per farm(a)
	Number of farms	Total acreage (in thousands)			
All states .....	2,778,380	1,084,046	\$37,303	\$ 7,885	\$ 7,203
Alabama .....	77,000	14,500	23,407	6,936	5,952
Alaska(b) .....	300	1,710	36,113	10,467	10,207
Arizona .....	5,700	37,500	229,573	67,475	63,855
Arkansas .....	69,000	17,800	35,888	9,449	7,627
California .....	64,000	36,000	148,534	41,951	39,362
Colorado .....	29,500	39,900	71,886	10,409	8,992
Connecticut .....	4,300	530	59,439	11,767	9,692
Delaware .....	3,500	693	84,359	24,119	23,811
Florida .....	32,500	14,000	81,882	28,001	27,611
Georgia .....	72,000	17,000	34,155	7,611	7,657
Hawaii .....	4,300	2,300	81,810	13,897	13,647
Idaho .....	26,900	15,600	50,967	7,570	8,043
Illinois .....	122,000	29,100	54,805	13,015	10,630
Indiana .....	104,000	17,400	36,233	8,039	8,972
Iowa .....	133,000	34,200	56,639	7,660	6,644
Kansas .....	79,000	49,500	48,318	5,208	6,480
Kentucky .....	124,000	16,000	15,411	4,186	4,438
Louisiana .....	47,000	11,900	29,329	8,771	6,824
Maine .....	7,600	1,710	63,456	19,053	19,106
Maryland .....	17,600	2,925	43,935	8,956	9,554
Massachusetts .....	5,700	710	42,256	7,910	8,681
Michigan .....	78,000	12,300	24,686	5,290	4,626
Minnesota .....	118,000	30,600	36,889	8,054	5,332
Mississippi .....	83,000	17,000	22,373	6,208	4,845
Missouri .....	138,000	32,700	21,576	2,898	2,304
Montana .....	23,400	62,400	47,778	8,550	10,452
Nebraska .....	68,000	48,000	60,434	6,991	6,859
Nevada .....	2,000	9,000	83,173	14,603	9,922
New Hampshire .....	2,600	560	36,344	7,647	8,141
New Jersey .....	7,900	1,025	48,053	7,379	7,683
New Mexico .....	11,700	47,100	67,458	14,108	11,771
New York .....	58,000	11,400	33,059	5,353	5,119
North Carolina .....	125,000	13,500	25,128	9,197	9,378
North Dakota .....	40,500	41,600	44,956	6,975	8,621
Ohio .....	116,000	17,300	27,432	5,361	5,992
Oklahoma .....	86,000	36,800	24,760	3,562	2,290
Oregon .....	32,500	19,500	35,761	5,932	7,000
Pennsylvania .....	72,000	10,008	28,394	4,780	4,973
Rhode Island .....	680	65	46,085	13,428	12,543
South Carolina .....	47,000	7,800	20,011	4,312	3,904
South Dakota .....	42,500	45,500	46,878	13,905	4,963
Tennessee .....	124,000	15,300	12,455	2,682	2,892
Texas .....	205,000	141,800	33,711	4,368	4,543
Utah .....	12,600	13,000	32,238	5,978	5,405
Vermont .....	6,600	1,860	44,667	10,233	11,177
Virginia .....	72,000	11,000	17,129	3,395	2,789
Washington .....	40,000	16,500	48,195	12,802	12,292
West Virginia .....	26,500	4,750	7,570	370	30
Wisconsin .....	102,000	19,300	32,787	9,489	6,695
Wyoming .....	8,000	35,400	55,034	1,373	241

\*Source: Economic Research Service, U.S. Department of Agriculture.

(a) Excludes changes in inventories, and represents income of farm operators.

(b) Exclusive of grazing land leased from U.S. government, Alaska farmland totals about 70,000 acres.

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# STATE FORESTRY ADMINISTRATION

By John F. Datena\*

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THE DEMAND for timber products topped 13 billion cubic feet in 1975. This wood fiber must come from one third of the land area of the United States which is today either forested or in need of tree planting. A portion of these 767 million acres occurs in every state and represents an important natural resource. For this reason, each state is striving for optimum multiple-use management on these lands. The modes used to achieve this vary, due to differences among operating budgets, resource characteristics, organizational structures, and legislative authorities.

Currently, the majority of federal, state, private, and industrial forestlands is being intensively managed. Nationally, since 60 percent of the land classed as commercial forest is in nonindustrial private ownership, it is up to these private owners to supply an ever-increasing amount of wood fiber if we are to meet the increasing demand. It is thus up to the individual state foresters to assist 4 million landowners with management and protection of this vital natural resource.

Throughout the states, forestry organizations vary greatly. Most form a part of cabinet-level state departments which report directly to the governor. Some are direct parts of land-grant university extension systems. In a few states they operate as independent agencies under state commissions. While all state forestry agencies participate in federal aid programs on a reimbursable basis, some are not able to use these funds or any monies they generate internally for their own usage. These monies usually go back to the state treasury and become part of the state funds available for appropriation by the legislature.

## Goals of Forestry

All states have a common goal as part of a multiple-use concept—to meet the demand for more forest products and services, more diverse recreational opportunities, increased wildlife values, cleaner water, and a quality environment.

The keynote to any successful state forestry agency is "service." This includes personal counsel to private landowners, general information to the inquiring public, management of state-owned lands, guidance to citizen groups, development of statewide programs and organizations (for fire and pest control, reforestation, regulations, community forestry, etc.), and being a partner in related-resource endeavors.

State foresters cooperate regularly and closely with "sister" agencies such as the U.S. Forest Service through its many cooperative programs, the Soil Conservation Service, the Cooperative Extension Service, the Soil and Water Conservation Districts, rural fire departments, and numerous special interest groups. Many states have formalized this cooperative effort by creating state forestry planning committees comprised of key state-level forestry and conservation leaders who meet regularly to review internal forestry

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\*Mr. Datena is the State Forester of Indiana. Portions of this article contain excerpts from H. F. Siemert's article in the 1976-77 edition of *The Book of the States*.



situations and to formulate workable solutions to needs and problems. State foresters maintain an effective voice on the regional and national scenes by active involvement in the National Association of State Foresters.

### **State Forests**

Most state forestry organizations administer state-owned forest lands or provide technical assistance, equipment, and supplies on other state-owned or local public properties. These state forest properties are usually managed under a multiple-use concept. Aside from generating a source of wood fiber to local wood-using industries, the state forest properties also serve as recreation bases, outdoor classrooms, research areas, and watersheds for public water supply.

The major large state forest holdings are in Alaska, Michigan, Minnesota, New York, Pennsylvania, and Washington, with most of the timber-harvesting in terms of volume and receipts occurring in the western states. Latest data shows more than 1 billion board feet harvested annually from these lands, providing stumpage returns of close to \$100 million.

### **Forest Fire Control**

All states are involved in not only the proper management of state and private lands, but also in the protection of these lands from destructive wildfires. The U.S. Forest Service, under Section 2 of the Clarke-McNary Act, helps with this effort through cooperative reimbursements and technical assistance. This federal-state effort is undergoing a complete study to determine the magnitude and need of this program as well as improved means to distribute available federal monies. Information for this study ranges from acreage protected and recent fire history to actual expenditures for protection (see Table 1).

Ninety percent of all wildfires are still man-caused. Of this, incendiary (30 percent) and debris burning (19 percent) account for nearly one half of the 93,936 man-caused fires.

State forestry agencies are working to update their training and equipment. More sophisticated suppression equipment, chemical retardants, increased use of infrared detection, use of space satellites, and improved fire-weather instrumentation forecasting are just a few of the recent advances.

A National Wildfire Coordinating Group (NWCG) has been formed to coordinate state and federal efforts in all areas of fire management. Through the work accomplished by NWCG training teams, we are finally on the road to national, coordinated achievements.

In several sectors of the country, the states, the federal government, and several Canadian provinces have joined in formal compacts. This enables all concerned to pool equipment and manpower in times of fire emergency, thus offsetting the inability of individual states to fund fire programs at critical emergency levels. The states' ability to function under a cooperative agreement in fire emergency situations was put to the test in 1977 when state fire crews from across the nation were dispatched to California, where extreme fire danger and record fires plagued the state.

The most recent advance in rural fire protection is the federal funding of Title IV of the Rural Development Act. The \$3.5 million per year appropriation for fiscal 1975 through 1977 was distributed to the states so they could issue 50 percent matching grants to rural communities for training, organization, and specialized equipment. This program has broadened their fire protection capabilities, thus improving fire services to rural communities.

### **Forest Management Assistance**

Almost 60 percent of this nation's commercial forest land is in private ownership. These 4 million "small owners" (each owning less than 500 acres) need both motivation and counseling to properly manage their woodland holdings. Technical forestry assistance is available, upon request, to these landowners through state forestry organizations on an advisory and educational basis.

The U.S. Forest Service is a financial and technical partner via the Cooperative Forest Management (CFM) program. Counsel and guidance to landowners, loggers, and processors include information on tree planting, timber stand improvement, more efficient harvesting, improved sawmilling methods, marketing assistance, forest management inventories, and forest management plans. State foresters, in many instances and where available, encourage landowners to secure the services of private consultants. Federal and state expenditures for this program in fiscal 1976 are shown in Table 2.

A landmark piece of federal legislation is the Agricultural and Consumer Protection Act of 1973. Title X of the act includes a separately funded Forestry Incentives Program directed at small, nonindustrial, private landowners. By providing up to 75 percent cost-share help, the productivity and output of these forested acres are expected to increase as tree planting and timber-stand improvement work are carried on. This production-oriented program provides for a greatly accelerated effort and is in addition to the conventional Agriculture Conservation Program which provides some cost-sharing funds for other forest benefits such as watershed, wildlife, and beautification (see Table 3).

### **Reforestation**

Tree and shrub seedlings for improving existing forests, windbreaks, shelterbelts, and submarginal and eroded lands continue to be a much-needed commodity. Tree-planting stock is normally supplied to private landowners at minimal rates (usually below cost, subsidized by state and federal governments). The northeast and southeast areas, comprising 33 eastern states, combined to produce 1.1 billion seedlings from 79 state nurseries. These figures are down slightly from previous years due to decreased emphasis on tree planting for strip-mine reclamation.

Operating tree nurseries has become specialized and greatly refined, emphasizing establishment of seed orchards to assure supplies of superior tree stock. The federal government has encouraged these efforts with limited funds through Title IV of the 1956 Agricultural Act.

Many states have joined forces with other industrial and federal organizations to assure the growing of large quantities of "super seedlings" for future needs. The American Forestry Association's 10-year tree-planting project with commitments and involvement of many groups is a good example of government/private enterprise cooperative efforts. Expenditures for Title IV achievements are shown in Table 2.

Section 4 of the Clarke-McNary Act assists state nursery production by providing monies for special projects, equipment, and studies. Federal and state expenditures are shown in Table 2.

### **Utilization and Marketing Programs**

Having adequate markets and developing efficient wood product operations are key ingredients in establishing self-sustaining, economic incentives for good forest management.

Over 40 states now have forest products utilization specialists on their staffs to lead the way in providing technical guidance in harvesting, processing, and marketing forest products.

Two recent specialized state-federal programs in this area are helping to initiate some needed new directions. The Improved Harvesting Program (IHP) provided \$552,000 in fiscal 1975 to 25 states for specific improved utilization projects. With special thrusts like (1) improved felling and skidding practices, (2) better mid-product recovery, (3) use of urban tree removals, (4) timber salvage, and (5) increased timber availability, the IHP program promises an estimated increase of over 410 million board feet from trees currently felled but not always fully or efficiently used.

The Sawmill Improvement Program (SIP) concentrates on securing increased lumber recovery from logs. In fiscal 1974 and 1975, state expenditures in 37 states of \$424,300, plus federal monies, provided a total of \$664,063 to allow analysis of 387 mills and 62 follow-up evaluations. These efforts have increased production as much as 30 percent in certain mills, with the overall increase amounting to 7 percent. The resulting increase in mill efficiency means an increase of over 400 million board feet of softwood lumber with no increase of log input at the sawmill. These utilization improvements provide significant quantities of needed lumber for housing and other purposes while at the same time improving the quality of the environment through the reduction of waste.

#### **Forest Pest Control**

Protection of the nation's timber resource from uncontrolled insect and disease attacks requires combining all available forces to prevent, detect, and suppress pests on all forest lands. With the initiation of the federal Insecticide, Fungicide, and Rodenticide Act (as amended in 1972) came more stringent controls on the use of chemical agents as well as the control of chemical applicators. Many states now employ trained entomologists and pathologists. State, federal, and private interests have developed regular surveillance and control programs and have utilized federal monies and counsel (via formal agreements) to assist in suppressing epidemic conditions.

Table 1  
FOREST FIRE CONTROL PROGRAM ANALYSIS  
AND STATE FORESTRY PERSONNEL—1976\*

Forest Fire Control Program						
State	Total land area (in acres)	Qualified land protected			Federal and state actual expenditures	Total number of permanent state forestry personnel (a)
		Forest	Nonforest	Total		
All states	2,268,318,000	438,882,000	301,346,000	737,223,000	\$187,499,531	16,648
Alabama	33,030,000	20,838,000	4,191,000	25,029,000	3,576,364	385
Alaska	365,500,000	10,545,000	7,595,000	18,143,000	1,023,363	11
Arizona	73,000,000	164,000	18,164,000	18,328,000	195,204	17
Arkansas	33,468,000	16,308,000	4,390,000	20,698,000	3,330,428	450
California	100,091,000	14,382,000	18,904,000	33,286,000	58,255,245	3,500
Colorado	66,486,000	3,368,000	6,114,000	9,482,000	4,213,534	94
Connecticut	3,117,000	1,928,000	462,000	2,390,000	247,612	21
Delaware	1,000,000	387,000	170,000	557,000	143,992	11
Florida	35,179,000	18,990,000	7,253,000	26,243,000	11,205,441	1,074
Georgia	37,380,000	23,420,000	3,859,000	27,279,000	8,746,321	840
Hawaii	4,110,000	1,774,000	1,532,000	3,306,000	515,691	85
Idaho	52,250,000	4,320,000	2,807,000	7,127,000	2,100,589	222
Illinois	35,795,000	5,107,000	3,346,000	8,453,000	405,010	66
Indiana	23,132,000	3,761,000	3,567,000	7,328,000	297,563	114
Iowa	35,867,600	2,586,000	5,026,000	7,612,000	192,869	36
Kansas	52,510,000	1,323,000	18,469,000	19,792,000	1,517,240	40
Kentucky	25,505,000	10,953,000	5,933,000	16,886,000	2,351,790	281
Louisiana	28,766,300	14,926,000	6,013,000	20,939,000	5,031,456	598
Maine	19,797,000	17,220,000	523,000	17,743,000	1,988,036	283
Maryland	6,330,000	2,706,000	994,000	3,700,000	1,201,535	165
Massachusetts	5,013,000	3,145,000	436,000	3,581,000	1,075,013	485
Michigan	36,492,000	16,677,000	2,998,000	19,675,000	4,320,670	216
Minnesota	51,033,000	16,166,000	6,664,000	22,830,000	2,399,481	270
Mississippi	30,538,000	15,388,000	4,470,000	19,858,000	5,369,005	580
Missouri	44,189,300	9,647,000	6,050,000	15,696,000	3,378,452	196
Montana	93,600,000	18,326,000	0	18,326,000	1,969,046	97
Nebraska	47,169,000	976,000	26,178,000	27,154,000	1,280,435	44
Nevada	70,264,000	77,000	8,700,000	8,777,000	841,741	54
New Hampshire	5,781,000	4,345,000	286,000	4,631,000	713,200	60
New Jersey	4,820,000	2,163,000	542,000	2,705,000	1,705,777	108
New Mexico	77,866,000	6,999,000	33,200,000	40,199,000	515,438	37
New York	30,636,000	14,050,000	2,908,000	16,958,000	2,603,646	327
North Carolina	31,288,000	17,862,000	2,955,000	20,817,000	6,467,548	577
North Dakota	45,400,000	228,000	0	228,000	308,696	12
Ohio	26,200,000	4,056,000	1,767,000	5,823,000	905,185	300
Oklahoma	44,020,000	4,002,000	1,005,000	5,007,000	1,055,157	153
Oregon	61,000,000	10,525,000	2,504,000	13,029,000	5,960,629	528
Pennsylvania	28,000,000	16,083,000	3,458,000	19,541,000	5,099,800	535
Rhode Island	671,000	452,000	60,000	512,000	357,772	51
South Carolina	19,366,000	11,427,000	1,862,000	13,289,000	5,675,160	640
South Dakota	48,983,000	705,000	25,111,000	25,816,000	2,288,716	48
Tennessee	26,500,000	12,478,000	0	12,478,000	3,380,121	507
Texas	167,766,000	13,220,000	5,020,000	18,240,000	2,797,749	454
Utah	52,540,000	4,665,000	10,059,000	14,724,000	551,525	21
Vermont	5,935,000	4,081,000	557,000	4,638,000	170,046	77
Virginia	25,512,000	14,680,000	3,915,000	18,595,000	6,677,313	373
Washington	42,665,000	12,509,000	0	12,509,000	6,692,102	1,165
West Virginia	15,414,000	10,430,000	2,403,000	12,833,000	1,156,519	125
Wisconsin	35,000,000	14,058,000	4,840,000	18,898,000	4,552,340	294
Wyoming	62,343,000	1,453,000	24,087,000	25,540,000	791,971	21

\*Source: U.S. Forest Service data and National Association of State Foresters.

(a) On state payrolls or under direct control.

Table 2  
COOPERATIVE FOREST MANAGEMENT, CLARKE-McNARY ACT  
STOCK DISTRIBUTION, AND AGRICULTURAL ACT  
ACHIEVEMENTS EXPENDITURES\*

State	Clarke-McNary Act stock distribution-Section IV (a)								
	Cooperative Forest Management (a)			Total trees distributed			Agricultural Act-Title IV (b)		
	Federal	State	Total	Federal allotment	Expenditures		Federal	State	Total
All states .....	\$4,687,000	\$18,646,400	\$23,333,400	\$130,000	\$731,500	505,864,000	\$973,000	\$5,621,400	\$6,594,400
Alabama .....	130,700	243,000	373,700	.....	.....	67,484,000	65,000	120,400	185,400
Alaska .....	30,000	30,000	60,000	3,000	3,000	.....	.....	.....	.....
Arizona .....	34,900	60,200	95,100	6,000	16,200	120,000	.....	.....	.....
Arkansas .....	119,900	476,800	596,700	.....	.....	23,302,000	15,000	17,900	32,900
California .....	76,500	125,000	201,500	.....	.....	2,762,000	28,000	41,200	69,200
Colorado .....	54,600	206,500	261,100	7,000	165,000	893,000	7,000	14,500	21,500
Connecticut .....	35,000	55,000	90,000	.....	.....	944,000	6,000	4,000	10,000
Delaware .....	30,500	42,200	72,700	2,500	23,000	250,000	.....	.....	.....
Florida .....	210,500	1,007,100	1,217,600	.....	.....	45,826,000	39,000	147,100	186,100
Georgia .....	213,500	254,600	468,100	.....	.....	43,308,000	53,000	171,200	224,200
Hawaii .....	30,300	53,000	83,300	.....	.....	229,000	28,000	46,300	74,300
Idaho .....	38,700	115,900	154,600	10,000	17,200	395,000	16,000	31,500	47,500
Illinois .....	77,500	400,200	477,700	.....	.....	5,388,000	10,000	42,200	52,200
Indiana .....	65,400	192,600	258,000	.....	262,000	5,000,000	12,000	22,000	34,000
Iowa .....	67,400	125,600	193,000	.....	.....	21,000	8,000	7,100	15,100
Kansas .....	37,000	194,200	231,200	10,000	79,700	1,069,000	19,000	57,300	76,300
Kentucky .....	161,500	634,500	796,000	.....	.....	7,804,000	17,000	41,800	58,800
Louisiana .....	102,500	252,800	355,300	.....	.....	47,604,000	42,000	50,200	92,200
Maine .....	98,500	219,700	318,200	.....	.....	889,000	5,000	7,800	12,800
Maryland .....	76,700	348,300	425,000	.....	.....	3,269,000	20,000	153,900	173,900
Massachusetts .....	42,500	75,500	118,000	.....	.....	.....	.....	.....	.....
Michigan .....	144,500	205,800	350,300	.....	.....	.....	25,000	71,300	96,300
Minnesota .....	98,900	332,700	431,600	.....	.....	11,719,000	18,000	43,100	61,100
Mississippi .....	161,700	645,800	807,500	.....	.....	43,104,000	41,000	57,600	98,600
Missouri .....	161,400	1,095,000	1,256,400	.....	.....	.....	30,000	173,300	203,300
Montana .....	59,300	106,900	166,200	10,000	35,600	1,225,000	15,000	18,700	33,700
Nebraska .....	36,300	113,700	150,000	8,000	41,400	503,000	8,000	16,600	24,600
Nevada .....	33,500	101,700	135,200	12,000	24,800	85,000	.....	.....	.....
New Hampshire .....	72,800	107,200	180,000	.....	.....	557,000	8,000	16,600	24,600
New Jersey .....	44,500	143,100	187,600	2,500	35,200	542,000	10,000	15,100	25,100
New Mexico .....	46,500	66,900	113,400	12,000	14,600	111,000	.....	.....	.....
New York .....	186,700	836,500	1,023,200	.....	.....	.....	15,000	58,900	73,900
North Carolina .....	279,500	1,868,400	2,147,900	.....	.....	38,183,000	54,000	149,500	203,500
North Dakota .....	30,800	115,900	146,700	12,000	100,900	952,000	.....	.....	.....
Ohio .....	105,000	422,000	527,000	.....	.....	8,661,000	10,000	13,200	23,200
Oklahoma .....	50,200	140,900	191,100	9,000	79,300	2,145,000	16,000	11,100	27,100
Oregon .....	68,200	602,200	670,400	.....	.....	6,300,000	46,000	630,700	676,700
Pennsylvania .....	163,900	760,900	924,800	.....	.....	5,617,000	30,000	106,700	136,700
Rhode Island .....	33,700	51,700	85,400	2,000	7,000	314,000	.....	.....	.....
South Carolina .....	137,100	392,100	529,200	.....	.....	31,557,000	28,000	92,500	120,500
South Dakota .....	38,000	158,200	196,200	10,000	17,200	626,000	.....	.....	.....
Tennessee .....	114,100	1,484,000	1,598,100	.....	.....	.....	33,000	53,500	86,500
Texas .....	110,200	796,700	906,900	.....	.....	21,049,000	56,000	145,300	201,300
Utah .....	41,000	75,700	116,700	10,000	57,400	726,000	.....	.....	.....
Vermont .....	77,500	157,600	235,100	.....	.....	11,000	6,000	11,400	17,400
Virginia .....	219,100	1,387,300	1,606,400	.....	.....	60,412,000	57,000	101,700	158,700
Washington .....	89,300	176,200	265,500	.....	.....	.....	50,000	2,776,000	2,826,000
West Virginia .....	86,100	231,000	317,100	.....	.....	4,068,000	5,000	21,600	26,600
Wisconsin .....	181,700	840,800	1,022,500	.....	.....	15,534,000	12,000	14,400	26,400
Wyoming .....	32,700	76,500	109,200	4,000	14,000	306,000	10,000	46,200	56,200

\*Source: U.S. Forest Service.

(a) Fiscal 1976.

(b) Fiscal 1975.

Table 3  
 AGRICULTURE CONSERVATION PROGRAM: 1976\*  
 Planting Trees and Improving a Stand of Forest Trees

State	RE-3—Planting trees			RE-4—Improving a stand of forest trees		
	Acres	Total cost-share dollars	Average per acre	Acres	Total cost-share dollars	Average per acre
All states .....	18,972	\$668,054	\$35.21	23,368	\$459,068	\$19.65
Alabama .....	859	20,625	24.01	635	4,016	6.32
Alaska .....	.....	.....	.....	.....	.....	.....
Arizona .....	.....	.....	.....	.....	.....	.....
Arkansas .....	172	4,455	25.90	325	5,764	17.74
California .....	106	9,010	85.00	229	13,676	59.72
Colorado .....	6	751	125.17	40	870	21.75
Connecticut .....	98	2,996	30.56	140	3,554	25.39
Delaware .....	13	513	39.46	.....	.....	.....
Florida .....	572	9,868	17.25	.....	.....	.....
Georgia .....	512	8,834	17.25	1,830	2,123	1.16
Hawaii .....	3	1,440	480.00	.....	.....	.....
Idaho .....	24	960	40.00	78	4,082	52.33
Illinois .....	261	16,875	64.66	225	6,326	28.12
Indiana .....	586	24,529	41.86	1,469	25,849	17.60
Iowa .....	142	9,150	64.44	123	2,325	18.90
Kansas .....	30	1,327	44.23	79	2,264	28.66
Kentucky .....	85	5,017	59.02	179	4,000	22.35
Louisiana .....	211	3,834	18.17	46	1,060	23.04
Maine .....	408	16,064	39.37	964	32,126	33.33
Maryland .....	485	19,891	41.01	164	3,340	20.37
Massachusetts .....	13	744	57.23	387	8,564	22.13
Michigan .....	2,506	71,298	28.45	270	5,475	20.28
Minnesota .....	739	31,975	43.27	26	790	30.38
Mississippi .....	204	6,111	29.96	172	3,447	20.04
Missouri .....	158	8,080	51.14	264	4,977	18.85
Montana .....	2	45	22.50	832	39,787	47.82
Nebraska .....	39	2,411	61.82	143	3,523	24.64
Nevada .....	.....	.....	.....	.....	.....	.....
New Hampshire .....	42	1,123	26.74	2,373	57,867	24.39
New Jersey .....	27	1,124	41.63	7	140	20.00
New Mexico .....	.....	.....	.....	321	7,477	23.29
New York .....	1,107	46,656	42.15	2,034	38,466	18.91
North Carolina .....	463	11,135	24.05	145	2,828	19.50
North Dakota .....	41	1,808	44.10	6	359	59.83
Ohio .....	583	23,352	40.05	668	18,800	28.14
Oklahoma .....	3	40	13.33	645	8,409	13.04
Oregon .....	680	25,526	37.54	1,564	61,404	39.26
Pennsylvania .....	97	2,956	30.47	107	4,462	41.70
Rhode Island .....	41	1,028	25.07	11	635	57.82
South Carolina .....	549	18,236	33.22	2,559	1,502	.59
South Dakota .....	157	9,048	57.63	21	1,411	67.19
Tennessee .....	53	1,354	25.55	55	1,049	19.07
Texas .....	55	2,500	45.45	69	1,407	20.39
Utah .....	.....	.....	.....	.....	.....	.....
Vermont .....	4	216	54.00	449	7,462	16.62
Virginia .....	1,548	39,567	25.56	805	9,920	12.32
Washington .....	502	29,307	58.38	1,331	34,862	26.19
West Virginia .....	67	1,997	29.81	275	1,795	6.53
Wisconsin .....	4,613	159,569	34.59	1,303	20,875	16.02
Wyoming .....	.....	.....	.....	.....	.....	.....

\*Source: Agricultural Stabilization Conservation Service.

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# SOIL AND WATER CONSERVATION

by David G. Unger\*

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IN 1974, the federal government decided to release land which was previously held back from production for agricultural use. Soil conservationists feared that this new emphasis on expanded production to meet domestic and international food needs could lead to vastly accelerated erosion. This proved to be the case.

There was widespread and promiscuous plowing of grasslands. Land retired from cotton to grass was plowed up again for soybeans. In some cases terraces and contour strips were plowed out and windbreaks were removed. Drought conditions aggravated this situation and in early 1977 dust storms swirled through the Great Plains and across the east to the Atlantic Ocean.

Conservation practices installed by farmers and ranchers over the years helped to reduce the level of soil losses from wind and water erosion. However, in the face of growing erosion hazards throughout the country, questions are being raised about the adequacy of the existing system of soil conservation, conservation efforts are being reexamined, and new programs are being formulated.

## Conservation Districts

The function of the states in helping to solve soil and water conservation problems is principally carried out through nearly 3,000 local conservation districts. They include within their boundaries virtually all of the nation's privately owned land. The districts are managed by 17,000 elected and appointed officials.

Conservation districts provide assistance to some 2.3 million cooperators who are voluntarily establishing conservation measures on their property. Serving as a channel for the application and coordination of technical and other services, the districts:

1. Assist individual landowners in developing and carrying out conservation plans for their land;
2. Provide and interpret basic data on soil and water resources for individuals, groups, and local and state government agencies;
3. Provide technical services to individuals and agencies in connection with community and regional resource conservation and development;
4. Sponsor projects for economic development and for water conservation and flood prevention;
5. Conduct erosion and sediment control programs in urbanizing and rural areas;
6. Aid in coordinated planning and establishment of needed resource conservation measures in areas where public and private lands are intermingled;
7. Assist public bodies and private landowners in carrying out measures that reduce air and water pollution, improve waste disposal procedures, and enhance the landscape; and

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8. Carry out environmental education programs with schools and colleges, organized youth groups, and the general public.

Conservation districts also have responsibilities in reviewing and approving conservation plans under the Great Plains Conservation Program, the Water Bank (a waterfowl habitat protection program), certain surface mine reclamation projects, and other programs.

### **Role of State Agencies**

Although districts are independent local governmental subdivisions, they receive general guidance, supervision, and assistance from an agency of state government in each state. In some states, these agencies are independent state soil and water conservation commissions which report directly to the governor. In others, they are attached to another agency such as departments of natural resources, agriculture, or environment.

The commissions provide information to the public about conservation districts, aid them in budgeting and administrative management, and help coordinate their programs. In many states, the commissions provide staff services to districts on a regional basis, and in most states they make available to districts those funds appropriated by the legislatures for district support.

In fiscal 1977, state funds appropriated for direct assistance to districts and for the support of soil surveys, flood prevention, and watershed protection in connection with their programs amounted to \$53 million. Funds provided by local governments for district work totaled \$63 million.

### **New Directions**

Federal support for soil and water conservation is substantial, and funds annually made available for programs of technical assistance, watershed protection, and agricultural cost-sharing amount to about \$600 million. Additional sums are appropriated for forestry, research, range management, and other purposes that are related to the overall mission of conservation districts. It is these federal efforts that are receiving the greatest scrutiny at this time.

Conservation districts, through their national organization, have initiated a study to explore needs for changes in soil conservation programs. This study is focusing on ways to (a) apply technical and financial resources to the most critical conservation problems, (b) use limited technical resources more efficiently and supplement these resources, (c) revise conservation planning procedures to speed up application of needed measures, (d) determine changes in conservation measures to fit modern agricultural technology, (e) emphasize enduring conservation practices in cost-sharing programs, (f) ensure maintenance of installed conservation measures over time, and (g) assure that practices, projects, and programs will improve environmental quality.

### **New Tools**

To help design strategies for future soil conservation programs and to help establish needed erosion and sediment control practices on the land, two new tools should prove useful. They are the pending Land and Water Resources Conservation Act of 1977 and the nonpoint source pollution control program to be conducted under Section 208 of the Federal Water Pollution Control Act amendments.

The Land and Water Resources Conservation Act (P.L. 95-192) requires that a



comprehensive appraisal of soil conservation problems be made every five years. Based on these appraisals, programs will be prepared against which progress can be measured. Annually, Congress will be provided with evaluations of achievements and the cost of conservation practices as measured against benefits received.

Programs to control sediment and related agricultural pollutants under Section 208 are another opportunity to accelerate installation of needed soil and water conservation measures. Conservation districts and state soil conservation agencies are participating actively in the development of areawide and statewide plans for control of nonpoint source pollution. Legislation now pending in Congress would provide funds for implementation of conservation measures, called "best management practices," that will help reduce pollution of streams and lakes by sediment and associated animal wastes, pesticides, and fertilizer nutrients.

### **Progress on the Land**

In the meantime, substantial progress continues to be made in the establishment of erosion control and water management practices. In 1976, conservation district cooperators installed 2.5 million acres of contour farming, 27,000 miles of terraces, 347,000 acres of strip cropping, 215,000 acres of vegetative cover on critical areas, and 2.8 million acres of minimum tillage.

Detailed and reconnaissance soil mapping done by the Soil Conservation Service was completed on 53.5 million acres, and 101 new surveys were published.

Application of conservation technology to problems of expanding cities and other developing areas continues. In 1976, over 30,000 units of local and state government were assisted with soil surveys, resource inventories, interpretations of desirable and potential land use, plans for waste disposal, and preparation of regulations governing control of sediment. Erosion control plans for residential and commercial construction operations were provided, as well as assistance in the location and design of parks and other recreational sites; preservation of open space and prime agricultural land; and the selection of sites for schools, environmental education areas, highways, utilities, and buildings.

During 1976, 10 new watershed protection projects under Public Law 566 were approved for planning and 33 for construction. This brings the total number of projects in the operations stage to 1,157.

In 10 states, new resource conservation and development projects were approved, bringing the total to 168 projects involving 1,117 counties in all states except Alaska.

### **Other Developments**

Following are several other recent developments of importance to the nation's soil and water conservation programs:

1. Improvements in the upstream watershed program were recommended by participants in the National Watershed Congress held in Washington, D.C., in June 1977. They include increased emphasis on land treatment and nonstructural means of flood prevention, deauthorization of inactive projects, increased use of post-project evaluations, testing of a new system of two-stage planning to speed application of conservation measures, and a "model" program in which the latest planning and environmental procedures would be demonstrated in 10 selected watersheds.

2. Conservation districts and cooperating agencies completed the first comprehensive inventory of private recreational facilities throughout the United States. Of the 71,500

campgrounds, fishing areas, hunting preserves, and other enterprises surveyed, 44,350 were found to be operated for profit. The information will be used by districts, state recreation and planning agencies, and the U.S. Bureau of Outdoor Recreation to help plan for future recreational needs.

3. Environmental education seminars were held with conservation district leaders from every state to plan accelerated efforts to incorporate resource conservation and environmental studies in school and college curriculums.

4. Provisions for reclamation of abandoned surface-mined areas were included in the new federal strip-mine reclamation law.

5. A study of the provisions of state laws governing the establishment and functions of conservation districts and state soil and water conservation agencies was completed by the National Association of Conservation Districts and the Office of the General Counsel of the U.S. Department of Agriculture. Over 200 changes in these laws have been enacted during the past decade—principally in the direction of broadening the authorities and responsibilities of the districts.

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**STATUS OF WATERSHED APPLICATIONS\***  
(Under Public Law 83-566)  
Cumulative to August 1, 1977

State or other jurisdiction	Total applications		Authorized for planning assistance		Approved for operations	
	No.	Acres (1,000)	No.	Acres (1,000)	No.	Acres (1,000)
<b>Total</b> .....	2,846	220,668.7	1,752	129,720.1	1,185	75,008.7
Alabama .....	67	4,362.7	42	2,993.1	30	1,905.5
Alaska .....	2	204.8	0	0	0	0
Arizona .....	28	2,826.5	17	1,922.7	13	1,136.2
Arkansas .....	96	8,128.5	75	6,336.0	53	3,087.1
California .....	80	5,591.6	48	3,214.5	22	931.2
Colorado .....	56	4,657.3	32	2,160.9	18	1,066.1
Connecticut .....	23	366.9	16	287.6	8	139.7
Delaware .....	6	357.8	4	281.9	4	281.9
Florida .....	74	4,816.9	33	2,381.2	20	1,231.0
Georgia .....	153	10,489.8	75	5,271.3	62	3,860.6
Hawaii .....	12	544.2	10	519.4	8	474.5
Idaho .....	48	5,124.0	19	1,472.8	6	303.1
Illinois .....	69	4,461.9	42	2,466.3	20	991.8
Indiana .....	111	8,630.5	57	4,395.5	35	2,191.2
Iowa .....	92	3,116.9	54	1,115.8	44	816.7
Kansas .....	98	11,150.6	68	7,209.5	44	4,146.8
Kentucky .....	60	3,727.1	44	2,856.7	31	2,141.4
Louisiana .....	73	8,333.4	52	6,120.2	38	4,570.2
Maine .....	29	2,039.4	17	1,052.1	9	427.1
Maryland .....	39	1,618.8	30	1,038.3	17	275.7
Massachusetts .....	23	1,013.4	16	603.5	11	458.5
Michigan .....	35	2,290.0	27	1,438.6	20	864.4
Minnesota .....	48	4,146.9	27	2,325.6	16	1,194.6
Mississippi .....	88	6,647.8	68	5,437.9	51	3,745.3
Missouri .....	82	7,002.8	34	2,442.0	18	736.9
Montana .....	54	4,243.2	26	1,631.0	13	409.4
Nebraska .....	83	7,053.8	57	3,804.3	42	2,479.4
Nevada .....	29	3,646.7	15	2,060.2	5	388.1
New Hampshire .....	13	1,039.5	12	1,021.4	7	456.8
New Jersey .....	24	457.5	17	376.3	12	252.6
New Mexico .....	69	6,561.0	39	3,048.6	28	1,681.7
New York .....	38	2,063.1	22	1,182.6	16	770.8
North Carolina .....	75	4,786.6	60	3,313.7	45	1,979.7
North Dakota .....	42	6,358.5	29	4,535.8	18	2,518.4
Ohio .....	72	7,290.1	24	2,201.3	14	944.6
Oklahoma .....	111	11,770.8	73	7,671.8	61	6,008.4
Oregon .....	58	5,820.1	23	2,098.3	14	732.0
Pennsylvania .....	45	2,104.7	32	1,840.1	23	1,141.2
Rhode Island .....	2	104.2	2	104.2	0	0
South Carolina .....	56	2,808.3	47	2,479.1	38	1,679.0
South Dakota .....	28	2,426.9	21	1,574.4	14	525.3
Tennessee .....	88	4,331.5	51	2,529.2	35	1,463.8
Texas .....	137	14,190.0	107	11,335.6	86	8,772.4
Utah .....	38	4,367.4	21	2,211.1	12	1,305.7
Vermont .....	9	717.8	8	699.9	4	62.9
Virginia .....	67	3,076.8	36	1,914.5	26	1,404.6
Washington .....	50	2,891.3	22	978.1	12	253.7
West Virginia .....	56	2,154.0	36	1,319.7	23	822.0
Wisconsin .....	56	2,944.5	36	2,173.1	24	1,148.6
Wyoming .....	48	5,467.2	24	1,979.6	12	578.1
Puerto Rico .....	6	342.7	5	292.8	3	252.0

\*Prepared by the Soil Conservation Service, U.S. Department of Agriculture.

# CONSERVATION DISTRICTS\* Cumulative to June 30, 1977

State or other jurisdiction	Date district law became effective	Districts organized (a) (number)	Approximate area and farms within organized districts			Districts having memoranda of understanding with USDA (b) (number)
			Total area (1,000 acres)	Farms and ranches (thousands)	Land in farms (1,000 acres)	
Total .....	.....	2,934	2,214,221	2,739	1,036,973	2,908
Alabama .....	Mar. 18, 1939	67	32,597	72	13,652	67
Alaska .....	Mar. 25, 1947	1	375,304	.....	1,604	1
Arizona .....	June 16, 1941	31	59,971	6	28,809	30
Arkansas .....	July 1, 1937	76	33,599	60	15,695	76
California .....	June 26, 1938	140	74,388	55	26,663	136
Colorado .....	May 6, 1937	83	61,391	30	37,490	82
Connecticut .....	July 18, 1945	8	3,112	5	541	8
Delaware .....	Apr. 2, 1943	3	1,266	4	674	3
Florida .....	June 10, 1937	60	31,367	35	13,583	60
Georgia .....	Mar. 23, 1937	27	37,263	67	15,806	27
Hawaii .....	May 19, 1947	15	3,992	4	2,058	15
Idaho .....	Mar. 9, 1939	51	52,608	26	14,501	50
Illinois .....	July 9, 1937	98	33,512	124	29,773	98
Indiana .....	Mar. 11, 1937	92	23,102	101	17,573	92
Iowa .....	July 4, 1939	100	35,828	140	34,070	100
Kansas .....	Apr. 10, 1937	105	52,649	86	49,390	105
Kentucky .....	June 11, 1940	121	25,377	125	15,950	121
Louisiana .....	July 27, 1938	36	28,118	42	9,757	35
Maine .....	Mar. 25, 1941	16	17,539	8	1,759	16
Maryland .....	June 1, 1937	24	6,282	17	2,803	24
Massachusetts .....	June 28, 1945	15	4,973	6	701	15
Michigan .....	July 23, 1937	85	37,257	78	11,905	85
Minnesota .....	Apr. 26, 1937	92	50,659	111	28,743	92
Mississippi .....	Apr. 4, 1938	82	30,222	73	16,040	82
Missouri .....	July 23, 1943	109	41,683	132	31,415	109
Montana .....	Feb. 28, 1939	59	90,471	25	62,680	58
Nebraska .....	May 18, 1937	24	49,032	72	47,225	24
Nevada .....	Mar. 30, 1937	32	69,590	3	12,033	29
New Hampshire .....	May 10, 1945	10	5,955	3	613	10
New Jersey .....	July 1, 1937	15	4,813	8	1,036	15
New Mexico .....	Mar. 17, 1937	50	69,503	14	42,630	50
New York .....	July 20, 1940	56	30,288	52	10,146	56
North Carolina .....	Mar. 22, 1937	92	33,670	119	12,833	92
North Dakota .....	Mar. 16, 1937	62	45,226	46	43,156	60
Ohio .....	June 5, 1941	88	25,351	111	17,085	88
Oklahoma .....	Apr. 15, 1937	88	44,180	83	35,769	88
Oregon .....	Apr. 7, 1939	54	60,035	28	17,631	54
Pennsylvania .....	July 2, 1937	66	28,927	63	8,898	66
Rhode Island .....	Apr. 26, 1943	3	677	1	69	3
South Carolina .....	Apr. 17, 1937	46	19,345	40	6,992	44
South Dakota .....	July 1, 1937	69	48,577	47	44,891	69
Tennessee .....	Mar. 10, 1939	95	26,285	121	15,057	95
Texas .....	Apr. 24, 1939	197	169,352	213	137,414	196
Utah .....	Mar. 23, 1937	40	51,517	13	10,229	39
Vermont .....	Apr. 18, 1939	14	5,935	7	1,916	14
Virginia .....	Apr. 1, 1938	42	25,225	64	10,572	41
Washington .....	Mar. 17, 1939	52	41,620	34	17,558	45
West Virginia .....	June 12, 1939	14	15,411	23	4,341	14
Wisconsin .....	July 1, 1937	72	34,858	99	18,109	72
Wyoming .....	May 22, 1941	39	62,373	10	35,799	39
Puerto Rico .....	July 1, 1946	17	1,862	33	1,296	17
Virgin Islands .....	June 1946	1	84	.....	40	1

\*Prepared by the Soil Conservation Service, U.S. Department of Agriculture. The term conservation district may be prefixed by resource, soil, water, natural resource, or other descriptive names due to variance in individual state laws.

(a) For specific procedure on organization of soil conservation

districts, reference should be made to each of the respective state soil conservation district's laws.

(b) Upon request, the U.S. Department of Agriculture enters into memoranda of understanding with districts for such assistance from the departmental agencies as may be available.

# MAJOR PROVISIONS OF CONSERVATION DISTRICTS LAWS\* As of January 1975

State or other jurisdiction	Functions (a)							Powers (b)													
	Flood pre- vention	Drainage	Irrigation	Recreation	Water supply	Sediment prevention	Acquire and dispose of property	Construct and maintain structures	Cooperate with districts in other states	Acquire and administer projects	Impose conditions for furnishing assistance	Sue and be sued	Exercise power of eminent domain	Adopt land- use regulations	Carry out state/county erosion and sediment control program	Approve erosion and sediment control plans	Enforcement provisions in erosion and sediment control program	Receive money from a county	Levy taxes and assessments	Borrow money	Issue bonds
Alabama	(c)	★	(c)	...	...	(c)	★	★	...	★	...	★	(c)	★	...	...	...	...	...	(c)	(c)
Alaska	★	★	★	★	★	★	★	★	★	★	★	★	★	★	...	...	...	★	★	...	...
Arizona	★	★	★	★	★	★	★	★	★	★	★	★	★	★	...	...	...	...	★	★	...
Arkansas	★	★	★	★	★	★	★	★	★	★	★	★	★	★	...	...	...	★	★	★	...
California	★	★	★	★	★	...	★	★	★	★	★	★	...	★	...	...	...	★	★	(d)	(d)
Colorado	★	★	★	★	★	★	★	★	...	★	★	★	★(d)	★	...	...	...	★	★	★	...
Connecticut (c)	★	★	★	★	★	★	★	(c)	★	★	★	★	★	...	...	...	...	★	★	★	...
Delaware	★	★	★	★	★	★	★	★	...	★	★	★	★	★	...	...	...	★	★	★	...
Florida	★	★	★	★	★	★	★	★	...	★	★	★	★	★	...	...	...	★	★	★	...
Georgia	★	(f)	★	...	...	...	★	★	...	★	★	...	★(d)	★	(g)	(g)	(g)	...	...	...	...
Hawaii	...	...	...	...	...	(g)	★	★	...	...	★	★	...	...	(g)	...	...	...	...	...	...
Idaho	★	★	★	★	★	★	★	★	...	★	★	★	★	★	...	...	...	★	...	...	...
Illinois	★	★	★	★	★	★	★	★	...	★	★	★	★	★	...	...	...	...	(c)	(c)	(c)
Indiana	★	★	★	★	★	★	★	★	...	★	★	★	★	★	...	...	...	★	...	(c)	(c)
Iowa	★	(c)	...	...	...	★	★	★	...	...	★	★	(c)	(h)	★(h)	...	★	...	(c)	(c)	(c)
Kansas	★	★	★	...	...	...	★	★	...	★	★	★	...	...	...	...	...	★	...	...	...
Kentucky	★	★	★	★	★	★	★	★	...	★	★	★	★(d)	...	...	...	...	★	(c)	(c)	(c)
Louisiana	★	★	★	★	★	★	★	★	...	★	★	★	★	★	...	...	...	★	(c)	...	...
Maine	★	★	★	...	★	★	★	★	...	★	★	★	...	★	...	(g)	(g)	...	...	★	★
Maryland	★	★	★	...	...	★	★	★	...	★	★	★	...	★	(g)	(g)	(g)	★	...	★	...
Massachusetts	★	★	★	★	★	...	★(i)	★	...	...	★	★	...	...	...	...	...	...	...	...	...
Michigan	★	(f)	(f)	...	...	★	★	★	...	★	★	★	...	...	(g)	(g)	(g)	★	...	...	...
Minnesota	★	★	★	★	★	★	★	★	★	★	★	★	...	...	...	...	...	★	★	★	★
Mississippi	...	...	...	...	...	...	★	...	...	★	...	...	...	★	...	...	...	★	...	...	...
Missouri	(c)	(c)	(c)	(c)	...	(c)	...	(c)	...	...	...	...	(c)	...	...	...	...	★	(c)	(c)	(c)

Montana	★	★	★	★	★	★	★	★	★	★	★	★	★	★	(g)	(g)	(g)	★	★	★	★
Nebraska	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★
Nevada	(f)	(f)	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★
New Hampshire	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★
New Jersey	★	(f)	(f)	★	★	★	★	★	★	★	★	★	★	★	(g)	(g)	(g)	★	★	★	★
New Mexico	★	★	★	★	★	★	★	★	★	★	★	★	(c)	★	★	★	★	★	★	★	(c)
New York	★	★	★	★	★	★	★	★	★	★	★	★	★	★	(g)	(g)	★	★	★	★	★
North Carolina	★	★	★	★	★	★	★	★	★	★	★	★	(c)	★	(g)	(g)	(g)	★	(c)	(c)	(c)
North Dakota	★	(f)	(f)	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★
Ohio	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★
Oklahoma	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★
Oregon	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★
Pennsylvania	★	★	★	★	★	★	★	★	★	★	★	★	★	★	(g)	(g)	(g)	★	★	★	★
Rhode Island	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★
South Carolina	★	★	★	★	★	★	★	★	★	★	★	★	(c)	★	(g)	(g)	(g)	★	(c)	(c)	(c)
South Dakota	★	★	★	★	★	★	★	★	★	★	★	★	★	★	(g)	(g)	(g)	★	★	★	★
Tennessee	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★
Texas	(f)	(f)	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	(d)
Utah	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★
Vermont	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★
Virginia	★	★	★	★	★	★	★	★	★	★	★	★	(c)	★	★	★	★	★	(c)	(c)	(c)
Washington	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★
West Virginia	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★
Wisconsin	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★
Wyoming	★	★	★	★	★	★	★	★	★	★	★	★	(c)	★	★	★	★	★	(c)	(c)	(c)
Puerto Rico	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★
Virgin Islands	★	★	★	★	★	★	★	★	★	★	★	★	★	★	(g)	(g)	(g)	★	★	★	★

\*Source: Adapted from a table published by National Association of Conservation Districts. A reference to the particular law will be essential for a complete explanation of provisions.

- (a) Additional functions.  
 Soil conservation: all jurisdictions.  
 Pollution control: only in Kentucky, Nebraska, Ohio, Rhode Island, and South Dakota.  
 (b) Additional powers.  
 Enter into contracts: all jurisdictions except Puerto Rico.  
 Provide assistance: all jurisdictions.  
 Develop districtwide plans: all jurisdictions except Missouri.  
 Cooperate with other districts and agencies: all jurisdictions.  
 Receive money from the state: all jurisdictions.  
 Receive money from the United States: all jurisdictions.  
 Receive income from property: all jurisdictions except Maine, Missouri, and New Mexico.  
 Conduct surveys, investigations, and research: all jurisdictions except Louisiana, Maine, Missouri, South Dakota, and Texas.

Review subdivision or earth-moving plans: only Illinois, Maryland, New Mexico, South Carolina, Virginia, and Virgin Islands.

Receive matching funds: only in California, Delaware, Kansas, Nebraska, and Wisconsin.  
 Receive revolving funds: only in California (development fund), Connecticut, Kentucky, Nebraska, Oklahoma, and South Dakota.

- (c) Power in subdistricts.  
 (d) Power limited.  
 (e) Powers are vested in Commissioner of Environmental Protection who has authority to establish districts.  
 (f) Based on opinion of attorney general.  
 (g) Authority for this activity is contained in a state law other than the district law. Some of these laws were enacted after January 1, 1975.  
 (h) Districts required to establish and enforce soil loss limits.  
 (i) No real property.

# STATUS OF RESOURCE CONSERVATION AND DEVELOPMENT PROGRAMS\*

As of July 31, 1977†

State or other jurisdiction	Applications on hand		Authorized for assistance		Plan designs accepted		RC&D area plans accepted	
	No.	Acres (1,000)	No.	Acres (1,000)	No.	Acres (1,000)	No.	Acres (1,000)
Total .....	59	258,907	178	754,044	175	742,558	157	667,022
Alabama .....	3	10,298	4	16,026	4	16,026	4	16,026
Arizona .....	1	15,356	4	44,151	4	44,151	4	44,151
Arkansas .....	3	9,223	5	24,359	5	24,359	5	24,359
California .....	2	25,486	3	13,748	3	13,748	2	10,634
Colorado .....	3	17,147	5	39,622	5	39,622	4	34,103
Connecticut .....	...	...	2	2,128	2	2,128	2	2,128
Delaware .....	...	...	1	1,266	1	1,266	1	1,266
Florida .....	...	...	3	9,324	3	9,324	3	9,324
Georgia .....	3	3,161	5	6,486	5	6,486	5	6,486
Hawaii .....	1	402	2	3,293	2	3,293	1	714
Idaho .....	...	...	3	20,169	3	20,169	2	11,560
Illinois .....	...	...	4	9,267	3	6,769	3	6,769
Indiana .....	1	1,972	5	7,497	5	7,497	5	7,497
Iowa .....	2	4,951	4	6,686	4	6,686	3	5,551
Kansas .....	...	...	5	15,673	5	15,673	5	15,673
Kentucky .....	1	2,533	5	9,843	5	9,843	4	8,170
Louisiana .....	1	4,332	3	9,395	3	9,395	3	9,395
Maine .....	...	...	4	9,298	4	9,298	3	6,427
Maryland .....	1	3,049	1	668	1	668	1	668
Massachusetts .....	...	...	2	2,267	2	2,267	2	2,267
Michigan .....	...	...	4	19,229	4	19,229	4	19,229
Minnesota .....	2	17,961	4	25,791	4	25,791	4	25,791
Mississippi .....	1	2,710	4	27,467	4	27,467	4	27,467
Missouri .....	...	...	5	17,648	4	15,488	3	13,289
Montana .....	...	...	3	16,857	3	16,857	3	16,857
Nebraska .....	...	...	2	16,664	2	16,664	2	16,664
Nevada .....	...	6	2	19,919	2	19,919	2	19,919
New Hampshire .....	...	...	1	3,161	1	3,161	1	3,161
New Jersey .....	...	...	2	3,071	2	3,071	1	569
New Mexico .....	...	...	6	63,417	6	63,417	4	46,991
New York .....	2	5,051	5	16,180	5	16,180	4	12,115
North Carolina .....	3	5,007	6	11,592	6	11,592	4	6,849
North Dakota .....	3	13,671	5	30,734	4	23,906	4	23,906
Ohio .....	...	...	5	8,028	5	8,028	5	8,028
Oklahoma .....	3	10,778	4	16,808	4	16,808	4	16,808
Oregon .....	...	...	4	16,639	4	16,639	4	16,639
Pennsylvania .....	1	2,837	4	11,933	4	11,933	3	8,673
Rhode Island .....	...	...	1	671	1	671	1	671
South Carolina .....	1	1,856	4	9,128	4	9,128	4	9,128
South Dakota .....	4	27,506	4	16,708	4	16,708	4	16,708
Tennessee .....	...	...	4	9,621	4	9,621	4	9,621
Texas .....	9	43,482	9	35,814	9	35,814	8	28,954
Utah .....	3	20,127	3	21,663	3	21,663	2	16,251
Vermont .....	...	...	2	3,156	2	3,156	2	3,156
Virginia .....	...	...	1	2,018	1	2,018	1	2,018
Washington .....	...	...	2	7,310	2	7,310	2	7,310
West Virginia .....	1	2,970	4	9,082	4	9,082	4	9,082
Wisconsin .....	3	6,246	4	22,581	4	22,581	3	18,012
Wyoming .....	...	...	3	39,903	3	39,903	3	39,903
Caribbean area .....	1	789	1	85	1	85	1	85

\*Source: Soil Conservation Service, U.S. Department of Agriculture.

†For multistate applications and areas, the number is tabulated for the state having leadership. The acreage column reflects actual acreage in each state.

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# ENERGY

By Steven Elstein\*

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THE ENERGY CRISIS of 1973-74 took the American public by surprise. While some searched in vain for an all-inclusive explanation for the situation, states responded with a variety of short-term, ad hoc strategies. As the immediacy of the crisis subsided, a new sense of awareness of our national vulnerability emerged. It became clear that the era of cheap, abundant energy was over.

Nevertheless, public sensitivity to national energy problems was short-lived. After temporary reductions initiated by the Arab oil embargo, American energy consumption rose at alarming rates. By the fall of 1977, fuel demand was once again at a record level.

It is now apparent that no simple solutions exist. The problem is deeply rooted in fundamental aspects of the American life-style. In order to deal with it effectively, all levels of government have attempted to establish permanent institutions and realistic policies.

## Energy Administration

### Federal Reorganization: The Department of Energy

The nation formally acknowledged energy as a critical area of public policy when the Department of Energy (DOE) formally came into existence on October 1, 1977. The reason for its creation was to consolidate fragmented energy programs and offices throughout the federal bureaucracy and to provide a framework for a comprehensive, balanced national energy policy. It absorbed all functions of the Energy Research and Development Administration, the Federal Energy Administration, and the Federal Power Commission, as well as segments of the Departments of Interior, Defense, Commerce, Housing and Urban Development, and the Interstate Commerce Commission. DOE's major functional areas are energy conservation, resource development and production, data information management, and regulation.

### Federal Energy Legislation and the States

To date, congressional action impacting upon the states has emphasized conservation through passage of the Energy Policy and Conservation Act of 1975 (EPCA) and Energy Conservation and Production Act of 1976 (ECPA).

EPCA provided \$150 million to the states over three years to fund the State Energy Conservation Program. Its purpose is to assist states in developing energy conservation programs, and has a goal of 5 percent reduction from projected consumption rates for 1980. It permits some flexibility, but delineates five mandatory measures:

1. Lighting efficiency standards for public buildings.
2. Promotion of carpools, vanpools, and public transportation.
3. State procurement practices encouraging energy efficiency.

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\*Mr. Elstein is an Energy Research Assistant, the Council of State Governments. Special assistance came from Molly Kuntz, formerly a Research Associate with the National Conference of State Legislatures.



4. Thermal efficiency standards and insulation requirements for new and renovated buildings.

5. Traffic regulations permitting a right turn on a red light after stopping.

ECPA authorized an additional \$105 million for the Supplemental State Energy Conservation Program. To be eligible, a state must include in its conservation measures:

1. Public education about energy-saving procedures.

2. Coordination among local, state, and federal conservation programs.

3. Encouragement and implementation of energy audits.

Other major state-administered federal programs encourage weatherization of residences for low-income groups and provide energy extension services to promote technical assistance for the private sector.

### **State Energy Organization**

In response to the severity of the crisis and to federal problems in coping with it, states have been reorganizing their own political structures. While their approaches have varied, the trend has clearly been toward expanding their purview over energy matters and toward administrative consolidation.

Energy offices have been formed and located in several organizational settings: governor's offices, councils responsible to both the governor and legislature, as well as departments of administration, commerce, economic development, and natural resources. They have also exhibited a wide variety in their size, scope, authority, and interagency relationships. Functions common to most offices include conservation planning, data collection and forecasting, public education, and contingency planning. States have been more selective in including research and development and powerplant siting.

Recent developments in state energy reorganization point to a trend in centralizing the energy function into department-level state energy agencies. Among the more recent examples is Nevada's Department of Energy, which replaced an energy office formerly lodged within the Public Service Commission. Its responsibilities are representative of many state energy agencies, including conservation and renewable resource planning, supply and demand forecasting, coordination of statewide energy activities, and the development of contingency plans for emergencies.

Washington has also established its energy office as a separate agency. In addition to the responsibilities mentioned above, it also assists in developing the state's nuclear energy capability and obtains complete information from energy producers and suppliers on sales volume, energy requirement forecasts, and total inventories.

California's Energy Resources Conservation and Development Commission is unique to the extent that it integrates a large number of energy functions in one organizational unit. It is headed by a commission of five full-time members, appointed by the governor to staggered five-year terms. They supervise five divisions with responsibility to:

1. Develop an emergency allocation program.

2. Support research and development of alternative energy sources.

3. Develop energy conservation measures, including setting standards for housing and appliances.

4. Forecast electricity usage.

5. Certify all energy facilities and sites in the state.

Regarding the latter function, the agency established a three-year, one-stop siting procedure that electric utilities must use in locating and planning their generating and

transmission facilities. Some have stated that this regulatory function is incompatible with planning and forecasting in the same organization. Citing the separation of the Nuclear Regulatory Commission from the Atomic Energy Commission, some have asserted an inherent conflict in grouping the two functions together.

While departmental status may enhance an energy office's visibility and intergovernmental communication, it would be a mistake to assume that subordinate energy agencies are necessarily less effective or comprehensive. This is exemplified by several state energy offices, notably that of Florida. The office is in the Department of Administration, which is headed by the lieutenant governor. The energy director reports directly to the lieutenant governor. Duties and responsibilities fall primarily into four categories: (1) data collection and reporting; (2) policy analysis; (3) petroleum allocation and contingency planning; and (4) energy conservation.

With a small professional staff, the office has developed a sophisticated capacity in data collection and policy analysis and has published comprehensive studies of energy supply and demand. The office promotes conservation programs and maintains good relations with other state agencies, local communities, and the legislature.

Through efforts to strengthen their internal apparatus, the states have supplemented national energy management efforts in some areas and filled voids in others. They have used their new organizational structures to take the initiative in a number of key energy areas.

### **Emergency Planning**

The 1973 oil embargo demonstrated to state governments the need for quick, effective emergency measures to handle short-term fuel shortages. Authority for extraordinary actions has been granted in energy emergency provisions under disaster act legislation, in comprehensive energy acts, or in separate energy emergency acts. Most states have also developed contingency planning capabilities to deal with these emergencies. This function has frequently been lodged in the state energy office. Plans include strategies and conservation measures to reduce energy use and guidelines for fuel allocation to priority users.

States have recently engaged in a cooperative planning effort with federal authorities through the Department of Energy's Winter Energy Emergency Program. An interagency task force, including participants from several federal agencies, was established to coordinate measures to alleviate impacts of energy emergencies on a regional basis. The task force has received a good deal of input from governor's offices, state energy agencies, and interstate service organizations. Some of the results are:

1. A central "hot line" to serve as a one-stop focal point for state and local governments which provides consultation services, energy data, and other information services.
2. A handbook to be distributed among state and local governments detailing common problems and suggested courses of action.
3. Guidelines for financial assistance, such as food stamps and unemployment compensation, in emergencies.

### **Conservation**

#### **Conservation in the Public Sector**

With the advent of the energy crisis and the frigid winter of 1976-77, many states invoked short-term conservation measures in government institutions to lower fuel consumption and to set an example for the private sector. Partially spurred by the national

State Energy Conservation Program, however, the states have initiated long-range efforts to save energy in government facilities through procurement policies. At the heart of this effort is the principle of life-cycle cost analysis, which holds that costs should be evaluated over the life of a commodity. Thus, an energy efficient building with a higher initial price returns its excess cost in energy savings. The Massachusetts Energy Policy Office has engaged in research efforts to develop workable criteria for life-cycle costing and to identify products to which such criteria can be applied. Several states, including Florida, Massachusetts, and Washington, have passed statutes that mandate life-cycle cost analysis to be used in evaluating bids for government purchases.

As of mid-1977, at least 30 states had enacted legislation to incorporate conservation standards in building codes for state facilities. Minnesota requires all state, university, city, county, and public school buildings to determine potential energy savings through insulation, climate control, and illumination modifications. The Utah State Building Board adopted a building code relating specifically to energy conservation. The code is mandatory for all buildings under the board's jurisdiction, and is available for the state's building industry and state buildings outside the board's jurisdiction.

Many states sought to conserve fuel through procurement of energy-efficient motor vehicles. Colorado reduced the size of the automobiles it purchases, and requires justification for any size larger than a subcompact. Florida, Idaho, South Carolina, and several other states incorporate fuel efficiency standards in formulas which determine the bid price for automobiles. The use of carpools and vanpools for government employees has diminished in recent years, but this trend is expected to reverse as states implement their state energy conservation plans.

A large number of states have engaged in the procurement of efficient lighting systems and appliances. Switches from incandescent to more efficient "watt-saver" fluorescent systems have resulted in large financial as well as energy savings. Texas has estimated an annual savings in excess of \$300,000 from this practice. There have also been substantial energy savings among the states by considering energy efficiency in the purchase of air conditioners and other appliances.

### **Building Efficiency: The Private Sector**

Energy efficiency regulation through building codes can achieve significant energy savings with consumer acceptance, minimal market interference, and legal authority. However, many states have been confronted with political and intergovernmental obstacles in adopting statewide building codes. States without these codes face problems in developing building conservation measures and enforcing them at the local level. Nevertheless, since the Energy Policy and Conservation Act of 1975 provides for mandatory state thermal efficiency and insulation standards for new and renovated buildings, there has been a recent flurry of activity among the states to implement them. As of July 1977, 17 states had conformed substantially to standards set by the American Society of Heating, Refrigerating, and Air Conditioning Engineers, Inc. (ASHRAE). Fourteen other states have either adopted the standards in part or have used guidelines promulgated by model code agencies which are based on ASHRAE 90-75.<sup>1</sup>

Beyond code development, many states have taken an active role in promoting energy efficiency in buildings through tax incentives. Colorado's State Housing Finance Authority grants thermal performance improvement loans, enabling low- and moderate-income families to reduce fuel consumption and costs. Idaho passed legislation in 1976 allowing for

an income tax deduction equal to the cost of installing insulation within an existing residence. Montana provided the same incentive through preferential property tax treatment for the installation of energy conservation items.

States have also become involved in energy-related home improvements through participation in the federal weatherization program, administered by the Department of Energy. The New England Regional Commission (NERCOM) actually developed a complementary weatherization program for low-income homes in 1976 because of funding delays in Washington, D.C. The goal was to weatherize over 11,000 homes. The program has since received federal support and it is likely that the goal will be met. NERCOM estimated that program outlays will be returned in three years because of lower fuel usage, with increased savings thereafter because of rising fuel costs.

### **Public Education and Assistance**

Most state legislation which created energy offices provided for public education or assistance in energy-related matters. The offices have used a wide array of techniques, such as newsletters, workshops, public meetings, and classroom sessions, as vehicles toward this end. They have generally emphasized residential and transportation conservation measures. A more recent innovation has been the use of toll-free numbers as "hot lines" to handle citizen inquiries.

States have also expanded energy audit services, which determine the extent to which conservation measures save fuel. Energy audits have been launched in schools, hospitals, and penal institutions, as well as commercial and residential buildings. In some states, these services are administered by local gas and electric utilities; in others, they are administered directly by the state energy office.

While the states have been involved in energy information services for some time, recent attention has focused on the state-administered Energy Extension Service (EES), funded by the U.S. Department of Energy. The purpose of EES is to disseminate information and advice to individuals and businesses, and to encourage them to use conservation measures and renewable energy resources. Ten states received a total of \$11 million to set up two-year demonstration programs.<sup>2</sup>

There are common trends in almost all of the programs. Target groups generally include homeowners, small businesses, and local governments. Among the services provided are training sessions, energy audits, and information dissemination relating to conservation and renewable resource technologies.

While displaying similarities, each state has tailored its program to its own specific needs. Alabama has decided to focus on car owners and to provide information about boiler efficiency. Pennsylvania is investing a large share of its funds in an effort to educate small businesses and local governments about a variety of energy technologies, including conversion to coal. In Texas, special emphasis has been placed on wood and wind resources, as well as solar and conservation technologies.

Limited funds have also been made available in 1978 for nonparticipating states. Each state has received \$30,000 to observe the 10 demonstration programs and to plan for subsequent participation in a nationwide Energy Extension Service.

### **The Utility Sector**

The utility sector is one of the most suitable targets for energy conservation. Traditional regulation has encouraged high consumption through discounts for high energy usage. In the

absence of federal legislation dealing with the problem, states have taken the initiative to eliminate these disincentives towards energy conservation.

Trends in electric utility regulation have been toward abandoning declining block rates. Several states have "flattened" their rate structure. Other states, including California, Florida, and Georgia, have experimented with inverted rates, where additional electrical usage entails higher per unit costs. While this provides incentives for lower overall consumption, past experience indicates that customers reduce utility base-load demand but expensive peak-load demand remains high. Some states have addressed this problem with time-of-day rates. These rates, which charge more for peak-hour consumption and less for off-peak-hour demand, have been hailed as a way to increase utility efficiency. Their major drawback is the need for special metering equipment. Nevertheless, over one half of the states have experimented with time-of-day rates and others are considering it.

Illinois, New York, and North Carolina are among the states attempting to lower electrical demand by banning master metering for multiresidential customers. The ban is intended to make the customer responsible for the energy he uses, thereby providing the incentive to conserve.<sup>3</sup> Twenty-three other states have considered a variety of methods to discourage master metering, ranging from informal policies to specific legislation.<sup>4</sup>

Several states have also reformed declining block rates for natural gas. Michigan and Pennsylvania have flattened rates of some gas utilities and inverted them in others. California has instituted life-line rates, where the initial block is supplied at a reduced cost to aid low-income and elderly customers. After the first block, the rate substantially increases.

In some instances, natural gas utilities have been used as vehicles to promote insulation. While utilities have been reluctant to install insulation, a number of states have encouraged them to finance it through loans. California, Michigan, New York, and Pennsylvania have experimented with this mechanism, mandating specified interest rates and repayment of loans through utility bills. New York has further encouraged utility-financed insulation with mandatory insulation standards when converting to natural gas from an alternative fuel. New electrical hook-ups also require insulation standards to be met.

### **Transportation Sector**

The transportation sector accounts for roughly 25 percent of the nation's energy use and represents one of the poorest energy efficiency records. Although it was a prime target for conservation after the Arab oil embargo, interest has since waned. Some states have begun innovative programs to reduce demand. Several have initiated transportation pooling programs. Vanpools, which economically satisfy long-distance commuter needs, have quickly gained in popularity. Minnesota has modeled a vanpool program for state employees after a successful program begun in the private sector. Massachusetts' MASSPOOL program, funded by the U.S. Department of Transportation as a demonstration project, has provided promotional and technical assistance to employers of 250 or more people willing to organize employee auto-sharing pools. The program has since been enlarged with federal funds under the State Energy Conservation Program.

The states have recently expressed frustration that the goal of reduced gasoline consumption conflicts with state revenue requirements. Motor fuel taxes are a major source of income, providing as much as 20 percent of state tax revenues. State governments stand to lose millions of dollars if fuel demand is reduced. Many officials assert that if incentives to lower gasoline consumption are to be meaningful, the federal government must develop a mechanism to compensate the states, such as the Highway Trust Fund.

### **Research and Development**

Government support for energy research and development (R&D) has historically taken place at the federal level, primarily because of the large capital outlays required. However, state governments have become increasingly concerned with the energy needs peculiar to their own jurisdictions. As a result, state-funded R&D has dramatically increased in recent years.

### **Nonrenewable Energy Resources**

While exploration of renewable fuel sources has become popular, the states are aware that their immediate needs will be met by nonrenewable energy sources: coal, oil, natural gas, and nuclear power.

Large research investments have been made in coal, our most abundant energy resource. States with vast coal reserves, such as Illinois, Iowa, Kentucky, and Ohio have supported projects geared toward its transformation into liquid and gaseous fuels and conversion from high-sulfur into low-sulfur fuel. Among the largest state programs is Kentucky's \$57.7 million energy research, development, and demonstration program which is administered by the Kentucky Center for Energy Research. The center has participated in a wide array of program-related activities since its inception in 1975. It has recently undertaken a systematic refinement of the state's intermediate and long-range research strategies.

Regarding oil and natural gas, two recent developments which will heavily impact upon the states are the Trans-Alaska Pipeline and an agreement between the United States and Canada to build the Trans-Canadian Pipeline. Oil from the \$7.7 billion, 800-mile Alaska pipeline flows to Valdez, Alaska, where it is shipped to ports in Washington and California. Surplus oil also goes to Gulf and east coast states through the Panama Canal. The Trans-Canadian Pipeline has an even higher price tag, with estimates ranging up to \$11 billion. The pipeline will carry natural gas from Alaska's North Slope to parts of Canada and the midwestern and eastern regions of the United States. A western leg, if constructed, would also serve California.

There has been little effort among the states toward enhancing nuclear production techniques. However, several states have investigated issues related to nuclear safety. Two of the most sizable commitments have been made in California and New York. In addition to studies relating to nuclear plant siting and nuclear waste disposal, New York's Energy Research and Development Authority has undertaken a project with Columbia University to monitor geological activity in the state. California's Energy Resources Conservation and Development Commission funded three nuclear projects in 1977. Besides health, safety, and reliability studies, and a project relating to fuel reprocessing and storage, the commission invested in a \$1.8 million study to determine the feasibility and environmental benefits of underground nuclear plant construction.

### **Efficient Fossil Fuel Systems**

The states have recently expressed interest in techniques which can more efficiently utilize our diminishing fossil fuels. While large financial commitments have yet to be made, several states have undertaken initial investigation.

Among the innovations that have received great attention in recent years is industrial cogeneration of electricity. It involves the use of small, decentralized powerplants to convert waste heat into steam and electricity. New Jersey has coordinated a research effort with

Princeton University to assess its potential in the state. New York funded a study to investigate the legal and institutional barriers that impede its development. After determining what impediments exist, the state intends to take remedial action. California is well under way in this process. Current state law for the siting of all thermal generating facilities requires a three-year process and a minimum of three alternative sites. Legislation is under consideration which would remove the requirement for alternative sites for cogeneration facilities. The time required for the siting process would also be substantially reduced.

### **Renewable Energy Sources**

State officials and legislators have identified the development of renewable energy sources as a top priority issue in coming years. Their increased financial commitment toward this end substantiates this assertion.

Montana's Renewable Energy Alternative Program manifests a broad approach. In the program's first two rounds of grants, 79 proposals in solar heat, wind, wood, water, geothermal, and biomass research were funded.

Maine's Office of Energy Resources has awarded R&D grants to 10 organizations, with wood, wind, and conservation technologies earmarked as priority areas. Guidelines set forth in the selection process for the grants were that they be (1) directly related to the needs of Maine consumers or industry, (2) expected to yield results within 18 months, (3) of a practical rather than theoretical nature, and (4) of a dimension and complexity compatible with Maine research facilities.

Many states have considered solid waste conversion as a solution to waste management problems as well as a source of energy. Since 1975 at least seven states—California, Hawaii, Illinois, Michigan, Rhode Island, Tennessee, and Washington—have passed laws pertaining to R&D funding and applications of energy recovery technology.

A number of western states have become actively involved in the development of large geothermal energy reserves. Idaho and Oregon already have communities which rely to a large extent on geothermal space heating. Boise, Idaho, serves several hundred customers with geothermal hot water, and plans are under way to heat three state buildings from geothermal wells for a lower cost than a conventional natural gas system. Other states that have made investments in geothermal development include California, Hawaii, New Mexico, Texas, and Utah.

Idaho has recently considered expanding its use of hydroelectric power as a significant source of electricity. The state is hesitant to invest in large hydroelectric powerplants in the wake of the severe drought that plagued the northwest. However, studies have been initiated to determine the feasibility of constructing smaller, more efficient plants.

Of the renewable resources, the states have unquestionably made their largest investments in solar energy. Several states, including Arizona and Florida, have established agencies and research centers geared specifically toward solar energy. Florida's legislature created the Florida Solar Energy Center, with funding in fiscal 1976 in excess of \$1 million. The Arizona Solar Energy Research Commission was created in May 1975 to promote the development and use of solar energy within the state and to provide solar energy information to Arizona's citizens. Many other states, notably California, Hawaii, Kansas, and New Mexico, have also made sizable investments.

On July 1, 1977, the Federal Solar Energy Research Institute began operations in Golden, Colorado. The institute is administered and funded by the Department of Energy. It

maintains regional offices in Colorado, Georgia, Massachusetts, and Minnesota. As yet, the relationship between the central and regional offices is vague. Issues relating to whether the regional offices report to the headquarters or directly to the Department of Energy are only recently being resolved.

### **Tax Incentives**

State governments have overwhelmingly opted for tax incentives to encourage the development and use of renewable energy sources. The most popular form of relief is through property taxation. In some cases, property with an expensive alternate energy device is assessed as if it were equipped with a conventional system. Other property tax incentives exempt the entire energy system as well as the property used for it. Income tax exemptions have also been used extensively. Under these incentives, varying proportions or specified amounts of the cost of an alternative energy system may be deducted from state income taxes. Some states have allowed for the entire cost of these systems to be amortized through state income taxes over a period of years. Sales tax exemptions are used as well, though to a lesser degree.

Most tax incentives in the past several years have related specifically to solar energy. As the accompanying table indicates, 27 states have enacted some form of solar property tax relief, 16 states provide for solar income tax relief, and eight states exempt solar devices from the sales tax. Among the states offering tax packages for solar energy are Arizona, California, and Kansas. Arizona has approved a property tax exemption, an income tax deduction and credit, and a sales tax exemption. California now offers a solar tax credit or deduction, and will soon offer substantial property tax relief if a proposed constitutional amendment is approved by the voters. Kansas permits an income tax deduction, a tax credit, and a property tax rebate.

Tax incentives for geothermal and wind systems are also popular. They have often been annexed to solar energy legislation and are referred to as "other renewable sources." There have been some instances where legislation refers specifically to these and other renewable energy sources.

### **Environmental Issues**

#### **Negative Environmental Impacts**

The current reliance upon nonrenewable energy sources has led to a number of adverse environmental ramifications. The problem is compounded by the fact that as these resources dwindle, we are forced to use recovery methods which entail higher environmental costs.

National policy calling for a conversion from oil and natural gas to coal raises questions about air pollution. In addition, expanded strip-mining operations can disrupt landscapes by causing erosion and making land unfit for vegetation. Water quality may also be degraded by acid draining from coal fields into streams.

In efforts to find new sources of oil and natural gas, the lower 48 states have already been extensively explored. Attention has therefore been turned to offshore drilling on the outer continental shelf. However, as numerous leakages and blowouts have amply demonstrated, water pollution is a major hazard.

Transportation of oil and natural gas has also been a major concern, as increasing demand for foreign oil necessitates frequent trips by huge supertankers. Potential hazards were highlighted in recent years by a rash of tanker accidents. Renewed interest in liquefied natural gas carries its own dangers. Transportation of this volatile substance into large American ports poses a threat to dense population centers.



Safety deficiencies in nuclear powerplants have caused so much concern in recent months that the Union of Concerned Scientists has called for a shutdown of present reactors and a cessation of new construction. In addition, the ability to safely dispose of nuclear wastes has come under increasing suspicion.

Of equal importance are social problems of rapid growth caused by the construction of energy production and extraction facilities. In a survey conducted by the Urban Land Institute, housing, sewer systems, and local government management capacities were cited as severe problems.<sup>5</sup>

### **State Initiatives**

In response to these problems, the states have taken major steps to develop policies that are compatible with both energy needs and environmental constraints.

The most common state mechanism used to address these issues has been powerplant siting. Until recently, energy facilities were located by utilities as they were needed to meet growing consumer demand. As public awareness of environmental and energy issues increased, so has interest in the consequences of facility siting. As a result, the number of states which have enacted siting legislation has increased dramatically.

Most siting legislation has been expanded in recent years to include all energy facilities and mandates five-, 10-, and 20-year forecasts of energy supply and demand. Identification of future site locations, adequate public hearings, and a central permit process have commonly been included.

In order to ameliorate the impact of the expanding coal-mining industry, Congress passed the Surface Mining Control and Reclamation Act of 1977. The major goals of the legislation are to establish minimum national standards to regulate surface coal mining, assist states in developing regulatory programs, and promote reclamation of previously mined areas. Many states, however, took the initiative before Congress by passing comprehensive strip-mine bills. Coal severance tax revenues have also been used to offset negative environmental impacts. Many coal-producing states, particularly in the west, have earmarked a percentage of severance tax revenues to aid communities that experience a large increase in population due to the opening of new coal production facilities.

While the outcome of federal offshore oil legislation remained in doubt, coastal states took measures to protect their waters from the hazards of producing and transporting oil and natural gas. Alaska required oil tankers to be equipped with safety features and meet maneuverability standards, and provided safety requirements for oil terminal facilities. New Jersey legislation regulated refineries, storage and transfer facilities, pipelines, deepwater ports, and drilling platforms. Amendments strengthened preventive, clean-up, and removal procedures, and established a spill compensation fund. The New Hampshire Supreme Court, in an advisory opinion requested by the state senate, ruled that the state may constitutionally impose a one-cent-per-barrel tax on oil and petroleum products to finance an oil spill fund. The house already passed a bill calling for the \$1.5 million spill fund, and final legislation is expected in the 1978 session.

The drive of antinuclear forces suffered a setback in 1976 when voters in seven states rejected ballot propositions to curb their development. Nevertheless, state legislatures have been forthright with the issues of reactor safety and radiation hazards. In 1976, California required the State Energy Resources, Conservation and Development Commission to find a federally approved and demonstrated means of disposal for nuclear waste before licensing any new nuclear powerplant. High-level radioactive waste management legislation increased

sharply in other states, in the wake of an Energy Research and Development Administration search for national nuclear waste repositories. Only Nevada encouraged a disposal site within its borders.

### Conclusion

The 1976-77 biennium underscored the thin line between growing energy demands and social and environmental constraints in providing for them. Some urge the nation to follow the "hard" path to meet needs, calling for a reliance on fossil fuels until nuclear energy comes of age. Others advocate the more environmentally acceptable "soft" path, with its emphasis on conservation and renewable energy sources.

Whether either option is chosen or a synthesis of both, it is clear that the states have claimed their right to an active role in the ultimate decision. They have done so through initiatives in conservation, research and development, and tax incentives to promote innovative energy alternatives. Yet they have also been sensitive to the need to protect their lands and waters from adverse impacts.

Thus, the role of the state in energy policy is crucial. The federal government cannot tailor a national policy to the individual needs of each state, even if it were able to agree upon such a policy. Yet, if the states are to exert an influence in forging their future rather than implementing federal edicts, their initiatives will need to emphasize three paramount themes.

First, they must accelerate existing efforts in improving their administrative capacities to deal with the energy question. In states where significant reorganization has yet to take place, energy policy remains diffuse and uncoordinated. The trend toward structural consolidation and expansion of authority within the states will promote greater efficiency, public responsiveness, and harmony with other levels of government.

Second, the states can strengthen their partnership with the federal government. Many federal initiatives, although delegating responsibility for implementation to state governments, have received little state input in their formulation. In an effective partnership, the federal government should provide the broad framework for a national energy policy. Decisions for specific courses of action within that framework can remain with the states.

Finally, states must continue to initiate and demonstrate their own unique programs in solving energy-related problems.

### Footnotes

1. National Conference of States on Building Codes and Standards, Inc., *State Energy Regulation Survey* (McLean, Va.: 1977).
2. The states are Alabama, Connecticut, Michigan, New Mexico, Pennsylvania, Tennessee, Texas, Washington, Wisconsin, and Wyoming.
3. The National Apartment Association has estimated energy savings of up to 30 percent through individual metering.
4. National Economic Research Associates, Inc., *Rate Structure Revision: A Federal or State Problem (Survey)* (New York, N.Y.: 1977).
5. Frank Schnichnau, "The State's Response to Energy Impacts," *Environmental Comment*, October 1977, p. 8.

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## STATE ENERGY ACTIONS

State	Emergency energy legislation	State-supported research and development						Tax incentives for renewable energy sources								Facility siting process	Energy efficiency building standards
		Conservation	Fossil fuel	Solar	Geothermal	Environmental	Nuclear	Solar			Geothermal		Wind				
								Property	Income	Sales	Property	Income	Property	Income			
Alabama	...	...	★	...	...	★	★	...	...	...	...	...	...	...	★	ASHRAE	
Alaska	...	★	...	★	...	...	...	...	...	...	...	...	...	...	★	...	
Arizona	★	...	★	...	...	★	★	★	★	...	...	...	...	...	★	ASHRAE	
Arkansas	...	...	★	...	...	...	...	...	★	...	...	...	...	...	★	ASHRAE	
California	★	★	★	★	★	★	...	...	★	...	...	...	...	...	★	...	
Colorado	...	★	★	★	★	★	★	★	...	...	...	★	...	★	★	...	
Connecticut	★	★	...	...	...	★	...	★	...	★	...	...	★	...	...	ASHRAE	
Delaware	...	...	...	...	...	★	...	...	...	...	...	...	...	...	★	...	
Florida	★	★	...	★	...	...	...	...	...	...	...	...	...	...	...	ASHRAE	
Georgia	★	★	...	★	★	★	★	★	...	★	...	...	...	...	...	...	
Hawaii	★	★	...	★	★	...	...	★	★	...	...	...	★	...	...	...	
Idaho	...	★	★	★	★	★	★	...	★	...	★	★	...	★	...	ICBO	
Illinois	★	...	★	★	...	★	★	★	★	...	...	...	...	...	...	ASHRAE	
Indiana	...	★	★	★	★	...	...	★	...	...	...	...	...	...	...	NCSBCS	
Iowa	★	★	★	★	...	★	...	...	...	...	...	...	...	...	★	NCSBCS	
Kansas	★	★	★	★	★	★	★	★	★	...	...	...	...	...	★	Other	
Kentucky	...	★	★	★	...	...	...	...	...	...	...	...	...	...	★	...	
Louisiana	★	★	★	★	...	...	...	...	...	...	...	...	...	...	...	...	
Maine	...	...	★	★	...	★	...	★	...	★	...	...	...	...	★	ASHRAE-BOCA	
Maryland	★	★	★	...	...	★	★	★	...	...	...	...	...	...	★	State	
Massachusetts	...	★	...	...	...	...	...	★	★	...	...	...	★	★	★	NCSBCS	
Michigan	...	...	...	...	...	...	★	★	...	★	...	...	★	★	...	ASHRAE	
Minnesota	★	★	...	...	...	★	...	...	...	...	...	...	...	...	★	ASHRAE	
Mississippi	...	...	...	★	...	...	...	...	...	...	...	...	...	...	...	ASHRAE	
Missouri	...	★	★	★	...	★	...	...	...	...	...	...	...	...	★	...	

Montana .....	★	★	★	★	★	★	...	★	★	...	...	★	★	★	★	Other
Nebraska .....	...	...	...	...	★	★	...	...	...	...	...	...	...	...	...	...
Nevada .....	★	...	★	★	★	★	...	★	...	...	★	...	...	...	...	Other
New Hampshire .....	★	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
New Jersey .....	★	...	...	...	...	...	★	★	...	★	...	...	★	...	...	ASHRAE
New Mexico .....	...	★	★	★	★	★	...	★	...	...	...	...	...	...	...	ASHRAE-ICBO
New York .....	★	★	★	★	★	★	★	★	...	...	...	...	★	...	...	ASHRAE
North Carolina .....	★	★	...	★	...	★	...	★	★	...	...	...	...	...	...	...
North Dakota .....	...	★	★	...	...	★	...	★	★	...	...	...	...	★	...	NCSBCS
Ohio .....	★	★	★	★	...	★	★	...	...	...	...	...	...	...	...	...
Oklahoma .....	...	...	...	...	...	...	...	★	★	...	...	...	...	...	...	...
Oregon .....	★	...	...	...	...	...	...	★	★	...	...	★	...	★	...	State
Pennsylvania .....	...	★	★	★	...	★	★	...	...	...	...	...	...	...	...	...
Rhode Island .....	★	...	...	...	...	...	...	★	...	...	...	...	...	...	...	ASHRAE-BOCA
South Carolina .....	★	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
South Dakota .....	★	...	★	★	...	...	...	★	...	...	...	...	...	...	...	Other
Tennessee .....	★	...	★	★	...	...	...	...	...	...	...	...	...	...	...	...
Texas .....	...	★	★	★	★	...	★	★	...	...	...	...	...	...	...	Other
Utah .....	...	★	★	...	...	★	...	★	★	★	...	...	★	...	...	NCSBCS
Vermont .....	★	...	...	...	...	...	...	...	...	...	...	...	★	...	...	...
Virginia .....	★	★	★	★	...	...	...	★	...	★	...	...	...	...	...	...
Washington .....	★	★	★	★	★	★	...	★	...	...	...	...	...	...	...	ASHRAE
West Virginia .....	★	★	★	...	...	★	...	...	...	...	...	...	...	...	...	...
Wisconsin .....	...	★	...	...	...	★	★	...	...	...	...	...	...	...	...	ASHRAE
Wyoming .....	★	...	...	...	...	★	...	...	...	...	...	...	...	...	...	ICBO

*Symbols:*

ASHRAE—American Society of Heating, Refrigerating and Air Conditioning Engineers, Inc.

ICBO—International Conference of Building Officials

NCSBCS—National Conference of States on Building Codes and Standards

BOCA—Building Officials and Code Administrators International, Inc.

## 7. Labor Relations

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### LABOR LEGISLATION, 1976-1977

By Sylvia Weissbrodt\*

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IN LABOR LEGISLATION, the states are often the first to identify problems and initiate corrective measures. Typically, Congress defers action until pressures intensify nationwide. By that time, the efficacy of state solutions can be evaluated. This general pattern was demonstrated again during the 1976-77 biennium. Reflecting the dynamics of change, legislatures dealt with such issues as compulsory retirement age, employment of illegal aliens, interstate reciprocity in wage claim collection, impasse resolution in public sector disputes, and job help for displaced homemakers, plus voluminous actions on more conventional issues.

#### Wage Standards

##### Minimum Wages

The status of low-wage workers under state law was improved in over one half the states through rate increases, coverage extensions, overtime pay standards, and other protections. Such actions express recognition that rates of the lowest paid workers do not respond readily to upward market forces, but depend largely on legislative intervention.

By December 1, 1977, when the federal minimum was \$2.30 an hour in nonfarm employment, state minimums had reached that level or higher in 24 jurisdictions. Rates between \$2 and \$2.20 were in effect under 10 laws, and only nine had rates below \$2. Thus many states had made good progress in keeping pace with the federal minimum.

The 1977 amendments (P.L. 95-151) to the federal Fair Labor Standards Act (FLSA) call for an increase in both the nonfarm and farm minimums to \$3.35 in four steps on January 1 of each year—to \$2.65 in 1978, \$2.90 in 1979, \$3.10 in 1980, and \$3.35 in 1981.<sup>1</sup> Aside from a four-year escalation to maintain purchasing power over an extended period, Congress approved a uniform rather than a differentiated wage schedule for all employment sectors covered by the act, a pattern previously in effect in many states.

The Michigan legislature was the first to match the federal escalation schedule by specific-statutory change, and Massachusetts followed soon after for the nonfarm sector. In addition, rate increases will take effect in 10 other jurisdictions under previously approved tandem changes.<sup>2</sup>

Advances of other types were made in several states. The Kansas legislature repealed a 1915 wage-board law, under which no rates had been in effect, and adopted a new law applicable to employment not subject to FLSA. The rate set by statute is \$1.60, with premium overtime payable after 46 hours. Coverage was extended to household workers in

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California, Connecticut, and Indiana; to FLSA-covered employment in Illinois; to men in Colorado; and to other segments of the work force in Illinois, Indiana, Maine, North Carolina, Oregon, and Virginia. Overtime pay standards were established for the first time, extended, or improved in Arkansas, California, Illinois, West Virginia, and Wisconsin.<sup>3</sup>

The issue of whether employers of tipped employees should be permitted to offset gratuities against their cash wage obligation has long created divergence between federal and state standards. Many states espouse the principle that all tips constitute an additional payment from the customer to the employee alone and should not be used to defray the employer's full wage responsibility.

At the biennium's start, when FLSA required employers to pay in cash only one half the minimum wage to tipped employees, 10 jurisdictions had banned tip offsets, California among them by a 1975 law. The California action generated considerable interest elsewhere, including Congress where the amendatory bill would have gradually eliminated tip credits. Although the proposal did not succeed, Congress did phase down the tip credit in two steps, to 45 percent in 1979 and 40 percent in 1980. Under state law, Minnesota reduced this percentage from 25 to 20 percent of the state minimum. The tip credit ban in Oregon, formerly affecting only employment not subject to FLSA, was made uniformly applicable irrespective of federal coverage. On a related issue, turn-back of tips to the employer was prohibited in Kentucky, Minnesota, and North Carolina.

Another federal development has major impact on state responsibility in the minimum wage field. The U.S. Supreme Court held, in *National League of Cities v. Usery*, that the minimum wage and overtime pay provisions of FLSA do not apply to state and local government employees engaged in activities which are an integral part of "traditional" government functions.<sup>4</sup> In the wake of this decision, the legislatures of Arizona, Louisiana, and Nebraska took action on overtime pay for segments of the public sector. Under state wage-hour laws of general application, the basic minimum wage applies to public employment in 16 states, and the overtime pay provisions in 12 of these, with certain exceptions.

### **Wage Payment and Collection**

Wage payment/collection laws afford employees specific statutory and administrative aids that reinforce wage and fringe payment obligations under an oral or written employment contract. This type of statute is wholly within state jurisdiction. Any similar federal authority contained in specific laws (e.g., FLSA) is limited to the wage and coverage fixed in that law. In contrast, state laws of this type are independent of other wage laws and indeed are in effect even in states without minimum wage laws.

The diversity of action during the biennium in almost one half the states illustrates, through corrective remedies adopted, the problems workers face.

Recovery of wage debts from out-of-state employers presents serious problems in many states. To overcome jurisdictional barriers and enlist the services of other states, the Kansas and Montana legislatures authorized the labor department to enter into interstate reciprocal agreements for collection purposes. That authority had been previously granted in 10 states.<sup>5</sup>

The Virginia Supreme Court struck down as unconstitutional a provision in the state law which subjected employers to possible imprisonment for failure to pay wages when due.<sup>6</sup>

As a deterrent against nonpayment of wages, the legislatures of Alaska, Hawaii, Maryland, Pennsylvania, and Wisconsin increased employers' dollar liability by means of liquidated damage or other penalizing provisions. The furnishing of itemized wage

statements to employees was instituted or improved in California, New York, Oregon, and Rhode Island. In Alaska, a \$10,000 wage surety bond is now required of fish processors or primary fish buyers who do not have lienable state property of at least that amount. A Rhode Island amendment extended to the public sector a requirement for regular paydays. In Maryland, the labor commissioner was expressly authorized to attempt settlement of wage claims by mediation and conciliation. Dollar ceilings in collection actions were raised in Alaska, Idaho, and Oklahoma, and eliminated in Wisconsin. Under a change in Hawaii, employers were made criminally liable for retaliating against employees who participate in enforcement procedures. A new statute in Nebraska mandates regular paydays by private sector employers and restricts wage deductions to those agreed to in writing by the employee, plus those required by law.

Revisions approved in California, Pennsylvania, and Wisconsin contain important or unique features. To recover wages in California, the labor commissioner may investigate complaints, hold hearings, and issue payment awards which are equivalent to a court-issued judgment. In both California and Pennsylvania, union action may be taken under the act instead of individual employee action alone. Large employers in Wisconsin who plan to make changes leading to mass employee displacement must hereafter give the labor commissioner 60-days advance notice and pay each employee in full within 24 hours of payroll separation.

### **Wage Garnishment and Assignment**

State activity was dominated by measures to utilize the garnishment or assignment route to compel payment under a court order for support of a child or other dependent. Fourteen legislatures<sup>7</sup> passed laws related to this purpose, many expressly protecting the employee from discharge or other punitive action by reason of the wage diversion. Some extended the provision's reach to pensions or other employment-related benefits. Typically, where the wage assignment process was used, the assignment was made binding on the employer, who was sometimes permitted to deduct an extra nominal sum to defray his added expense. The federal wage garnishment law, formerly without limit on the amount garnishable for court-ordered support payments, was amended in 1977 to exclude from garnishment from 35 to 50 percent of disposable earnings, the percentage varying according to the identity of the dependent and other factors.

Under state and federal wage garnishment laws of general application, the amount of earnings shielded from garnishment will increase annually until 1981, in tandem with each successive rise in the federal minimum wage. The actual amount protected in each state depends on whether the state has adopted the federal exemption formula, which is the minimum standard nationwide, or one affording greater employee protection as, for example, the formula recommended in the Uniform Consumer Credit Code.

Aside from these automatic changes, individual amendments were made in several states. For example, the federal exemption formula was adopted in Arizona and Georgia. In Minnesota, employee discharge for garnishments or execution was forbidden, regardless of the number of garnishments or executions. A California change protected all earnings from garnishment if necessary for support of the wage earner; formerly full protection was available only if necessary for the earner's family. In New Hampshire, wages and pensions of public employees are now subject to generally applicable garnishment and assignment, on a par with the private sector.

### **Prevailing Wages**

Some 14 legislatures changed prevailing wage laws. These laws provide for predetermination of the prevailing occupational wage rates in a locality, and mandate payment of these rates on public contracts. The objective is to neutralize wage competition as a factor in competitive bidding and prevent tax-funded contractors from undercutting the "going" rates. Comparable federal statutes are the Davis-Bacon Act and the Service Contract Act.

The most basic change was in California, where the rate determination function was transferred from the public entity awarding the contract to the director of the Department of Industrial Relations. Additional revisions call for more detailed payroll records and submission of a certified copy when a complaint is filed.

More stringent enforcement remedies—by debarment, payment withholdings, or other methods—were enacted in Nevada, Ohio, Oregon, and Washington. The Ohio amendment also provided for employee assignment of wage claims to the director of the Department of Industrial Relations for collection, authorized injunctions to stop further work on a project on a finding of wage violation, and clarified that a public authority using its own employees for constructing a public work is subject to the same enforcement measures as a contractor. Another change in Washington makes the public agency itself liable for any unpaid wages if it has paid a contractor without having first received from him certain required wage statements. The prevailing wage law in Kansas, long dormant, was reactivated by two opinions of the attorney general requiring both prior rate determination (or use of Davis-Bacon rates) and enforcement.

Expanded protection was achieved by extending coverage of laws to related activities or employees in Alaska, California, Ohio, and Rhode Island. Changed threshold amounts governing coverage were approved in California, Ohio, and Oregon. In Kentucky, the geographic area for rate determination purposes may now extend beyond single county lines.

### **Equal Employment Opportunity**

Multiplicity of action was most evident in the field of equal employment opportunity (EEO), with progress made in both innovative and conventional directions. Because advances in each state were so numerous, only major trends and issues will be mentioned.<sup>8</sup>

Elimination of mandatory retirement ages was a new focus of interest, the rationale being to give freedom of choice to older workers who maintain competence and to reduce drain on retirement systems. Four states and three cities took action, again demonstrating the historic role of the states as initiators and laboratories for change. The forerunner was Florida which, in 1976, made mandatory retirement an unlawful practice under its new age discrimination law for the public sector. In 1977 the option to continue working beyond normal retirement age was given to both public and private sector employees in California; to public sector employees in Maine, with a planned phase-in by 1980 in the private sector; to state and local government employees in Massachusetts; and to city employees in Seattle, Los Angeles, and Fort Lauderdale, by action of municipal authorities.<sup>9</sup>

First-time statutory bans against employment discrimination are being adopted cautiously in some southern states, a pattern similar to the evolution of EEO legislation in other regions in earlier years. The Florida legislature adopted a comprehensive human rights act, aside from the previously mentioned age discrimination act. In North Carolina, an equal employment practices act authorized the Human Relations Council to receive



discrimination complaints. Laws of more limited scope were adopted in Tennessee and Texas to combat discrimination against handicapped persons.

Measures in at least 10 other states barred discrimination against the handicapped or directed government agencies to promote employment of such persons. For example, broad-coverage laws were passed in Kentucky and Michigan; laws applicable specifically to public contractors were enacted in Kansas and Wisconsin; and existing EEO laws were extended to protect the handicapped in Colorado and Ohio. Specific disabilities were identified in Massachusetts, which ordered equal opportunity in civil service jobs for former cancer patients, and in California where color blindness may not be a basis for discrimination in state employment.

Eradication of sex bias continued, as lawmakers repealed or equalized remaining gender-based differentiation. In conformance usually with prior court rulings or opinions of attorneys general, restrictions on work hours of women were removed in Illinois, Louisiana, Maine, Tennessee, and the District of Columbia. An Arkansas law that had required premium overtime to women, but not to men, was invalidated by the Arkansas Supreme Court. Prohibitions against employment of women in mines were repealed in Alabama, Illinois, and Oklahoma, and scheduled for referendum vote in Wyoming. Under a state law in Illinois, cities may not bar women from bartending occupations. Restrictions on employment of girls were equalized with those for boys in Louisiana, North Carolina, Oklahoma, and the District of Columbia by amendment to child labor laws, and in Michigan by an attorney general opinion.

The Maryland and Minnesota legislatures, taking an opposite position from that of the U.S. Supreme Court,<sup>10</sup> required employers to treat disability due to pregnancy on a par with other temporary disabilities, including entitlement to disability and other benefits. In Oregon, job discrimination by reason of pregnancy is henceforth regarded as a form of sex discrimination under the fair employment practices law.<sup>11</sup>

Granting veterans a preference in civil service employment was upheld by the U.S. Supreme Court, when it preserved a Massachusetts statute and, impliedly, similar statutes in other states. The practice was found constitutional under the equal protection clause because discriminatory intent was absent.

The need to integrate into the work force persons with arrest or conviction records was recognized by several legislatures. In Colorado, job applicants may treat court-sealed or criminal record information as nonexistent, and prospective employers may not require disclosure. Virginia employers may not require information about expunged criminal records, in Oregon discrimination because of expunged juvenile records is prohibited, and the Wisconsin fair employment law now bans discrimination in employment or licensure because of an arrest or conviction record.

Among other enactments was a Minnesota law banning age bias, and a new law in Oregon making it unlawful to refuse to hire or to terminate an employee because another family member also works for the employer. Discrimination in employment or in business relationships engendered by a foreign government or an international organization was outlawed in Connecticut, North Carolina, and Washington.

## **Industrial Relations**

### **Public Sector**

In California, the governor signed into law the State Employer-Employee Relations

Act. In effect, this act gives to state employees the negotiating rights accorded teachers by a 1975 law. The new act combines coverage of both state civil service employees and teachers in schools under the jurisdiction of the Department of Education or the Superintendent of Public Instruction. Provision is made for exclusive recognition, unit determination, maintenance of membership, written agreements by a memorandum of understanding, and mediation. Both sides are obligated to meet and confer in good faith, and unfair practices are enumerated. Administration is by an independent Public Employment Relations Board, formerly named the Educational Employment Relations Board.

A limited option to strike, after prescribed dispute settlement procedures are exhausted, was accorded in Wisconsin to municipal employees, other than police and firefighters.

As experience was gained in Florida under a 1974 bargaining law for state and local government employees, the legislature approved numerous revisions in 1977. Full-time status was mandated for the administrative agency, the Public Employees Relations Commission, which is now explicitly free of control or direction by the Department of Commerce. Among other changes, the law now spells out what constitutes good faith bargaining, gives employees the right to representation in grievance determinations, and specifically permits employees to engage in lawful concerted activities. Overt preparation for a strike, such as establishing a strike fund, was prohibited, aside from the strike itself as previously banned.

By amendment to the comprehensive New York law, the obligation to negotiate was clearly defined, and the Public Employment Relations Board was authorized to order an offending party to stop any improper practice and to take affirmative action by such methods as employee reinstatement with or without back pay. In New Hampshire, the Office of State Negotiations was established by law, with a state negotiator responsible for the conduct of union negotiations, among other duties.

Effective impasse resolution provisions are of special importance in the public sector as an alternative to the strike right. Several legislatures turned their attention to these procedures. Illustrative actions were amendments to the state employee bargaining law in Vermont which provided for mediation prior to factfinding and, ultimately, submission of a single last-best-offer package by each party to the administrative board, whose choice of either is subject to legislative approval. Under the Nevada law for local employees, mediation was made mandatory instead of optional and, for firefighters, separate procedures for factfinding and arbitration were adopted. Among changes in the Kansas law for teachers were the addition of impasse procedures and a list of unfair practices; the oversight of unit determination and elections was transferred from the board of education to the labor department. Additions to the New Jersey law for police and firefighters deal with mediation and factfinding, culminating in various forms of binding arbitration, including final offer selection.

Much of the decisionmaking on public sector relations is evolving through administrative law and the courts. Four state supreme court decisions warrant mention. The Indiana Supreme Court invalidated the state's broad-coverage act in its entirety, on the ground that it unconstitutionally precluded judicial review of administrative decisions on unit determination and union certification.<sup>12</sup> The court in Utah ruled the firefighters' negotiation act an unconstitutional delegation of legislative functions, and a similar decision in South Dakota struck down that state's arbitration act for police and firefighters.<sup>13</sup> In Virginia, the court held that a county board and a school board do not have authority to negotiate or enter into collective bargaining agreements with their employees.<sup>14</sup>

### **Private Sector**

How to protect employees against sudden loss of group insurance coverage is beginning to surface as a problem for consideration. A New York law required employers to notify employees of intended termination of a health or accident policy, and authorized the labor commissioner to institute a civil penalty suit against an employer who fails to do so. In Texas, group health, accident, and life insurance policies paid in whole or in part by the employer must hereafter remain in force during a labor dispute stoppage if employees assume temporary responsibility for the entire premium.

A variety of measures were designed to prevent disputes or aid in their resolution. For example, a labor-management advisory council was created in West Virginia, the position of Director of Labor-Management Relations was created in New York City, and the Nevada legislature called for a study-committee approach.

Amendments to existing labor relations acts included extension of bargaining rights to domestic workers employed by a commercial household agency in New York; changes in Colorado with respect to the definition and approval of "all-union" agreements; revised qualifications for membership on the Oregon Employment Relations Board, which may now litigate through its own counsel; and protection from public disclosure of confidential information acquired in the course of dispute settlement in Michigan and Oregon. Responsibility for administering the Florida law regulating union registration and licensing of business agents was transferred from the Department of Business Regulation to the Division of Labor, which must now afford an opportunity for a hearing before suspending or revoking a license.

Voters in Arkansas defeated an initiative that would have repealed its "right-to-work" law. The Louisiana legislature passed a similar law of general application in 1976, along with its law for agricultural workers approved in 1956.

### **Occupational Safety and Health**

The federal-state relationship under the Occupational Safety and Health Act (OSHA) has stabilized. During the biennium only two jurisdictions, Virginia and Puerto Rico, were added to the previous list of 23 with federally approved state plans.<sup>15</sup> Approval, granted after a finding that the state program is or will be as effective as the federal, enables a state with matching funds to assume responsibility for development and enforcement of any health and safety issue addressed by federal standards. To qualify for approval, the Virginia legislature made a number of statutory changes. In several other states with previously approved plans, further amendments were adopted, primarily to assure greater worker protection; among them were Alaska, Arizona, California, Hawaii, Indiana, and Nevada. In Rhode Island, a state whose proposed plan has not yet been approved, the law was brought into partial conformity with OSHA.

A move in the opposite direction was taken in Connecticut, where the legislature indicated its intention to terminate the state plan in operation. This was done by relinquishing health and safety coverage over the private sector, retaining only public sector coverage under state law. The amendment takes effect July 1, 1978.

Mine safety was the subject of legislation in Alabama, Illinois, Kansas, Kentucky, New Mexico, North Carolina, Ohio, Pennsylvania, Virginia, and West Virginia. A common concern in several of these amendments was access by miners to emergency medical services.

The president signed the Federal Mine Safety and Health Amendments Act of 1977 (P.L. 95-164). The new act for the first time consolidates federal functions for the health and safety of all miners into a single statute under a strengthened program, with enforcement newly vested in the U.S. Secretary of Labor. Before, federal mine safety responsibility was governed by two laws under jurisdiction of the Department of Interior, one for coal mines, now incorporated into the new act in amended form, and the other for metal and nonmetallic mines, now repealed. Provision is made for standards-setting similar to that in OSHA, for warning miners about hazards, safety and health training of miners, periodic inspections, authority to close mines for significant violations, and for civil and criminal penalties. The former state option to enforce federal standards in metal and nonmetallic mines under an approved plan is no longer available under the new act.<sup>16</sup> However, the act explicitly safeguards the right of a state to adopt and enforce more stringent health and safety standards than under federal law in any coal or noncoal mine.

Minimizing the danger of employee or public exposure to hazardous substances was the objective of legislation in several states. An important law of this type was one in California which gave the labor department responsibility for regulation of use of carcinogens and designated all violations as "serious." Other examples are measures calling for licensing of radiation sources in Mississippi, creation of a radiation control agency in Rhode Island, a program for control of nonionizing radiation in Vermont, and enforcement of a California law regulating the spraying of asbestos substances in building construction. Employee access to information on personal exposure to dangerous substances was mandated in Connecticut and Louisiana. A Rhode Island law deals with labeling and inspection in the manufacture, storage, and transportation of hazardous substances; and laws in Arkansas and Illinois regulate their transportation.

Improved boiler safety was voted by comprehensive laws in Arizona and Kansas, and by amendment in Maryland and Texas. Measures for elevator safety were adopted in Arkansas, Michigan, and the District of Columbia. In Maryland, the closing of railroad sidetracks and switches may now be ordered if danger to employees is present.

### **Workers' Compensation\***

For many years, there has been a consensus among labor and management groups alike that state workers' compensation systems have not met the needs of people involved in work-related injuries and impairments. For just as many years, state legislatures have been responding to this problem, particularly since the issuance of a report prepared by the National Commission on State Workmen's Compensation Laws in 1972. Subsequently, an Interdepartmental Workers' Compensation Task Force was set up to conduct further studies, provide technical assistance to the states, and report its findings. The task force report, *Workers' Compensation: Is There A Better Way?*,<sup>17</sup> was submitted to the president and Congress early in 1977 and suggested, among other things, that the states should continue to control and administer workers' compensation programs a while longer. However, federal interest in these programs continues.

During the biennium, a number of states amended coverage provisions. Oklahoma required that most employments be covered by July 1, 1979. Several states, including California, Colorado, Illinois, and Iowa, expanded coverage for agricultural or casual workers, while Nevada and Oregon applied new limitations to such coverage. Twenty-four

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\*This section was prepared by Ms. Gerri Minor, Labor Standards Adviser, Employment Standards Administration, Interdepartmental Workers' Compensation Task Force, U.S. Department of Labor.

states added or improved coverage for a variety of occupations and volunteer services including state military forces in Minnesota, fish and game officers in New Hampshire, volunteer officers of the State Board of Alcoholic Control in North Carolina, blood processors and fractionators in Pennsylvania, and prisoners participating in work furlough programs in California and Texas. Full coverage of occupational diseases was provided in Arkansas and Oklahoma.

Payments for loss of income due to disability or death resulting from work-connected injuries and diseases are substantially varied across the country. Three states (South Carolina, South Dakota, and Vermont) set maximum benefits at 100 percent of the state's average weekly wage, while Massachusetts will reach this benefit level by October 1978. Oklahoma approved amendments which will eventually base benefits on a lower percentage of such wages.

Temporary total disability payments are of utmost importance to meet the immediate needs of the worker felled by an accident. In 1976 and 1977, 45 states and the District of Columbia increased temporary total disability benefits (see Table 1). Survivors of those employees who die as a result of work-related accidents or occupational diseases have been given increased attention by state legislatures as benefits were in some way improved in at least 17 states. However, most jurisdictions fall far short of recommendations made by the national commission on this aspect of compensation.

The escalating "flexible maximum" for workers' compensation purposes provides that the percentage of the state's average weekly wage used to compute benefits will increase over a given period of time. In this vein, the legislatures of five states (Alaska, Iowa, Maine, New Mexico, and South Dakota) amended their statutes to periodically increase this percentage as a basis for payment of maximum compensation. Several states, including Connecticut, Minnesota, New York, North Carolina, Utah, Washington, and West Virginia, established monetary increases for prior long-term recipients of compensation. However, Social Security and other benefit offsets against certain types of workers' compensation benefits were created in several states, including Alaska, Florida, Maine, New Jersey, New York, Oregon, and Wyoming.

During the last two years, full medical services were prescribed by eliminating time or monetary limitations in Missouri, Montana (excepting certain occupational diseases), New Mexico, Tennessee, and West Virginia. Additionally, a number of states improved vocational rehabilitation services. For example, Minnesota provided for cost of remodeling the worker's residence; special education opportunities were afforded in Maine; and monetary restrictions were liberalized in Arkansas, Michigan, New Mexico, and West Virginia.

Fifteen states revised policies and regulations to strengthen penalties, reduce employer discrimination against persons filing claims, and clarify the functions and responsibilities of state workers' compensation agencies. Georgia established a Subsequent Injury Fund, and Uninsured Employers' Funds were set up in Montana and Virginia. Studies, designed to identify and correct problems in program operations, were authorized in 13 states.

### **Private Employment Agencies**

Both the laws adopted and those that failed reflect continuing contention on issues in the regulation of private employment agencies. Because of its direct impact on worker welfare, this type of legislation is administered by state labor departments in 32 of the 47 states with regulatory laws.

Relatively few states were not called upon to address the problems in this field, which has become an arena for conflicting interests. Almost 150 bills were introduced in 38 jurisdictions during the biennium. Subjects most often offered for consideration involved placement fees (a critical issue), prohibited practices, information to job applicants, use of "advisory" boards, coverage of the law, and questions of administration and enforcement of private employment agencies.

Some of the final actions taken added needed protection for workers who use commercial agencies, which number about 10,000 nationwide. Changes made by lawmakers serve as indicators of ongoing practices that called for corrective measures. Three states stopped agencies from requiring job applicants to borrow money for the placement fee from a loan company or a specific lender. The practice was outlawed in Kentucky, Tennessee, and Washington, and had been previously banned in New York. Lists of other practices made unlawful were added to the laws of Kentucky, Missouri, and Tennessee.

Disclosure to applicants of specified information about prospective employment was mandated in Missouri and Washington. Job applicants in Nebraska and Missouri who sign a contract with an agency must now be given a copy. In addition, to facilitate the resolution of complaints, agencies in those two states were required to keep records on job orders, fees, and other matters. In New York, stricter recordkeeping was required of agencies which recruit domestics from other countries. The discrimination issue was addressed in Nebraska by extension of the age discrimination law to employment agencies, and in New York which incorporated into the employment agency law a specific ban on sex discrimination as an additional enforcement tool aside from the existing ban in the human rights law.

The acceptance of fees in advance of placement was prohibited in Kentucky. A three-day "cooling-off" period in Minnesota, now written into law and previously established by regulation, enables an applicant to cancel acceptance of a job offer before starting work without incurring a placement fee. Practically no action was taken on efforts to protect the worker from excessive fees or to shift all or part of the obligation to the employer. Several such measures introduced in 1977 legislatures were carried over for continued consideration in 1978.

Following an industry-sponsored trend toward statutory creation of industry-dominated "advisory" boards, some of them with administrative functions, two states took opposing action. Louisiana became the first to abolish such a board by removing the statutory basis for its existence. California reversed the composition of its board to seat more public members than industry representatives. However, the Kentucky legislature directed the creation of an industry advisory council. Sunset laws in several states call for termination of such boards, among others, unless expressly reestablished after evaluation.

More effective enforcement authority was legislated in Maryland, Missouri, Nebraska, and Washington. Coverage of laws was extended in Maryland and Tennessee, but restricted in six other states; among the latter, the exclusion of management consultants and executive recruiters in Ohio and Texas. By executive order, administration of the Missouri law was transferred from the Department of Labor and Industrial Relations to the Department of Consumer Affairs, Regulation, and Licensing.

### **Child Labor and School Attendance**

In recent years, the trend in state laws has been toward less restrictive constraints than federal law in the regulation of maximum hours of work and night work for minors below the age of 16. In reassessing each restriction under state and federal law, state lawmakers

have been developing standards for youth employment which, in their view, accommodate the realities of the job market without risk to youth welfare.

On the whole, states favor an 18-year entrance age for hazardous occupations and a maximum eight-hour day for those under 16. But, as expressed in legislation affecting minors under 16, one half the states do not favor the 40-hour weekly maximum year round, and many more disagree with the three-hour limit on schooldays, the 18-hour limit in schoolweeks, and the pattern of night work restrictions set by federal regulation (see Table 2). As for minors of 16 and 17, whose work hours are not federally regulated, about one half the states have restrictions, many of them being relaxed. In addition, there is widespread administrative authority under state law to approve variances for individual minors in particular circumstances, often with additional safeguards. This type of flexibility, absent under federal law, is viewed as an essential adjunct to generally applicable standards.

Some of the amendments passed during the biennium reflected this developing state pattern. For example, the Maryland legislature adopted changes after a study had been made of existing law. While important protections against dangerous work were strengthened and penalties substantially raised, the changes eased somewhat the hours and night work limitations on employment during school terms. Similarly, in Alaska, hours restrictions were relaxed at the same time that other controls were strengthened through requirements for employment certificates and for written authorization before employers may hire minors. In North Carolina, the labor commissioner was granted discretionary authority to issue individual variances. Contrary to the general trend, revisions in Tennessee conformed state standards to federal, except that provision was made for individual variances. For 16 and 17 year olds, hours restraints were liberalized.

Numerous laws lowered the permissible work age in individual occupations, in volunteer work, and in establishments that handle liquor. Others lifted or eased restrictions for particular groups of minors; for example, those with court permission in Nevada and Virginia. High school graduates in California are no longer subject to hours limits and employment certificate requirements, and in Tennessee minors of 15 and over who are not in school do not need an employment certificate. For minors generally, Indiana dropped two of the former prerequisites for certificate issuance—the school record and physical examination.

In California, administratively assessed civil penalties ranging from \$1,000 to \$5,000 for child labor violations, authorized by a 1975 law, reportedly discouraged the hiring of minors. To overcome this effect, the 1977 legislature reduced the penalty for first and second violations.

Under the FLSA amendments, local minors aged 10 and 11 may now be employed for up to eight weeks during summertime in the hand harvest of short-season crops, under prescribed conditions. However, employers must obtain prior approval from the U.S. Secretary of Labor. In Indiana, however, the minimum age for farm employment outside school hours was raised from 10 to 12. An Ohio amendment applied hazardous work bans and hours limits to child farm workers who reside in agricultural labor camps.

The Montana legislature, in recognition of the inadequacy of existing law, unchanged since 1907, called for a study and development of new draft legislation. In Hawaii, an Office of Children and Youth was created to evaluate youth programs, including child labor standards.

Limited amendments to school laws in Maine, Nevada, and Virginia permit excuse from further school attendance for certain minors who would derive greater benefit from working.

### **Agricultural Workers**

Important measures to benefit farm workers, especially migrants, were passed in California, Colorado, and Wisconsin.

To assure payment of wages due, the California wage payment law was extended to farm workers. Another law gave workers who have harvested or transported farm products a lien on such products equal to two weeks of unpaid earnings, unless the owner had previously arranged for a bond to cover all wage obligations. The right of union representatives to enter a grower's property during nonwork hours was upheld by the California Supreme Court.

Registration of labor contractors in Colorado, formerly required by regulation, was written into a statute which also compels contractors to give workers written details on wages, housing, and other terms of employment, including information on whether a strike is in progress. The labor director was expressly authorized to make investigations, revoke registrations, and assess civil penalties.

A new migrant labor law in Wisconsin affords a variety of protections. The law calls for registration of labor contractors, regulation of their activities, and certification of labor camps. Other provisions guarantee the migrants payment of wages, a minimum number of hours of work, visitation rights, and the right to sue without reprisal.

In South Carolina, a migrant labor division was added to the labor department. Rules for the health, safety, education, and welfare of migrant or seasonal workers are to be issued by the labor commissioner. Through a reorganization of government in Connecticut, authority to set standards for living quarters furnished farm workers was transferred from the Department of Agriculture to the Department of Labor.

As previously mentioned, the federal minimum wage for covered farm workers was lifted in one step to that of other workers in 1978 and will rise simultaneously for both groups thereafter.

### **Other Laws**

The widespread employment of undocumented or illegal alien workers has created complex problems with ramifications beyond any displacement effect on other workers. Estimates of their number range up to 12 million. Eight legislatures<sup>18</sup> took action to reduce this number by imposing sanctions on employers who knowingly hire illegal aliens. Similar legislation had been adopted previously in California, Connecticut, and Kansas. The decision of the U.S. Supreme Court<sup>19</sup> in 1976 upholding constitutionality of part of the California statute paved the way for adoption of similar legislation in other states and for the beginning of enforcement action in a few.

To promote in-state economic benefits from tax-funded contracts, several more states approved preference measures for resident employers in the award of contracts. Preference of this type is now written into the laws of some 17 states. A corollary to this is the existence of preference laws in about one half the states for the hiring of state residents on public contracts. On the other hand, the Maryland legislature opted to counteract the adverse effect on its workers of preference practiced by other states. Hereafter, public works contractors may refuse to hire residents of any state which enforces a prohibition against the employment of Maryland residents on public works in that state. The constitutional issue raised by resident preference employment laws is being reviewed by the U.S. Supreme Court in connection with the "Alaska Hire" law.

Concern with the multiple problems of "displaced homemakers" led to specific



legislative action in a dozen states.<sup>20</sup> The term describes women who, having worked for an extended time as an unpaid worker for the family, are faced with loss of income chiefly because of divorce or widowhood. The laws call for establishment of special centers or programs to provide job-related and other services designed to assist these women in making the transition to independent support for themselves and their dependents. (See detailed discussion in the chapter, "The Legal Status of Women.")

A variety of other subjects were addressed. For example, employers in Minnesota and Nevada may not discharge an employee because of absence to serve on a jury. Another Minnesota law entitled public employees up to 90-days paid leave a year to participate on U.S. teams in international sports events. In Hawaii, employers may not reschedule normal work hours to avoid granting paid leave for voting. Alaska forbade disciplining a public employee for making public records available for public inspection. California employers were barred from retaliating against employees who decline to work in excess of the hours permitted by the Industrial Welfare Commission. In Nevada the standard eight-hour day, 40-hour week in the public sector was amended to permit a four-day, 40-hour week and variable 80-hour biweekly schedules.

Both Maine and Oregon voted to assure employees access to their personnel records. The regulation of industrial homework was strengthened in New York and Pennsylvania. In Minnesota, administration of the law banning employer use of lie detectors (polygraphs and voice stress analysis) was vested in the labor commissioner, and administration of a similar law in Maryland was sharpened by giving the labor commissioner additional powers.

Sunset laws in numerous states affect labor programs and agencies as well as others. The need for continuance of agencies, boards, and commissions will be systematically determined, after reevaluation of each. An illustration is Alabama, where the legislature in 1977 authorized continuance of the labor and industrial relations departments, following evaluation under a 1976 sunset law. Similarly impacting on labor departments, among all others, are "sunshine," or open meeting, laws. Typically, these laws require that meetings of public bodies must be preceded by public notice and held in open session, with specified exceptions.

Job sharing will be instituted in state agencies in Oregon, its use to be evaluated in 1979. The Hawaii legislature requested a feasibility study of the subject. Among measures affecting employment and training was a Connecticut law to stimulate job growth through incentive grants to employers in places of high unemployment. Texas measures called for training and job offers to welfare recipients of aid to dependent children, for a prisoner work-release program, and for a state-funded system for the education of adults in apprenticeship occupations. Apprenticeship laws were amended in California, Colorado, Florida, Nevada, and Oregon.

#### Footnotes

1. In Puerto Rico and the Virgin Islands, workers receiving a minimum wage equal to mainland wages will continue to do so; those receiving less will get annual increases, starting January 1, 1978, until they are at the same minimum rate as mainland employees.

2. Future increases in minimum rates in the following nine states and Guam are specifically linked by state law to federal rate increases. Alaska's rate is 50¢ above the federal rate; California provides for upward adjustment to the federal rate; Connecticut's rate is 0.05 percent above the FLSA rate; Maine matches federal increases up to \$3; Maryland and New Hampshire adopted the FLSA rate; Nevada provides a three-step increase to \$2.75 triggered by rise in FLSA rate; North Carolina increases to \$2.50 on same day the FLSA minimum wage equals or exceeds \$2.50; Wisconsin's rate may not fall below 90 percent of the federal; and Guam provides for automatic increases to the federal rate.

3. Under the 1977 FLSA amendments, overtime payments to workers in hotels, motels, and restaurants (except for maids and custodial employees) will begin after 44 hours instead of 46, effective January 1, 1978, and after 40 hours, beginning January 1, 1979. Overtime provisions were also liberalized for some cotton ginning, sugar processing, and tobacco workers.

4. 426 U.S. 833 (1976). Since that decision, the majority of the courts have held that the Equal Pay Act and the Age Discrimination in Employment Act continue to apply to state and local government agencies.

5. In Alaska, California, Hawaii, Illinois, Iowa, Nevada, North Dakota, Oregon, South Dakota, and Wyoming.

6. *Makarov v. Virginia*, 228 S.E. 2d 573 (1976).

7. In Alaska, Arizona, Connecticut, Georgia, Idaho, Indiana, Kansas, Maryland, Nevada, New Hampshire, New York, Utah, Virginia, and the District of Columbia.

8. See footnote 4.

9. In addition, the Alaska age discrimination law, which has no upper age limit and does not exempt retirement or pension plans from coverage, withstood court challenge in a U.S. district court. The decision is on appeal (*Simpson v. Providence Washington Insurance* (1976), 13 FEP Case 1779).

10. In *General Electric v. Gilbert*, 429 U.S. 125 (1976), the Court held that exclusion of pregnancy disability from an employer's disability benefits plan did not violate the sex discrimination ban in Title VII of the federal Civil Rights Act. In *Nashville Gas Co. v. Satty*, 46 U.S. Law Week 4026 (1977), the Court held that an employer may deny disability sick pay to a woman on maternity leave but not seniority status on her return to work. By February 1978, a federal bill that would overturn the *Gilbert* decision had passed the senate (S. 995), and a similar house bill (H.R. 6075) was reported favorably out of committee in a controversially amended form.

11. A Wisconsin circuit court reaffirmed a similar requirement under the Wisconsin FEP law, when it found that the state is not bound by the *Gilbert* decision, and decided the state law is not preempted by either the Taft-Hartley Act or the Employee Retirement Income Security Act (*Time Insurance Co. v. DILHR*, 16 FEP Cases 391).

12. *Indiana Education Employment Relations Board v. Benton Community School Corporation*, 95 LRRM 3085, July 12, 1977.

13. *Salt Lake City v. International Association of Firefighters*, 80LC 53, 958, October 11, 1976, and *City of Sioux Falls v. Sioux Falls Firefighters*, Local 814, 234 NW 2d 35 (1976).

14. *Virginia v. Arlington County Board*, 94 LRRM 2291, January 14, 1977.

15. As of February 22, 1978, the 25 jurisdictions with approved plans were Alaska, Arizona, California, Colorado, Connecticut, Hawaii, Indiana, Iowa, Kentucky, Maryland, Michigan, Minnesota, Nevada, New Mexico, North Carolina, Oregon, South Carolina, Tennessee, Utah, Vermont, Virginia, Washington, Wyoming, Puerto Rico, and the Virgin Islands.

16. On November 9, 1977, when the act was signed, approved state plans were in effect in Arizona, Colorado, New Mexico, North Carolina, Utah, and Virginia. These plans will terminate on March 9, 1978, the effective date of the new act.

17. *Workers' Compensation: Is There A Better Way?* was prepared by the Policy Group of the Interdepartmental Workers' Compensation Task Force. It is anticipated that final results of the research and analysis of state administrative practices will be reported soon.

18. Delaware, Florida, Maine, Massachusetts, Montana, New Hampshire, Vermont, and Virginia.

19. *De Canas v. Bica*, 96 S. Ct. 933 (1976).

20. During the biennium in Colorado, Illinois, Maine, Maryland, Minnesota, Montana, New York, Ohio, Oregon, and Texas, and previously in California and Florida.

Table 1  
**MAXIMUM BENEFITS FOR TEMPORARY TOTAL DISABILITY  
 UNDER WORKERS' COMPENSATION LAWS\***  
 As of November 1977

State or other jurisdiction	Maximum percentage of wages	Maximum payment per week	Maximum period	Total maximum stated in law
Alabama .....	66 2/3	66 2/3% of state's average weekly wage (\$120)	300 weeks	...
Alaska .....	66 2/3	133 1/3% of state's average weekly wage (\$551.86) (a)	Duration of disability	...
Arizona .....	66 2/3	\$153.85, plus \$2.30 for each total dependent	Duration of disability	...
Arkansas .....	66 2/3	\$84(b)	450 weeks	\$37,800(b)
California .....	66 2/3	\$154	240 weeks	...
Colorado .....	66 2/3	80% of state's average weekly wage (\$161.42) (c)	Duration of disability	(c)
Connecticut .....	66 2/3	66 2/3% of state's average weekly wage (\$147) (d)	Duration of disability	...
Delaware .....	66 2/3	66 2/3% of state's average weekly wage (\$144)	Duration of disability	...
Florida .....	60	66 2/3% of state's average weekly wage (\$119) (e)	350 weeks	...
Georgia .....	66 2/3	\$95	Duration of disability	...
Hawaii .....	66 2/3	100% of state's average weekly wage (\$179)	Duration of disability	...
Idaho .....	60(d)	60% to 90% of state's average weekly wage (\$99 to \$148.50) (d)	52 weeks; thereafter 60% of the state's average weekly wage, for dura- tion of disability	...
Illinois .....	66 2/3	133 1/3% of state's average weekly wage (\$304.21)	Duration of disability	...
Indiana .....	66 2/3	\$120	500 weeks	\$60,000
Iowa .....	80(f)	133 1/3% of state's average weekly wage (\$247) (f)	Duration of disability	...
Kansas .....	66 2/3(g)	66 2/3% of state's average weekly wage (\$120.95)	Duration of disability	\$50,000
Kentucky .....	66 2/3	60% of state's average weekly wage (\$104)	Duration of disability	...
Louisiana .....	66 2/3	66 2/3% of state's average weekly wage (\$95)	Duration of disability	...
Maine .....	66 2/3(h)	133 1/3% of state's average weekly wage (\$220.93) (h)	Duration of disability	...
Maryland .....	66 2/3	100% of state's average weekly wage (\$188)	Duration of disability	...
Massachusetts .....	66 2/3(i)	\$150(i)	Duration of disability	\$37,500(i)
Michigan .....	66 2/3	\$127 to \$156(d,j)	Duration of disability	...
Minnesota .....	66 2/3	100% of state's average weekly wage (\$197)	Duration of disability	...
Mississippi .....	66 2/3	\$91	450 weeks	\$40,950
Missouri .....	66 2/3	\$95	400 weeks	...
Montana .....	66 2/3	100% of state's average weekly wage (\$174)(k)	Duration of disability	...
Nebraska .....	66 2/3	\$140	Duration of disability	...
Nevada .....	66 2/3	150% of state's average monthly wage (\$198.22 weekly)	Duration of disability	...
New Hampshire .....	(l)	100% of state's average weekly wage (\$169)(l)	Duration of disability	...
New Jersey .....	66 2/3	66 2/3% of state's average weekly wage (\$138)	300 weeks	...
New Mexico .....	66 2/3	89% of state's average weekly wage (\$142.59)(m)	600 weeks	(m)
New York .....	66 2/3	\$125(n)	Duration of disability	...
North Carolina .....	66 2/3	100% of state's average weekly wage (\$168)	Duration of disability	...
North Dakota .....	66 2/3	100% of state's average weekly wage (\$171), plus \$5 for each dependent child, but not to exceed worker's net wage after taxes and Social Security	Duration of disability	...
Ohio .....	66 2/3	100% of state's average weekly wage (\$198)	Duration of disability	...
Oklahoma .....	66 2/3	\$60(o)	300 weeks; may be ex- tended to 500 weeks	...
Oregon .....	66 2/3	100% of state's average weekly wage (\$213.78)	Duration of disability	...
Pennsylvania .....	66 2/3	100% of state's average weekly wage (\$199)	Duration of disability	...
Rhode Island .....	66 2/3	100% of state's average weekly wage (\$176), plus \$6 for each dependent; aggregate not to exceed 80% of worker's average weekly wage(p)	Duration of disability(p)	(p)
South Carolina .....	66 2/3	100% of state's average weekly wage (\$160)	500 weeks	\$40,000
South Dakota .....	66 2/3	84% of state's average weekly wage (\$130)(q)	Duration of disability	...
Tennessee .....	66 2/3	\$100	Duration of disability	\$40,000
Texas .....	66 2/3	\$91(r)	401 weeks	...
Utah .....	66 2/3	100% of state's average weekly wage (\$183)(d)	312 weeks	...
Vermont .....	66 2/3	100% of state's average weekly wage (\$170), plus \$5 for each dependent under 21	Duration of disability	...
Virginia .....	66 2/3	100% of state's average weekly wage (\$175)	500 weeks	(s)
Washington .....	60-75(d)	75% of state's average weekly wage (\$163.38)(t)	Duration of disability	...
West Virginia .....	66 2/3	100% of state's average weekly wage (\$208)	208 weeks	...
Wisconsin .....	66 2/3	100% of state's average weekly wage (\$189)	Duration of disability	...
Wyoming .....	66 2/3	100% of state's average monthly wage (\$189.86 weekly)	Duration of disability	...
Dist. of Col. ....	66 2/3	200% of national average weekly wage (\$367.22)(u)	Duration of disability	...
United States†:				
FECA .....	66 2/3-75	\$571.15(v)	Duration of disability	...
LS/HWCA .....	66 2/3(v)	200% of national average weekly wage (\$342.54)(u)	Duration of disability	...

Table 1  
**MAXIMUM BENEFITS FOR TEMPORARY TOTAL DISABILITY  
 UNDER WORKERS' COMPENSATION LAWS\***

As of November 1977

(Footnotes)

\*Prepared by the Division of Workers' Compensation Standards, Employment Standards Administration, U.S. Department of Labor.

†FECA means Federal Employees' Compensation Act (5 U.S.C. 8101-8150). LS/HWCA means Longshoremen's and Harbor Workers' Compensation Act (33 U.S.C. 901-950).

(a) Effective January 1, 1979, maximum weekly benefits will be 166 2/3% of the state's average weekly wage; and January 1, 1981, 200 percent. If periodic retirement or survivors' benefits are payable under the federal OASDI, the weekly workers' compensation benefit shall be reduced by one-half the amount of such federal benefit for such week. If federal OASDI benefits are payable for a work-related injury for which a workers' compensation claim has been filed, the workers' compensation benefit shall be offset by an amount by which the sum of the weekly federal and state workers' compensation benefits exceeds 80% of the employees' average weekly wages at time of the injury.

(b) Effective March 1, 1978, the maximum weekly benefit will be \$87.50, and total maximum will be \$39,375.

(c) If periodic disability benefits are payable to the worker under the federal OASDI, the weekly worker's compensation benefit shall be reduced (but not below 0) by an amount approximating one-half such federal benefits for such week. If disability benefits are payable under an employer pension plan, the worker's compensation benefits shall be reduced in an amount proportional to the employer's percentage of total contributions to the plan.

(d) According to number of dependents. In Connecticut, \$10 for each dependent child, up to 50% of the basic weekly benefit, or 75% of the employee's average weekly wage. In Idaho, increased by 7% of currently applicable average weekly state wage for each child up to 5 children. In Utah, \$5 for dependent spouse and each dependent child up to 4, but not to exceed 100% of state's average weekly wage. In Washington, according to marital status and number of dependents.

(e) If periodic disability benefits are payable to the worker under the federal OASDI, the worker's compensation benefit and the federal payment shall not exceed 80% of the employee's average weekly wage. The offset shall not be applicable when he or she reaches 62 years of age. In addition, weekly benefits payable under the unemployment compensation law of any state are offset against workers' compensation benefits.

(f) Maximum percentage of wages based on employee's average weekly spendable earnings. Effective July 1, 1979, maximum weekly benefits will be 166 2/3% of the state's average weekly wage; and beginning July 1, 1981, 200%.

(g) Maximum percentage of wages based on employee's average gross weekly wage.

(h) Maximum percentage of wages based on employee's average gross weekly wage. Effective July 1, 1979, maximum weekly benefits will be 166 2/3% of the state's average weekly wage; and July 1, 1981, 200%.

(i) Plus a weekly allowance of \$6 for each total dependent but the aggregate shall not exceed the worker's average weekly wage. Effective October 1, 1978, the maximum weekly benefit will change to the state's average weekly wage and the total maximum will increase to \$45,000.

(j) The maximum benefits rate is adjusted annually on the basis of a \$1 increase or decrease for each \$1.50 increase or decrease in the state's average weekly wage.

(k) If periodic disability benefits are payable to the worker under the federal OASDI, the weekly worker's compensation benefit shall be reduced (but not below 0) by an amount approximating one-half such federal benefits for such week.

(l) Benefits set in accordance with a "wage and compensation schedule" up to average weekly wage of \$138 (maximum benefit \$92). If the employee's average weekly wage is over \$138, compensation shall be 66 2/3% of such wage, not to exceed 100% of state's average weekly wage rounded to the nearest dollar.

(m) Effective July 1, 1978, maximum weekly benefits will be 100% of the state's average weekly wage. The total maximum will be an amount equal to 600 multiplied by the maximum weekly compensation payable at the time of injury.

(n) Effective July 1, 1978, maximum weekly benefits will be \$180; effective January 1, 1979, \$215.

(o) Effective July 1, 1978, maximum weekly benefits will be 66 2/3% of the state's average weekly wage.

(p) After 500 weeks, or after \$32,500 has been paid, payments to be made from second injury fund for period of disability.

(q) Effective July 1, 1978, maximum weekly benefits will be 94% of state's average weekly wage, computed to the next higher multiple of \$1; effective July 1, 1979, 100%.

(r) Each cumulative \$10 increase in the average weekly wage for manufacturing production workers will increase the maximum weekly benefit by \$7 per week.

(s) Total maximum amount payable shall be the result obtained by multiplying the state's average weekly wage for the applicable year by 500.

(t) For injuries occurring on or after July 1, 1975, a specified formula provides for an annual adjustment of benefits, offset by any Social Security payments a claimant under 62 may receive.

(u) "National average weekly wage," as determined by the Secretary of Labor, is based on the national average weekly earnings of production or nonsupervisory workers on private nonagricultural payrolls.

(v) Based on 75% of the pay of specified grade levels in the federal civil service.

**Table 2**  
**SELECTED STATE CHILD LABOR STANDARDS AFFECTING MINORS UNDER 18\***  
**As of November 1977**

(Because of limitations of space, occupational coverage, exemptions, and deviations are usually not indicated)

<i>State or other jurisdiction</i>	<i>Documentary proof of age required up to age indicated(a)</i>	<i>Maximum daily and weekly hours and days per week for minors under 16 unless other age indicated(b)</i>	<i>Nightwork prohibited for minors under 16 unless other age indicated(b)</i>	<i>Minimum age for agricultural employment outside school hours(c)</i>
<b>Federal (FLSA)</b> .....	(d)	8-40, nonschool period. Schoolday/week: 3-18(e).	7 p.m. (9 p.m. June 1 through Labor Day) to 7 a.m.	14 (12 with written parental consent or on farms where their parents are working). (f) No minimum on parents' farm, or with written parental consent on farm of an employer who did not use more than 500 man-days of agricultural labor in any calendar quarter of preceding calendar year.
<b>Alabama</b> .....	17; 19 in mines and quarries.	8-40-6. Schoolday/week: 4-28.	8 p.m. to 7 a.m.	...
<b>Alaska</b> .....	18	6-day week, under 18. Schoolday/week: 9(h)-23.	7 p.m. to 6 a.m.	14
<b>Arizona</b> .....	(g)	8-40. Schoolday/week: 3-18.	9:30 p.m. to 6 a.m.	...
<b>Arkansas</b> .....	16	8-48-6. 10-54-6, 16 and 17.	7 p.m. (9 p.m. before nonschoolday) to 6 a.m. 11 p.m. before schoolday to 6 a.m., 16 and 17.	14
<b>California</b> .....	18	8-48-6, under 18. Schoolday: 4, under 18 if required to attend school 4 or more hours.	10 p.m. (12:30 a.m. before nonschoolday) to 5 a.m., under 18.	14 (12 during vacation and on regular school holidays).
<b>Colorado</b> .....	16	8-40, under 18. Schoolday: 6.	9:30 p.m. to 5 a.m. before schoolday.	12
<b>Connecticut</b> .....	18	9-48, under 18. 8-48-6, under 18 in stores, and under 16 in agriculture. (Overtime permitted in certain industries.)	10 p.m. to 6 a.m., under 18. Midnight to 6 a.m., 16 and 17 in restaurants or as usher in nonprofit theatre before nonschoolday and if not attending school.	14 (no minimum in weeks when average number of employees is 15 or fewer).
<b>Delaware</b> .....	18	8-48-6.	7 p.m. (9 p.m. in stores on Friday, Saturday, and vacation) to 6 a.m.	...
<b>Florida</b> .....	18	10-40-6. Schoolday: 4 when followed by schoolday, except if enrolled in vocational program.	9 p.m. (11 p.m. before nonschoolday) to 6:30 a.m. 11 p.m. (1 a.m. before nonschoolday) to 5 a.m. (may be extended under certain conditions), 16 and 17.	...
<b>Georgia</b> .....	18	8-40. 60-hour week, 16 and over in cotton and woolen manufacturing. Schoolday: 4.	9 p.m. to 6 a.m.	...
<b>Hawaii</b> .....	18	8-40-6. Schoolday: 10(h).	7 p.m. to 7 a.m. (9 p.m. to 6 a.m. June 1 through day before Labor Day)	12 (10 in coffee harvesting on nonschooldays under direct parental supervision, with specified hours standards).
<b>Idaho</b> .....	(g)	9-54.	9 p.m. to 6 a.m.	...

Illinois	16	8-48-6. Schoolday: 3 [8(h)].	7 p.m. (9 p.m. June 1-Labor Day) to 7 a.m.	10
Indiana	17	8-40-6, under 17, except minors of 16 not enrolled in school. 9-48 during summer vacation, minors of 16 enrolled in school. Schoolday/week: 3-23.	7 p.m. (9 p.m. before nonschoolday) to 6 a.m. 10 p.m. (midnight before nonschoolday) to 6 a.m., minors of 16 enrolled in school.	12
Iowa	16	8-40. Schoolday/week: 4-28.	7 p.m. (9 p.m. June 1 through Labor Day) to 7 a.m.	14 (for migrants; 14 before schoolday in available school, 12 at other times. No minimum for part-time work by non-migrants.).
Kansas	16(g)	8-40.	10 p.m. before schoolday to 7 a.m.	...
Kentucky	18	8-40 for under 16, 8-48 for 16 and 17 if attending school. 10-60, 16 and 17 not attending school. Schoolday/week: 3-18, under 16. 4 (8 on Friday)-32, 16 and 17 if attending school.	7 p.m. (9 p.m. June 1 through Labor Day) to 7 a.m. 10 p.m. (midnight on Friday, Saturday, and during vacation) to 6 a.m., 16 and 17 if attending school.	...
Louisiana	18	8-44-6. Schoolday: 3.	10 p.m. to 6 a.m.	...
Maine	16	8-48-6. Schoolday/week: 4-28.	9 p.m. to 7 a.m.	...
Maryland	18	8-40. Schoolday: 4, under 16, 12(h), under 18. Schoolweek: 23 when school in session 5 days.	8 p.m. (9 p.m. Memorial Day-Labor Day) to 7 a.m. 9 hours of nonwork; nonschool time required in each 24-hour day, 16 and 17.	...
Massachusetts	18	8-48-6. 4-24 in farmwork, under 14. 9-48-6, 16 and 17.	6 p.m. to 6:30 a.m. 10 p.m. (midnight in restaurants on Friday, Saturday, and vacation) to 6 a.m., 16 and 17.	...
Michigan	18	10-48-6, under 18. Schoolweek: 48(h), under 18.	9 p.m. to 7 a.m. 10:30 p.m. to 6 a.m., 16 and 17 if attending school. 11:30 p.m. to 6 a.m., 16 and 17 if not attending school.	...
Minnesota	18	8-40.	9:30 p.m. to 7 a.m.	14
Mississippi	(g)	8-44. 10 hour day, 16 and over in mill, factory, and other specified establishments.	7 p.m. to 6 a.m.	...
Missouri	16	8-40-6.	7 p.m. (10 p.m. before nonschoolday and for minors not enrolled in school) to 7 a.m.	14 (no minimum for occasional work with parental consent).
Montana	18	...	...	...
Nebraska	16	8-48.	8 p.m. to 6 a.m. under 14. 10 p.m. (beyond 10 p.m. before nonschoolday with special permit) to 6 a.m., 14 and 15.	...
Nevada	17(g)	8-48.	...	...
New Hampshire	18	8 on nonschoolday, 48-hour week during vacation, if enrolled in school. 10-48 at manual or mechanical labor in manufacturing, 10-54 at such labor in other employment, under 16 if not enrolled in school and 16 and 17. Schoolday/week: 3-23 if enrolled in school.	9 p.m. to 7 a.m. if enrolled in school.	12

Table 2—Concluded  
SELECTED STATE CHILD LABOR STANDARDS AFFECTING MINORS UNDER 18\*

State or other jurisdiction	Documentary proof of age required up to age indicated(a)	Maximum daily and weekly hours and days per week for minors under 16 unless other age indicated(b)	Nightwork prohibited for minors under 16 unless other age indicated(b)	Minimum age for agricultural employment outside school hours(c)
New Jersey.....	18	8-40-6, under 18. 10-hour day; 6-day week in agriculture. Schoolday: 8(h).	6 p.m. to 7 a.m. 10 p.m. (midnight in restaurants before nonschoolday and during vacation) to 6 a.m., 16, 17, except 11 p.m. for boys in nonfactory establishments during vacation.	12
New Mexico .....	16	8-44 (48 in special cases), under 14.	9 p.m. to 7 a.m., under 14.	...
New York.....	18	8-40-6. 8-48-6, 16 and 17. Schoolday/week: 3-23, under 16. 4-28, 16 if attending school.	7 p.m. to 7 a.m. Midnight to 6 a.m., 16 and 17.	14 (12 on home farm for parents, and in hand harvest of berries, fruits, and vegetables with parental consent under specified hours standards).
North Carolina .....	18	8-40-6. 9-48-6, 16 and 17. Schoolday: 8(h).	7 p.m. (9 p.m. when school not in session) to 7 a.m. Midnight to 6 a.m., 16 and 17.	...
North Dakota .....	16	8-48-6, under 18. Schoolday/week: 3-24 if not exempted from school attendance.	7 p.m. (9 p.m. June 1 through Labor Day) to 7 a.m.	...
Ohio .....	18	8-48-6, under 18. Schoolday: 4, under 14. 9(h), under 16.	6 p.m. to 7 a.m. (10 p.m. to 6 a.m. before nonschoolday with prior approval). 10 p.m. (midnight before nonschoolday) to 6 a.m., 16 and 17.	...
Oklahoma .....	16	8-48.	6 p.m. to 7 a.m.	...
Oregon .....	18	10-44 (emergency overtime with permit)-6. 44-hour week (emergency overtime with permit), 16 and 17.	6 p.m. (10 p.m. with permit) to 7 a.m.	(i)
Pennsylvania .....	18	8-44-6, under 18. Schoolday/week: 4-18, under 16. 28 in schoolweek, 16 and 17 if enrolled in regular day school.	7 p.m. (10 p.m. during vacation from June to Labor Day) to 7 a.m. 11 p.m. (midnight before nonschoolday) to 6 a.m., 16 and 17 if enrolled in regular day school.	...
Rhode Island .....	16	8-40. 9-48, 16 and 17.	7 p.m. to 6 a.m. 11 p.m. to 6 a.m., 16 and 17.	...
South Carolina .....	(g)	10-55, 16 and over in cotton and woolen manufacturing establishments. (Limited emergency overtime permitted.)	8 p.m. (11 p.m. before nonschoolday in stores, domestic service, farmwork) to 5 a.m.	...
South Dakota .....	16	8-40.	After 7 p.m. in mercantile establishments, under 14.	...
Tennessee .....	18	8-40. 10-48, 16 and 17 if enrolled in school. 10-48-6, 16 and 17 not enrolled in school. Schoolday/week: 3-18. 6-36, 16 and 17.	7 p.m. (9 p.m. June 1 through September 1) to 7 a.m. 10 p.m. (midnight Friday, Saturday, and from June 1 through September 1) to 6 a.m., 16 and 17 if enrolled in school. Midnight to 6 a.m., 16 and 17 not enrolled in school.	...
Texas .....	15(g)	8-48, under 15.	10 p.m. to 5 a.m., under 15.	14 (no minimum from June 1 to September 1).

Utah .....	(g)	8-40. Schoolday: 4.	9:30 p.m. to 5 a.m. before schoolday.	12 (no minimum if with parental consent).
Vermont .....	16(g)	8-48-6. 9-50, 16 and 17.	7 p.m. to 6 a.m.	...
Virginia .....	18	8-40-6, under 18.	6 p.m. (10 p.m. before nonschoolday and June 1 to September 1) to 7 a.m. (minors of 15 may begin at 5 a.m.). Midnight to 5 a.m., 16 and 17.	14 (no minimum if with parental consent).
Washington .....	18	8-hour day, 5-day week, under 18. Schoolday/week: 3-18.	7 p.m. (9 p.m. during summer vacation) to 7 a.m. After 9 p.m. on consecutive nights preceding schoolday, 16 and 17.	(i)
West Virginia .....	16	8-40-6.	8 p.m. to 5 a.m.	...
Wisconsin .....	18	8-24-6 when school in session and 8-40-6 in nonschool-week. 8-40-6 when school in session and 8-48-6 in nonschool-week (voluntary overtime per day and week permitted up to 50-hour week), 16 and 17 if required to attend school.	8 p.m. (9:30 p.m. before nonschoolday) to 7 a.m. 12:30 a.m. to 6 a.m., except where under direct adult supervision, and with 8 hours rest between end of work and schoolday, 16 and 17 if required to attend school.	12
Wyoming .....	16	8-hour day.	10 p.m. (midnight before nonschoolday and for minors not enrolled in school) to 5 a.m. Midnight to 5 a.m., girls 16 and 17.	...
District of Col. ....	18	8-48-6, under 18.	7 p.m. (9 p.m. June 1 through Labor Day) to 7 a.m. 10 p.m. to 6 a.m., 16 and 17.	14
Guam .....	16	8-40-6, under 18. Schoolday: 9(h), under 18.	After 7 p.m. on schoolday, under 18.	...
Puerto Rico .....	18	8-40-6, under 18. Schoolday: 8(h)	6 p.m. to 8 a.m. 10 p.m. to 6 a.m., 16 and 17.	14

\*Prepared by the Division of State Employment Standards, Employment Standards Administration, U.S. Department of Labor.

(a) Many states require an employment certificate for minors under 16 and an age certificate for 16 and 17 year olds; in a few states other types of evidence are acceptable as proof of age. In most states the law provides that age certificates may be issued upon request for persons above the age indicated or, although not specified in the law, such certificates are issued in practice.

(b) State hours limitations on a schoolday and in a schoolweek usually apply only to those enrolled in school. Several states exempt high school graduates from the hours and/or nightwork or other provisions, or have less restrictive provisions for minors participating in various school-work programs. Separate nightwork standards in messenger service and street trades are common, but are not displayed in table.

(c) Under federal law and in the laws of most states, there is a specific parental exemption for employment by a parent or on a farm owned or controlled by parents.

(d) Not required. State age or employment certificates which show that the minor has attained the minimum age for the job are accepted under the Fair Labor Standards Act.

(e) Students of 14 and 15 enrolled in approved Work Experience and Career Exploration programs may work during school hours up to 3 hours on a schoolday and 23 hours in a schoolweek.

(f) Local minors 10 and 11 years of age may work for no more than 8 weeks between June 1 and

October 15 for employers who receive approval from the Secretary of Labor. This work must be confined to hand-harvesting short-season crops outside school hours under very limited and specified circumstances prescribed by the Secretary of Labor.

(g) Proof of age is not mandatory under state law in Arizona, Idaho, Mississippi, South Carolina and Utah; or in Kansas for minors enrolled in secondary schools, and in Nevada and Vermont for employment outside school hours. For purposes of the Fair Labor Standards Act, federal age certificates are issued upon request by the State Department of Labor in South Carolina and by Wage and Hour Offices in Mississippi and Texas. In Utah, state law directs schools to issue age certificates upon request.

(h) Combined hours of work and school.

(i) Oregon. There is no minimum age for agricultural employment outside school hours, except for a 9-year minimum in harvesting berries and beans for intrastate commerce under specified circumstances; applicable only to employment subject to FLSA.

Washington. The child labor law exempts all agricultural employment from its coverage. However, a separate provision in the statute relating to agriculture generally, expressly permits outside-school-hour employment of minors under 12 in harvesting berries for intrastate commerce under specified circumstances; applicable only to employment subject to FLSA.



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## EMPLOYMENT SECURITY ADMINISTRATION IN THE STATES\*

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THE WAGNER-PEYSER ACT of 1933 authorized the establishment of the present nationwide public employment service system. The original concept of the U.S. Employment Service (USES) was primarily that of a labor exchange. This concept has prevailed although many new programs and activities have been assigned to USES over the years. Today, more than 22 other laws and 17 executive orders affect USES.

With the enactment of the Social Security Act of 1935, which established the federal-state unemployment insurance program, the USES role was greatly expanded. Under laws establishing the unemployment insurance program, availability for employment — the so-called “work test” — is required as a precondition for determining eligibility to collect unemployment benefits. Responsibility for administering this work test was vested in the state employment service.

The close working relationships generated by the work test requirement and the funding provisions of the Social Security Act, whereby the major portions of funds derived from the Federal Unemployment Tax Act are used to fund USES, were instrumental in bringing USES and unemployment insurance programs together under the federal-state employment security system.

Fiscal 1977 reflects the first full year of continuing improvement in the nation's economy since the most recent recession and reflected the program direction of the federal-state employment service system. Fiscal 1977 began with unemployment at 8 percent of the work force. This rate declined to about 7 percent and remained relatively constant at that level during the remaining months of the year. This high level of unemployment resulted in unparalleled heavy workloads on unemployment insurance for paying benefits and on USES for registering unemployed workers, soliciting job orders from employers, and matching worker qualifications with job opportunities.

Fiscal 1977 also witnessed a transition in the nation's leadership. New programs were initiated to stimulate the economy and the state employment security system was called on to play a significant role in carrying out certain responsibilities of the president's Economic Stimulus Package (ESP). Program accomplishments in ESP and other USES programs and activities are described below.

### **Employment Service Performance<sup>1</sup>**

Reflecting strong recovery from the recession, USES placed 3.4 million individuals in jobs in fiscal 1976—up 7 percent over fiscal 1975. Some 3.2 million persons were placed in nonagricultural industries (up 8 percent over the year) paralleling the rise in nonagricultural employment throughout the economy. The quality of job placements also improved between fiscal 1975 and 1976. The number of individuals placed in jobs expected to last over 150 days

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\*This chapter was prepared jointly by the U.S. Employment Service and the Unemployment Insurance Service of the Department of Labor in collaboration with Sam A. Morgenstein, Program Director of the Interstate Conference of Employment Security Agencies.

rose 4 percent over 1975. Significant over-the-year gains were also reported in the placement of migrants, economically disadvantaged, women, youth, unemployment insurance claimants and Comprehensive Employment and Training Act (CETA) applicants.

The one major development on a negative note was the precipitous drop in both agricultural openings received and in the number of agricultural placements (each down about 60 percent). This reflects the impact of a federal court order relating to migrant and seasonal farmworkers, the shift in emphasis to place applicants in long-term nonagricultural jobs, and the continuing trend of mechanization in agriculture.

Lastly, 1976 was a year where the number of applicants under CETA placed by state agencies doubled over the previous year. In fiscal 1976, nearly 12 percent of USES placements was in subsidized public service employment. This proportion is expected to rise in fiscal 1977 as a result of the doubling of the public service employment program.

### **Services to Applicants**

State employment service agencies, affiliated with USES, operate nearly 2,500 local offices. Local job service<sup>2</sup> offices provide job placement services to all job seekers. These services include outreach, interviewing, testing, employment counseling, and referrals to jobs, training, and other services in readying individuals for employment. Job service staff solicit information on job openings from employers. Applications from job seekers are screened regularly against available job openings. Applicants are referred to job opportunities for which they are qualified. Computers are used in many offices to speed selection and referral and to give job seekers a wider exposure to available job opportunities and to provide qualified workers to employers.

The individuals served by the job service have a wide variety of backgrounds and needs. Of every five applicants, three are high school graduates, and one of these three has had some college. Applicants include veterans, minorities, youth, older workers, the handicapped, women, and migrants. There are others in the prime working ages (22 to 44) with diverse skills and experience, who are seeking employment. To more readily meet special needs of applicants who are identified in special groups, i.e., veterans, youth, older workers, minorities, women, handicapped, etc., special programs and techniques are provided.

### **Employer Services**

The purpose of the employer services program is to establish and maintain an effective and productive relationship with employers. Its primary objective is to generate an inflow of job openings in the volume and occupational variety necessary to satisfy the job needs of applicants. This program includes several basic elements.

The employer contact program serves as the central and primary point of communication or liaison between job service local offices and employers.

The Job Service Improvement Program (JSIP) was launched in July 1975 as a means of providing employers with improved and more personalized services. The objective of JSIP is to bring in a larger volume and broader mix of job openings. It is local office oriented and consists of organizing an employer committee around the operations of a local office. The idea is to get direct participation from companies using the service on how the job service can improve its services to employers. JSIP has been implemented in over 250 communities in 44 states involving more than 6,000 employers.

Through the employer technical services program, employers have been aided in the recruitment, utilization, and retention of their employees. Technical aids in this program

include turnover and absenteeism studies, job analysis studies, preparation and analysis of staffing schedules, and upgrading.

In order to create job opportunities primarily for Vietnam-era veterans and disabled veterans, contractors holding federal contracts of \$10,000 or over are legally required to list certain job openings with the public employment service. About 12 percent of total nonagricultural job openings in fiscal 1976 came from this source.

### **Job Service Matching System**

Following many years of development, USES adopted the Job Service Matching System (JSMS) as the vehicle by which to automate many job service functions related to the placement process. JSMS and automation activities of the Unemployment Insurance Service (UIS) are coordinated and funded through the Employment Security Automation Project.

By the end of fiscal 1977, 24 state employment service agencies had been funded and provided with approximately \$44 million to implement the project. This amount includes both USES and UIS funding. Plans as of the beginning of fiscal 1978 are to complete agreements with all unfunded state employment service agencies by the end of fiscal 1978. This action would provide for the implementation of fully automated systems in USES and UIS on a nationwide basis by the end of fiscal 1983.

### **USES Support to Other Groups**

The USES, under its basic charter to serve all workers, is charged with assisting various citizens' groups as well as cooperating in other human resource programs. The following discussion describes some of these programs.

#### **Veterans**

The Wagner-Peyser Act provides that veterans be given preferential referral to job openings by USES. State employment service agencies place emphasis on obtaining jobs or training opportunities for veterans. Disabled veterans receive special attention. USES has instituted action plans to ensure the availability of adequate local office services to disabled veterans, development of cooperative relationships with other agencies and community groups, periodic performance reviews of such services, and the appropriate follow-up. A National Outreach Employment and Job Development Program is being conducted for veterans by the Employment and Training Administration. This program focuses on special employment and training needs of disabled and Vietnam-era veterans through the use of community-based organizations which have experience in working with local veterans.

#### **Youth**

The increasing high rate of unemployment of youth and young adults has focused attention on their needs and stimulated the development of new programs to ease the transition from school to work. Included are cooperative programs with schools, community agencies, and other groups such as business and industry. Through its network of local offices, the job service has the capability to provide placement, career guidance, and employment counseling for all youth.

#### **Migrant and Seasonal Farmworkers**

USES has implemented rules and regulations for counseling, testing, job training, and

referral services for migrant and seasonal farmworkers on a basis which is qualitatively equivalent and quantitatively proportionate to services provided to other workers seeking employment.

### **USES Support to Other Programs**

Although the basic role of USES is to serve as a labor market intermediary, it assumes support activities for other programs and target groups. These include the nonjob-ready served by CETA, and Food Stamp and Aid to Families with Dependent Children (AFDC) program recipients.

*CETA.* The employment service provides direct placement services to CETA prime sponsors at no cost. Other services may be provided under a financial agreement with the prime sponsor. In order to avoid duplication and provide complementary services in local areas, a close communication and exchange of resources between CETA prime sponsors and USES agencies is encouraged by the Employment and Training Administration. In fiscal 1977, 5,728 USES staff years were supported by agreements with CETA prime sponsors.

In addition to routine USES/CETA coordination and cooperation and provision of CETA services through USES, nine demonstration projects have been funded. The purpose of the projects is to test various USES/CETA relationships, and to provide models for program linkage which may be replicated in other local areas.

*The Food Stamp Program.* ETA, through its state employment service offices, has responsibility in part for the Food Stamp program work requirement. Under the current arrangement, food stamp recipients who are required to register for employment do so at the welfare agency. Their work applications are transmitted to the USES office, which in turn has responsibility for job referral and placement. The number of work registrants has grown from 1.2 million in 1973 to 3.2 million in 1976.

*WIN.* The purpose of Work Incentive Program (WIN) is to move employable AFDC recipients from public assistance into productive employment through appropriate training and support services. Applicants for AFDC are screened by the state welfare agency to determine those required to register for WIN. Those who must register by law and those who volunteer are registered by the state WIN sponsor. With two exceptions, the WIN sponsor is the state employment security agency.

When appropriate work is available, WIN participants enter jobs directly. If employment is not available or if training is necessary, registrants may be assigned to various program components such as on-the-job training, classroom training, Public Service Employment, or work experience, in line with their employability plans. They may also be referred to other programs for training or employment. When the participants become employed, their welfare payments are adjusted according to the wages they earn. They may continue to receive supportive services during their first 90 days on the job.

### **Economic Stimulus Package**

The Economic Stimulus Appropriations Act of 1977 provided \$20.1 billion in new obligational authority, over one half of which is administered by the Department of Labor's Employment and Training Administration. USES has been assigned a key role in coordinating many of the ESP programs operated by state employment services.

### **Public Service Employment (PSE)**

The PSE Program, under Titles II and VI of CETA, is expanded from 310,000 to

725,000 jobs. The goal is to have those positions filled by the first of the year and to sustain that level throughout fiscal 1978. State employment services have been assigned the responsibility of establishing pools of eligible applicants from which local offices will make referrals to job openings provided by CETA prime sponsors.

### **New Youth Programs**

The National Young Adult Conservation Corps, Comprehensive Youth Employment and Training Programs, and Job Corps will provide jobs and training in their own communities for an estimated 220,000 young men and women. USES responsibilities are to serve as the recruitment and referral agencies for the Young Adult Conservation Corps and also the Job Corps.

### **Veterans HIRE Program**

The HIRE program — Help through Industry Retraining and Employment — is a joint government and industry effort under CETA to hire and train veterans. Approximately 100,000 job training positions will be funded. The National Alliance of Businessmen (NAB), the marketing arm of the HIRE program, has been securing pledges from corporations conducting multiplant operations all over the country to meet the program's goal of 100,000 veterans in jobs by the end of fiscal 1978. NAB and the job service conduct the development, promotional, and recruitment work; the U.S. Department of Labor provides the training funds when and where a firm decides that it would like to have its training costs reimbursed.

### **Disabled Vietnam-era Veterans Program**

This program was the first of the new administration's initiatives to assist disabled veterans and Vietnam-era veterans to obtain employment. Veterans outreach units were established in 100 of the largest cities with at least one unit in each state, fully staffed with disabled Vietnam-era veterans. Program staff seek out disabled veterans who have left the mainstream and do not seek employment through job service offices or otherwise.

### **Unemployment Insurance**

The unemployment insurance system is a federal-state program which has been in operation for over 40 years. Under the system, the federal government sets general standards, provides all administrative financing, and cooperates with the states in all aspects of the program. The states are responsible for the enactment of state laws and are primarily responsible for administration of the program.

Unemployment insurance benefits are given as a matter of right with no means test and with a level of benefits subject to a maximum related to the individual's wage. It is by far the most important income maintenance program for the unemployed. It has been successful in providing benefits for the unemployed and as an economic stabilizer. In 1975, \$18 billion was paid out in benefits; in 1976, \$16 billion was paid out; and in 1977 it is estimated that \$13 billion was paid out in benefits.

### **Extended Benefits**

The basic objective of the unemployment insurance program is to provide individuals and the economy with partial replacement of wages and purchasing power lost during short periods of involuntary unemployment. Most state laws limit benefits to 26 weeks. During periods of high unemployment, an additional 13 weeks may be provided under an extended

benefits program with costs shared between the federal and state governments. During recessions, Congress has enacted temporary programs to lengthen the period during which benefits are payable.

### **Expanded Coverage**

Legislation passed on October 20, 1976, extends coverage beginning January 1, 1978, to over 9 million new workers, including certain agriculture labor, domestic work, and state and local government employment. These workers have been able to receive benefits over the past three years through a federally financed program called Special Unemployment Assistance. By passage of P.L. 94-566, the unemployment insurance system now covers approximately 97 percent of all nonfarm workers.

### **New Developments**

Congress has established a National Commission on Unemployment Compensation for the purpose of undertaking a comprehensive examination of the present unemployment compensation programs and developing appropriate recommendations for future changes. Major attention is also being given to serious financial problems which have developed during the last few years. During calendar year 1976, 20 states have had to borrow from the federal government. P.L. 95-19 delays for two years, until January 1, 1980, the provisions in federal law which provide for recoupment of outstanding federal unemployment insurance loans to the states. The states, through the National Governors' Association and the Interstate Conference of Employment Security Agencies (ICESA), have cooperated with Congress to improve the program. One solution to the financial problems confronting many states is a proposal by ICESA to establish a program to make federal grants to states experiencing excessive unemployment in comparison to their normal rates.

### **Trade Adjustment Assistance**

Trade adjustment assistance is a federal program administered by the U.S. Department of Labor and cooperating state employment security agencies under provisions of the Trade Act of 1974. Established to help workers who become totally or partially unemployed as a result of increased imports, the program provides employability services (such as testing, counseling, and job placement) designed to assist workers in returning as quickly as possible to productive employment.

Such benefits as training, job search allowances, and relocation allowances are available to those who meet specific qualifying requirements. Workers who qualify are paid trade readjustment allowances for weeks of unemployment. An eligible worker can receive trade readjustment allowances for weeks of approved training.

Increase in activity during the past year in the Trade Adjustment Assistance Program is noteworthy. This federally financed program, which supplements regular state unemployment insurance benefits paid to jobless workers adversely affected by the nation's trade policies, doubled in the number of certifications issued by the U.S. Department of Labor and in the number of dollars paid to workers. Additionally, the program expanded geographically, from one primarily serving unemployed workers in the industrialized east, to all other parts of the nation.

#### **Footnotes**

1. Fiscal 1976 data is used because it represents the most recent year with complete information.
2. Forty-four state employment service agencies now use "job service" as the designation statewide.

# SELECTED DATA ON STATE UNEMPLOYMENT INSURANCE OPERATIONS, BY STATE: CALENDAR 1976\*

State or other jurisdiction	Employers subject to state law	Initial claims (a)	Bene- ficiaries	Average weekly benefit amount paid for total unemployment	Average duration of benefits (weeks)	Total benefit payments (b) (in thousands)	Average employer contribution rate during year (c)	Funds available for benefits at end of year (in thousands)
Total .....	708,441	20,045,264(d)	8,576,994	\$73.34	14.9	\$8,974,546(e)	2.5	\$4,273,747
Alabama .....	10,462	301,262	150,523	64.71	11.6	111,417	1.9	10,640
Alaska .....	3,012	74,002	44,321	81.32	14.8	53,797	3.7	94,634
Arizona .....	10,356	164,590	65,987	71.84	15.2	67,704	1.5	35,145
Arkansas .....	8,572	217,668	79,888	60.60	12.0	55,439	2.2	7,738
California .....	118,826	2,513,963	1,100,807	70.91	14.8	1,123,454	3.5	641,259
Colorado .....	11,714	162,138	69,515	82.79	10.7	61,274	1.7	35,514
Connecticut .....	7,932	415,453	201,859	76.97	16.6	238,013	3.0	21,298
Delaware .....	1,832	58,414	27,451	81.82	16.2	36,519	2.7	2,398
Florida .....	35,766	527,117	233,945	63.14	14.7	218,883	2.1	23,974
Georgia .....	15,790	426,339	202,806	66.21	10.4	135,882	1.3	223,382
Hawaii .....	3,321	63,460	40,182	82.91	18.8	57,822	3.0	10,738
Idaho .....	3,801	78,255	33,755	67.22	10.7	22,779	1.7	53,625
Illinois .....	22,663	914,483	455,332	90.29	17.4	692,298	2.0	10,057
Indiana .....	12,517	427,946	132,621	62.68	13.4	110,281	1.8	211,838
Iowa .....	8,343	148,061	79,200	85.41	14.1	92,672	2.2	46,665
Kansas .....	7,948	103,402	60,114	69.44	12.7	51,410	2.2	142,835
Kentucky .....	10,382	268,524	119,998	65.01	12.6	96,971	2.5	126,010
Louisiana .....	11,628	210,337	104,050	68.69	14.8	100,247	1.9	164,689
Maine .....	3,267	198,248	70,023	59.23	10.8	43,637	3.2	7,220
Maryland .....	10,808	296,065	126,027	71.80	14.1	129,741	2.2	15,687
Massachusetts .....	12,517	544,992	270,157	74.82	17.4	329,808	4.2	93,699
Michigan .....	21,483	1,220,335	460,121	86.68	13.2	487,646	3.6	180,083
Minnesota .....	11,262	239,340	147,836	79.99	14.8	162,641	1.9	103,650
Mississippi .....	6,714	134,716	54,609	50.02	12.2	33,736	1.8	98,352
Missouri .....	15,538	507,252	176,229	68.74	12.9	150,222	2.7	88,994
Montana .....	4,135	66,670	27,662	66.19	14.1	23,428	2.3	1,360
Nebraska .....	5,205	74,645	35,916	66.88	13.2	29,913	2.7	38,635
Nevada .....	3,787	110,085	39,567	72.48	13.6	38,933	3.2	10,517
New Hampshire .....	3,431	75,591	39,416	61.73	9.2	22,032	2.6	33,885
New Jersey .....	23,462	765,802	414,036	76.66	16.7	525,897	3.4	15,013
New Mexico .....	4,888	69,971	24,982	59.50	17.2	23,517	1.8	32,105
New York .....	53,963	1,948,686	691,191	70.66	21.3	993,700	3.4	204,673
North Carolina .....	16,775	703,939	303,569	60.39	9.5	173,802	1.4	264,675
North Dakota .....	2,632	39,648	15,967	70.01	13.1	14,942	2.0	20,345
Ohio .....	22,883	853,278	331,575	83.28	14.4	376,242	2.3	190,420
Oklahoma .....	9,939	145,028	65,629	60.23	15.1	55,271	1.7	13,978
Oregon .....	11,217	314,466	112,005	68.32	15.0	102,129	3.3	35,554
Pennsylvania .....	26,089	1,612,123	650,188	82.05	16.1	822,995	2.9	17,896
Rhode Island .....	2,905	162,846	60,628	70.62	14.8	58,928	4.0	11,878
South Carolina .....	8,409	309,144	118,199	63.48	11.1	81,309	2.1	81,255
South Dakota .....	2,515	26,669	13,356	63.18	11.6	9,100	1.0	15,874
Tennessee .....	13,121	330,079	162,716	60.41	12.1	117,036	1.6	173,582
Texas .....	40,548	447,116	190,687	54.36	12.7	128,718	0.6	204,827
Utah .....	5,434	72,956	39,757	73.21	13.7	34,325	1.7	24,341
Vermont .....	1,854	50,543	21,474	66.32	16.1	21,747	2.2	490
Virginia .....	13,586	249,024	105,208	67.70	12.4	88,724	1.0	91,461
Washington .....	15,948	523,898	169,233	73.61	16.0	183,182	3.0	61,690
West Virginia .....	4,087	138,634	75,304	57.34	11.1	47,632	2.0	72,405
Wisconsin .....	15,793	420,877	163,518	84.38	14.7	181,189	2.1	165,464
Wyoming .....	2,563	15,041	8,388	70.50	11.3	7,562	2.0	35,497
Dist. of Columbia .....	2,073	49,428	31,695	98.80	21.4	54,487	2.7	2,186
Puerto Rico .....	4,709	252,314	157,772	42.41	14.5	93,517	3.0	3,616

\*Source: Prepared by the Office of Research, Legislation and Program Policies, Unemployment Insurance Service, U.S. Department of Labor.

(a) Excludes transitional claims in order to reflect more nearly instances of new unemployment.

(b) Adjusted for voided benefit checks and transfers under the interstate combined-wage plans.

(c) Estimated for calendar 1976.

(d) Excludes payments made under state temporary disability insurance.

## SELECTED EMPLOYMENT SERVICE ACTIVITIES, BY STATE: FISCAL 1976\*

State or other jurisdiction	New applications and renewals	Individuals counseled	Individuals tested	Individuals placed (nonagricultural)	Placement transactions (nonagricultural)
Total .....	15,071,597	877,335	679,054	3,200,084	4,640,501
Alabama .....	329,527	18,975	27,622	80,189	100,085
Alaska .....	51,839	1,166	1,051	18,298	25,503
Arizona .....	234,299	7,422	5,293	50,834	72,946
Arkansas .....	240,772	10,108	10,285	71,843	116,012
California .....	1,408,760	38,837	17,474	301,835	439,831
Colorado .....	214,587	14,647	8,588	39,436	66,092
Connecticut .....	265,155	12,361	4,738	27,220	32,605
Delaware .....	46,864	2,771	876	6,196	8,428
Florida .....	460,352	24,825	18,526	116,108	153,810
Georgia .....	312,004	29,416	13,846	86,041	106,945
Hawaii .....	93,415	3,119	1,679	19,985	23,913
Idaho .....	110,995	5,740	7,105	30,493	41,608
Illinois .....	520,026	23,188	13,591	81,428	131,059
Indiana .....	440,061	17,781	17,630	78,414	94,999
Iowa .....	205,724	5,783	15,001	76,403	101,005
Kansas .....	137,916	9,984	5,088	35,387	52,591
Kentucky .....	254,078	27,370	19,868	53,443	65,012
Louisiana .....	278,726	12,246	19,975	73,878	95,998
Maine .....	69,308	8,575	2,076	19,686	23,889
Maryland .....	217,839	9,192	7,245	28,262	34,296
Massachusetts .....	346,846	23,963	7,067	66,349	100,627
Michigan .....	662,995	29,859	17,719	66,466	94,128
Minnesota .....	272,229	15,533	17,276	62,984	82,389
Mississippi .....	239,011	41,478	29,856	72,494	93,573
Missouri .....	433,997	17,076	32,248	92,663	127,572
Montana .....	103,530	15,427	9,046	25,575	39,211
Nebraska .....	111,116	7,550	4,695	35,466	51,938
Nevada .....	92,035	5,133	5,161	17,125	29,737
New Hampshire .....	77,611	2,990	1,368	13,138	15,552
New Jersey .....	343,036	19,638	7,568	63,078	96,200
New Mexico .....	155,303	10,351	4,933	34,406	51,643
New York .....	610,420	61,168	24,831	166,207	352,411
North Carolina .....	451,276	26,339	29,825	87,271	102,344
North Dakota .....	71,789	6,296	6,471	27,037	40,713
Ohio .....	655,791	16,416	27,527	71,110	121,048
Oklahoma .....	306,197	27,325	18,372	66,065	129,389
Oregon .....	253,675	25,674	9,415	53,600	73,001
Pennsylvania .....	572,231	44,569	22,086	136,738	174,499
Rhode Island .....	68,080	6,649	1,220	12,956	18,722
South Carolina .....	217,388	17,168	18,342	49,295	59,851
South Dakota .....	70,855	9,095	6,294	27,436	42,706
Tennessee .....	268,972	10,123	15,269	63,930	78,914
Texas .....	1,049,443	48,174	65,809	245,033	414,500
Utah .....	153,785	15,743	17,532	40,461	59,860
Vermont .....	55,275	3,327	1,514	9,586	11,539
Virginia .....	373,662	17,976	24,973	63,179	80,247
Washington .....	296,337	8,516	8,710	60,755	88,612
West Virginia .....	142,295	5,039	6,468	34,394	40,302
Wisconsin .....	329,435	30,402	9,892	61,026	73,526
Wyoming .....	43,101	3,738	2,701	15,284	22,884
Dist. of Columbia .....	96,028	10,790	2,858	22,820	40,191
Puerto Rico .....	255,606	10,304	4,451	40,778	46,145

\*Source: U.S. Employment Service, U.S. Department of Labor.



# **Section VII**

## **INTERGOVERNMENTAL RELATIONS**

### **1. Interstate Relations**

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#### **THE COUNCIL OF STATE GOVERNMENTS**

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THE COUNCIL of State Governments is a nonprofit state-supported and state-managed research, information, and services organization providing governmental assistance to a broad-based constituency of state officials. Established in 1933, the Council has the primary mission of promoting and strengthening state government in the American federal system. In order to accomplish this goal, the Council serves state officials in the executive, legislative, and judicial branches by assisting states to improve their operations and by promoting interstate and intergovernmental cooperation.

One of the premises upon which the Council operates is that the states themselves are a wellspring of ideas and information necessary to resolve administrative and legislative issues and problems. The Council serves as a major conduit for this interstate flow of information.

On both national and regional levels, the Council of State Governments collects, analyzes, and disseminates vast amounts of state government data. Various mechanisms are used to accomplish these tasks. Collecting the information includes soliciting and storing thousands of state, federal, and interstate agency-generated reports and documents. Analysis ranges from a simple tabular aggregation of all the states' responses to a particular issue, to a complete examination of the procedures in a specific state's program. Disseminating the information is accomplished by various means, including conferences at the regional and national levels, training sessions, and through published reports and news accounts made available to the estimated 15,000 highest-ranking elected and appointed state officials who form the Council's central constituency.

#### **Finances and Organization**

The states and U.S. territories and commonwealths contribute to the Council's financial support. Additionally, the Council administers several private foundation and federal grants that are aligned with the organization's own research and information goals.

The Council's organizational structure is headed by a governing board which includes all the nation's governors and typically two legislators from each state. A governor serves as president of the Council and a legislator as chairman. Additionally, a lieutenant governor, an attorney general, and a chief justice of a state's highest court represent their respective associations of state officials as members of the governing board and executive committee.

From this broad-based governing body, totaling about 175 elected state officials, an executive committee of one fifth of the governing board's number is selected to manage the

business affairs of the interstate agency between the governing board's annual meetings. These annual meetings serve a twofold purpose—to discuss substantive issues and concerns relevant to all states and to conduct the management activities of the organization. The executive committee selects an executive director who is in charge of the Council's professional and support staff.

### **Office Locations**

In the earliest years of the Council's development, state officials recognized the need for regionally located interstate communication and service bases. The central operation was headquartered in Chicago, Illinois, and, at about the same time, a regional office was opened in New York City to serve the northeastern states. Additional regional offices were established in San Francisco, California, to serve the western states, and in Atlanta, Georgia, for the southern states. In 1969, the central office was relocated in Lexington, Kentucky, and the Chicago office became a regional center for the midwestern states.

To facilitate improved state-federal communications, the governing board established a Washington, D.C., office in 1938. The Washington office now is located in the Hall of the States in conjunction with the Washington offices of several states and other interstate organizations.

### **Regional and Secretariat Services**

A continuing mission for the Council is arranging and conducting various meetings and conferences of state officials and associated state organizations. The Council conducts management activities for the national and regional meetings of these organizations. Among the associations of executive branch officials the Council serves are attorneys general, lieutenant governors, state purchasers, and regional organizations of governors, state budget officers, and state planners. Recordkeeping and certain secretariat services are performed for still other groups of state officials.

Each region of the nation also is separately organized under a designated configuration of states. Within each region is a conference composed principally of legislative officials. These conferences function in large part through substantive committees which meet periodically throughout the year. The regional offices have the responsibility of identifying and conducting research on issues of interest to state officials, arranging and conducting regional annual meetings and periodic committee meetings, and providing staff assistance to these sessions. Issue areas for the regions are quite broad and include transportation, energy, financial management, the environment, state-local and state-federal relations, economic development, education, agriculture, criminal justice and law enforcement, and human resources.

Policy positions are adopted at the national and regional levels of activity. These resolutions emphasize state reactions to particular issues and suggest solutions to the problems posed. They are disseminated widely by the Council and often are incorporated into state and federal legislation and administrative decisions.

### **Research and Publications**

Surveying the states for their most recent action on issues and problems and tapping survey results acquired by other groups are important elements in the Council's research efforts to acquire nationwide information on a subject. These survey responses, the document collections, and the professional expertise of Council staff are used both in

preparing research reports and in responding to thousands of inquiries for state government information received annually in the regional offices and the States Information Center in the Lexington office.

A 1978 addition to the records collection mechanism of the Council is a data processing system that can access bibliographic reference material from other government and private data acquisition sources throughout the United States, as well as provide prompt and current information in response to inquiries.

Problems of concern to state officials are the subject of dozens of research publications of the Council each year. State issues also are featured in various Council periodicals, including biweekly newsletters on spot issues (*State Headlines*) and state-federal developments (*Briefs*), a monthly newsletter of more detail (*State Government News*), and a quarterly journal (*State Government*) that provides background and analysis on various subjects.

The Council also collects and publishes rosters of state officials, including legislators, justices of the states' highest courts, chief legislative staff members, and the heads of administrative departments and agencies. Biennially, the Council publishes *The Book of the States*, a comprehensive volume which has become the standard reference work on state government.

### State Services

The provision of training programs, technical assistance, and consulting and advisory services comprises another portion of the Council's service delivery. Specific programs under the State Services Department are outlined below.

*Suggested State Legislation*—Since 1941, the Council has operated a program called Suggested State Legislation. The project, overseen by a committee of 100 state legislators and other officials, selects certain issues for which the Council publishes draft state laws. These acts serve as guidelines to assist states wishing to consider legislation on the topics proposed. Nearly 1,000 such acts have been published, and many now are law. The 1978 edition of *Suggested State Legislation*, for example, covers 20 topics, including privacy, natural death, environmental coordination, family farm credit, product liability, tort reform, and electronic funds transfer.

Recommendations for draft acts to be included in the program come from many sources, including state, federal, and local governments, private interest groups, and some of the Council's own research projects. There are at least two annual screenings of proposals before final decisions are made on acts to be referred to the states. Draft acts published in the 1977 and 1978 editions of *Suggested State Legislation* follow this chapter.

*Innovations Transfer Program*—Another Council program directed by an advisory group of state officials locates and documents innovative state approaches to issues and problems. These programs are researched with pro and con arguments and are assessed in terms of successes, implementation problems, and financial requirements. In addition to publishing reports on innovations, the project staff is available to consult with state officials who may be considering adoption of another state's innovative program.

A sampling of the innovative state programs recently reviewed includes Maine's bond bank for local governments, a North Carolina program offering primary health care in rural areas, Florida's systematic use of volunteers in government, and Minnesota's incentives and performance program for middle-level state managers.

*Interstate Consulting Clearinghouse*—One program of the Council designed to deliver

expertise about states' problems and concerns directly to the state capitols is the Interstate Consulting Clearinghouse. It utilizes both Council expertise and professional assistance from state officials on a consulting basis with a requesting state. A recent example is a request by North Dakota that the clearinghouse examine the state's purchasing procedures in consultation with other states' purchasing officials and offer alternative proposals for modernizing the North Dakota operations.

*Training*—The Council also is involved in training state officials. An auditor training program is under way utilizing such modern communications formats as videotape learning programs with supplementary documentation and testing. A similar program is beginning for state personnel officials.

The following pages list the Executive Committee of the Council of State Governments, officials of the four regions of the Council, the 1977 and 1978 programs for *Suggested State Legislation*, and selected organizations serving state and local governments.

Officers and Executive Committee  
THE COUNCIL OF STATE GOVERNMENTS  
1977-78

*President*

GOVERNOR WILLIAM G. MILLIKEN, Michigan

*Chairman*

SPEAKER BILL CLAYTON, Texas

*Vice President*

GOVERNOR DIXY LEE RAY, Washington

*Vice Chairman*

SPEAKER JAMES J. KENNELLY, Connecticut

*Other Members*

SENATE PRESIDENT FRED E. ANDERSON, Colorado

GOVERNOR GEORGE R. ARIYOSHI, Hawaii

GOVERNOR REUBIN O'D. ASKEW, Florida

GOVERNOR RAY BLANTON, Tennessee

SENATE PRESIDENT JASON BOE, Oregon

GOVERNOR OTIS R. BOWEN, Indiana

REPRESENTATIVE JOHN T. BRAGG, Tennessee

ATTORNEY GENERAL FRANCIS B. BURCH, Maryland

GOVERNOR BRENDAN T. BYRNE, New Jersey

SPEAKER DALE M. COCHRAN, Iowa

SENATE PRESIDENT ROSS O. DOYEN, Kansas

GOVERNOR MICHAEL S. DUKAKIS, Massachusetts

GOVERNOR PIERRE S. DU PONT IV, Delaware

GOVERNOR JAMES B. EDWARDS, South Carolina

GOVERNOR J. JAMES EXON, Nebraska

GOVERNOR JAMES B. HUNT, JR., North Carolina

REPRESENTATIVE WALTER S. KOZUBOWSKI, Illinois

GOVERNOR ARTHUR A. LINK, North Dakota

REPRESENTATIVE ROBERT L. MARKS, Montana

SENATOR J. HARRY MICHAEL, JR., Virginia

SENATE PRESIDENT PRO TEM OLIVER OCASEK, Ohio

CHIEF JUSTICE C. WILLIAM O'NEILL, Ohio

LIEUTENANT GOVERNOR ROBERT D. ORR, Indiana

SPEAKER GEORGE B. ROBERTS, JR., New Hampshire

SENATOR ANTHONY SCARDINO, JR., New Jersey

SENATOR BERNARD C. SMITH, New York

SPEAKER PRO TEM JOHN J. THOMAS, Indiana

SENATOR C. B. TRUJILLO, New Mexico

SPEAKER DONALD L. TUCKER, Florida

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# THE COUNCIL OF STATE GOVERNMENTS

## Regional Conference Officials

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As of February 1978

### EASTERN REGIONAL CONFERENCE

Senator Bernard C. Smith, New York, *Chairman*  
Senator Joseph S. Gendron, Rhode Island, *Vice Chairman*  
Senator Michael A. O'Pake, Pennsylvania, *Immediate Past Chairman*

#### *Connecticut*

Senator Joseph J. Dinielli  
Speaker James J. Kennelly

#### *Delaware*

Speaker Kenneth W. Boulden  
President Pro Tem Richard S. Cordrey

#### *Maine*

Representative Donald V. Carter  
Senator Theodore S. Curtis

#### *Massachusetts*

Representative John J. Long  
Senator Allan R. McKinnon  
Representative W. Paul White  
Senator Stanley J. Zarod

#### *New Hampshire*

Representative Marshall French  
President Alf E. Jacobson

#### *New Jersey*

Assemblyman Albert Burstein  
Senator William J. Hamilton, Jr.  
Senator Anthony Scardino, Jr.

#### *New York*

Senator Vander L. Beatty  
Assemblyman Arthur J. Kremer  
Senator John J. Marchi  
Speaker Stanley Steingut

#### *Pennsylvania*

Senator W. Louis Coppersmith  
Speaker K. Leroy Irvis  
Representative C. L. Schmitt

#### *Rhode Island*

Speaker Edward P. Manning  
Senator Frank Sgambato

#### *Vermont*

Senator William T. Doyle  
Representative Fredrick W. Hutchinson

#### *Virgin Islands*

Senator Eric Dawson  
President Elmo D. Roebuck

### COMMITTEES AND CHAIRMEN

#### *Consumer Protection*

Representative C. L. Schmitt, Pennsylvania

#### *Criminal Justice*

Representative W. Paul White, Massachusetts

#### *Environment and Energy*

Senator Bernard C. Smith, New York

#### *Fiscal Affairs and Government Operations*

Assemblyman Arthur J. Kremer, New York

#### *Human Resources*

Senator W. Louis Coppersmith, Pennsylvania

#### *Transportation*

Senator Vander L. Beatty, New York

### MIDWESTERN CONFERENCE

Representative Walter S. Kozubowski, Illinois, *Chairman*  
Senator Robert L. Clark, Nebraska, *Vice Chairman*  
President Pro Tem Oliver Ocasek, Ohio, *Immediate Past Chairman*

#### *Illinois*

Representative Walter S. Kozubowski  
John Lattimer, Commission on Intergovernmental  
Cooperation\*

#### *Indiana*

Senator Joseph F. O'Day  
Speaker Pro Tem John J. Thomas (ex officio)

#### *Iowa*

Representative Lyle Scheelhaase

#### *Kansas*

President Ross O. Doyen

#### *Michigan*

Senator Anthony A. Derezinski

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\*Alternate member.

## MIDWESTERN CONFERENCE—Continued

*Minnesota*

Senator Hubert H. Humphrey III

*Missouri*

President Pro Tem Norman L. Merrell

*Nebraska*

Senator Larry Stoney

*North Dakota*

Representative LeRoy Hausauer

*Ohio*

Senator Michael J. Maloney

*South Dakota*

Senator John E. Bibby

*Wisconsin*

Senator William A. Bablitch

Thomas Peltin, Interstate Cooperation Commission\*

## COMMITTEES AND CHAIRMEN

*Agriculture*

Representative Arden Dierdorff, Kansas

*Education*

Senator Harold D. Schreier, South Dakota

*Human Resources*

Representative B. Patrick Bauer, Indiana

*Justice and Law Enforcement*

Senator John F. Toepp, Michigan

*Labor and Commerce*

Senator Lowell L. Junkins, Iowa

*Transportation*

Senator Richard E. Shank, Indiana

*Task Force on Fiscal and Economic Affairs*

Speaker William A. Redmond, Illinois

## SOUTHERN LEGISLATIVE CONFERENCE

Speaker Donald L. Tucker, Florida, *Chairman*President Pro Tem Carl E. Gainer, West Virginia, *Vice Chairman*Representative John T. Bragg, Tennessee, *Past Chairman**Alabama*

Representative Hugh D. Merrill

Senator Finis St. John III

*Arkansas*

Senator Robert Harvey

Representative Ray S. Smith, Jr.

Representative John E. Miller\*

*Florida*

President Lew Brantley

Representative Edmond M. Fortune

*Georgia*

Senator Render Hill

Speaker Tom Murphy

Representative Ward Edwards\*

*Kentucky*

Speaker William G. Kenton

President Pro Tem Joseph W. Prather

*Louisiana*

Speaker E. L. Henry

President Michael H. O'Keefe

Representative J. K. Leithman\*

Senator Edgar G. Mouton, Jr.\*

*Maryland*

Speaker John Hanson Briscoe

Senator Harry J. McGuirk

*Mississippi*

Representative George Payne Cossar

Senator Carroll Ingram

*North Carolina*

President Pro Tem John T. Henley

Speaker Carl J. Stewart, Jr.

Senator Kenneth C. Royall, Jr.\*

*Oklahoma*

President Pro Tem Gene C. Howard

Speaker W. P. Willis

Representative James B. Townsend\*

*Puerto Rico*

House Vice President Jose Granados-Navedo

Senate President Luis A. Ferre

Senate Vice President Jose M. Ramos\*

Representative Pacifico Robles-Albarran\*

*South Carolina*

Speaker Rex L. Carter

Senate Clerk Lovick O. Thomas

*Tennessee*

Speaker Ned R. McWherter

Lt. Governor John S. Wilder

*Texas*

Speaker Bill Clayton

Senator John Traeger

Representative Joe Wyatt, Jr.\*

*Virginia*

President Pro Tem Edward E. Willey

Senator J. Harry Michael, Jr.\*

*West Virginia*

President W. T. Brotherton, Jr.

Delegate W. Marion Shiflet

\*Alternate member.

**SOUTHERN LEGISLATIVE CONFERENCE—Continued**  
**COMMITTEES AND CHAIRMEN**

*Agriculture and Rural Development*  
 Representative Kenneth O. Williams, Mississippi

*Consumer Protection*  
 Representative Ward Edwards, Georgia

*Criminal Justice*  
 Representative Wayne Snow, Jr., Georgia

*Energy*  
 Senator Knox Nelson, Arkansas

*Environmental Quality and Natural Resources*  
 Delegate Tyras S. Athey, Maryland

*Fiscal Affairs and Government Operations*  
 Representative Mark D. O'Brien, Kentucky

*Human Resources and Urban Affairs*  
 Senator Al Terrill, Oklahoma

*Transportation*  
 Representative Clarence A. Pierce, Mississippi

**WESTERN CONFERENCE**

Representative Robert L. Marks, Montana, *Chairman*  
 Senator Robert H. Ziegler, Sr., Alaska, *Chairman-Elect*  
 Representative William N. Grannell, Oregon, *Vice Chairman*  
 Senator C. B. Trujillo, New Mexico, *Immediate Past Chairman*

*Alaska*  
 Representative Mike Miller

*Arizona*  
 Representative Sam McConnell, Jr.  
 President Ed C. Sawyer  
 Senator A. V. Hardt\*

*California*  
 (Vacancy)

*Colorado*  
 President Fred E. Anderson  
 Representative Carl Gustafson

*Hawaii*  
 Senator John Hulten  
 Representative Daniel Kihano  
 Representative Ronald Kondo  
 Senator Patricia Saiki

*Idaho*  
 Representative Walter Little

*Montana*  
 Speaker John Brian Driscoll\*

*Nevada*  
 Senator James I. Gibson  
 Speaker Joseph E. Dini, Jr.\*

*New Mexico*  
 Representative Silas T. Garcia  
 Senator Alex G. Martinez

*Oregon*  
 Speaker Philip D. Lang  
 Senator Jack D. Ripper\*

*Utah*  
 Speaker Glade M. Sowards  
 President Moroni L. Jensen\*

*Washington*  
 Representative Alan Thompson  
 Senator Gordon L. Walgren  
 Representative Dick King\*

*Wyoming*  
 Senator L. Donald Northrup  
 Senator Milton E. Nichols\*

*American Samoa*  
 Senator Galea'i P. Poumele  
 Representative So'oso'oalii Savali

**COMMITTEES AND CHAIRMEN**

*Agriculture*  
 Senator L. Donald Northrup, Wyoming

*Education and Social Services*  
 Senator Mike Mitchell, Idaho

*Energy and Resources*  
 Senator Ernest H. Dean, Utah

*Government Reform and Fiscal Affairs*  
 Senator Robert Bowen, Utah

*Judiciary*  
 Senator Dan Marsh, Washington

*Transportation*  
 Senator Sam Guess, Washington

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\*Alternate member.



## PROPOSALS OF THE COMMITTEE ON SUGGESTED STATE LEGISLATION

## 1977 Suggested State Legislation

## PROPOSALS ACCOMPANIED BY DRAFT LEGISLATION

State Land Trust Act	Hearing Aid Dealers Regulation Act
Interstate Furlough Compact	Health Care Facility, Safety, and Security Act
Business Takeover Act	Life Care and Payments Contracts Act
State Condominium Act	Sexual Assault Act
Retail Theft Act	Mapping, Charting, and Surveying Coordination Act
Health Maintenance Organization Act	Plea Negotiations Act
Forest Resources Planning Act	Diversion Program Act
Tax Increment Financing Act	Private Security Licensing and Regulatory Act
Public Guardian Act	Suggested State Pesticide Act
Multiservice Senior Center and Community Care Program Development Act	An Act for Reciprocal Non-Retaliation in Insurance Taxation

## STATEMENTS WITHOUT ACCOMPANYING DRAFT LEGISLATION

Uniform Vehicle Code Revised in 1975

ACIR State Legislative Program

## 1978 Suggested State Legislation

## PROPOSALS ACCOMPANIED BY DRAFT LEGISLATION

Natural Death Act	Product Liability Tort Reform Act
Weather Modification Control Act	Product Liability Insurance Placement Facility Act
Environmental Coordination Procedures Act	Electronic Funds Transfer Systems Act
State Legislative Appropriation of Certain Federal Funds Received by State Agencies	Full Disclosure of the Effect of Rate and Base Changes on Local Revenues
Privacy Act	Life-Cycle Cost Analysis Act
Computer Privacy Act	Solar Easements Act
Family Farm Credit Act	State Hazardous Waste Management Act
Local Arts Councils Act	Interstate Compacts and Agreements
State Criminal Justice Planning Commission Act	Introduction
Regulation of Invention Development Services Contracts Act	Interstate Compact on the Mentally Disordered Offender
Underground Utility Damage Prevention Act	Interstate Corrections Compact
Developmental Disabilities Placement and Services Act	Pest Control Compact
Home Care Regulation Act	Nonresident Violator Compact of 1977
	International Registration Plan

## STATEMENTS WITHOUT ACCOMPANYING DRAFT LEGISLATION

Regulations for the Control of Radiation

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## SELECTED ORGANIZATIONS SERVING STATE AND LOCAL GOVERNMENT OFFICIALS

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- Academy for Contemporary Problems, 1501 Neil Avenue, Columbus, Ohio 43201. (614) 421-7700
- Advisory Commission on Intergovernmental Relations, 1111-20th Street, NW, Suite 200, Washington, D.C. 20575.  
(202) 653-5640
- American Association of State Highway and Transportation Officials, 444 North Capitol Street, Washington, D.C. 20001. (202) 624-5800
- American Judicature Society, 200 West Monroe, Chicago, Illinois 60606. (312) 236-0634
- American Public Health Association, 1015-18th Street, NW, Washington, D.C. 20036. (202) 467-5051
- American Public Welfare Association, 1155-16th Street, NW, Washington, D.C. 20036. (202) 833-9250
- American Public Works Association, 1313 East 60th Street, Chicago, Illinois 60637. (312) 947-2520
- American Society of Planning Officials, 1313 East 60th Street, Chicago, Illinois 60637. (312) 947-2560
- American Society for Public Administration, 1225 Connecticut Avenue, NW, Washington, D.C. 20036. (202) 785-3255
- Association of Government Accountants, 727 South 23rd Street, Arlington, Virginia 22202. (703) 684-6931
- Association of State and Territorial Health Officials, 101 Second Street, NE, Washington, D.C. 20002. (202) 547-3470
- Building Officials and Code Administrators, 1313 East 60th Street, Chicago, Illinois 60637. (312) 947-2580
- Conference of Chief Justices, 300 Newport Avenue, Williamsburg, Virginia 23185. (804) 253-2000
- Conference of State Court Administrators, 300 Newport Avenue, Williamsburg, Virginia 23185. (804) 253-2000
- Council of State Community Affairs Agencies, 444 North Capitol Street, Washington, D.C. 20001. (202) 624-5850
- Council of State Governments, Iron Works Pike, P.O. Box 11910, Lexington, Kentucky 40578. (606) 252-2291
- Council of State Planning Agencies, 444 North Capitol Street, Washington, D.C. 20001. (202) 624-5386
- Education Commission of the States, 300 Lincoln Tower Building, 1860 Lincoln Street, Denver, Colorado 80295.  
(303) 861-4917
- Federation of Tax Administrators, 444 North Capitol Street, Washington, D.C. 20001. (202) 624-5890
- International Association of Chiefs of Police, 11 Firstfield Road, Gaithersburg, Maryland 20760. (301) 948-0922
- International City Management Association, 1140 Connecticut Avenue, NW, Washington, D.C. 20036. (202) 293-2200
- International Personnel Management Association, 1850 K Street, NW, Washington, D.C. 20006. (202) 833-5860
- Interstate Conference of Employment Security Agencies, 1329 E Street, NW, Washington, D.C. 20004. (202) 628-5588
- Municipal Finance Officers Association, 180 North Michigan Avenue, Chicago, Illinois 60601. (312) 977-9700
- National Association for State Information Systems, Iron Works Pike, P.O. Box 11910, Lexington, Kentucky 40578. (606) 252-2291
- National Association of Attorneys General, P.O. Box 11910, Lexington, Kentucky 40578. (606) 252-2291
- National Association of Conservation Districts, 1025 Vermont Avenue, NW, Washington, D.C. 20005. (202) 347-5995
- National Association of Counties, 1735 New York Avenue, NW, Washington, D.C. 20006. (202) 785-9577
- National Association of Insurance Commissioners, 633 West Wisconsin Avenue, Milwaukee, Wisconsin 53203.  
(414) 271-4464
- National Association of Regulatory Utility Commissioners, 1102 ICC Building, P.O. Box 684, Washington, D.C. 20044. (202) 628-7324
- National Association of State Auditors, Comptrollers, and Treasurers, Turk's Head Building, Providence, Rhode Island 02903. (401) 274-4755
- National Association of State Boards of Accounting, 1211 Avenue of the Americas, New York, New York 10036.  
(212) 575-6246
- National Association of State Boards of Education, 444 North Capitol Street, Washington, D.C. 20001. (202) 624-5845
- National Association of State Budget Officers, 444 North Capitol Street, Washington, D.C. 20001. (202) 624-5382

- National Association of State Departments of Agriculture, 1616 H Street, NW, Washington, D.C. 20006. (202) 628-1566
- National Association of State Mental Health Program Directors, 1001 Third Street, SW, Washington, D.C. 20004. (202) 554-7807
- National Association of State Purchasing Officials, Iron Works Pike, P.O. Box 11910, Lexington, Kentucky 40578. (606) 252-2291
- National Association of Tax Administrators, 444 North Capitol Street, Washington, D.C. 20001. (202) 624-5890
- National Center for State Courts, 300 Newport Avenue, Williamsburg, Virginia 23185. (804) 253-2000
- National Conference of Commissioners on Uniform State Laws, 645 North Michigan Avenue, Chicago, Illinois 60611. (312) 321-9710
- National Conference of Lieutenant Governors, 3384 Peachtree Road, NE, Atlanta, Georgia 30326. (404) 266-1271
- National Conference of State Criminal Justice Planning Administrators, 444 North Capitol Street, Washington, D.C. 20001. (202) 347-4900
- National Conference of State Legislatures, 1405 Curtis Street, Denver, Colorado 80202. (303) 623-6600
- National Council on Governmental Accounting, 180 North Michigan Avenue, Chicago, Illinois 60601. (312) 977-9700
- National Governors' Association, 444 North Capitol Street, Washington, D.C. 20001. (202) 624-5300
- National Intergovernmental Audit Forum, 441 G Street, NW, Washington, D.C. 20548. (202) 275-5200
- National League of Cities, 1620 Eye Street, NW, Washington, D.C. 20006. (202) 293-7356
- National Municipal League, 47 East 68th Street, New York, New York 10021. (212) 535-5700
- State Auditor Coordinating Council, Iron Works Pike, P.O. Box 11910, Lexington, Kentucky 40578. (606) 252-2291
- Urban Institute, 2100 M Street, NW, Washington, D.C. 20037. (202) 233-1950
- U.S. Conference of Mayors, 1620 Eye Street, NW, Washington, D.C. 20006. (202) 293-7330

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# INTERSTATE COMPACTS, 1783-1977: AN OVERVIEW

By Brevard Crihfield\*

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FOR ALMOST TWO CENTURIES—not quite matching the Bicentennial of American Independence, but several years older than the U.S. Constitution—interstate compacts and agreements have played a significant intergovernmental role. They relate not only to agreements among states, a traditional feature, but in more recent years they have been involved in state-federal and state-local cooperation. Compacts and agreements are recognized in the U.S. Constitution (Article I, Section 10) along with certain powers vested in the two legislative bodies of Congress to regulate compacts among the states or with foreign nations. Subsequent U.S. Supreme Court decisions have set aside the doctrine that every compact or agreement must acquire congressional consent prior to becoming operative. The current rule is that only those compacts affecting “political balance” in the federal system require congressional approval.

Utilization of the compact device in America dates back to the British North American Colonies, as a method for settlement of colonial boundary disputes; and the newly independent federal nation carried on the practice. With a few exceptions—such as agreements regarding navigation, fisheries, canals, bridges, and tunnels—the early compacts dealt almost solely with boundary negotiations. That pattern continued until the 1920s, when the scope of purposes and operations was broadened.

From 1783 to 1920, a span of 137 years, only 36 interstate compacts were entered into. From 1920 to 1941 about 20 more compacts of various types were ratified. In the period 1941-69, over 100 compacts and agreements were put into effect. About as many interstate compacts were adopted from 1950 through 1970 as in the entire preceding 167 years. Since 1970, such rapid growth of new compacts has diminished, although a large quantity of joinders to existing compacts and agreements has occurred. An accompanying graph indicates the number of compacts, 1783-1977; a related map shows the number of compacts and agreements ratified by individual states.

## The Early Years

In the 1920s, two landmark compacts were developed and ratified in response to emerging modern problems. The New York-New Jersey Port Authority Compact, entered into in 1921 by the states of New Jersey and New York, established the first integrated and intergovernmental agency of two states with broad powers to develop port facilities on a joint basis. That compact was also the first to authorize joint financing, construction, and operation of public works. Later in the 1920s, the Colorado River Compact became the first agreement designed to alleviate regional problems over a wide geographical area. It was designed to apportion waters of the Colorado River, provide for division of water between the upper and lower basins, and promote development of the region through water storage and flood protection facilities. Thus the compact broke new ground both in function and in the number of joinders (seven states are party to the compact).

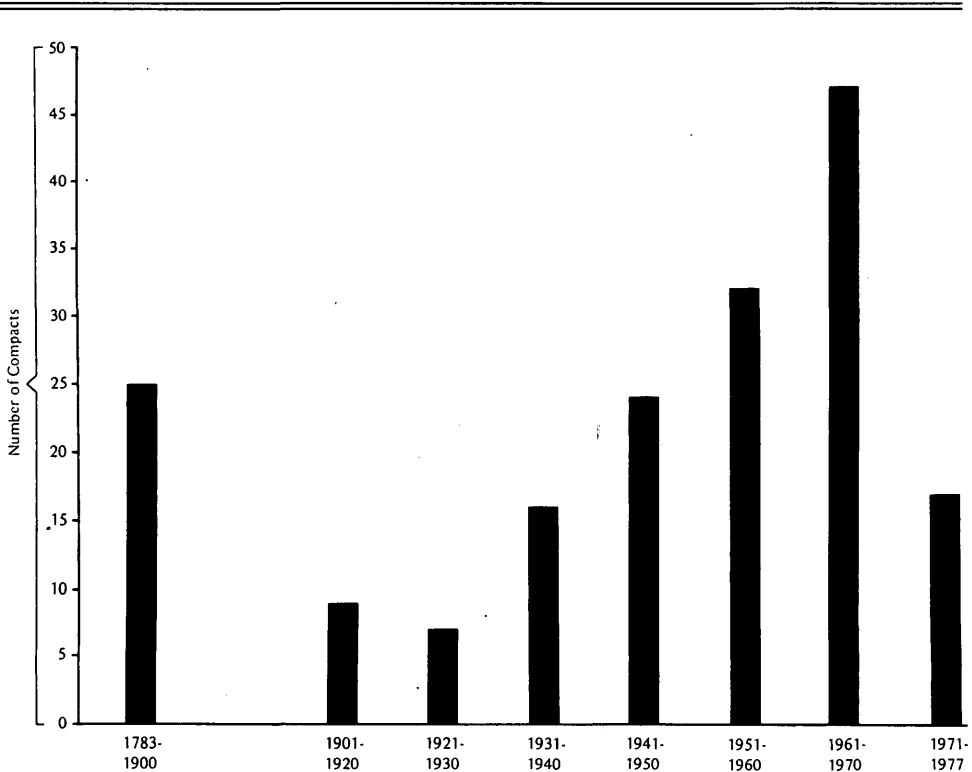
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Additional compacts of national significance came into being in the 1930s dealing with environmental problems (water pollution), social problems (parole and probation), and conservation (regulation of oil and gas production). The Interstate Compact for the Supervision of Parolees and Probationers, open to membership by all states, met a pressing national need in the field of corrections and criminal justice; it also was the first compact with nationwide participation. The Interstate Oil and Gas Compact, open to participation by all gas- and oil-producing states, was the forerunner of present-day efforts to conserve energy resources. Two compacts—the Tri-State Sanitation Compact (Connecticut, New Jersey, and New York) and the Ohio River Valley Water Sanitation Compact (eight states) were pioneering efforts to establish joint regulatory machinery in the field of water pollution abatement.

Since 1940, the subject areas in which interstate compacts and agreements function have been widely augmented. In addition to the landmarks already described, there follows a partial recitation of compact activities that have developed since World War II: fisheries conservation, land and water resources, forest fire protection, mining practices, corrections, juvenile delinquency, driver licensing and enforcement, educational facilities, libraries, mental health, taxation, vehicle safety, motor truck administration, nuclear energy, pest control, parks and recreation, regional planning and development, civil defense, disaster assistance, mass transit, placement of children for adoption and foster care, health services and facilities, radiological protection, economic growth research, unclaimed property, transportation, waste disposal, and flood control.

GROWTH OF INTERSTATE COMPACTS  
1783-1977



### **Federal-Interstate Compacts**

The most recent landmark approach to compact operations, an approach designed to be truly intergovernmental, is epitomized in three compacts generally known as "federal-interstate." The initiator compact, the Delaware River Basin Compact (1961), is geared specifically to multipurpose development of water resources, but the procedural concept would be applicable to virtually any joint operation in which multigovernmental jurisdictions require cooperation on an integrated basis. By an act of Congress, the national government was designated as a full member of the compact commission, along with Delaware, New Jersey, New York, and Pennsylvania. Such an arrangement tends to avoid a confrontation that frequently is concomitant with the usual federal-state relationship. In a well-designed federal-interstate compact, there would be a joining together of legal powers, creation of a single operational body, and no displacement of existing entities. The Susquehanna River Basin Compact, ratified in the late 1960s, is comparable in concept to the Delaware River approach. The third compact, known as the Agreement on Detainers, deals with criminal justice problems, and the federal government is a full-party participant. However, it does not involve the expense of a governing commission and is self-executing through existing governmental personnel. As a matter of additional interest, several interstate compacts are designed principally to authorize local governments to establish interstate school districts or interstate sanitation and waste disposal districts.

### **Recent Activities**

Since the advent of the 1970s, there has been the usual mix of bilateral, regional, and nationwide compacts in a variety of subject areas, but in fewer numbers than previously. Two new compacts, neither of which has become operational, are innovative. The Interstate Environment Compact, spearheaded by the Southern Governors' Conference, is novel in that its design provides broad-based supplementary agreements in matters affecting the environment. "Interstate environmental pollution" is defined as pollution of waters crossing or adjacent to a state boundary, pollution originating in an interstate air quality control region or in a multistate solid waste disposal program, or pollution from land use practices affecting the environment of more than one state. Although initiated in the south, this compact is open to joinder by all states. There have been nine ratifications of the proposed environmental compact since 1971, but Congress has not seen fit to grant consent. Another very recent innovative compact proposal, the Interstate Compact on Conservation and Utilization of Energy and Water Resources, is limited to the needs of Arkansas, Louisiana, New Mexico, Oklahoma, and Texas. The compact is unique in its stipulation that no consent of Congress need be granted. Texas became the first state to ratify in 1977. The required number of state joinders for the compact to take effect is three.

In the spectrum of law enforcement and criminal justice, there are three new proposals. First, the Interstate Extradition Compact has been ratified by Iowa; it seeks to formalize, through the compact device, new methods for handling extradition of criminals (a matter usually administered by governors and attorneys general). Existing procedures in that field are now within the realm of the Uniform Criminal Extradition Act. Second, the Interstate Furlough Compact, developed and sponsored by corrections officials in the northeast, would permit selected prison inmates to visit their homes under certain circumstances. This practice is now authorized intrastate in two thirds of the states. The compact would allow this practice to be applied to interstate cases. Third, the Nonresident Violator Compact of

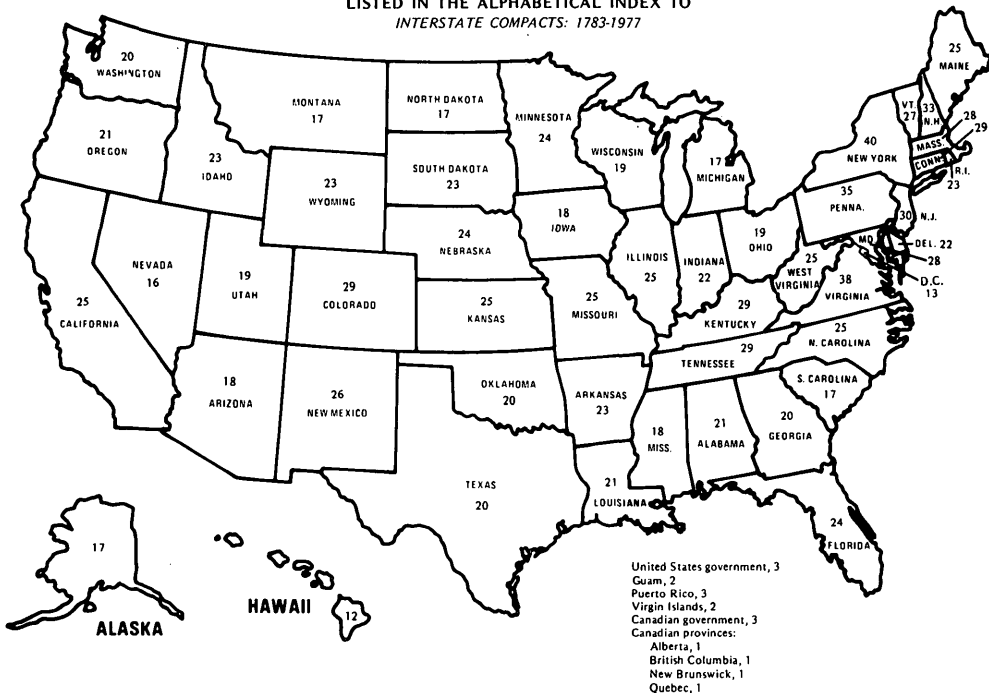
1977 was developed as a more effective mechanism to solve the perennial problem caused by out-of-state drivers who ignore citations for traffic violations.

In the traditional compact areas of education, nuclear energy, and planning, there has been movement since 1970. In October 1977, the Midwestern Conference of the Council of State Governments gave its approval to a new Midwestern Education Compact for early consideration by the legislatures. The compact would create a Midwestern Education Board to administer student exchange programs and to develop an areawide approach to education planning. Earlier in the 1970s, the midwestern states reached the requisite number of ratifications necessary for implementation of the Midwest Nuclear Compact. However, as happens with increasing frequency, Congress has failed to signify its consent. In the broad field of planning and development, the southern states have moved rapidly since 1971 to effectuate the Southern Growth Policies Compact; 13 states are now participating.

Among other recent subjects which involve compacts and agreements is the Minnesota-Wisconsin Port Authority Compact. Port authorities are not newcomers to the realm of compacts, as has been shown earlier, but there is a new twist in this instance. The legislatures of Minnesota and Wisconsin passed enabling legislation for a commission to study the proposed port authority, with participation by the executive and legislative branches in both states plus the mayors of Duluth and Superior—two adjoining cities in adjacent states with separate port facilities. It seems clear that affirmative action by both cities to approve the provisions of the pending compact is essential for effective implementation. The important point to be made is that the agreement is not just interstate, but also state-local in nature.

Five more compact developments of varying types may be mentioned. The Champlain Basin Compact, considered over 10 years ago by New York and Vermont without success, appears to be ready for review and possible action. This compact would provide for prudent

NUMBER OF RATIFICATIONS, BY EACH JURISDICTION, OF COMPACTS  
LISTED IN THE ALPHABETICAL INDEX TO  
INTERSTATE COMPACTS: 1783-1977



and orderly development of the waters and related land resources of the basin. The Cumbres and Toltec Scenic Railroad Compact was ratified by Colorado and New Mexico in 1972. It provides that the two states shall jointly acquire and operate a scenic railway originally built in 1880. New Hampshire and Vermont approved a compact authorizing local governments and sewerage districts to abate pollution through joint facilities for disposal of sewage and other waste products. Under a recent international plan for simplified treatment of commercial vehicle registration fees, promulgated by the American Association of Motor Vehicle Administrators, all jurisdictions of the United States, Canada, and Mexico may participate; the agreement has already been ratified by 22 states and Alberta, Canada, and is operational. A western states compact on short-haul air transportation was ratified by Washington in 1972 and considered in some other western states, for the purpose of developing a balanced and efficient overall transportation system; congressional consent has not been granted.

It may be of some interest to note those compacts and agreements which have the largest numbers of ratifying members at the present time. In spite of a slowing down of newly created compacts since 1970, there has been an evident increase in ratifications of compacts open to broadly based constituent members. The following list indicates the number of joiners to compacts where more than 25 jurisdictions are currently involved:

Interstate Compact for the Supervision of Parolees and Probationers (52); Interstate Compact on Juveniles (52); Agreement on Detainers (48); Compact for Education (48); Compact on Mental Health (45); Vehicle Equipment Safety Compact (43); Interstate Compact on Placement of Children (41); Interstate Library Compact (40); Agreement on Qualification of Educational Personnel (32); Interstate Oil and Gas Compact (30); Driver License Compact (29); and Interstate Corrections Compact (26).

With more than 30 compacts open to participation nationwide, it becomes increasingly important to recognize interrelationships that exist among compacts with common interests. This is especially noticeable in such areas as mental health and mentally disordered offenders; parole, probation, and juvenile delinquency; criminal justice, corrections, detainers, and prisoner furloughs; etc. A few examples will indicate this interrelationship.

At a 1976 meeting of state officials responsible for administering the Compact on Mental Health, it was found that there was almost no intermix between persons within a state who handle transfers of mental patients per se and other persons who deal with mental patients who are also convicted offenders. Similarly, when mental health and mental retardation are matters affecting children, the Mental Health Compact impacts on both the Interstate Compact on Juveniles and the Interstate Compact on Placement of Children. In still other instances, a working relationship between mental health officials and administrators of the Interstate Compact for the Supervision of Parolees and Probationers is indicated. Along a somewhat different line, activities under the Interstate Compact for the Supervision of Parolees and Probationers bear an affinity to several of the cooperative crime control vehicles enumerated above. In this regard, states might seek to maintain a central repository of compacts currently in force, and make efforts to acquaint administrative officials with various compacts and agreements that may relate to their operations.

### Council Activities

For many years, the Committee on Suggested State Legislation of the Council of State Governments has been instrumental in assisting states and other jurisdictions to draft and implement interstate compacts and agreements. The *1978 Suggested State Legislation*



carries a 43-page section on compacts, including introductory comments, a description of relationships among existing compacts, and explanatory statements and full texts of the Mentally Disordered Offender Compact, the Interstate Corrections Compact, the Interstate Pest Control Compact, the Nonresident Violator Compact of 1977, and the International Registration Plan. Each of these compacts is open to membership by all states and U.S. jurisdictions, and in one case to subjurisdictions of foreign nations.

In 1956, 1966, and 1970, the Council of State Governments prepared and published compilations of interstate compacts and agreements dating back to 1783. A new edition, *Interstate Compacts: 1783-1977*, is available from the Council. The graph and map in this chapter are reproduced from the cited volume.

Included in the new compilation are descriptions of compacts now in force or with fair prospects for subsequent ratification. Also included are citations to the relevant state and federal enactments of compacts. The detailed listings are categorized by subject, with cross-references. In addition, there is an alphabetical index to all current compacts, an index to nationwide compacts, an index to regional compacts, and an index to compacts carried in prior compilations which are now considered to be dormant or defunct. Much of the background upon which this article is based comes from materials contained in the new compilation.

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## 2. Federal-State Relations

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### SIGNIFICANT DEVELOPMENTS IN FEDERAL-STATE RELATIONS

By Jane F. Roberts\*

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THE PAST 30 YEARS have witnessed unparalleled growth in the public sector. While federal expenditures have grown 800 percent and federal employment has increased by about 37 percent, state-local expenditures have grown by over 900 percent and their employment levels have increased by over 200 percent. The roles of these state and local governments also have expanded and diversified greatly, at least in part as a result of their administration and delivery of services financed by the federal government.

Further, complex and controversial program, personnel, administrative, jurisdictional, and fiscal issues have been raised by the extraordinary growth of federal assistance, especially during the past dozen years. Never have the people, the programs, and the revenues of nearly all state and local governments been more affected by federal assistance and related federal conditions than now. One point is clear—federal assistance has been a crucial conditioner of intergovernmental relations in this decade.

The Advisory Commission on Intergovernmental Relations (ACIR) has probed most of the recent developments in federal as well as state aid in its recently completed 14-volume series, *The Intergovernmental Grant System: An Assessment and Proposed Policies*. From the array of findings and attitudes which this three-year research undertaking identified, certain major (and frequently unheralded) trends emerged:

- The eligibility and entitlement provisions of general revenue sharing, Comprehensive Employment and Training Act, Community Development Block Grant, and others, have added a host of new local participants in the intergovernmental partnership, with general revenue sharing alone reaching all 38,000 local governments.

- The forms of federal assistance, at least outwardly, have changed drastically since 1966, with all the traditional types of categorical grants (project, project/formula, formula, and open-ended) still in use, along with at least five block grants and general revenue sharing. Categoricals accounted for 70 percent, block grants for 12 percent, and general revenue sharing for 9 percent of the 1977 federal aid package. In jurisdictional terms, cities and counties have benefited far more from the enactment of these newer forms of aid than states, which are caught much more in the older categorical system.

- States are in a reduced, but still preferred, position since they still receive about 70 percent of all federal aid to states and localities. Cities, counties, and school districts, however, now are accorded a much larger role than ever before (the amount of direct assistance to them soared from 10 percent of total federal aid in 1965 to 30 percent in fiscal 1978).

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- Conditions are attached to all forms of federal aid. The procedural strings (civil rights, citizen participation, and auditing requirements) which were added to general revenue sharing in 1976, and the hybrid nature of most of the block grants along with their tendency to acquire program and other constraints over time, render inaccurate the older description of these two forms of aid as essentially "no strings" and "few strings" assistance programs, respectively. Moreover, the emergence of a range of across-the-board requirements in the environmental, equal access, equal rights, relocation, historic preservation, and personnel areas only reinforces the fact that the conditions now attached to practically all federal assistance are infinitely more complex, more controversial (with more judicial decisionmaking), more pervasive (in terms of the number of jurisdictions affected), and more penetrating (in terms of the focus of some on the internal operations of whole governmental jurisdictions) than their largely program-oriented predecessors of the mid-1960s.

These developments in federal assistance have enhanced the interdependence of federal, state, and local governments. At the same time, they also have raised concerns about the dependence of states and localities on the federal partner.

Thus, in 1977, with a new president and a new Congress, the dynamics of the federal system and the full range of intergovernmental relationships were the focal point of citizen and public official attention alike.

### **A New Administration**

A top priority of President Carter's first year has been the reorganization of the federal bureaucracy, its budgeting system, and the procedures for analyzing the effectiveness of government services. Three themes appeared to emerge: reorganization, consultation, and economy and efficiency.

#### **Reorganization**

One of the first presidential acts of 1977 was to request Congress to reestablish the chief executive's authority to reorganize the executive branch. After considerable debate, a procedure was approved in April 1977, enabling the president to submit plans to create, abolish, consolidate, and shift agencies in various departments (within certain limitations) unless either the Senate or the House rejects the plan within 60 days after submission.

By mid-year, the president had transmitted his first reorganization plan to Congress, focusing on the structure of the Executive Office of the President. The plan took effect in September. Among its features are a reduction in staff levels, consolidation of administrative service functions, elimination of some units, and the creation of a new policy management system. The plan also discontinued the Domestic Council. It was replaced by a domestic policy staff which coordinates a new system designed to improve decisionmaking in the formation of domestic and economic policy. Under the new organization, policy agendas are recommended by a committee of presidential advisers under the chairmanship of the vice president, and the role of cabinet departments in policy development has been strengthened. A second plan, focusing on international cultural, information, and education activities also was submitted late in 1977.

Recommendations for these two plans, as well as future plans, are being developed by the staff of the president's reorganization project, located in the Office of Management and Budget (OMB). The staff is developing reorganization recommendations as part of a four-year process. There are 31 reorganization initiatives under way, with much of the work to be completed in 1978.

Also of particular interest to state and local governments are the field office reorganizations in several departments. For example, the Law Enforcement Assistance Administration regional offices were closed in September, with personnel reassigned to the central office in Washington or to one of five regional audit offices. The Secretary of the Interior's regional representative offices also have been abolished, and the Department of Labor's regional director positions have been eliminated. The number of Department of Housing and Urban Development field offices has been reduced, and program responsibilities have been removed from the Department of Health, Education, and Welfare regional offices.

These centralizing actions not only affect individual agency relations with state and local governments, but they also have given rise to basic concerns about the White House position that the administration is "committed to a federal regional presence."

Related questions have been raised regarding the continuation of the 10 Federal Regional Councils (FRCs). FRCs, which are intended to coordinate federal programs in their regions, have had a mixed record at best, and currently are on a "one year's probation" to improve their performance. A decision on continuing FRCs will probably be made in late 1978.

### Consultation

Within five weeks of assuming office, the president directed the heads of all executive agencies and departments to make provisions for a genuine and timely consultative process with state and local officials. By mid-September, the president also had directed the heads of all agencies having extensive contact with state and local officials to designate a senior staff person for liaison with those officials in the development of policy. These officials have been designated, and their names published in the *Federal Register* and disseminated to state and local officials.

In November, a draft executive order was published in the *Federal Register* focusing on state and local participation in the development and promulgation of federal regulations with significant intergovernmental impact. It proposed that "regulations should be as simple and clear as possible," should "achieve legislative goals effectively and efficiently" and "should not impose unnecessary burdens for the economy, on individuals, on public or private organizations, or on state and local governments." This is the first time that a draft executive order has been published in the *Federal Register*. A final order is expected in 1978.

### Economy and Efficiency

Closely associated with reorganization efforts are various administration initiatives to increase the economy and efficiency of the federal government. One of the most heralded of these initiatives has been the application of a zero-base budgeting (ZBB) process to the development of the federal budget.

ZBB techniques have been used by businesses for several years, and were first applied to government in Georgia by then-Governor Jimmy Carter. The first year's experience with ZBB will be evaluated during the coming months. One area which may be addressed is state and local involvement in the ZBB process for future fiscal years.

In addition to ZBB, three other features characterize the Carter administration's approach to the federal budget:

- *Multiyear budgeting* — the goal is to move to a two- to three-year budget focus in an attempt to evaluate the "out-year" implications of "closer year" decisions.

- *Better use of existing programs* — the view is that unless the existing program base is sound, additions to that base will be ineffective and a waste of resources.
- *Balanced budget by 1981* — according to administration spokesmen, the president is still committed to a balanced budget by 1981.

Achievement of a balanced budget by the end of the president's term is perhaps the most controversial of the budget goals. It is of particular concern to state and local officials who are calling for increases in domestic aid programs.

The grant system is the second area in which greater economy and efficiency are being sought. In early September, the president announced plans for "a concentrated attack on red tape and confusion in the Federal grant-in-aid system." Several actions have been launched to simplify planning, application, and reporting requirements; to identify programs which could be converted to an "advanced funding" status (a long-standing recommendation of state and local officials); to expand the use of letters-of-credit; to improve audit procedures; and to make federal regulations and cross-cutting requirements simpler and more uniform.

The president also has requested ACIR to "suggest appropriate ways to further streamline federal aid administrative practices." Specifically, this will take the form of a federal aid monitoring system, an idea that was conceived by the White House Intergovernmental Affairs Office during its work on federal aid administration early in 1977. The one-year experiment will provide a mechanism to obtain information from state and local officials about federal aid administration problems, and will serve as an early warning system for identifying friction points and feeding back information to federal agencies with suggestions for improvement.

### The Urban Dilemma

There is an abundance of "urban policies" being carried out by individual federal departments and agencies. These policies, however, often are disjointed and inconsistent—such as programs aimed at rebuilding central cities and those encouraging suburban growth.

In March 1977, the president formed a cabinet-level Urban and Regional Policy Group (URPG) to prepare an "urban strategy." A preliminary draft report, circulated in November 1977, focused on five policy clusters: job creation, the reduction of fiscal and social disparities, urban and neighborhood revitalization, local government capacity building, and the expansion of opportunities in urban areas. One of the most significant issues yet to be addressed is the role of the states in the administration's urban policy.

An "urban budget" also is to be prepared for fiscal 1979. This minibudget is to include the programs and activities of those departments with a traditional urban orientation—i.e., Housing and Urban Development, Transportation, Labor, Commerce, and Health, Education, and Welfare—in an attempt to more readily identify the substance, quality, and quantity of federal aid allocated to major urban areas. Urban policy issues also have been basic to the preparation for the 1978 White House Conference on Balanced National Growth and Economic Development.

Interest in the urban dilemma also has increased in Congress. A report issued by the House Subcommittee on the City urged the House Budget Committee's Task Force on State and Local Government to "press for active OMB participation in a cooperative effort to improve analysis of budget decisions affecting cities."

The House Subcommittee on Housing and Community Development has shown similar interest by establishing five urban task forces to develop policy and legislation. The task forces are addressing housing subsidies and income maintenance programs, community

development, fiscal problems and disparities, neighborhood preservation and rehabilitation, and homeownership and the role of the federal government.

Another issue which has emerged is the question of regional disparities. These disparities have been characterized by such nomers as "the second war between the states" and "sunbelt v. frostbelt." By whatever description, the controversy has focused attention on the role that national policy plays in regional economic disparities.

The questions surrounding the sunbelt v. frostbelt controversy have taken on added importance since 1976, primarily as a result of acute energy shortages and the discussions surrounding the reenactment of the Community Development Block Grant program.

Regardless of the context of discussion—i.e., urban policy, regional disparities, etc.—the dependence on federal aid has increased substantially. One way to gauge this growth in dependence on federal revenue is to compare the amount that state and local governments receive from the federal government to the revenues they raise from their own sources. This percentage has risen sharply in the past 20 years. In 1957, federal assistance was 11 percent; by 1976 the proportion had risen to 28 percent. This growth does not include the dramatic increases which now will occur because of the economic stimulus programs (countercyclical revenue sharing, CETA expansion, and the local public works programs).

The most dramatic increase in dependency has occurred for the large cities. According to ACIR staff compilations:

- Direct federal aid as a percentage of municipal own source revenue has virtually doubled every five years over the last 20 years—rising from about 1 percent in 1957 to over 23 percent by 1976.
- The increase in direct federal aid to the big central cities has been even more dramatic—rising from 3 percent of local own source revenue in 1967, to 28 percent in 1976. It is estimated that federal direct aid to the major central cities will approximate 50 percent of their own source general revenue in fiscal 1978.

### **The View from Capitol Hill**

The 1977 congressional year was overshadowed in great part by the increasing concern over a fluctuating economy and over long-standing environmental and energy issues. While Congress did approve the president's proposal for a Department of Energy—the first new cabinet department in over 10 years—much of the congressional agenda was, in the end, sidetracked by the preoccupation with dealing with the president's proposed energy policy.

Several program initiatives were approved by Congress during 1977 which are of particular intergovernmental significance to state and local governments, such as:

- The Economic Stimulus Package which was approved and funded at a \$20 billion level. Major provisions include: \$632.5 million for antirecession (countercyclical) aid; \$4 billion for local public works jobs; \$7.98 billion for public service jobs; \$59.4 million for community jobs programs for older citizens; \$1.4 billion for youth training jobs; and \$4.99 billion for general revenue sharing.
- The new Housing and Community Development Act of 1977 that increased funding for the existing Community Development Block Grant programs, and for rental assistance and public housing. The act also created a new initiative to aid the most hard-pressed urban areas—the Urban Development Action Grant Program, authorized at \$400 million for each of three years.
- A National Commission on Neighborhoods that was established to study the factors contributing to the decline of neighborhoods. The 20-member commission will work over

the next two years to analyze the effects of government policies on neighborhoods; identify the administrative, legal, and fiscal obstacles to neighborhood growth; and analyze the impacts of private and public investment.

Congress did not complete its deliberations by the end of 1977 on a number of other proposals which could alter the fiscal and functional roles of all three governmental levels: welfare reform, energy, sunset legislation, the Intergovernmental Coordination Act, a municipal bond disclosure bill, and the Federal Grant and Cooperative Agreement Act, to name but a few.

Thus, there already is important grist for future federal legislative mills as Congress and the president deal with economic recovery, tax reform, the sweepstakes for federal aid, the articulation of an urban policy, and other major issues. If the past is prologue, the outcome of these deliberations will have significant implications for the condition of American federalism. In particular, the actions in 1978-79 should provide a clearer indication of what form the crucial federal-state-local partnership will take.

### 3. State-Local Relations

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#### COMMUNITY AFFAIRS

By Joseph S. Marinich and Frank A. Kirk\*

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IN PAST EDITIONS, this chapter provided an overview of state actions affecting local affairs in numerous functional areas. The following is a departure from this approach and concentrates on the purposes, structure, functions, and prospects for the future of the state agencies primarily responsible for local affairs—the departments of community affairs (DCAs) or equivalent agencies. Comments are based largely on surveys of the states by the Council of State Community Affairs Agencies (COSCAA) and the proceedings of a national conference on the future of DCAs.

State agencies for community affairs are relatively new agencies in state government. Some of the first agencies were the New York Office for Local Government created in 1959 and the Colorado Department of Local Affairs created in 1963. The mid-1960s were the beginning of a nationwide interest in DCAs. The DCAs in Connecticut, Minnesota, New Jersey, and Pennsylvania, among others, were created then. Several states have established DCAs in the past biennium. These include: Arkansas, Louisiana, Montana, and Oklahoma. At present, DCAs have cabinet-level status in 30 states and are major offices or divisions in 15 others. Only five states (Hawaii, Maine, Nevada, New Hampshire, and North Dakota) do not have DCA-type agencies with broad responsibilities in local assistance.

While a host of factors unique to each state were involved in the creation of each DCA, three common factors were: (1) the increasing complexity of governmental activity which caused local governments—primarily the smaller jurisdictions—to seek the technical, planning, and program funding aid of states; (2) efforts to “modernize” and streamline state government which led to the grouping of local assistance functions from various independent agencies; and (3) national recognition of the social and economic needs in major cities and smaller communities across the nation, together with the creation of a plethora of federal programs to respond to these needs, which stimulated the states to develop a capacity to provide both direct state assistance to communities and assistance in their obtaining federal aid.

The titles of DCAs vary considerably. Only 10 of the agencies are actually titled “Department of Community Affairs” (Connecticut, Florida, Georgia, Massachusetts, Montana, New Jersey, Pennsylvania, Rhode Island, Texas, and Utah). The remainder go by many other names, each attempting to describe their functions. Some names include: Alaska Department of Community and Regional Affairs, Arizona Office of Economic Planning and Development, California Department of Housing and Community Development, Colorado Department of Local Affairs, Delaware Department of Community Affairs and Economic Development, Illinois Department of Local Government Affairs, Oklahoma Department of

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Economic and Community Affairs, Maryland Department of Economic and Community Development, and the Wisconsin Department of Local Affairs and Development.

While it is difficult to generalize about DCAs, they can be grouped as follows: (a) a narrow range of functions emphasizing management, training, and technical assistance, and local planning and grantsmanship; (b) a medium range of functions in which housing and human resources activities are combined with the functions noted in (a); and (c) a combination of the functions in (a) and (b) with economic development activities.

### **Three Organizational Structures**

The following description of the DCAs in Pennsylvania, Ohio, and Illinois illustrate the diverse structures and functions of the nation's DCAs.

#### **Pennsylvania**

The Pennsylvania Department of Community Affairs (DCA), created in 1966, has regional offices in Philadelphia, Pittsburgh, Harrisburg, Scranton, and Erie. Each office has specialists in several areas: local government, law enforcement, planning, housing and community development, human resources, and recreation.

The DCA is composed of eight functional bureaus. The Bureau of Housing and Development assists municipalities in making applications for state and federal programs in housing and community development. It also administers state program funds and provides technical assistance to municipalities and redevelopment authorities in community development projects.

The Bureau of Human Resources provides technical and financial assistance to local organizations working with low-income and disadvantaged citizens. It directs programs for social and economic development including cash grants to local human resource agencies, training for the underemployed, and tax credits for certain businesses under the Neighborhood Assistance Program. Through the bureau, the department serves as the state's Office of Economic Opportunity, and conducts programs funded by the U.S. Community Service Agency.

The Bureau of Community Planning provides technical assistance to planning commissions and agencies. It administers state and federal (such as HUD 701) planning grants programs.

The Bureau of Recreation and Conservation provides technical assistance for recreation, conservation, and historically oriented municipal plans and programs.

The Bureau of Local Government Services provides consulting services to local governments covering virtually all phases of municipal operations. It also conducts training programs and seminars for municipal officials on a wide variety of topics.

The Bureau of Policy Planning develops departmental research programs, monitors contracted research, conducts in-house research and special projects, translates executive guidelines into departmental policies, and evaluates the progress and impacts of programs. The bureau also provides A-95 comments on the Community Development Block Grant, HUD 701, and other programs.

The Bureau of Land Records acts as the depository of early land records, compiles maps, processes applications for patents, and records all lands owned by the state.

The Bureau of Management Services serves as administrative staff for the department. It also maintains a library of volumes and films on topics of local government interest.

## Ohio

The Ohio Department of Economic and Community Development, created in 1972, is comprised of four divisions. The Economic Development Division works to expand existing industries, attract new industries, increase international trade, promote travel and tourism, and help minority businessmen. The Administration of Justice Division is the state law enforcement planning agency, providing financial and technical assistance to local and state law enforcement agencies. The Crime Prevention Division promotes citizen involvement in the prevention of crimes by emphasizing community-based programs and specialized training for law enforcement officers.

The Community Development Division contains three offices with district community development responsibilities. The Development Planning Office houses the Ohio Appalachia Program, which provides grants and planning assistance for Ohio's 28 Appalachian counties and three local development districts. The Local-Regional Planning section administers the HUD 701 pass-through grant program and provides planning assistance to Ohio's local and regional planning and development organizations. The Development Planning section is responsible for preparing both a state land use plan and a state housing plan, and for developing demographic and other data for planning purposes.

The Human Services Office functions primarily in program areas targeted to assist Ohio's elderly and low-income citizens. This office provides technical assistance and grant assistance to Ohio's community action agencies.

The Office of Local Government Services provides technical information and assistance to communities with respect to various phases of urban development and redevelopment. In addition, an extension service fosters the development and transfer of problemsolving techniques among Ohio municipalities to improve local government operations. Management assistance is also provided to local governments on a one-on-one basis to eliminate specific individual problems.

## Illinois

The Illinois Department of Local Government Affairs (DLGA), created in 1970, is a cabinet-level agency. The overall mission of DLGA is to address local government needs and problems, and to strengthen the effectiveness, efficiency, and equality of local governments.

It is comprised of five major functional units. The Office of Community Services acts as a central clearinghouse for information concerning the problems of local governments and the means to provide solutions. It provides fiscal management assistance, encourages intergovernmental cooperation, provides assistance with home rule and revenue sharing, and conducts an ongoing program of training for local officials.

The Office of Financial Affairs provides technical assistance to local assessing officials through training programs and manuals. It also performs assessments on railroads, private car lines, and some classes of capital stock. In addition, it calculates assessment equalization factors among counties.

The Office of Housing and Buildings provides coordinative training and assistance services to the state's local housing authorities. Activities include planning and developing low-income housing programs, preparing applications for federal financial aid, informing local officials of changes in federal housing requirements, and housing research and development studies.

The Office of Research and Planning provides a broad range of planning and

management services to localities throughout the state. The office administers the HUD 701 program; carries out research on local government problems; and develops guides, manuals, and training programs in such areas as downtown improvement, the Community Development Block Grant Program, regulations for local development, and planning laws.

The Office of Administration provides the administrative support necessary for departmental operation.

### Functions of DCAs

The functions of DCAs are quite diverse across the nation and range from few to many program areas. Similarly, the staff sizes vary greatly, from below 50 to as high as 550. The functions of DCAs include (also see table at end of chapter):

1. Encouraging intergovernmental cooperation.
2. Coordinating certain state services and assistance programs.
3. Assisting localities in obtaining state and federal aid.
4. Economic development planning.
5. Economic development programs such as industrial, tourism, and trade development; economic adjustment; and growth impact assistance.
6. Local planning assistance, both technical and financial.
7. Regional planning coordination.
8. Research, policy analysis, and how-to-do-it manuals.
9. Human services programs such as day care, aging, and community action agency programs.
10. Housing, including planning, research, technical assistance, finance, management, and regulation.
11. Disaster preparedness, e.g., emergency housing.
12. Personnel training and development.
13. Financial management and general management technical assistance.
14. Local government regulation, including audits, bond issuance, and uniform relocation.
15. Home rule and charter revision technical assistance.
16. Information clearinghouse.
17. Legal advisory services, including model ordinances.

The most common DCA functions are assistance in the improvement of general local government planning and management, encouragement of intergovernmental cooperation, and aid in managing specific programs such as community development and housing. There are many options open to DCAs as to the roles they may play in providing their services. For example, in the provision of management improvement assistance, DCA roles include: convener of resources, coordinator, leader, gadfly, consultant, technical authority, regulator, collaborator, and teacher. These roles are not mutually exclusive and all may be appropriate at different times.

DCA services are in highest demand among smaller units of government (under 50,000 population) which often have part-time political as well as professional officials, lack the financial resources to employ needed staff, and often have no tradition of using professionals. The need for management assistance in smaller communities is becoming increasingly acute as they undertake development functions that involve them in complex state and federal programs and private sector relations. These jurisdictions have to meet the

same kind of application requirements and performance criteria as larger local governments, without adequate staff resources.

Smaller and medium-sized communities are commonly deficient in personnel systems, adequate budget methods and accounting systems, purchasing procedures, capital improvement planning, and comprehensive planning capabilities. DCAs usually provide training, technical assistance, advisory services and, sometimes, financial assistance to improve local capacity in these areas. For example, the Illinois Department of Local Government Affairs prepared a comprehensive handbook on downtown development. In addition to distribution of the handbook, the department held training sessions to assist communities in tackling downtown development problems. The handbook proved so useful that the American Society of Planning Officials has reprinted it for nationwide distribution.

A second common function of DCAs is their mandated responsibility to encourage intergovernmental cooperation. DCAs often serve as brokers between federal and state agencies and local governments, both as mobilizers of federal-state resources and as advocates for needed federal and state legislative and policy changes. As a part of this responsibility, DCAs usually work closely with substate planning commissions in a variety of program areas,<sup>1</sup> and also participate in the A-95 program application review process. The progress DCAs are making in this area is best exemplified by the Integrated Grant Applications (IGAs) for federal and state assistance that have been developed in Arizona, Kentucky, and Utah. These IGAs have greatly simplified the administrative procedures for federal and state programs and strengthened the roles of local and regional officials in planning and allocation processes. Under new legislation, these IGAs are now termed Joint Funding Simplification Programs.

The broadest area of DCA activity is that of community development. It is in this area that the unique intergovernmental role of DCAs is most obvious. The comprehensiveness and complexity of community development activities demand linkages and coordination between all governmental levels and among public and private entities.

### **States' Role in Community Development**

The states' role in comprehensive community development activity has significantly increased since the mid-1960s. States have broadened their involvement to include state support of various demonstration programs; housing finance; housing rehabilitation; urban renewal financing; technical and advisory services in planning, management, and development; industrial and economic development; and support of intergovernmental cooperation for problemsolving. In addition, the states have become increasingly involved in the array of federal programs impacting on community and economic development.

In assessing these developments within the states, state officials have described the state community development perspective in a comprehensive sense to include planning, financial assistance, and direct action programs encompassing physical development, aspects of human development, and economic development. Each of these functions, in turn, comprises a number of specific activities. Physical development activities include assistance to local governments in community renewal and preservation, housing and community development planning, new construction, rehabilitation, outdoor recreation, and assistance to communities impacted by energy development projects. In the human development area, 27 DCAs include the state economic opportunity office, 14 the CETA office, and five the responsibility for administering some HEW Title XX services, including day care.

An increasing number of states have incorporated their economic development

activities into the organizational structure of DCAs. There are now 18 states that have organized community and economic development services into a major executive agency. Although there is significant variation in the design of these agencies, the basic impetus for this type of organization has been the realization that the two sets of activities converge at the local level and can be mutually reinforcing. State efforts to date have revealed that the lack of housing and community development resources at the local level can significantly impede the achievement of economic development goals, and vice versa. However, there has not yet been a concurrent federal awakening to the fact that the two functions are related in terms of state support of local efforts to pursue community and economic development goals. The federal response still reinforces the compartmentalization of physical, human, and economic development assistance to communities among a variety of state agencies and direct federal-local administrative arrangements.

### **The Future of DCAs**

The next biennium will prove challenging for DCAs for a variety of reasons. They will face increasing demands from local governments for services and resources, and new initiatives by the federal government will incorporate the states as partners in federal community development strategies. As the state-federal partnership evolves, it will become imperative that states develop mechanisms and programs through which local governments and citizens can influence decisionmaking processes at the state level as they relate to the allocation and use of federal funds.

The model legislation prepared for the establishment of DCAs by the Advisory Commission on Intergovernmental Relations (ACIR) proposes functions and responsibilities which many DCAs have, but which are not major components of other DCAs. Typical activities of DCAs that are recommended by ACIR include: the provision of informational, advisory, and technical services to local governments; advocacy for local government interests at the state and federal levels; support for interlocal cooperative activities; research and policy analysis; training of local officials; and the administration of a variety of functional programs providing assistance to local governments in the community development area. The areas of suggested ACIR activities which the states have not had equal success in developing include: coordination of various state agency activities and programs, the involvement of the private sector in the solution of urban problems, modernization of local government structure, and the reform of tax and fiscal policies to provide aid to local governments and citizens in greatest need.

At the 1977 annual meeting of officials of the nation's state community affairs agencies, Georgia Governor George Busbee noted that the federal-state relationship has been very uneven across different functional lines. For example, while there is a direct federal-state relationship in the allocation of transportation resources, there is none in the federal Community Development Block Grant program. The governor urged that for DCAs to be effective, they should have the capability both to provide the link between federal and local governments, and give localities an effective voice in the statehouse. Governor Busbee voiced a strong belief of many governors and state officials across the nation—that state governments can respond to the problems of the greatest need within their states with greater comprehensiveness, speed, and flexibility than a remote federal government.

At that same meeting, John Coleman, Executive Director of the Ohio Municipal League and a representative of the National League of Cities, pointed out that DCAs, in trying to be all things to local governments, may not be able to live up to either state or local

government expectations. He also cautioned that the direct, personalized relationship which local governments have established with federal agencies in the past decade is cherished by municipal officials. They would be very reluctant to substitute this direct relationship for one which involves a state agency as a go-between.

A substate district perspective was provided by a representative of the National Association of Regional Councils, Howard Grossman, Executive Director of the Economic Development Council of Northeastern Pennsylvania. He emphasized that DCA authorities and functions complement and supplement the programs which regional councils have offered over the past 15 years. Mr. Grossman suggested that a strong state-regional working relationship is a major factor in effective state-local relations.

A big-city view was provided by Atlanta's Mayor Maynard Jackson. He believed that DCAs are natural advocates for cities in state government, if they can meet the challenge of helping to remedy complex urban problems. His emphasis that states develop an organizational capacity and a willingness to improve policy and legislation in order to be relevant to the larger cities is parallel to the evolving national administration's policy regarding federal-state partnerships for urban development.

Among DCA officials, discussions of the future of their agencies invariably center on the role of the DCA as a change agent as opposed to a role as service provider. Some feel that DCAs should attempt to alter the political or bureaucratic environment in a state or to promote comprehensive solutions to local problems. They argue that in order to have a major impact on community development, states must have policies and objectives which provide a sound basis for resource allocation decisions in the areas of land use, housing, water and waste disposal, transportation, manpower development, etc. They also believe that changes are needed in local government organization and management toward more modern systems.

Those state officials who emphasize the DCA's role as a service provider take the position that local governments will not support strong change agent initiatives by a DCA unless there is confidence in the DCA's knowledge of local problems and a conviction that the DCA has played a critical role in helping to resolve local problems with resources and services. These officials believe that it is essential for DCAs to develop credibility by providing needed resources and services to local governments, and by advocating for their interests to the state and federal levels.

While there is a great diversity in the approaches taken, the record to date indicates that most DCAs have attempted to develop reputations as effective service providers and advocates for local governments. Very few DCAs have undertaken major initiatives to change the form of local government or to force a more comprehensive approach to local problems.

### Conclusion

The environment within which DCAs will evolve is not entirely supportive of broadened functions and responsibilities. There is strong resistance among local officials to DCAs having a major role in linking federal and local governments and in mediating conflicting local interests in the context of state-established priorities. Local governments are apprehensive about a DCA role which goes beyond service and advocacy for their interests, and the resources which DCAs have been able to command argue for the careful selection of functions, limited to those which DCAs can do well. This is in contrast to

suggestions that DCAs attempt to provide comprehensive services, advocacy functions, and change agent activities.

There is a major question as to whether DCAs in the future will be able to play a strong role in bringing about changes in policies and programs affecting local government form and functions. A review of the experiences of DCAs indicates that the services which DCAs bring into supportive relationships with local governments are essential to the development of the DCAs' credibility as spokespersons and advocates for local concerns. This credibility is threatened when DCAs become strong advocates for changing local practices and local government structure.

In the future, one can expect a gradual broadening of DCAs' program responsibilities to encompass a fuller complement of economic development and urban growth activities. The abilities of DCAs to provide for local input into the planning and allocation decisions of state agencies will improve over time as credibility with governors and other state agencies increases. The leadership roles of DCAs in modernizing local government practices will also be exercised more effectively through training and incentives, rather than through structural reform. The broader constituencies which DCAs will acquire through additional program area responsibilities will help to stabilize legislative and gubernatorial support. This support is essential to acquire increased appropriation levels and to strengthen staff resources which will allow DCAs to provide a fuller response to the expectations held of them.

#### Footnote

1. In many states, DCAs have played a major role in organizing and funding substate planning agencies; in fiscal 1976-77, states provided over \$13 million in general support funding to these agencies (this excludes special state funds for regional planning agency projects and programs).

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**SURVEY OF DCAs' FUNCTIONS, CAPACITIES, AND BUDGETS\***


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**Program Activities**  
 (47 states responding)

<i>Activity</i>	<i>Number of states</i>
Local and regional planning assistance .....	45
General management assistance .....	31
Some type of housing services .....	34
Research or policy analysis .....	45
Coordinate state agency activities .....	39
Supportive services for intergovernmental relations .....	41
Advocate local interests .....	45
Assistance in the federal Community Development Block Grant Program .....	36
Economic Development Administration 302 program and related economic development assistance .....	32
General revenue sharing assistance .....	26

**Staffing Capacities**  
 (Total staff of 5,660)

<i>Specific functions</i>	<i>Assignments</i>
Various housing assistance .....	510
Research and policy analysis .....	278
Coordination of state agency activities .....	162
Intergovernmental relations .....	170
Legislative development .....	163
Economic development (including industrial attraction and tourism) .....	270
Disaster assistance .....	130
Local government regulation .....	101
Minority-oriented programs .....	133
Human services .....	965

<i>Technical assistance</i>	<i>Assignments</i>
General management .....	215
Financial management .....	126
Community Development Block Grant Program .....	96
Local and regional planning .....	405
Urban development .....	96
Downtown development .....	80

**Budget Information**  
 (Total budget of \$1,082,565,000)

Operating budgets of DCAs total \$553,913,000

State DCA appropriations are \$326,069,000

Federal funds provide DCAs with \$214,056,000

Program revenue (publication sales, training programs, etc.) provides DCAs with \$13,788,000

DCAs pass through \$428,064,000 of state and federal funds to local units

DCAs have \$100,588,000 of flexible state funds for program purposes

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\*In a 1977 COSCAA survey of all states to determine their community affairs activities, 47 states responded; those not responding were Hawaii, Nevada, and New Hampshire. The information above is a summation of the responses.



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## STATE AID TO LOCAL GOVERNMENTS IN 1976\*

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STATE INTERGOVERNMENTAL expenditure, consisting primarily of state aid to local governments, totaled \$57.9 billion during fiscal 1976. This 11.3 percent increase over the fiscal 1975 total was slightly larger than the 11 percent increase in state direct general expenditure experienced from 1975 to 1976. Over the past five years, state intergovernmental expenditure has increased at an average annual rate of 12.1 percent, compared to an 11.2 average annual percentage rise in state direct general expenditure.

Bureau of the Census data on state intergovernmental expenditure is compiled in such a way as to include two distinct features: state intergovernmental expenditure includes state payments to the federal government as well as to local governments; and state intergovernmental expenditure includes federal funds which the states pass through to their local governments.

State-to-federal payments for fiscal 1976 are shown in Table 5 on an individual state basis. Most of these payments represent the states' contributions for supplementing minimum federal categorical cash assistance aid payments to the aged, blind, and disabled. These state-to-federal payments have become significant only since fiscal 1974, when the Supplemental Security Income program came into existence.

State-to-federal payments totaled only \$341 million in fiscal 1974, but amounted to \$1.2 billion by fiscal 1976. Not all states show payments to the federal government, as some choose to supplement federal categorical welfare aid with direct payments to qualified recipients.

Federal funds which states receive and then pass on to local governments are either distributed directly or in some combination with state funds. However, Bureau of the Census data does not attempt to identify state aid payments to local units by these two revenue sources.

In recent years, total state revenue from the federal government has amounted to between two thirds and three fourths of total state payments to local governments. This very general comparison is depicted below, for fiscal 1976, on a functionalized basis (in billions of dollars).

<i>Function</i>	<i>To local governments</i>	<i>From federal government</i>
Total .....	\$56.7	\$42.0
Education .....	34.1	8.7
Public welfare .....	8.3	16.9
General support .....	5.7	2.1
Highways .....	3.2	6.3
Miscellaneous and combined ...	5.4	8.0

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\*Adapted by Maurice Criz and David Kellerman, Senior Advisor and Statistician, respectively, Governments Division, U.S. Bureau of the Census, from the Bureau's report, *State Payments to Local Governments* (vol. 6, no. 3 of the 1972 census of governments), and annual reports of *State Government Finances*.

In a very simplistic sense, it could thus be determined that at most \$27.7 billion in state revenue from the federal government is redistributed to local governments (\$8.7 billion for education, \$8.3 billion for public welfare, \$2.1 billion for general support, \$3.2 for highways, and \$5.4 for all other). The actual figure may be somewhat less than \$27.7 billion, in view of the fact that state distributions to local governments are not always comprised of the same dollars which the states receive from the federal government.

In general, the Bureau of the Census defines state payments to local governments as consisting of: grants-in-aid, payments in lieu of taxes, reimbursements for services performed, state-collected locally shared taxes, and the extension of contingent loans or advances (where repayment is on a conditional basis).

Excluded from the concept of state intergovernmental payments to local governments are the following:

1. Nonfiscal assistance to local governments in the form of advisory services or aid in kind.
2. Contributions by a state to trust funds it administers for the financing of retirement benefits to local government employees.
3. Shares of state-imposed taxes which are collected and retained by local governments.
4. Proceeds of state interest-bearing loans to local governments which, unlike contingent loans, are repayable over a specified time. Such loans are treated as debt and investment transactions.
5. Expenditure for the purchase of property, commodities, and utility services to other governments.

### Statistical Findings

Of the total state intergovernmental expenditure of \$57.9 billion in fiscal 1976, \$56.7 billion was for aid to local governments. This represents an 11.1 percent increase over the fiscal 1975 total of \$51 billion in state aid to local units.

State distributive payments to local governments accounted for 36.9 percent of state general expenditure in fiscal 1976. The percentage has varied little in the past 20 years. On the other hand, the proportion of all general revenue of local governments accounted for by intergovernmental receipts from the states has shown a small but steady rise over the same time period (28.5 percent in 1956 to 34.5 percent in fiscal 1976).

On a functional basis, most state intergovernmental aid is for education. The \$34.1 billion in education aid in fiscal 1976 accounted for 58.9 percent of all state intergovernmental expenditure, and 60.1 percent of all state aid to local units of government. Variation in the extent to which states provide education assistance to local units can be seen in the per capita figures from Table 3. Alaska (\$376), Delaware (\$281), Maine (\$249), Minnesota (\$246), and New Mexico (\$233) had the highest per capita aid for education, while Hawaii (which has state-administered public schools and distributes no aid), Nebraska (\$73), New Hampshire (\$45), and South Dakota (\$70), had the lowest per capita amounts.

The Maine figure reflected a new state program which shifted the burden for financing local schools from local to state property taxation. In fiscal 1974, Maine per capita state aid for education was \$73, increasing to \$142 in fiscal 1975.

Public welfare ranked second as a state-aided function. As mentioned, the total state intergovernmental expenditure of \$9.5 billion included \$1.2 billion in payments to the federal government and \$8.3 billion in state aid to local jurisdictions. The \$9.5 billion total

was a 17 percent rise over the fiscal 1975 total of intergovernmental expenditure. The \$8.3 billion in aid to local governments was a 16.4 percent increase over the fiscal 1975 amount, while the state-to-federal payments rose 21.1 percent from fiscal 1975 to 1976.

Again, per capita intergovernmental expenditure for public welfare revealed the wide variation existing among the states. With the payment to the federal government included, the 50-state average per capita figure was \$44.29 in fiscal 1976. However, the median state amount was \$6.72 when based on those states actually having some intergovernmental expenditure for this function, and only \$3.35 for all states. The highest per capita figures were in California (\$107.32) and New York (\$230.94).

Although not a specific function, state aid for general local government support was the third largest category of state payments at \$5.7 billion, a 10.6 percent increase over the fiscal 1975 figure. All but two states (Delaware and West Virginia) had such general support programs, which provide funds for use with little or no restriction. Some states use general purpose support programs to channel considerable amounts of aid to their localities. Wisconsin's \$136 per capita distribution was the largest, with seven other states showing an excess of \$50 per capita in general support payments. In addition to the two states with no payments, 12 states showed less than \$5 per capita in general local support payments.

Aid for highways accounted for about 5.6 percent of all state intergovernmental expenditure (about 5.7 percent of total state aid to local governments). Aid for highway purposes has decreased annually as a portion of total state intergovernmental aid in the past 20 years. In 1956, state aid for highways was 15.1 percent of all state-to-local payments; by 1966 it was 10.2 percent.

Only three states (Alaska, Hawaii, and West Virginia) showed no state aid to local governments for highway purposes. Per capita highway aid ranged from zero in these three states to between \$30 and \$40 in four states, and up to \$42 in Maryland.

The \$5.4 billion in "Miscellaneous and combined" in Table 4 includes state aid payments for: health (\$1.2 billion), natural resources (\$222 million), police protection (\$157 million), libraries (\$129 million), other specific functions (\$431 million), and for unallocable or combined purposes (\$3.1 billion).

State intergovernmental expenditure by type of receiving government is shown in Table 5. School districts were the recipients of about 46 percent of all state intergovernmental payments, with county governments receiving 22 percent, municipalities 20 percent, the federal government 2 percent, and townships and special districts about 1 percent each. An additional 8 percent was for combined aid programs. These percentages have remained relatively constant over the past decade.

During the 1977 census of governments, data will be gathered on state intergovernmental expenditure in terms of functional categories by type of recipient government. Such data from the 1972 census showed that school districts received 79 percent of all state aid for education; counties received the bulk of state aid for highways, public welfare, and hospitals; and municipalities received most of the aid for general local support.

The data presented for individual states enables limited comparisons to be made among the states regarding the provision of financial aid to localities. The choice of direct financial aid, however, reflects a preference that a state might have over direct state provision of the given service, as well as preference for the amount of aid (or level of service) to be provided. Such choices are conditioned by political, economic, and social goals and priorities that exist for any given state. As an example, the problem of how best to provide financing for local schools is being addressed differently in a number of states as concern over the inherent

difference in the property tax base among localities has developed as a major issue.

To interpret the differing amounts of aid being provided by states as meaning one state provides more or better services to its citizenry than another could be erroneous. Such conclusions need be based upon more intensive study of state and local government structures, finances, tax and economic base, and even traditions.

### **Financing and Distributing State Aid Payments**

Once it has been determined to provide fiscal assistance to local governments, a state must consider three points: (1) How much aid should be distributed? (2) How should the aid be allocated?, and (3) How should the program be financed? These three questions are not always uniquely answerable, as the choice for one often narrows or determines the choice for another.

The question of how much aid to provide can be predetermined if a state is participating in a federally sponsored program and merely redistributing the federal aid to its local jurisdictions. The amount of aid might also be a fixed amount appropriated by state legislative action. The yield of a particular revenue source being used to finance a state aid program might determine the amounts to be allocated, especially if a specific tax is the source of funds. Allocation formulas which combine a number of factors are also common. A program may designate minimum levels of aid from appropriated funds, with supplemental funds based upon some other formula or the yield of a particular revenue source.

Underlying the choice of how to finance and distribute state aid is the basic intent or purpose of particular aid programs. Thus, programs designed for general local government support might be financed from a broad-based revenue source with distributions according to a very general formula (such as population). Programs designed to aid particular functions might be financed from a particular and related revenue source (highway aid payments financed by a gasoline use tax) with distributions according to some measure of need for the particular service involved. Another category of aid programs emphasizes the achievement of particular goals (such as equalization of tax burdens or inducing the establishment of specific local government programs). These are financed in a variety of ways, with allocations either based upon need or accruing to those localities which initiate the programs desired by the state.

State aid programs designed for purposes of equalization can be used to overcome disparities in fiscal capacity among local jurisdictions. The previously mentioned increase in per capita state aid for education in Maine was in effect an attempt to overcome local disparities in school financing capability by having the state levy, notlect, and redistribute major portions of what had previously been local property taxes. New Jersey has imposed a new graduated income tax, the proceeds of which are to be distributed, in part, to localities for school finance purposes.

Property tax relief programs are used by states to equalize the tax burden on property owners (and sometimes renters). Property tax relief programs vary considerably from state to state in terms of the beneficiaries, means of financing, administration, and form of relief granted. Not all such programs result in an actual state payment to a local unit of government, however.

Property tax relief programs are of two types, the circuit breaker and the homestead exemption. The circuit-breaker approach is generally administered by granting tax relief when a property owner's tax liability exceeds a fixed percentage of income. The percentage usually varies according to income size, with a maximum income above which no relief is

granted. Relief can be in the form of a direct rebate to the property owner, credits on a state's individual income tax, or direct reduction in the tax bill itself. The program is quite often limited to a fixed group; especially the elderly, and renters are eligible in some cases.

The financing burden of the circuit-breaker program is generally borne by the state when the program involves a rebate to the taxpayer or a credit on the individual income tax. When there is a mandated reduction in the property owner's tax bill, the burden can either be borne by the local government or the state. Only in the latter situation does the circuit-breaker property tax relief program result in state-to-local intergovernmental payments, with the state reimbursing the local government for lost tax revenue.

The homestead exemption form of property tax relief provides for a reduction in the assessed value of property, thereby lowering the tax liability to the property owner. This form of tax relief is generally broader in coverage than the circuit-breaker type, but also can be limited to certain groups (the elderly). Homestead exemption programs result in state-to-local payments as reimbursement for lost revenue in some states, but in others the program is mandated by state law, with the local governments absorbing the lost revenue.

State payments for general local government support, including state general revenue sharing programs, serve to ease the burden on local governments which have relied heavily on the property tax as their primary revenue source. In addition to being an inherently unequal financing source among local governments, the property tax generally lags behind other taxes during periods of economic growth in meeting the increased revenue needs of particular localities. State aid for general local support thus helps localities to keep pace with economic growth, and provides a nonproperty tax method of financing programs.

The distribution of general local support payments by the states can be altered to achieve different goals. That is, these state payments can be returned to the localities from where they were collected (on the basis of "origin") or they can be returned to localities in a manner designed to meet some criteria of local need. Formulas for measuring local need might be very straightforward, using population, or might be as complex as using a combination of area of origin and local tax capacity, but with priorities on the use of aid payments as to specific functions.

The tax sources used to finance these general local support payments range from specific excise taxes to general sales taxes and the individual income tax. Especially for payments designed to be distributed on the basis of need, the tax source is generally the income or general sales tax. These are borne by nearly all taxpayers and hence are logically used to finance programs that are considered beneficial to the general public. The distribution of the financing burden for these general aid programs might vary, depending on the progressive or regressive nature of the tax system.

For some specific types of state aid, there is a direct relation between the function being financed and the source and distribution of the aid payments. Aid for highways, for example, is often financed from special trust funds comprised of gasoline tax revenue or highway user tax revenue. To some degree, the financing burden is borne by those who would use the highways most often, even though highways are a social commodity. The general approach involved is thus to finance the program through earmarked or designated revenue sources, with aid payments distributed according to origin or need. As in the case of highways, origin and need often go hand in hand (the yield of gasoline taxes is greater in heavily populated areas, which also have more heavily traveled highways).

State aid payments for specific functions can also be established for purposes of achieving specific goals or programs. In these cases, financing is generally from appropriated

monies, usually from the general fund. Distribution is often on the basis of which jurisdictions apply for the funds and meet the criteria established by the state. An example of a state aid program of this nature is found in Alaska's extension of municipal revenue sharing to include additional per capita aid to municipalities that have the authorization to provide health facilities and in which a hospital has been located, and in Colorado's program to partially reimburse cities, counties, and private agencies that cooperate to establish corrections facilities and programs.

Table 1  
SUMMARY OF STATE INTERGOVERNMENTAL PAYMENTS, 1942 TO 1976\*

Fiscal year	Amount in millions							Total state intergovernmental expenditure	
	Total	For general local government support	For specified purposes				All other	Per capita	As percentage of total general revenue of state governments
			Total	Schools	Public welfare	Highways			
1942.....	\$ 1,780	\$ 224	\$ 1,556	\$ 790	\$ 390	\$ 344	\$ 32	\$ 13.37	34.7
1944.....	1,842	274	1,568	861	368	298	41	13.95	33.7
1946.....	2,092	357	1,735	953	376	339	67	15.05	33.3
1948.....	3,283	428	2,855	1,554	648	507	146	22.64	35.5
1950.....	4,217	482	3,735	2,054	792	610	279	28.11	37.4
1951.....	4,678	513	4,165	2,248	974	667	276	30.78	37.7
1952.....	5,044	549	4,495	2,525	976	728	268	32.55	37.6
1953.....	5,384	592	4,791	2,740	981	803	267	34.19	37.1
1954.....	5,679	600	5,079	2,934	1,004	871	269	35.42	37.1
1955.....	5,986	591	5,395	3,154	1,046	911	284	36.62	37.0
1956.....	6,538	631	5,907	3,541	1,069	984	313	39.28	35.6
1957.....	7,439	668	6,771	4,212	1,136	1,083	340	43.86	36.5
1958.....	8,089	687	7,402	4,598	1,247	1,167	390	46.76	37.2
1959.....	8,689	725	7,964	4,957	1,409	1,207	391	49.37	35.5
1960.....	9,443	806	8,637	5,461	1,483	1,247	446	52.75	34.5
1961.....	10,114	821	9,293	5,963	1,602	1,266	462	55.51	35.2
1962.....	10,906	844	10,062	6,474	1,777	1,326	485	58.94	35.0
1963.....	11,885	1,012	10,873	6,993	1,919	1,416	545	63.31	35.1
1964.....	12,968	1,053	11,915	7,664	2,104	1,524	623	68.06	34.4
1965.....	14,174	1,102	13,072	8,351	2,436	1,630	655	73.43	34.6
1966.....	16,928	1,361	15,567	10,177	2,882	1,725	783	86.79	36.2
1967.....	19,056	1,585	17,471	11,845	2,897	1,861	868	96.70	36.6
1968.....	21,950	1,993	19,957	13,321	3,527	2,029	1,079	110.27	37.1
1969.....	24,779	2,135	22,644	14,858	4,402	2,109	1,275	123.20	36.8
1970.....	28,892	2,958	25,934	17,085	5,003	2,439	1,407	142.73	37.2
1971.....	32,640	3,258	29,382	19,292	5,760	2,507	1,823	158.82	38.4
1972.....	36,759	3,752	33,007	21,195	6,944	2,633	2,235	177.16	37.3
1973.....	40,822	4,280	36,542	23,316	7,532	2,953	2,741	195.22	36.1
1974(a).....	45,941	4,804	41,137	27,107	7,369(a)	3,211	3,450	218.07	37.6
1975(a).....	51,978	5,129	46,849	31,110	8,102(a)	3,225	4,412	244.71	38.6
1976(a).....	57,858	5,674	52,184	34,084	9,476(a)	3,241	5,383	270.42	38.0

\*Source: Bureau of the Census, *State Payments to Local Governments* (vol. 6, no. 3, of the 1972 census of governments) and annual reports of *State Government Finances*.

(a) Includes state payments to the federal government, reflecting primarily the states' share of the cost for the Supplemental Security Income program, in the following amounts: 1974—\$341 million; 1975—\$975 million; 1976—\$1,180 million.

Table 2  
STATE INTERGOVERNMENTAL EXPENDITURE, BY STATE:  
1967 TO 1976\*

State	Amount (in thousands)				Per capita amounts				Percentage increase in per capita amounts		
	1976	1974	1972	1967	1976	1974	1972	1967	1974 to 1976	1972 to 1974	1967 to 1972
All states	\$57,858,241	\$45,941,111	\$36,759,246	\$19,056,380	\$270.42	\$218.07	\$177.16	\$ 96.70	24.0	23.1	83.2
Median state	...	...	...	...	228.01	170.14	142.20	77.25	34.0	19.6	73.8
Alabama	700,064	555,013	450,065	292,510	191.01	155.16	128.22	82.62	23.1	21.0	55.2
Alaska	207,088	146,623	102,138	28,523	542.12	435.08	314.27	104.86	24.6	38.4	199.7
Arizona	694,268	470,705	357,569	169,491	305.84	218.63	183.84	103.72	39.9	18.9	77.2
Arkansas	418,197	314,643	219,971	140,427	198.29	152.59	111.21	71.35	30.0	37.2	55.9
California	8,135,469	6,901,808	5,321,068	2,774,663	378.04	330.12	259.97	144.86	14.5	27.0	79.5
Colorado	675,431	482,735	376,089	204,914	261.49	193.40	159.56	103.75	35.2	21.2	53.8
Connecticut	525,225	429,011	442,371	137,135	168.50	138.93	143.53	46.88	21.3	-3.2	206.2
Delaware	188,428	134,868	116,729	70,752	323.75	235.37	206.60	135.28	37.6	13.9	52.7
Florida	1,834,215	1,560,305	1,024,986	423,343	217.81	192.87	141.20	70.61	12.9	36.6	100.0
Georgia	845,591	817,138	598,776	411,140	170.14	167.38	126.86	91.18	1.7	31.9	39.1
Hawaii	22,772	21,741	19,629	20,900	25.67	25.67	24.26	28.28	0.0	5.8	-14.2
Idaho	187,358	135,844	87,804	52,133	225.46	170.02	116.14	74.58	32.6	46.4	55.7
Illinois	2,652,553	2,043,053	1,627,820	703,314	236.22	183.55	144.68	64.56	28.7	26.9	124.1
Indiana	1,253,233	753,675	643,861	430,294	236.37	141.40	121.69	86.05	67.2	16.2	41.4
Iowa	797,891	584,348	462,338	201,391	278.01	204.68	160.37	73.15	35.8	27.6	119.2
Kansas	404,805	304,312	351,983	199,965	175.24	134.06	155.88	87.89	30.7	-14.0	77.4
Kentucky	510,160	404,707	349,173	206,322	148.82	120.56	105.84	64.70	23.4	13.9	63.6
Louisiana	998,899	731,312	660,322	393,555	260.06	194.29	177.51	107.46	33.9	9.5	65.2
Maine	320,491	109,340	103,014	39,662	299.52	104.43	100.11	40.76	186.8	4.3	145.6
Maryland	1,460,454	1,091,811	882,168	400,877	352.43	266.69	217.50	108.87	32.2	22.6	99.8
Massachusetts	1,429,110	916,244	607,661	635,642	246.02	157.97	105.00	117.25	55.7	50.4	-10.4
Michigan	2,306,268	2,072,529	1,619,064	978,607	253.32	227.80	178.27	114.00	11.2	27.8	56.4
Minnesota	1,602,859	1,391,182	1,117,908	439,975	404.25	355.17	286.94	122.82	13.8	23.8	133.6
Mississippi	582,233	459,559	367,995	191,261	247.33	197.74	162.61	81.45	25.1	21.6	99.6
Missouri	693,542	598,876	475,630	249,571	145.15	125.37	100.07	54.21	15.8	25.3	84.6
Montana	147,181	96,534	68,116	37,709	195.46	131.34	94.74	53.79	48.8	38.6	76.1
Nebraska	257,768	180,772	133,561	78,259	165.98	117.16	87.58	54.53	41.7	33.8	60.6
Nevada	143,910	119,059	98,704	45,036	235.92	207.78	187.29	101.43	13.5	10.9	84.7
New Hampshire	87,832	69,147	57,501	14,463	106.85	85.58	74.58	21.08	24.9	14.7	253.8
New Jersey	1,634,972	1,365,174	1,159,957	424,592	222.87	186.24	157.45	60.63	19.7	18.3	159.7
New Mexico	363,060	271,566	225,054	136,212	310.84	242.04	211.32	135.80	28.4	14.5	55.6
New York	9,977,102	7,914,358	7,097,255	3,265,275	551.71	436.99	386.43	178.08	26.3	13.1	117.0
North Carolina	1,652,666	1,179,995	950,625	537,594	302.19	220.03	182.32	106.89	37.3	20.7	70.6
North Dakota	148,253	114,500	86,222	41,794	230.56	179.75	136.43	65.40	28.3	31.8	108.6
Ohio	2,095,547	1,828,135	1,102,283	643,155	196.03	170.26	102.22	61.49	15.1	66.6	66.2
Oklahoma	491,460	368,558	321,030	191,357	177.68	136.05	121.88	76.69	30.6	11.6	58.9
Oregon	421,079	353,141	289,258	193,476	180.80	155.84	132.57	96.78	16.0	17.6	37.0
Pennsylvania	2,762,409	2,352,901	1,790,977	787,036	232.88	198.81	150.17	67.67	17.1	32.4	121.9
Rhode Island	148,660	114,275	106,556	46,763	160.37	121.96	110.08	51.95	31.5	10.8	111.9
South Carolina	530,983	444,103	341,114	199,472	186.44	159.52	128.00	76.74	16.9	24.6	66.8
South Dakota	68,306	62,979	47,976	24,571	99.57	92.34	70.66	36.45	7.8	30.7	93.9
Tennessee	657,567	545,545	426,544	302,670	156.04	132.13	105.82	77.76	18.1	24.9	36.1
Texas	2,161,147	1,433,098	1,227,261	661,533	173.07	118.93	105.35	60.86	45.5	12.9	73.1
Utah	288,129	197,742	164,182	98,622	234.63	168.58	145.81	96.31	39.2	15.6	51.4
Vermont	81,941	69,620	53,832	25,835	172.14	148.13	116.52	61.95	16.2	27.1	88.1
Virginia	1,010,572	844,923	682,179	333,818	200.83	172.15	143.19	73.59	16.7	20.2	94.6
Washington	947,921	671,821	573,083	385,389	262.44	193.27	166.45	124.84	35.8	16.1	33.3
West Virginia	356,823	254,904	205,165	118,783	195.95	142.32	115.20	66.06	37.8	23.5	74.4
Wisconsin	1,868,145	1,587,473	1,106,793	631,414	405.33	347.67	244.87	150.73	16.6	54.6	62.5
Wyoming	108,213	69,406	57,886	35,185	277.47	193.33	167.79	111.69	43.5	15.2	50.2

\*Source: Bureau of the Census, *State Payments to Local Governments* (vol. 6, no. 3, 1972 census of governments) and annual reports of *State Government Finances*.

Table 3  
PER CAPITA STATE INTERGOVERNMENTAL EXPENDITURE,  
BY FUNCTION AND BY STATE: 1976\*

State	Total	General local government support	Specified functions			
			Education	Public welfare	Highways	Miscellaneous and combined
All states .....	\$270.42	\$26.52	\$159.30	\$44.29	\$15.15	\$25.16
Median state (a) .....	228.01	19.55	156.79	6.72	16.13	19.11
Alabama .....	191.01	4.89	149.80	.....	19.14	17.19
Alaska .....	542.12	70.76	375.74	.....	.....	95.61
Arizona .....	305.84	57.49	209.91	.....	25.59	12.85
Arkansas .....	198.29	10.99	135.73	0.72	26.71	24.14
California .....	378.04	45.87	181.69	107.32	17.09	26.06
Colorado .....	261.49	6.03	161.07	58.73	16.13	19.52
Connecticut .....	168.50	21.30	111.23	6.71	5.51	23.75
Delaware .....	323.76	.....	280.93	1.65	3.44	37.74
Florida .....	217.81	23.74	171.70	.....	13.27	9.11
Georgia .....	170.14	3.24	139.70	0.43	8.08	18.69
Hawaii .....	25.67	20.57	.....	5.00	.....	0.10
Idaho .....	225.46	29.29	156.79	.....	29.69	9.69
Illinois .....	236.22	11.40	158.98	20.72	20.02	25.11
Indiana .....	236.37	58.85	110.79	22.75	30.32	13.66
Iowa .....	278.01	25.36	190.00	7.07	39.95	15.63
Kansas .....	175.24	10.26	139.21	0.36	16.52	8.89
Kentucky .....	148.82	0.20	129.00	0.23	3.95	15.45
Louisiana .....	260.06	46.79	181.73	1.61	18.63	11.31
Maine .....	299.52	15.54	249.49	7.09	3.43	23.98
Maryland .....	352.43	20.01	183.81	59.28	41.54	47.79
Massachusetts .....	246.02	4.87	133.30	20.50	11.82	75.53
Michigan .....	253.32	33.78	142.51	22.75	34.58	19.71
Minnesota .....	404.25	66.29	246.08	49.60	22.03	20.25
Mississippi .....	247.33	29.73	180.40	.....	25.32	11.88
Missouri .....	145.15	0.99	115.65	3.13	9.29	16.10
Montana .....	195.46	1.38	154.70	0.95	8.73	29.69
Nebraska .....	165.98	38.10	73.15	8.84	18.88	27.01
Nevada .....	235.92	24.71	182.59	4.57	9.60	14.45
New Hampshire .....	106.85	34.47	45.12	0.11	6.25	20.89
New Jersey .....	222.87	26.38	103.23	65.97	2.25	25.04
New Mexico .....	310.84	58.20	232.81	.....	8.55	11.27
New York .....	551.71	51.22	201.89	230.94	6.18	61.49
North Carolina .....	302.19	12.62	216.81	36.84	5.37	30.55
North Dakota .....	230.56	21.30	158.57	6.72	28.79	15.19
Ohio .....	196.03	33.78	124.51	13.20	16.67	7.88
Oklahoma .....	177.68	2.53	131.82	0.39	28.13	14.82
Oregon .....	180.80	12.73	124.58	1.03	32.08	10.38
Pennsylvania .....	232.88	2.41	162.05	17.28	9.92	41.21
Rhode Island .....	160.37	11.72	112.75	27.05	0.42	8.43
South Carolina .....	186.44	19.09	135.39	0.02	11.85	20.08
South Dakota .....	99.57	6.38	69.67	0.52	6.42	16.58
Tennessee .....	156.04	13.42	108.77	0.58	24.76	8.51
Texas .....	173.07	0.91	167.03	.....	1.17	3.96
Utah .....	234.63	0.81	191.59	0.16	9.46	32.62
Vermont .....	172.14	0.42	115.92	9.37	12.16	34.28
Virginia .....	200.83	4.28	131.31	42.26	10.26	12.72
Washington .....	262.44	12.15	200.00	5.94	19.29	25.05
West Virginia .....	195.95	.....	186.15	.....	.....	9.79
Wisconsin .....	405.33	136.26	146.63	67.93	19.20	35.30
Wyoming .....	277.47	64.19	163.46	0.13	27.97	21.73

\*Source: Bureau of the Census, *State Government Finances in 1976*.

(a) Medians computed only for those states having the specified items.



Table 4  
STATE INTERGOVERNMENTAL EXPENDITURE,  
BY FUNCTION AND BY STATE: 1976\*  
(In thousands of dollars)

State	Total	General local government support	Specified functions			
			Education	Public welfare	Highways	Miscellaneous and combined
All states	\$57,858,241	\$5,673,843	\$34,083,711	\$9,476,411	\$3,240,806	\$5,383,470
Alabama	700,064	17,907	549,004	.....	70,166	62,987
Alaska	207,088	27,032	143,534	.....	.....	36,522
Arizona	694,268	130,506	476,504	.....	58,078	29,180
Arkansas	418,197	23,177	286,265	1,515	56,328	50,912
California	8,135,469	987,133	3,910,060	2,309,598	367,788	560,890(a)
Colorado	675,431	15,587	416,053	151,692	41,667	50,432
Connecticut	525,225	66,401	346,716	20,913	17,166	74,029
Delaware	188,428	.....	163,504	961	2,000	21,963
Florida	1,834,215	199,909	1,445,887	.....	111,719	76,700
Georgia	845,591	16,117	694,325	2,133	40,149	92,867
Hawaii	22,772	18,247	.....	4,438	.....	87
Idaho	187,358	24,337	130,292	.....	24,676	8,053
Illinois	2,652,553	127,982	1,785,192	232,662	224,808	281,909(b)
Indiana	1,253,233	312,011	587,384	120,646	160,764	72,428
Iowa	797,891	72,791	545,304	20,291	114,659	44,846
Kansas	404,805	23,701	321,568	836	38,170	20,530
Kentucky	510,160	692	442,198	788	13,535	52,947
Louisiana	998,899	179,712	698,008	6,191	71,564	43,424
Maine	320,491	16,624	266,954	7,583	3,668	25,662
Maryland	1,460,454	82,915	761,707	245,650	172,147	198,035
Massachusetts	1,429,110	28,307	774,355	119,062	68,655	438,731(c)
Michigan	2,306,268	307,544	1,297,444	207,091	314,798	179,391
Minnesota	1,602,859	262,836	975,706	196,679	87,341	80,297
Mississippi	582,224	69,995	424,665	.....	59,602	27,962
Missouri	693,542	4,741	552,564	14,945	44,380	76,912
Montana	147,181	1,040	116,490	717	6,575	22,359
Nebraska	257,768	59,176	113,605	13,723	29,320	41,944
Nevada	143,910	15,073	111,377	2,788	5,857	8,815
New Hampshire	87,832	28,338	37,088	92	5,141	17,173
New Jersey	1,634,972	193,495	757,322	483,958	16,505	183,692
New Mexico	363,060	67,982	271,922	.....	9,992	13,164
New York	9,977,102	926,299	3,650,944	4,176,234	111,687	1,111,938(d)
North Carolina	1,652,666	69,011	1,185,737	201,479	29,366	167,073
North Dakota	148,253	13,696	101,960	4,320	18,512	9,765
Ohio	2,095,547	361,078	1,330,982	141,071	178,199	84,217
Oklahoma	491,460	6,997	364,602	1,086	77,797	40,978
Oregon	421,079	29,644	290,143	2,399	74,716	24,177
Pennsylvania	2,762,409	28,593	1,922,223	205,028	117,685	488,880(e)
Rhode Island	148,660	10,868	104,515	25,073	387	7,817
South Carolina	530,983	54,373	385,600	71	33,747	57,192
South Dakota	68,306	4,375	47,793	356	4,405	11,377
Tennessee	657,567	56,546	458,363	2,453	104,343	35,862
Texas	2,161,147	11,373	2,085,706	.....	14,600	49,468
Utah	288,129	1,000	235,267	194	11,615	40,053
Vermont	81,941	200	55,179	4,460	5,786	16,316
Virginia	1,010,572	21,525	660,770	212,637	51,646	63,994
Washington	947,921	43,885	722,389	21,463	69,688	90,496
West Virginia	356,823	.....	338,988	.....	.....	17,835
Wisconsin	1,868,145	628,039	675,803	313,086	88,501	162,716
Wyoming	108,213	25,033	63,750	49	10,908	8,473

\*Source: Bureau of the Census, *State Government Finances in 1976*.

(a) Includes \$262,276,000 health and water pollution grants to local governments.

(b) Includes \$122,406,000 transportation aid and \$75,296,000 pollution control and health grants to local governments.

(c) Includes \$192,165,000 payment to the Massachusetts Bay

Transportation Authority, and \$76,261,000 CETA grants and \$73,223,000 lottery commission grants to local governments.

(d) Includes \$237,919,000 health grants and \$170,995,000 water pollution and sewerage grants to local governments, and \$250,000,000 advance of funds to New York City.

(e) Includes \$111,024,000 health grants and \$108,207,000 mass transportation grants to local governments.

Table 5  
STATE INTERGOVERNMENTAL EXPENDITURE,  
BY TYPE OF RECEIVING GOVERNMENT AND BY STATE: 1976\*  
(In thousands of dollars)

State	Total intergov- ernmental expenditure	Type of receiving government						Combined and unallocable
		Federal	School districts	Counties	Municipalities	Townships and New England "towns"	Special districts	
All states	\$57,858,241	\$1,179,580(a)	\$26,767,241	\$12,575,770	\$11,359,520	\$614,114	\$643,678	\$4,718,338
Alabama	700,064	1,556	549,004	85,613	17,641	.....	.....	46,250
Alaska	207,088	368	.....	99,900	78,523	.....	.....	28,297
Arizona	694,268	.....	476,504	95,357	107,335	.....	.....	15,072
Arkansas	418,197	1,389	285,054	67,050	45,407	.....	250	19,047
California	8,135,469	637,417	3,710,334	2,919,838	775,970	.....	89,700	2,210
Colorado	675,431	730	416,053	136,896	94,228	.....	15,414	12,110
Connecticut	525,225	260	18,283	.....	262,328	198,135	994	45,225
Delaware	188,428	961	150,957	13,453	18,380	.....	90	4,587
Florida	1,834,215	1,876	1,445,690	188,916	193,139	.....	468	4,126
Georgia	845,591	3,094	694,266	74,692	24,863	.....	87	48,589
Hawaii	22,772	4,438	.....	10,513	7,821	.....	.....	.....
Idaho	187,358	452	124,292	49,298	9,112	.....	1,168	3,036
Illinois	2,652,553	.....	1,775,923	230,449	239,225	36,437	164,055	206,464
Indiana	1,253,233	1,272	582,402	180,605	120,459	.....	1,239	367,256
Iowa	797,891	5,529	545,304	124,810	88,209	.....	2,919	31,120
Kansas	404,805	889	321,568	44,763	27,709	877	1,562	7,437
Kentucky	510,160	.....	442,198	42,551	8,585	.....	423	16,403
Louisiana	998,899	6,191	698,008	140,226	62,738	.....	2,495	89,241
Maine	320,491	6,209	.....	588	.....	.....	.....	313,694
Maryland	1,460,454	1,069	.....	829,649	506,971	.....	371	122,394
Massachusetts	1,429,110	115,255	.....	3,543	9,161	490	194,781	1,105,880(b)
Michigan	2,306,268	57,650	1,297,444	465,900	314,543	64,833	18,681	87,217
Minnesota	1,602,859	900	975,626	410,904	188,713	17,025	114	9,577
Mississippi	582,224	100	424,391	88,009	69,724	.....	.....	.....
Missouri	693,542	.....	552,559	21,538	60,792	.....	2,917	55,736
Montana	147,181	460	116,490	19,547	9,640	.....	535	509
Nebraska	257,768	642	113,605	37,389	33,956	.....	18,658	53,518
Nevada	143,910	3,945	111,377	12,935	14,164	.....	.....	1,489
New Hampshire	87,832	.....	8,623	1,283	26,330	11,185	391	40,020
New Jersey	1,634,972	17,765	.....	539,101	99,635	150	926	977,395(c)
New Mexico	363,060	.....	271,922	13,321	67,097	.....	102	10,618
New York	9,977,102	212,663	2,167,897	1,605,162	5,887,720	101,954	1,706	.....
North Carolina	1,652,666	.....	.....	1,460,957	104,412	.....	8,461	78,836
North Dakota	148,253	.....	101,960	27,432	17,571	1,026	2	262
Ohio	2,095,547	527	1,218,871	316,592	152,546	22,764	735	383,512
Oklahoma	491,460	.....	364,411	73,908	30,359	.....	1,067	21,715
Oregon	421,079	.....	281,620	99,235	37,215	.....	1,985	1,024
Pennsylvania	2,762,409	48,155	1,922,223	347,699	185,919	61,566	103,259	93,588
Rhode Island	148,660	5,934	3,111	.....	80,446	55,472	303	3,394
South Carolina	530,983	163	385,594	106,163	23,706	6	352	14,999
South Dakota	68,306	229	47,793	8,072	3,313	156	.....	8,743
Tennessee	657,567	435	8,332	358,563	279,295	.....	5,936	5,006
Texas	2,161,147	.....	2,082,465	46,924	31,714	.....	18	26
Utah	288,129	329	235,267	31,522	13,032	.....	501	7,478
Vermont	81,941	4,460	55,179	.....	3,338	4,683	.....	14,281
Virginia	1,010,572	.....	.....	538,671	438,722	.....	46	33,133
Washington	947,921	16,390	719,552	127,016	82,494	.....	920	1,549
West Virginia	356,823	.....	338,670	5,575	2,956	.....	.....	9,622
Wisconsin	1,868,145	19,829	662,669	457,864	377,290	37,355	.....	313,138
Wyoming	108,213	49	63,750	15,778	25,074	.....	47	3,515

\* Source: U.S. Bureau of the Census, *State Government Finances in 1976*.

(a) Includes \$1,169,000,000 Supplemental Security Income payments (may not include additional transfers not separately identified by other states).

(b) Includes \$774,355,000 education subsidies to cities, towns, and school districts.

(c) Comprised primarily of education aid to independent school districts and for schools operated by cities and towns.

## **Section VIII**

# **THE STATE PAGES**

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THE FOLLOWING section presents information on all of the states of the United States, the District of Columbia, the Commonwealths of Puerto Rico and the Northern Mariana Islands, the Territories of American Samoa, Guam and the Virgin Islands, and the Trust Territory of the Pacific Islands.

Included are listings of various executive officials, the justices of the supreme courts, and officers of the legislatures. Lists of all officials are as of late 1977 or early 1978. Comprehensive listings of state legislators and other state officials are carried in other publications of the Council of State Governments. Concluding each state listing are population figures and other statistics provided by the U.S. Bureau of the Census.

Preceding the state pages are two tables. The first lists the official names of states, the state capitols with zip codes, and telephone numbers of state central switchboards. The second table presents certain historical data on all of the states, commonwealths, and territories.

# OFFICIAL NAMES OF STATES AND JURISDICTIONS, CAPITOLS, ZIP CODES, AND CENTRAL SWITCHBOARDS

<i>State or other jurisdiction</i>	<i>Name of state capitol building(a)</i>	<i>Capital city</i>	<i>Zip code</i>	<i>Area code</i>	<i>Central switchboard</i>
Alabama, State of .....	State Capitol	Montgomery	36130	205	832-6011
Alaska, State of .....	State Capitol	Juneau	99811	907	465-2111
Arizona, State of .....	State Capitol	Phoenix	85007	602	271-4900
Arkansas, State of .....	State Capitol	Little Rock	72201	501	371-3000
California, State of .....	State Capitol	Sacramento	95814	916	445-4711
Colorado, State of .....	State Capitol	Denver	80203	303	892-9911
Connecticut, State of .....	State Capitol	Hartford	06115	203	566-2211
Delaware, State of .....	Legislative Hall	Dover	19901	302	678-4000
Florida, State of .....	The Capitol	Tallahassee	32304	904	488-1234
Georgia, State of .....	State Capitol	Atlanta	30334	404	656-2000
Hawaii, State of .....	State Capitol	Honolulu	96813	808	548-2211
Idaho, State of .....	State Capitol	Boise	83720	208	384-2411
Illinois, State of .....	State House	Springfield	62706	217	782-2000
Indiana, State of .....	State House	Indianapolis	46204	317	633-4000
Iowa, State of .....	State Capitol	Des Moines	50319	515	281-5111
Kansas, State of .....	State House	Topeka	66612	913	296-0111
Kentucky, Commonwealth of .....	State Capitol	Frankfort	40601	502	564-2500
Louisiana, State of .....	State Capitol	Baton Rouge	70804	504	389-6601
Maine, State of .....	State House	Augusta	04333	207	289-1110
Maryland, State of .....	State House	Annapolis	21401	301	269-6200
Massachusetts, Commonwealth of .....	State House	Boston	02133	617	727-2121
Michigan, State of .....	State Capitol	Lansing	48909	517	373-1837
Minnesota, State of .....	State Capitol	St. Paul	55155	612	296-6013
Mississippi, State of .....	New Capitol	Jackson	39205	601	354-7011
Missouri, State of .....	State Capitol	Jefferson City	65101	314	751-2151
Montana, State of .....	State Capitol	Helena	59601	406	449-2511
Nebraska, State of .....	State Capitol	Lincoln	68509	402	471-2311
Nevada, State of .....	State Capitol	Carson City	89710	702	885-5000
New Hampshire, State of .....	State House	Concord	03301	603	271-1110
New Jersey, State of .....	State House	Trenton	08625	609	292-2121
New Mexico, State of .....	State Capitol	Santa Fe	87503	505	827-4011
New York, State of .....	State Capitol	Albany	12224	518	474-2121
North Carolina, State of .....	State Capitol	Raleigh	27611	919	733-1110
North Dakota, State of .....	State Capitol	Bismarck	58505	701	224-2000
Ohio, State of .....	State House	Columbus	43215	614	466-2000
Oklahoma, State of .....	State Capitol	Oklahoma City	73105	405	521-2011
Oregon, State of .....	State Capitol	Salem	97310	503	378-3131
Pennsylvania, Commonwealth of .....	The Capitol	Harrisburg	17120	717	787-2121
Rhode Island and Providence Plantations, State of .....	State House	Providence	02903	401	277-2000
South Carolina, State of .....	State House	Columbia	29211	803	758-0221
South Dakota, State of .....	State Capitol	Pierre	57501	605	224-3011
Tennessee, State of .....	State Capitol	Nashville	37219	615	741-3011
Texas, State of .....	State Capitol	Austin	78701	512	475-2323
Utah, State of .....	State Capitol	Salt Lake City	84114	801	533-4000
Vermont, State of .....	State House	Montpelier	05602	802	828-1110
Virginia, Commonwealth of .....	State Capitol	Richmond	23219	804	786-0000
Washington, State of .....	Legislative Building	Olympia	98504	206	753-5000
West Virginia, State of .....	State Capitol	Charleston	25305	304	348-3456
Wisconsin, State of .....	State Capitol	Madison	53702	608	266-2211
Wyoming, State of .....	State Capitol	Cheyenne	82002	307	777-7011
District of Columbia .....	District Building	Washington	20004	202	628-6000
American Samoa, Territory of .....	Maota Fono	Pago Pago	96799	...	633-4116
Guam, Territory of .....	Congress Building	Agana	96910	...	477-7821
Northern Mariana Islands, Commonwealth of .....	Civic Center	Saipan	96950	...	NCS
Puerto Rico, Commonwealth of .....	The Capitol	San Juan	00904	809	723-6040
Trust Territory of the Pacific Islands (b) .....	Congress Building	Saipan	96950	...	NCS
Virgin Islands, Territory of .....	Government House	Charlotte Amalie	00801	809	774-0001

NCS—No central switchboard.

(a) In some instances the name is not official.

(b) TTPI is in transition. Its legislature is in Kolonia while its administration is in Saipan.

## THE STATES OF THE UNION—HISTORICAL DATA

<i>State or other jurisdiction</i>	<i>Capital</i>	<i>Source of state lands</i>	<i>Date organized as territory</i>	<i>Date admitted to Union</i>	<i>Chronological order of admission to Union</i>
Alabama.....	Montgomery	Mississippi Territory, 1798(a)	March 3, 1817	Dec. 14, 1819	22
Alaska.....	Juneau	Purchased from Russia, 1867	Aug. 24, 1912	Jan. 3, 1959	49
Arizona.....	Phoenix	Ceded by Mexico, 1848(b)	Feb. 24, 1863	Feb. 14, 1912	48
Arkansas.....	Little Rock	Louisiana Purchase, 1803	March 2, 1819	June 15, 1836	25
California.....	Sacramento	Ceded by Mexico, 1848	(c)	Sept. 9, 1850	31
Colorado.....	Denver	Louisiana Purchase, 1803(d)	Feb. 28, 1861	Aug. 1, 1876	38
Connecticut.....	Hartford	Fundamental Orders, Jan. 14, 1638; Royal charter, April 23, 1662(e)	...	Jan. 9, 1788(f)	5
Delaware.....	Dover	Swedish charter, 1638; English charter 1683(e)	...	Dec. 7, 1787(f)	1
Florida.....	Tallahassee	Ceded by Spain, 1819	March 30, 1822	March 3, 1845	27
Georgia.....	Atlanta	Charter, 1732, from George II to Trustees for Establishing the Colony of Georgia(e)	...	Jan. 2, 1788(f)	4
Hawaii.....	Honolulu	Annexed, 1898	June 14, 1900	Aug. 21, 1959	50
Idaho.....	Boise	Treaty with Britain, 1846	March 4, 1863	July 3, 1890	43
Illinois.....	Springfield	Northwest Territory, 1787	Feb. 3, 1809	Dec. 3, 1818	21
Indiana.....	Indianapolis	Northwest Territory, 1787	May 7, 1800	Dec. 11, 1816	19
Iowa.....	Des Moines	Louisiana Purchase, 1803	June 12, 1838	Dec. 28, 1846	29
Kansas.....	Topeka	Louisiana Purchase, 1803(d)	May 30, 1854	Jan. 29, 1861	34
Kentucky.....	Frankfort	Part of Virginia until admitted as state	(c)	June 1, 1792	15
Louisiana.....	Baton Rouge	Louisiana Purchase, 1803(g)	March 26, 1804	April 30, 1812	18
Maine.....	Augusta	Part of Massachusetts until admitted as state	(c)	March 15, 1820	23
Maryland.....	Annapolis	Charter, 1632, from Charles I to Calvert(e)	...	April 28, 1788(f)	7
Massachusetts.....	Boston	Charter to Massachusetts Bay Company, 1629(e)	...	Feb. 6, 1788(f)	6
Michigan.....	Lansing	Northwest Territory, 1787	Jan. 11, 1805	Jan. 26, 1837	26
Minnesota.....	St. Paul	Northwest Territory, 1787(h)	March 3, 1849	May 11, 1858	32
Mississippi.....	Jackson	Mississippi Territory(i)	April 7, 1798	Dec. 10, 1817	20
Missouri.....	Jefferson City	Louisiana Purchase, 1803	June 4, 1812	Aug. 10, 1821	24
Montana.....	Helena	Louisiana Purchase, 1803(j)	May 26, 1864	Nov. 8, 1889	41
Nebraska.....	Lincoln	Louisiana Purchase, 1803	May 30, 1854	March 1, 1867	37
Nevada.....	Carson City	Ceded by Mexico, 1848	March 2, 1861	Oct. 31, 1864	36
New Hampshire.....	Concord	Grants from Council for New England, 1622 and 1629. Made royal province, 1679(e)	...	June 21, 1788(f)	9
New Jersey.....	Trenton	Dutch settlement, 1618; English charter, 1664(e)	...	Dec. 18, 1787(f)	3
New Mexico.....	Santa Fe	Ceded by Mexico, 1848(b)	Sept. 9, 1850	Jan. 6, 1912	47
New York.....	Albany	Dutch settlement, 1623; English control, 1664(e)	...	July 26, 1788(f)	11
North Carolina.....	Raleigh	Charter, 1663, from Charles II(e)	...	Nov. 21, 1789(f)	12
North Dakota.....	Bismarck	Louisiana Purchase, 1803(k)	March 2, 1861	Nov. 2, 1889	39
Ohio.....	Columbus	Northwest Territory, 1787	May 7, 1800	March 1, 1803	17
Oklahoma.....	Oklahoma City	Louisiana Purchase, 1803	May 2, 1890	Nov. 16, 1907	46
Oregon.....	Salem	Settlement and treaty with Britain, 1846	Aug. 14, 1848	Feb. 14, 1859	33
Pennsylvania.....	Harrisburg	Grant from Charles II to William Penn, 1681(e)	...	Dec. 12, 1787(f)	2
Rhode Island.....	Providence	Charter, 1663, from Charles II(e)	...	May 29, 1790(f)	13
South Carolina.....	Columbia	Charter, 1663, from Charles II(e)	...	May 23, 1788(f)	8
South Dakota.....	Pierre	Louisiana Purchase, 1803	March 2, 1861	Nov. 2, 1889	40
Tennessee.....	Nashville	Part of North Carolina until land ceded to U.S. in 1789	June 8, 1790(i)	June 1, 1796	16
Texas.....	Austin	Republic of Texas, 1845	(c)	Dec. 29, 1845	28
Utah.....	Salt Lake City	Ceded by Mexico, 1848	Sept. 9, 1850	Jan. 4, 1896	45
Vermont.....	Montpelier	From lands of New Hampshire and New York	(c)	March 4, 1791	14
Virginia.....	Richmond	Charter, 1609, from James I to London Company(e)	...	June 25, 1788(f)	10
Washington.....	Olympia	Oregon Territory, 1848	March 2, 1853	Nov. 11, 1889	42
West Virginia.....	Charleston	Part of Virginia until admitted as state	(c)	June 20, 1863	35
Wisconsin.....	Madison	Northwest Territory, 1787	April 20, 1836	May 29, 1848	30
Wyoming.....	Cheyenne	Louisiana Purchase, 1803(d,j)	July 25, 1868	July 10, 1890	44
Dist. of Col.....		Maryland(m)	...	...	...
American Samoa.....	Pago Pago	Became a territory, 1900	...	...	...
Guam.....	Agaña	Ceded by Spain, 1898	Aug. 1, 1950	...	...
Northern Mariana Is.....	Saipan	Negotiation with United States(o)	March 24, 1976	...	...
Puerto Rico.....	San Juan	Ceded by Spain, 1898	...	July 25, 1952(n)	...
TTPI (p).....	Saipan	Administered as trusteeship for the United Nations, July 18, 1947(o)	...	...	...
Virgin Islands.....	Charlotte Amalie	Purchased from Denmark, March 31, 1917	...	...	...

(a) By the Treaty of Paris, 1783, England gave up claim to the 13 original Colonies, and to all land within an area extending along the present Canadian border to the Lake of the Woods, down the Mississippi River to the 31st parallel, east to the Chattahoochee, down that river to the mouth of the Flint, east to the source of the St. Mary's, down that river to the ocean. Territory west of the Alleghenies was claimed by various states, but was eventually all ceded to the nation. Thus, the major part of Alabama was acquired by the Treaty of Paris, and the lower portion from Spain in 1813.

(b) Portion of land obtained by Gadsden Purchase, 1853.

(c) No territorial status before admission to Union.

(d) Portion of land ceded by Mexico, 1848.

(e) One of the original 13 Colonies.

(f) Date of ratification of U.S. Constitution.

(g) West Feliciana District (Baton Rouge) acquired from Spain, 1810; added to Louisiana, 1812.

(h) Portion of land obtained by Louisiana Purchase, 1803.

(i) See footnote (a). The lower portion of Mississippi was also acquired from Spain in 1813.

(j) Portion of land obtained from Oregon Territory, 1848.

(k) The northern portion and the Red River Valley were acquired by treaty with Great Britain in 1818.

(l) Date Southwest Territory (identical boundary as Tennessee's) was created.

(m) Area was originally 100 square miles, taken from Virginia and Maryland. Virginia's portion south of the Potomac was given back to that state in 1846. Site chosen in 1790, city incorporated 1802.

(n) On this date Puerto Rico became a self-governing commonwealth by compact approved by the U.S. Congress and the voters of Puerto Rico as provided in U.S. Public Law 600 of 1950.

(o) In March 1976, the Mariana Islands separated themselves from the rest of TTPI and became a self-governing commonwealth on January 9, 1978.

(p) TTPI is in transition. Its legislature is in Kolonia while its administration is in Saipan.

# Alabama

Nickname .....	The Heart of Dixie
Motto .....	<i>We Dare Defend Our Rights</i>
Flower .....	Camellia
Bird .....	Yellowhammer
Tree .....	Southern (Longleaf) Pine
Song .....	<i>Alabama</i>
Stone .....	Marble
Mineral .....	Hematite
Fish .....	Tarpon
Entered the Union .....	December 14, 1819
Capital City .....	Montgomery

## SELECTED OFFICIALS

Governor .....	George C. Wallace
Lieutenant Governor .....	Jere L. Beasley
Secretary of State .....	Agnes Baggett
Attorney General .....	William J. Baxley

## SUPREME COURT

C. C. Torbert, Jr., Chief Justice
Hugh Maddox
James N. Bloodworth
Pelham J. Merrill
Reneau P. Almon
Janie L. Shores
T. Eric Embry
Richard L. Jones
James H. Faulkner

## LEGISLATURE

President of the Senate .....	Jere L. Beasley
President Pro Tem of the Senate .....	Joe Fine
Secretary of the Senate .....	McDowell Lee
Speaker of the House ...	Joe C. McCorquodale, Jr.
Speaker Pro Tem of the House ..	Robert T. Crowe
Clerk of the House .....	John W. Pemberton

## STATISTICS\*

Land Area (square miles) .....	50,708
Rank in Nation .....	28th
Population .....	3,615,907
Rank in Nation .....	21st
Density per square mile .....	71.3
Number of Representatives in Congress .....	7
Capital City .....	Montgomery
Population .....	153,343
Rank in State .....	3rd
Largest City .....	Birmingham
Population .....	276,273
Number of Cities over 10,000 Population .....	38
Number of Counties .....	67

\*Estimated by Bureau of the Census for July 1, 1975.

# Alaska

Motto .....	<i>North to the Future</i>
Flower .....	Forget-me-not
Bird .....	Willow Ptarmigan
Tree .....	Sitka Spruce
Song .....	<i>Alaska's Flag</i>
Gem .....	Jade
Fish .....	King Salmon
Purchased from Russia by the	
United States .....	March 30, 1867
Entered the Union .....	January 3, 1959
Capital City .....	Juneau

## SELECTED OFFICIALS

Governor .....	Jay S. Hammond
Lieutenant Governor .....	Lowell Thomas, Jr.
Attorney General .....	Avrum M. Gross

## SUPREME COURT

Robert Boochever, Chief Justice
Jay A. Rabinowitz
Roger G. Connor
Edmond W. Burke
Warren Mathews

## LEGISLATURE

President of the Senate .....	John Rader
Majority Leader .....	Jalmar M. Kerttula
Secretary of the Senate .....	Peggy Mulligan
Speaker of the House .....	Hugh Malone
Majority Leader .....	Mike Miller
Chief Clerk of the House .....	Irene Cashen

## STATISTICS\*

Land Area (square miles) .....	566,432
Rank in Nation .....	1st
Population .....	364,487
Rank in Nation .....	50th
Density per square mile .....	0.6
Number of Representatives in Congress .....	1
Capital City .....	Juneau
Population .....	16,749
Rank in State .....	3rd
Largest City .....	Anchorage
Population .....	161,018
Number of Cities over 10,000 Population .....	3
Number of Boroughs .....	11

\*Estimated by Bureau of the Census for July 1, 1975.

# Arizona

Nickname ..... The Grand Canyon State  
 Motto ..... *Ditat Deus* (God Enriches)  
 Flower ..... Blossom of the Saguaro Cactus  
 Bird ..... Cactus Wren  
 Tree ..... Palo Verde  
 Song ..... *Arizona*  
 Gemstone ..... Turquoise  
 Entered the Union ..... February 14, 1912  
 Capital City ..... Phoenix

## SELECTED OFFICIALS

Governor ..... Bruce Babbitt  
 Secretary of State ..... Rose Mofford  
 Attorney General (Acting).... John A. LaSota, Jr.

## SUPREME COURT

James Duke Cameron, Chief Justice  
 Fred C. Struckmeyer, Jr., Vice Chief Justice  
 William A. Holohan  
 Jack D. H. Hays  
 Frank X. Gordon, Jr.

## LEGISLATURE

President of the Senate ..... Ed C. Sawyer  
 President Pro Tem of the Senate .... A. V. Hardt  
 Secretary of the Senate ..... Marcy Byrd  
 Speaker of the House ..... Frank Kelley  
 Speaker Pro Tem of the House ... Sam McConnell  
 Chief Clerk of the House ..... Leona Young

## STATISTICS\*

Land Area (square miles) ..... 113,417  
 Rank in Nation ..... 6th  
 Population ..... 2,225,077  
 Rank in Nation ..... 32nd  
 Density per square mile ..... 19.6  
 Number of Representatives in Congress ..... 4  
 Capital City ..... Phoenix  
 Population ..... 664,721  
 Rank in State ..... 1st  
 Largest City ..... Phoenix  
 Population ..... 664,721  
 Number of Cities over 10,000 population ..... 14  
 Number of Counties ..... 14

\*Estimated by Bureau of the Census for July 1, 1975.

# Arkansas

Nickname ..... The Land of Opportunity  
 Motto ..... *Regnat Populus* (The People Rule)  
 Flower ..... Apple Blossom  
 Bird ..... Mockingbird  
 Tree ..... Pine  
 Song ..... *Arkansas*  
 Stone ..... Diamond  
 Entered the Union ..... June 15, 1836  
 Capital City ..... Little Rock

## SELECTED OFFICIALS

Governor ..... David H. Pryor  
 Lieutenant Governor ..... Joe Purcell  
 Secretary of State ..... Winston Bryant  
 Attorney General ..... Bill Clinton

## SUPREME COURT

Carleton Harris, Chief Justice  
 George Rose Smith  
 Joseph Frank Holt  
 Elsjane T. Roy  
 John Albert Fogleman  
 Conley Byrd  
 Darrell Hickman

## GENERAL ASSEMBLY

President of the Senate ..... Joe Purcell  
 President Pro Tem of the Senate ... W. K. Ingram  
 Secretary of the Senate ..... Lee Reaves  
 Speaker of the House ..... J. L. Shaver, Jr.  
 Speaker Pro Tem of the House  
 ..... Lloyd C. McCuiston, Jr.  
 Chief Clerk of the House ..... Mrs. Jim Childers

## STATISTICS\*

Land Area (square miles) ..... 51,945  
 Rank in Nation ..... 27th  
 Population ..... 2,106,793  
 Rank in Nation ..... 33rd  
 Density per square mile ..... 40.6  
 Number of Representatives in Congress ..... 4  
 Capital City ..... Little Rock  
 Population ..... 141,143  
 Rank in State ..... 1st  
 Largest City ..... Little Rock  
 Population ..... 141,143  
 Number of Cities over 10,000 Population ..... 26  
 Number of Counties ..... 75

\*Estimated by Bureau of the Census for July 1, 1975.

# Colorado

Nickname	The Centennial State
Motto	<i>Nil Sine Numine</i> (Nothing Without Providence)
Flower	Rocky Mountain Columbine
Bird	Lark Bunting
Tree	Colorado Blue Spruce
Song	<i>Where the Columbines Grow</i>
Stone	Aquamarine
Animal	Rocky Mountain Bighorn Sheep
Entered the Union	August 1, 1876
Capital City	Denver

## SELECTED OFFICIALS

Governor ..... Richard D. Lamm  
Lieutenant Governor ..... George L. Brown  
Secretary of State ..... Mary E. Buchanan  
Attorney General ..... John D. MacFarlane

**SUPREME COURT**

Edward E. Pringle, Chief Justice  
James K. Groves  
Robert B. Lee  
William H. Erickson  
Paul V. Hodges  
Donald E. Kelley  
Jim R. Carrigan

## GENERAL ASSEMBLY

President of the Senate ..... Fred E. Anderson  
President Pro Tem of the Senate  
..... Harold L. McCormick  
Secretary of the Senate ..... Marge L. Rutenbeck  
Speaker of the House ..... Ronald H. Strahle  
Chief Clerk of the House .. Lorraine F. Lombardi

## STATISTICS\*

Land Area (square miles) .....	103,766
Rank in Nation .....	8th
Population .....	2,541,311
Rank in Nation .....	28th
Density per square mile .....	24.5
Number of Representatives in Congress .....	5
Capital City .....	Denver
Population .....	484,531
Rank in State .....	1st
Largest City .....	Denver
Population .....	484,531
Number of Cities over 10,000 Population .....	31
Number of Counties .....	63

\*Estimated by Bureau of the Census for July 1, 1975.



# Delaware

Nickname	The First State
Motto	<i>Liberty and Independence</i>
Flower	Peach Blossom
Bird	Blue Hen Chicken
Tree	American Holly
Song	<i>Our Delaware</i>
Entered the Union	December 7, 1787
Capital City	Dover

## SELECTED OFFICIALS

Governor . . . . . Pierre S. du Pont IV  
Lieutenant Governor . . . . . James D. McGinnis  
Secretary of State . . . . . Glenn Kenton  
Attorney General . . . . . Richard R. Wier, Jr.

**SUPREME COURT**

**Daniel L. Herrmann, Chief Justice**  
**John J. McNeilly**  
**William Duffy, Jr.**

## GENERAL ASSEMBLY

President of the Senate . . . . . James D. McGinnis  
President Pro Tem of the Senate  
.....Richard S. Cordrey  
Secretary of the Senate . . . . . Stanley Habiger  
Speaker of the House . . . . . Kenneth W. Boulden  
Chief Clerk of the House . . . . . Karen Pugh

## STATISTICS\*

Land Area (square miles) .....	1,982
Rank in Nation .....	49th
Population .....	579,405
Rank in Nation .....	47th
Density per square mile .....	292.3
Number of Representatives in Congress .....	1
Capital City .....	Dover
Population .....	22,480
Rank in State .....	3rd
Largest City .....	Wilmington
Population .....	76,152
Number of Cities over 10,000 Population .....	3
Number of Counties .....	3

\*Estimated by Bureau of the Census for July 1, 1975.

†Includes 59 towns over 10,000 population.

# Florida

Nickname ..... The Sunshine State  
 Motto ..... *In God We Trust*  
 Flower ..... Orange Blossom  
 Bird ..... Mockingbird  
 Tree ..... Sabal Palmetto Palm  
 Saltwater Fish ..... Atlantic Sailfish  
 Song ..... *Swanee River*  
 Saltwater Mammal ..... Dolphin  
 Gem ..... Moonstone  
 Shell ..... Horse Conch  
 Beverage ..... Orange Juice  
 Entered the Union ..... March 3, 1845  
 Capital City ..... Tallahassee

## SELECTED OFFICIALS

Governor ..... Reubin O'D. Askew  
 Lieutenant Governor ..... J. H. Williams  
 Secretary of State ..... Bruce A. Smathers  
 Attorney General ..... Robert L. Shevin

## SUPREME COURT

Ben F. Overton, Chief Justice  
 Arthur J. England, Jr.  
 Joseph W. Hatchett  
 Alan C. Sundberg  
 Joseph A. Boyd, Jr.  
 James C. Adkins, Jr.  
 James E. Alderman

## LEGISLATURE

President of the Senate ..... Lew Brantley  
 President Pro Tem of the Senate  
     ..... Sherman S. Winn  
 Secretary of the Senate ..... William J. Brown  
 Speaker of the House ..... Donald L. Tucker  
 Speaker Pro Tem of the House .... John L. Ryals  
 Clerk of the House ..... Allen Morris

## STATISTICS\*

Land Area (square miles) ..... 54,090  
     Rank in Nation ..... 26th  
 Population ..... 8,283,074  
     Rank in Nation ..... 8th  
     Density per square mile ..... 153.1  
 Number of Representatives in Congress ..... 15  
 Capital City ..... Tallahassee  
     Population ..... 83,725  
     Rank in State ..... 10th  
 Largest City ..... Jacksonville  
     Population ..... 535,030  
 Number of Cities over 10,000 Population ..... 89  
 Number of Counties ..... 67

\*Estimated by Bureau of the Census for July 1, 1975.

# Georgia

Nickname ..... The Empire State of the South  
 Motto ..... *Wisdom, Justice and Moderation*  
 Flower ..... Cherokee Rose  
 Bird ..... Brown Thrasher  
 Tree ..... Live Oak  
 Song ..... *Georgia*  
 Fish ..... Largemouth Bass  
 Entered the Union ..... January 2, 1788  
 Capital City ..... Atlanta

## SELECTED OFFICIALS

Governor ..... George D. Busbee  
 Lieutenant Governor ..... Zell Miller  
 Secretary of State ..... Ben W. Fortson, Jr.  
 Attorney General ..... Arthur K. Bolton

## SUPREME COURT

H. E. Nichols, Chief Justice  
 Hiram K. Undercofler, Presiding Justice  
 Harold N. Hill, Jr.  
 Robert H. Jordan  
 Robert H. Hall  
 Tom O. Marshall  
 Jesse G. Bowles

## GENERAL ASSEMBLY

President of the Senate ..... Zell Miller  
 President Pro Tem of the Senate ..... Al Holloway  
 Secretary of the Senate  
     ..... Hamilton McWhorter, Jr.  
 Speaker of the House ..... Thomas B. Murphy  
 Speaker Pro Tem of the House ..... Jack Connell  
 Clerk of the House ..... Glenn W. Ellard

## STATISTICS\*

Land Area (square miles) ..... 58,073  
     Rank in Nation ..... 21st  
 Population ..... 4,931,083  
     Rank in Nation ..... 14th  
     Density per square mile ..... 84.9  
 Number of Representatives in Congress ..... 10  
 Capital City ..... Atlanta  
     Population ..... 436,057  
     Rank in State ..... 1st  
 Largest City ..... Atlanta  
     Population ..... 436,057  
 Number of Cities over 10,000 Population ..... 41  
 Number of Counties ..... 159

\*Estimated by Bureau of the Census for July 1, 1975.

# Hawaii

Nickname ..... The Aloha State  
 Motto ..... *Ua Mau Ke Ea O Ka Aina I Ka Pono*  
                   (The Life of the Land Is Perpetuated  
                                   in Righteousness)  
 Flower ..... Hibiscus  
 Bird ..... Hawaiian Goose  
 Tree ..... Candlenut  
 Song ..... *Hawaii Pono*  
 Entered the Union ..... August 21, 1959  
 Capital City ..... Honolulu

## SELECTED OFFICIALS

Governor ..... George R. Ariyoshi  
 Lieutenant Governor ..... Nelson K. Doi  
 Attorney General ..... Ronald Y. Amemiya

## SUPREME COURT

William S. Richardson, Chief Justice  
 Bert T. Kobayashi  
 Thomas S. Ogata  
 H. Baird Kidwell  
 Benjamin Menor

## LEGISLATURE

President of the Senate ..... John T. Ushijima  
 Vice President of the Senate ... Duke T. Kawasaki  
 Clerk of the Senate ..... Seichi Hirai  
 Speaker of the House ..... James Wakatsuki  
 Vice Speaker of the House ..... Daniel Kihano  
 Clerk of the House ..... George M. Takane

## STATISTICS\*

Land Area (square miles) ..... 6,425  
 Rank in Nation ..... 47th  
 Population ..... 868,396  
 Rank in Nation ..... 40th  
 Density per square mile ..... 135.2  
 Number of Representatives in Congress ..... 2  
 Capital City ..... Honolulu  
 Population† ..... 355,972  
 Rank in State ..... 1st  
 Largest City ..... Honolulu  
 Population ..... 355,972  
 Number of Cities over 10,000 Population ..... 9  
 Number of Counties ..... 4

\*Estimated by Bureau of the Census for July 1, 1975.

†July 1976 estimate by Hawaii State Census Statistical Areas Committee.

# Idaho

Nickname ..... The Gem State  
 Motto ..... *Esto Perpetua* (It Is Perpetual)  
 Flower ..... Syringa  
 Bird ..... Mountain Bluebird  
 Tree ..... White Pine  
 Song ..... *Here We Have Idaho*  
 Gemstone ..... Star Garnet  
 Horse ..... Appaloosa  
 Entered the Union ..... July 3, 1890  
 Capital City ..... Boise

## SELECTED OFFICIALS

Governor ..... John V. Evans  
 Lieutenant Governor ..... William J. Murphy  
 Secretary of State ..... Pete T. Cenarrusa  
 Attorney General ..... Wayne L. Kidwell

## SUPREME COURT

Allan G. Shepard, Chief Justice  
 Charles R. Donaldson  
 Robert E. Bakes  
 Joseph J. McFadden  
 Stephen Bistline

## LEGISLATURE

President of the Senate ..... William J. Murphy  
 President Pro Tem of the Senate ... Philip E. Batt  
 Secretary of the Senate ..... Pat Harper  
 Speaker of the House ..... Allan F. Larsen  
 Chief Clerk of the House ..... Craig Harvey

## STATISTICS\*

Land Area (square miles) ..... 82,677  
 Rank in Nation ..... 11th  
 Population ..... 813,765  
 Rank in Nation ..... 41st  
 Density per square mile ..... 9.8  
 Number of Representatives in Congress ..... 2  
 Capital City ..... Boise  
 Population ..... 99,771  
 Rank in State ..... 1st  
 Largest City ..... Boise  
 Population ..... 99,771  
 Number of Cities over 10,000 Population ..... 10  
 Number of Counties ..... 44

\*Estimated by Bureau of the Census for July 1, 1975.

# Illinois

Nickname ..... The Prairie State  
 Motto ..... *State Sovereignty-National Union*  
 Flower ..... Native Violet  
 Bird ..... Cardinal  
 Tree ..... White Oak  
 Song ..... *Illinois*  
 Mineral ..... Fluorite  
 Insect ..... Monarch Butterfly  
 Entered the Union ..... December 3, 1818  
 Capital City ..... Springfield

## SELECTED OFFICIALS

Governor ..... James R. Thompson  
 Lieutenant Governor ..... Dave O'Neal  
 Secretary of State ..... Alan J. Dixon  
 Attorney General ..... William J. Scott

## SUPREME COURT

Daniel P. Ward, Chief Justice  
 Joseph H. Goldenhersh  
 Howard C. Ryan  
 Robert C. Underwood  
 William G. Clark  
 Thomas J. Moran  
 Thomas E. Kluczynski

## GENERAL ASSEMBLY

President of the Senate ..... Thomas C. Hynes  
 Secretary of the Senate ..... Kenneth A. Wright  
 Speaker of the House ..... William A. Redmond  
 Chief Clerk of the House ..... John F. O'Brien

## STATISTICS\*

Land Area (square miles) ..... 55,748  
 Rank in Nation ..... 24th  
 Population ..... 11,206,393  
 Rank in Nation ..... 5th  
 Density per square mile ..... 201.0  
 Number of Representatives in Congress ..... 24  
 Capital City ..... Springfield  
 Population ..... 87,418  
 Rank in State ..... 5th  
 Largest City ..... Chicago  
 Population ..... 3,099,391  
 Number of Cities over 10,000 Population ..... 169  
 Number of Counties ..... 102

\*Estimated by Bureau of the Census for July 1, 1975.

# Indiana

Nickname ..... The Hoosier State  
 Motto ..... *Crossroads of America*  
 Flower ..... Peony  
 Bird ..... Cardinal  
 Tree ..... Tulip Poplar  
 Song ..... *On the Banks of the Wabash, Far Away*  
 Stone ..... Limestone  
 Entered the Union ..... December 11, 1816  
 Capital City ..... Indianapolis

## SELECTED OFFICIALS

Governor ..... Otis R. Bowen  
 Lieutenant Governor ..... Robert D. Orr  
 Secretary of State ..... Larry A. Conrad  
 Attorney General ..... Theodore L. Sendak

## SUPREME COURT

Richard M. Givan, Chief Justice  
 Donald H. Hunter  
 Roger O. DeBruler  
 Dixon W. Prentice  
 Alfred Pivarnik

## GENERAL ASSEMBLY

President of the Senate ..... Robert D. Orr  
 President Pro Tem of the Senate ..... Robert Fair  
 Secretary of the Senate ..... Mary Lauck  
 Speaker of the House ..... Kermit O. Burrous  
 Speaker Pro Tem of the House ..... John J. Thomas  
 Principal Clerk of the House ..... Sharon Thuma

## STATISTICS\*

Land Area (square miles) ..... 36,097  
 Rank in Nation ..... 38th  
 Population ..... 5,309,197  
 Rank in Nation ..... 12th  
 Density per square mile ..... 147.1  
 Number of Representatives in Congress ..... 11  
 Capital City ..... Indianapolis  
 Population ..... 714,878  
 Rank in State ..... 1st  
 Largest City ..... Indianapolis  
 Population ..... 714,878  
 Number of Cities over 10,000 Population ..... 60  
 Number of Counties ..... 92

\*Estimated by Bureau of the Census for July 1, 1975.

# Iowa

Nickname ..... The Hawkeye State  
 Motto ..... *Our Liberties We Prize and  
 Our Rights We Will Maintain*  
 Flower ..... Wild Rose  
 Bird ..... Eastern Goldfinch  
 Tree ..... Oak  
 Song ..... *The Song of Iowa*  
 Stone ..... Geode  
 Entered the Union ..... December 28, 1846  
 Capital City ..... Des Moines

## SELECTED OFFICIALS

Governor ..... Robert D. Ray  
 Lieutenant Governor ..... Arthur A. Neu  
 Secretary of State ..... Melvin D. Synhorst  
 Attorney General ..... Richard C. Turner

## SUPREME COURT

C. Edwin Moore, Chief Justice  
 W. Ward Reynoldson  
 Harvey Uhlenhopp  
 K. David Harris  
 M. L. Mason  
 Maurice E. Rawlings  
 Mark McCormick  
 Clay LeGrand  
 Warren J. Rees

## GENERAL ASSEMBLY

President of the Senate ..... Arthur A. Neu  
 President Pro Tem of the Senate  
 ..... C. Joseph Coleman  
 Secretary of the Senate ..... (Vacancy)  
 Speaker of the House ..... Dale M. Cochran  
 Speaker Pro Tem of the House ..... Carl Nielsen  
 Chief Clerk of the House ..... David Wray

## STATISTICS\*

Land Area (square miles) ..... 55,941  
 Rank in Nation ..... 23rd  
 Population ..... 2,860,686  
 Rank in Nation ..... 25th  
 Density per square mile ..... 51.1  
 Number of Representatives in Congress ..... 6  
 Capital City ..... Des Moines  
 Population ..... 194,168  
 Rank in State ..... 1st  
 Largest City ..... Des Moines  
 Population ..... 194,168  
 Number of Cities over 10,000 Population ..... 27  
 Number of Counties ..... 99

\*Estimated by Bureau of the Census for July 1, 1975.

# Kansas

Nickname ..... The Sunflower State  
 Motto ..... *Ad Astra per Aspera*  
*(To the Stars through Difficulties)*  
 Flower ..... Native Sunflower  
 Bird ..... Western Meadowlark  
 Tree ..... Cottonwood  
 Song ..... *Home on the Range*  
 Animal ..... American Buffalo  
 Insect ..... Honeybee  
 Entered the Union ..... January 29, 1861  
 Capital City ..... Topeka

## SELECTED OFFICIALS

Governor ..... Robert F. Bennett  
 Lieutenant Governor ..... Shelby Smith  
 Secretary of State ..... Mrs. Elwill M. Shanahan  
 Attorney General ..... Curt T. Schneider

## SUPREME COURT

Alfred G. Schroeder, Chief Justice  
 Perry L. Owsley  
 Robert H. Miller  
 Alex M. Fromme  
 David Prager  
 Kay McFarland  
 Richard W. Holmes

## LEGISLATURE

President of the Senate ..... Ross O. Doyen  
 Vice President of the Senate ..... Robert V. Talkington  
 Secretary of the Senate ..... Lu Kenney  
 Speaker of the House ..... John Carlin  
 Speaker Pro Tem of the House ..... James Slattery  
 Chief Clerk of the House ..... L. Orville Hazen

## STATISTICS\*

Land Area (square miles) ..... 81,787  
 Rank in Nation ..... 13th  
 Population ..... 2,279,899  
 Rank in Nation ..... 31st  
 Density per square mile ..... 27.9  
 Number of Representatives in Congress ..... 5  
 Capital City ..... Topeka  
 Population ..... 119,203  
 Rank in State ..... 3rd  
 Largest City ..... Wichita  
 Population ..... 264,901  
 Number of Cities over 10,000 Population ..... 35  
 Number of Counties ..... 105

\*Estimated by Bureau of the Census for July 1, 1975.

# Louisiana

Nickname	The Pelican State
Motto	<i>Union, Justice and Confidence</i>
Flower	Magnolia
Bird	Eastern Brown Pelican
Tree	Cypress
Song	<i>Give Me Louisiana and You Are My Sunshine</i>
Entered the Union	April 30, 1812
Capital City	Baton Rouge

## SELECTED OFFICIALS

Governor ..... Edwin W. Edwards  
Lieutenant Governor ..... James E. Fitzmorris, Jr.  
Secretary of State ..... Paul J. Hardy  
Attorney General ..... William J. Guste, Jr.

**SUPREME COURT**

Joe W. Sanders, Chief Justice  
Albert Tate, Jr.  
John A. Dixon, Jr.  
Pascal F. Calogero, Jr.  
Walter F. Marcus, Jr.  
Frank W. Summers  
James L. Dennis

## LEGISLATURE

**President of the Senate . . . . . Michael H. O'Keefe**  
**President Pro Tem of the Senate**  
 . . . . . Edgar G. Mouton, Jr.  
**Secretary of the Senate . . . . . C. W. Roberts**  
**Speaker of the House . . . . . E. L. Henry**  
**Speaker Pro Tem of the House**  
 . . . . . J. Kenneth Leithman  
**Clerk of the House . . . . . David R. Povnter**

## STATISTICS\*

Land Area (square miles) .....	44,930
Rank in Nation .....	33rd
Population .....	3,803,937
Rank in Nation .....	20th
Density per square mile .....	84.7
Number of Representatives in Congress .....	8
Capital City .....	Baton Rouge
Population (Metro Area) .....	294,394
Rank in State .....	2nd
Largest City .....	New Orleans
Population .....	559,770
Number of Cities over 10,000 Population .....	32
Number of Parishes .....	64

\*Estimated by Bureau of the Census for July 1, 1975.

# Maine

Nickname ..... The Pine Tree State  
 Motto ..... *Dirigo* (I Direct)  
 Flower ..... White Pine Cone and Tassel  
 Bird ..... Chickadee  
 Tree ..... Eastern White Pine  
 Song ..... *State of Maine Song*  
 Mineral ..... Tourmaline  
 Fish ..... Landlocked Salmon  
 Insect ..... Honeybee  
 Entered the Union ..... March 15, 1820  
 Capital City ..... Augusta

## SELECTED OFFICIALS

Governor ..... James B. Longley  
 Secretary of State ..... Markham L. Gartley  
 Attorney General ..... Joseph E. Brennan

## SUPREME JUDICIAL COURT

Vincent L. McKusick, Chief Justice  
 Thomas E. Delahanty  
 James P. Archibald  
 Charles A. Pomeroy  
 Sidney W. Wernick  
 Edward S. Godfrey  
 David A. Nichols

## LEGISLATURE

President of the Senate ..... Joseph Sewall  
 Secretary of the Senate ..... May M. Ross  
 Speaker of the House ..... John L. Martin  
 Clerk of the House ..... Edwin H. Pert

## STATISTICS\*

Land Area (square miles) ..... 30,920  
 Rank in Nation ..... 39th  
 Population ..... 1,057,955  
 Rank in Nation ..... 38th  
 Density per square mile ..... 34.2  
 Number of Representatives in Congress ..... 2  
 Capital City ..... Augusta  
 Population ..... 21,029  
 Rank in State ..... 6th  
 Largest City ..... Portland  
 Population ..... 59,857  
 Number of Cities and Towns over 10,000  
 Population† ..... 16  
 Number of Counties ..... 16

\*Estimated by Bureau of the Census for July 1, 1975.

†Includes 4 towns over 10,000 population.

# Maryland

Nickname ..... The Old Line State  
 Motto ..... *Fatti Maschii, Parole Femine*  
 (Manly Deeds, Womanly Words)  
 Flower ..... Black-eyed Susan  
 Bird ..... Baltimore Oriole  
 Tree ..... White Oak  
 Song ..... *Maryland, My Maryland*  
 Animal ..... Chesapeake Bay Retriever  
 Fish ..... Striped Bass  
 Entered the Union ..... April 28, 1788  
 Capital City ..... Annapolis

## SELECTED OFFICIALS

Governor (Acting) ..... Blair Lee III  
 Lieutenant Governor ..... (Vacancy)  
 Secretary of State ..... Fred L. Wineland  
 Attorney General ..... Francis B. Burch

## COURT OF APPEALS

Robert C. Murphy, Chief Judge  
 Marvin H. Smith  
 J. Dudley Digges  
 John C. Eldridge  
 Irving A. Levine  
 Charles E. Orth, Jr.  
 Harry A. Cole

## GENERAL ASSEMBLY

President of the Senate ..... Steny H. Hoyer  
 President Pro Tem of the Senate  
 ..... Frederick C. Malkus, Jr.  
 Secretary of the Senate ..... Oden Bowie  
 Speaker of the House ..... John Hanson Briscoe  
 Speaker Pro Tem of the House ..... Ann R. Hull  
 Chief Clerk of the House ..... James P. Mause

## STATISTICS\*

Land Area (square miles) ..... 9,891  
 Rank in Nation ..... 42nd  
 Population ..... 4,121,603  
 Rank in Nation ..... 18th  
 Density per square mile ..... 416.7  
 Number of Representatives in Congress ..... 8  
 Capital City ..... Annapolis  
 Population ..... 32,458  
 Rank in State ..... 5th  
 Largest City ..... Baltimore  
 Population ..... 851,698  
 Number of Cities over 10,000 Population ..... 17  
 Number of Counties ..... 23

\*Estimated by Bureau of the Census for July 1, 1975.

# Massachusetts

Nickname ..... The Bay State  
 Motto ..... *Ense Petit Placidam Sub Libertate Quietem* (By the Sword We Seek Peace, but Peace Only under Liberty)  
 Flower ..... Mayflower  
 Bird ..... Chickadee  
 Tree ..... American Elm  
 Song ..... *All Hail to Massachusetts*  
 Fish ..... Cod  
 Entered the Union ..... February 6, 1788  
 Capital City ..... Boston

## SELECTED OFFICIALS

Governor ..... Michael S. Dukakis  
 Lieutenant Governor ..... Thomas P. O'Neill III  
 Secretary of the Commonwealth ... Paul H. Guzzi  
 Attorney General ..... Francis X. Bellotti

## SUPREME JUDICIAL COURT

Edward F. Hennessey, Chief Justice  
 Paul J. Liacos  
 Francis J. Quirico  
 Benjamin Kaplan  
 Robert Braucher  
 Herbert P. Wilkins  
 Ruth Abrams

## GENERAL COURT

President of the Senate ..... Kevin B. Harrington  
 Clerk of the Senate ..... Edward B. O'Neill  
 Speaker of the House ..... Thomas W. McGee  
 Clerk of the House ..... Wallace C. Mills

## STATISTICS\*

Land Area (square miles) ..... 7,826  
 Rank in Nation ..... 45th  
 Population ..... 5,812,489  
 Rank in Nation ..... 10th  
 Density per square mile ..... 742.7  
 Number of Representatives in Congress ..... 12  
 Capital City ..... Boston  
 Population ..... 636,725  
 Rank in State ..... 1st  
 Largest City ..... Boston  
 Population ..... 636,725  
 Number of Cities and Towns over 10,000  
 Population† ..... 149  
 Number of Counties ..... 14

\*Estimated by Bureau of the Census for July 1, 1975.  
 †Includes 109 towns over 10,000 population.

# Michigan

Nickname ..... The Wolverine State  
 Motto ..... *Si Quaeris Peninsulam Amoenam Circumspice* (If You Seek a Pleasant Peninsula, Look About You)  
 Flower ..... Apple Blossom  
 Bird ..... Robin  
 Tree ..... White Pine  
 Song ..... *Michigan, My Michigan*  
 Stone ..... Petoskey Stone  
 Gem ..... Chlorastrolite  
 Fish ..... Trout  
 Entered the Union ..... January 26, 1837  
 Capital City ..... Lansing

## SELECTED OFFICIALS

Governor ..... William G. Milliken  
 Lieutenant Governor ..... James J. Damman  
 Secretary of State ..... Richard H. Austin  
 Attorney General ..... Frank J. Kelley

## SUPREME COURT

Thomas G. Kavanagh, Chief Justice  
 G. Mennen Williams  
 Charles L. Levin  
 Mary S. Coleman  
 John W. Fitzgerald  
 James L. Ryan  
 Blair Moody, Jr.

## LEGISLATURE

President of the Senate ..... James J. Damman  
 President Pro Tem of the Senate ..... Jack Faxon  
 Secretary of the Senate ..... Billie S. Farnum  
 Speaker of the House ..... Bobby D. Crim  
 Speaker Pro Tem of the House . Matthew McNeely  
 Clerk of the House ..... T. Thomas Thatcher

## STATISTICS\*

Land Area (square miles) ..... 56,817  
 Rank in Nation ..... 22nd  
 Population ..... 9,116,699  
 Rank in Nation ..... 7th  
 Density per square mile ..... 160.5  
 Number of Representatives in Congress ..... 19  
 Capital City ..... Lansing  
 Population ..... 126,805  
 Rank in State ..... 4th  
 Largest City ..... Detroit  
 Population ..... 1,335,085  
 Number of Cities over 10,000 Population ..... 90  
 Number of Counties ..... 83

\*Estimated by Bureau of the Census for July 1, 1975.



# Minnesota

Nickname ..... The North Star State  
 Motto .. *L'Etoile du Nord* (The Star of the North)  
 Flower ..... Pink and White Lady's-Slipper  
 Bird ..... Common Loon  
 Tree ..... Red Pine  
 Song ..... *Hail! Minnesota*  
 Gemstone ..... Lake Superior Agate  
 Fish ..... Walleye  
 Grain ..... Wild Rice  
 Entered the Union ..... May 11, 1858  
 Capital City ..... St. Paul

## SELECTED OFFICIALS

Governor ..... Rudy Perpich  
 Lieutenant Governor ..... Alec G. Olson  
 Secretary of State ..... Joan A. Growe  
 Attorney General ..... Warren Spannaus

## SUPREME COURT

Robert J. Sheran, Chief Justice  
 James C. Otis  
 Walter F. Rogosheske  
 John J. Todd  
 C. Donald Peterson  
 Fallon Kelly  
 George M. Scott  
 Lawrence R. Yetka  
 Rosalie Wahl

## LEGISLATURE

President of the Senate ..... Edward J. Gearty  
 Secretary of the Senate ..... Patrick E. Flahaven  
 Speaker of the House ..... Martin O. Sabo  
 Chief Clerk of the House ..... Edward A. Burdick

## STATISTICS\*

Land Area (square miles) ..... 79,289  
 Rank in Nation ..... 14th  
 Population ..... 3,916,105  
 Rank in Nation ..... 19th  
 Density per square mile ..... 49.4  
 Number of Representatives in Congress ..... 8  
 Capital City ..... St. Paul  
 Population ..... 279,535  
 Rank in State ..... 2nd  
 Largest City ..... Minneapolis  
 Population ..... 378,112  
 Number of Cities over 10,000 Population ..... 59  
 Number of Counties ..... 87

\*Estimated by Bureau of the Census for July 1, 1975.

# Mississippi

Nickname ..... The Magnolia State  
 Motto ..... *Virtute et Armis* (By Valor and Arms)  
 Flower ..... Magnolia  
 Bird ..... Mockingbird  
 Tree ..... Magnolia  
 Song ..... *Go, Mississippi*  
 Entered the Union ..... December 10, 1817  
 Capital City ..... Jackson

## SELECTED OFFICIALS

Governor ..... Cliff Finch  
 Lieutenant Governor ..... Evelyn Gandy  
 Secretary of State ..... Heber A. Ladner  
 Attorney General ..... A. F. Summer

## SUPREME COURT

Neville Patterson, Chief Justice  
 L.A. Smith, Jr., Presiding Justice  
 Stokes V. Robertson, Jr., Presiding Justice  
 R. P. Sugg  
 Harry G. Walker  
 Roy Noble Lee  
 Vernon Broom  
 Francis S. Bowling  
 Kermit L. Cofer

## LEGISLATURE

President of the Senate ..... Evelyn Gandy  
 President Pro Tem of the Senate  
 ..... William B. Alexander  
 Secretary of the Senate .... William C. Gartin, Jr.  
 Speaker of the House ..... C. B. Newman  
 Clerk of the House ..... Frances Hicks

## STATISTICS\*

Land Area (square miles) ..... 47,296  
 Rank in Nation ..... 31st  
 Population ..... 2,342,592  
 Rank in Nation ..... 29th  
 Density per square mile ..... 49.5  
 Number of Representatives in Congress ..... 5  
 Capital City ..... Jackson  
 Population ..... 166,512  
 Rank in State ..... 1st  
 Largest City ..... Jackson  
 Population ..... 166,512  
 Number of Cities over 10,000 Population ..... 26  
 Number of Counties ..... 82

\*Estimated by Bureau of the Census for July 1, 1975.

# Missouri

Nickname .....	The Show Me State
Motto .....	<i>Salus Populi Suprema Lex Esto</i> (The Welfare of the People Shall Be the Supreme Law)
Flower .....	Hawthorn
Bird .....	Bluebird
Tree .....	Dogwood
Song .....	<i>Missouri Waltz</i>
Stone .....	Mozarkite
Entered the Union .....	August 10, 1821
Capital City .....	Jefferson City

## SELECTED OFFICIALS

Governor .....	Joseph P. Teasdale
Lieutenant Governor .....	William C. Phelps
Secretary of State .....	James C. Kirkpatrick
Attorney General .....	John D. Ashcroft

## SUPREME COURT

J. P. Morgan, Chief Justice
Albert L. Rendlen
Fred L. Henley
John E. Bardgett
Robert T. Donnelly
James A. Finch, Jr.
Robert E. Seiler

## GENERAL ASSEMBLY

President of the Senate .....	William C. Phelps
President Pro Tem of the Senate .....	
.....	Norman L. Merrell
Secretary of the Senate .....	Vinita Ramsey
Speaker of the House .....	Kenneth J. Rothman
Speaker Pro Tem of the House .....	Bob Griffin
Chief Clerk of the House .....	Dwight Fine

## STATISTICS\*

Land Area (square miles) .....	68,995
Rank in Nation .....	18th
Population .....	4,769,816
Rank in Nation .....	15th
Density per square mile .....	69.1
Number of Representatives in Congress .....	10
Capital City .....	Jefferson City
Population .....	34,827
Rank in State .....	11th
Largest City .....	St. Louis
Population .....	524,904
Number of Cities over 10,000 Population .....	50
Number of Counties .....	114

\*Estimated by Bureau of the Census for July 1, 1975.

# Montana

Nickname .....	The Treasure State
Motto .....	<i>Oro y Plata</i> (Gold and Silver)
Flower .....	Bitterroot
Bird .....	Western Meadowlark
Tree .....	Ponderosa Pine
Song .....	<i>Montana</i>
Stone .....	Sapphire and Agate
Fish .....	Blackspotted Cutthroat Trout
Grass .....	Bluebunch Wheatgrass
Entered the Union .....	November 8, 1889
Capital City .....	Helena

## SELECTED OFFICIALS

Governor .....	Thomas L. Judge
Lieutenant Governor .....	Ted Schwinden
Secretary of State .....	Frank Murray
Attorney General .....	Mike Greely

## SUPREME COURT

Frank I. Haswell, Chief Justice
Gene B. Daly
John C. Harrison
Daniel J. Shea
(Vacancy)

## LEGISLATURE

President of the Senate .....	C. R. Thiessen
President Pro Tem of the Senate .....	(Vacancy)
Secretary of the Senate .....	Nancy Aagenes
Speaker of the House .....	John B. Driscoll
Speaker Pro Tem of the House .....	Joe Brand
Chief Clerk of the House .....	Martha McGee

## STATISTICS\*

Land Area (square miles) .....	145,587
Rank in Nation .....	4th
Population .....	746,244
Rank in Nation .....	43rd
Density per square mile .....	5.1
Number of Representatives in Congress .....	2
Capital City .....	Helena
Population .....	26,251
Rank in State .....	4th
Largest City .....	Billings
Population .....	68,987
Number of Cities over 10,000 Population .....	8
Number of Counties .....	56

\*Estimated by Bureau of the Census for July 1, 1975.

# Nebraska

Nickname ..... The Cornhusker State  
Motto ..... *Equality Before the Law*  
Flower ..... Goldenrod  
Bird ..... Western Meadowlark  
Tree ..... Cottonwood  
Song ..... *Beautiful Nebraska*  
Gemstone ..... Blue Agate  
Fossil ..... Mammoth  
Grass ..... Little Blue Stem  
Insect ..... Honeybee  
Rock ..... Chalcedony Stone  
Entered the Union ..... March 1, 1867  
Capital City ..... Lincoln

## SELECTED OFFICIALS

Governor ..... J. James Exon  
Lieutenant Governor ..... Gerald T. Whelan  
Secretary of State ..... Allen J. Beermann  
Attorney General ..... Paul L. Douglas

## SUPREME COURT

Paul W. White, Chief Justice  
Harry A. Spencer  
Leslie Boslaugh  
Hale McCown  
Lawrence M. Clinton  
Donald Brodkey  
C. Thomas White

## LEGISLATURE

President of the Legislature .... Gerald T. Whelan  
Speaker of the Legislature ..... Roland Luedtke  
Chairman of Executive Board,  
Legislative Council ..... Richard D. Marvel  
Vice Chairman of Executive Board,  
Legislative Council ..... Jack D. Mills  
Clerk of the Legislature (Acting) ... Pat O'Donnell

## STATISTICS\*

Land Area (square miles) ..... 76,483  
Rank in Nation ..... 15th  
Population ..... 1,543,678  
Rank in Nation ..... 35th  
Density per square mile ..... 20.2  
Number of Representatives in Congress ..... 3  
Capital City ..... Lincoln  
Population ..... 163,112  
Rank in State ..... 2nd  
Largest City ..... Omaha  
Population ..... 371,455  
Number of Cities over 10,000 Population ..... 12  
Number of Counties ..... 93

\*Estimated by Bureau of the Census for July 1, 1975.

# Nevada

Nickname ..... The Silver State  
Motto ..... *All for Our Country*  
Flower ..... Sagebrush  
Bird ..... Mountain Bluebird  
Tree ..... Single-leaf Pinon  
Song ..... *Home Means Nevada*  
Animal ..... Desert Bighorn Sheep  
Mineral ..... Silver  
Grass ..... Indian Rice Grass  
Entered the Union ..... October 31, 1864  
Capital City ..... Carson City

## SELECTED OFFICIALS

Governor ..... Mike O'Callaghan  
Lieutenant Governor ..... Robert E. Rose  
Secretary of State ..... William D. Swackhamer  
Attorney General ..... Robert List

## SUPREME COURT

Cameron M. Batjer, Chief Justice  
Gordon Thompson  
E. M. Gunderson  
John C. Mowbray  
Noel E. Manoukian

## LEGISLATURE

President of the Senate ..... Robert E. Rose  
President Pro Tem of the Senate . Melvin D. Close  
Secretary of the Senate ..... Leola H. Armstrong  
Speaker of the Assembly ..... Joseph E. Dini, Jr.  
Speaker Pro Tem of the Assembly  
..... Harley L. Harmon  
Chief Clerk of the Assembly .... Mouryne Landing

## STATISTICS\*

Land Area (square miles) ..... 109,889  
Rank in Nation ..... 7th  
Population ..... 590,268  
Rank in Nation ..... 46th  
Density per square mile ..... 5.4  
Number of Representatives in Congress ..... 1  
Capital City ..... Carson City  
Population ..... 24,928  
Rank in State ..... 5th  
Largest City ..... Las Vegas  
Population ..... 146,030  
Number of Cities over 10,000 Population ..... 6  
Number of Counties ..... 16

\*Estimated by Bureau of the Census for July 1, 1975.

# New Hampshire

Nickname ..... The Granite State  
 Motto ..... *Live Free or Die*  
 Flower ..... Purple Lilac  
 Bird ..... Purple Finch  
 Tree ..... White Birch  
 Song ..... *Old New Hampshire*  
 Entered the Union ..... June 21, 1788  
 Capital City ..... Concord

## SELECTED OFFICIALS

Governor ..... Meldrim Thomson, Jr.  
 Secretary of State ..... William H. Gardner  
 Attorney General ..... Thomas D. Rath

## SUPREME COURT

(Vacancy), Chief Justice  
 Edward J. Lampron  
 William A. Grimes  
 Maurice P. Bois  
 Charles G. Douglas III

## GENERAL COURT

President of the Senate ..... Alf E. Jacobson  
 Vice President of the Senate ..... Ward B. Brown  
 Clerk of the Senate ..... Wilmont S. White  
 Speaker of the House ..... George B. Roberts, Jr.  
 Clerk of the House ..... James A. Chandler

## STATISTICS\*

Land Area (square miles) ..... 9,027  
 Rank in Nation ..... 44th  
 Population ..... 811,804  
 Rank in Nation ..... 42nd  
 Density per square mile ..... 89.9  
 Number of Representatives in Congress ..... 2  
 Capital City ..... Concord  
 Population ..... 29,321  
 Rank in State ..... 3rd  
 Largest City ..... Manchester  
 Population ..... 83,417  
 Number of Cities and Towns over 10,000  
 Population† ..... 15  
 Number of Counties ..... 10

\*Estimated by Bureau of the Census for July 1, 1975.

†Includes 5 towns over 10,000 population.

# New Jersey

Nickname ..... The Garden State  
 Motto ..... *Liberty and Prosperity*  
 Flower ..... Purple Violet  
 Bird ..... Eastern Goldfinch  
 Tree ..... Red Oak  
 Bug ..... Honeybee  
 Animal ..... Horse  
 Entered the Union ..... December 18, 1787  
 Capital City ..... Trenton

## SELECTED OFFICIALS

Governor ..... Brendan T. Byrne  
 Secretary of State ..... Donald Lan  
 Attorney General ..... John J. Degnan

## SUPREME COURT

Richard J. Hughes, Chief Justice  
 Sidney M. Schreiber  
 Worrall F. Mountain  
 Mark A. Sullivan  
 Morris Pashman  
 Robert L. Clifford  
 Alan B. Handler

## LEGISLATURE

President of the Senate ..... Joseph P. Merlino  
 President Pro Tem of the Senate  
 ..... Matthew Feldman  
 Secretary of the Senate ..... Robert E. Gladden  
 Speaker of the Assembly .. Christopher J. Jackman  
 Speaker Pro Tem of the Assembly  
 ..... Thomas J. Deverin  
 Clerk of the Assembly ..... John J. Miller, Jr.

## STATISTICS\*

Land Area (square miles) ..... 7,521  
 Rank in Nation ..... 46th  
 Population ..... 7,331,301  
 Rank in Nation ..... 9th  
 Density per square mile ..... 974.8  
 Number of Representatives in Congress ..... 15  
 Capital City ..... Trenton  
 Population ..... 101,365  
 Rank in State ..... 5th  
 Largest City ..... Newark  
 Population ..... 339,568  
 Number of Cities and Townships over  
 10,000 Population† ..... 211  
 Number of Counties ..... 21

\*Estimated by Bureau of the Census for July 1, 1975.

†Includes 97 townships over 10,000 population.

# New York

Nickname	The Empire State
Motto	<i>Excelsior</i> (Ever Upward)
Flower	Rose
Bird	Bluebird
Tree	Sugar Maple
Fish	Brook Trout
Animal	American Beaver
Gem	Garnet
Entered the Union	July 26, 1788
Capital City	Albany

## SELECTED OFFICIALS

Governor ..... Hugh L. Carey  
Lieutenant Governor ..... Mary Anne Krupsak  
Secretary of State ..... Mario M. Cuomo  
Attorney General ..... Louis J. Lefkowitz

**COURT OF APPEALS**

Charles D. Breitel, Chief Judge  
Matthew J. Jasen  
Domenick L. Gabrielli  
Hugh R. Jones  
Jacob D. Fuchsberg  
Sol Wachtler  
Lawrence H. Cooke

## LEGISLATURE

President of the Senate . . . . . Mary Anne Krupsak  
President Pro Tem of the Senate  
Secretary of the Senate . . . . . Warren M. Anderson  
Secretary of the Senate . . . . . Roger Thompson  
Speaker of the Assembly . . . . . Stanley Steingut  
Speaker Pro Tem of the Assembly  
Clerk of the Assembly . . . . . Louis DeSalvio  
Clerk of the Assembly . . . . . Catherine A. Carey

**STATISTICS\***

Land Area (square miles) .....	47,831
Rank in Nation .....	30th
Population .....	18,075,487
Rank in Nation .....	2nd
Density per square mile .....	377.9
Number of Representatives in Congress .....	39
Capital City .....	Albany
Population .....	110,311
Rank in State .....	6th
Largest City .....	New York City
Population .....	7,481,613
Number of Cities over 10,000 Population .....	87
Number of Counties .....	62

\*Estimated by Bureau of the Census for July 1, 1975.

# North Carolina

Nickname	The Tar Heel State
Motto	<i>Esse Quam Videri</i> (To Be Rather Than to Seem)
Flower	Dogwood
Bird	Cardinal
Tree	Pine
Song	<i>The Old North State</i>
Mammal	Gray Squirrel
Fish	Channel Bass
Entered the Union	November 21, 1789
Capital City	Raleigh

## SELECTED OFFICIALS

Governor ..... James B. Hunt, Jr.  
Lieutenant Governor ..... James C. Green  
Secretary of State ..... Thad Eure  
Attorney General ..... Rufus L. Edmisten

**SUPREME COURT**

Susie M. Sharp, Chief Justice  
I. Beverly Lake  
Joseph Branch  
J. Frank Huskins  
Dan K. Moore  
J. William Copeland  
James G. Exum, Jr.

## GENERAL ASSEMBLY

**President of the Senate . . . . . James C. Green**  
**President Pro Tem of the Senate .. John T. Henley**  
**Principal Clerk of the Senate . . . . . Sylvia Fink**  
**Speaker of the House . . . . . Carl J. Stewart, Jr.**  
**Speaker Pro Tem of the House**  
**. . . . . H. Horton Rountree**  
**Principal Clerk of the House . . . . . Grace Collins**

## STATISTICS\*

Land Area (square miles) .....	48,798
Rank in Nation .....	29th
Population .....	5,441,366
Rank in Nation .....	11th
Density per square mile .....	111.5
Number of Representatives in Congress .....	11
Capital City .....	Raleigh
Population .....	134,231
Rank in State .....	4th
Largest City .....	Charlotte
Population .....	281,417
Number of Cities over 10,000 Population .....	44
Number of Counties .....	100

\*Estimated by Bureau of the Census for July 1, 1975.

# North Dakota

Nicknames	The Flickertail State and The Sioux State
Motto	<i>Liberty and Union, Now and Forever, One and Inseparable</i>
Flower	Wild Prairie Rose
Bird	Western Meadowlark
Tree	American Elm
Song	<i>North Dakota Hymn</i>
March	<i>Spirit of the Land</i>
Stone	Teredo Petrified Wood
Fish	Northern Pike
Entered the Union	November 2, 1889
Capital City	Bismarck

## SELECTED OFFICIALS

Governor ..... Arthur A. Link  
Lieutenant Governor ..... Wayne G. Sanstead  
Secretary of State ..... Ben Meier  
Attorney General ..... Allen I. Olson

**SUPREME COURT**

Ralph J. Erickstad, Chief Justice  
Vernon R. Pederson  
Paul Sand  
Robert J. Vogel  
William L. Paulson

**LEGISLATIVE ASSEMBLY**

President of the Senate . . . . . Wayne G. Sanstead  
President Pro Tem of the Senate . Theron Strinden  
Secretary of the Senate . . . . . Leo Leidholm  
Speaker of the House . . . . . Oscar Solberg  
Chief Clerk of the House . . . . . Roy Gilbreath

## STATISTICS\*

Land Area (square miles) .....	69,273
Rank in Nation .....	17th
Population .....	642,888
Rank in Nation .....	45th
Density per square mile .....	9.3
Number of Representatives in Congress .....	1
Capital City .....	Bismarck
Population .....	38,378
Rank in State .....	3rd
Largest City .....	Fargo
Population .....	56,058
Number of Cities over 10,000 Population .....	8
Number of Counties .....	53

\*Estimated by Bureau of the Census for July 1, 1975.

# Ohio

Nickname	The Buckeye State
Motto	<i>With God, All Things Are Possible</i>
Flower	Scarlet Carnation
Bird	Cardinal
Tree	Buckeye
Song	<i>Beautiful Ohio</i>
Insect	Ladybug
Stone	Ohio Flint
Beverage	Tomato Juice
Entered the Union	March 1, 1803
Capital City	Columbus

## SELECTED OFFICIALS

Governor ..... James A. Rhodes  
Lieutenant Governor ..... Richard F. Celeste  
Secretary of State ..... Ted W. Brown  
Attorney General ..... William J. Brown

**SUPREME COURT**

C. William O'Neill, Chief Justice  
Thomas M. Herbert  
William B. Brown  
Paul W. Brown  
Frank D. Celebrezze  
Ralph S. Locher  
A. William Sweeney

## GENERAL ASSEMBLY

President of the Senate . . . . . Richard F. Celeste  
President Pro Tem of the Senate . . . Oliver Ocasak  
Clerk of the Senate . . . . . William H. Chavanne  
Speaker of the House . . . . . Vernal G. Riffe, Jr.  
Speaker Pro Tem of the House . . . Barney Quilter  
Legislative Clerk of the House . . . Thomas Winters  
Executive Secretary of the House . . . Joseph Sommer

## STATISTICS\*

Land Area (square miles) .....	40,975
Rank in Nation .....	35th
Population .....	10,735,280
Rank in Nation .....	6th
Density per square mile .....	262.0
Number of Representatives in Congress .....	23
Capital City .....	Columbus
Population .....	535,610
Rank in State .....	2nd
Largest City .....	Cleveland
Population .....	638,793
Number of Cities over 10,000 Population .....	142
Number of Counties .....	88

\*Estimated by Bureau of the Census for July 1, 1975.

# Oklahoma

Nickname	The Sooner State
Motto	<i>Labor Omnia Vincit</i> (Labor Conquers All Things)
Flower	Mistletoe
Bird	Scissor-tailed Flycatcher
Fish	White Bass
Tree	Redbud
Song	<i>Oklahoma</i>
Stone	Barite Rose (Rose Rock)
Animal	American Buffalo
Reptile	Mountain Boomer Lizard
Entered the Union	November 16, 1907
Capital City	Oklahoma City

## SELECTED OFFICIALS

Governor ..... David L. Boren  
Lieutenant Governor ..... George Nigh  
Secretary of State ..... Jerome W. Byrd  
Attorney General ..... Larry Derryberry

**SUPREME COURT**

Ralph B. Hodges, Chief Justice  
Robert B. Lavender, Vice Chief Justice  
Ben T. Williams  
Pat Irwin  
William A. Berry  
Don Barnes  
Denver N. Davison  
John B. Doolin  
Robert D. Simms

**COURT OF CRIMINAL APPEALS**

Hez Bussey, Presiding Judge  
Tom Brett  
Thomas R. Cornish

## LEGISLATURE

President of the Senate ..... George Nigh  
President Pro Tem of the Senate . Gene C. Howard  
Secretary of the Senate ..... Lee Slater  
Speaker of the House..... William P. Willis  
Speaker Pro Tem of the House  
..... Spencer T. Bernard  
Chief Clerk of the House/Administrator  
..... Richard Huddleston

## STATISTICS\*

Land Area (square miles) .....	68,782
Rank in Nation .....	19th
Population .....	2,711,263
Rank in Nation .....	27th
Density per square mile .....	39.4
Number of Representatives in Congress .....	6
Capital City .....	Oklahoma City
Population .....	365,916
Rank in State .....	1st
Largest City .....	Oklahoma City
Population .....	365,916
Number of Cities over 10,000 Population .....	30
Number of Counties .....	77

\*Estimated by Bureau of the Census for July 1, 1975.

# Oregon

Nickname ..... The Beaver State  
 Motto ..... *The Union*  
 Flower ..... Oregon Grape  
 Bird ..... Western Meadowlark  
 Tree ..... Douglas Fir  
 Song ..... *Oregon, My Oregon*  
 Stone ..... Thunderegg  
 Animal ..... Beaver  
 Fish ..... Chinook Salmon  
 Entered the Union ..... February 14, 1859  
 Capital City ..... Salem

## SELECTED OFFICIALS

Governor ..... Robert W. Straub  
 Secretary of State ..... Norma Paulus  
 Attorney General ..... James A. Redden

## SUPREME COURT

Arno H. Denecke, Chief Justice  
 Dean Bryson  
 Edward H. Howell  
 Thomas H. Tongue  
 Ralph M. Holman  
 Berkeley Lent  
 Hans A. Linde

## LEGISLATIVE ASSEMBLY

President of the Senate ..... Jason Boe  
 President Pro Tem of the Senate ..... Dick Groener  
 Secretary of the Senate ..... Maribel Cadmus  
 Speaker of the House ..... Philip D. Lang  
 Speaker Pro Tem of the House ..... Hardy Myers  
 Chief Clerk of the House ..... Winton J. Hunt

## STATISTICS\*

Land Area (square miles) ..... 96,184  
 Rank in Nation ..... 10th  
 Population ..... 2,284,335  
 Rank in Nation ..... 30th  
 Density per square mile ..... 23.7  
 Number of Representatives in Congress ..... 4  
 Capital City ..... Salem  
 Population ..... 78,168  
 Rank in State ..... 3rd  
 Largest City ..... Portland  
 Population ..... 356,732  
 Number of Cities over 10,000 Population ..... 24  
 Number of Counties ..... 36

\*Estimated by Bureau of the Census for July 1, 1975.

# Pennsylvania

Nickname ..... The Keystone State  
 Motto ..... *Virtue, Liberty and Independence*  
 Flower ..... Mountain Laurel  
 Bird ..... Ruffed Grouse  
 Tree ..... Hemlock  
 Dog ..... Great Dane  
 Animal ..... Whitetail Deer  
 Fish ..... Brook Trout  
 Insect ..... Firefly  
 Entered the Union ..... December 12, 1787  
 Capital City ..... Harrisburg

## SELECTED OFFICIALS

Governor ..... Milton J. Shapp  
 Lieutenant Governor ..... Ernest P. Kline  
 Secretary of the Commonwealth ..... Barton A. Fields  
 Attorney General ..... Robert P. Kane

## SUPREME COURT

Michael J. Eagen, Chief Justice  
 Henry X. O'Brien  
 Samuel J. Roberts  
 Thomas W. Pomeroy, Jr.  
 Robert N. C. Nix, Jr.  
 Louis L. Manderino  
 Rolf Larsen

## GENERAL ASSEMBLY

President of the Senate ..... Ernest P. Kline  
 President Pro Tem of the Senate ..... Martin L. Murray  
 Secretary of the Senate ..... Mark Gruell, Jr.  
 Speaker of the House ..... K. Leroy Irvis  
 Chief Clerk of the House ..... Vincent F. Scarcelli

## STATISTICS\*

Land Area (square miles) ..... 44,966  
 Rank in Nation ..... 32nd  
 Population ..... 11,863,710  
 Rank in Nation ..... 4th  
 Density per square mile ..... 263.8  
 Number of Representatives in Congress ..... 25  
 Capital City ..... Harrisburg  
 Population ..... 58,274  
 Rank in State ..... 8th  
 Largest City ..... Philadelphia  
 Population ..... 1,815,808  
 Number of Cities over 10,000 Population ..... 94  
 Number of Counties ..... 67

\*Estimated by Bureau of the Census for July 1, 1975.



# Rhode Island

Nickname ..... Little Rhody  
 Motto ..... *Hope*  
 Flower ..... Violet  
 Bird ..... Rhode Island Red  
 Tree ..... Red Maple  
 Song ..... *Rhode Island*  
 Rock ..... Cumberlandite  
 Mineral ..... Bowenite  
 Entered the Union ..... May 29, 1790  
 Capital City ..... Providence

## SELECTED OFFICIALS

Governor ..... J. Joseph Garrahy  
 Lieutenant Governor ..... Thomas R. DiLuglio  
 Secretary of State ..... Robert F. Burns  
 Attorney General ..... Julius C. Michaelson

## SUPREME COURT

Joseph A. Bevilacqua, Chief Justice  
 John F. Doris  
 Alfred H. Joslin  
 Thomas F. Kelleher  
 Joseph R. Weisberger

## GENERAL ASSEMBLY

President of the Senate ..... Thomas R. DiLuglio  
 President Pro Tem of the Senate  
     ..... Joseph R. DiStefano  
 Secretary of the Senate ..... Robert F. Burns  
 Speaker of the House ..... Edward P. Manning  
 First Deputy Speaker of the House  
     ..... Richard B. Kiley  
 Reading Clerk of the House . Eugene J. McMahon

## STATISTICS\*

Land Area (square miles) ..... 1,049  
   Rank in Nation ..... 50th  
 Population ..... 931,208  
   Rank in Nation ..... 39th  
   Density per square mile ..... 887.7  
 Number of Representatives in Congress ..... 2  
 Capital City ..... Providence  
   Population ..... 167,724  
   Rank in State ..... 1st  
 Largest City ..... Providence  
   Population ..... 167,724  
 Number of Cities and Towns over  
   10,000 Population† ..... 27  
 Number of Counties ..... 5

\*Estimated by Bureau of the Census for July 1, 1975.  
 †Includes 19 towns over 10,000 population.

# South Carolina

Nickname ..... The Palmetto State  
 Mottos ..... *Animis Opibusque Parati*  
     (Prepared in Mind and Resources) and  
     *Dum Spiro Spero* (While I Breathe, I Hope)  
 Flower ..... Carolina Jessamine  
 Bird ..... Carolina Wren  
 Tree ..... Palmetto  
 Song ..... *Carolina*  
 Stone ..... Blue Granite  
 Entered the Union ..... May 23, 1788  
 Capital City ..... Columbia

## SELECTED OFFICIALS

Governor ..... James B. Edwards  
 Lieutenant Governor .... W. Brantley Harvey, Jr.  
 Secretary of State ..... O. Frank Thornton  
 Attorney General ..... Daniel R. McLeod

## SUPREME COURT

James Woodrow Lewis, Chief Justice  
 Cameron B. Littlejohn  
 Julius N. Ness  
 William Luther Rhodes, Jr.  
 George Tillman Gregory, Jr.

## GENERAL ASSEMBLY

President of the Senate ... W. Brantley Harvey, Jr.  
 President Pro Tem of the Senate  
     ..... L. Marion Gressette  
 Clerk of the Senate ..... Lovick O. Thomas  
 Speaker of the House ..... Rex L. Carter  
 Speaker Pro Tem of the House  
     ..... Ramon Schwartz, Jr.  
 Clerk of the House ..... Lois Shealey

## STATISTICS\*

Land Area (square miles) ..... 30,225  
   Rank in Nation ..... 40th  
 Population ..... 2,815,762  
   Rank in Nation ..... 26th  
   Density per square mile ..... 93.2  
 Number of Representatives in Congress ..... 6  
 Capital City ..... Columbia  
   Population ..... 111,616  
   Rank in State ..... 1st  
 Largest City ..... Columbia  
   Population ..... 111,616  
 Number of Cities over 10,000 Population ..... 23  
 Number of Counties ..... 46

\*Estimated by Bureau of the Census for July 1, 1975.

## Tennessee

Nickname	The Volunteer State
Motto	<i>Agriculture and Commerce</i>
Flower	Iris
Bird	Mockingbird
Tree	Tulip Poplar
Wildflower	Passion Flower
Songs	<i>When It's Iris Time in Tennessee; The Tennessee Waltz; My Homeland, Tennessee; and My Tennessee</i>
Stone	Agate
Animal	Raccoon
Entered the Union	June 1, 1796
Capital City	Nashville

Governor ..... Ray Blanton  
Lieutenant Governor ..... John S. Wilder  
Secretary of State ..... Gentry Crowell  
Attorney General ..... Brooks McLemore

Joseph W. Henry, Chief Justice  
Ray L. Brock, Jr.  
Robert E. Cooper  
William J. Harbison  
William H. D. Fones

Speaker of the Senate ..... John S. Wilder  
 Chief Clerk of the Senate  
 ..... Clyde W. McCullough, Jr.  
 Speaker of the House ..... Ned R. McWherter  
 Speaker Pro Tem of the House  
 ..... Harper Brewer, Jr.  
 Chief Clerk of the House ..... David Wells

Land Area (square miles) . . . . .	41,328
Rank in Nation . . . . .	34th
Population . . . . .	4,174,100
Rank in Nation . . . . .	17th
Density per square mile . . . . .	101.0
Number of Representatives in Congress . . . . .	8
Capital City . . . . .	Nashville
Population . . . . .	423,426
Rank in State . . . . .	2nd
Largest City . . . . .	Memphis
Population . . . . .	661,319
Number of Cities over 10,000 Population . . . . .	34
Number of Counties . . . . .	95

\*Estimated by Bureau of the Census for July 1, 1975.

# Texas

Nickname ..... The Lone Star State  
 Motto ..... *Friendship*  
 Flower ..... Bluebonnet  
 Bird ..... Mockingbird  
 Tree ..... Pecan  
 Grass ..... Sideoats Grama  
 Dish ..... Chili  
 Song ..... *Texas, Our Texas*  
 Stone ..... Palmwood  
 Gem ..... Topaz  
 Entered the Union ..... December 29, 1845  
 Capital City ..... Austin

## SELECTED OFFICIALS

Governor ..... Dolph Briscoe  
 Lieutenant Governor ..... William P. Hobby  
 Secretary of State ..... Steven Oaks  
 Attorney General ..... John L. Hill

## SUPREME COURT

Joe R. Greenhill, Chief Justice  
 James G. Denton  
 Sears McGee  
 Sam Johnson  
 Price Daniel, Sr.  
 Zollie C. Steakley  
 Jack Pope  
 T. C. Chadick  
 Charles Barrow

## COURT OF CRIMINAL APPEALS

John F. Onion, Presiding Judge  
 Leon Douglas  
 Wendell Odom  
 Truman Roberts  
 W. T. Phillips

## LEGISLATURE

President of the Senate ..... William P. Hobby  
 President Pro Tem of the Senate  
 ..... Peyton McKnight  
 Secretary of the Senate ..... Betty King  
 Speaker of the House ..... Bill Clayton  
 Speaker Pro Tem of the House .. Richard C. Slack  
 Chief Clerk of the House ..... Betty Murray

## STATISTICS\*

Land Area (square miles) ..... 262,134  
 Rank in Nation ..... 2nd  
 Population ..... 12,244,678  
 Rank in Nation ..... 3rd  
 Density per square mile ..... 46.7  
 Number of Representatives in Congress ..... 24  
 Capital City ..... Austin  
 Population ..... 301,147  
 Rank in State ..... 5th  
 Largest City ..... Houston  
 Population ..... 1,326,809  
 Number of Cities over 10,000 Population ..... 130  
 Number of Counties ..... 254

\*Estimated by Bureau of the Census for July 1, 1975.

# Utah

Nickname ..... The Beehive State  
 Motto ..... *Industry*  
 Flower ..... Sego Lily  
 Bird ..... Seagull  
 Tree ..... Blue Spruce  
 Song ..... *Utah, We Love Thee*  
 Gem ..... Topaz  
 Entered the Union ..... January 4, 1896  
 Capital City ..... Salt Lake City

## SELECTED OFFICIALS

Governor ..... Scott M. Matheson  
 Lieutenant Governor/Secretary of State  
 ..... David S. Monson  
 Attorney General ..... Robert B. Hansen

## SUPREME COURT

Albert H. Ellett, Chief Justice  
 Richard J. Maughan  
 J. Allan Crockett  
 D. Frank Wilkins  
 Gordon R. Hall

## LEGISLATURE

President of the Senate ..... Moroni L. Jensen  
 Secretary of the Senate ..... Sophia C. Buckmiller  
 Speaker of the House ..... Glade M. Sowards  
 Chief Clerk of the House ..... Allan M. Acomb

## STATISTICS\*

Land Area (square miles) ..... 82,096  
 Rank in Nation ..... 12th  
 Population ..... 1,202,672  
 Rank in Nation ..... 36th  
 Density per square mile ..... 14.6  
 Number of Representatives in Congress ..... 2  
 Capital City ..... Salt Lake City  
 Population ..... 169,917  
 Rank in State ..... 1st  
 Largest City ..... Salt Lake City  
 Population ..... 169,917  
 Number of Cities over 10,000 Population ..... 18  
 Number of Counties ..... 29

\*Estimated by Bureau of the Census for July 1, 1975.

# Vermont

Nickname ..... The Green Mountain State  
 Motto ..... *Freedom and Unity*  
 Flower ..... Red Clover  
 Bird ..... Hermit Thrush  
 Tree ..... Sugar Maple  
 Song ..... *Hail, Vermont!*  
 Animal ..... Morgan Horse  
 Insect ..... Honeybee  
 Entered the Union ..... March 4, 1791  
 Capital City ..... Montpelier

## SELECTED OFFICIALS

Governor ..... Richard A. Snelling  
 Lieutenant Governor ..... T. Garry Buckley  
 Secretary of State ..... James A. Guest  
 Attorney General ..... M. Jerome Diamond

## SUPREME COURT

Albert W. Barney, Jr., Chief Justice  
 Rudolph J. Daley  
 Robert W. Larrow  
 Franklin S. Billings, Jr.  
 William C. Hill

## GENERAL ASSEMBLY

President of the Senate ..... T. Garry Buckley  
 President Pro Tem of the Senate  
     ..... Robert A. Bloomer  
 Secretary of the Senate ..... Robert H. Gibson  
 Speaker of the House... Timothy J. O'Connor, Jr.  
 Clerk of the House ..... Robert L. Picher

## STATISTICS\*

Land Area (square miles) ..... 9,267  
     Rank in Nation ..... 43rd  
 Population ..... 472,073  
     Rank in Nation ..... 48th  
     Density per square mile ..... 50.9  
 Number of Representatives in Congress ..... 1  
 Capital City ..... Montpelier  
     Population ..... 8,217  
     Rank in State ..... 9th  
 Largest City ..... Burlington  
     Population ..... 37,133  
 Number of Cities and Towns over  
     10,000 Population† ..... 7  
 Number of Counties ..... 14

\*Estimated by Bureau of the Census for July 1, 1975.

†Includes 4 towns over 10,000 population.

# Virginia

Nickname ..... The Old Dominion  
 Motto ..... *Sic Semper Tyrannis*  
     (Thus Always to Tyrants)  
 Flower ..... Dogwood  
 Bird ..... Cardinal  
 Tree ..... Dogwood  
 Song ..... *Carry Me Back to Old Virginia*  
 Animal ..... Foxhound  
 Shell ..... Oyster  
 Entered the Union ..... June 25, 1788  
 Capital City ..... Richmond

## SELECTED OFFICIALS

Governor ..... John N. Dalton  
 Lieutenant Governor ..... Charles S. Robb  
 Secretary of the Commonwealth  
     ..... Stanford E. Parris  
 Attorney General ..... J. Marshall Coleman

## SUPREME COURT

Lawrence W. I'Anson, Chief Justice  
 Albertis S. Harrison, Jr.  
 George M. Cochran  
 Alex M. Harman, Jr.  
 A. Christian Compton  
 Harry Lee Carrico  
 Richard H. Poff

## GENERAL ASSEMBLY

President of the Senate ..... Charles S. Robb  
 President Pro Tem of the Senate  
     ..... Edward E. Willey  
 Clerk of the Senate ..... Jay Shropshire  
 Speaker of the House ..... John Warren Cooke  
 Clerk of the House ..... Joseph H. Holleman, Jr.

## STATISTICS\*

Land Area (square miles) ..... 39,780  
     Rank in Nation ..... 36th  
 Population ..... 4,980,570  
     Rank in Nation ..... 13th  
     Density per square mile ..... 125.2  
 Number of Representatives in Congress ..... 10  
 Capital City ..... Richmond  
     Population ..... 232,652  
     Rank in State ..... 2nd  
 Largest City ..... Norfolk  
     Population ..... 286,694  
 Number of Cities over 10,000 Population ..... 32  
 Number of Counties ..... 96

\*Estimated by Bureau of the Census for July 1, 1975.

# Washington

Nickname ..... The Evergreen State  
 Motto ..... *Alki* (By and By)  
 Flower ..... Western Rhododendron  
 Bird ..... Willow Goldfinch  
 Tree ..... Western Hemlock  
 Song ..... *Washington, My Home*  
 Gem ..... Petrified Wood  
 Fish ..... Steelhead Trout  
 Entered the Union ..... November 11, 1889  
 Capital City ..... Olympia

## SELECTED OFFICIALS

Governor ..... Dixy Lee Ray  
 Lieutenant Governor ..... John A. Cherberg  
 Secretary of State ..... Bruce K. Chapman  
 Attorney General ..... Slade Gorton

## SUPREME COURT

Charles T. Wright, Chief Justice  
 Charles J. Horowitz  
 Charles F. Stafford  
 Hugh J. Rosellini  
 James M. Dolliver  
 Orris L. Hamilton  
 Robert F. Utter  
 Robert F. Brachtenbach  
 Floyd V. Hicks

## LEGISLATURE

President of the Senate ..... John A. Cherberg  
 President Pro Tem of the Senate ..... Al Henry  
 Secretary of the Senate ..... Sidney R. Snyder  
 Speaker of the House ..... John Bagnariol  
 Speaker Pro Tem of the House ..... John L. O'Brien  
 Chief Clerk of the House ..... Dean R. Foster

## STATISTICS\*

Land Area (square miles) ..... 66,570  
 Rank in Nation ..... 20th  
 Population ..... 3,553,231  
 Rank in Nation ..... 22nd  
 Density per square mile ..... 53.4  
 Number of Representatives in Congress ..... 7  
 Capital City ..... Olympia  
 Population ..... 26,811  
 Rank in State ..... 12th  
 Largest City ..... Seattle  
 Population ..... 487,091  
 Number of Cities over 10,000 Population ..... 37  
 Number of Counties ..... 39

\*Estimated by Bureau of the Census for July 1, 1975.

# West Virginia

Nickname ..... The Mountain State  
 Motto ..... *Montani Semper Liberi*  
 (Mountaineers Are Always Free)  
 Flower ..... Big Rhododendron  
 Bird ..... Cardinal  
 Tree ..... Sugar Maple  
 Songs ..... *West Virginia, My Home Sweet Home;*  
*The West Virginia Hills; and*  
*This Is My West Virginia*

Animal ..... Black Bear  
 Fish ..... Brook Trout  
 Entered the Union ..... June 20, 1863  
 Capital City ..... Charleston

## SELECTED OFFICIALS

Governor ..... John D. Rockefeller IV  
 Secretary of State ..... A. James Manchin  
 Attorney General ..... Chauncey H. Browning, Jr.

## SUPREME COURT OF APPEALS

Fred H. Caplan, Chief Justice  
 Richard Neely  
 Sam R. Harshbarger  
 Thomas B. Miller  
 Darrell V. McGraw, Jr.

## LEGISLATURE

President of the Senate ..... William T. Brotherton, Jr.  
 President Pro Tem of the Senate ..... Carl E. Gainer  
 Clerk of the Senate ..... J. C. Dillon, Jr.  
 Speaker of the House ..... Donald L. Kopp  
 Clerk of the House ..... C. A. Blankenship

## STATISTICS\*

Land Area (square miles) ..... 24,070  
 Rank in Nation ..... 41st  
 Population ..... 1,799,349  
 Rank in Nation ..... 34th  
 Density per square mile ..... 74.8  
 Number of Representatives in Congress ..... 4  
 Capital City ..... Charleston  
 Population ..... 67,348  
 Rank in State ..... 2nd  
 Largest City ..... Huntington  
 Population ..... 68,811  
 Number of Cities over 10,000 Population ..... 15  
 Number of Counties ..... 55

\*Estimated by Bureau of the Census for July 1, 1975.

# Wisconsin

Nickname	The Badger State
Motto	<i>Forward</i>
Flower	Wood Violet
Bird	Robin
Tree	Sugar Maple
Wildlife Animal	White-tailed Deer
Domestic Animal	Dairy Cow
Symbol of Peace	Mourning Dove
Song	<i>On, Wisconsin!</i>
Rock	Red Granite
Mineral	Galena
Animal	Badger
Fish	Muskellunge
Entered the Union	May 29, 1848
Capital City	Madison

## SELECTED OFFICIALS

Governor (Acting) . . . . . Martin J. Schreiber  
Lieutenant Governor . . . . . Martin J. Schreiber  
Secretary of State . . . . . Douglas J. LaFollette  
Attorney General . . . . . Bronson C. LaFollette

**SUPREME COURT**

**Bruce F. Beilfuss, Chief Justice**  
**Nathan S. Heffernan**  
**Leo B. Hanley**  
**Connor T. Hansen**  
**Roland B. Day**  
**Shirley S. Abrahamson**  
**William G. Callow**

## LEGISLATURE

President of the Senate (Acting) . . . Fred A. Risser  
 President Pro Tem of the Senate . . . Fred A. Risser  
 Chief Clerk of the Senate . . . Donald J. Schneider  
 Speaker of the Assembly . . . Edward G. Jackamonis  
 Speaker Pro Tem of the Assembly  
 . . . . . David R. Kedrowski  
 Chief Clerk of the Assembly . . . . . Everett E. Bolle

## STATISTICS\*

Land Area (square miles) . . . . .	54,464
Rank in Nation . . . . .	25th
Population . . . . .	4,577,343
Rank in Nation . . . . .	16th
Density per square mile . . . . .	84.0
Number of Representatives in Congress . . . . .	9
Capital City . . . . .	Madison
Population . . . . .	168,196
Rank in State . . . . .	2nd
Largest City . . . . .	Milwaukee
Population . . . . .	665,796
Number of Cities over 10,000 Population . . . . .	54
Number of Counties . . . . .	72

## Wyoming

Nickname	The Equality State
Motto	<i>Equal Rights</i>
Flower	Indian Paintbrush
Bird	Meadowlark
Tree	Cottonwood
Song	<i>Wyoming</i>
Stone	Jade
Entered the Union	July 10, 1890
Capital City	Cheyenne

## SELECTED OFFICIALS

Governor ..... Ed Herschler  
Secretary of State ..... Thyra Thomson  
Attorney General ..... V. Frank Mendicino

**SUPREME COURT**

Rodney M. Guthrie, Chief Justice  
John F. Raper  
A. G. McClintock  
Richard V. Thomas  
Robert R. Rose, Jr.

## LEGISLATURE

President of the Senate ..... L. V. Stafford  
Vice President of the Senate ... Robert L. Novotny  
Chief Clerk of the Senate ..... Nelson E. Wren  
Speaker of the House..... Nels J. Smith  
Speaker Pro Tem of the House  
..... Warren A. Morton  
Chief Clerk of the House .... Herbert D. Pownall

## STATISTICS\*

Land Area (square miles) . . . . .	97,203
Rank in Nation . . . . .	9th
Population . . . . .	376,309
Rank in Nation . . . . .	49th
Density per square mile . . . . .	3.9
Number of Representatives in Congress . . . . .	1
Capital City . . . . .	Cheyenne
Population . . . . .	46,677
Rank in State . . . . .	1st
Largest City . . . . .	Cheyenne
Population . . . . .	46,677
Number of Cities over 10,000 Population . . . . .	5
Number of Counties . . . . .	23

\*Estimated by Bureau of the Census for July 1, 1975.

\*Estimated by Bureau of the Census for July 1, 1975.

# District of Columbia

Motto ..... *Justitia Omnibus* (Justice for All)  
 Flower ..... American Beauty Rose  
 Bird ..... Wood Thrush  
 Tree ..... Scarlet Oak  
 Became U.S. Capital ..... December 1, 1800

## OFFICERS

Mayor ..... Walter E. Washington  
 City Administrator ..... Julian R. Dugas  
 Executive Secretary ..... Martin K. Schaller  
 Corporation Counsel ..... John R. Risher, Jr.

## U.S. COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA

Chief Judge ..... David L. Bazelon

## DISTRICT OF COLUMBIA COURT OF APPEALS

Chief Judge ..... Theodore R. Newman, Jr.

## U.S. DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

Chief Judge ..... William B. Bryant  
 U.S. Attorney ..... Earl J. Silbert

## THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

Chief Judge ..... Harold H. Greene

## DISTRICT OF COLUMBIA COUNCIL

Chairman ..... Sterling Tucker  
 Chairman Pro Tem ..... Mrs. Willie J. Hardy

## STATISTICS\*

Land Area (square miles) ..... 61  
 Population ..... 712,500  
 Density per square mile ..... 11,680.3  
 Delegate to Congress† ..... 1

\*Estimated by Bureau of the Census for July 1, 1975.

†Committee voting privileges only.

# American Samoa

Motto ..... *Samoa-Muamua le Atua*  
 (In Samoa, God Is First)

Flower ..... *Paogo*  
 Plant ..... *Ava*  
 Song ..... *Amerika Samoa*  
 Became a territory of the United States ..... 1900  
 Capital City ..... Pago Pago

## SELECTED OFFICIALS

Governor ..... Peter T. Coleman  
 Lieutenant Governor ..... Li'a Tufele  
 Attorney General ..... John Carver

## HIGH COURT

K. William O'Connor, Chief Justice  
 Richard Miyamoto, Associate Justice  
 Upuese Galoia, Chief Judge  
 Ape Poutoa  
 Mamea Taiiau  
 Noa Lafi  
 Lualemaga Fesagaiga

## LEGISLATURE

President of the Senate ..... Salanoa S. P. Aumoeualogo  
 President Pro Tem of the Senate ..... Mulitauaopele Tamotu  
 Secretary of the Senate ..... Mrs. Salilo K. Levi  
 Speaker of the House ..... Tuanaitau F. Tuia  
 Speaker Pro Tem of the House .. Faasuka S. Lutu  
 Clerk of the House ..... Malaetia Tufele

## STATISTICS\*

Land Area (square miles) ..... 76  
 Population† ..... 29,400  
 Density per square mile ..... 386.8  
 Capital City ..... Pago Pago  
 Population ..... 2,451  
 Number of Villages ..... 76  
 Number of Counties ..... 15

\*Based on 1970 census statistics compiled by the Bureau of the Census.

†Estimated by Bureau of the Census for July 1, 1975.

## Guam

Nickname ..... Pearl of the Pacific  
 Flower ..... *Puti Tai Nobio* (Bougainvillea)  
 Bird ..... *Toto* (Fruit Dove)  
 Tree ..... *Ifit* (Intsiabijuga)  
 Song ..... *Stand Ye Guamanians*  
 Stone ..... Latte  
 Animal ..... Iguana  
 Ceded to the United States by Spain  
     ..... December 10, 1898  
 Created a Territory ..... August 1, 1950  
 Capital City ..... Agana

### SELECTED OFFICIALS

Governor ..... Ricardo J. Bordallo  
 Lieutenant Governor ..... Rudolpho G. Sablan  
 Attorney General (Acting) ..... Philip Jacobsen

### DISTRICT COURT OF GUAM

Judge ..... Cristobal C. Duenas

### SUPERIOR COURT OF GUAM

Presiding Judge ..... Paul J. Abbate

### LEGISLATURE

Speaker ..... Joseph F. Ada  
 Vice Speaker ..... Katherine B. Aguon  
 Legislative Secretary ..... Concepcion C. Barrett  
 Administrative Director ..... Joaquin G. Blaz

### STATISTICS\*

Land Area (square miles) ..... 209  
 Population† ..... 93,500  
     Density per square mile ..... 447.4  
 Delegate to Congress‡ ..... 1  
 Capital City ..... Agana  
     Population ..... 2,119  
 Largest City ..... Tamuning  
     Population ..... 8,230

\*Based on 1970 census statistics compiled by the Bureau of the Census.

†Estimated by Bureau of the Census for July 1, 1975.

‡Committee voting privileges only.

## Northern Mariana Islands

Plebiscite by which the islanders voted to seek  
 commonwealth status with the United States  
     ..... June 1975  
 U.S. President signed covenant agreeing to  
 commonwealth status for the islands  
     ..... March 1976  
 Became a self-governing commonwealth  
     ..... January 9, 1978  
 Capital City ..... Saipan

### SELECTED OFFICIALS

Governor ..... Carlos S. Camacho  
 Lieutenant Governor ..... Francisco C. Ada

### LEGISLATURE

President of the Senate ..... Larry I. Guerrero  
 Vice President of the Senate .... Pedro P. Tenorio  
 Speaker of the House ..... Oscar C. Rasa  
 Vice Speaker of the House ..... Misael H. Ogo

### STATISTICS\*

Land Area (square miles) ..... 184  
 Population ..... 9,640  
     Density per square mile ..... 52.4  
 Capital City ..... Saipan  
     Population ..... 7,967

\*Based on 1970 census statistics compiled by the Bureau of the Census.



# Puerto Rico

Nickname . . . . . Island of Enchantment  
Motto . . . . . *Joannes Est Nomen Ejus*  
(John Is His Name)  
Animal . . . . . Lamb  
Reptile . . . . . Coqui  
Song . . . . . *La Borinquena*  
Became a territory of the United States  
. . . . . December 10, 1898  
Became a self-governing commonwealth  
. . . . . July 25, 1952  
Capital City . . . . . San Juan

## SELECTED OFFICIALS

Governor . . . . . Carlos Romero-Barcelo  
Secretary of State . . . . . Reinaldo Paniagua-Diez  
Attorney General . . . . . Miguel Gimenez-Munoz

## SUPREME COURT

José Trías Monge, Chief Justice  
Hiram Torres Rigual  
Angel M. Martín  
Marco A. Rigau  
Carlos V. Dávila  
Antonio Negron García  
Jorge Díaz Cruz  
Carlos J. Irizarry-Yunque

## LEGISLATIVE ASSEMBLY

President of the Senate . . . . . Luis A. Ferré  
Vice President of the Senate  
. . . . . José Ramos-Barroso  
Secretary of the Senate . . . . . Héctor M. Hernandez  
Speaker of the House . . . . . Angel Viera-Martínez  
Vice President of the House  
. . . . . José Granados-Navedo  
Secretary of the House . . . . . Cristino Bernazard

## STATISTICS\*

Land Area (square miles) . . . . . 3,421  
Population† . . . . . 3,115,000  
Density per square mile . . . . . 910.6  
Delegate to Congress‡ . . . . . 1  
Capital City . . . . . San Juan  
Population . . . . . 452,749  
Rank in Commonwealth . . . . . 1st  
Largest City . . . . . San Juan  
Population . . . . . 452,749  
Number of Places over 10,000 Population . . . . . 22  
Number of Municipalities . . . . . 78

\*Based on 1970 census statistics compiled by the Bureau of the Census.

†Estimated by Bureau of the Census for July 1, 1975.

‡Committee voting privileges only.

# Trust Territory of the Pacific Islands

Administered by the United States as a trusteeship for the United Nations . . . . . July 18, 1947  
Capital City† . . . . . Saipan

## SELECTED OFFICIALS

High Commissioner . . . . . Adrian P. Winkel  
Deputy High Commissioner . . . . . Juan A. Sablan  
Attorney General . . . . . Daniel J. High

## HIGH COURT

Harold W. Burnett, Chief Justice  
Arvin Brown  
Robert A. Hefner  
Mamoru Nakamura  
Ernest F. Gianotti

## CONGRESS OF MICRONESIA

President of the Senate . . . . . Tosiwo Nakayama  
Vice President of the Senate . . . . . Ambilos Iehsi  
Clerk of the Senate . . . . . Nishima E. Siron  
Speaker of the House . . . . . Bethwel Henry  
Vice Speaker of the House . . . . . Ekpap Silk  
Clerk of the House (Acting) . . . . . Sintaro K. Ezra

## STATISTICS\*

Land Area (square miles) . . . . . 533  
Population . . . . . 81,299  
Density per square mile . . . . . 152.5  
Capital City† . . . . . Saipan  
Population . . . . . 7,967  
Number of Municipalities . . . . . 112

\*Based on 1970 census statistics compiled by the Bureau of the Census.

†TTPI is in transition. Its legislature is in Kolonia while its administration is in Saipan.

# Virgin Islands

Flower ..... Yellow Elder or Yellow Cedar  
Bird ..... Yellow Breast  
Song ..... *Virgin Islands March*  
Formerly known as Danish West Indies.  
Purchased from: Denmark  
..... March 31, 1917  
Capital City ..... Charlotte Amalie

## SELECTED OFFICIALS

Governor ..... Juan Luis  
Lieutenant Governor ..... Henry Millin  
Attorney General ..... Ive A. Swan

## DISTRICT COURT

Chief Judge ..... Almeric L. Christian  
Judge ..... Warren H. Young  
United States Attorney ..... Julio A. Brady

## LEGISLATURE

President ..... Elmo D. Roebuck  
Vice-President ..... Britain H. Bryant  
Legislative Secretary ..... Eric E. Dawson  
Executive Secretary ..... Patrick N. Williams

## STATISTICS\*

Land Area (square miles) ..... 132  
Population† ..... 91,400  
Density per square mile ..... 692.4  
Delegate to Congress‡ ..... 1  
Capital City ..... Charlotte Amalie, St. Thomas  
Population ..... 12,220  
Number of Municipalities ..... 3

\*Based on 1970 census statistics compiled by the Bureau of the Census.

†Estimated by Bureau of the Census for July 1, 1975.

‡Committee voting privileges only.

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