

THE BOOK  
OF THE STATES



# THE BOOK OF THE STATES

1976 - 1977

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VOLUME XXI



THE COUNCIL OF STATE GOVERNMENTS  
LEXINGTON, KENTUCKY

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IRON WORKS PIKE  
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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

**T**HIS BICENTENNIAL celebration of the United States marks the signing of the Declaration of Independence, a document which transformed individual colonies into sovereign States united under a common purpose but free to act within broad parameters for the best interests of their citizens. This 1976-77 edition of *The Book of the States* makes its contribution to the national Bicentennial by presenting a series of three articles tracing the evolution of the States in the federal union from independence to the present.

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 the biennial publication. This remains the case in the 1976-77 edition, but the Bicentennial does afford an opportunity for retrospection.

Coverage in this edition, which is Volume XXI, extends to late 1975. 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 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 1976

BREVARD CRIHFIELD  
*Executive Director*  
*The Council of State Governments*

# THE BOOK OF THE STATES

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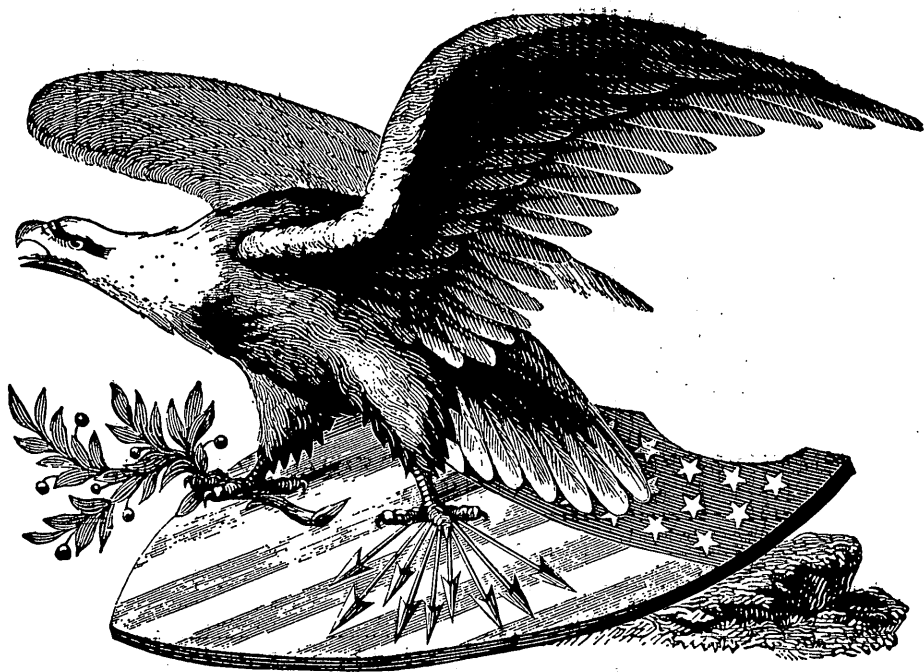
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# Two Hundred Years of Statehood



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## THE ESTABLISHMENT OF A NATION

1776-1819

BY GORDON S. WOOD\*

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IN THIS BICENTENNIAL year it is important for us to understand the origins of our state governments, for the Revolutionary era was the most creative period of constitutionalism in American history, and the establishment of our state governments was at the heart of that constitutionalism. Not only did the formation of the new Revolutionary States in 1776 establish the basic structures of our political institutions, but their creation brought forth the major conceptions of our political and constitutional culture that have persisted to the present. Our bicameral Legislatures, our tripartite separation of powers, our bills of rights, our notion of a constitution, and our unique use of constitutional conventions were all born in the state constitution-making period between 1776 and the early 1780s, well before the federal Constitution of 1787 was created.

Difficult as it may be for Americans to accept, it was not the federal Constitution that originated our understanding of constitutionalism. Indeed, the new federal government of 1787—the way it was structured and formed—was only the product of what had taken place in the making of the state governments during the previous decade. In the first crucial years of independence the States, not the central government, were the focus of interest for most Americans.

From the middle of the nineteenth century, particularly as a result of the crisis that led to the Civil War, to the present, Americans have engaged in a continuing debate over the priority of the Union or the States. Although the Continental Congress, organized in the fall of 1774, undeniably preceded the formation of the separate States in 1776, there can be no doubt that at the time of independence most Americans were obsessed not with the Congress or the structure of the federal Union but with the constitutions of their individual States. Before the Revolution, being a member of the British empire meant being an inhabitant of a particular colony, whose history generally went back a century or more. From these colonies the States in 1776 inherited not only their geographical boundaries but the affections and loyalties of the people. Despite all the nationalizing and centralizing sentiments fomented by the debate with Great Britain in the 1760s and early 1770s, by the time of independence a man's "country" was still his colony or State. For John Adams, the Massachusetts delegation in Congress was "our embassy." As late as 1787 some Marylanders still called their State "the nation." The Declaration of Independence, though drawn up by the Continental Congress, was actually a declaration by "thirteen united States of America" proclaiming that as "Free and Independent States they have full power to levy war, conclude peace, contract alliances, establish commerce, and to do all other acts and things which independent states may of right do."

The Articles of Confederation, America's first federal Union, was created in 1777 and ratified by all the States in 1781. Despite all the powers the Articles gave to the Congress, they did not fundamentally alter this independence of the States. Commercial regulation and taxing power, indeed all final governmental, law-making

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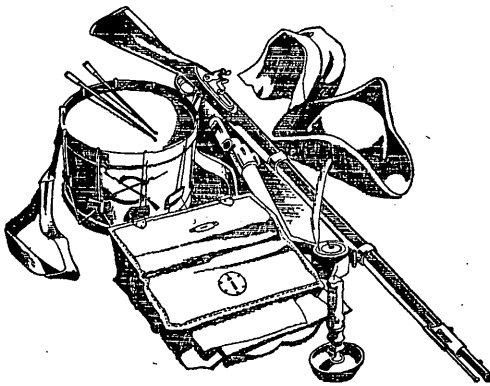
\*Mr. Wood is Professor of History at Brown University.

power, remained with the States. Seven of the States even felt it necessary to enact the Declaration of Independence to give it the obligation of law within the State. Under the Articles, congressional resolutions continued to be mere recommendations, which the States were left to enforce. Americans were citizens of their separate States, not of the United States, a confusing situation that was actually not clarified until the Fourteenth Amendment to the Constitution in 1868. The individual States jealously guarded the independence and sovereignty that the Declaration of Independence had given them and, even in violation of the Articles of Confederation, made war, provided for armies, laid embargoes, and in some cases even carried on separate diplomatic correspondence and negotiations abroad. The Confederation was intended to be and remained a kind of treaty among sovereign States, similar in some respects to the present union of European states.

#### STATE GOVERNMENT ESTABLISHMENT

It is clear then that at the time of independence the States were the political bodies Americans cared most about. They were to be the arena for testing all that Americans had learned about politics both from their colonial experience and from the debate with Great Britain in the 1760s and early 1770s. In that great imperial controversy the colonists had developed a comprehensive understanding of politics—how governmental power could be abused, how tyranny arose, and how the people could best protect their rights and liberty. Even before the Declaration of Independence many American leaders were eager to apply this knowledge in the reconstruction of their separate colonial governments. In fact, making new state constitutions, as Thomas Jefferson said in the spring of 1776, was “the whole object of the present controversy,” for the aim of the Revolution had become not simply independence from British tyranny but the eradication of the future possibility of tyranny.

Such an awesome goal explains the Revolutionaries' exhilaration in 1776 over the prospect of forming their new state governments. They believed, as John Jay of New York said, that they were “the first people whom heaven has favoured with an opportunity of deliberating upon, and choosing the forms of government under which they should live.” Nothing—not the creation of the Confederation, not the military operations of the war, not the making of the French alliance—in the years surrounding the Declaration of Independence engaged the interests of Americans more than the framing of these separate state governments. State



constitution-making was, as Jefferson said, "a work of the most interesting nature and such as every individual would wish to have his voice in." Once independence was declared in July 1776 the business of the Continental Congress was stymied because so many delegates, including Jefferson, left for home to take part in the paramount activity of erecting new state governments. "Constitutions employ every pen," remarked Francis Lightfoot Lee of Virginia in the fall of 1776.

By the spring of 1777 all the former colonies had either revamped their charters, as in the case of Connecticut, Massachusetts, and Rhode Island, or had written new constitutions. Never in the history of the world had there been such a remarkable burst of constitution-making. It captured the attention of intellectuals everywhere in the world, and the state constitutions were soon collected together in print and translated into several languages.

Although the Revolutionaries knew they would establish republics, they did not know precisely what this meant institutionally. There was, therefore, confusion and dispute about what forms the new governments should take. The Revolutionaries' central aim in 1776 was to prevent power, which they identified with the rulers or the Governors, from encroaching upon liberty, which was the possession of the people or their representatives in the Legislatures. They thus sought to create some sort of mixture or balance between power and liberty. In all the constitutions the much-feared Governors were weakened, and the popular assemblies were strengthened. As a balancing force between both, upper houses or Senates (the term taken from Roman antiquity) were created in all the States except Georgia, Pennsylvania, and Vermont. The Senates were to be aristocracies, composed not of any legally defined nobility but of the wisest and best members of the society, who would revise and correct the well-intentioned but often careless measures of the people exclusively represented in the Houses of Representatives.

Because the constitution-makers in 1776 identified tyranny with executive authority, they stripped the Governors of their former royal or prerogative powers—the powers to control the meeting of the Legislatures, veto legislation, declare war or make peace, raise armies, coin money, erect courts, lay embargoes, and pardon crimes. In Pennsylvania, which created the most radical of all the new state constitutions, even the office of Governor was eliminated; executive authority there was granted to a 12-man executive council directly elected by the people. Other States, while clinging to the idea of a single executive magistrate, in effect destroyed the substance of an independent Governor. All the Governors were surrounded by controlling councils elected by the Legislatures. The Governors were to be elected annually, generally by the assemblies, limited in the times they could be reelected, and subject to impeachment.

Since English kings and royal governors had maintained their power through their abuse of filling offices in order to "influence" or "corrupt" the Parliament or Legislatures, the constitution-makers were especially frightened of the power of appointment. This power was thus wrested from the traditional hands of the chief magistrate and given in most cases to the Legislatures. This change was justified in the 1776 constitutions by the principle of separation of powers, a doctrine made famous by Montesquieu in the middle of the eighteenth century. Such a stress on keeping the executive, legislative, and judicial parts of the government separate and distinct was invoked by Americans in order to insulate the judiciary and especially the Legislatures from the kind of executive manipulation or "corruption" of the members of Parliament that characterized the English constitution. Hence in the Revolutionary state constitutions, unlike the English constitution, execu-



tive officeholders were categorically barred from sitting in the Legislatures. As a consequence of this effort by Americans to ensure that their popular representatives would not become tools of an insidious gubernatorial power, parliamentary cabinet government was forever prohibited in America; and our constitutional development moved off in a direction entirely different from that of England.

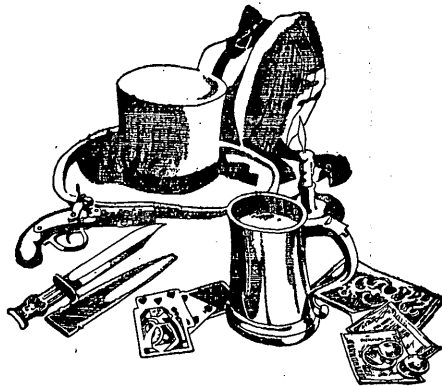
The powers and prerogatives taken from the Governors were given to the Legislatures, marking a radical shift in the traditional responsibility of government. Throughout English history the government as such had been identified exclusively with the Crown or the executive; Parliament's responsibility had generally been confined to voting taxes and passing corrective and exceptional legislation. Now, however, the new American State Legislatures, in particular the lower houses of the assemblies, were no longer to be merely adjuncts of or checks on governmental power but were to assume familiar magisterial prerogatives, including the making of alliances and the granting of pardons, which Legislatures had rarely ever exercised.

#### EVOLUTION OF CONSTITUTION-MAKING

More important than these institutional arrangements of 1776-77 were the radical changes Americans made in the concept of a constitution and the process of constitution-making. Until the American Revolution the term constitution generally referred to the way a government was put together or constituted; it included not only basic rights and principles but all the legislation and the other ordinary workings of government. After the Revolution a constitution became something very different from the government.

During the imperial controversy, the colonists had been compelled to recognize a distinction between the legality of acts of Parliament and their constitutionality, that is, their correspondence with those fundamental principles of rightness and justice that presumably had made the English constitution a bulwark of liberty. If those constitutional principles were to be protected from mere law-making and made inviolable, then they somehow had to be lifted out of the machinery of government and set above it. This experience, together with the colonists' long tradition of familiarity with written charters as defensive devices against royal authority, made it inevitable in 1776 that their state constitutions would become, unlike the English constitution, parchment prescriptions for government distinctly separable from law-making and the other ordinary workings of the government.

Thereafter it became nearly impossible for people anywhere in the world to



think of a constitution as anything but a printed document "to which," as Thomas Paine said, "you can refer, and quote article by article; and which contains . . . every thing that relates to the complete organization of a civil government, and the principles on which it shall act, and by which it shall be bound."

Some Americans soon questioned whether this concept of a constitution as a fundamental law distinct from ordinary law could ever be sustained, since many of the Legislatures not only had created the constitutions in 1776 but in the subsequent years repeatedly altered them. At first some of the States grappled with various sorts of rudimentary devices to ensure the fundamentality of their constitution. Some simply declared it to be so; others required a larger majority or successive acts of the Legislature for amending the constitution. But none of these measures proved effective against recurrent legislative encroachments in the late 1770s and early 1780s.

Gradually Americans moved toward an institutionalization of the belief that if the constitution were to be truly immune from legislative tampering, it would have to be created, as Jefferson said in 1783, "by a power superior to that of the ordinary legislature." For a solution Americans fell back on the convention, an institution used in the Revolutionary crisis, and gave it a new heightened meaning. Instead of a convention being, as it had been in 1775-76, merely a legally deficient Legislature necessitated by the inability of the regular representation of the people to meet, the convention now became a special alternative representation of the people with the exclusive authority to frame or amend a constitution. When Massachusetts and New Hampshire came to write new constitutions in the 1780s, the pattern of constitution-making had become clear: constitutions were formed by specially elected conventions and then placed before the people for ratification.

By the early 1780s the increasing legislative violations of the constitutions compelled many American leaders to rethink their original ideas about politics. The Legislatures were not as protective of individual liberties as the Revolutionaries had expected. Many of the state assemblies pushed beyond the generous grants of legislative power made by the Revolutionary constitutions to absorb numerous executive and judicial duties—directing military operations, for example, and setting aside court judgments. By the middle 1780s, in the minds of many American leaders the State Legislatures had come to replace the Governors as the political authority to be most feared. No longer did it matter that the Legislatures were supposed to be the elected representatives of the people. "173 despots would surely be as oppressive as one," wrote Jefferson in his *Notes on Virginia*. "An elective despotism was not the government we fought for."

This experience in the 1780s led Americans into revising their early state constitutions by strengthening the executives, Senates, and judiciaries at the expense of the Houses of Representatives. The Governors were to be freed of their dependence on the Legislatures, once again given the central responsibility for government, and regranted many of the powers, including the appointing of offices and vetoing legislation, they had lost in 1776. Senates were to be instituted where they did not exist, and where they did exist were to be made more stable through longer terms and distinct property qualifications. Judges were to become independent guardians of the constitution. By 1790 Georgia, Pennsylvania, and South Carolina had reformed their constitutions along these lines; Delaware, New Hampshire, and Vermont followed in the early 1790s.

These state legislative encroachments and abuses of power in the 1780s also

contributed to the creation of a new federal structure for the Union in 1787. To be sure, the obvious weaknesses of the Articles of Confederation in matters of national finance, commerce, and foreign affairs made some sort of revision of the Union necessary. By 1787 many American leaders had concluded, as well, that only a strong central government acting directly on individuals and organized as the state governments were organized—with a single executive, a bicameral Legislature, and a separate judiciary—could overcome the problems of government within the States. It would not be the only time in American history that the inability of the States to solve their problems would provoke federal intervention.

#### RISE OF FEDERALISM

The formation of the federal government in 1787 marked a fundamental turning point in the development of American constitutionalism. No longer were the States the only governments that mattered to most Americans. Some of the Federalists, or supporters of the Constitution, wanted to make the States little more than administrative subdivisions of a large consolidated national state. Affection for the States among the people was still too strong, however, and the Federalists had to settle for a division of sovereignty between the States and the national government, creating the “federalism” which still astounds the world. Yet the Anti-Federalists, or the opponents of the Constitution, warned in 1787–88 that the Constitution with its “supreme law of the land” authority “must eventually annihilate the independent sovereignties of the several states.” If the federal government assumed all the important powers of government, Anti-Federalist Melancton Smith asked his New York audience in 1788, how long would the people “retain their confidence” in state representatives “who shall meet once in a year to make laws for regulating the height of your fences and the repairing of your roads?” Once the Constitution was established, he predicted, “the state governments, without object or authority, will soon dwindle into insignificance, and be despised by the people themselves.”

During the 1790s many of the Federalists, in control of the national government, sought to further weaken the States, first by having the national government absorb the state debts and then by building up central institutions such as the United States Army. During the crisis in 1798 over the threat of war with France, Alexander Hamilton, the leader of the Federalists, even contemplated a redivision of the States. The Federalist efforts to centralize power, particularly the repressive Alien and Sedition Acts enacted by Congress in 1798, provoked Virginia and Kentucky into adopting resolutions drawn up by James Madison and Thomas Jefferson respectively. These resolutions proclaimed the right of States to judge the constitutionality of federal acts and to interpose themselves between unconstitutional actions of the central government and the citizenry. Although the other States declined to support Virginia and Kentucky—indeed nine States condemned the resolutions—the stand taken by the two opened a question about the nature of the Union that would trouble the country for many years to come. It anticipated the far more radical effort at state nullification of federal law by South Carolina a generation later.

Jefferson's election as President in 1800 ended the Federalist efforts to create a consolidated state. Jefferson and the party he represented now sought to recover what they thought was the original meaning of the Revolution of 1776 and to deflate what they believed were the bloated powers of the central government. The federal government, Jefferson declared in his first message to Congress in 1801,

was "charged with the external and mutual relations only of these states." The "principal care of our persons, our property, and our reputation, constituting the great field of human concerns," was to be left to the States. The federal debt was reduced, the national bank was phased out, all internal federal taxes were eliminated, the military forces were weakened, and the federal bureaucracy, miniscule as it was by our standards, was severely cut back.

Yet in the end the "revolution of 1800" did not substantially enhance the power of the States, for although the state governments in the early decades of the nineteenth century were stronger in relation to the national government than at any time since the 1780s, they were steadily being weakened by encroachments from below, from the people themselves. In the early years of the nineteenth century the suffrage was broadened, the constitutions became more popular, and the number of elected officials, including judges, was increased. Gradually the powers of the state governments were fragmented and whittled away from the bottom by contending popular interests of those jealous and fearful of any governmental institution they could not control. The States steadily dealt away to the people their powers to control both religion and the economy. In the early decades of the nineteenth century popular sovereignty took on a literal meaning that the Revolutionaries of 1776 could scarcely have anticipated. These disintegrating populist developments meant that however weak the federal government was at the moment, it had the potentiality to be suddenly strengthened by infusions of power now dispersed in the hands of the people. New events, particularly the crisis that led to the Civil War, would soon determine how the people would redistribute their power.

## A TIMETABLE OF WORLD, NATIONAL, AND STATE EVENTS 1776-1819

1776 Congress adopts Declaration of Independence; Anglican church disestablished in all colonies in which it had been tax supported; Eleven States adopt new constitutions; New England, Middle States, and Congress attempt to stabilize wages and prices; Entail and primogeniture virtually abolished by state legislation; Slave trade prohibited or heavily taxed in most States.

1777 Congress adopts the "Stars and Stripes"; States appropriate Loyalist property.

1778 Maryland refuses to ratify Articles of Confederation until all States cede their western lands to Congress; Franco-American alliance formed.

1779 Thomas Jefferson fails to achieve passage by Virginia Legislature of his bill providing for first modern public school system.

1780 Inflation sweeps country, Continental currency falls in value; New York and Connecticut cede to U.S. their western land claims.

1781 Articles of Confederation ratified; British army surrenders at Yorktown.

1783 Americans and British sign final peace; France and Spain sign separate peace with England; Trade unions grow; Strikes increase; Massachusetts Supreme Court outlaws slavery.

1784 Congress adopts Land Ordinance to organize territories for statehood; Virginia cedes western land claims to U.S.; Congress votes plans for permanent federal capital and designates New York as temporary capital; Independent State of Franklin, made up of parts of Tennessee and Virginia, seeks admission to Union; Pennsylvania and Connecticut citizens clash over Wyoming Valley claims; Economic depression; States move to alleviate national scarcity of specie.

1785 Massachusetts cedes its Great Lakes land claims to U.S.; University of Georgia, first state university, chartered; National coinage established by law.

1787 South Carolina cedes western lands to U.S.; Constitutional Convention opened; State delegations vote final approval of draft Constitution; Delaware, New Jersey, and Pennsylvania ratify U.S. Constitution; Northwest Ordinance determined government of Northwest Territory.

1788 Connecticut, Georgia, Maryland, Massachusetts, New Hampshire, New York, South Carolina, and Virginia ratify U.S. Constitution.

1789 North Carolina ratifies U.S. Constitution; Organization of federal government at New York; George Washington inaugurated; Establishment of University of North Carolina, first state uni-

versity to begin instruction.

1790 First U.S. census—population: 3,929,214; Rhode Island ratifies U.S. Constitution; Organization of the Southwest Territory which was to become Tennessee; U.S. House sets site of new national capital on the Potomac.

1791 Bill of Rights adopted; Vermont statehood.

1792 Kentucky statehood; Washington reelected President for second term.

1794 Congress authorizes construction of six warships; Foundation of U.S. Navy; Whiskey Rebellion.

1796 Land Act provides for survey of public lands and their sale at public auction; John Adams elected President; Tennessee statehood.

1798 Organization of the Mississippi Territory; 11th Amendment (judicial powers) ratified.

1800 Census of population: 5,308,483; National capital transferred to Washington.

1801 Adams defeated for presidency but deadlock between Aaron Burr and Thomas Jefferson—U.S. House elects Jefferson President.

1803 Louisiana Purchase; Ohio statehood; *Marbury v. Madison* holds that Supreme Court has power to declare act of Congress invalid.

1804 Lewis and Clark expedition; First regular caucus of congressmen to choose presidential candidates; Jefferson reelected President for second term; 12th Amendment (manner of choosing President and Vice President) ratified.

1805 Michigan and Louisiana Territories formed.

1808 Congress forbids importation of slaves; James Madison elected President.

1809 Organization of Territory of Illinois.

1810 Census of population: 7,239,881; Supreme Court, in *Fletcher v. Peck*, declares a state law unconstitutional; West Florida annexed.

1812 Declaration of war against Britain; Madison reelected President for second term; Louisiana statehood.

1814 Francis Scott Key writes "Star-Spangled Banner"; Washington, D.C., burned; Treaty of Ghent.

1815 Battle of New Orleans.

1816 Indiana statehood; James Monroe elected President; First U.S. tariff designed specifically for protection; First U.S. savings bank.

1817 Formation of Alabama Territory; Mississippi statehood.

1818 Illinois statehood.

1819 Arkansas organized as a Territory; Alabama statehood.

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## AN AGE OF EXPANSION

1820-1932

By E. B. SMITH\*

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THE HISTORY of the American States from 1820 to 1932 is marked by at least three dominant themes: the development of economic, social, and political differences that defy generalizations about the States as a group; their constant loss of power and responsibilities to the ever-growing national government; and the expansion of their own functions in serving the people they governed.

The diversity among the States requires little elaboration. States have been old and new, large and small, rich and poor, democratic and oligarchic, conservative and radical, slave and free, rural and urban, agricultural and industrial, tolerant and repressive, enlightened and backward-looking. Their diverse characteristics have been shaped by climate, topography, natural resources, and the ethnic and economic origins of their citizens. The States also, however, had certain things in common: they began as societies defined according to stipulated geographic boundaries; they were required to have republican forms of government; and they were assigned the same specific powers, duties, and responsibilities by the United States Constitution. They were also joined together as constitutional equals in a larger federal union empowered to make decisions and laws, and administer policies relevant to the common needs, interests, and security of all the people of all the States. No other Nation had ever been organized on this pattern, and conflict and competition were inevitable among the States and between the States and the federal government over the powers, rights, and responsibilities not clearly defined by the Constitution. For better or worse, the course of American history in the years 1820-1932 consistently favored the expansion of federal power at the expense of the States.

By 1820 the national government already dominated the States to a degree far beyond the control the British government had exercised over the colonies. The War of 1812 had stirred up a new sense of national loyalty, and more and more people were looking to the federal government for help in building roads and canals, and ultimately railroads, and to supplement the excellent river systems already present. Economic interdependence was both inevitable and highly profitable, and this meant interstate trade and the constant movement of people, both of which weakened state and local loyalties. The right of the federal government to establish a national bank with branches in all the States, as well as the illegality of any state efforts to control or tax the branches, had already been established by the Supreme Court. Likewise, state efforts to regulate interstate commerce had been invalidated even in cases where the federal government was failing to exert needed controls. In many of the States the federal government still held title to millions of acres of land, and this constituted another level of influence over the States and their citizens. The granting of the vote to all male whites, which occurred in many States and triggered "Jacksonian Democracy," further stimulated popular interest in the national government, with the presidency the great prize stimulating the competitive instincts of many people.

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## STATES V. FEDERAL GOVERNMENT

Voices advocating state sovereignty, however, could still be heard in crisis situations. Challenges to federal power had occurred at the state level in 1798 and 1815, but the specific causes of discontent had disappeared before actual collisions developed. The year 1820 also left undecided a basic constitutional question: Could the federal Congress place conditions upon a new State as a price for its admission to the Union? Congress had tried to impose the gradual abolition of slavery upon the new State of Missouri; but after a heated nationwide debate, the effort was dropped in return for an agreement that a vast western area north of the southern boundary of Missouri should be forever free. The controversy, however, did establish the principle that Congress could impose rules such as the prevention of slavery upon the territories. This, however, left unsettled another question: Did the national government hold the territories in the name of the people as individuals or as the representatives of all the States, slave as well as free?

The ultimate sovereignty of the States was again defended in 1830, when tariff laws and land policies produced a congressional debate between Daniel Webster and Senator Hayne of South Carolina. The constitutional principle remained unsettled, but much of the public was apparently thrilled by Webster's concept of a free and united Nation with a worldwide mission of infinitely greater significance than the aims of any one State. The debate featured Webster's famous reply: "Liberty *and* Union, now and forever, one and inseparable!" The 1830 arguments came to a head in 1832-33, when the leaders of South Carolina, headed by Senator John C. Calhoun, announced that a State could declare a federal law unconstitutional and refuse to obey it. A South Carolina convention "nullified" the federal tariff laws and defied the President to collect the duties. President Andrew Jackson announced that he would use force if necessary, and the Congress passed legislation authorizing him to do so. No other State supported South Carolina, and the crisis was settled by a compromise that gave South Carolina very little in return for its acquiescence. The other States and their representatives had been quite willing to support Jackson's use of coercion, and a new burst of national loyalty was the result. Jackson's popularity as a national hero and his association of nationalism with democracy added still further to the strength of the federal government.

Jackson himself, however, was fearful of excessive federal power and advocated States' rights on numerous other occasions. He approved when Georgia defied the Supreme Court by violating national treaties with the Cherokee Indians. Ultimately the federal government moved several tribes westward at the behest of Georgia and Alabama, whose citizens promptly expropriated the vacated lands. Jackson also dismantled the national banking system that had served as the federal treasury and thereby controlled the paper money issues of the state banks. By executive order Jackson deposited the national revenues in a number of selected state banks. In 1836 the country's first and only treasury surplus led Congress to pass legislation depositing the money in the state treasuries, with the funds theoretically repayable upon demand. It was an act of conscious hypocrisy on the part of everyone concerned. The resulting boom and the transfer of the funds from state banks to the state treasuries helped produce a major depression, and the States spent the first three installments as soon as they were received. The fourth and final installment was cancelled, because instead of a surplus the government had a heavy debt. Generally, however, the States spent the money for

useful items like roads, canals, and schools, or to repay debts already contracted by such projects. The federal government still has a meaningless lien on the States for \$27,000,000 plus interest.

In 1840, state banks were replaced as keepers of the national treasury by a federal independent treasury which collected and disbursed the federal monies without being involved in the banking and paper money systems at all. The funds were returned to the state banks from 1841 to 1847, but from 1847 to 1863 the independent treasury system again prevailed. Thus, from 1833 to 1861 and the Civil War, the Nation's only paper money resources were promissory banknotes issued by state banks, many of which were entirely deficient in specie resources to support the notes. This was the one period in American history when the federal government exercised very little financial control over the States. State banking policies and state bank charters were vital issues in state politics. No national regulation of bank currency existed, and the money system was therefore devoid of uniformity or stability. Banking laws in some States were too strict for the adequate development of needed capital and credit. In other States, usually in the South and West, the lax rules produced wildcat banking and unsound inflation. Bankers and merchants everywhere were dependent upon Banknote Reporters and Detectors to determine which notes were counterfeit or were from banks that had already failed. Some States, such as Massachusetts, New York, Indiana, Iowa, and Louisiana, developed systems that were both sound and reasonably adequate. Most business leaders and their congressional representatives, however, continued to dream of earlier days when the federal treasury was the basis of a stable money system which supplied liquid capital and credit that local banks could not provide for economic expansion.

#### RISE OF STATE POWER

The period of 1836-61 was marked by other events strengthening the state governments. Chief Justice Roger B. Taney and the Supreme Court developed the police power concept which in effect gave constitutional justification to almost any state legislation that protected or enhanced the welfare of the people. The Court also strengthened the power of the States to regulate and control private interests in the name of the whole people. Another doctrine of the Taney Court had mixed results. The Court ruled that any corporation chartered in one State enjoyed all the same privileges, rights, and powers in all the other States; the non-chartering States, however, could exclude any corporation from their borders by specific legislative action. Thus, American corporations would henceforth gain nationwide rights and privileges from charters issued by only one State unless the prerogatives were specifically denied by State Legislatures, which were subject to financial pressures and favors from corporations anxious to avoid exclusion. It was the beginning of a situation destined to get worse before it would improve: poorly paid and rarely honored state legislators holding great responsibilities and powers in their dealings with immensely wealthy corporations.

Unfortunately, the best talents and energies of the leaders of the States before the Civil War were engaged primarily in the sectional quarrel over the rights of slaveholders in the new territories and in the free States. Contrary to a widespread myth, the southern States controlled the federal government from 1828 to 1861, and except for the brief nullification struggle by South Carolina, the northern States were the defenders of States' rights. Every President from Jackson to Lincoln was either a Southerner or a strong southern sympathizer, and the



Southerners dominated the Senate and the Supreme Court. Tariffs were struck down, internal improvements were either defeated by Congress or vetoed by Presidents, and national banking was eliminated. Southerners led the drive to annex Texas with its illegally inflated boundaries, while various northern States formally expressed their condemnation of the war with Mexico. Ironically, the congressional action admitting Texas authorized its division into five extra States, which would have given the South 10 more senators, but until recently no such action was ever suggested. Northerners objected to the federal assumption of the Texas debt and were furious over the federal Fugitive Slave Act which required northern officials and citizens to help Southerners capture escaped slaves. During the 1850s several northern Legislatures defied the federal government by passing personal liberty laws against the Fugitive Slave Act. In a celebrated case in 1859, the Wisconsin Supreme Court declared the act unconstitutional, but was then overruled by the southern-dominated United States Supreme Court in a decision defending the concept of national sovereignty over the States. The Wisconsin Legislature responded with States' rights resolutions quite similar to those of Calhoun in 1832. In 1854 Congress struck down the Missouri Compromise and theoretically opened a vast western area to slavery. In 1857 the Supreme Court denied the right of either the federal government or a territorial government to bar slavery from any national territory, and in 1858 the United States Senate infuriated the northern States by voting 33 to 25 to admit Kansas as a slave State despite obvious evidence that most Kansans were opposed to slavery. President James Buchanan had announced that Kansas was as much a slave State as Georgia or South Carolina. The northern anger over these events created the new Republican Party with a strong antislavery faction providing much of its leadership. The southern States responded with the ultimate demand. They must have federal protection for slavery in the territories regardless of the sentiments of the territorial inhabitants. Northern Democrats who had previously supported the South could not take this final step, and the result was the election of Abraham Lincoln in 1860. Nevertheless, President-elect Lincoln pledged himself to respect the rights of slavery in the States where it already existed, and the Southerners continued to control Congress and the Supreme Court until their representatives in Congress were eliminated by secession.

Insulted, angry, and fearful over the apparent end to their long domination of the federal government because of Lincoln's election, seven southern States seceded, and were later followed by four more border States when Lincoln announced plans for coercing the original seven. President Buchanan had stated that no State had a constitutional right to secede, but that the Union had no constitutional right to coerce a State that did secede. President Lincoln did not consult the Constitution. He was determined to preserve the Union, and when the Carolinians fired on Fort Sumter he called for an army to suppress the rebellion. The test of ultimate sovereignty was settled on the battlefield.

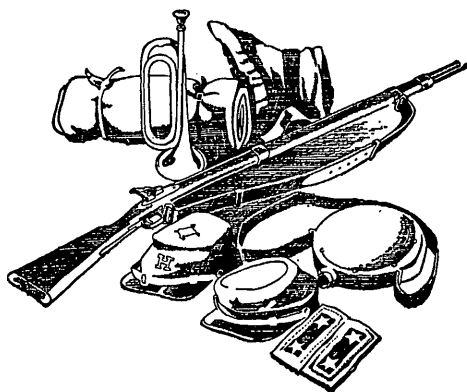
#### THE CIVIL WAR

Much of the Civil War recruiting process on both sides was carried out at state level, and several northern Governors made important contributions to the war effort. The net result of the war, however, was an enormous strengthening of the federal government. The control of the currency and banking systems passed from the States to Washington forever. Federal taxes, never before even suggested, were imposed with only minimal opposition. Transcontinental railroads were

built with federal subsidies. The rhetoric of the war emphasized national allegiance at the expense of the States. When the war ended, the reconstruction process included the Fourteenth and Fifteenth Amendments, which gave the federal government the responsibility for protecting citizens against discrimination or injury by the States.

Quite properly, the federal government could not ignore the problems of absorbing 4.5 million newly freed black slaves, most of them illiterate and without property, into a southern white society accustomed to the attitudes and practices of slavery. Most Northerners were also afflicted with racial prejudices, but after the sacrifices of the war they were unwilling to accept the widespread southern violence and discriminations against the freed men. The suffering of the southern States from the so-called radical reconstruction was primarily mental. A relatively small northern army was present, but it did almost nothing to help the blacks beyond trying to impose legal justice over and beyond the existing southern state and local courts. Several bloody riots occurred at the expense of the freed men without the army doing anything to stop or ameliorate them. In some of the so-called carpetbagger-scalawag state governments, corruption was minimal, while in others, where chicanery did abound, it was usually divided among the factions rather than confined to the radicals. Several southern state governments did go heavily into debt by endorsing the bonds of railroad companies and other utility corporations. Most of the bonds were bought by Northerners and the money went into new railroads and other forms of wealth. When the depression of 1873 wiped out many of the railroad and other companies, the southern States were left owing the money. Very quickly, however, every southern State simply repudiated the debts, and the net result was an increase of southern wealth at the expense of Yankee investors. Reconstruction had ended in most of the southern States as early as 1872, and the last two States were returned to conservative white control in 1876. In reality the reconstruction governments did much for the southern States by writing new constitutions and laws that allowed more whites as well as blacks to vote, increased the rights of women and the protection of children, created more equitable tax systems, established public school systems, greatly improved judicial procedures, and developed new state services never before provided.

The attitudes that had made both slavery and the Civil War possible had not died, however. In the 1880s and 1890s Northerners looked the other way while the southern States systematically violated the Fourteenth and Fifteenth Amend-



ments with laws disfranchising their black citizens and imposing hard legal patterns of segregation and discrimination. The Supreme Court had already ruled that neither amendment applied to coercive acts of individuals or private groups, and it accepted state-imposed segregation under the doctrine of "separate but equal." Not until after World War II did the federal government or any significant number of Northerners show any interest in the problems of black Southerners, and the southern States were dominated by leaders who did not hesitate to court white voters with appeals to racial prejudice. All too often, these appeals were used as a substitute for responsible state government.

During the last third of the nineteenth century, most of the state governments were under heavy pressures and temptations created by the great burst of technological, economic, and financial expansion. State and local governments held legal controls and privileges which powerful economic groups wished to be either used in their interest or not used at all. State governments issued liberal corporation charters and franchises, dispensed natural resources freely, failed to institute equitable taxing structures, opposed the development of labor unions, and considered as socialistic almost any program designed to regulate the wealthy or improve the welfare of the poor. Occasionally a reform group or coalition would gain control of a state government and pass laws for the advantage of big-city slum dwellers or impoverished western farmers, but such events were the exception rather than the rule. The emotions left by the Civil War dictated a solid Democratic South and an equally solid Republican Midwest, and most officeholders were nominated by party caucuses. This meant that in the South and the Midwest the Governors, legislators, and judges, as well as the United States senators and congressmen, were often chosen by caucuses since the general elections were a foregone conclusion.

The problems were usually more complex than the mere fact of too many underpaid legislators being influenced by the rich and powerful. Efforts to control or regulate economic developments invariably affected activities that were national in scope and could be defined as interstate commerce exempt from state intervention. Even when States produced reform legislation, a conservative Supreme Court was often ready to strike it down. An important exception occurred between 1869-72, when Illinois, Iowa, Minnesota, and Wisconsin passed a number of laws designed to regulate the warehouses and railroads within their borders. Lawyers argued before the Supreme Court that corporations were citizens, and that under the Fourteenth Amendment no citizen's rights and privileges could be abridged by a state government. In 1877, the Court ruled that the regulations were constitutional. In 1886, however, this doctrine was weakened by a ruling that only intrastate businesses could be regulated.

#### THE RISE OF THE FEDERAL GOVERNMENT

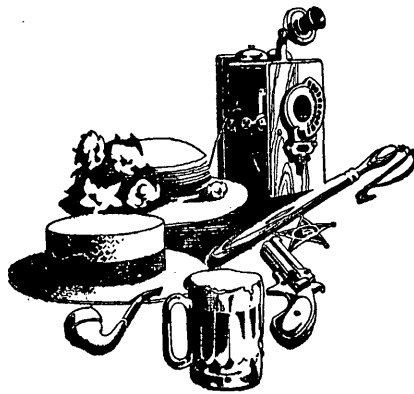
By the 1890s reformers were looking again to the federal government for effective changes, and the so-called Progressive Era, 1901-20, produced another great expansion of federal power and responsibility. Railroad regulation and the strengthening of the Interstate Commerce Commission, pure food and drug legislation, the conservation of natural resources, the direct election of senators, a graduated income tax amendment, various forms of agricultural assistance, labor reforms, and a new national banking and money system were all new advances that bypassed the States.

In the same period, however, many of the States also caught the fever of re-

form and enacted laws designed primarily to break the control of special economic interests in the state capitals. Leaders like Theodore Roosevelt, Robert M. La Follette, William E. Borah, Hiram Johnson, William S. U'ren, and Charles E. Hughes made national reputations as reformers and innovators in state government. Many States gained the secret ballot, the short ballot, and the primary election, which restored a chance for democracy in the one-party States of the South and Midwest. The initiative and referendum, whereby citizens could originate, nullify, or pass laws outside the legislative process, and the recall, whereby an ineffective, dishonest, or otherwise unpopular official could be ousted by public demand, were enacted by numerous States. Others passed specific legislation against the activities of various corporations, but they always faced the judicial doctrine that the businesses so affected must be entirely intrastate. States also passed factory safety and sanitary codes, minimum wage and hour laws, workmen's compensation, protection for female and child labor, mechanic's lien laws, and limitations on the use of injunctions in labor disputes. Wisconsin established the first graduated personal income tax since the Civil War, and within a few years some 15 other States and the federal government had copied the system. Certain famous political machines dominated by well-identified corporate interests were overthrown in spectacular struggles, and for a moment the States shared the limelight of progressive reform with the federal government.

Unhappily, however, the rhetoric and sacrifices of World War I drained off the emotional zeal for better and more active governments that had characterized the preceding 20 years. During the war the major details of economic, social, and political life were again directed in one way or another from Washington, and the States found themselves again mere executors of national policy. The war ended on a note of popular disillusionment, as many of the noble aims of the wartime speeches were notably missing from the peace treaty. Although Governors and Legislatures of two thirds of the States did go on record in support of the League of Nations and further efforts to ensure the future peace of the world, the failure of the U.S. Senate to ratify the League of Nations and a resurgence of business influence lessened the concern for social justice. A laissez-faire social and economic attitude showed that too many people had temporarily used up their capacity for unselfish involvement in the problems of others.

The Great Red Scare, which marred the immediate postwar period, was reflected in the States. Seventeen States passed antisubversive laws which could be directed against almost any kind of unpopular dissent. The hysteria brought the



modern Ku Klux Klan to life, and by 1922 it had 4.5 million members and promoted the election of many officials at the local level and several at the state level in the name of opposition to Negroes, Jews, Catholics, and foreign born. Most state governments did nothing to promote such activities, but were usually helpless to prevent them.

The Prohibition Amendment was another cross for state and local governments to bear. The American thirst for illegal beverages poured billions of dollars into the pockets of organized crime. Thus capitalized, the underworld could branch out into other misdeeds which the state and local police forces simply could not control.

The enormous prosperity characterizing many States and the Nation as a whole contributed further to dull the sensibilities of those who had supported state reforms during the Progressive Era. In 1929, however, the Great Depression struck. Those States with surplus wealth devised various relief programs, while the poorer States were helpless. By 1933, even the richer States could no longer help the destitute, and once more all eyes were turned toward Washington and the New Deal on the horizon. Many of the New Deal's most vital programs, however, would depend upon existing state political and administrative institutions for their implementation.

#### CONCLUSION

Like most institutions created by human beings, the American States in the period 1820-1932 reflected the foibles as well as the virtues of the species. The American people learned from experience what the States could and could not do, and faced the challenge of using them to the best advantage within the range of their capabilities and necessary functions. Despite the failures, the list of achievements was long. Most of the Nation's ablest leaders had gained their experience and practical skills from service at the state level. This was both an achievement and a weakness, because those leaders most needed to make the state governments successful had moved all too soon to the more prestigious responsibilities in the national government. The States had created systems of universal free education, and even though these were uneven in quality from State to State, no nation anywhere had a larger percentage of its children and youth in schools. The state universities, many supported entirely by States and others aided also by the federal land grant program, were rapidly approaching the great private institutions in quality, and would offer new opportunities for intellectual and vocational attainments to millions of young people who could neither afford nor gain admission to the private schools. The state political party systems and organizations were indispensable agencies for the effective functioning of the democratic electoral processes whereby leaders at all levels were selected. The States had already built millions of miles of highways necessary for the transportation revolution, and were busily engaged in developing the laws and technology for keeping the automobile from becoming an all-devouring monster. Sanitation, public health standards, insurance rates and practices, hospital practices, fire-hazard standards, and industrial safety practices were only a few of the vital aspects of daily living being successfully regulated for the public benefit. State police and state courts were a major source of security and justice for most citizens.

Numerous States had served as invaluable political laboratories by experimenting with innovations which the other States could follow or reject on the basis of their results. For example, the income tax of Wisconsin and the retail

sales tax of Mississippi quickly spread to other States. Cooperation and consultation among the States for their common benefit was rapidly replacing the older rivalries and competitions. In 1892 a National Conference of Commissioners on Uniform State Laws was established. In 1925, the American Legislators' Association was founded as an agency for cooperation among the state governments in the never-ending search for more imaginative and efficient programs, methods, practices, and ideas. That organization moved haltingly along until 1933 when it became the Council of State Governments with official articles of organization. The Council continues to supply the States with valuable information and assistance with their problems and their relations with each other and with the federal government.

Like the federal government and the American people as a whole, state governments faced many challenges in 1932. Clearly, however, they would continue to play an indispensable role in the everyday life of the American people and in the preservation of American freedom and security.

## A TIMETABLE OF WORLD, NATIONAL, AND STATE EVENTS 1820–1932

- 1820 Census of population: 9,638,453; Maine statehood; Monroe reelected President for second term.
- 1821 Missouri statehood.
- 1823 Monroe Doctrine.
- 1824 Andrew Jackson, Henry Clay, and John Quincy Adams fail to win electoral college majority; U.S. House elects Adams as President.
- 1825 Erie Canal opened.
- 1827 Slavery abolished in New York.
- 1828 Andrew Jackson elected President; First passenger railroad in U.S. (B&O).
- 1830 Census of population: 12,866,020.
- 1832 Jackson reelected President for second term.
- 1835 Texas War of independence.
- 1836 Arkansas statehood; Martin Van Buren elected President; Connecticut passes first incorporation law in U.S.; Battle of the Alamo.
- 1837 Michigan statehood; Banking panic throws U.S. into depression.
- 1840 Census of population: 17,069,453; William Henry Harrison elected President.
- 1841 Harrison first President to die in office, succeeded by John Tyler.
- 1842 *Prigg v. Pennsylvania* denies state obligation to enforce Fugitive Slave Laws.
- 1844 James K. Polk elected President.
- 1845 Florida and Texas statehood.
- 1846 Iowa statehood; Maine prohibits sale of liquor; Mexican War.
- 1848 Wisconsin statehood; Zachary Taylor elected President; California Gold Rush; U.S. and Mexico sign peace treaty.
- 1849 California constitution prohibits slavery.
- 1850 Census of population: 23,191,876; California statehood; President Taylor dies, succeeded by Millard Fillmore.
- 1852 Franklin Pierce elected President.
- 1853 Gadsden Purchase negotiated with Mexico.
- 1855 First kindergarten in U.S. opens at Watertown, Wisconsin.
- 1856 James Buchanan elected President.
- 1857 *Dred Scott* decision of U.S. Supreme Court; Minnesota outlaws slavery.
- 1858 Minnesota statehood.
- 1859 Oregon statehood; Supreme Court upholds Fugitive Slave Act.
- 1860 Census of population: 31,443,321; Southern Legislatures proclaim right of secession; Abraham Lincoln elected President; South Carolina secedes from the Union.
- 1861 Kansas statehood; Mississippi, Florida, Alabama, Georgia, Louisiana, and Texas secede from the Union; 7 seceding States draft Confederate Constitution and elect Jefferson Davis President; Virginia, Arkansas, Tennessee, and North Carolina secede—Confederacy now complete; Confederates fire on Fort Sumter; West Virginia breaks away from Virginia and remains loyal to Union.
- 1862 First federal income tax; Lincoln issues Emancipation Proclamation; Homestead Act.
- 1863 West Virginia statehood; Battle of Gettysburg; Gettysburg Address.
- 1864 Nevada statehood; Lincoln reelected President for second term.
- 1865 Lee surrenders; President Lincoln assassinated, succeeded by Andrew Johnson; 13th Amendment (abolishing slavery) ratified.
- 1867 Alaska purchased from Russia; Nebraska statehood.
- 1868 President Johnson impeached, tried, acquitted; 14th Amendment (granting Negroes citizenship) ratified; Ulysses S. Grant elected President; 14th Amendment (citizenship rights) ratified.
- 1869 Wyoming Territory passes first U.S. women suffrage law; Transcontinental railroad completed.
- 1870 Census of population: 38,558,371; 15th Amendment (equal rights of citizens to vote) ratified.
- 1872 Grant reelected President for second term; Amnesty Act restores civil rights to all citizens of the South.
- 1875 Congress passes first Civil Rights Act to guarantee equal rights to Negroes in public accommodations and jury duty.
- 1876 Colorado statehood; Disputed presidential election, special electoral commission declares Rutherford B. Hayes President; Custer's Last Stand.
- 1880 Census population: 50,155,783; James A. Garfield elected President.
- 1881 President Garfield assassinated, succeeded by Chester Arthur; Court declares imposition of 1862 income tax constitutional.
- 1883 Supreme Court invalidates Civil Rights Act saying federal government can only protect political, not social rights.
- 1884 Grover Cleveland elected President; Financial panic in New York.
- 1886 Statue of Liberty erected on Liberty Island, New York.
- 1888 Benjamin Harrison elected President.
- 1889 North Dakota, South Dakota, Montana, and Washington statehood.
- 1890 Census of population: 62,947,714; Idaho and Wyoming statehood; Last major Indian-U.S. conflict, Battle of Wounded Knee.
- 1892 Grover Cleveland elected President.
- 1895 Supreme Court declares income tax unconstitutional.
- 1896 Utah statehood; Supreme Court establishes

separate but equal doctrine thus legalizing segregation; William McKinley elected President.

1898 Annexation of Hawaii; Congress declares war on Spain; Signing of Peace of Paris ending Spanish-American War; Spain cedes Guam, Puerto Rico, and the Philippines to U.S.

1899 Samoan Islands partitioned by U.S. and Germany, American Samoa organized under naval rule.

1900 Census of population: 75,994,575; McKinley reelected President for second term.

1901 President McKinley assassinated, succeeded by Theodore Roosevelt; Connecticut passes first state law regulating auto speed and registration.

1903 Wright brothers flight in first heavier-than-air mechanically propelled craft.

1904 Theodore Roosevelt elected President; New York subway opened.

1907 Oklahoma statehood; Campaign contributions by corporations forbidden by law to candidates for national office; Georgia, Oklahoma, Mississippi, North Carolina, Tennessee, and Alabama enact "dry" laws; Financial panic in U.S.

1908 William Howard Taft elected President.

1910 Census of population: 91,972,266.

1911 Washington passes first state monopolistic insurance fund in the U.S. (industrial insurance program).

1912 New Mexico and Arizona statehood; Woodrow Wilson elected President.

1913 16th Amendment (income tax) and 17th Amendment (direct election of senators) ratified.

1914 World War I breaks out in Europe.

1916 Wilson reelected President for second term.

1917 U.S. purchases Virgin Islands from Denmark; Puerto Ricans given U.S. citizenship; U.S. declares war on Germany.

1918 Armistice.

1919 18th Amendment (prohibition) ratified; Senate refuses to ratify League of Nations.

1920 Census of population: 105,710,620; 19th Amendment (women's suffrage) ratified; Warren G. Harding elected President.

1923 President Harding dies, succeeded by Calvin Coolidge.

1924 Coolidge elected President.

1925 Trial of John T. Scopes for teaching evolution; First women Governors, Wyoming and Texas.

1927 Flight of Charles A. Lindbergh from New York to Paris.

1928 Herbert Hoover elected President.

1929 Wall Street crash, beginning of the Great Depression.

1930 Census of population: 122,775,046.

1931 "Star-Spangled Banner" officially declared U.S. national anthem.

1932 Wisconsin passes first unemployment insurance law in the U.S.; Franklin D. Roosevelt elected President.



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## A QUIET REVOLUTION

1933-1976

BY RICHARD H. LEACH\*

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AS W. BROOKE GRAVES noted, "the period of the two World Wars and the Great Depression subjected the States to many new burdens and responsibilities, few of which they were able to discharge adequately. Their most conspicuous failures . . . occurred during the . . . Depression." For years before then, the States had simply "not been doing their job," and the Depression caught them out.<sup>1</sup> Indeed, after President Franklin D. Roosevelt declared the bank holiday, "it was clear that the states were not only weak, they were so weak that they did not even have to be considered."<sup>2</sup> Not surprisingly, the States began to be subjected then to a series of indictments and attacks. Even so eminent a student of government and administration as Luther H. Gulick wrote in despair,

"Is the State the appropriate instrumentality for the discharge of . . . [important] functions? The answer is not a matter of conjecture or delicate appraisal. It is a matter of brutal record. The American state is finished. I do not predict that the states will go, but affirm that they have gone."<sup>3</sup>

The difficulties that led Gulick to such a pessimistic conclusion were both financial and administrative. The Depression caught the States, even as it did the entire Nation, unprepared. State tax laws were antiquated, their tax rates and debt ceilings were low, they made extensive use of designated revenue and segregated funds. The States found themselves with their backs to the wall by the early 1930s with no surpluses, revenues declining as unemployment increased and industry shut down, and expenses rapidly spiraling as citizens required governmental assistance. There was nowhere to turn but to the national government. What made it worse was the laxness of state banking controls at the time, which led to the failure of state-chartered banks across the Nation and thus to an even faster eroding of public faith in the States.

Even if the States had had the financial resources—and some States were better off than others—most of the States would have had administrative problems gearing up to meet the changing needs of the 1930s. Virtually all the States had small public services at the onset of the Depression, with staff trained chiefly by experience even as they had been recruited chiefly for political reasons, and unequipped to handle the kind of welfare and social services demanded of them.

Moreover, the worst impact of the Depression was on the cities. Yet State Legislatures, then 30 years away from the ameliorating effects of *Baker v. Carr*, were

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<sup>1</sup>W. Brooke Graves, *American Intergovernmental Relations* (Boston, 1953), pp. 786-7, 803. Author's note: Were W. Brooke Graves still alive, he would surely have been asked to do this section of the analysis. No one would have been more qualified. Because his *American State Government* is still the best single work on the States, I have drawn on it and on his *American Intergovernmental Relations* heavily here. In this way, I hope to do him the honor he deserves. Every student of state government is in Graves' debt for a long time to come.

<sup>2</sup>Graves, *American Intergovernmental Relations*, p. 803.

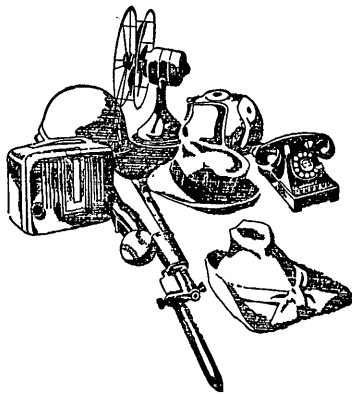
<sup>3</sup>Luther H. Gulick, "Reorganization of the State," *Civil Engineering*, August 1933, p. 420.

so rurally oriented that effective policy-making to meet urban problems seemed impossible. As Professor Coleman Woodbury put it, most state governments showed "little foresight or rigor of approach" in the face of the mounting urban crisis. They seemed "blind to the clear handwriting on the wall, [hid] behind differences of opinion expressed by non-official groups, and then, when the accumulated problems [had to be faced] came up with half-hearted measures that [were] too little, too late, and too shortsighted."<sup>4</sup>

#### RISE OF CENTRALIZATION

It is little wonder then that Gulick and others saw so little to hearten them in the States. But it is a wonder that they had so little faith in the federal system of which the States were a part, for the national government stepped into the breach and set in motion a series of measures which began to turn the Nation—and the States—toward recovery. In the process, a wave of centralism spread over the country which was eventually to challenge the States as nothing had before, for President Roosevelt did not see his New Deal program as restricted to meeting the exigencies of the Depression. He realized that the tremendous potentialities for social betterment—for moving closer to the ideal of equality—was latent in positive government action. Thus he consciously forged his programs so as to convert them to realities. "The plans we make for this emergency," he declared, "may show the way to a more permanent safeguarding of our social and economic life to the end that we may . . . avoid the terrible cycle of prosperity crumbling into depression. In this sense I favor economic planning, not for this period alone but for our needs for a long time to come."<sup>5</sup> The kind of planning Roosevelt introduced necessarily required a strong national government, exercising more responsibility for achieving the national welfare than had been visualized since the days of Alexander Hamilton.

As the national government responded to what has been called the "tin cup parade" of Governors and mayors to Washington, it became part of what William Leuchtenberg observed was a near revolution in the agenda of American politics by Roosevelt and the New Dealers. They focused on the national government to an unprecedented degree as the center for problem-solving and decision-making. Its concerns were made to become for the first time the concerns of the American



<sup>4</sup>Quoted in Graves, *American Intergovernmental Relations*, p. 788.

<sup>5</sup>Quoted in Rexford G. Tugwell, "The Progressive Orthodoxy of Franklin D. Roosevelt," *Ethics*, October 1953, p. 11.

people themselves. In the process, the balance of federalism was shifted from the state capitols to Washington. The White House, not the State House, "became the focus of all government—the fountainhead of ideas, the initiator of action, the representative of the national interest."<sup>6</sup>

World War II continued and strengthened the response started in the Depression. In mounting our defense and in fighting on so many fronts, centralization was not only inevitable but vital to the success of the war effort. To be sure, the States collectively made a great contribution to the war effort, not only in the role played in winning the war by the National Guard units of the States, but also in their administration of the Selective Service System and of the many programs of civil defense and in the steps taken in many States toward the development and promotion of wartime industry. Moreover, state administrative officials rendered important assistance in carrying out the Nation's rationing program and in assisting in the conservation of transportation. More than ever before, however, the center of gravity of the American governmental system was in Washington. A multitude of federal agencies now dealt with technical matters and made decisions on a case-by-case basis. Drastic changes in policy became fixed in precedent without public approval or consultation with the States. Sometimes the most important matters were resolved by federal civilian and military officials who invoked the labels of "confidential" or "top secret" to classify information or screen operations from view altogether.

Not only were the States even more upstaged by the national government than they had been in the Depression, they also suffered a number of other ill effects during the war as well. They had drastically curtailed the services they offered their citizens and could not develop new ones, they had virtually suspended improvements in government and administration for the duration, and they had suffered severe personnel losses which were difficult if not impossible to make up.

Indeed, World War II served to push the States even further into the chimney corner of American government. When the war was over, States were faced with the necessity of resuming and greatly expanding their services, both those relating to social and economic development and to public works and physical development. "The problem," noted Graves, was not "merely one of catching up with wartime delays and postponements but of evolving new patterns and standards of service in many fields for a rapidly growing population."<sup>7</sup> Action was especially necessary in the fields of health and education, although in most States the needs ranged across the spectrum of state and local services. To meet these needs both quantitatively and qualitatively, the States quickly found it necessary to turn to the national government for financial aid. The categorical grant shortly became the main feature on the federal-state fiscal landscape, its use attractive to the national government as well because it enabled it to take the initiative in public policy development. With federal planning and financing, and state administration, many program areas became intergovernmental in nature and have remained so.

Not only were there service demands to be met after the war, but the States were also faced with urbanization on a grand scale, and so, responsible as they are for local government, the States had to make a great many adjustments in traditional patterns of local governance. In some cases it was necessary for the

<sup>6</sup>William E. Leuchtenberg, *Franklin D. Roosevelt and the New Deal* (New York, 1963), pp. 326–33.

<sup>7</sup>Graves, *American State Government*, p. 885.

States to take on responsibility for services formerly left to local units; in others, the States had to devise new methods of assistance and control; and in most, the States had to develop ways to strengthen the institutions of local government and to permit units of local government to work together to attack areawide problems more effectively.

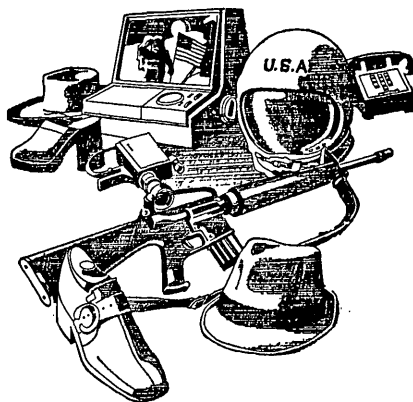
The burden of this on the States and the difficulties they had in bearing it served to confirm the early judgments of the doomsayers. It began to seem to many that in fact the national government was the only important government and that the States would inevitably fail to act adequately—and, some alleged, even honestly—in behalf of their citizens when action was needed.

#### A SWING OF THE PENDULUM

Yet as Graves noted, "Like the famous report of the death of Mark Twain . . . [pro]nouncement of the demise of the states was . . . premature."<sup>8</sup> Even before Watergate, which significantly demoted the national government in public estimation, careful students of public affairs had begun to see the makings of a swing of the pendulum back to the States. Some of the credit for the rediscovery of the States must be given to recent changes in procedures and attitudes by the public media, which found relief from its depression over Watergate by turning back to the States.

To some extent, the swing back to the States was helped along by the national government itself. In its push to find ways to meet national objectives through state and local governments, the Great Society of the late 1960s made a contribution of considerable importance. Not only did the national government offer a good many carrots to the States to lead them to self-improvement—the effect of Title V of the Elementary and Secondary Education Act of 1965 on state departments of education is but one of many examples—but, by unwittingly demonstrating the limits of national effectiveness in delivering services to the American people, it helped force the States to play a larger role than most of them had been willing to take.

A good deal of credit too can be given to the Advisory Commission on Intergovernmental Relations, the Council of State Governments, the National Governors' Conference, the three national legislative conferences (now the National



<sup>8</sup>Ibid., p. 787.

Conference of State Legislatures), and other such bodies whose studies and recommendations showed the States how to organize and operate more effectively.

Finally, the federal courts—particularly the U.S. Supreme Court—bear a large amount of responsibility for getting the States back on the main track of American government. Having given up its generation-long battle against the development of an active national government in the economic sphere, the Supreme Court began to devote its attention to civil liberties, and in the process of focusing on them, instituted still another wave of action impacting on the States. In *Brown v. Board of Education* [347 U.S. 483 (1954) and 349 U.S. 294 (1955)] the Court demanded that the States eliminate distinctions based on race or color in the public schools and do so “with all deliberate speed.” Although it took steady judicial pressure, culminating in the angry retort in *Griffin v. Prince Edward School Board* [377 U.S. 218 (1964)] that there had been “entirely too much deliberation and not enough speed,” corrective action by the States was steadily achieved, and full compliance is nearly a reality. In the process, the States have successfully defended their constitutional primacy in education.

Similarly, *Baker v. Carr* [369 U.S. 186 (1962)] forced attention to be focused by the States on the reapportionment of Legislatures, with the result that today's general assemblies are about as representative of the people of the States as is politically possible. The Civil Rights Acts of 1957 and 1964 and the Voting Rights Act of 1965, duly enforced and upheld by the courts, forced the States to reform election administration.

If there were outside influences helping to put the States back in the United States, the major credit for the accomplishment belongs to the States themselves, acting as responsible agents of their people. Indeed, they had been working all along in that way, some harder and more successfully than others, but none oblivious to their ultimate responsibility in the American federal system.

Cooperative federalism could never have become the successful *modus operandi* of the American Nation it is today—and has been for many years—had it not been that the States realized that much was demanded of them by the concept and acted accordingly. They carried on the executive and legislative reorganization movement with far more care and perseverance than the national government. Today almost every State is structurally equipped to meet modern demands on government. Constitutional revision has likewise proceeded apace. No longer can the constitution of Louisiana be cited as the chief horror of constitutional government, and Louisiana is typical, not atypical, of her sister States. There are not many constitutional horrors left. The States have moved similarly in education, mental health, recreational development, and in other fields too numerous to examine completely here.

With public distrust of elected officials at an all-time high in 1974, a majority of States took action to make state governments more accountable to the people through open government, campaign financing, and financial disclosure laws. When these state actions are compared to those at the federal level, their importance is all the more striking. In another contrast to the federal government, the States were quicker to act on at least the short-term challenges of the energy crisis.

The States have begun to reap the rewards of a series of actions taken over the past few years to strengthen and broaden the base of their tax systems, particularly in moving to a state income tax on the one hand and in finding relief for overburdened property taxpayers, especially the elderly, on the other. As a result of

their improved revenue picture, some States were showing budget surpluses in 1974 for the first time since World War II. The economic decline of 1974 and 1975 dimmed that picture somewhat.

The States had some catching up to do in the environmental area and did so with such vigor that the Council on Environmental Quality concluded that "changes in individual projects, changes in agency attitude, and increased public participation are evident in each State."

The States have not merely caught up; they have again demonstrated their ability to move out front. A case in point is the "Minnesota Horizons" program in which legislators and state government officials joined with educators, public interest groups, the media, and others for discussions of the State's past, current status, developing trends, and imminent policy questions. It marked the first time that a legislative body sought to undergird its actions with an integrated view of constituent problems so as to avoid fragmented approaches commonly applied to broad policy questions. It is noteworthy that a State Legislature undertook the exercise rather than Congress. The lesson should not be lost either by other States or Congress.

#### THE PUBLIC REACTION

The assertion of state leadership has not been confined to those elected to office or serving in administrative capacities. Obviously, such an assertion on their part without the backing of the people would avail only in the short run. But the days are waning that Terry Sanford described in 1967, when he wrote that "in judging the achievements of state government, it is well to remember that the people have not wanted strong [government]; they have not been willing to put the authority and the implements in the hands of the [men] called on by them to lead. . . . They have been willing to have a strong . . . national government, but unwilling to provide the power necessary for [effective] state government."<sup>9</sup>

A poll conducted three times since 1972 under the auspices of the Advisory Commission on Intergovernmental Relations asking the public, "From which level of government do you feel you get the most for your money—federal, state, or local?" revealed the following changing responses:

Level of government	Percent of total U.S. public		
	March 1972	May 1973	April 1974
Federal	39	35	29
State	18	18	24
Local	26	25	28
Don't know	17	22	19

Though the question admittedly was limited to economic considerations, its centrality to the general status and performance of state government probably permits the assumption that the change applies there too. In any case, the 1974 elections show a responsive state public pretty much across the land. Not only did a woman run and get elected as a Governor in her own right, but many women and blacks were elected to State Legislatures, whose members in turn reflect the urban pattern of American living better than ever before. Moreover, the voters approved a number of progressive propositions at the ballot box.

<sup>9</sup>Terry Sanford, *Storm over the States* (New York, 1967), p. 31. Sanford was speaking only of Governors in that passage, but to change it to read as given does not stretch his meaning.

## CONCLUSION

In short, the rhetorical question "Are the States here to stay?" can now be answered definitely in the affirmative. Indeed Daniel Elazar, a leading observer of state performance, has found that a "quiet revolution . . . has transformed state government . . . to a solid instrument for meeting the complex needs of American society today." He said there is more than enough evidence "to show that the States and localities, far from being weak sisters, have actually been carrying the brunt of domestic governmental process in the United States ever since the end of World War II and have done so at an accelerated pace since . . . Vietnam."<sup>10</sup>

The mid-1970s find the States working on the challenges they face with considerable fortitude: they are becoming more financially and administratively involved in helping to solve pressing urban problems, they are making progress in equalizing and assuming a larger portion of the financial burden of elementary and secondary education, they are concerned about more effective land use, and they are making it easier for their local governments to tackle problems both by themselves and jointly.

Thus, the Bicentennial offers a unique opportunity to put *The Maligned States*, as Ira Sharkansky called them in his 1973 book, back in the proper perspective. The state of the States is good.

The States have served before as the guides to progress, and it appears they are in that position again. The health of the Nation has long been known to depend on the maintenance of a balance of power, and the States are ready and willing to carry their full burden as the United States enters its third century of existence.

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<sup>10</sup>"The New Federalism: Can the States Be Trusted?" *The Public Interest*, Spring 1974, pp. 89-102. See also E. Jenkins, "States Have Come a Long Way," *Compact*, March 1974, pp. 13-16.

## A TIMETABLE OF WORLD, NATIONAL, AND STATE EVENTS 1933-1976

1933 20th Amendment (terms of President and Vice President) and 21st Amendment (repeal prohibition) ratified; Severe drought in Great Plains; New Deal begins.  
 1935 Social Security Act passed.  
 1936 Roosevelt reelected President for second term.  
 1939 World War II begins.  
 1940 Census of population: 131,699,275; Roosevelt reelected President for third term.  
 1941 Pearl Harbor attacked by Japan; U.S. declares war on Japan, Germany, and Italy.  
 1942 First self-sustaining nuclear chain reaction achieved; Alaska Highway constructed.  
 1943 Army takes temporary possession of railroads to prevent strike.  
 1944 Invasion of France by Allies; Roosevelt reelected for fourth term; Total union membership of over 14 million is more than one third of non-agricultural labor force.  
 1945 President Roosevelt dies, succeeded by Harry S. Truman; Germany surrenders; Testing and use of atomic bomb; Japan surrenders; United Nations organized; New York establishes first state antidiscrimination agency; Federal government seizes coal mines during a long strike.  
 1947 Trust Territory of the Pacific Islands placed under U.S. trusteeship by United Nations; Marshall Plan begins.  
 1948 Dixiecrats bolt the Democrats in election campaign; Truman elected President; General Motors signs first sliding-scale wage contract; Supreme Court declares religious education in public schools unconstitutional.  
 1950 Census of population: 150,697,361; President authorized to stabilize wages and prices; Korean War begins; U.S. seizes Nation's railroads to avert strike.  
 1951 22nd Amendment (limiting presidency to two terms) ratified; Employment of women reaches new peak of over 19 million; Supreme Court upholds released time for religious education.  
 1952 Dwight D. Eisenhower elected President; U.S. announces first successful tests of hydrogen bomb; U.S. seizes Nation's steel mills to avert strike, seizure ruled illegal by Supreme Court, strike follows.  
 1953 Puerto Rico given commonwealth status; Tidelands oil controversy ends in favor of coastal States; Department of Health, Education, and Welfare established; Korean War ends.  
 1954 Racial segregation in public schools ruled unconstitutional by Supreme Court.  
 1955 Supreme Court gives local authorities task of integrating schools.  
 1956 Federal Highway Act provides for vast

road-building projects; Soil-Bank Act encourages limited farm-acreage production; Montgomery, Alabama, bus boycott brings Dr. Martin Luther King, Jr., to national prominence; Eisenhower reelected President for second term.  
 1957 Russia launches Sputnik, first satellite; Recession; Civil Rights Act provides for federal regulation of voting.  
 1959 Alaska and Hawaii statehood.  
 1960 Census of population: 179,323,175; John F. Kennedy elected President; Average American per capita income sets a new high of \$2,218.  
 1961 Supreme Court upholds some state and local censorship of movies; 23rd Amendment (presidential vote for D.C.) ratified.  
 1962 Sharp slump in stock market; Russian missiles in Cuba withdrawn after firm American stand; Supreme Court outlaws New York school prayer; Supreme Court issues one man, one vote ruling.  
 1963 President Kennedy assassinated, succeeded by Lyndon B. Johnson; Supreme Court rules that no State or locality may require the recitation of the Lord's Prayer or Bible verses in public schools.  
 1964 Supreme Court rules that state legislative districts must be substantially equal in population; U.S. civilian labor forces passes 72 million while unemployment is above 4 million; President Johnson's war-on-poverty program passes Congress; New Civil Rights Act passed; Johnson elected President; 24th Amendment (poll tax barred for federal elections) ratified.  
 1965 First American combat troops go to South Vietnam; Beginning of U.S. urban race riots.  
 1966 Inflation becomes serious problem; Medicare program begins.  
 1967 25th Amendment (presidential disability and succession) ratified.  
 1968 Richard M. Nixon elected President.  
 1969 Americans land first men on the moon.  
 1970 Census of population: 203,235,298.  
 1971 26th Amendment (lowering voting age to 18) ratified.  
 1972 Nixon reelected President for second term.  
 1973 Watergate investigation begins; Supreme Court rules abortions legal; Cease-fire agreement signed between U.S. and Vietnam; U.S. energy crisis emerges; Alaska pipeline construction approved.  
 1974 Nixon becomes first President to resign, Gerald R. Ford becomes President.  
 1975 Supreme Court rules that federal government has exclusive title to oil and gas resources beyond 3-mile offshore limit; South Vietnam falls to Communists.  
 1976 American Revolution Bicentennial celebration begins.



## Section I

# THE LEGISLATURES

# The Legislatures

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## THE STATE LEGISLATURES

BY HERBERT L. WILTSEE\*

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THE REESTABLISHMENT OF legislative independence from and coequality with the executive branch of state government has been a constant theme of the post-World War II years. Articles on the State Legislatures in previous issues of this book highlighted that theme and documented the changes and modernizations which took place.

This search for independent and equal status has continued during the past biennium. However, another theme has recently surfaced which goes to the heart of our federal system—a concern by the Legislatures for the development of better means by which the States can have greater impact on the policies and programs developed by Congress and the President, and the manner of their implementation by the federal executive establishment. On this score, the Legislatures share a community of interests with the Nation's Governors.

This article will review the major aspects of the legislative process in the States—the structure and procedures of our Legislatures, how they use their time, levels of compensation, facilities and services available to the lawmakers, and other matters. In the aggregate, these elements help to describe the Legislature as an institution. They do not, however, describe its mission as the people's representatives. That mission is to levy taxes

and allocate the available moneys to sustain budgets which typically are measured in the billions of dollars each year, to establish a vast array of social services, to authorize programs which balance the need for regulating business against the need to nurture its productive capability, to assure the use of natural resources for maximum benefit, to establish protections for lives and property and for the rights of individuals, to foster effective local government, and to assure the responsible discharge of duties by the entire apparatus of state government. It is a truism of our time that state government is the biggest business in each State; and the Legislature is the people's policy-making board of directors for that business.

In 1974–75, the Nation experienced its most serious economic recession in over a third of a century. In many States, serious revenue shortfalls were experienced, and Legislatures and Governors were forced to take extraordinary measures to keep budgets in balance. There has been, likewise, a mounting awareness that our land and other resources are not unlimited. Those years also witnessed a growing concern with the seemingly constant expansion in the costs and role of government. In addition, there are those who question whether we have reached the practical limits of reliance on government in ordering our social and economic lives. These may well be among the critical issues which the Legislatures must face in coming years. Our lawmakers therefore need the best equipment and the soundest information available to reach their decisions.

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## STRUCTURE OF THE LEGISLATURES

With the exception of Nebraska which adopted its unicameral legislative form in the 1930s, Legislatures are today, as they have been throughout this century, bicameral bodies. As the result of the Supreme Court's decision in *Baker v. Carr* (March 1962) and subsequent actions which established the one man, one vote principle, they are better apportioned than at any previous time in our history. All 99 lawmaking bodies have been reapportioned since the 1970 decennial census. In only 16 lower houses and 13 Senates is there a deviation greater than 10 percent between the smallest and the largest population per seat (see Tables 2 and 3).

Typically, the legislators now run in single-member districts. In efforts to comply with court-ordered reapportionment in the 1960s, many States resorted to multimember districts. A decade ago, 55 of 99 legislative bodies used multimember districts to some extent. By 1975 that total had dropped to 35, with both houses in Montana and Texas and the lower house in South Carolina having gone to single-member districts in the past two years. The Maine House of Representatives will be based on single-member districts by mandate of a constitutional amendment adopted in late 1975. The periodic redrawing of district boundaries in most States is a power which continues to lie in the Legislature, but there has been some increase in the use of nonlegislative agencies or commissions, either for initial reapportionment or if the Legislature is unable to act.

The average population of individual legislative districts varies greatly. At the upper extreme, each California Senator represents almost one half million persons and each Assemblyman one quarter of a million. At the other extreme, Wyoming Senators represent 11,080 persons and New Hampshire Representatives 1,813. The median per seat is 27,818 for Representatives and between 59,083 and 63,129 for Senators.

There likewise are significant variations in the size of legislative bodies. The largest Senates are in Minnesota (67) and

New York (60); the smallest in Alaska and Nevada (20 each) and Delaware (21). The largest lower houses are in New Hampshire (400), Massachusetts (240, which will drop to 160 as the result of a recent constitutional amendment), and Pennsylvania (203); the smallest in Alaska and Nevada (40 each) and Delaware (41). The median is 100 for lower houses and between 38 and 39 for Senates (see Table 4). There have been some major reductions in size in the past decade, notably in Connecticut, Ohio, and Vermont. These have been offset to some extent by increases elsewhere, as in New Jersey. Overall, the total membership of State Legislatures has declined about 4 percent from the 7,865 who served in the mid-1960s.

Age requirements for service in the Legislatures have not changed materially in recent years, although in recognition of the reduced age of legal majority, both Hawaii and Louisiana have reduced to 18 years the minimum age requirement to serve. A similar proposal is scheduled in Oregon for popular consideration in November 1976. In the majority of lower houses, the minimum is 21 years; in the majority of Senates, it is 25 years. Six States stipulate 30 as the minimum age for service in the Senate.

## LEGISLATIVE TERMS AND TURNOVER

The length of legislative terms and, accordingly, the frequency with which members must run for reelection, has remained unchanged for lower house members for the past quarter of a century. Four States—Alabama, Louisiana, Maryland, and Mississippi—provide four-year terms; the remainder have two-year terms. Over the same period, a trend toward four-year Senate terms has continued with Michigan, Nebraska, Ohio, and Tennessee joining the 34 States which previously provided four-year terms. Twelve States now have two-year Senate terms. To facilitate early reelections after each census and reapportionment, three of the four-year term States—Illinois, Montana, and New Jersey—provide for two four-year terms and one two-year term each decade.

Rapid turnover in the membership of

State Legislatures has concerned many observers. Factors sometimes cited as leading to that turnover are the frequency of elections and the necessity of devoting significant amounts of time to campaigning, along with other considerations such as low compensation, frequency of reapportionments, and lack of staff with which to perform effectively. During the 1963-71 period—which were years of unprecedented reapportionments—the overall rate of turnover at each election for all 50 States was 30.4 percent for Senates and 36.1 percent for lower houses. The corresponding figure in the same period was 10 percent for the U.S. Senate and 15 percent for the U.S. House of Representatives.<sup>1</sup> For the 1974 elections, rather similar results were recorded. The median turnover figure for State Senates was 27 percent and for lower houses it was 33 percent (see Table 5).

#### LEGISLATIVE SESSIONS

One of the most striking changes in the legislative process in this century, and particularly since World War II, has been the great increase in the time which lawmakers must devote to their duties. One measure of the change is the use of biennial versus annual sessions. In the early 1940s, only four Legislatures (New Jersey, New York, Rhode Island, and South Carolina) met annually in regular session; by 1976, 42 were doing so. Of that total, 36 were required by their constitutions to meet annually, while in six others (Arkansas, California, Minnesota, North Carolina, Tennessee, and Vermont) the Legislatures were invoking flexible constitutional powers granted them to reconvene at intervals during the biennium (see Table 11). During the past biennium, Alabama and Maine voters approved of annual sessions. New Hampshire voters defeated such a proposal as did Texas voters in rejecting a new constitution; and in Montana the voters approved a return from annual to biennial sessions.

In various other ways, legislative powers to meet have been expanded:

- In 1963, only 13 Legislatures could

call themselves into special session; by the end of 1975, 27 could do so, and Oregon voters will consider a proposal to that effect in November 1976.

- In 1963, only two Legislatures (Alabama and Georgia) held an organization session prior to the bulk of the regular session; by late 1975, seven could do so. One effect of early organization, as in California, Florida, Indiana, New Hampshire, and North Dakota, is to reduce greatly the "lame duck" interval between election and installation in office.

- In 1963, 24 States limited sessions to stipulated numbers of "calendar" days rather than to the more flexible "legislative" days; by 1975, only 10 used calendar-day limits, and of those only five imposed the same time limits as existed in 1963.

The effect of these and other changes has been to increase greatly the amount of time spent in actual session, regular and special. At least six Legislatures (California, Colorado, Massachusetts, Michigan, and South Carolina) spent over 200 legislative days in session in 1973-74; at least an additional 16 were in session over 100 legislative days (see Table 12).

For many legislators in all States, session time does not tell the whole story. Research committees and councils occupy a great deal of time between sessions; and the trend, noted below, toward utilization of standing committees to conduct interim studies and develop policy proposals is taking its toll in the time of legislators. This is especially true of legislative leaders.

#### COMMITTEES

Legislative modernization studies for over a generation have stressed the importance of improving and upgrading standing committees. Such studies have recommended a smaller number of committees, each with enlarged substantive scope; service by individual legislators on only a few committees; open committee meetings and advance notice of hearings; improved meeting room facilities; and adequate committee staff, both clerical and professional. The past 30 years have mirrored these ideas.

There has been a dramatic drop in the

<sup>1</sup>Alan Rosenthal, "Legislative Turnover in the States," *State Government*, summer 1974, pp. 148-52.

total number of committees serving legislative bodies. The following statistics illustrate the change from 1946 to 1975:

- In 1946, 40 Senates and 45 lower houses had committee totals ranging from 21 to 70; by 1975, 44 Senates and 35 lower houses had fewer than 21 committees each.

- The median number of Senate committees declined from 31 in 1946 to 20 in 1963 and to 12 in 1975; the median of House committees was 39 in 1946, 22 in 1963, and 17 in 1975.

Major reductions in committees were made during 1973-75 for both houses in Montana and Virginia, for Senates in Georgia and South Carolina, and for lower houses in Hawaii and Missouri. Some increases occurred, notably for both houses in Delaware and for the New York Assembly.

On one point—the use of joint referral or standing committees—Legislatures have disregarded the recommendations of numerous study groups. Only three States—Connecticut, Maine, and Massachusetts—relied on joint committees both in 1946 and 1975 for all or the bulk of session time hearings. Elsewhere, use of joint committees has actually declined since World War II, although some States, for interim study purposes, arrange for appropriate standing committees to meet jointly.

The consolidation of committees described above has resulted in the reduction in the number of substantive committees on which each legislator serves. The ultimate in this regard, one committee assignment only, now is practiced in both houses of the Maryland General Assembly, and in lower houses in New Hampshire, Rhode Island, South Carolina, and Vermont. Service on three committees or less now is the practice in some 29 Senates and 43 lower houses; service on as many as six committees occurs only for both houses in North Carolina, the Hawaii House, and the Mississippi, Missouri, and West Virginia Senates (see Table 13).

The upgrading of the role of the standing committee has had other impacts. Advance notice of hearings and of the bills to be considered now is the practice in

the majority of legislative bodies; and rules of committee procedure, which were rare a generation ago, now govern activities in over two thirds of the States. The requirement of hearings open to the media and the public was the exception in the 1940s; by the mid-1960s, open hearings were required in about 20 States, and the matter was discretionary with the committee or its chairman in the others. By 1975, open hearings were the rule for committees of all but about eight legislative bodies. The recording of roll-call votes in committee on pending bills was a rarity a generation ago. Today it is a requirement in the majority of Houses and Senates, is frequently practiced in most of the others, and in only a handful of States are such votes rarely or never reported (see Table 14).

#### BILLS AND THE LEGISLATIVE PRODUCT

The introduction, consideration, and disposition of bills is what the legislative process is all about. The traditions and drives which characterize the American system at both the federal and state levels are such as to put a premium on a large number of bill introductions: bills resulting from interim study; administration and departmental bills; bills filed to meet demands of local constituents and partisan or organized interest groups; bills to eliminate irrelevant material from the statutes; strictly local or personal claims bills, in some States; bills to meet early introduction deadlines in case they may be needed later; and others. The interplay of these factors results in an almost constant increase in the volume of bill introductions, with consequent burdens on staffs which must draft the bills or research them and follow their progress, on legislative committees which must consider them, and on the legislators who must vote on them.

A few statistics will illustrate this expansion over the past 20 years. Bills introduced totaled less than 1,000 in 18 States in 1954-55; in 11 States in 1964-65; and in only four States in 1973-74. At the upper end, total introductions exceeded 3,000 bills in six States in 1954-55, in 11 States in 1964-65, and in 20 States in 1973-74.

New York's introductions each biennium continue to exceed those of any other State, as they have for at least a generation: over 23,000 in 1973-74. Massachusetts consistently has been second, with over 18,000 in 1973-74. California was third in the mid-1950s; but a series of legislative reforms and modifications, including elimination of a very early introduction deadline, has altered the situation. The 5,874 introductions in 1954-55 contrast with only 7,022 in 1973-74. There seems, further, to be only casual correlation between overall population of a State and bill introductions: in 1973-74, the top 12 States in introductions included Connecticut, Hawaii, Louisiana, Minnesota, and Mississippi.

A comparison of introductions with enactments also shows some interesting contrasts. Twenty-one States in 1973-74 enacted over one third of the bills introduced. In contrast, Hawaii and New York enacted less than 10 percent of their respective introductions (see Table 12).

It is likely that State Legislatures in the next few years may turn their attention to methods for curtailing the number of bills introduced. Some may follow Connecticut's lead in providing for introduction of "proposals" early in the session in prose or narrative form rather than as fully drafted bills. These then are reduced to bill form only after committees have considered and acted on them favorably, frequently by combining two or more.<sup>2</sup>

#### THE ROLE OF LEADERSHIP

This article notes many of the diverse ways in which State Legislatures have responded in order to discharge their responsibilities in a period of growth and change. One of the most significant of these adaptations has been the expanded role of legislative leadership. That role is of major importance in a multimember body such as a Senate or House of Representatives, particularly in a time of rapidly expanding activity such as in the past one third of a century. For on leadership rests to a great extent the effectiveness of

a particular legislative body in discharging its business in a coordinated, timely manner and in maintaining good working relations with the other legislative body, with the Governor, and with its own members.

Many States until well after World War II had constitutional provisions, or clung to traditions and precedents, which militated against the development of strong legislative leadership. A large number of States were so heavily "one party" in voting behavior that partisan organization within their legislative bodies was nonexistent. In numerous "two-party" States, representatives of each party caucused at the outset of each session purely for organizational purposes and rarely, if ever, thereafter to establish voting positions on pending legislation. Many States had a one-term tradition for leadership posts such as House Speaker and Senate President or President Pro Tem. In all but one State which had a statewide elected Lieutenant Governor, that official served as President of the Senate and often exercised a range of leadership powers such as appointments to committees, referral of bills, and establishment of the daily calendar. Finally, in a large number of States, it was the Governor and not the members of a legislative body who selected the top legislative leaders.

In most States this pattern, by 1975, had changed dramatically—mirroring the legislative determination to be "bosses in their own houses." The changes, it should be noted, have been hastened by electoral shifts in numerous States which have resulted in election of Governors and legislative majorities belonging to different political parties.

By 1975, all but 10 legislative bodies in six States had formally designated partisan titles for legislative leadership. Those which had not were both houses in Alabama, Louisiana, Mississippi, and Texas; the South Carolina Senate; and the Nebraska nonpartisan unicameral Legislature (see Table 6). By 1976, 30 out of 42 statewide elected Lieutenant Governors presided over the Senate, and of those 30, the "legislative powers" of many had been measurably curtailed.

<sup>2</sup>David B. Ogle, "Joint Committee Operations and Bill Procedures in Connecticut," *State Government*, summer 1974, pp. 170ff.

The gubernatorial selection of legislative leadership has been on the wane for many years. The one-term tradition for legislative leaders likewise has been on the way out in all but a handful of jurisdictions.

Just as all legislators are now called upon to devote more time to public business, the demands on legislative leadership are correspondingly greater. Many States provide additional compensation to their presiding officers and other leaders, amounting to \$10,000 or more a year in added compensation in at least five States (see Table 9).

There are other factors which play a part in the exercise of leadership, of course, not necessarily revealed by a title: seniority and experience, service on a key committee such as a rules committee, or service as a committee chairman.

#### COMPENSATION

The basic compensation of legislators is computed in one of two ways: on a salary basis, covering all or part of the term of office; or on a daily (or weekly) pay basis, with payments limited to days of session or to a maximum compensable period. In recognition of the increasing amount of time which legislators must devote to public business, the long-term trend has been toward the salary arrangement. During World War II, less than one half the States used a salary basis; by 1965, 31 States used a salary base (three others used both salary and daily pay); by 1975, 35 States were using a salary base, while one other, Arkansas, used both salary and daily pay (see Table 7).

As recently as 1955, and for many years prior to that, actual levels of legislative compensation in a majority of States were fixed in the state constitution or by statutory action within prescribed limits set by the constitution. In that year, levels in 17 States were set by the constitution, in nine by a combination of constitutional and statutory action, and in 24 by legislative action.

In 1975 this pattern had altered significantly. In 10 States basic pay levels were rigidly fixed in the constitution. In six States compensation boards were established by constitution: Arizona (board

proposal submitted directly to voters); Oklahoma (board recommendation is final and binding); Maryland, Michigan, and West Virginia (board develops recommendation but Legislature may either reject or reduce); and Hawaii (board recommendation advisory only and Legislature sets salaries). In the remaining 34 States, salaries are set by the Legislature. However, of these 34, 13 States have a compensation commission established by law, one State (Wisconsin) utilizes the Bureau of Personnel to establish salary ranges, and one State (North Dakota) utilizes a compensation commission to establish expense allowances (see Table 10).

In addition to their basic compensation, most legislators receive supplemental compensation such as daily expense allowances during sessions or on legislative business, or lump-sum payments, or expense allowances between sessions. States increasingly are providing funds for secretarial and other assistance for the legislators, both during and between sessions. Many of these categories of allowances are shown in Tables 7 and 8. Allowances of these types are paid in all but a few States.

The growing practice of compensating legislators for their living expenses in 1974-75 drew the attention of the U.S. Internal Revenue Service. That agency has taken the position, in investigations involving California and Michigan legislators, that the capital cities rather than home districts are the principal place of business for the state legislators involved. In contrast, members of Congress, pursuant to a 1952 congressional act, are held to have their tax homes in the districts which elect them. The National Conference of State Legislatures spearheaded efforts to obtain congressional action to provide comparable relief for state legislators.

Because of the diversity of types of legislative compensation, it is difficult to make interstate comparisons. Table A on "Estimated Biennial Compensation of Legislators, 1974-75" has been prepared to overcome some of these difficulties. As the footnote to the table indicates, the figures include salary, daily pay, and unvouch-

TABLE A

## ESTIMATED BIENNIAL COMPENSATION OF LEGISLATORS, 1974-75\*

State	Biennial compensation	Pay basis	State	Biennial compensation	Pay basis
New Hampshire	\$ 200(a)	S	Georgia	\$18,432	S(b)
Rhode Island	600	D	Kansas	18,928	D(b)
Utah	3,200	D	Arizona	19,170	S(b)
Wyoming	3,348	D(b)	Tennessee	19,909	S(b)
Arkansas	3,600(a)	S&D(c)	Oklahoma	19,920	S
New Mexico	3,600	D	New Jersey	20,000	S
Maine	4,250(a)	S(b)	Oregon	20,010(a)	S(b)
North Dakota	6,540(a)	D(b)	Delaware	21,050	S(b)
Montana	6,954(a)	D(b)	Indiana	21,420	S(b)
South Dakota	7,475	S(b)	Iowa	21,580	S(b)
Idaho	7,535	D(b)	Minnesota	23,862	S(b)
Nevada	8,260(a)	D(b)	Maryland	25,000	S(c)
Vermont	8,430	D(b)	Virginia	25,850	S(b)
Nebraska	10,000	S(b)	Mississippi	26,480	S(b)
Washington	11,200(a)	S(b)	Florida	27,125	S(b)
Kentucky	12,350(a)	D(b)	Massachusetts	27,776	S(b)
West Virginia	12,600	S(b)	Hawaii	25,000 or 28,960	S(b)
Alabama	12,940	D(b)	Pennsylvania	31,200	S
Connecticut	13,000	S(b)	Wisconsin	31,356	S(c)
South Carolina	14,400	D(b)	Ohio	35,000	S
Colorado	15,200	S	Michigan	38,000	S
Missouri	16,800	S	Alaska	42,165 or 43,920	S(b)
Texas	17,400(a)	S(b)	Illinois	49,424	S(b)
North Carolina	17,635	S(b)	New York	55,400 or 57,500	S(b)
Louisiana	18,000	D(b)	California	64,140	S(b, c)

\*Includes salary, daily pay, and unvouchered expense allowances. Excludes special session compensation, per diem business allowances, mileage and transportation, and all vouchered expenses. In instances where daily pay or expenses were provided, days in session were estimated on the basis of days in session in 1973-74 from Table 12.

D—Daily or weekly pay basis.

S—Salary basis.

(a) Actually has been meeting only in biennial session.

(b) Additional expense payments are made and are included in compensation shown.

(c) Variable payments are made in interim but are not included in compensation shown.

ered expense allowances, but exclude all vouchered expenses and variable items such as mileage, as well as special session compensation. Where it was necessary to compute pay and expenses on the basis of days or weeks, the regular sessions of 1973-74 were used.

Some interesting conclusions emerge from an examination of this table. In general, lower compensation is paid in biennial session States than in annual: nine of the 10 States which in fact meet biennially are below the median biennial figure which is between \$18,000 and \$18,432. Daily pay plan legislators fare more poorly than those paid salaries: 13 of the 14 daily (or weekly) pay States are below the median. Fixing of compensation in the constitution results in lower pay: all of the 6 States where the compensation is constitutionally set are below the median. There is a positive correlation between higher compensation levels

and annual sessions, salary pay base, and establishment of compensation by the Legislature or compensation commissions. With notable exceptions, there is some positive correlation between population of a State and the compensation paid to its legislators.

A similar table was carried in the 1966-67 *Book of the States* to reflect the situation existing in 1964-65. A comparison of that table with the one carried here shows that only three States—New Hampshire, Rhode Island, and Arkansas—compensated at the same level in both biennia. Arkansas legislators, however, now receive appreciable vouchered allowances, not shown on the table, which were not granted to them in 1964-65. The median biennial compensation figure in 1964-65 was between \$4,517 and \$4,800, in contrast to today's median between \$18,000 and \$18,432. Michigan legislators in the previous biennium were the



TABLE B

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

\*Source: *State Government Finances* for selected years, Series GF, 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.

highest paid, with a total of \$25,000; today's highest is the \$64,140 paid California's lawmakers.

The compensation increases which have occurred during the past decade have been considerable, but they should be viewed against the twin facts of greater amount of time devoted by legislators to the public business and the rapid rate of inflation during these recent years.

#### LEGISLATIVE BRANCH EXPENDITURES

Legislative compensation is but one element that enters into total legislative branch expenditures. These also include the cost of the expanding staffs which serve the lawmakers, materials and supplies, improved facilities, and other factors. Together, these legislative costs rose between fiscal years 1963 and 1974 from \$87.7 million to \$321.5 million. That is a sizeable increase, indeed; but, as Table B indicates, legislative expenditures as a percentage of total expenditures for general control of state government remained somewhat constant.

#### FACILITIES AND EQUIPMENT

It is only since the early 1960s that significant steps on a widespread basis have been taken to provide state legislators and their staffs with adequate space within which to function. In 1963, for ex-

ample, office space on either an individual or shared basis was available to all legislators in only four States—California, Florida, North Carolina, and Texas. By late 1975, individual offices were provided for legislators in 19 States and shared office space in eight other States (see Tables 19 and 20).

Maryland and Tennessee in 1974–75 opened excellent new facilities for their legislators. Maryland's legislative facilities program, which includes separate buildings for the Senate and the House, will be completed in 1976 when a new legislative services building will be occupied.

Possibilities of adapting electronic data processes (EDP) and equipment to aid the Legislatures began to attract widespread attention in the early and mid-1960s. A decade later, by 1975, all but two or three Legislatures were making some use of EDP (see Table 21). A majority use such processes to retrieve needed statutes and data affecting fiscal and budgetary matters, or to give instant information on the status of bills.

Other widespread uses of computer processes include bill drafting and typing, photocomposition, the handling of legislative payrolls, and even in redrawing legislative district lines for reapportionment purposes.

## LEGISLATIVE STAFFING

Legislators have continued to be aware of the need to equip themselves with staff in adequate numbers and with professional competence.

Legislative staff must serve several different purposes. Staff is needed to accomplish: the institutional processes of the Legislature—record bill introductions, track committee and floor actions, and maintain information on legislative enactments; the legal processes of the Legislature—bill drafting, statute revision and codification, and legal counseling; the management of the legislative institution—personnel procedures, housing space and equipment, internal budgeting, and fiscal control; the overview of governmental management—fiscal review, compliance, program and evaluation audits, and oversight of administrative procedures; and program and political information development and management—spot research and policy analysis research. Not only are State Legislatures challenging the proper balance of power between the legislative and executive branches of government through their expanded staff resources, but the balance of power within Legislatures is often being altered by the internal distribution of staff.

In each of the major areas mentioned above, professional competence has been upgraded and expanded. For example, there are now at least 30 States which maintain full-time, year-round clerks and secretaries. These officers have staffs that range in size from six to almost 600 full- and part-time employees, and they perform a range of duties from simple bill processing to total administrative management of their respective chambers.

A trend in recent years has been to consolidate the internal administrative management of the Legislature under the control of a specifically designated individual or agency. The three States having accomplished this in the past biennium demonstrate the different techniques possible in achieving this end. Utah, following the earlier examples of Connecticut and Florida, abolished its legislative council in 1975 and organized staff under

a Legislative Management Committee to perform the legislative management function. Missouri provided each chamber with an administrator who is responsible to that Chamber's Accounts Committee. In Maryland, an assistant for administration works under the direction of the Senate President and the House Speaker.

In a number of States the creation of formal management techniques and officers resulted in the development of more formal legislative personnel policies. Several States developed employee classification and pay plans—Connecticut, Florida, Hawaii, Louisiana, Maine, Minnesota, and South Dakota are some examples.

A basic necessity of all Legislatures is information. There are many sources for this information and many levels of complexity are required. Legislatures began supplying themselves with staff resources to provide information with the creation of legislative reference bureaus. The next development was legislative councils with full-time, year-round staffs. Now legislative staffing is diversified and multi-layered (see Table 23).

Research staff can be located within a joint, nonpartisan agency such as a reference bureau or legislative council. It can be organized on a nonpartisan basis for each individual chamber. It can be organized on a partisan basis to serve each party either through the top chamber leadership or through a more formally organized caucus. The trend in recent years and one which has continued in this biennium, however, is to increase the research and staff capacity of the standing substantive committees of the Legislatures.

One of the first substantive areas Legislatures felt the need for staff was in the financial management area. Continuing the trend of several years, almost all Legislatures now have some staff capability to review state fiscal and audit actions. Forty-four States have some type of legislative audit capacity. South Carolina, the most recent addition, established a Legislative Audit Council in 1975. The trend continues to emphasize management or program, and performance or evaluation audits, rather than strict financial or compliance audits. The number of Legisla-

tures emphasizing this type of financial oversight has grown to approximately 14. All 50 Legislatures provide themselves with the staff capacity to review and analyze budget and fiscal actions of their States. Alabama and Montana created independent offices for fiscal analysis in 1975. In a new direction, Oregon created a Joint Committee on Revenue in 1975.

Committee staffing spread from the fiscal-audit areas to cover other substantive committees. To date, practically all States provide some, if not all, standing committees with either secretarial/clerical or professional staff, in most cases with both (see Table 22). In the past biennium, the South Carolina House provided professional staff assistance to each standing committee for the first time.

Over one half the States now allow standing committees to function virtually year-round either as standing committees or as subcommittees of an umbrella organization such as a legislative council. The expanded time frame of legislative committee activity has increased the need for staff more directly related to committee activities. These committees have become more oriented toward research and investigation preceding bill drafting.

As a consequence of the research activities of standing committees, the importance of staff resources devoted to interim in-depth research projects has somewhat diminished. To fill the need for long-term legislative research, some States are adding the capability to perform this research in addition to committee staffing needs. The New York Senate organized a Task Force on Critical Problems in 1975. Another development within the past biennium has been the development of specialized staffs working in the technical and scientific areas. There are now 12 States with such staffs. In addition, several States, e.g., Florida, Minnesota, and Texas, have hired specialized energy staff assistance.

Another trend in the diversification of staff services has been to provide staff or funds for staff to individual legislators.

Almost all Legislatures provide, at a minimum, secretarial assistance on a pool basis during the sessions. At least 18 States have expanded staff services for individual legislators to a year-round basis. In Tennessee, some urban delegations are provided office space and staff help through local appropriations by the county and/or city they represent. These staff assistants serve as administrative aides, public relations aides, researchers, or in any other capacity the legislator feels is necessary. In at least two States, California and Louisiana, specific staff assistance is provided for the legislator's home district office.

Legislators in some States who feel that the existing institutional and individual staff resources available to them are inadequate, have taken steps to correct the situation. In Maryland and Texas, groups of legislators are assessing themselves to pay for additional staff aid.

The trend toward larger and more diversified staff resources, funded from different sources, will probably continue through the coming years. After years of neglect, Legislatures are trying to catch up with the rest of state government in their capacity to deal with the complexities of modern life and its demands on the States' citizens.

#### SELECTED REFERENCES\*

- State Legislative Appropriations Process*, 1975.
- Ways and Means (Recommendations for the Legislative Appropriations Process)*, 1974.
- Meeting the Challenge (State Legislative Scientific and Technical Staff Functions)*, 1975.
- Guidelines for State Legislation on Government Ethics and Campaign Financing*, 1974.
- Improving the 1980 Census*, 1974.
- State Government*, Vol. XLII, no. 3, summer 1974.
- Selected State Officials and the Legislatures*, which includes legislative leaders, committees, and committee chairmen, 1975.
- State Use of Electronic Data Processing*, 1974.
- Principal Legislative Staff Offices*, 1976.
- Ethics: State Conflict of Interest/Financial Disclosure Legislation, 1972-75*, 1975.
- State Legislative Leaders: 1976*.

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\*The materials listed are published by the Council of State Governments.

# THE LEGISLATURES

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TABLE 1

## 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
Puerto Rico.....	Legislative Assembly	Senate	House of Representatives	Capitol
TTPI.....	Congress of Micronesia	Senate	House of Representatives	Congress Building
Virgin Islands.....	Legislature	(d)	...	Government House

(a) Senate Wing, House Wing.

(b) Capitol South Wing; Senate; Capitol North Wing; House.  
(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.

TABLE 2  
APPORTIONMENT OF LEGISLATURES:  
SENATE

State or other jurisdiction	Initial reapportioning agency	Present apportionment by	Year of most recent apportionment	Number of seats	Number 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)
								+	-	
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(b)	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	3.9	3.9	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	3.07	3.02	84,791
Louisiana.....	L	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	G, L	1973	47	47	0	1	5.3	4.7	83,455
Massachusetts.....	L	L	1973	40	40	0	1	3.53	3.67	138,493(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	1972	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(f)
West Virginia.....	L	L	1964(g)	34	17	17	2	34.5	31.0	54,718
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
Virgin Islands.....	L	L	1972	15	3	2	7	N.A.	N.A.	4,461

Abbreviations: 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) Effective 1976 election.

(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 1971 special State Decennial Census of state citizens.

(f) Based on civilian or nonstudent population.

(g) Further consideration anticipated in 1976.

# THE LEGISLATURES

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TABLE 3  
APPORTIONMENT OF LEGISLATURES:  
HOUSE

State or other jurisdiction	Initial reapportioning agency	Present apportionment by	Year of most recent apportionment	Number of seats	Number of districts	Number of multi- member districts	Largest number of seats in district	Percent deviation in actual v. average population per seat		Average population 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	L	1972(b)	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	1.0	1.0	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	1972	100	100	0	1	3.1	3.9	32,193
Louisiana.....	L	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	G, L	1973	141	47	47	3	5.3	4.7	27,818
Massachusetts.....	L	L	1973	240	240	0	1	9.94	9.06(f)	23,232(g)
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.....	Uncameral Legislature			...	...	...	...	...	...	...
Nevada.....	L	L	1973	40	40	0	1	10.9	12.1	12,218
New Hampshire.....	L	L	1971	400	159	109	11	25.3	19.3	1,813(h)
New Jersey.....	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(h)
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
Virgin Islands.....	Uncameral Legislature			...	...	...	...	...	...	...

Abbreviations: 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) Effective 1976 election.

(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) This figure excludes two geographical island districts whose deviations are -73.5 and -81.77.

(g) Based on 1971 special State Decennial Census of state citizens.

(h) Based on civilian or nonstudent population.

TABLE 4  
THE LEGISLATORS  
Numbers, Terms, and Party Affiliations  
As of late 1975

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.....	35	0	...	35	4	105	0	...	105	4	140
Alaska.....	13	7	...	20	4	30	9	...	40(a)	2	60
Arizona.....	18	12	...	30	2	27	33	...	60	2	90
Arkansas.....	34	1	...	35	4	98	2	...	100	2	135
California.....	25	15	...	40	4	55	25	...	80	2	120
Colorado.....	16	19	...	35	4	39	26	...	65	2	100
Connecticut.....	29	7	...	36	2	118	33	...	151	2	187
Delaware.....	13	8	...	21	4	25	16	...	41	2	62
Florida.....	27	12	...	40(a)	4	86	34	...	120	2	160
Georgia.....	51	5	...	56	2	155	24	1	180	2	236
Hawaii.....	18	7	...	25	4	35	16	...	51	2	76
Idaho.....	13	22	...	35	2	27	43	...	70	2	105
Illinois.....	34	25	...	59	(b)	101	76	...	177	2	236
Indiana.....	23	27	...	50	4	56	44	...	100	2	150
Iowa.....	26	24	...	50	4	61	39	...	100	2	150
Kansas.....	14	26	...	40	4	53	72	...	125	2	165
Kentucky.....	30	8	...	38	4	78	22	...	100	2	138
Louisiana.....	38	1	...	39	4	101	4	...	105	4	144
Maine.....	14	19	...	33	2	91	59	...	151(a)	2	184
Maryland.....	39	8	...	47	4	126	15	...	141	4	188
Massachusetts..	33	7	...	40	2	190	45	2	240(a)	2	280
Michigan.....	24	14	...	38	4	66	44	...	110	2	148
Minnesota.....	38	28	...	67(a)	4	103	31	...	134	2	201
Mississippi.....	50	2	...	52	4	119	3	...	122	4	174
Missouri.....	23	11	...	34	4	114	49	...	163	2	197
Montana.....	30	20	...	50	4(c)	67	33	...	100	2	150
Nebraska.....	Nonpartisan election					Unicameral Legislature					49
Nevada.....	17	3	...	20	4	31	9	...	40	2	60
New Hampshire..	12	12	...	24	2	167	233	...	400	2	424
New Jersey.....	29	10	...	40(a)	4(d)	49	31	...	80	2	120
New Mexico.....	29	13	...	42	4	51	19	...	70	2	112
New York.....	26	34	...	60	2	88	62	...	150	2	210
North Carolina..	49	1	...	50	2	111	9	...	120	2	170
North Dakota....	17	34	...	51	4	40	62	...	102	2	153
Ohio.....	21	12	...	33	4	59	40	...	99	2	132
Oklahoma.....	39	9	...	48	4	76	25	...	101	2	149
Oregon.....	22	7	...	30(a)	4	38	22	...	60	2	90
Pennsylvania....	29	20	1	50	4	114	89	...	203	2	253
Rhode Island....	46	4	...	50	2	83	17	...	100	2	150
South Carolina..	44	2	...	46	4	107	17	...	124	2	170
South Dakota....	19	16	...	35	2	33	37	...	70	2	105
Tennessee.....	20	12	...	33(a)	4	63	35	...	99(a)	2	132
Texas.....	28	3	...	31	4	134	16	...	150	2	181
Utah.....	15	14	...	29	4	40	35	...	75	2	104
Vermont.....	12	18	...	30	2	65	75	...	150(a)	2	180
Virginia.....	35	5	...	40	4	78	17	...	100(a)	2	140
Washington.....	30	19	...	49	4	62	36	...	98	2	147
West Virginia...	26	8	...	34	4	86	14	...	100	2	134
Wisconsin.....	19	14	...	33	4	63	36	...	99	2	132
Wyoming.....	15	15	...	30	4	29	32	...	62(a)	2	92
All States.....	1,307	620	1	1,982	...	3,793	1,765	3	5,583	...	7,565
American Samoa	Nonpartisan election					Nonpartisan election					39
Guam.....	9	12	...	21	2	Unicameral Legislature					21
Puerto Rico.....	20(e)	8(f)	...	29(a)	4	38(e)	13(f)	...	54(a)	4	83(g)
Virgin Islands...	9	1	...	15(a)	2	Unicameral Legislature					15

(a) The following members in current Legislatures are not Democrats or Republicans: Alaska 1; Florida 1; Maine 1; Massachusetts 3; Minnesota 1; New Jersey 1; Oregon 1; Tennessee, Senate 1, House 10; Virginia 5; Wyoming 1; All States: Senate 5, House 22. Puerto Rico, Senate 1, House 3; Virgin Islands 5.

(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) Lots were drawn in 1974 for Senators serving 2-year or

4-year terms. Senators drawing 2-year terms run for a full 4-year term next election. Procedure is to be followed after each reappointment.

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

(e) Popular Democrat Party.

(f) New Progressive 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 a maximum of 104 members.

TABLE 5  
MEMBERSHIP TURNOVER IN THE LEGISLATURES—1974\*

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	24	69	105	77	73
Alaska.....	20(b)	9	45	40	23	58
Arizona.....	30	15	50	60	18	30
Arkansas.....	35(b)	3	9	100	16	16
California.....	40(b)	11	28	80	28	35
Colorado.....	35(b)	12	34	65	29	45
Connecticut.....	36	19	53	151	77	51
Delaware.....	21(b)	3	14	41	13	32
Florida.....	40(b)	11	28	120	44	37
Georgia.....	56	20	36	180	68	38
Hawaii.....	25	9	36	51	22	43
Idaho.....	35	8	23	70	22	31
Illinois.....	59(b)	8	14	177	43	24
Indiana.....	50(b)	8	16	100	36	36
Iowa.....	50(b)	9	18	100	30	30
Kansas.....	40	No election	...	125	38	30
Kentucky.....	38(b)	13	34	100	37	37
Louisiana.....	39	No election	...	105	No election	...
Maine.....	33	15	45	151	74	49
Maryland.....	47	19	40	141	63	45
Massachusetts.....	40	6	15	240	63	26
Michigan.....	38	16	42	110	32	29
Minnesota.....	67	No election	...	134	55	41
Mississippi.....	52	No election	...	122	No election	...
Missouri.....	34(b)	7	21	163	33	20
Montana.....	50	33	66	100	58	58
Nebraska.....	49(b)	12	24	Unicameral	...	...
Nevada.....	20(b)	5	25	40	17	43
New Hampshire.....	24	5	21	400	171	43
New Jersey.....	40	23	58	80	44	55
New Mexico.....	42(b)	3	7	70	18	26
New York.....	60	10	17	150	43	29
North Carolina.....	50	25	50	120	51	43
North Dakota.....	51(b)	9	18	102	33	32
Ohio.....	33(b)	9	27	99	19	19
Oklahoma.....	48(b)	10	21	101	32	32
Oregon.....	30(b)	10	33	60	20	33
Pennsylvania.....	50(b)	8	16	203	45	22
Rhode Island.....	50	24	48	100	28	28
South Carolina.....	46	No election	...	124	54	44
South Dakota.....	35	13	37	70	23	33
Tennessee.....	33(b)	5	15	99	28	28
Texas.....	31(b)	4	13	150	33	22
Utah.....	29(b)	3	10	75	22	29
Vermont.....	30	10	33	150	54	36
Virginia.....	40	No election	...	100	21	21
Washington.....	49(b)	15	31	98	10	10
West Virginia.....	34(b)	4	12	100	57	57
Wisconsin.....	33(b)	6	18	99	25	25
Wyoming.....	30(b)	8	27	62	24	39
Guam.....	21	8	38	Unicameral	...	...
Puerto Rico.....	29	No election	...	54	No election	...

\*Source: National Conference of State Legislatures. Data is for the 1974 elections except for Kentucky, Mississippi, New Jersey, and Virginia (1973).

(a) This table reflects percentage of turnovers based on total

membership of the Legislatures. In the *Book of the States, 1974-75*, turnover percentages were based on the number of persons up for election in the Legislatures.

(b) Entire Senate membership not up for election.



TABLE 6

ELECTED AND APPOINTED LEGISLATIVE OFFICERS AND LEADERS  
(Titles in capital letters are formally elected or confirmed by all members of their respective chambers)

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

TABLE 6—Continued

ELECTED AND APPOINTED LEGISLATIVE OFFICERS AND LEADERS  
(Titles in capital letters are formally elected or confirmed by all members of their respective chambers)

<i>State or other jurisdiction</i>	<i>Chamber</i>	<i>Leaders</i>
<b>Michigan</b> .....	Senate	PRES. (Lt. Gov.); PRES. PRO TEM.; ASST. PRES. PRO TEM.; 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.
	House	SPKR.; SPKR. PRO TEM.; ASSOC. SPKR. PRO TEM.; Maj. Flr. Ldr.; Asst. Maj. Flr. Ldrs. (2); Maj. Caucus Chmn.; Asst. Maj. Caucus Chmn. (2); Maj. Caucus Secy.; Maj. Whips (6); Min. Ldr.; Asst. Min. Ldr.; Min. Flr. Ldr.; Asst. Min. Flr. Ldr.; Min. Caucus Chmn.; Asst. Min. Caucus Chmn.; Min. Flr. Whip
<b>Minnesota</b> .....	Senate	PRES.; Maj. Ldr.; Asst. Maj. Ldr.; Maj. Whip; Min. Ldr.; Asst. Min. Ldrs. (3); Min. Flr. Ldr.; Min. Whip; Dpty. Min. Whip
	House	SPKR.; Maj. Ldr.; Asst. Maj. Ldrs. (2); Min. Ldr.; Asst. Min. Ldrs. (4)
<b>Mississippi</b> .....	Senate	PRES. (Lt. Gov.); PRES. PRO TEM.
	House	SPKR.
<b>Missouri</b> .....	Senate	PRES. (Lt. Gov.); PRES. PRO TEM.; Maj. Flr. Ldr.; Asst. Maj. Flr. Ldr.; Min. Flr. Ldr.
	House	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.
<b>Montana</b> .....	Senate	PRES.; PRES. PRO TEM.; MAJ. FLR. LDR.; Maj. Whip; MIN. FLR. LDR.; Min. Whip
	House	SPKR.; SPKR. PRO TEM.; MAJ. FLR. LDR.; Maj. Whip; MIN. FLR. LDR.; Min. Whip
<b>Nebraska</b> .....	Legislature	PRES. (Lt. Gov.); SPKR.
<b>Nevada</b> .....	Senate	PRES. (Lt. Gov.); PRES. PRO TEM.; Maj. Flr. Ldr.; Asst. Maj. Flr. Ldr.; Min. Flr. Ldr.
	Assembly	SPKR.; SPKR. PRO TEM.; Maj. Flr. Ldr.; Min. Flr. Ldr.
<b>New Hampshire</b> ...	Senate	PRES.; V-Pres.; Maj. Ldr.; Asst. Maj. Ldr.; Whip; Min. Ldr.; Dpty. Whip
	House	SPKR.; Maj. Ldr.; Asst. Maj. Ldr.; Maj. Whip; Min. Ldr.; Asst. Min. Ldr.; Min. Whip
<b>New Jersey</b> .....	Senate	PRES.; PRES. PRO TEM.; Maj. Ldr.; Asst. Maj. Ldr.; Maj. Whips (3); Min. Ldr.; Asst. Min. Ldr.; Min. Whip
	General Assembly	SPKR.; SPKR. PRO TEM.; Maj. Ldr.; Assoc. Maj. Ldr.; Asst. Maj. Ldr.; Maj. Whips (2); Min. Ldr.; Asst. Min. Ldr.; Min. Whip
<b>New Mexico</b> .....	Senate	PRES. (Lt. Gov.); PRES. PRO TEM.; Maj. Flr. Ldr.; Maj. Whip; Min. Flr. Ldr.; Min. Whip
	House	SPKR.; Maj. Flr. Ldr.; Maj. Whip; Min. Flr. Ldr.; Min. Whip
<b>New York</b> .....	Senate	PRES. (Lt. Gov.); PRES. PRO TEM./MAJ. LDR.; Dpty. Maj. Ldr.; Min. Ldr.; Dpty. Min. Ldr.
	Assembly	SPKR.; Spkr. Pro Tem.; Maj. Ldr.; Dpty. Maj. Ldr.; Asst. Maj. Ldr.; Maj. Whip; Min. Ldr.; Dpty. Min. Ldr.; Asst. Min. Ldr.; Min. Whip
<b>North Carolina</b> ....	Senate	PRES. (Lt. Gov.); PRES. PRO TEM./MAJ. LDR.; Asst. Maj. Ldr.; Min. Ldr.
	House	SPKR.; SPKR. PRO TEM./MAJ. LDR.; Maj. Whip; Min. Ldr.; Min. Whip
<b>North Dakota</b> .....	Senate	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.
	House	SPKR.; Maj. Flr. Ldr.; Asst. Maj. Flr. Ldr.; Maj. Caucus Chmn.; Min. Flr. Ldr.; Asst. Min. Flr. Ldr.; Min. Caucus Chmn.
<b>Ohio</b> .....	Senate	PRES. (Lt. Gov.); PRES. PRO TEM./MAJ. LDR.; ASST. PRES. PRO TEM.; MAJ. WHIP; MIN. LDR.; ASST. MIN. LDR.; MIN. WHIP
	House	SPKR.; SPKR. PRO TEM.; MAJ. FLR. LDR.; ASST. MAJ. FLR. LDR.; MAJ. WHIP; MIN. LDR.; MIN. WHIP
<b>Oklahoma</b> .....	Senate	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.
	House	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.
<b>Oregon</b> .....	Senate	PRES.; PRES. PRO TEM.; Maj. Ldr.; Asst. Maj. Ldrs. (2); Min. Ldr.; Asst. Min. Ldr.; Min. Whip
	House	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
<b>Pennsylvania</b> .....	Senate	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.
	House	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.
<b>Rhode Island</b> .....	Senate	PRES. (Lt. Gov.); PRES. PRO TEM.; DPTY. PRES. PRO TEM.; Maj. Ldr.; Dpty. Maj. Ldrs. (4); Maj. Whip; Min. Ldr.; Dpty. Min. Ldr.
	House	SPKR.; 1st Dpty. Spkr.; Maj. Ldr.; Dpty. Maj. Ldrs. (4); Min. Ldr.; Dpty. Min. Ldrs. (3)
<b>South Carolina</b> ...	Senate	PRES. (Lt. Gov.); PRES. PRO TEM.
	House	SPKR.; SPKR. PRO TEM.; SPKR. EMERITUS; Maj. Ldr./Maj. Caucus Chmn.; Maj. Caucus V-Chmn.; Min. Ldr.; Asst. Min. Ldr.; Min. Whip

TABLE 6—Concluded

ELECTED AND APPOINTED LEGISLATIVE OFFICERS AND LEADERS  
(Titles in capital letters are formally elected or confirmed by all members of their respective chambers)

<i>State or other jurisdiction</i>	<i>Chamber</i>	<i>Leaders</i>
<b>South Dakota</b> .....	Senate	Pres. (Lt. Gov.); PRES. PRO TEM.; Maj. Ldr.; Asst. Maj. Ldr.; Min. Ldr.; Asst. Min. Ldr.
	House	SPKR.; SPKR. PRO TEM.; Maj. Ldr.; Asst. Maj. Ldr.; Min. Ldr.; Asst. Min. Ldr.
<b>Tennessee</b> .....	Senate	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.; Parliamentary
	House	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.
<b>Texas</b> .....	Senate	Pres. (Lt. Gov.); PRES. PRO TEM.
	House	SPKR.; Spkr. Pro Tem.
<b>Utah</b> .....	Senate	PRES.; Maj. Ldr.; Maj. Whip; Min. Ldr.; Min. Whip
	House	SPKR.; Maj. Ldr.; Maj. Whip; Asst. Maj. Whip; Min. Ldr.; Min. Whip; Asst. Min. Whip
<b>Vermont</b> .....	Senate	Pres. (Lt. Gov.); PRES. PRO TEM./Maj. Ldr.; Min. Ldr.; Min. Whip
	House	SPKR.; Maj. Ldr.; Maj. Whip; Min. Ldr.; Min. Whip
<b>Virginia</b> .....	Senate	Pres. (Lt. Gov.); PRES. PRO TEM.; Maj. Ldr.; Min. Ldr.
	House	SPKR.; Maj. Ldr.; Maj. Caucus Chmn.; Min. Ldr.; Min. Caucus Chmn.
<b>Washington</b> .....	Senate	Pres. (Lt. Gov.); PRES. PRO TEM.; V-Pres. Pro Tem.; Maj. Flr. Ldr.; Maj. Whip; Maj. Caucus Chmn.; Maj. Caucus V-Chmn.; Maj. Caucus Secy.; Min. Flr. Ldr.; Asst. Min. Flr. Ldr.; 2nd Asst. Min. Flr. Ldr.; Min. Whip; Min. Caucus Chmn.; Min. Caucus V-Chmn.; Min. Caucus Secy.
	House	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. Ldrs. (2); Min. Whip; Asst. Min. Whip; Min. Caucus Chmn.; Min. Caucus V-Chmn.; Min. Org. Ldr.; Caucus Coordinator
<b>West Virginia</b> .....	Senate	PRES.; Pres. Pro Tem.; Maj. Ldr.; Min. Ldr.
	House	SPKR.; Maj. Ldr.; Maj. Cauc. Chmn.; Maj. Whip; Min. Ldr.; Min. Whip
<b>Wisconsin</b> .....	Senate	Pres. (Lt. Gov.); PRES. PRO TEM.; Maj. Ldr.; Asst. Maj. Ldr.; Maj. Caucus Chmn.; Maj. Caucus Secy.; Min. Ldr.; Asst. Min. Ldr.; Min. Caucus Chmn.; Min. Caucus Secy.
	Assembly	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
<b>Wyoming</b> .....	Senate	PRES.; V-PRES.; Maj. Flr. Ldr.; Min. Flr. Ldr.
	House	SPKR.; SPKR. PRO TEM.; Maj. Ldr.; Min. Ldr.
<b>American Samoa</b> ..	Senate	PRES.; PRES. PRO TEM.
	House	SPKR.
<b>Guam</b> .....	Legislature	SPKR.; V-SPKR.; Maj. Ldr.; Maj. Whip; Min. Ldr.; Min. Whip
<b>Puerto Rico</b> .....	Senate	PRES.; V-Pres.
	House	SPKR.; V-Pres.
<b>TTPI</b> .....	Senate	PRES.; V-PRES.
	House	SPKR.; V-SPKR.
<b>Virgin Islands</b> .....	Legislature	PRES.; V-PRES.; MAJ. LDR.; MIN. LDR.; PRES. PRO TEM.

TABLE 7  
LEGISLATIVE SALARIES AND RETIREMENT SYSTEMS  
As of late 1975

State or other jurisdiction	Constitutional provisions for salaries	Regular sessions			Other salaried compensation			Retirement	
		Per diem		Salary (biennial total)	Special sessions		Committee business, amount per day	Retirement system—type	Membership—type
		Amount per day	Limit on days		Amount per day	Limit on days			
Alabama.....	Cn	\$10	30L	.....	\$10	30L	\$50	None	..
Alaska.....	Lg	..	..	\$29,440	..	..	..	SL(a)	Cm
Arizona.....	CB;RF	..	..	12,000	..	..	..	PE	Cm
Arkansas.....	Cn	20	60C(b)	2,400	6	None(c)	45	PE(d)	Cm
California.....	Lg	..	..	42,240(e)	..	..	..	SL	Op
Colorado.....	Lg	..	..	15,200	..	..	35(f)	PE	Op
Connecticut.....	Lg	..	..	11,000	25(g)	None	..	SL	Op
Delaware.....	Lg	..	..	18,000	..	..	..	PE	Cm
Florida.....	Lg	..	..	24,000	..	..	..	(h)	(h)
Georgia.....	Lg	..	..	14,400	..	..	..	PE	Cm
Hawaii.....	Lg;CB	..	..	24,000	..	..	..	PE	Op
Idaho.....	Cn	10	60C	.....	10	20C	..	PE	Cm
Illinois.....	Lg	..	..	40,000	..	..	..	SL	Op
Indiana.....	Lg	..	..	12,000	35	30L	..	None	..
Iowa.....	Lg	..	..	16,000	40	None	40	None	..
Kansas.....	Lg	35	None(l)	.....	35	None	35	PE	Op
Kentucky.....	Lg	25	60L(j)	.....	25	None	25	PE	Cm
Louisiana.....	Lg	50	60L	.....	50	30C	50	PE	Op
Maine.....	Lg	..	..	3,850	25	None	25	PE	Op
Maryland.....	Lg;CB	..	..	25,000	..	..	..	SL	Op
Massachusetts.....	Lg	..	..	25,376	..	..	..	PE	Op
Michigan.....	Lg;CB	..	..	38,000	..	..	..	SL	Op
Minnesota.....	Lg	..	..	16,800	..	..	..	SL	Cm
Mississippi.....	Lg	..	..	16,200	..	..	..	PE	Cm(k)
Missouri.....	Lg	..	..	16,800	..	..	..	PE	Cm
Montana.....	Lg	20(e)	90L	.....	20	None	20	PE	Op
Nebraska.....	Cn	..	..	9,600	..	..	..	None	..
Nevada.....	Lg	60	60L	.....	60	20L	40(l)	SL	Cm
New Hampshire.....	Cn	..	..	200	3	15L	..	None	..
New Jersey.....	Lg	..	..	20,000	..	..	..	PE;SL	Cm
New Mexico.....	Cn	40	60C(l)	.....	40	30C	40	PE(d)	Op
New York.....	Lg	..	..	47,000	..	..	..	PE(m)	Op
North Carolina.....	Lg	..	..	9,600	..	..	..	None	..
North Dakota.....	Cn	5	60L	.....	5	None	30	PE(d)	Op
Ohio.....	Lg	..	..	35,000	..	..	..	PE	Op
Oklahoma.....	CB	..	..	19,920	..	..	25(n)	PE	Cm
Oregon.....	Lg	..	..	10,560(e)	..	..	..	PE	Op
Pennsylvania.....	Lg	..	..	31,200	..	..	..	PE	Op
Rhode Island.....	Cn	5	60L	.....	..	..	..	PE(d)	Op
South Carolina.....	Lg	175	40L	.....	175	40L	25	SL	Cm
South Dakota.....	Lg	..	..	5,000	67.67	None	25	None	..
Tennessee.....	Lg	..	..	12,481(o)	..	..	..	PE	Op
Texas.....	Cn	..	..	14,400	..	..	..	SL	Op
Utah.....	Cn	25	60C(l)	.....	25	30C	25	SL	Op
Vermont.....	Lg	30	(p)	.....	..	..	30	None	..
Virginia.....	Lg	..	..	10,950	..	..	..	PE	Cm
Washington.....	Lg	..	..	7,600	..	..	..	SL	Op
West Virginia.....	CB;Lg	..	..	9,600	35	None	35(l)	PE	Op
Wisconsin.....	(q)	..	..	31,356(e)	..	..	..	PE	Op
Wyoming.....	Lg	15	(r)	.....	15	None	15	None	..
American Samoa.....	Lg	..	..	12,000	..	..	..	PE	Op
Guam.....	Lg	..	..	48,000	..	..	..	PE	Op(h)
Puerto Rico.....	Lg	..	..	19,200	..	..	..	PE	Cm
Virgin Islands.....	Lg	..	..	30,000	..	..	..	PE	Op.

Key: Cn—Constitution  
Lg—Legislature  
RF—Referendum  
CB—Constitutional Board  
PE—Statewide Public Employee  
SL—Special Legislative  
Op—Optional  
Cm—Compulsory  
C—Calendar days  
L—Legislative days

(a) Elected Public Officers Retirement System.

(b) Daily pay continues if session extended by  $\frac{1}{2}$  vote in both houses.

(c) Legislature may not remain in session more than 15 days after disposing of matters in Governor's call.

(d) Special provisions for legislators.

(e) Effective December 1976: California, \$46,464; effective January 1977: Montana, \$31.60/day; Oregon, \$11,616; Wisconsin, \$35,686.

(f) \$35 per day for committee attendance up to \$1,050 maximum. Joint Budget Committee members have a \$3,500 maximum for budget committee attendance in addition to \$1,050 maximum.

(g) For each day beyond the ninth day.

(h) Legislators may choose to join the compulsory statewide

public employee pension system or the optional (elected officers class) special legislative retirement system.

(i) Limit on first session; second session limitation: Kansas 90C days unless extended by  $\frac{1}{2}$  vote of all members; New Mexico 30C; Utah 20C.

(j) Legislators are paid for Sundays and holidays during sessions. Thus compensation period usually is 72 to 74 days.

(k) Unless over age 65.

(l) Applicable to members of certain committees only. 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.

(m) Repealed for all legislators elected after July 1, 1973.

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

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

(p) Paid at \$150 per week during session to a maximum of \$4,500 for biennium.

(q) Beginning with the 1975 session, legislative salaries will be set according to salary ranges determined by the Bureau of Personnel.

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

TABLE 8  
LEGISLATIVE TRAVEL AND EXPENSE ALLOWANCE

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State or other jurisdiction	EXPENSE ALLOWANCE							
	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	
Alabama.....	10¢	one	10¢	...	\$40/7 day wk.	...	...	\$300/mo., 12 mo./yr. (unvouchered)
Alaska.....	16¢(a)	one	16¢	...	\$48/C day overnight; \$35/C day not over- night	...	\$48/C day overnight; \$35/C day not overnight	\$4,000/yr. for secretarial services, sta- tionery & postage (unvouchered)
Arizona.....	15¢	unlimited	15¢	...	\$30; \$15 for legislators from Mari- copa County	...	\$15 max. inside county of resi- dence and \$30 outside; \$40 max. out of State	...
Arkansas.....	5¢	one	13¢	...	...	...	...	Members are entitled to reimbursement not to exceed \$350/mo. for expenses in- curred in the interim
California.....	(b)	(b)	(b)	...	\$30	...	\$30	...
Colorado.....	12¢	daily(c)	12¢	(c)	...	(d)	...	...
Connecticut.....	12¢	unlimited	12¢	...	...	...	...	\$1,000/yr. expenses (unvouchered)
Delaware.....	15¢	unlimited	...	...	...	...	...	\$25 supplies per yr.; \$1,500/yr. expenses (unvouchered)
Florida.....	14¢	weekly	14¢	...	\$25/7 day wk.	\$25	...	\$300 max./mo. for intradistrict expenses; office rental equip., supplies & travel (vouchered)
Georgia.....	10¢	weekly	10¢	...	\$36/7 day wk.	\$36/L day	...	Stationery
Hawaii.....	20¢	unlimited	20¢	...	\$20 for legis- lators from outside Oahu	...	...	Travel: \$10 inside island of residence; \$30 away from residence; \$45 away from State; \$1,500 total allowance for in- cidental expenses connected with legisla- tive duties
Idaho.....	10¢	five	15¢	...	\$35	(d)	\$35	\$3.50/day during interim
Illinois.....	15¢	weekly	15¢	...	\$36/L day	...	...	Not more than \$12,000/yr. for legislative staff, secretarial, clerical, research, tech- nical, telephone & other utility services, stationery, postage, office equip. rental and office rental costs
Indiana.....	13¢	weekly	13¢	...	\$35	\$35	...	\$12.50/day, 6 days/wk., paid monthly during interim only for supplies, etc. (unvouchered)
Iowa.....	15¢	weekly	15¢	...	\$20/7 day wk.	(d)	...	...
Kansas.....	13¢	weekly	13¢	...	\$44/7 day wk.	...	...	\$200/mo. April through Dec. to defray ex- penses, travel, postage, telephone, office (unvouchered)
Kentucky.....	15¢	one	12¢(d)	...	\$25	(d)	...	\$50 supplies per biennium; \$400 monthly expense allowance between sessions (unvouchered)

Louisiana .....	16¢	weekly	16¢	...	...	...	...	\$150/mo. for rent, utilities and expenses of dist. office (vouchered); \$6,000 annual for office expense, secretarial assistance, travel, telephone, other (unvouchered)
Maine.....	12¢(e)	weekly	12¢(e)	\$25 meals and housing; or \$12/day meals; mileage up to \$13/day	...	(d)	...	Telephone & telegraph services, postage, newspapers; \$200/yr. allowance (unvouchered)
Maryland.....	12¢	dally if not lodging; weekly if lodging unlimited	12¢	\$35	...	\$35	...	Senate \$5,000, House \$7,750 annual for office rent, staff, equipment, telephone (vouchered)
Massachusetts.....	(f)	unlimited	...	...	(f)	...	...	\$1,200 annual expense allowance (unvouchered)
Michigan.....	16¢	weekly	...	\$26 up to maximum of \$3,500 annually	...	...	...	...
Minnesota.....	15¢	weekly	15¢	...	\$25; \$33 for legislators who change residence during session; paid for 7 day wk.	\$33(g)	...	...
Mississippi.....	12¢	weekly	12¢	...	\$50 actual daily attendance	(d)	...	\$210 monthly during interim (unvouchered)
Missouri.....	12¢	weekly	...	\$25	...	...	...	...
Montana.....	15¢	unlimited	15¢	...	\$33/7 day wk.(h)	In State \$16 lodging, \$10 meals; out of State \$37 lodging, \$13 meals(d)	...	...
Nebraska.....	12¢	one	12¢	...	...	(d)	...	\$200 postage/yr.
Nevada.....	17¢	one	17¢	...	\$40/C day	\$15 food, \$13 room(d)	...	Travel out of State at reasonable rate; \$60 postage & stationery; \$60 printing allowance; \$500 regular session, \$200 special session telephone allowance; additional travel allowance \$1,700 regular, \$710 special session (unvouchered)
New Hampshire.....	25¢ 1st 45 mi.; 8¢ next 25 mi.; 6¢ thereafter(h)	unlimited	12¢	...	...	(d)	...	...
New Jersey.....	Railroad pass for intrastate travel	...	...	...	...	...	...	Free stationery, postage, Western Union telegraph, telephone
New Mexico.....	10¢	one	10¢	...	...	...	...	Stationery, postage, telephone & telegraph
New York.....	13¢	weekly	13¢	\$40 upstate, \$50 NYC	...	\$40 upstate, \$50 NYC	...	...
North Carolina.....	15¢(a)	weekly	15¢	...	\$35	...	\$35	\$100/mo., annually, for office expenses in home district office (unvouchered)

TABLE 8—Concluded  
LEGISLATIVE TRAVEL AND EXPENSE ALLOWANCE

State or other jurisdiction	TRAVEL ALLOWANCE			EXPENSE ALLOWANCE				
	During session (Regular & special)		Between sessions, per mile	Living expenses per day				Other
	Per mile	Round trips home to Capitol		During session (Regular & special)		Between sessions		
				Vouchered	Not vouchered	Vouchered	Not vouchered	
North Dakota.....	10¢	seven	15¢	...	\$60/7 day wk.	\$16 lodging, up to \$10 food	...	\$1,800 biennially for expense allowance (unvouchered)
Ohio.....	15¢	weekly	...	...	...	...	...	Telephone credit card up to \$480/yr.; 3,000 8¢ stamps
Oklahoma.....	12¢	weekly	12¢	...	...	...	...	\$175/mo. interim expenses (unvouchered); interim telephone expense up to \$60/ mo. for legislators living 75 mi. or more from Capitol, less than 75 mi., \$40
Oregon.....	...	...	14¢ cmte. business only	...	\$35/7 day wk.(h)	\$35/cmte. meeting(h)	...	\$5,000 annual for expenses (vouchered)
Pennsylvania.....	12¢	weekly	15¢	...	...	...	\$44 non-legis- lative days, in or out- side Capitol	...
Rhode Island.....	8¢	unlimited	...	...	...	...	...	...
South Carolina.....	14¢	weekly	14¢	\$25	...	\$25	...	\$200/session for postage
South Dakota.....	5¢	one	14¢	...	\$25	\$20	...	...
Tennessee.....	15¢(i)	weekly	15¢(i)	...	\$50/90 L(i)	...	\$50/90 L(i)	\$122(i)/mo. for telephone; secretary, and other assistance (unvouchered)
Texas.....	16¢ cars, 21¢ airplanes	weekly	House only: 16¢ cars, 21¢ airplanes	...	\$30/L day	Senate(d)	House \$30	Senate: all necessary office expenses ex- cept \$5,500/mo. in session and \$3,900/ mo. interim limit on staff salaries (vouchered); House: \$4,000/mo. in session, \$3,000/mo. interim office ex- penses
Utah.....	14¢	weekly	14¢	...	\$15	(d)	...	...
Vermont.....	11¢	weekly	11¢	...	\$10 if lives at home; \$30 if housed at capital	(d)	...	...
Virginia.....	13¢	weekly	13¢	...	\$50	...	\$50	\$4,800 annually for secy. or admin. asst. (vouchered)
Washington.....	13¢	weekly	13¢	...	\$40	...	\$40	Postage, stationery, \$50/mo., 12 mo./yr. (unvouchered)
West Virginia.....	15¢(a)	weekly	15¢(a)	\$22/7 day wk. lodging, \$15/7 day wk. meals and misc.(j)	...	\$22 lodging, \$15 meals and misc.	...	...

Wisconsin.....	11¢ 1st 600 mi.; 7¢ thereafter 10¢	weekly	(d)	\$25	...	(d)	...	\$75 Senators, \$25 Representatives monthly interim expense allowance (unvouch- ered)
Wyoming.....	10¢	one	10¢(a)	...	\$36/7 day wk.	...	\$36	Stationery, postage, telephone credit cards, miscellaneous supplies
American Samoa.....	(g)	...	(g)	(g)	...	(g)	...	Out-of-state travel \$60/day, 13¢/mi. Postal & telegraphic
Guam.....	...	...	(a)	...	\$50	(a)	...	
Puerto Rico.....	15¢ per km. and no less than \$10	weekly	15¢	...	\$20 if resi- dence with- in 50 km. of Capitol; \$25 if resi- dence ex- ceeds 50 km.	...	\$20 if resi- dence with- in 50 km. of Capitol; \$25 if resi- dence ex- ceeds 50 km.	
Virgin Islands.....	(k)	unlimited	(k)	...	...	...	...	...

Abbreviations: L—Legislative days; C—Calendar days.

(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 or one weekly round trip and \$10 per diem, vouchered for lodging. Legislators from Denver receive no expense allowance. Effective January 1975: 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. Mileage increase only effective for legislators elected in 1974.

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

(e) May be reimbursed for turnpike tolls.

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

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

(h) Effective 1977: Montana \$40; New Hampshire first 45 mi. 30¢/mi., all in excess of 45 mi. 15¢/mi. to maximum of \$40/day; Oregon \$39/day.

(i) Approximately; see fn. (c) Table 7.

(j) 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.

(k) Use of legislative cars, travel vouchers.



TABLE 9

## ADDITIONAL COMPENSATION FOR LEGISLATIVE LEADERS\*

State or other jurisdiction	Chamber	Leader	Additional salary	Other leaders
Alabama.....	Senate	President(a)	\$2/diem	.....
	House	Speaker	2/diem	.....
Alaska.....	Senate	President	500/year	.....
	House	Speaker	500/year	.....
Arizona.....		.....	.....	.....
Arkansas.....	House	Speaker	150/year	.....
California.....		.....	.....	.....
Colorado.....	Senate	President	35/diem	35/diem(b)
	House	Speaker	35/diem(b)	35/diem(b)
Connecticut.....	Senate	Pres. Pro Tem.	4,000/biennium	1,000-3,000/biennium
	House	Speaker	4,000/biennium	1,000-3,000/biennium
Delaware.....	Senate	Pres. Pro Tem.	3,000/biennium	1,000-2,500/biennium
	House	Speaker	3,000/biennium	1,000-2,500/biennium
Florida.....	Senate	President	3,000/year	.....
	House	Speaker	3,000/year	.....
Georgia.....	Senate	Pres. Pro Tem.	2,800/year	(c)
	House	Speaker	17,800/year	(c)
Hawaii.....		.....	.....	.....
Idaho.....	Senate	President(a)	5/diem in session	.....
		Pres. Pro Tem.	5/diem in session	.....
	House	Speaker	5/diem in session	.....
Illinois.....	Senate	President	10,000/year(d)	6,000/year(d)
	House	Speaker	10,000/year(d)	5,000-10,000/year(d)
Indiana.....	Senate	Pres. Pro Tem.	3,000/year	1,500-2,000/year
	House	Speaker	3,000/year	1,500-2,000/year
Iowa.....	Senate	President(a)	4,000/year(e)	1,500/year
	House	Speaker	4,000/year(e)	1,500/year
Kansas.....	Senate	President	4,200/year	1,800-3,240/year
	House	Speaker	4,200/year	1,800-3,240/year
Kentucky.....	Senate	President(a)	5/diem	.....
		Pres. Pro Tem.	5/diem	.....
	House	Speaker	5/diem	.....
Louisiana.....	Senate	President	25,000/year(f,g)	.....
	House	Speaker	25,000/year(f,g)	.....
Maine.....	Senate	President	$\frac{1}{2}$ of salary/biennium(h)	$\frac{1}{8}$ - $\frac{1}{4}$ of salary/biennium
	House	Speaker	$\frac{1}{2}$ of salary/biennium(h)	$\frac{1}{8}$ - $\frac{1}{4}$ of salary/biennium
Maryland.....	Senate	President	5,000/year	.....
	House	Speaker	5,000/year	.....
Massachusetts.....	Senate	President	$1\frac{1}{4}$ of salary/year	$\frac{1}{8}$ - $\frac{1}{4}$ of salary/year
	House	Speaker	$1\frac{1}{4}$ of salary/year	$\frac{1}{8}$ - $\frac{1}{4}$ of salary/year
Michigan.....	House	Speaker	5,000/year	.....
Minnesota.....	Senate	President	5/diem(i)	.....
	House	Speaker	5/diem(i)	.....
Mississippi.....	Senate	President(a)	6,900/year	.....
	House	Speaker	6,900/year	.....
Missouri.....		.....	.....	.....
Montana.....	Senate	President	5/diem	.....
	House	Speaker	5/diem	.....
Nebraska.....		.....	.....	.....
Nevada.....	Senate	President(a)	2/diem(l)	.....
	Assembly	Speaker	2/diem(l)	.....
New Hampshire.....	Senate	President	50/year	.....
	House	Speaker	50/year	.....
New Jersey.....	Senate	President	$\frac{1}{8}$ of salary/year	.....
	Assembly	Speaker	$\frac{1}{8}$ of salary/year	.....
New Mexico.....		.....	.....	.....
New York.....	Senate	Temporary Pres.	21,000/year	1,500-18,000/year
	Assembly	Speaker	21,000/year	1,000-18,500/year
North Carolina.....	Senate	Pres. Pro Tem.	1,200/year(j)	1,200/year(j)
	House	Speaker	4,200/year(j)	1,200/year(j)
North Dakota.....	Senate	.....	.....	3-5/diem(l)
	House	Speaker	5/diem(l)	3-5/diem(l)
Ohio.....	Senate	Pres. Pro Tem.	7,500/year	750-5,000/year
	House	Speaker	7,500/year	750-5,000/year
Oklahoma.....	Senate	Pres. Pro Tem.	4,200/year	240/month in session
	House	Speaker	4,200/year	240/month in session
Oregon.....	Senate	President	440/month	.....
	House	Speaker	440/month	.....
Pennsylvania.....	Senate	Pres. Pro Tem.	10,500/year(k)	2,000-8,500/year
	House	Speaker	10,500/year(k)	2,000-8,500/year
Rhode Island.....	House	Speaker	5/diem	.....
South Carolina.....	Senate	President(a)	1,575/year	.....
		Pres. Pro Tem.	1,200/year	.....
	House	Speaker	4,075/year	1,200-1,500/year
South Dakota.....		.....	.....	.....
Tennessee.....	Senate	Speaker	750/year(l)	.....
	House	Speaker	750/year(l)	.....
Texas.....		.....	.....	.....
Utah.....		.....	.....	.....
Vermont.....	House	Speaker	100/biweekly(m)	.....

TABLE 9—Concluded

## ADDITIONAL COMPENSATION FOR LEGISLATIVE LEADERS\*

<i>State or other jurisdiction</i>	<i>Chamber</i>	<i>Leader</i>	<i>Additional salary</i>	<i>Other leaders</i>
Virginia.....	Senate	President(a)	\$5,050/year	.....
	House	Speaker	5,050/year	.....
Washington.....		.....		
West Virginia.....	Senate	President	25/diem(n)	12.50/diem(n)
	House	Speaker	25/diem(n)	12.50/diem(n)
Wisconsin.....	Assembly	Speaker	25/month	.....
Wyoming.....	Senate	President	3/diem	.....
	House	Speaker	3/diem	.....
American Samoa.....	Senate	President	1,500/year	.....
	House	Speaker	1,500/year	.....

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

(a) Lieutenant Governor.

(b) During interim up to \$840 annually for Speaker, Senate and House Majority Leaders and Minority Leaders. Effective 1977, no annual limit on payment to all leaders.

(c) Provided by resolution up to \$2,800/year.

(d) Per diem and mileage for one trip to capitol per month when not in session.

(e) \$20/diem salary for special sessions and interim business.

(f) In lieu of all per diem and monthly expense allowances.

(g) Reimbursement for actual expenses up to \$6,000/year.

(h) \$5/diem for special sessions.

(i) Additional expenses only.

(j) \$50/month additional expenses.

(k) \$20,000/year additional expenses.

(l) Office expense \$2,400; secretarial assistance in county of residence \$3,000; supplies, postage, stationery, telephone and other incidental expenses \$300.

(m) \$20/diem expenses.

(n) Regular and special sessions.

TABLE 10  
STATE COMPENSATION COMMISSIONS

State or other jurisdiction	Commission	Number of members	Jurisdiction		Recommendation submitted to	Authority of recommendations
			Salaries	Benefits and/ or expenses		
Alabama.....	...	...	...	...	...	...
Alaska.....	...	...	...	...	...	...
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	May be accepted or rejected only
Hawaii.....	Commission on Legislative Salary	10	L	...	Legislature	Advisory only
Idaho.....	Legislative Compensation Commission	6	L	L	Legislature	Effective unless rejected (a)
Illinois.....	Commission on Compensation of State and Local Governmental Officials	5	EO, AO, J	...	Legislature, Governor	Advisory only
Indiana.....	Advisory Committee on Compensation of General Assembly Members	7	L	...	Legislature (first session)	Advisory only
Iowa.....	Commission on Compensation Expenses and Salaries for Elected State Officials	15	EO, L, J	EO, L, J	Legislature	Advisory only
Kansas.....	...	...	...	...	...	...
Kentucky.....	...	...	...	...	...	...
Louisiana.....	Compensation Review Commission	9	EO, AO, L, J	EO, AO, L, J	Legislature, Governor	Advisory only
Maine.....	...	...	...	...	...	...
Maryland.....	General Assembly Compensation Commis- sion	9	L	L	Legislature	May be reduced, accepted, or rejected; no action constitutes acceptance
Massachusetts.....	Advisory Board on Legislative & Constitu- tional Officers' Compensation	7	EO, L	EO, L	Legislature	Advisory only
Michigan.....	State Officers Compensation Commission	7	EO(b), L, J(c)	EO(b), L(d), J(c)	Legislature	May be rejected by $\frac{2}{3}$ vote of members in each house
Minnesota.....	...	...	...	...	...	...
Mississippi.....	...	...	...	...	...	...
Missouri.....	...	...	...	...	...	...
Montana.....	Montana Salary Commission	8	EO, L, J	EO, L, J	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; no action constitutes acceptance
North Dakota.....	Legislative Compensation Commission	5	...	L	Legislature	May be reduced, accepted, or rejected
Ohio.....	...	...	...	...	...	...
Oklahoma.....	Board on Legislative Compensation	11	L	...	Legislature	Recommendation is final and binding
Oregon.....	...	...	...	...	...	...
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.....	...	...	...	...	...	...
West Virginia.....	Citizens Legislative Compensation Commission	7	L	L	Legislature	May be reduced, accepted, or rejected
Wisconsin.....	Personnel Board/Director, Bureau of Personnel	...	(e)	...	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.....	...	...	...	...	...	...

EO—Elected Officials.

AO—Administrative Officials.

L—Legislators.

J—Judges.

(a) An Attorney General opinion advised that the "effective unless rejected" provision violated the constitutional requirements for reading bills on 3 separate days before they could become law. Commission is not operative.

(b) Governor and Lt. Governor only.

(c) Judges of Supreme Court only.

(d) Expenses only.

(e) 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.

(f) Joint Committee on Employment Relations may modify report submitted to it. Governor may disapprove modifications within 10 calendar days. The Joint Committee may override Governor by  $\frac{3}{4}$  vote.

TABLE 11  
LEGISLATIVE SESSIONS—LEGAL PROVISIONS

State or other jurisdiction	Regular sessions				Special sessions		
	Year	Legislature convenes*		Limitation on length of session	Legislature may call†	Legislature may determine subject	Limitation on length of session
		Month	Day				
Alabama.....	Annual	Mar.	Last Tues.(a,b)	30 L in 105 C	No	$\frac{2}{3}$ vote each house	12 L in 30 C
Alaska.....	Annual	Jan.	2nd Mon.(c)	None	$\frac{2}{3}$ vote of membership	Yes(e)	30 C
Arizona.....	Annual	Jan.	2nd Mon.	None	Petition $\frac{2}{3}$ 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 $\frac{2}{3}$ 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.(b)	Odd 45 L Even 40 L	Petition $\frac{2}{3}$ members, each house	Yes(e)	(k)
Hawaii.....	Annual(d)	Jan.	3rd Wed.	60 L(f)	Petition $\frac{2}{3}$ members, each house	Yes	30 L(f)
Idaho.....	Annual	Jan.	Mon. after 1st day	60 C(l)	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 $\frac{2}{3}$ members, each house	Yes	None
Kansas.....	Annual(d)	Jan.	2nd Mon.	Odd none Even 90 C(f)	Petition $\frac{2}{3}$ members, each house	Yes	None
Kentucky.....	Even	Jan.	Tues. after 1st Mon.	60 L	No	No	None
Louisiana.....	Annual	May(m)	2nd Mon.(m)	60 L in 85 C	Petition majority, each house	Yes(e)	30 C
Maine.....	Annual(i)	Jan.	1st Wed. after 1st Tues.	None	Majority of each party	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,o)	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 $\frac{2}{3}$ 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 $\frac{2}{3}$ members, each house	Yes(e)	30 C
New York.....	Annual(d)	Jan.	Wed. after 1st Mon.	None	Petition $\frac{2}{3}$ members, each house	Yes(e)	None
North Carolina.....	Odd(n)	Jan.	Wed. after 2nd Mon.	None	Petition $\frac{2}{3}$ members, each house	Yes	None
North Dakota.....	Odd	Jan.	Tues. after 1st Mon.(b)	60 L	No	Yes	None
Ohio.....	Annual	Jan.	1st Mon.(p)	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	No	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.	None	No	Yes	None
South Dakota.....	Annual	Jan.	Odd—Tues. after 3rd Mon.	45 L	No	No	None
Tennessee.....	Odd(n)	Jan.	Even—Tues. after 1st Mon.	30 L			
Texas.....	Odd	Jan.	1st Tues.(b)	90 L(l)	Petition $\frac{3}{8}$ members, each house	Yes	30(l)
Utah.....	Annual(i)	Jan.	2nd Tues.	140 C	No	No	30 C
Vermont.....	Odd(n)	Jan.	2nd Mon.	Odd 60 C	No	No	30 C
Virginia.....	Annual(d)	Jan.	Wed. after 1st Mon.	Even 20 C	No	Yes	None
Washington.....	Odd	Jan.	2nd Wed.	None(l)			
West Virginia.....	Annual	Jan.	2nd Mon.	Odd 30 C(f)	Petition $\frac{3}{8}$ members, each house	Yes	None
Wisconsin.....	Annual(d)	Jan.	2nd Wed.(q)	Even 60 C(f)			
Wyoming.....	Annual(i)	Jan.	1st Tues. after Jan. 8(t)	60 C(f,r)	No	Yes	None
		Feb.	Odd—2nd Tues.	None	No(u)	No	None
			Even—2nd Tues.	40 L	No	Yes	None
				20 L			
American Samoa....	Annual	Jan.	2nd Mon.	30 L	No	No	None
Guam.....	Annual(d)	July	2nd Mon.	30 L			
Puerto Rico.....	Annual(d)	Jan.	2nd Mon.	None	No	No	None
TTPI.....	Annual(d)	Jan.	2nd Mon.	Apr. 30(f)	No	No	20
Virgin Islands.....	Annual(d)	Jan.	2nd Mon.	50 C	No	No	None
				75 L	No	No	None

Abbreviations: L—Legislative days; C—Calendar days.

\* 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 table on "General Elections in 1976 and 1977," page 220).

† 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 3rd Tues. in Jan.

(b) Legislature meets in organizational session. Alabama: second Tuesday in January after quadrennial election; Florida: 14th day following each general election; Georgia: second Monday in January for no longer than 12 days, reconvenes second Monday in February; 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; 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:  $\frac{3}{4}$  vote (this extension can permit the Legislature to meet in even years); Florida:  $\frac{3}{4}$  vote; Hawaii: petition of  $\frac{3}{8}$  membership for not more than 15 days; Kansas:  $\frac{3}{4}$  vote elected members; Maryland:  $\frac{3}{4}$  vote for 30 additional days; Mississippi:  $\frac{3}{4}$  vote of those present may extend for 30 C days, no limit on extensions; Nebraska:  $\frac{3}{4}$  vote; Virginia:  $\frac{3}{4}$  vote for up to 30 days; West Virginia:  $\frac{3}{4}$  vote; Puerto Rico: joint resolution.

(g) After the Legislature has disposed of the subject(s) in the Governor's call, it may by a  $\frac{3}{4}$  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.

(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) Effective 1977 the 3rd Monday in April.

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

(o) 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.

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

(q) 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.

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

(s) No, if called by the Governor alone; questionable if called as a result of petition of members.

(t) 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.

(u) Only the Governor may call a special session; however, an extraordinary session may be called by petition of a majority of each house or by a majority of the members of the Committee on Organization in each house.

TABLE 12  
1973 AND 1974 SESSIONS, INTRODUCTIONS AND ENACTMENTS

State or other jurisdiction	Duration of session*	Regular Sessions						Extra Sessions						
		Introductions		Enactments		Mea- sures vetoed	Length of session†	Introductions		Enactments		Mea- sures vetoed	Length of session†	
		Bills	Resolu- tions§	Bills	Resolu- tions§			Bills	Resolu- tions§					
Alabama.....	May 1-Sept. 13, 1973	3,236	409(a)	1,061	238(a)	6	36L	May 2-May 17, 1973	8	16	1	8	0	10L
Alaska.....	Jan. 8-Apr. 7, 1973	683	227	91	60	3	90C	Oct. 17-Nov. 12, 1973	25	2	8	1	0	27C
	Jan. 21-Apr. 26, 1974	716	256	147	93	4	96C	June 17-June 20, 1974	17	2	9	1	0	4C
Arizona.....	Jan. 8-May 9, 1973	753	34(b)	184	2(b)	1	122C	Oct. 22, 1973-Feb. 19, 1974	68	4	3	0	0	121C
	Jan. 14-May 10, 1974	672	30(b)	205	3(b)	2	117C	June 6-June 6, 1974	6	0	3	0	0	1C
Arkansas.....	Jan. 8-Apr. 24, 1973 }	1,649	322	894	N.A.	28(c)	108C	June 24-July 12, 1974 }	403	55	161	N.A.	44(c)	20C
	Jan. 14-May 14, 1974 }							Aug. 1-Aug. 1, 1974 }						
California.....	Jan. 8, 1973-Nov. 30, 1974	7,022	1,086	2,761(d)	560	370	(e)	Dec. 4-Dec. 4, 1973	0	2	0	2	0	1L
								Sept. 25-Oct. 2, 1974	20	9	1	3	0	4L
Colorado.....	Jan. 3-June 29, 1973	1,062	109	456(d)	28	0	119L	None	...	...	...	...	...	...
	Jan. 2-May 22, 1974	317	110	113	33	0	84L							
Connecticut.....	Jan. 3-June 1, 1973	6,901	182	819	127	6	95L	June 12-June 12, 1973(f)	...	...	...	...	...	1L
	Feb. 6-May 8, 1974	1,295	64	467	42	20	63L	July 16-July 16, 1973(g)	6	1	1	1	5	1L
Delaware.....	Jan. 9-June 30, 1973	930	49	218	22	6	54L	June 17-June 17, 1974(g)	20	0	19	0	1	1L
	Jan. 8-June 30, 1974	812	47	344	17	0	56L	July 1-July 12, 1973	15	6	9	1	2	3L
Florida.....	Apr. 3-June 6, 1973	3,390	154	661	35	13	65C	Nov. 16-Dec. 27, 1973	58	6	17	1	1	4L
	Apr. 2-May 31, 1974	3,192	168	626	42	17	60C	Aug. 29-Aug. 30, 1974	8	0	2	0	0	1L
Georgia.....	Jan. 8-Mar. 16, 1973	1,662	131	755	74	45	45L	Jan. 29-Jan. 30, 1974	26	3	0	0	0	2C
	Jan. 14-Feb. 26, 1974	1,171	172	625	102	52	40L	Nov. 19-Nov. 19, 1974	8	0	3	0	0	1C
Hawaii.....	Jan. 17-Apr. 12, 1973	3,433	1,043	220	430	12	61L	None	...	...	...	...	...	...
	Jan. 16-Apr. 12, 1974	1,894	984	256	515	13	60L	June 18-June 19, 1974	1	2	1	2	0	2L
Idaho.....	Jan. 8-Mar. 13, 1973	598	103	348	66	6	65C	None	...	...	...	...	...	...
	Jan. 14-Mar. 30, 1974	637	126	325	56	5	76C							
Illinois.....	Jan. 10-Jul. 2, 1973 }	3,315	N.A.	952(d)	N.A.	160	112L	Oct. 15, 1973-July 12, 1974	36	0	0	0	0	(h)
	Oct. 15-Dec. 1, 1973 }							Oct. 22-Dec. 1, 1973	3	0	0	0	0	(h)
Indiana.....	Jan. 9-Jul. 12, 1974 }	1,285	N.A.	345(d)	N.A.	47	59L	Oct. 22-Dec. 1, 1973	96	0	38	0	1	(h)
	Nov. 7-Dec. 5, 1974 }							Oct. 30-Dec. 1, 1973	8	0	3	0	0	(h)
Jan. 7-Jan. 8, 1975 }	Nov. 8-Dec. 1, 1973							13	0	6	0	2	(h)	
Iowa.....	Jan. 8-Apr. 19, 1973	2,262	152	333	5	8	60L	None	...	...	...	...	...	...
	Jan. 7-Feb. 15, 1974	697	108	157	2	7	30L	None	...	...	...	...	...	...
Kansas.....	Jan. 8-June 24, 1973	1,426	38	310	5	1	114L	None	...	...	...	...	...	...
	Jan. 14-May 4, 1974	912	11	281	2	2	74L	None	...	...	...	...	...	...
Kentucky†.....	Jan. 9-Apr. 26, 1973	1,198	129	409(d)	N.A.	17	68L	None	...	...	...	...	...	...
	Jan. 8-Apr. 3, 1974	904	116	452(d)	N.A.	8	(e)	None	...	...	...	...	...	...
Louisiana†.....	Jan. 8-Mar. 22, 1974	1,226	199	386	20	18	60L	None	...	...	...	...	...	...
	May 13-July 11, 1974	2,504	483	723	248	10	60C	Nov. 25-Dec. 4, 1973	62	98	16	59	2	10C
	Apr. 21-July 14, 1975	2,283	532	824	338	14	60L	Oct. 27-Nov. 5, 1974	42	78	30	57	0	10C
Maine.....	Jan. 3-July 4, 1973	1,799	43	860	2	2	107L	Jan. 13-Jan. 27, 1975	76	108	52	83	0	15C
	Jan. 10-Apr. 9, 1973	2,880	191	891	65	43	90C	Jan. 2-Mar. 29, 1974	461	9	263	3	1	61L
Maryland.....	Jan. 9-Apr. 8, 1974	2,890	188	890	75	48	90C	July 30-July 30, 1973 }	43	4	16	0	0	2L
								Aug. 23-Aug. 23, 1973 }						
								Nov. 9-Nov. 12, 1973	13	3	2	0	0	4C

✓ Massachusetts.....	Jan. 3–Nov. 30, 1973 Jan. 2–Aug. 2, 1974	9,952 8,536	N.A. N.A.	1,233(d) 859(d)	161 90	52 49	(e) (e)	Dec. 13, 1973–Jan. 1, 1974	10	0	1	0	0	18C
✓ Michigan.....	Jan. 10–Dec. 28, 1973 Jan. 9–Dec. 31, 1974	2,603 1,227	50 20	208 387	0 0	5 4	(e) (e)	None	...	...	...	...	...	...
Minnesota.....	Jan. 2–May 21, 1973 } Jan. 15–Mar. 29, 1974 }	7,617	N.A.	1,366	10	3	116L	None	...	...	...	...	...	...
Mississippi.....	Jan. 8–Apr. 7, 1974 Jan. 7–Apr. 6, 1975	2,655 2,438	498 347	701(d) 689	180 202	16 17	90C 90C	None	...	...	...	...	...	...
Missouri.....	Jan. 3–June 30, 1973 Jan. 9–May 15, 1974	1,202 1,250	71 46	223 134	0 2	14 18	178C 126C	Dec. 3, 1973–Feb. 1, 1974 Nov. 19, 1974–Jan. 8, 1975	34 27	0 0	8 5	0 0	0 0	60C 50C
Montana.....	Jan. 1–Mar. 10, 1973 Jan. 7–Mar. 16, 1974	1,881 1,736	167 163	533(d) 416	52 47	9 3	60L 60L	Mar. 12–Mar. 24, 1973	(i)	(i)	(i)	(i)	(i)	12L
Nebraska.....	Jan. 2–June 1, 1973 Jan. 1–Apr. 11, 1974	589 470	N.A. N.A.	365(d) 268(d)	N.A. N.A.	7 13	90L 60L	None	...	...	...	...	...	...
Nevada.....	Jan. 15–Apr. 26, 1973	1,622	220	810	128	1	102C	None	...	...	...	...	...	...
New Hampshire.....	Jan. 3–June 30, 1973	1,322	105	557(d)	40	27	(e)	Feb. 19–Apr. 11, 1974	74	3	50	2	1	15L
✓ New Jersey.....	Jan. 9, 1973–Jan. 8, 1974(j) Jan. 8, 1974–Jan. 14, 1975 Jan. 14, 1975–Jan. 12, 1976	1,073 3,922 1,189	202 550 146	386(d) 197 307	47 34 36	85 7 32	(e) (e) (e)	None None	...	...	...	...	...	...
New Mexico.....	Jan. 16–Mar. 17, 1973 Jan. 15–Feb. 14, 1974	1,135 301	73 30	404 92	12 5	36 0	60C 30C	Feb. 14–Feb. 17, 1974	3	0	3	0	0	3C
⑦ New York.....	Jan. 3–May 27, 1973 Jan. 9–May 7, 1974	14,781 8,221	184 156	1,045 1,074	72 77	288 260	114C 104C	July 25–July 31, 1973 May 29–May 30, 1974	32 24	9 6	12 8	9 6	0 0	7C 2C
② North Carolina.....	Jan. 10–May 24, 1973 Jan. 16–Apr. 13, 1974	2,317 1,384	N.A. N.A.	826 656	117 59	0 0	97L 64L	None	...	...	...	...	...	...
North Dakota.....	Jan. 2–Mar. 16, 1973	960	171	516(d)	86	10	54L	None	...	...	...	...	...	...
✓ Ohio.....	Jan. 1, 1973–Dec. 10, 1974	2,070	110	403	16	1	(e)	Oct. 23–Nov. 16, 1973	6	0	0	0	0	(e)
Oklaoma.....	Jan. 2–May 17, 1973 Jan. 8–May 17, 1974	849 696	365 373	279 313	299 315	1 9	79L 76L	None	...	...	...	...	...	...
Oregon.....	Jan. 8–July 6, 1973	2,303	175	841(d)	59	16	180C	Jan. 24–Jan. 24, 1974 } Feb. 11–Feb. 24, 1974 }	135	18	72	7	1	15C
✓ Pennsylvania.....	Jan. 2, 1973–Jan. 1, 1974(k) Jan. 1–Nov. 30, 1974	3,092 1,629	252 118	211 447(d)	65 2	4 52	(e) (e)	None	...	...	...	...	...	...
Rhode Island.....	Jan. 2–May 5, 1973 Jan. 1–May 29, 1974	2,496 1,710	N.A. N.A.	384 400	269 366	18 39	65L 69L	June 26–June 26, 1973	1	0	1	0	0	1L
South Carolina.....	Jan. 9–July 6, 1973 Jan. 8–Aug. 22, 1974	1,494 1,105	N.A. N.A.	825 663	N.A. N.A.	6 0	(e) (e)	Sept. 11–Oct. 24, 1973 Dec. 3–Dec. 3, 1973(l)	108	0	51	0	0	(e) 1L
South Dakota.....	Jan. 16–Mar. 16, 1973 Jan. 8–Feb. 15, 1974	649 654	5 8	354 378	0 1	1 5	45L 30L	None	...	...	...	...	...	...
Tennessee.....	Jan. 2–Jan. 11, 1973 Feb. 27–May 4, 1973 Jan. 8–July 6, 1974	2,589 2,383	479 447	570 626(d)	N.A. N.A.	19 21	41L 47L	8C(m) None	...	...	...	...	...	...
Texas.....	Jan. 9–May 28, 1973	2,726	462	688	213	29	140C	Dec. 18–Dec. 20, 1973	17	17	1	11	0	3C
Utah.....	Jan. 8–Mar. 8, 1973 Jan. 14–Feb. 2, 1974	592 100	89 31	213 41	25 18	2 1	60C 20C	Oct. 8–Oct. 12, 1973 June 14–June 15, 1974	25 6	8 3	16 3	7 2	0 0	5C 2C
Vermont.....	Jan. 3–Apr. 14, 1973 Jan. 2–Apr. 4, 1974	470 286	76 49	127 149	50 31	0 0	61L 56L	None	...	...	...	...	...	...



TABLE 12—Concluded  
1973 AND 1974 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 session†
		Bills	Resolutions§	Bills	Resolutions§			Bills	Resolutions§	Bills	Resolutions§		
Virginia†.....	Jan. 9–Mar. 9, 1974	1,570	294	686	1	26	(e)	None	...	...	...	...	...
	Jan. 8–Feb. 22, 1975	1,206	254	652	165	23	(e)						
Washington.....	Jan. 8–Mar. 8, 1973	2,931	226	631(d)	2	93	60C	Mar. 9–Apr. 15, 1973	(i)	(i)	(i)	(i)	37C
								Sept. 8–Sept. 15, 1973	(i)	(i)	(i)	(i)	8C
								Jan. 14–Feb. 13, 1974 }	(i)	(i)	(i)	(i)	41C
								Apr. 15–Apr. 24, 1974 }					
West Virginia.....	Feb. 14–Apr. 17, 1973	1,423	158	146(d)	36	25	64C	May 22–June 8, 1973 }					
	Jan. 9–Mar. 13, 1974	1,315	144	152(d)	30	19	64C	June 26–June 28, 1973 }	170	36	37	13(d)	5 26C
								July 9–July 13, 1973 }					
								Apr. 29–May 24, 1973 }	140	17	3	6	3 26C
								June 11–July 3, 1974 }					
								July 29–July 30, 1974 }	130	40	18	5	0 23C
								Nov. 12–Nov. 13, 1974 }					
Wisconsin.....	Jan. 1–Feb. 15, 1973	2,501	403	341	N.A.	13	150L	Dec. 17–Dec. 21, 1973	3	8	2	N.A.	0 5L
	Mar. 13–July 26, 1973							Apr. 29–June 13, 1974	12	5	6	N.A.	0 (e)
	Oct. 2–Oct. 26, 1973							Nov. 19–Nov. 20, 1974	2	0	1	0	0 (e)
	Jan. 29–Mar. 29, 1974												
	Nov. 19–Nov. 20, 1974 }												
Wyoming.....	Jan. 9–Feb. 24, 1973	650	N.A.	251	N.A.	0	40C	None	...	...	...	...	...
	Jan. 22–Feb. 11, 1974	87	N.A.	25	N.A.	0	20C						
American Samoa....	Jan. 8–Feb. 17, 1973	94	29	16	N.A.	14	30L	Mar. 5–Mar. 15, 1973	6	1	2	1	1 11L
	July 9–Sept. 8, 1973	104	40	19	N.A.	5	30L	Apr. 3–Apr. 5, 1973	3	0	3	0	0 3L
	Jan. 14–Mar. 1, 1974	114	70	6	N.A.	11	30L	Sept. 10–Sept. 19, 1973	1	1	1	0	0 10L
	July 8–Sept. 6, 1974	109	67	10	N.A.	6	30L	Oct. 19–Oct. 19, 1973	0	1	0	1	0 1L
								June 3–June 11, 1974	0	0	1	0	0 9L
								Sept. 23–Sept. 27, 1974	0	1	0	1	0 5L
								Oct. 31–Oct. 31, 1974	0	1	0	1	0 1L
Guam.....	Jan. 9–Dec. 20, 1973	1,004	351	229(d)	47	62	132L	None	...	...	...	...	...
	Jan. 14, 1974–Jan. 12, 1975 }												
Virgin Islands.....	Jan. 8–Nov. 29, 1973	503	45	103	39	14	63L	Aug. 14–Aug. 29, 1973 }	43	1	36	1	0 17L
	Jan. 8, 1974–Jan. 3, 1975	359	56	147	39	29	63L	Sept. 11–Oct. 9, 1973 }					

N.A.—Not available.

\* Actual adjournment dates are listed regardless of constitutional limitations. Legal provisions governing legislative sessions, regular and special, are reflected in the table "Legislative Sessions—Legal Provisions."

† C—Calendar days; L—Legislative days.

‡ Legislatures in these States begin new Legislatures in even-numbered years. These figures reflect this calendar. Louisiana and Mississippi have 4-year Legislatures.

§ Substantive measures only. Excludes honorary or commemorative measures.

(a) Includes honorary and commemorative measures.

(b) Proposed constitutional amendments only.

(c) Includes 5 bills in regular session and 26 bills in special session vetoed because they were the same as or for the same purpose as bills signed.

(d) Includes measures passed over the Governor's veto, California 1; Colorado 1; Illinois 5, 9; Kansas 3, 2; Massachusetts 12, 12; Mississippi 9; Montana 1; Nebraska 6, 7; New Hampshire 1; New Jersey 28; North Dakota 3; Oregon 1; Pennsylvania 2; Tennessee 13; Washington 7; West Virginia 2, 1 and Ex. S. 2; Guam 19.

(e) California: A 239L, S 254L; Kansas: H 50L, S 49L; Massachusetts: 1973—H 179L, S 180L, 1974—H 116L, S 112L; Michigan: 1973—H 125L, S 127L, 1974—H 121L, S 116L; New Hampshire: H 78L, S 80L; New Jersey: 1973—A 25L, S 25L, 1974—A 43L, S 39L, 1975—A 83L, S 81L; Ohio: H 174L, S 167L, ES—H 17L, S 16L; Pennsylvania: 1973—H 98L, S 87L, 1974—H 78L, S 70L; South Carolina: 1973—H 104L, S 103L, 1974—H 127L, S 126L, ES—H 25L, S 26L; Virginia: 1974—H 44L, S 43L, 1975—H 39L, S 40L; Wisconsin: 1974 1st Special Session A 21L, S 17L; 2nd Special Session A 1L, S 2L.

(f) Session to fill President Pro Tem vacancy.

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

(h) Run concurrently with regular session.

(i) Montana: Data for first regular session and first extra session combined. Washington: Data for regular and all extra sessions combined.

(j) This information was not available for publication in the 1974–75 edition of *The Book of the States*.

(k) House adjournment date. Senate adjourned December 31, 1973.

(l) Ceremonial bicentennial meeting of Legislature on site of original Legislature.

(m) Organizational session. Not included in legislative day limitation.

TABLE 13  
LEGISLATIVE PROCEDURE: STANDING COMMITTEES

State or other jurisdiction	Committee members appointed by		Committee chairmen appointed by		Number of standing committees during regular 1975 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	2.5
Arkansas.....	S	CC	S	CC	10	10	1	2	2
California.....	S	CR	S	CR	20	17	..	3	4
Colorado.....	S, MnL	MjL, MnL	S	MjL	11	11	..	3	3
Connecticut.....	S	Pt	S	Pt	..	..	22	3	3
Delaware.....	S	Pt	S	Pt	18	16	1	3	4
Florida.....	S	P	S	P	18	11	..	3	3
Georgia.....	S	CC	S	CC	24	17	..	3	3
Hawaii.....	(b)	(b)	(c)	(c)	17	17	..	6	5
Idaho.....	S	P, E	S	P, E	12	9	..	3	3
Illinois.....	S, MnL	P, MnL	S	P	22	15	..	2.5	4
Indiana.....	S	Pt	S	Pt	21	12	..	3	4
Iowa.....	S	MjL	S	MjL	15	15	..	3	3.5
Kansas.....	S	CC	S	CC	19	15	..	2.6	4.6
Kentucky.....	CC	CC	CC	CC	14	14	..	3	3
Louisiana.....	S	P	S	P	16	12	..	2.4	2.4
Maine.....	S	P	S	P	..	..	22	1.5	2
Maryland.....	S	P	S	P	6	5	..	1	1
Massachusetts.....	S	P	S	P	3	3	20	(d)	(d)
Michigan.....	S	CC	S	CC	33	17	..	..	..
Minnesota.....	S	CC	S	CC	17	12	..	3	3
Mississippi.....	S	P(a)	S	P(a)	25	31	4	4	7
Missouri.....	S	Pt(e)	S	Pt	33	20	..	3	7
Montana.....	S	CC	S	CC	13	12	..	3	4
Nebraska.....	U	CC	U	(f)	U	13	..	U	2.1
Nevada.....	MjL, MnL	MjL, MnL	S	MjL	13	10	..	3	3
New Hampshire.....	S	P	S	P	19	12	..	1	3
New Jersey.....	S	P	S	P	13	11	..	1.35	1.53
New Mexico.....	S	CC	S	CC	12	7	..	2	2
New York.....	S	Pt	S	Pt	26	24	..	2.5	4
North Carolina.....	S	P	S	P	40	24	2	6	6
North Dakota.....	S	CC	(c)	(c)	12	11	..	2	2
Ohio.....	S	CC	S	CC	17	11	..	3	3
Oklahoma.....	S	Pt	S	CR	31	22	..	4	4
Oregon.....	S	S	S	P	16	15	..	2	4
Pennsylvania.....	CC	Pt	S	Pt	21	18	..	3	5
Rhode Island.....	S	MjL	S	MjL	6	6	6	1	2
South Carolina.....	S	E	E	E	6	11	..	1	5
South Dakota.....	S	CC	S	CC	11	11	..	2	2.5
Tennessee.....	S	S	S	S	10	7	..	2	2
Texas.....	S(g)	P(a)	S	P(a)	24	8	..	3	3
Utah.....	S	P	S	P	9	10	1	2	2.7
Vermont.....	S	CC	S	CC	14	12	1	1	3
Virginia.....	S	E	S	(h)	17	10	..	3	4
Washington.....	S	P, CC	S	CC	17	17	..	3	3
West Virginia.....	S	P	S	P	12	16	..	3	6
Wisconsin.....	S, MnL	CC	S	CC	20	9	2	2	2
Wyoming.....	S(b)	P(b)	S(b)	P(b)	9	9	1	2	2
American Samoa.....	S, E	P, E	S	P	19	12	1	5	5
Guam.....	U	(i)	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.

Symbols:

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) House: Democrats 2.5, Republicans 2; Senate: Democrats 5, Republicans 8.  
(e) Minority caucus.  
(f) Secret ballot by Legislature as a whole.  
(g) Modified seniority system.  
(h) Senior member of the committee is automatically chairman.  
(i) Chairman of each committee.

TABLE 14

## LEGISLATIVE PROCEDURE: STANDING COMMITTEE ACTION

State or other jurisdiction	Uniform rules of committee procedure			Public access to committee meetings required				Recorded roll call on vote to report bill to floor	
				Open to public		Advance notice (in days)			
	House	Senate	Joint	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	(b)	(b)	.....	.....	Al	Al
Delaware.....	Yes	Yes	No	Yes	Yes	.....	.....	Nv	Nv
Florida.....	Yes	Yes	...	Yes	Yes	2(c)	10	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	5	5	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	(e)	(e)	Nv	Nv
Michigan.....	Yes	No	...	Yes	Yes	.....	.....	Al	Al
Minnesota.....	Yes	Yes	Yes	Yes	Yes	3	3	Nv	Nv
Mississippi.....	No	No	No	Yes	Yes	.....	.....	Sm	Sm
Missouri.....	Yes	Yes	...	Yes	Yes	1	1	Al	Al
Montana.....	No	No	...	Yes	Yes	(f)	(f)	Al	Al
Nebraska.....	U	Yes	...	U	Yes	U	5-7	U	Al
Nevada.....	Yes	Yes	...	Yes	Yes	2	.....	Sm	Al
New Hampshire.....	Yes	No	...	Yes	Yes	3	3	Al	Al
New Jersey.....	Yes	Yes	...	Yes	Yes	.....	.....	Al	Al
New Mexico.....	No	No	...	Yes	Yes	.....	.....	Al	Al
New York.....	Yes	Yes	...	Yes	Yes	7	7	Sm	Sm
North Carolina.....	No	No	No	Yes	Yes	(d)	(d)	Nv	Nv
North Dakota.....	No	No	...	Yes	Yes	.....	.....	Sm	Sm
Ohio.....	Yes	Yes	...	Yes	Yes	(d)	.....	Al	Al
Oklahoma.....	Yes	Yes	...	No	No	.....	.....	Sm	Sm
Oregon.....	Yes	Yes	...	Yes	Yes	1	1	Al	Al
Pennsylvania.....	No	No	...	Yes	Yes	3	3	Al	Al
Rhode Island.....	Yes	Yes	Yes	Yes	Yes	.....	.....	Al	Al
South Carolina.....	Yes	Yes	...	Yes	Yes	.....	.....	Nv	Nv
South Dakota.....	Yes	Yes	...	No	Yes	2	2	Al	Al
Tennessee.....	Yes	Yes	...	Yes	Yes	(g)	(g)	Sm	Al
Texas.....	Yes	No	...	Yes	Yes	1	1	Al	Sm
Utah.....	Yes	Yes	Yes	Yes	Yes	.....	.....	Sm	Al
Vermont.....	Yes	Yes	Yes	Yes	Yes	.....	.....	Sm	Sm
Virginia.....	Yes	Yes	...	Yes(h)	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	N.A.	N.A.	U	Nv
Puerto Rico.....	Yes	Yes	...	Yes	Yes	N.A.	N.A.	Nv	Nv

## Symbols:

U—Unicameral

Sm—Sometimes

Al—Always

Nv—Never

Us—Usually

N.A.—Not available.

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

(b) By practice, committee meetings are open to public; however, it is at the chairman's discretion to conduct meetings in 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. North Carolina: usually about 2 days. Ohio: "due notice" usually 7 days. Virginia: notice is published in the daily calendar.

(e) Special bills only.

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

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

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

TABLE 15

## 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.	(c)	...	H—(d); S—No
Georgia.....	No	No	Spkr.	Pres.	...	...	Yes
Hawaii.....	No	No	Spkr.	Pres.	★	★	...
Idaho.....	S	S	Spkr.	Pres.	...	...	No
Illinois.....	B	B	Cmte. on Asgn.	Cmte. on Asgn.	...	...	Yes(e)
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	...	Jt. Cmte. on Ref. of Bills(g)	...	...	...	No
Maryland.....	B	B	Spkr.	Pres.	(h)	(h)	No
Massachusetts.....	B	B	Clerk(g)	Clerk(g)	★	★	No
Michigan.....	N.A.	N.A.	Spkr.	Pres.(g)	N.A.	N.A.	Yes
Minnesota.....	No	B	Spkr.	Pres.	(i)	(i)	Yes
Mississippi.....	B	B	Spkr.	Pres.	...	...	No
Missouri.....	B	B	Spkr.	Pres. Pro Tem	★	★	No
Montana.....	B	...	Spkr.	Pres.	...	...	...
Nebraska.....	S	S	...	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.(j)	(c)	(c)	No
New York.....	B	B	Spkr.	Maj. Ldr.	...	...	Yes
North Carolina.....	S	S	Spkr.	Pres.	(c)	(c)	Yes
North Dakota.....	B	...	Spkr.	Pres.	★	★	...
Ohio.....	B	B	Ref. Cmte.	Rules Cmte.	...	...	Yes
Oklahoma.....	B	B	Spkr.	Pres. Pro Tem	...	...	Yes
Oregon.....	B	...	Spkr.	Pres.	...	...	...
Pennsylvania.....	B	B	Spkr.	Pres.	...	...	Yes
Rhode Island.....	No	No	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	...	Rules Cmte.	...	★	Yes
Puerto Rico.....	B	B	Pres.	Pres.	★	★	Yes

## Symbols:

B—Both chambers

S—Senate

H—House

N. A.—Not available.

(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. A legislative schedule is established for committee action however.

(c) Except appropriations and/or taxation committees.

(d) Bills are given first reading again in 2nd session. They are referred to the same committees or to the calendar at the Speaker's discretion.

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

(h) No, except for local bills in House and local bills and bills creating judgeships in Senate.

(i) No, except for bills on government structure which go to Governmental Operations Committees and bills appropriating funds which go to Finance Committees.

(j) At request of sponsoring senator.

TABLE 16

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>
<b>Alabama</b> .....	30th L day.	House: $\frac{1}{2}$ vote of quorum present and voting. Senate: unanimous vote.
<b>Alaska</b> .....	2nd session only: 35th C day.	$\frac{2}{3}$ vote of membership. Standing committees. Governor's legislation introduced through Rules Committee.
<b>Arizona</b> .....	1st session: 36th day. 2nd session: 29th day. Special session: 10th day.	$\frac{2}{3}$ vote of quorum. Permission of Rules Committee.
<b>Arkansas</b> .....	Appropriations bills, 50th day; other bills, 55th day.	$\frac{2}{3}$ vote of membership.
<b>California</b> .....	None, except legislative schedule established for committee action.	.....
<b>Colorado</b> .....	1st session: 60th L day. 2nd session: 30th L day.	Committee on Delayed Bills. Appropriations Bills.
<b>Connecticut</b> .....	Fixed by General Assembly when adopting rules for the biennium.	Appropriations bills. Bills at request of Governor for emergency or necessity. Emergency legislation designated by presiding officers. Legislative revision and omnibus validation acts.
<b>Delaware</b> .....	House: fixed at beginning of session. Senate: none.	Majority vote.
<b>Florida</b> .....	House: 2nd Friday after 1st Tuesday for general bills and joint resolutions; 7th Friday after 1st Tuesday for local bills. Senate: 18th L day.	$\frac{2}{3}$ vote. Recommendation of Rules Committee.
<b>Georgia</b> .....	30th C day.	$\frac{2}{3}$ vote.
<b>Hawaii</b> .....	Deadlines are established during the course of the session.	$\frac{2}{3}$ vote.
<b>Idaho</b> .....	House: 25th day for individual members; 45th day for committees except for Appropriations, State Affairs, Revenue and Taxation, and Ways and Means. Senate: 15th day for individual members; 30th day for committees except for Finance and State Affairs Committees.	Speaker may designate any committee to serve as a privileged committee either temporarily or for the remainder of the session.
<b>Illinois</b> .....	Odd years: April 12. Even years: all bills shall be referred to Rules Committee.	$\frac{2}{3}$ vote. Odd years: all bills exempted by Rules Committee. Even years: committee bills, revenue and appropriations bills.
<b>Indiana</b> .....	House: odd year, 21st session day; even year, 3rd session day. Senate: odd year, 12th session day; even year, 4th session day.	House: $\frac{2}{3}$ vote. Senate: consent of Rules and Legislative Procedure Committee.
<b>Iowa</b> .....	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. Committee bills.
<b>Kansas</b> .....	Odd year: 36th C day for individuals; 45th C day for committees. Even year: 14th C day for individuals; 30th C day for committees.	Majority vote. Committees on Ways and Means. Senate Committee on Organization, Calendar and Rules. House Committee on Federal and State Affairs. Authorized select committees.
<b>Kentucky</b> .....	No introductions during final 10 days.	Majority vote of elected members.
<b>Louisiana</b> .....	15th C day.	$\frac{2}{3}$ vote of elected members.
<b>Maine</b> .....	4th Friday after convening for drafting requests to Legislative Research, final form to be introduced no later than the 6th Tuesday following.	Approval of a majority of the members of the Joint Committee on Reference of Bills. Committee bills. Bills to facilitate legislative business.
<b>Maryland</b> .....	No introductions during last 35 days. Appropriations bills, 3rd Wednesday of January or, for new Governors, 10 days after convening of General Assembly.	$\frac{2}{3}$ vote.
<b>Massachusetts</b> ....	1st Wednesday of December.	$\frac{2}{3}$ vote. Committee bills. Request of Governor
<b>Michigan</b> .....	None.	.....
<b>Minnesota</b> .....	None.	.....
<b>Mississippi</b> .....	90-day session: 16th day. 125-day session: 51st day.	$\frac{2}{3}$ present and voting. Revenue, local and private bills.
<b>Missouri</b> .....	Odd year: 60th L day. Even year: 30th L day.	Majority of elected members. Request of Governor. Appropriations bills.
<b>Montana</b> .....	18th day regular bills. 25th day revenue bills.	$\frac{2}{3}$ vote. Appropriations bills.
<b>Nebraska</b> .....	10 L days.	$\frac{2}{3}$ vote. Request of Governor. With approval of majority of members of a committee and $\frac{2}{3}$ elected members of Legislature.
<b>Nevada</b> .....	Bill drafting request only. House: 40th C day. Senate: none.	House: $\frac{2}{3}$ present. Committee bills.
<b>New Hampshire</b> ...	Must be received for drafting by the 4th Thursday of April.	$\frac{2}{3}$ vote of membership.

TABLE 16—Concluded

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>
New Jersey.....	None.	.....
New Mexico.....	30th L day, 1st session only. Appropriations bill, 50th L day.	Odd year only, at request of Governor.
New York.....	1st Tuesday in March for unlimited introduction. Each member may introduce up to 10 bills until the last Tuesday in March.	Unanimous vote except for Fridays unless submitted by Governor. Committee on Rules or other chamber Committee on Rules. Consent of presiding officer. By message from other chamber. Members elected at special elections after 1st Tuesday in March.
North Carolina....	House: none. Senate: state agency bills by March 15 in 1st annual session.	$\frac{3}{4}$ vote.
North Dakota.....	Bills: 15th L day. Resolutions: 18th L day.	$\frac{3}{4}$ 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.
Oklahoma.....	House: 1st session, 19th L day; 2nd session, 10th L day. Senate: 1st session, none; 2nd session, February 1.	$\frac{3}{4}$ vote. Revenue and appropriations bills.
Oregon.....	House: 29th C day. Senate: 36th C day.	Approval of Rules Committee, Joint Committee on Ways and Means, Speaker of House.
Pennsylvania.....	None.	.....
Rhode Island.....	50th L day.	House: unanimous vote. Senate: $\frac{2}{3}$ 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.	$\frac{3}{4}$ vote. General appropriations act.
Tennessee.....	House: general bills, 20th L day. Senate: general bills, 15th L day. Resolutions, 30th L day.	$\frac{3}{4}$ vote. Unanimous consent of Committee on Delayed Bills.
Texas.....	60 C days.	$\frac{3}{4}$ vote. Local bills. Emergency appropriations. Emergency matters by Governor.
Utah.....	House: 30th day. Senate: 35th 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 prefiled 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.	$\frac{3}{4}$ 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, 10-day limit.	Unanimous vote.
Washington.....	40th day for individual members, none for committee bills.	$\frac{3}{4}$ vote of elected members.
West Virginia....	House: 50th C day. Senate: 40th C day.	House: $\frac{3}{4}$ 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: $\frac{3}{4}$ 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.	$\frac{3}{4}$ vote. At request of Governor.
Guam.....	None.	.....
Puerto Rico.....	60th day.	Majority vote. Senate only: committee bills by Senate President.

TABLE 17

## LEGISLATIVE PROCEDURE: HOUSE AND SENATE ACTION

State or other jurisdiction	Requirements for reading bills		Formal floor debate is after reading number	Use of consent calendar (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	(e)	H	Yes	Yes	...	...	M	E	Elected
Arkansas.....	3	Yes(d)	3	B	Yes	Yes	...	...	M	E	Elected
California.....	3	Yes(d)	3	B	Yes	Yes	...	...	M	E	Membership
Colorado.....	3	(f)	(e)	...	Yes	Yes	...	...	M	E	Elected
Connecticut.....	3	(g)	2	B	No(h)	No(h)	8/36	31/151	E	E	Present & voting (l)
Delaware.....	2	Yes	2	H	Yes	Yes	...	...	E	E	Elected
Florida.....	3	Yes(d)	2	B	Yes	Yes	...	...	M	E	Present
Georgia.....	3	Yes	3	...	No(h)	No(h)	5	1/5	E	E	Elected
Hawaii.....	3	Yes	3	B	Yes	Yes	...	...	M	M	Membership
Idaho.....	3	Yes(d)	3	...	Yes	Yes	...	...	M	E	Present
Illinois.....	3	Yes	3(j)	B	Yes	Yes	...	...	E	E	Elected
Indiana.....	3	Yes(d)	3	...	Yes	Yes(k)	...	...	E	E	Elected
Iowa.....	2	Yes	2	B	Yes	Yes	...	...	E	E	Elected
Kansas.....	2	Yes(d)	(e)	B	Yes	Yes	...	...	M	E	Elected
Kentucky.....	3	Yes(l)	3	B	Yes	Yes	...	...	M	E	Majority voting which includes 2/5 elected
Louisiana.....	3	Yes	3	H	Yes	Yes	...	...	E	E	Elected
Maine.....	2	Yes(d)	2	H	No	No	1/5	1/5	M	E	Present & voting
Maryland.....	3	Yes(d)	2	S	Yes	Yes	...	...	E	E	Elected
Massachusetts.....	3	Yes(m)	2	(n)	No(l)	No(l)	1/5	30	M	E	Present & voting (l)
Michigan.....	3	(f)	(o)	H	Yes	Yes	...	...	M	E	Elected & serving
Minnesota.....	3	Yes(d)	2	B	Yes	Yes	...	...	E	E	Elected
Mississippi.....	3	Yes(d)	3	...	Yes	Yes	...	...	M	E	Present & voting (l)
Missouri.....	3	Yes	(p)	H	Yes	Yes	...	...	M	E	Elected
Montana.....	3	Yes	2	...	Yes	Yes	...	...	E	E	Present & voting
Nebraska.....	2	Yes	1	...	Yes	Unicameral	...	...	E	E	Elected
Nevada.....	3	Yes(d)	3	(q)	Yes	Yes	...	...	E	E	Elected
New Hampshire.....	3	(f)	2	B	No	No	...	...	E	E	(r)
New Jersey.....	3	Yes(s)	3	B	Yes	Yes	...	...	E	E	Elected
New Mexico.....	3	(t)	3	B	Yes	Yes	...	...	M(u)	M(u)	Present
New York.....	3	(v)	(w)	B	No	No	5	1	M(u)	M(u)	Elected
North Carolina.....	3	Yes(d)	2,3	...	No	No	1/5	1/5	E	M	Present & voting (l)
North Dakota.....	2	Yes	2	B	Yes	Yes	...	...	E	E	Elected
Ohio.....	3	Yes(c)	(e)	...	Yes	Yes	...	...	M	E	Elected
Oklahoma.....	3	Yes	3	...	Yes	Yes	...	...	E	E	Elected
Oregon.....	3	Yes(d)	3	B	Yes	Yes	...	...	M	E	Elected
Pennsylvania.....	3	Yes	2	B	Yes	Yes	...	...	M	E	Elected
Rhode Island.....	2	Yes(y)	2	...	No	No	1/5	1/5	E	E	Present & voting (l)
South Carolina.....	3	Yes	2	H	No	No	5	10	M	E	Present & voting (l)
South Dakota.....	2	Yes	2	B	Yes	Yes	...	...	M	E	Elected
Tennessee.....	3	Yes	3	B	Yes	Yes	...	...	E	E	Membership
Texas.....	3	Yes(z)	2	B	No	No	3	3	M	E	Present & voting (l)
Utah.....	3	Yes(d)	(aa)	S	Yes	Yes	...	...	M	E	Elected
Vermont.....	3	Yes(ab)	2	...	No(l)	No(l)	1	5	M	M	Present & voting (l)
Virginia.....	3	Yes(ac)	3	S	Yes	Yes	...	...	E	E	Majority voting which includes 2/5 elected
Washington.....	3	Yes(d)	2,3(j)	B	Yes	Yes	...	...	M	E	Elected
West Virginia.....	3	Yes(z)	3	...	Yes	No	...	1/10	M	E	Present & voting (ad)
Wisconsin.....	3	(ae)	2	B	No(l)	No(l)	1/6	1/6	M	E	Present & voting (l)
Wyoming.....	3	Yes(d)	(e)	B	Yes	Yes	...	...	M	M	Elected
American Samoa.....	3	Yes	2	...	Yes	Yes	...	...	M	M	Membership
Guam.....	3(af)	Yes	2(ag)	S	Yes	Unicameral	...	...	M	...	Majority (x)
Puerto Rico.....	3	No	N.A.	...	Yes	Yes	...	...	M	M	Elected

TABLE 17—Concluded

## LEGISLATIVE PROCEDURE: HOUSE AND SENATE ACTION

(Footnotes)

## Key:

H—Lower House

S—Senate

B—Both chambers

M—Manually

E—Electronic vote tabulator

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  $\frac{3}{4}$  vote. Alaska: Second and third readings on same day.

(d) Except by  $\frac{2}{3}$  vote.

(e) During Committee of the Whole.

(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.

(i) Not based on constitutional requirement.

(j) Amendments to bills must be submitted at second reading.

(k) Except concurrence in Senate amendments.

(l) Except by majority vote.

(m) If rules are suspended, all readings may be on separate days.

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

(o) Senate: during Committee of the Whole; House: 2.

(p) After committee report and formal printing.

(q) A proposed constitutional amendment to allow use of consent calendar will go to the voters in November 1976.

(r) House: a majority of the members is a quorum for doing business, but when less than  $\frac{2}{3}$  members are present, the assent of  $\frac{2}{3}$  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.

(s) First and second readings may be on same day and second and third readings may be on same day upon roll call vote of  $\frac{3}{4}$  of members.

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

(u) By show of hands.

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

(w) Assembly: 3; Senate: during the Committee of the Whole.

(x) Number of votes required depends in most cases on the lapse of time from introduction (1st reading to 3rd). The longer the time, the fewer number of votes required.

(y) Except by unanimous consent.

(z) Except by  $\frac{4}{5}$  vote.

(aa) House: 3; Senate: 2 and 3.

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

(ac) Dispensed with for a bill to codify the laws and by a  $\frac{4}{5}$  vote.

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

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

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

(ag) Budget legislation in Committee of the Whole.



TABLE 18  
LEGISLATIVE PROCEDURE: EXECUTIVE ACTION

State or other jurisdiction	Days after which bill becomes law (before adjoin- 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	20	10	★	★	★(b)	★	Majority elected
Alaska.....	15	10	..	..	..	★	..	Three-fourths elected
Arizona.....	5	20(c)	..	★	..	★	..	Two-thirds elected
Arkansas.....	5	(d)	..	..	..	★(b)	..	Majority elected
California.....	12(c)	..	..	..	★	..	..	Two-thirds elected
Colorado.....	10(c)	30(c)	..	★	..	★	★	Two-thirds elected
Connecticut.....	5(e,f)	15(c,f)	30(c)	★	..	★	..	Two-thirds elected
Delaware.....	10	..	..	★(g)	..	★	..	Three-fifths elected
Florida.....	7(c)	15(c)	..	★	..	★	★	Two-thirds present
Georgia (h).....	5	30(i)	..	..	..	★	..	Two-thirds elected
Hawaii (h).....	10(e)	45(e,i)	(e,j)	..	..	★(b)	..	Two-thirds elected
Idaho.....	5	10	..	..	..	★	..	Three-fifths present
Illinois.....	60(f)	90(k)	..	..	★(l)	★	..	Two-thirds elected
Indiana.....	7	7	..	★	..	..	..	Three-fifths elected
Iowa.....	3	(m)	..	★	..	★	★	Majority elected
Kansas.....	10	10	..	★	..	..	..	Two-thirds elected
Kentucky.....	10	10	..	..	..	★	..	Majority elected
Louisiana (h).....	10(c,f)	20(c,f)	..	..	..	★	..	Two-thirds elected
Maine.....	5	(n)	..	..	..	..	..	Two-thirds present
Maryland (h).....	6	30	..	..	★	★(o)	★	Three-fifths elected
Massachusetts.....	10(e)	..	10(f)	★	★(l)	★(b)	★	Two-thirds present
Michigan.....	14(c,f)	..	14(c,f)	★	..	★	★	Two-thirds elected
Minnesota.....	3	..	14	★	..	★	..	Two-thirds elected
Mississippi.....	5	15(p)	..	..	..	★	..	Two-thirds elected
Missouri.....	(q)	(r)	..	..	..	★(b)	..	Two-thirds elected
Montana.....	5	25(c)	..	..	..	..	..	Two-thirds present
Nebraska.....	5	5	..	★	★	★(s)	★	Three-fifths elected
Nevada.....	5	10	..	★	★	..	..	Two-thirds elected
New Hampshire.....	5	..	5(f)	★	★	..	..	Two-thirds present
New Jersey.....	10(t)	45	(u)	★	..	★(b)	..	Two-thirds elected
New Mexico.....	3	..	20(v)	★	..	★	..	Two-thirds present
New York.....	10(f)	(w)	30(c)	★	..	★(w)	..	Two-thirds elected
North Carolina.....	(w)	15(c)	(w)	..	..	..	..	Two-thirds elected
North Dakota.....	3(c)	10	..	..	★	★	..	Three-fifths elected
Ohio.....	10	..	..	★	..	..	..	Two-thirds elected
Oklahoma.....	5	..	15	★	..	★	..	Two-thirds elected(x)
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.....	3	(n)	..	..	..	★	★	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	..	(y)	★	..	..	..	Two-thirds present
Virginia.....	7(c)	..	30(c)	..	★	★	★	Two-thirds present(z)
Washington.....	5	10	..	★	..	★	★	Two-thirds present
West Virginia.....	5	15(aa)	..	★	..	★	★	Majority elected(ab)
Wisconsin.....	6(f)	..	6(f)	★	..	★	★	Two-thirds present
Wyoming.....	3	15(c,ac)	..	★	★	★	..	Two-thirds elected
American Samoa...	10	..	30	★	★	★	..	Two-thirds elected(ad)
Guam.....	10	..	30	..	..	★	..	14 members
Puerto Rico.....	10	10	30(c)	..	..	★	★	Two-thirds elected
TTPI.....	10	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) 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.

(l) Amendatory veto.

(m) 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 General Assembly. Governor must give his approval or his objections if disapproved.

(n) 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.

(o) Maryland: right of item veto on supplementary appropriation bills and capital construction bill, only. The general appropriation bill may not be vetoed.

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

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

(r) 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.

(s) Items vetoed in any appropriations bills may be restored by  $\frac{2}{3}$  vote on entire bill. No appropriations can be made in excess of the recommendations contained in the Governor's budget unless by a  $\frac{2}{3}$  vote. The excess approved by the  $\frac{2}{3}$  vote is subject to veto by the Governor.

(t) 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.

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

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

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

(x)  $\frac{2}{3}$  in case of an emergency measure.

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

(z) Including majority elected.

(aa) Five days for appropriations bills.

(ab) Budget bill and supplementary appropriation bill require  $\frac{2}{3}$  elected.

(ac) Bill becomes law if not filed with objections with the Secretary of State within 15 days after adjournment.

(ad) Requires approval by Secretary of the Interior.

TABLE 19  
OFFICE SPACE FOR STATE LEGISLATORS:  
SENATE

State or other jurisdiction	Individual legislators		Leaders
	Private	Shared	
Alabama.....	None	St. Capitol	Pres., Pres. Pro Tem., Flr. Ldrs., Maj. Cmte. Chmn.
Alaska.....	None	St. Capitol	Pres., Flr. Ldrs., Cmte. Chmn.
Arizona.....	Senate Wing	...	...
Arkansas.....	None	St. Capitol	...
California.....	St. Capitol	...	...
Colorado.....	None	None	Pres., Flr. Ldrs. (a)
Connecticut.....	None	None	Pres., Pres. Pro Tem., Flr. Ldrs. (a)
Delaware.....	Legis. Hall	...	...
Florida.....	Senate	...	...
Georgia.....	Office Bldg. (b)	St. Capitol (c)	Pres., Pres. Pro Tem., Maj. & Min. Ldrs., Admin. Flr. Ldr.
Hawaii.....	St. Capitol	...	...
Idaho.....	None	None	Pres., Pres. Pro Tem., Maj. & Min. Ldrs., Finance Cmte. Chmn. (a)
Illinois.....	St. Office Bldg. (d)	...	Pres., Pres. Pro Tem., Fin. Cmte. Chmn.
Indiana.....	None	St. House	Pres., Pres. Pro Tem., Flr. Ldrs., Asst. Flr. Ldrs., Cmte. Chmn. (a)
Iowa.....	None	None	Pres., Pres. Pro Tem., Maj. & Min. Ldrs., Ways & Means Chmn.
Kansas.....	None	St. House	Pres., Pres. Pro Tem., Flr. Ldrs., Caucus Chmn., Whips (a)
Kentucky.....	None	None	...
Louisiana.....	St. Capitol	...	Pres., Flr. Ldrs., Cmte. Chmn. (e)
Maine.....	None	None	...
Maryland.....	James Senate Office Bldg. (b)	...	...
Massachusetts.....	None	St. House	Pres., Flr. Ldrs.
Michigan.....	St. Capitol	...	...
Minnesota.....	St. Capitol/St. Office Bldg.	...	...
Mississippi.....	None	None	Pres., Pres. Pro Tem., some Cmte. Chmn. (f)
Missouri.....	St. Capitol	...	...
Montana.....	None	None	Pres., Flr. Ldrs., Finance & Claims Chmn. (a)
Nebraska.....	St. Capitol	...	...
Nevada.....	Legis. Bldg.	...	...
New Hampshire.....	None	None	Pres., Flr. Ldrs., some Cmte. Chmn. (g)
New Jersey.....	None	None	Pres., Maj. & Min. Ldrs., Asst. Maj. Ldr. (e)
New Mexico.....	None	Legislative Office Bldg.	Pres., Pres. Pro Tem., Flr. Ldrs.
New York.....	St. Capitol/Legis. Office Bldg.	...	...
North Carolina.....	St. Legis. Bldg.	...	...
North Dakota.....	None	None	Pres., Flr. Ldrs. (a)
Ohio.....	St. House	...	...
Oklahoma.....	St. Capitol	...	...
Oregon.....	St. Capitol/Public Service Bldg.	...	...
Pennsylvania.....	Main Capitol Bldg.	...	...
Rhode Island.....	St. House	...	...
South Carolina.....	None	None	Pres., Pres. Pro Tem., Maj. Cmte. Chmn. (e)
South Dakota.....	None	None	Pres., Pres. Pro Tem., Maj. & Min. Ldrs., Cmte. Chmn. (a)
Tennessee.....	Legis. Office Bldg. (b)	...	...
Texas.....	St. Capitol	...	...
Utah.....	None	None	Pres. (a)
Vermont.....	None	None	Pres. (e)
Virginia.....	Legis. Office Bldg. (h)	...	...
Washington.....	Legis. Bldg./Public Lands/Inst. Bldg. (b)	...	...
West Virginia.....	None	None	Pres., Maj. & Min. Ldrs., some Cmte. Chmn. (a)
Wisconsin.....	St. Capitol	...	...
Wyoming.....	None	None	Pres. (a)
American Samoa.....	Maoto Fono	...	...
Guam.....	Congress Bldg.	...	...
Virgin Islands.....	Government House	...	...

(a) State Capitol.  
(b) President is in State Capitol.  
(c) During legislative session only.  
(d) President and Majority and Minority Leaders are in Capitol Building.  
(e) State House.

(f) New Capitol.  
(g) State House and Legislative Office Building.  
(h) President and President Pro Tem. are in Capitol Building.

TABLE 20  
OFFICE SPACE FOR STATE LEGISLATORS:  
HOUSE

State or other jurisdiction	Individual legislators		Leaders
	Private	Shared	
Alabama.....	None	St. Capitol	Spkr., Spkr. Pro Tem., Flr. Ldrs., Maj. Cmte. Chmn.
Alaska.....	None	St. Capitol	Spkr., Flr. Ldrs., Cmte. Chmn.
Arizona.....	House Wing	None	Spkr. (a)
Arkansas.....	None	None	...
California.....	St. Capitol	...	...
Colorado.....	None	None	Spkr. (a)
Connecticut.....	None	None	Spkr., Dep. Spkr., Flr. Ldrs. (a)
Delaware.....	None	Legislative Hall	Spkr.
Florida.....	House Office Bldg./ St. Capitol	...	...
Georgia.....	None	None	Spkr., Spkr. Pro Tem., Maj. & Min. Ldrs., Admin. Flr. Ldr. (a)
Hawaii.....	St. Capitol	None	...
Idaho.....	None	None	Spkr., Maj. & Min. Ldrs., Appropriations Chmn. (a)
Illinois.....	St. Office Bldg. (b)	None	Spkr., Spkr. Pro Tem., Flr. Ldrs., Ways & Means Cmte. Chmn. (c)
Indiana.....	None	None	Spkr., Spkr. Pro Tem., Flr. Ldrs., Asst. Flr. Ldrs., Cmte. Chmn. (a)
Iowa.....	None	None	Spkr., Spkr. Pro Tem., Maj. & Min. Flr. Ldrs., Ways & Means Cmte. Chmn.
Kansas.....	None	St. House	Spkr., Flr. Ldrs., Caucus Chmn., Whips (a)
Kentucky.....	None	None	Spkr., Budget Cmte. Chmn., Legis. Council Chmn. (a)
Louisiana.....	None	None	Spkr., Flr. Ldrs., Cmte. Chmn. (c)
Maine.....	None	None	...
Maryland.....	House Office Bldg. (d)	...	...
Massachusetts..	None	St. House	Spkr., Flr. Ldrs.
Michigan.....	St. Capitol (e)	...	...
Minnesota.....	St. Office Bldg.	...	...
Mississippi.....	None	None	Spkr., some Cmte. Chmn. (f)
Missouri.....	None	St. Capitol	Spkr., Spkr. Pro Tem.
Montana.....	None	None	Spkr., Flr. Ldrs., Appropriations Chmn. (a)
Nebraska.....	(Unicameral Legislature)	None	...
Nevada.....	None (g)	None	Spkr., Spkr. Pro Tem., Ldrs., Cmte. Chmn. (h)
New Hampshire..	None	None	Spkr., Flr. Ldrs., some Cmte. Chmn. (i)
New Jersey.....	None	None	Spkr., Maj. & Min. Ldrs. (c)
New Mexico.....	None	Legislative Office Bldg.	Spkr., Flr. Ldrs.
New York.....	St. Capitol/Legis. Office Bldg.	...	...
North Carolina..	St. Legis. Bldg.	...	...
North Dakota...	None	None	Spkr., Flr. Ldrs. (a)
Ohio.....	St. House	...	...
Oklahoma.....	None	St. Capitol	Spkr., Spkr. Pro Tem., Flr. Ldrs., Major Cmte. Chmn.
Oregon.....	St. Capitol/Public Service Bldg.	...	...
Pennsylvania...	None	Main Capitol Bldg.	Spkr., Ldrs., Cmte. Chmn.
Rhode Island...	None	St. House	Spkr., Flr. Ldrs.
South Carolina..	None	None	Spkr., Spkr. Pro Tem., Spkr. Emeritus, Major Cmte. Chmn. (c)
South Dakota...	None	None	Spkr., Spkr. Pro Tem., Maj. & Min. Ldrs., Cmte. Chmn. (a)
Tennessee.....	Legis. Office Bldg. (d)	...	...
Texas.....	St. Capitol	None	Spkr., Flr. Ldrs. (a)
Utah.....	None	None	Spkr., Maj. & Min. Ldrs. (c)
Vermont.....	None	None	...
Virginia.....	Legis. Office Bldg. (b)	...	...
Washington.....	Legis. Bldg./House Office Bldg. (d)	...	...
West Virginia...	None	None	Spkr., Maj. & Min. Ldrs., some Cmte. Chmn. (a)
Wisconsin.....	None	St. Capitol	...
Wyoming.....	None	None	Spkr. (a)
American Samoa	Maoto Fono	...	...
Guam.....	(Unicameral Legislature)	...	...
Virgin Islands...	(Unicameral Legislature)	...	...

(a) State Capitol.

(b) Leadership offices are in Capitol Building.

(c) State House.

(d) Speaker has office in Capitol Building.

(e) Additional office space in vicinity of State Capitol.

(f) New Capitol.

(g) In 1977 all legislators will have individual offices.

(h) Legislative Building.

(i) Legislative Office Building.

TABLE 21  
LEGISLATIVE APPLICATIONS OF ELECTRONIC DATA PROCESSING\*

State or other jurisdiction	Statutory retrieval	Bill typing	Bill drafting	Bill status reporting	Computerized photo composition	Fiscal/Budgetary information	Statutory revision and recodification	Reapportionment/Redistricting	Payroll	Mailing lists	Case law search & retrieval
Alabama.....	☆	..	..	★	..	★	★	★	★	..	..
Alaska.....	☆	☆	☆	..	★	★(a)	☆	..	★	..	..
Arizona.....	..	..	..	..	..	★(a)	..	..	★	..	..
Arkansas.....	..	..	..	..	..	..	..	..	..	..	..
California.....	★	★	☆	☆	★	..	☆	★	★(b)	★	☆
Colorado.....	★	★	★	★	★	..	★	..	..	★	..
Connecticut.....	★	★	★	★	★	..	★	..	..	..	..
Delaware.....	..	..	..	..	..	★(c)	..	★(c)	..	..	..
Florida.....	★	★	★	★	★(c)	..	★	★(c)	..	..	..
Georgia.....	★	★	★	★	..	★(a)	★	★(a)	★(a)	★	..
Hawaii.....	..	..	..	★	..	..	★	..	..	..	..
Idaho.....	★	★	★	★	★	★	..	..	..	..	..
Illinois.....	★	★	★	★	★	★	..	★	★	..	..
Indiana.....	★	★	★	★	★	★	★	..	..	..	..
Iowa.....	★	★	★	★	★	★	★	..	★	★	..
Kansas.....	★	★	★	★	☆	★(d)	★	..	★	..	..
Kentucky.....	..	..	★	★	☆	..	..	..	..	..	..
Louisiana.....	..	..	..	★	..	★(a)	..	★	★	★	..
Maine.....	★(c)	..	..	★	..	★(a)	..	★	..	..	..
Maryland.....	★	★	★	★	★	★	★	..	★	..	..
Massachusetts.....	★	★	★	★	★	★(a)	..	..	★	..	..
Michigan.....	★	★	..	..	★	★(a)	★	..	..	..	..
Minnesota.....	★	★	★	★	★	★(a)	★	..	..	..	..
Mississippi.....	..	..	..	★	..	★(a)	★	..	..	..	..
Missouri.....	★(c)	..	..	★	★	..	..	..	★	..	..
Montana.....	★	★	★	★(e)	★	..	★	..	★(a)	..	..
Nebraska.....	..	★	★	..	★	★	..	..	..	..	★
Nevada.....	★(c)	..	..	..	..	★	..	★	..	..	..
New Hampshire.....	..	..	..	★	..	☆	..	★	..	..	..
New Jersey.....	★	..	..	..	..	..	..	★	..	..	..
New Mexico.....	..	..	..	..	..	..	..	..	..	..	..
New York.....	..	★	★	★	★	★	..	★	..	★	..
North Carolina.....	★(c)	..	..	★	★	..	..	..	★	..	..
North Dakota.....	..	..	☆	★	..	..	..	..	..	★	..
Ohio.....	★	★	★	★	..	★	..	..	★	..	★
Oklahoma.....	★	★	★	★	★	..	..	★	..	..	..
Oregon.....	★	★	..	★	..	..	..	★	..	..	..
Pennsylvania (f).....	☆	★	★	★	★	★	★	★	★(a)	★(a)	..
Rhode Island.....	..	..	..	..	..	★(a)	..	..	..	..	..
South Carolina.....	☆	★	☆	★	☆	★(a)	☆	★(a)	★	★	☆
South Dakota.....	★	..	☆	★	☆	★(a)	..	..	★	..	..
Tennessee.....	☆	..	..	☆	☆	★(a)	..	..	..	..	..
Texas.....	★	★	☆(g)	★	★	★	★	..	★(a)	..	..
Utah.....	★	..	..	..	☆	★	☆	★	..	..	..
Vermont.....	..	..	..	..	..	..	..	..	★	..	..
Virginia.....	★	★	★	★	★	★	☆	..	..	..	..
Washington.....	★	★	★	★	★	★	★	..	★(a)	★(a)	★
West Virginia.....	★	★	★	★	★	..	..	..	..	..	..
Wisconsin.....	★	★	★	☆	★	★(a)	★	..	..	..	..
Wyoming.....	★	★	★	★	..	★	★	..	★	★	..
American Samoa.....	..	..	..	..	..	..	..	..	..	..	..
Guam.....	..	..	..	..	..	..	..	..	..	..	..

\*This table is an updated version of the table published in *State Use of Electronic Data Processing* (Lexington, Ky.: The Council of State Governments, 1974).

★ Actual; ☆ Planned.

(a) Information is provided by other departments of state government.

(b) Assembly only.

(c) No in-house system.

(d) Fiscal and revenue only.

(e) Daily status sheets are prepared using EDP. Instant status reporting will be available in 1977.

(f) Can word search bills and statutes.

(g) Expected to be operational by June 1976.

(h) ★House accounting system; ☆House personnel records

TABLE 22  
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
Alabama	(c)	(c)	★	★	B	..	..	..	..	..	B	B
Alaska	★	★	★	★	B	..	..	..	..	..	B	..
Arizona	★	★	★	★	B(d)	..	S	..	H	..	H	..
Arkansas	★	★	★	★	B	B	..	B	..	..	..	..
California	★	★	★	★	..	..	B	B	..	..	..	..
Colorado	★	★	★	★	B	..	..	..	..	..	..	..
Connecticut	(e)	(e)	(e)	(e)	(e)	..	..	..	(e)	..	..	..
Delaware	★	★	★	★	..	..	..	..	..	..	B	B
Florida	★	★	★	★	..	..	..	..	..	..	..	..
Georgia	★	★	(f)	(f)	B	..	..	..	..	B	..	..
Hawaii	(c,g)	(c,g)	★	★	..	..	..	..	..	..	B	B
Idaho	(c)	(c)	★	★	..	..	..	..	..	..	..	..
Illinois	★	★	★	★	..	..	..	..	B	..	..	..
Indiana	★	★	★	★	B	..	..	..	S	..	..	..
Iowa	★	★	★	★	B	..	..	..	..	..	..	B
Kansas	★	★	★	★	B	B	..	..	..	..	..	..
Kentucky	★	★	★	★	B	B	..	..	..	..	..	..
Louisiana	★	★	★	★	B	B	..	B	..	..	B(h)	B(h)
Maine	(e)	(e)	(e)	(e)	(e)	..	..	..	..	..	(e)	(e)
Maryland	★	★	★	★	B	..	..	..	..	..	..	B
Massachusetts	(e)	(e)	(e)	(e)	(e)	(e)	..	..	..	..	(c,i)	(c,i)
Michigan	★	★	★	★	..	..	B	H	..	..	B	S
Minnesota	★	★	★	★	..	..	..	..	..	..	B	B
Mississippi	★	★	★	★	B	B	..	..	..	..	..	..
Missouri	(c)	(c,g)	★	★	..	..	..	..	B	B	..	..
Montana	★	★	★	★	B	B	..	..	..	..	..	B
Nebraska	★	U	★	★	..	..	L	..	..	..	L	L
Nevada	(c)	(c)	★	★	B	..	..	B	..	..	..	..
New Hampshire	★	★	(f)	(f)	..	..	S	S	H	H	..	..
New Jersey	★	★	★	★	B	B	..	..	..	..	..	..
New Mexico	★	★	★	★	B	..	..	B	..	..	..	..
New York	★	★	★	★	..	..	..	..	B	B	B	B
North Carolina	★	★	★	★	B	..	..	B	..	..	..	..
North Dakota	(c)	(c)	★	★	B	..	..	B	..	..	..	..
Ohio	★	★	★	★	B	..	..	..	B	B	..	..
Oklahoma	★	★	★	★	B	..	..	B	..	..	..	..
Oregon	★	★	★	★	..	..	..	..	..	..	B	B
Pennsylvania	★	★	★	★	..	..	..	..	S	..	B	B
Rhode Island	★	★	★	★	..	..	..	..	..	..	B	B
South Carolina	★	★	★	★	..	..	..	..	H	H	S	B
South Dakota	★	★	★	★	B	..	..	..	..	B	..	..
Tennessee	★	★	★	★	B	..	..	..	..	..	S	B
Texas	★	★	★	★	B	B	..	B(f)	..	..	B	B
Utah	★	★	★	★	B	B	..	..	..	..	..	..
Vermont	★	★	★	★	B	B	..	..	..	..	..	..
Virginia	★	★	★	★	B	..	..	B	..	..	..	..
Washington	★	★	★	★	..	..	B	B	..	..	B	..
West Virginia	★	★	★	★	B	..	..	B	..	..	..	..
Wisconsin	★	★	★	★	B	..	..	B	..	..	B	B
Wyoming	(f)	(f)	★	★	B	..	..	B	..	..	..	..
American Samoa	★	..	..	..	B	..	..	..	..	..	..	..
Guam	★	U	..	U	..	..	..	..	..	..	L	L
Puerto Rico	★	★	★	★	B	..	..	..	..	..	B	L

\*For a more detailed view of legislative staff services see "Offices Providing Principal Legislative Staff Services."

†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) Joint Central Agency: Includes legislative council or service agency, central management agency.

(b) Chamber Agency: 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) Judicial committee(s) only.

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

(i) Rules committee(s) only.

TABLE 23  
OFFICES PROVIDING PRINCIPAL LEGISLATIVE STAFF SERVICES\*

<i>State or other jurisdiction and staff office or organizational entity</i>	<i>Legis- lative refer- ence library facilities</i>	<i>Bill draft- ing</i>	<i>Statute &amp; code revision</i>	<i>Legis- lative intent</i>	<i>Bill &amp; law summary</i>	<i>Legal counsel- ing</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>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.....	..	..	..	..	..	..	..	★	..	..	..	..	..
<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., Dept. of Admin....	★	★	..	..	..	..	..	..	..	★	★	..	..
Senate Research Staff.....	★	★	..	★	★	★	★	★	..	★	★	..	★
House Research Staff.....	★	★	..	★	★	★	★	★	★	★	★	..	★
<b>Arkansas</b>													
Legislative Council													
Bureau of Legislative Research.....	★	★	..	..	★	★	..	★	..	★	★	..	..
Legislative Joint Auditing Committee													
Div. of Legislative Audit.....	..	..	..	..	..	..	..	..	★	..	..	..	..
<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.....	..	..	..	..	..	..	★	..	..	..	..	..	..
Assembly Office of Research.....	★	..	..	..	..	..	..	..	..	★	..	..	..
<b>Colorado</b>													
Legislative Council.....	★	..	..	..	..	..	★	..	..	★	★	..	..
Committee on Legal Services													
Office of Revisor of Statutes.....	..	..	★	..	..	★	..	..	..	..	..	..	..
Legislative Drafting Office.....	..	★	..	★	★	★	..	..	..	..	..	★	..
Joint Budget Committee.....	..	..	..	..	..	..	..	★	..	..	★	..	..
Legislative Audit Committee.....	..	..	..	..	..	..	..	..	★	..	..	..	..

**Connecticut**

Joint Committee on Legislative Mgt.	..	..	..	..	..	..	..	★	..	..	..	..	..
Office of Fiscal Analysis	..	..	..	..	..	..	..	..	..	..	..	..	..
Office of Legislative Research	★	..	..	..	..	..	..	..	..	..	..	..	..
Office of Legislative Program Review & Investigations	..	..	..	..	..	..	..	..	..	..	..	..	..
Legislative Commissioners' Office	..	..	..	..	..	..	..	..	..	..	..	..	..
Legislative Legal Services	★	★	★	★	..	★	..	..	..	..	★	★	★
Auditors of Public Accounts	..	..	..	..	..	..	..	..	..	..	..	..	..
Legislative Reference Unit, State Library	★	..	..	..	..	..	..	..	..	..	..	..	..

**Delaware**

Legislative Council	★	★	..	..	★	★	★	★	..	★	★	..	★
---------------------	---	---	----	----	---	---	---	---	----	---	---	----	---

**Florida**

Joint Legislative Mgt. Committee	★	..	★	..	..	..	★	..	..	..	..	★	★
Joint Legislative Auditing Committee	..	..	..	..	..	..	..	..	..	..	..	..	..
Office of Auditor General	..	..	..	..	..	..	..	..	..	..	..	..	..
Joint Administrative Procedures Committee	..	..	..	..	..	..	..	..	..	..	..	..	..
Law Revision Agency	..	..	..	..	..	..	..	..	..	..	..	..	..
Senate President's Office	..	..	..	..	..	..	..	..	..	..	..	..	..
Senate Legislative Services & Information 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 Research Staff	..	..	..	..	..	..	..	..	..	..	..	..	..

**Hawaii**

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

**Idaho**

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

**Illinois**

Legislative Audit Committee	..	..	..	..	..	..	..	..	..	..	..	..	..
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	..	..	..	..	..	..	..	..	..	..	..	..	..
Senate Minority Staff	..	..	..	..	..	..	..	..	..	..	..	..	..
House Chamber and Majority Staff	..	..	..	..	..	..	..	..	..	..	..	..	..
House Minority Staff	..	..	..	..	..	..	..	..	..	..	..	..	..

**Indiana**

Legislative Council	..	..	..	..	..	..	..	..	..	..	..	..	..
Research Division	★	★	★	..	★	★	..	★	★	★	★	★	..
Commission on State Tax & Financing Policy	..	..	..	..	..	..	..	..	..	..	..	..	..



TABLE 23—Continued  
OFFICES PROVIDING PRINCIPAL LEGISLATIVE STAFF SERVICES\*

<i>State or other jurisdiction and staff office or organizational entity</i>	<i>Legis- lative refer- ence library facilities</i>	<i>Bill draft- ing</i>	<i>Statute &amp; code revision</i>	<i>Legis- lative intent</i>	<i>Bill &amp; law summary</i>	<i>Legal counsel- ing</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>Iowa</b>													
Legislative Council	★	★	..	..	★	★	..	..	..	★	★	★	..
Legislative Service Bureau	..	..	..	..	..	..	..	..	..	..	..	..	..
Legislative Fiscal Bureau	..	..	..	..	..	..	..	★	..	..	..	..	..
State Law Library	★	..	..	..	..	..	..	..	..	..	..	..	..
Office of Code Editor, Supreme Court	..	..	★	..	..	..	..	..	..	..	..	..	..
<b>Kansas</b>													
Legislative Coordinating Council	..	..	..	..	..	..	★	..	..	..	..	..	..
Div. of Legislative Administrative Services	..	..	..	..	..	..	..	..	..	..	★	..	..
Legislative Research Dept.	..	..	..	..	..	..	..	★	..	..	..	..	..
Legislative Counsel	..	..	..	..	..	..	..	..	..	..	..	..	..
Revisor of Statutes	..	★	★	..	..	..	..	..	..	..	..	..	..
Legislative Post Audit Committee	..	..	..	..	..	..	..	..	..	..	..	..	..
Legislative Reference, State Library	★	..	..	..	..	..	..	..	..	..	..	..	..
<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	..	..	..	..	..	..	..	..	..	..	..	..	..
Joint Legislative Committee on Environmental Quality	★	★	..	..	..	..	..	..	..	..	..	..	..
State Law Institute	..	☆	★	..	★	★	..	..	..	☆	..	..	..
Commission on Intergovernmental Relations	☆	☆	..	..	..	..	..	★	..	★	★	..	..
<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>Maryland</b>													
Legislative Council	..	..	..	..	..	..	..	..	..	..	..	..	..
Dept. of Legislative Reference	★	★	★	..	★	..	..	..	..	★	★	★	★
Dept. of Fiscal Services	..	..	..	..	..	..	..	★	★	★	★	..	..
<b>Massachusetts</b>													
Legislative Service Bureau	..	..	..	..	..	..	..	..	..	..	..	..	..
Joint Committee Staff	..	★	..	★	★	..	★	..	..	★	★	..	★
Office of Legislative Data Processing	..	..	..	..	..	..	..	..	..	..	..	..	..
Science Resource Network	☆	..	..	..	..	..	..	..	..	..	..	..	..
Legislative Bulletin	☆	..	..	..	..	..	..	..	..	..	..	..	..
Legislative Research Council	..	..	..	..	..	..	..	..	..	..	..	..	..
Legislative Research Bureau	★	..	..	..	..	..	..	..	..	..	..	..	..
Legislative Reference Div., State Library	★	..	..	..	..	..	..	..	..	..	..	..	..
Joint Committee on Post Audit & Oversight	..	..	..	..	..	..	..	..	..	..	..	..	..
Legislative Post Audit & Oversight Bureau	..	☆	..	..	..	..	..	☆	★	☆	..	..	☆

**Massachusetts (continued)**

Senate Chamber Staff.....	..	★	★	..	★	★	★	★	..	☆	★	★	★
House Chamber Staff.....	..	★	★	..	..	★	★	★	..	☆	★	★	★

**Michigan**

Legislative Council.....	..	..	..	..	..	..	..	..	..	..	..	..	..
Legislative Service Bureau.....	★	★	..	..	..	..	..	..	..	★	..	★	..
Law Revision Commission.....	..	★	..	..	..	..	..	..	..	☆	..	..	..
Joint Committee on Administrative Rules.....	..	..	☆	..	..	..	..	..	..	☆	..	..	..
Office of Auditor General.....	..	..	..	..	..	..	..	..	..	..	..	..	..
Consumer Council.....	..	..	..	..	..	..	..	..	..	☆	..	..	..
Legislative Retirement.....	..	..	..	..	..	..	..	..	..	☆	..	..	..
Legislature of Mich., Washington Office.....	..	..	..	..	..	..	..	..	..	☆	..	..	..
Senate Chamber Staff.....	..	..	..	..	..	..	..	..	..	☆	★	..	..
Senate Fiscal Agency.....	..	..	..	..	..	..	★	..	..	☆	..	..	..
House Chamber Staff.....	..	..	..	..	..	..	★	..	..	☆	..	..	..
House Fiscal Agency.....	..	..	..	..	..	..	★	..	..	☆	..	..	..
House Bill Analysis Div.....	..	..	..	★	..	..	..	..	..	..	..	..	..

**Minnesota**

Joint Coordinating Committee.....	..	..	..	..	..	..	..	..	..	..	..	..	..
Office of Legislative Research.....	..	..	..	..	..	..	★	..	..	..	..	..	..
Revisor of Statutes.....	..	★	★	..	..	..	..	..	..	☆	..	..	..
Legislative Reference Library.....	★	..	..	..	..	..	..	..	..	☆	..	..	..
Legislative Audit Commission.....	..	..	..	..	..	..	..	..	..	☆	..	..	..
Senate Office of the Secretary.....	..	..	..	..	..	..	★	..	..	☆	..	..	..
Senate Research.....	..	..	..	..	..	..	..	..	..	☆	..	..	..
Senate Majority Research.....	..	..	..	..	..	..	..	..	..	☆	..	..	..
Senate Minority Research.....	..	..	..	..	..	..	..	..	..	☆	..	..	..
House Chamber Staff.....	..	..	..	..	..	..	★	..	..	☆	..	..	..
House Research Div.....	..	..	..	..	..	..	..	..	..	☆	..	..	..
House Majority Leadership & Caucus Staff.....	..	..	..	..	..	..	☆	..	..	☆	..	..	..
House Minority Leadership & Caucus Staff.....	..	..	..	..	..	..	..	..	..	☆	..	..	..

**Mississippi**

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.....	..	..	..	..	..	..	..	..	..	..	..	..	..
Senate Legislative Services Office.....	..	★	..	☆	★	☆	..	☆	..	☆	☆	☆	..
House Chamber Staff.....	..	..	..	..	..	..	..	..	..	☆	☆	☆	..
House Management Committee.....	..	★	..	..	★	..	..	..	..	☆	..	..	..

**Missouri**

Committee on Legislative Research.....	★	★	★	..	★	★	..	..	..	☆	★	☆	..
Committee on State Fiscal Affairs.....	..	..	..	..	..	..	..	..	..	..	..	..	..
State Library.....	★	..	..	..	..	..	..	..	..	..	..	..	..
Senate Chamber Staff.....	..	..	..	..	..	..	..	..	..	☆	..	..	..
House Chamber Staff.....	★	★	★	☆	★	★	..	★	☆	☆	☆	..	☆

**Montana**

Legislative Council.....	★	★	★	..	☆	★	☆	..	..	☆	★	★	☆
Legislative Audit Committee.....	..	..	..	..	..	..	..	..	..	..	..	..	..
Office of Legislative Auditor.....	..	..	..	..	..	..	..	..	..	☆	..	..	..
Legislative Consumer Counsel.....	★	★	..	..	..	★	..	..	..	☆	☆	..	..
Legislative Finance Committee.....	..	..	..	..	..	..	..	..	..	..	..	..	..
Office of Legislative Fiscal Analyst.....	..	..	..	..	..	..	..	..	..	☆	..	..	..
Environmental Quality Council.....	★	★	★	★	★	★	☆	☆	☆	☆	☆	☆	☆

TABLE 23—Continued  
OFFICES PROVIDING PRINCIPAL LEGISLATIVE STAFF SERVICES\*

<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>Legis- lative intent</i>	<i>Bill &amp; law summary</i>	<i>Legal counsel- ing</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>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.....	..	..	..	..	..	..	..	..	★	★	..	..	..
State Library													
Legislative Reference Library.....	★	..	..	..	..	..	..	..	..	..	..	..	..
Legislative Research Service.....	★	..	..	..	..	..	..	..	..	..	..	..	..
Senate Leadership Staff.....	..	..	..	..	..	★	..	..	..	★	..	..	★
Senate Finance Committee.....	..	..	..	..	..	..	..	★	..	..	★	..	..
Senate Office of Communications.....	..	..	..	..	..	..	..	..	..	..	..	..	★
Senate Office of Research & Analysis.....	..	..	..	..	..	..	★	..	..	..	..	★	..
Senate Task Force on Critical Problems.....	..	..	..	..	..	..	..	..	..	★	..	..	..
Senate Office of Introduction & Revision.....	..	..	..	★	★	..	..	..	..	..	..	..	..
Senate Standing Committee.....	..	..	..	..	..	..	..	..	★	..	★	..	..
Assembly Leadership Staff.....	..	..	..	..	..	..	★	..	..	..	★	..	★
Assembly Program & Committee Staff.....	..	..	..	..	..	..	..	..	..	★	★	..	..
Assembly Minority Committee Staff.....	..	..	..	..	..	..	..	..	..	..	★	..	..
Assembly Scientific Staff.....	..	..	..	..	..	..	..	..	..	★	..	..	..
Assembly Office of Research & Analysis.....	..	..	..	..	..	..	..	..	..	★	..	..	..
Assembly Communications.....	..	..	..	..	..	..	..	..	..	..	..	..	★
Assembly Committee Staff.....	..	..	..	..	..	..	..	..	..	..	★	..	..
Assembly Ways & Means.....	..	..	..	..	..	..	..	★	..	..	★	..	..

**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	☆	☆	☆	☆	☆	☆	☆	☆	..	☆	☆	☆	☆
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**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 Counsel Committee	..	☆	☆	..	☆	☆	..	..	..	..	..	..	..
Joint Committee on Ways & Means	..	..	..	..	..	..	..	☆	..	..	..	..	..
Joint Committee on Revenue	..	☆	..	..	..	..	..	..	..	☆	..	..	..
Joint Committee on Trade & Econ. Development	..	☆	..	..	..	..	..	..	..	☆	..	..	..
Joint Committee on Land Use	..	☆	..	..	..	..	..	..	..	☆	..	..	..

**Pennsylvania**

Legislative Reference Bureau	☆	☆	..	..	☆	☆	..	..	..	☆	..	..	..
Joint State Government Commission	☆	..	..	..	..	..	..	..	..	☆	..	..	..
Legislative Budget & Finance Committee	..	..	..	..	..	..	..	☆	..	☆	..	..	..
Legislative Data Processing Committee	..	..	..	..	..	..	..	..	..	..	..	☆	..
Jt. Legis. Air & Water Pollut. Control & Conserv. Cmte	..	..	..	..	..	..	..	..	..	☆	..	..	..
Senate Chamber Staff	☆	☆	☆	☆	☆	☆	☆	☆	☆	☆	☆	☆	☆
House Chamber Staff	☆	☆	☆	☆	☆	☆	☆	☆	☆	☆	☆	☆	☆

**Rhode Island**

Legislative Council	☆	☆	..	..	☆	☆	..	..	..	☆	..	☆	..
Law Revision, Dept. of State	..	☆	☆	..	☆	☆	..	..	..	☆	..	..	..
State Library, Dept. of State	☆	..	..	..	☆	..	..	☆	..	☆	..	..	..
Joint Committee on Legislative Affairs	..	..	..	..	..	..	☆	☆	☆	..	☆	..	☆

**South Carolina**

Legislative Council	☆	☆	..	☆	☆	☆	..	..	..	☆	☆	..	..
Committee on Statutory Laws	..	..	☆	..	..	..	..	..	..	..	..	..	..
Legislative Audit Council	..	..	..	..	..	..	..	..	☆	..	..	..	..
Senate Chamber Staff	..	..	..	..	..	☆	☆	..	..	..	..	..	..
Senate Standing Committee Staff	..	..	..	..	..	☆	☆	☆	..	☆	☆	..	..
House Chamber Staff	..	..	..	☆	☆	☆	☆	☆	..	☆	☆	..	☆
House Office of Research & Personnel	..	..	..	..	☆	☆	☆	☆	..	☆	☆	..	☆

**South Dakota**

Legislative Research Council	☆	☆	☆	..	..	..	☆	..	..	☆	☆	..	..
Dept. of Legislative Audit	..	..	..	☆	☆	☆	..	..	☆	..	☆	☆	☆
Senate Chamber Staff	..	..	..	☆	☆	☆	..	..	..	..	☆	☆	☆
House Chamber Staff	..	..	..	☆	☆	☆	..	..	..	..	☆	☆	☆

TABLE 23—Concluded  
OFFICES PROVIDING PRINCIPAL LEGISLATIVE STAFF SERVICES\*

<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>Legis- lative intent</i>	<i>Bill &amp; law summary</i>	<i>Legal counsel- ing</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>Tennessee</b>													
Legislative Council Committee.....	★	★	..	☆	★	★	..	..	..	★	★	★	★
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.....	★	..	..	☆	★	☆	★	..	..	..	..	..	★
Office of Research.....	..	..	..	..	..	..	..	..	..	★	★	..	..
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.....	★	..	..	..	..	..	..	..	..	☆	..	..	..

<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.....	..	☆	..	..	★	..	★	★	..	★	☆	..	★
Senate Republican Caucus.....	..	☆	..	..	★	..	..	★	..	★	☆	..	★
Assembly Democratic Caucus.....	..	☆	..	★	★	..	★	★	..	★	☆	..	★
Assembly Republican Caucus.....	★	☆	..	..	★	☆	..	★	..	★	☆	..	★
<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.....	..	..	★	..	..	..	..	..	..	..	..	..	..

\*This table supersedes the table "Permanent Legislative Service Agencies" carried in previous editions of *The Book of the States*. 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.

Section II

THE JUDICIARY

# The Judiciary

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## THE STATE OF THE JUDICIARY

BY FRANK H. BAILEY AND JAG C. UPPAL\*

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THE TERM "state judiciary" conjures up for most people, both in and out of government, an image of the dignified process of adjudication of legal issues; and well it should. Behind the conservative trappings traditionally associated with the joining of legal issues, however, a quiet, almost hidden revolution has been taking place—a revolution whose impact is just beginning to surface.

For many years, the state judiciary has been moving with care, but with decisiveness, to institutionalize a broad range of structural and management improvements. The courts have undertaken this effort to be more responsive to the now-increasing demand for dealing with important legal issues in a fair but expeditious manner.

An objective trend analysis would indicate that the pace of structural and management improvement is quickening and will continue to accelerate in the next biennium and beyond. Underlying this administrative effort is the fundamental premise that state courts cannot fulfill their adjudicative role properly within the American constitutional framework unless they are an independent and co-equal branch of government. There is a growing feeling among state jurists that the separation of powers doctrine is being eroded. This erosion has occurred slowly, but occurred nevertheless, because the courts, concerned with their primary responsibility for settling legal issues, have often turned to other branches of state government for assist-

ance in performing administrative functions and securing funds. Many in the state judiciary have perceived this dependence on others for administrative and financial support as a threat to an independent adjudicative process. As one representative of the judiciary put it, "We are beginning to see the tail-wagging-the-dog syndrome, and we cannot long maintain an independence founded on increasing dependence."

However, as pointed out previously, things are happening. Structural and management improvement, always of interest, is now a priority. State courts are becoming more assertive of their needs and prerogatives.

One example indicative of this active stance involved the Law Enforcement Assistance Administration (LEAA) and the state courts. Since the inception of LEAA in 1968, the state judiciary has been concerned that it occupies only step-child status within the agency's priorities. Therefore, representatives of the States' highest courts took their case directly to LEAA and Congress. At issue were not only the funds provided by LEAA to the States for use by the courts, but also the location in the structure of state government where court planning, administrative, and funding decisions were to be made regarding the expenditure of these federal monies. Essentially, the courts were asking, Are decisions to be made through the LEAA-created state criminal justice planning structure or are they to be made by the courts themselves as an independent branch of government? In support of their position regarding judicial and funding independence, the courts succeeded in getting a bill before Congress—the Judicial Improvement Act of 1975.

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Even more important, it became apparent that LEAA was beginning to recognize the priorities of the courts and was prepared to provide some dollars to meet those priorities.

Beyond this action at the federal-state level, however, individual States are making significant strides in such structural and management areas as unification of courts; financing, budgeting, and appropriations; judicial rule-making powers; judicial administration; and judicial and nonjudicial personnel education and training.

#### UNIFICATION OF COURTS

The primary purpose for the unification of courts is to enable the state judiciary to have a more consistent 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, including consolidation of all trial courts, adoption of tier systems, and combinations of these and other methods. The chief justice of the State's highest court is usually the administrative head responsible for the operation and administration of a court system.

States which recently adopted forms of court unification by constitutional and statutory provisions include Alabama, Kentucky, Louisiana, Maine, South Dakota, and Wisconsin, with Kentucky being the latest to adopt a completely new judicial article to its constitution in late 1975.

#### FINANCING, BUDGETING AND APPROPRIATIONS REQUESTS

Proposals regarding state court financing are closely related to the court unification movement. Several States have gone to a budget system where the highest court prepares the expenditure budget for the entire court system. This is especially significant since more States are moving toward a fully state-funded court system.

With the passage of its judicial amendment in 1975, Kentucky becomes the thirteenth State responsible for total state judicial expenditures. The others are Alaska, Colorado, Connecticut, Hawaii,

Maine, Maryland, New Mexico, North Carolina, Oklahoma, Rhode Island, South Dakota, and Vermont.

A related development in the finance area, indicating greater judicial independence, is the procedure now operative in a number of States regarding requests for judicial appropriations. Presently 10 States, Guam, and Puerto Rico submit their judicial appropriation requests directly to their Legislatures. The 10 States are Arkansas, Colorado, Hawaii, Idaho, Illinois, Indiana, Mississippi, Missouri, North Dakota, and Texas.<sup>1</sup>

#### RULE-MAKING POWERS

Rule-making powers are generally bestowed on the chief justice of a State (or on the highest court as a whole) through statutory enactments and state constitutional provisions. This authority provides for the overall administration of justice, including procedural and administrative reforms. In recent years debate about the uses of rule-making power has intensified within the judicial community. As a result, there is a greater awareness and willingness on the part of state courts to respond to the need for the promulgation of rules in a number of areas. Such areas as relationships between the judiciary and the bar, appellate procedures, judicial administration, codes of professional responsibilities, legal practice, continuing education, and lower court procedures have all come under recent scrutiny by state courts and have been addressed through rule-making authority.

For example, the New Jersey Supreme Court recently determined that the State's judges should not participate as officers in the state and local bar associations. This was done to avoid potential conflict problems which might be faced by members of the judiciary as officers of bar associations.

New Mexico adopted a new rule of appellate procedure in criminal cases which requires that statements of issues being appealed be docketed. The New Mexico rules also create a differentiated caseload management system to treat cases ac-

<sup>1</sup>Information obtained from a national survey on judicial appropriations requests by Eugene J. Murret, Judicial Administrator for Louisiana.

cording to the complexity of issues involved. In addition, new guidelines governing court reporters are now in effect as well as other rules generally designed to modernize court practices and procedures.

The Supreme Court in Wisconsin promulgated rules, effective January 1976, to improve the administration of justice by creating 14 judicial administrative districts and an office of chief judge for each district.

In Louisiana, the Supreme Court approved amendments to the state bar association's code of professional responsibility, thereby permitting the establishment of prepaid legal service plans.

The Minnesota Supreme Court issued an order requiring lawyers who practice in the State to complete a course in continuing legal education every three years.

The Supreme Court of Utah promulgated uniform rules for practice before general jurisdiction courts in its State. A primary feature of these rules, aimed at rights of defendants, recognizes the need for prioritization in criminal cases.

These examples of rule changes instituted by state courts serve to indicate a growing trend in dealing with problems at an early stage through the rule-making mechanism.

#### JUDICIAL ADMINISTRATION

As with developments in other court-related areas, the field of judicial administration has undergone innovative and progressive changes in a number of States. There are currently 48 States, plus the District of Columbia and Puerto Rico, which have operating offices of court administrator. As recently as 1965, only about 25 States had such offices.

There have been several noteworthy steps taken recently in such administrative areas as judicial planning, court records and information systems, personnel practices, and public information.

Although planning for additional judges, court facilities, methods of handling cases, and other similar activities have always been carried out in one fashion or another by state courts, it has only been in the last few years that judicial planning as a formalized function has de-

veloped. According to a national survey by the Council of State Governments in 1975, 24 States (Alabama, Alaska, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Georgia, Illinois, Iowa, Kentucky, Maryland, Massachusetts, Nevada, New Jersey, New Mexico, New York, North Carolina, Oklahoma, Pennsylvania, South Carolina, Washington, and Wisconsin) and Puerto Rico have some degree of distinct judicial planning component in their court systems. Increasingly, both the executive and legislative branches of many state governments are recognizing the need, promoted by the judiciary, to establish and strengthen an independent planning capability within the judicial system, and they are starting to give high priority to the creation and maintenance of such separate judicial planning units. In fact, California has even given statutory recognition to the planning role the judicial branch should play in its state criminal justice planning process.

*Court Records, Statistics, and Information Systems.* Accurate and timely information concerning the activities of the courts in the state system is fundamental to understanding the courts' problems and potential solutions. State courts have taken important steps to improve court records systems, the collection and analysis of statistics, and the design of sophisticated judicial information systems. Both contemporary technical and mechanical methods and improved manual systems are being utilized for these purposes, and state courts have generally urged the adoption of standardized technologies and methods.

As of mid-1974, 38 States had some form of statewide statistical reporting system.<sup>2</sup> These reporting systems usually summarize such general court activities as the number of cases filed annually, administrative details, and financial matters. At least five States (Florida, Hawaii, Idaho, Missouri, and New Jersey) have statistical systems organized around offender transactions instead of summaries of court activities.

<sup>2</sup>*State Judicial Information Systems: State of the Art*, a technical report of Project SEARCH Group, Inc.

Currently 11 States (California, Florida, Georgia, Hawaii, Idaho, Louisiana, Massachusetts, Minnesota, Missouri, New Jersey, and Oregon) are participating in the development of a model state judicial information system.

More court systems are also utilizing modern electronic technology to improve court reporting techniques. A few state courts have adopted rules permitting videotaping of depositions. Ohio is the only State at this time which permits videotaped trials.

*Personnel Practices.* State courts are increasingly examining their personnel practices. A thorough treatment of this subject is beyond the scope of this article, but some trends are emerging that deserve note. There are statutes and practices being adopted in a number of States which exempt employees of the judicial branch from the executive branch personnel system. This action tends to insulate judicial personnel from administrative decisions made by the executive branch and contributes to judicial independence. Many court systems have also adopted merit system personnel rules covering all nonjudicial employees in court systems. In other instances, recruitment and hiring practices within the judiciary are being made more uniform on a statewide basis, and some state court structures are in the process of creating their own classification systems for administrative and support personnel. In addition, manuals for personnel rules and regulations are being designed specifically for use by the courts. All of these activities are clearly indicative of a trend toward greater professionalism and specialization of court personnel, particularly with regard to court administrative and support personnel.

*Public Information for the Courts.* Almost all the States now produce some kind of annual report outlining the accomplishment of the court system. This keeps the Legislature, the executive branch, and the public at large aware of state court activities. Some States also rely on such methods as general news releases to inform the media and the public of the functions of the judiciary.

During the past biennium, States such as Alabama, California, Georgia, Illinois,

Michigan, New York, and Washington have established an office of information. The creation of public information programs serves the twofold purpose of giving the public a better understanding of the role and functions of the courts and providing the Legislature and the executive branch with a more complete picture of the problems facing the courts which require either structural or financial action by those branches.

#### JUDICIAL EDUCATION AND TRAINING

Developments in continuing judicial education and training have been extensive in the past few years. Some of these developments have been a direct result of decisions by State Supreme Courts to promulgate new rules which require continuing legal education and the creation of statewide educational programs. Approximately 15 States have now established comprehensive judicial education programs. The range and depth of these programs vary. A number of States have limited their efforts to periodic general or specific conferences, some have introduced orientation institutes for new judges, while others rely almost entirely on national programs. In June 1975, the Council of State Governments published a report, *Judicial Administration: Education and Training Programs*, covering the training field in depth. Without attempting to summarize that study, a few examples should serve to demonstrate the scope and growth of legal, judicial, and administrative education in the States.

The Minnesota Supreme Court issued an order in 1975 mandating that lawyers who practice in the State complete a minimum of 45 hours of course work in continuing legal education every three years as a student or lecturer. Also in 1975, the Supreme Court of Wisconsin sanctioned a concept of mandatory continuing education for its trial judges. It directed its Judicial Education Committee to develop and submit a detailed plan for the implementation of such a program.

The California Center for Judicial Education and Research, which was established in 1973, is designed to centralize responsibility for coordinating judicial education programs and disseminating

materials for its state judiciary. The center's two-year record of operation includes six statewide continuing education institutes attended by more than 750 judges, a year-round Advisor Judge Program which provides the assistance of an experienced advisor judge to each new judge, and the publication of a California judges benchbook. The Indiana Judicial Center is likewise serving the needs of the Indiana judiciary in the field of continuing education for both judicial and support personnel.

In the area of judicial administration education, nine States (California, Colorado, Florida, Georgia, Nebraska, New Jersey, New York, Oklahoma, and Pennsylvania) have instituted in-service training programs for judicial administrative personnel. These programs are primarily designed to upgrade the skills of individuals already employed and those who cannot fully meet new requirements. All of these state in-service training efforts are in addition to the academic educational programs in judicial administration currently being conducted in over 30 universities in 18 States and the District of Columbia, Guam, and Puerto Rico. This overall development in the field of education and training indicates an increasing awareness that effective and efficient administration of the judicial system lies in competently trained judges and support personnel.

#### CONCLUSION

It is clear that the array of structural and administrative changes which state

courts are making is beginning to have an impact on the operation of state government and the federal government as well. The reassertion of the courts' prerogatives regarding budget preparation and execution, judicial planning, and direct appropriations requests are indicators of a revitalized concern for independence and a full partnership in the constitutional system. Perhaps one other development lends added weight to this trend—the courts' growing ability to present its problems and accomplishments directly to its sister branch, the State Legislature. It was only in 1971 that the formal practice of delivering a state of the judiciary message was begun, and then in only two States. Now there are 24 judiciaries which present such reports (Alaska, Colorado, Connecticut, Delaware, Florida, Georgia, Kansas, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Mexico, North Dakota, Oklahoma, Pennsylvania, South Dakota, West Virginia, Wisconsin, and Guam).

The ultimate objective of all these actions by state courts is to resolve problems such as case processing and trial and appellate delays so as to enhance the quality of justice and protect the rights of those who appear before the courts. The need for administrative and structural change increases each year because of greater public demand for adjudicative services, and the trend in state courts is to respond positively to new modes and mechanisms for accomplishing their task in the constitutional system.

TABLE 1  
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 yrs.
Alaska.....	S.C.	★(a)	..	First nominated by Judicial Council and appointed by Governor, then confirmation by election		10 yrs.
Arizona.....	S.C.	★	..	Selected by Court		5 yrs.
Arkansas.....	S.C.	★	..	Popular election		8 yrs.
California.....	S.C.	★(a)	..	First appointed by Governor, then subject to approval by popular election		12 yrs.
Colorado.....	S.C.	★(a)	..	Appointed by Court		Pleasure of Court
Connecticut.....	S.C.	★(b)	..	Nominated by Gov., apptd. by Gen. Assembly		8 yrs.
Delaware.....	S.C.	★(c)	..	Appointed by Governor, confirmed by Senate		12 yrs.
Florida.....	S.C.	★	..	Appointed by Court		2 yrs.
Georgia.....	S.C.	★	..	Appointed by Court		Remainder of term as Justice
Hawaii.....	S.C.	★(c)	..	Appointed by Governor with consent of Senate		10 yrs.
Idaho.....	S.C.	★	..	Justice with shortest time to serve		Remainder of term as Justice
Illinois.....	S.C.	..	★	Elected by Court		3 yrs.
Indiana.....	S.C.	..	..	Judicial Nomination Commission		5 yrs.
Iowa.....	S.C.	★(a)	..	Selected by Court		Remainder of term as Justice
Kansas.....	S.C.	★(a)	..	Seniority of service		Remainder of term as Justice
Kentucky(d).....	S.C.	..	★	Seniority of service-rotation		12 to 18 mos.
Louisiana.....	S.C.	..	★	Seniority of service		Remainder of term as Justice
Maine.....	S.J.C.	★(c)	..	Appointed by Governor with consent of Council		7 yrs.
Maryland.....	C.A.	..	★(a)	Selected by Governor		Remainder of term as Judge
Massachusetts.....	S.J.C.	★(c)	..	Appointed by Governor with consent of Council		To age 70
Michigan.....	S.C.	★	..	Selected by Court		2 yrs.
Minnesota.....	S.C.	★	..	Popular election		6 yrs.
Mississippi.....	S.C.	..	★	Seniority of service		Remainder of term as Justice
Missouri.....	S.C.	★(a)	..	Appointed by Court-rotation		2 yrs.
Montana.....	S.C.	★	..	Popular election		8 yrs.
Nebraska.....	S.C.	..	★(a)	Appointed by Governor, as other judges		6 yrs.
Nevada.....	S.C.	★	..	Justice whose commission is oldest —rotation		2 yrs.
New Hampshire.....	S.C.	★(c)	..	Appointed by Governor and Council		To age 70
New Jersey.....	S.C.	★(c)	..	Appointed by Governor with consent of Senate		7 yrs. with reappointment to age 70
New Mexico.....	S.C.	★	..	Justice with shortest time to serve		Remainder of term as Justice
New York.....	C.A.	★	..	Popular election		14 yrs.
North Carolina.....	S.C.	★	..	Popular election		8 yrs.
North Dakota.....	S.C.	★	..	Selected by Supreme and district court judges meeting together		5 yrs. or until expiration of term as Justice, whichever occurs first
Ohio.....	S.C.	★	..	Popular election		6 yrs.
Oklahoma.....	S.C.	..	★(a)	Chosen by Court		2 yrs.
Oregon.....	S.C.	★	..	Majority vote of members of Supreme Court		6 yrs.
Pennsylvania.....	S.C.	★	..	Seniority of service		Remainder of term as Justice
Rhode Island.....	S.C.	★(e)	..	Elected by Legislature		Life
South Carolina.....	S.C.	★(e)	..	Elected by General Assembly		10 yrs.
South Dakota.....	S.C.	..	★	Appointed by Court		4 yrs.
Tennessee.....	S.C.	★(f)	..	Appointed by Court		Pleasure of Court
Texas.....	S.C.	★	..	Popular election		6 yrs.
Utah.....	S.C.	★(a)	..	Justice with shortest time to serve		Remainder of term as Justice
Vermont.....	S.C.	★	..	Appointed by Governor		6 yrs.
Virginia.....	S.C.	★(e)	..	Seniority of service		Remainder of term as Justice
Washington.....	S.C.	..	..	Judge with shortest time to serve(g)		2 yrs.
West Virginia.....	S.C.A.	★	..	Selected by Court		Pleasure of Court
Wisconsin.....	S.C.	..	..	Seniority of service		Remainder of term as Justice
Wyoming.....	S.C.	★(h)	..	Selected by Court		Pleasure of Court
Dist. of Columbia(i).....	C.A.	★	..	Designated by President of the United States		4 yrs.
Guam.....	S.C.	★	..	Appointed by Governor		5 years
Puerto Rico.....	S.C.	★(c)	..	Appointed by Governor with consent of Senate		To age 70

\*Explanation of symbols: S. C. — Supreme Court; C. A. — Court of Appeals; S. J. C. — Supreme Judicial Court; S. C. A. — Supreme Court of Appeals.

†Title is Chief Justice, except Chief Judge in Maryland and New York; President in West Virginia; and Presiding Judge in South Dakota.

(a) Justices originally appointed by Governor, subsequently stand for retention on their record. For details, see Table 5.

(b) Justices are nominated by Governor, appointed by General Assembly.

(c) Justices are appointed by Governor, with consent of Senate; in Maine, Massachusetts, New Hampshire with consent of Council.

(d) Kentucky adopted a new judicial article at the November 1975 general election. Implementing legislation is before the General Assembly for its consideration. This table reflects information prior to implementation of new judicial article.

(e) Justices are elected by Legislature.

(f) Justices are chosen at large (each voter may vote for five) but not more than two may reside in any one of the three geographical regions of the State.

(g) Senior judge next up for election who has not yet served as Chief Justice.

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

(i) Information reflects 1974 survey. Later data not available.

TABLE 2  
NUMBER OF JUDGES

State or other jurisdiction	Appellate courts		Major trial courts				
	Court of last resort	Inter- mediate appellate court	Chancery court	Circuit court	District court	Superior court	Other trial courts
Alabama.....	9	8	...	108	...	...	...
Alaska.....	5	...	...	...	...	17	...
Arizona.....	5	12	...	...	...	67	...
Arkansas.....	7	...	26	29	...	...	...
California.....	7	56	...	...	...	522	...
Colorado.....	7	10	...	...	94	...	...
Connecticut.....	6	...	...	...	...	45	...
Delaware.....	3	...	3	...	...	11	...
Florida.....	7	20	...	263	...	...	...
Georgia.....	7	9	...	...	...	86	...
Hawaii.....	5	...	...	13	...	...	...
Idaho.....	5	...	...	...	24	...	...
Illinois.....	7	34	...	360	...	...	250(a)
Indiana.....	5	9	...	88	...	78	4
Iowa.....	9	...	...	...	292(b)	...	...
Kansas.....	7	(c)	...	...	64	...	...
Kentucky(d).....	7	...	...	83	...	...	...
Louisiana.....	7	29	...	...	125	...	...
Maine.....	6	...	...	...	...	14	...
Maryland.....	7	12	...	63	...	...	22
Massachusetts.....	7	6	...	...	...	46	...
Michigan.....	7	18	...	138	...	...	23
Minnesota.....	9	...	...	...	72	...	...
Mississippi.....	9	...	25	24	...	...	...
Missouri.....	7	22	...	112	...	...	...
Montana.....	5	...	...	...	28	...	...
Nebraska.....	7	...	...	...	45	...	...
Nevada.....	5	...	...	...	25	...	...
New Hampshire.....	5	...	...	...	...	13	...
New Jersey.....	7	22	...	...	...	120	103
New Mexico.....	5	5	...	...	32	...	...
New York.....	7	24(e)	...	...	...	...	257
North Carolina.....	7	9	...	...	...	55	...
North Dakota.....	5	...	...	...	19	...	...
Ohio.....	7	38	...	...	...	...	296
Oklahoma.....	9	9(f)	...	...	185	...	...
Oregon.....	7	6	...	70	...	...	...
Pennsylvania.....	7	14	...	...	...	...	285
Rhode Island.....	5	...	...	...	...	15	...
South Carolina.....	5	...	...	16	...	...	...
South Dakota.....	5	...	...	36	...	...	...
Tennessee.....	5	16(f)	26	54	...	...	27
Texas.....	9	47(f)	...	...	220	...	...
Utah.....	5	...	...	...	21	...	21
Vermont.....	5	...	...	...	...	7	...
Virginia.....	7	...	...	103	...	...	...
Washington.....	9	12	...	...	...	100	...
West Virginia.....	5	...	...	50	...	...	...
Wisconsin.....	7	...	...	53	...	...	126
Wyoming.....	5	...	...	...	13	...	...
District of Columbia(g).....	9	...	...	...	...	44	...
Guam.....	3	...	...	...	...	5	...
Puerto Rico.....	8	...	...	...	...	89	...

(a) Associate judges of circuit court.

(b) A unified system with 85 District Court Judges who possess the full jurisdiction of the court. An additional 19 District Associate Judges, 19 full-time Judicial Magistrates, and 169 part-time Judicial Magistrates have limited jurisdiction.

(c) New court of appeals takes effect January 1977.

(d) See footnote (d) on Table 1.

(e) Twenty-four justices permanently authorized; in addition, as of October 1975, 18 justices and certificated retired

justices had been temporarily designated.

(f) In Oklahoma, there are 3 judges on the Court of Criminal Appeals and 6 on the Court of Appeals. In Tennessee there are 9 judges on the Court of Appeals and 7 members on the Court of Criminal Appeals. In Texas there are 5 judges on the Court of Criminal Appeals and 42 on the Court of Civil Appeals.

(g) Information reflects 1974 survey. Later information not available.

TABLE 3  
TERMS OF JUDGES  
(In years)

State or other jurisdiction	Appellate courts		Major trial courts					Courts of limited jurisdiction				
	Court of last resort	Inter- mediate appellate court	Chan- cery court	Cir- cuit court	Dis- trict court	Su- perior court	Other trial courts	Pro- bate court	County court	Mu- nicipal court	Justice, magis- trate, or police court	Other courts
Alabama.....	6	6	...	6	...	...	...	6	6(a)	(b)	2(a)	...
Alaska.....	10	...	...	...	...	6	...	...	...	...	(c)	4(d)
Arizona.....	6	6	...	...	...	4	...	...	...	...	4(e)	...
Arkansas.....	8	...	6	4	...	...	...	...	2	2-4	2	2(f)
California.....	12	12	...	...	...	6	...	...	...	6	6	...
Colorado.....	10	8	...	...	6	...	...	6	4	(g)	...	6(h,i)
Connecticut.....	8	...	...	...	...	8	...	4	...	...	...	4(d,f)
Delaware.....	12	...	12	...	...	12	...	...	...	12	4	12
Florida.....	6	6	...	6	...	...	...	...	4	...	...	...
Georgia.....	6	6	...	...	...	4-8	...	4	...	...	4	4(j);1-4(k)
Hawaii.....	10	...	...	10	...	...	...	...	...	...	...	6(d)
Idaho.....	6	...	...	4	...	...	...	...	...	...	2-4(l)	...
Illinois.....	10	10	...	6	...	...	4(m)	...	...	...	...	...
Indiana.....	10	10	...	6	...	4	4(j)	4	...	4	...	4(h)
Iowa.....	8	...	...	...	6(k)	...	...	...	...	...	...	...
Kansas.....	6	(n)	...	...	4	...	...	2	2	...	4	2
Kentucky(o).....	8	...	...	6	...	...	...	...	4	...	4	...
Louisiana.....	10	10	...	...	6	...	...	...	...	6	4	6(h,p)
Maine.....	7	...	...	...	...	7	...	4	...	...	...	7(d)
Maryland.....	15	15	...	15	...	...	15(q)	4	...	10(d)	...	...
Massachusetts.....	To age 70	To age 70	...	...	...	To age 70	To age 70	...	...	To age 70	...	To age 70(r)
Michigan.....	8	6(s)	...	6(s)	...	...	6(s,t)	6	6	6	...	6(d,f,s)
Minnesota.....	6	...	...	...	6	...	...	6	6	6	...	...
Mississippi.....	8	...	4	4	...	...	...	4	4	4	4	4(p)
Missouri.....	12	12	...	6	...	...	...	4	...	2-4	4	4(u)
Montana.....	8	...	...	...	6	...	...	...	6(w)	2	4	6(v)
Nebraska.....	6	...	...	...	6	...	...	...	...	...	...	6(h)
Nevada.....	6	...	...	...	4	...	...	...	...	1(x)	2	...
New Hampshire.....	To age 70	...	...	...	...	To age 70	To age 70	...	...	To age 70	...	To age 70(d)
New Jersey.....	7 with reap- point- ment for life	7 with reap- point- ment for life	...	...	...	7 with reap- point- ment for life	5(y)	...	...	3	...	5(h,z)
New Mexico.....	8	8	...	...	6	...	...	2	...	4	4	4(aa)
New York.....	14(ab)	5(ac)	...	...	...	...	14	10(ad)	10	(ae)	4(af)	10(p);6(d); 9(ag)
North Carolina.....	8	8	...	...	...	8	...	...	4	...	...	4(d)
North Dakota.....	10	...	...	...	6	...	...	...	4	...	4	...
Ohio.....	6	6	...	...	...	...	6(f)	...	4	6	...	(ah)
Oklahoma.....	6	6	...	...	4(al)	...	...	...	...	2(g)	...	...
Oregon.....	6	6	...	6	...	...	...	...	6	(c)	6	6(d)
Pennsylvania.....	10	10	...	...	...	...	10(d)	...	...	6(aj)	6(e)	...
Rhode Island.....	Life	...	...	...	...	Life	...	1(g)	...	...	2	(p);10(d)
South Carolina.....	10	...	...	6	...	...	...	4	4	(g)	(ak)	6(p)
South Dakota.....	8	...	...	8	...	...	...	...	...	...	(c)	...
Tennessee.....	8	8	8	8	...	...	8(am)	...	8	(an)	...	8(ao)
Texas.....	6	6	...	...	4	...	...	4	4	(g)	4	4
Utah.....	10	...	...	...	6	...	...	...	...	6	4	6(h)
Vermont.....	6	...	...	...	...	6(ap)	...	2	...	...	2	6(d)
Virginia.....	12	...	...	8	...	...	...	...	...	...	...	6(aq)
Washington.....	6	6	...	...	...	4	...	...	...	4	4	...
West Virginia.....	12	...	...	8	...	...	...	...	...	8(ar)	8(ar)	...
Wisconsin.....	10	...	...	6	...	...	6(as)	...	...	2	...	...
Wyoming.....	8	...	...	...	6	...	...	...	...	(an)	4	4(as)
Dist. of Col.(al).....	15	...	...	...	...	15	...	...	...	...	...	...
Guam.....	5	...	...	...	...	5	...	...	...	...	...	...
Puerto Rico.....	To age 70	...	...	...	...	12	...	...	...	5	4	8(d)

# THE JUDICIARY

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## TABLE 3—Concluded TERMS OF JUDGES (Footnotes)

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- (a) Effective January 1977, the county court and justice court will be abolished and replaced by a state trial court of limited jurisdiction named the district court. District judges will serve terms of 6 years.
- (b) Effective December 1977, full-time municipal court judges will serve terms of 4 years and part-time municipal judges will serve terms of 2 years.
- (c) Alaska: magistrates at pleasure of appointing authority. South Dakota: magistrates. Oregon: at pleasure of appointing authority, except when elected for a term of 2 years.
- (d) District courts.
- (e) Justices of the peace. Arizona: term of city or town magistrates provided by charter or ordinance.
- (f) Courts of common pleas. Arkansas: presided over by county judge.
- (g) Dependent on municipal charters and ordinances. Colorado: 2 years in statutory cities and towns. Oklahoma: usually 2 years or at pleasure of appointing authority.
- (h) Juvenile courts.
- (i) Superior court and Denver juvenile court.
- (j) Criminal courts.
- (k) District associate judges and full-time magistrates, 4 years; part-time magistrates, 2 years.
- (l) Appointed for 2-year term initially; elected for 4-year term thereafter.
- (m) Associate judges of circuit court.
- (n) New court of appeals takes effect January 1977. Court of appeals judges will serve terms of 4 years.
- (o) See footnote (d) on Table 1.
- (p) Family courts. Rhode Island: during good behavior.
- (q) Supreme bench of Baltimore city.
- (r) District courts, juvenile courts, land and housing courts, probate courts.
- (s) Terms for new judgeships are for 10, 8, or 6 years; elected thereafter for 6-year terms.
- (t) Recorders court of Detroit.
- (u) St. Louis court of criminal corrections.
- (v) Workmen's compensation judge.
- (w) Effective January 1977.
- (x) Police judges. Term of 1 year unless a longer period is fixed by acts incorporating such cities.
- (y) County courts.
- (z) County district courts.
- (aa) Small claims courts.
- (ab) To age 70; judges may be certificated thereafter as Supreme Court judges (intermediate appellate court) for 2-year terms up to age 76.
- (ac) To age 70; judges may be certificated thereafter for 2-year terms up to age 76.
- (ad) Surrogate's court. In New York City, term is 14 years.
- (ae) In New York City, 10; outside New York City, determined by each city.
- (af) Town and village courts.
- (ag) Courts of claims.
- (ah) Court of claims. May be an incumbent judge of the Supreme Court, court of appeals, court of common pleas, or retired judge, any of whom sit by temporary assignment of the Chief Justice of the Supreme Court.
- (ai) Special district judges serve at pleasure of district judges by whom they are appointed.
- (aj) Philadelphia municipal court.
- (ak) Terms not uniform; fixed by General Assembly.
- (al) Information reflects 1974 survey. Later information not available.
- (am) State district courts.
- (an) Set by statute, which varies.
- (ao) Courts of general sessions, domestic relations, and juvenile courts.
- (ap) Superior courts: 6 years for superior judges, 4 years for assistant judges.
- (aq) General district court and general district juvenile and domestic relations courts.
- (ar) Municipal and police courts variable. Term set at discretion of Legislature.
- (as) County courts.



TABLE 4  
COMPENSATION OF JUDGES OF STATE APPELLATE COURTS AND TRIAL COURTS  
OF GENERAL JURISDICTION\*

State or other jurisdiction	Appellate courts		Major trial courts				
	Court of last resort	Inter- mediate appellate court	Chancery court	Circuit court	District court	Superior court	Other trial courts
Alabama.....	\$33,500	\$33,000	....	\$25,000(a)	....	....	....
Alaska.....	52,992	....	....	....	....	\$48,576	....
Arizona.....	37,000	35,000	....	....	....	33,000(b)	....
Arkansas.....	31,189(c)	....	\$29,013	29,013	....	....	....
California.....	57,985(c,d)	54,361(d)	....	....	....	45,299(d,e)	....
Colorado.....	35,000(c)	32,000	....	....	\$28,000	....	....
Connecticut.....	36,000(c,f)	....	....	....	....	34,500(f)	....
Delaware.....	42,000(c)	....	39,000(f)	....	....	39,000(f)	....
Florida.....	40,000	38,000	....	36,000	....	....	....
Georgia.....	40,000	39,500	....	....	....	32,500(a)	....
Hawaii.....	45,000(c)	....	....	42,500	....	....	....
Idaho.....	30,000	....	....	....	27,000	....	....
Illinois.....	50,000	45,000	....	42,500	....	....	\$37,000
Indiana.....	38,100(g)	38,100(g)	....	26,500-31,500(a)	....	26,500-31,500(a)	26,500-31,500
Iowa.....	36,000(c)	....	....	....	31,500(f,h)	....	....
Kansas.....	32,500(c)	(i)	....	....	27,500(j)	....	....
Kentucky(k).....	31,500	....	....	26,000	....	....	....
Louisiana.....	50,000	47,500	....	....	42,500-45,000(l)	....	....
Maine.....	26,000(c)	....	....	....	....	25,500	....
Maryland.....	44,100(c)	41,400(f)	....	39,200	....	....	39,200
Massachusetts.....	40,738(c)	37,771(f)	....	....	....	36,203(f)	....
Michigan.....	43,500	41,961	....	26,500-41,959(a)	....	....	43,372
Minnesota.....	36,500(c)	....	....	....	32,000(a)	....	....
Mississippi.....	26,000(c)	....	22,000(f)	22,000(f)	....	....	....
Missouri.....	36,500	34,000	....	31,000	....	....	....
Montana.....	27,000(c)	....	....	....	25,000	....	....
Nebraska.....	35,500	....	....	....	32,500-34,000(a)	....	....
Nevada.....	35,000	....	....	....	30,000	....	....
New Hampshire.....	34,060(c)	....	....	....	....	33,956(f)	....
New Jersey.....	48,000(c)	45,000	....	....	....	40,000(m)	40,000
New Mexico.....	32,000	30,500	....	....	29,500	....	....
New York.....	60,575(c)	51,627(f,n)	....	....	....	....	48,998(n)
North Carolina.....	38,000(c)	35,500(f)	....	....	....	30,500(g)	....
North Dakota.....	32,000(c)	....	....	....	30,000	....	....
Ohio.....	40,000(c)	37,000	....	....	....	....	23,500-34,000(o)
Oklahoma.....	30,000	26,000	....	....	16,500-25,000(p)	....	....
Oregon.....	35,200	34,104	....	31,900	....	....	....
Pennsylvania.....	50,000(c)	48,000(f)	....	....	....	....	40,000-41,000(q)
Rhode Island.....	33,000(c,r)	....	....	....	....	31,000(f,n)	....
South Carolina.....	36,000(c)	....	....	36,000	....	....	....

South Dakota	28,000			26,000	....	....	
Tennessee	39,330(c,t)	36,052(f,t)	32,775(t)	32,775(t)	....	....	32,775(t)
Texas	45,600(c)	40,000(f)	....	....	31,000(a)	....	....
Utah	30,000	....	....	....	27,500	....	....
Vermont	29,900(c)	....	....	....	....	25,800(f)	....
Virginia	41,300(c,g)	....	....	31,350(a)	....	....	....
Washington	39,412	36,325	....	....	....	34,250	....
West Virginia	32,500	....	....	28,500	....	....	....
Wisconsin	42,462(c)	....	....	28,788	....	....	26,394(a)
Wyoming	32,500	....	....	....	30,000	....	....
Dist. of Columbia(s)	38,750	....	....	....	....	36,000	....
Guam	33,000(c)	....	....	....	....	30,000(f)	....
Puerto Rico	32,000	....	....	....	....	26,000	....

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

(a) Range based on varying optional county supplements. In Indiana, range depends on population of circuit.

(b) Half paid by State, half by county.

(c) These jurisdictions pay additional amounts to Chief Justices of courts of last resort: New Hampshire, \$208; Delaware and Texas (also presiding judge), \$500; Iowa, Mississippi, Montana, North Carolina, Rhode Island, and Virginia, \$1,000; Maryland, \$1,100; Vermont, \$1,300; Massachusetts, \$1,498; Maine and North Dakota, \$1,500; Guam, \$2,000; Colorado, Hawaii, Kansas, New Jersey, Pennsylvania, and Tennessee, \$2,500; New York, \$2,568; Arkansas, \$2,835; Minnesota and Ohio, \$3,500; California, \$3,624; Connecticut, \$4,000; South Carolina, \$5,000; Wisconsin, \$5,538.

(d) Cost-of-living increase yearly based on California consumer price index.

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

(f) Additional amounts paid to various judges. Connecticut: chief court administrator, an associate justice of court of last resort, \$2,000; chief judge of superior court, \$500. Delaware: presiding judge of chancery and superior courts, \$500. Iowa: chief judge of district court, \$500. Maryland: presiding judge of intermediate appellate court, \$1,100. Massachusetts: chief justice of appellate court, \$1,449; chief justice of superior court, \$1,568. Mississippi: presiding judge of chancery and superior courts, \$500. 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, \$1,000. Pennsylvania: presiding judge of intermediate appellate court, \$1,500. Rhode Island: presiding judge of superior court, \$1,000. Tennessee: presiding judge of intermediate appellate court, \$1,000. Texas: chief jus-

tice of intermediate appellate court, \$500. Vermont: presiding judge of superior court, \$1,000. Guam: presiding judge, \$500.

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

(h) District associate judges and full-time judicial magistrates, \$23,500; part-time judicial magistrates, \$6,000.

(i) New court of appeals takes effect January 1977.

(j) Receive county supplements up to \$2,532 in 6 urban districts.

(k) See footnote (d) on Table 1.

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

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

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

(o) Variation in salary based on population.

(p) Unified court system. District judges, \$25,000; associate district judges paid on basis of population ranges and may be supplemented by counties.

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

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

(s) Information reflects 1974 survey. Later information not available.

(t) Cost-of-living increase.

TABLE 5  
FINAL SELECTION OF JUDGES

<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 as of 1977.
<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 elected on nonpartisan ballot.
<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 magistrates appointed by Chief Justice of the State.
<b>Idaho</b> .....	Supreme Court and district court judges 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 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> .....	Supreme Court Judges 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> .....	Judges of Court of Appeals and circuit court judges elected on nonpartisan ballot. All others elected on partisan ballot.
<b>Louisiana</b> .....	All elected on open (bipartisan) ballot.
<b>Maine</b> .....	All appointed by Governor with consent of Executive Council 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.

TABLE 5—Continued  
FINAL SELECTION OF JUDGES

<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 Workmen's Compensation Judge filled by Governor according to established appointment procedure.
<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.
<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 magistrates 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 judges of court of claims and designates members of appellate division of Supreme Court, and Mayor of the City of New York appoints judges of the criminal and family courts in the City of New York.
<b>North Carolina</b> ...	All elected on partisan ballot.
<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 three 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, district and associate district judges elected on nonpartisan ballot in adversary popular election. Special district judges appointed by district judges. Municipal judges appointed by governing body of municipality.
<b>Oregon</b> .....	All elected on nonpartisan ballot for a 6-year term, except that most municipal judges are appointed by city councils (elected in three cities).
<b>Pennsylvania</b> .....	All originally elected on partisan ballot; thereafter, on nonpartisan retention ballot.
<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 in which the county is located.
<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.
<b>Texas</b> .....	All elected on partisan ballot except municipal judges, most of whom are appointed by municipal governing body.

TABLE 5—Concluded  
FINAL SELECTION OF JUDGES

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<b>Utah</b> .....	Supreme and district court judges appointed by Governor from lists of three nominees submitted by nominating commissions. If Governor fails to make appointment within 30 days, the Chief Justice appoints. Judges run for retention in office at next succeeding election; they may be opposed by others on non-partisan 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 by town trustees. City judges and county justices of the peace are elected.
<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 and all major trial court judges elected by Legislature. All judges of General District Juvenile and Domestic Relations 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 General District Juvenile and Domestic Relations Courts are appointed by circuit 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 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 non-partisan ballot.
<b>D.C.</b> .....	Appointed by President of the United States upon the advice and consent of the United States Senate.
<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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TABLE 6  
SELECTED DATA ON COURT ADMINISTRATIVE OFFICES

State or other jurisdiction	Title	Year of establishment	Appointed by (a)	Salary	Number on staff
Alabama.....	Court Administrator(b)	1971	CJ	\$19,713	3
Alaska.....	Administrative Director	1959	CJ(c)	48,576	30
Arizona.....	Administrative Director of the Courts	1960	SC	30,240	3
Arkansas.....	Executive Secretary, Judicial Dept.	1965	CJ(d)	25,064	10
California.....	Administrative Director of the Courts	1960	JC	45,504	44
Colorado.....	State Court Administrator	1959	SC	30,600	54
Connecticut.....	Chief Court Administrator	1965	(e)	38,000	48
Delaware.....	Director, Administrative Office of the Courts	1971	CJ	30,000	11
Florida.....	State Court Administrator	1972	SC	32,000	32
Georgia.....	Director, Administrative Office of the Courts	1973	JC	24,000-32,500	29
Hawaii.....	Administrative Director of the Courts	1959	CJ(c)	40,000	20
Idaho.....	Administrative Director of the Courts	1967	SC	29,000	14
Illinois.....	Administrative Director	1959	SC	45,000	26
Indiana.....	Court Administrator—Commissioner	1968	SC	27,000	4
Iowa.....	Exec. Director, Div. of State Court Administration	1975	SC	22,000	2
Kansas.....	Court Administrator	1971	SC	23,540	15
Kentucky.....	Judicial Administrator	1965	SC	27,500	6
Kentucky.....	Administrative Director of the Courts	1954	SC	26,000	8
Louisiana.....	Judicial Administrator	1954	SC	39,500	5(f)
Maine.....	Administrative Assistant to Chief Justice	1970	CJ	24,500	5
Maryland.....	State Court Administrator	1955	CJ	39,200	29
Massachusetts.....	Exec. Secretary, Supreme Judicial Court for the Commonwealth	1956	SC	30,554	5
Michigan.....	Court Administrator	1952	SC	40,799	92
Minnesota.....	Court Administrator	1963	SC	25,000-32,000	6
Missouri.....	State Court Administrator	1970	SC	27,025	26
Montana.....	State Court Administrator	1975	SC	14,000	13½
Nebraska.....	State Court Administrator	1972	CJ	30,000	8
Nevada.....	Court Administrator	1971	SC	22,500	2
New Jersey.....	Administrative Director of the Courts	1948	CJ	37,770-50,993	82
New Mexico.....	Director, Administrative Office of the Courts	1959	SC	26,400	23
New York.....	State Administrator(g)	1955	(h)	57,000	237
North Carolina.....	Director, Administrative Office of the Courts	1965	CJ	32,500	62
North Dakota.....	State Court Administrator, Judicial Council(i)	1971	SC	24,000	6
Ohio.....	Administrative Director of the Courts	1955	SC	34,400(j)	8
Oklahoma.....	Administrative Director of the Courts	1967	SC	26,000	3(k)
Oregon.....	State Court Administrator	1971	CJ	32,556	27
Pennsylvania.....	State Court Administrator	1968	SC	40,000	34
Rhode Island.....	Court Administrator	1969	CJ	20,584-23,478	7
South Carolina.....	Court Administrator	1973	CJ	27,000	3
South Dakota.....	Court Administrator	1974	SC	22,500	8
Tennessee.....	Executive Secretary of the Supreme Court	1964	SC	36,052	6
Texas.....	Executive Director, Judicial Council	1974	(q)	31,400	11
Utah.....	State Court Administrator	1973	SC	27,500	5
Vermont.....	Court Administrator(l)	1967	SC	25,800	6
Virginia.....	Executive Secretary, Supreme Court	1952	SC	30,524	28
Washington.....	Administrator for the Courts	1957	SC(m)	30,825	18
West Virginia.....	Director, Administrative Office of the Supreme Court of Appeals	1945	SC	30,000	4
Wisconsin.....	Administrative Director of the Courts(n)	1962	SC	38,000	22
Wyoming.....	Court Coordinator	1974	SC	21,000	1
Dist. of Columbia(o)	Executive Officer of D.C. Courts	1971	(p)	36,000	68
Puerto Rico.....	Administrative Director, Office of Court Administration	1952	CJ	30,600	208

(a) Symbols: SC—State's court of last resort; CJ—Chief Justice or Chief Judge of State's court of last resort; JC—Judicial Council.

(b) 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.

(c) With approval of Supreme Court.

(d) With approval of Judicial Council.

(e) Appointed by General Assembly upon nomination by the Governor.

(f) Also executive officer of judiciary commission and deputy judicial administrator and secretary.

(g) State Administrator or State Administrative Judge also serves as Secretary, Judicial Conference of New York and

Administrative Board.

(h) Appointed by chairman of the Administrative Board, who is the Chief Judge of the Court of Appeals, by and with advice and consent of Administrative Board.

(i) Serves as Secretary to Judicial Council.

(j) Discretion of the court.

(k) In addition, research assistant under federal grant.

(l) Also clerk of the Supreme Court.

(m) Appointed from list of 5 submitted by Governor.

(n) 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.

(o) Reflects 1974 survey. Later information not available.

(p) Joint Committee.

(q) President of Judicial Council.

## Section III

# ADMINISTRATIVE ORGANIZATION

1. Administration
2. Employment

# 1

## Administration

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### STATE ADMINISTRATIVE ORGANIZATION ACTIVITIES, 1974-1975

BY GEORGE A. BELL\*

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THE STATE REORGANIZATION movement of the past 10 years has now seen 19 States undergo comprehensive executive branch restructuring. The three reported here for the first time—Idaho, Louisiana, and Missouri—represent only a slight drop from the number reported in the last edition of *The Book of the States*. The other States which have reorganized, starting with Michigan in 1965, are Arkansas, California, Colorado, Delaware, Florida, Georgia, Kentucky, Maine, Maryland, Massachusetts, Montana, North Carolina, South Dakota, Virginia, and Wisconsin. Broad activity of a less comprehensive nature has taken place in several other States, including Arizona, Kansas, Oregon, and Vermont.

Idaho and Missouri reorganized in 1974 in keeping with constitutional mandates requiring restructuring into a limited number of departments. Idaho, which is limited to 20 departments by the constitution, set up 19. Of these, nine are headed by appointees of the Governor; nine others are headed by boards or commissions or their appointees; and one agency, the Department of Self Governing Agencies, has no head, thus in practice leaving the component agencies independent. Departments headed by elective officials—five exclusive of the Governor and Lieutenant Governor—are not included in the limitation. Idaho officials plan to implement this reorganization through a

management improvement program.

The Missouri departmental framework is specified by the constitution, which names 13 departments, specifies how most shall be headed, and permits one additional department to be established by law. The 1974 legislative session featured a long controversy between the House and Senate over such questions as agencies and functions to be assigned to each department, administrative authority to be given to department heads, and the appointive positions requiring Senate confirmation. The first bill passed was vetoed by the Governor, but an act acceptable to all was enacted at a special session later in the year. The law confines the number of departments to the 13 required. Six of these departments are headed by gubernatorially appointed directors, five by boards or commissions, and two have commissions and directors both appointed by the Governor.

Louisiana was likewise compelled to act; the new 1974 constitution limits the number of departments to 20, including the eight headed by elective officials other than the Governor and Lieutenant Governor. Legislation enacted in 1975 established 19 departments; the 11 not headed by elective officials will be headed by Secretaries appointed by the Governor. Each Secretary appoints, subject to Senate confirmation, a deputy and assistant Secretaries, as well as an undersecretary who has responsibility for budgeting, accounting, management and program analysis, purchasing, personnel, and grants man-

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agement. The transfer of agencies to the 11 new departments is made in accordance with one of six delineations of authority between the principal department and the agency being transferred, similar to the "type" transfer method used in many other States. In addition, the constitution allows the Legislature, by two-thirds vote, to make four specified elective offices appointive; if this step is taken, the affected department may then be merged with others.

The Louisiana reorganization is not final; the transfers of old agencies into the new must be affirmed by law prior to July 1976. However, the Governor after January 1 may appoint Secretaries, with whom the commissioner of administration is empowered to work to arrange for transfers. In addition, a Joint Legislative Commission on the Reorganization of the Executive Branch is also established with five gubernatorial appointees among the 15 members to study and make recommendations concerning reorganization.

Developments which may lead to reorganization have taken place in Oklahoma. Constitutional amendments were adopted by voters there in April 1975 to abolish or consolidate five of 13 elective offices. The impetus of this success led to enactment of a law setting up a 15-member Special Commission on the Reorganization of State Government composed of the Governor and six others appointed by him, plus the Speaker of the House and President Pro Tem of the Senate and three appointees of each. This commission is to submit reorganization proposals to the Governor, who is empowered to implement them by executive order subject to veto by either house within 45 days.

The proposed new constitution for Texas, which was defeated at the polls in November 1975, contained unique reorganization features. The Governor was required to submit a biennial report to the Legislature on the organization and efficiency of the executive branch, and the Legislature was required to consider any bills on this subject which he might submit. In addition, state agencies would have a life limited to 10 years unless renewed by law.

Other States which are considering restructuring include Alabama, Hawaii, Mississippi, and North Dakota, in which reorganization studies are authorized or under way.

Progress toward a gradual reorganization continued in Kansas, where two Governors have initiated and promulgated reorganization through executive orders subject to legislative veto. In 1974 a Department of Health and Environment was created, shifting administrative direction from a board to a cabinet-level Secretary. In 1975 two more departments were similarly reorganized into cabinet status: Transportation and Economic Development. These, added to other actions taken since 1970 resulting in new departments of Revenue, Social and Rehabilitation Services, Corrections, and Administration, comprise a major segment of the proposals made in that year; four major functional areas are yet to be reorganized.

A similar process has occurred in Arizona, in which the effectuation of a Department of Health Services in 1974 accomplished a reorganization of eight major departments of the 11 planned in a 1972 legislative blueprint.

In States with previously reported reorganization, implementation action has continued. North Carolina completed the second phase of its 1971 reorganization by explicitly defining the functions and duties of the new departments and their subordinate units. Significantly, the legislation provided stronger administrative powers to the gubernatorially appointed department Secretaries, who head nine of the 17 agencies, than had been contemplated in the original reorganization act.

In Massachusetts, phase two has been accomplished only in the departments of Elder Affairs and Environmental Affairs, leaving the remaining eight departments which became effective in 1971 still operating under Secretaries with largely coordinative, budget, and planning functions. In Kentucky, the reorganization put into effect by the Governor in 1972-73 was approved by the Legislature in 1974. In Virginia the coordinating-secretary structure was strengthened through executive orders more precisely defining secretarial authority. The California Gov-

ernor was successful in one of two attempts to reorganize departments by issuing plans subject to legislative veto. Under this 1974 restoration of authority, the Governor, prior to submitting a reorganization plan to the Legislature, is now required to refer the plan to the Legislative Counsel for drafting assistance and to the Commission on California State Government Organization and Economy for study and recommendation.

#### FUNCTIONAL REORGANIZATION

One feature of state reorganizations is the consolidation of activities in broad functional areas. This has been especially true in human resources, environmental protection, and transportation. Reorganization in these areas has taken place in many States, whether or not as part of a comprehensive reorganization.

#### *Human Resources*

A Council of State Governments study<sup>1</sup> illustrates the trend in human resources. Human resources encompasses a wide variety of important state activities, the most prominent being public assistance and social services, public health, mental health, mental retardation, corrections, youth institutions, vocational rehabilitation, and employment security. A generation ago these activities were almost invariably operated by separate, independent organizational units. In 1950, New Jersey and Rhode Island were the only States to have comprehensive human resource agencies (CHRAs) which were responsible for four or more of the eight major services listed above. By 1960 one more State was added to the list—Alaska. In the 1960s the trend toward consolidation began; by 1970 there were 15 States with CHRAs and by 1974 there were 26.<sup>2</sup> Ironically, this number does not include Rhode Island, which by this time had broken up its comprehensive agency. That State is now included among the 12

other States which have less comprehensive but still multipurpose human service agencies.

The internal organizations of these departments fall into three major categories. One may be called "confederated," in which the comprehensive agency serves mainly as a coordinative mechanism, and the powers of authority of the lesser units remain as before. California, Massachusetts, and Virginia are of this variety. A second may be referred to as "consolidated," in which the major functions which are brought into the new department retain organizational identity and independent program operations, although the principal department has strong administrative authority. Most States fall into this category. The third is "integrated," in which the department is at least in part organized into process areas, such as field services and benefit payments, to encourage the integration of the department's services. Arizona illustrates this approach. The type of organizational arrangement established depends on whether the emphasis in reorganization is to improve coordination, provide better administrative practices, or integrate human services. In most cases a major goal was also to focus authority in one official responsible to the Governor.

One of the major questions in human resource organization has been the question of inclusion of the correctional function. Corrections was located in the comprehensive human resource agency in 15 of the 26 States having such agencies. This pattern assumes that the rehabilitative aspect of corrections is predominant, so that a close tie to other human services is desired as opposed to independent status or a close relationship with criminal justice activities. However, difficulties in correctional administration caused three States—Delaware, Florida, Virginia—in 1975 to shift corrections from a human resource agency to independent departmental status. Thus, now only 13 CHRAs include corrections.

As examples of other human resource organizational activity, Connecticut in 1975 established a Department of Mental Retardation, separating this function from the Department of Health. Missis-

<sup>1</sup>*Human Services Integration: State Functions in Implementation*, 1974.

<sup>2</sup>Alaska, Arizona, Arkansas, California, Delaware, Florida, Georgia, Idaho, Iowa, Kentucky, Louisiana, Massachusetts, Missouri, Nevada, New Hampshire, New Jersey, New Mexico, North Carolina, Oregon, South Dakota, Utah, Vermont, Virginia, Washington, Wisconsin, and Wyoming.

issippi in 1974 established a Department of Mental Health, leaving only one State without a central agency responsible for this area. Wisconsin reorganized its comprehensive Department of Health and Social Services by abolishing its governing board and making the Secretary responsible to the Governor.

*Environmental Protection,  
Transportation, and Others*

Much consolidation activity has occurred in environmental protection. A recent Council of State Governments study shows that 42 States through 1974 have combined air, water, and solid waste management programs into one agency, 36 of these by reorganizations since 1967.<sup>8</sup> These reorganizations rely primarily upon three basic organization models: the "Little EPA" or the federal model, in which the agency has only environmental functions; the superagency, which places environmental affairs in a department having other functions such as natural resources and conservation; and inclusion in a department of health. The study theorizes that the reorganizations have resulted from one or more of several factors: as a response to substantive program change, a response to political demands for change, a response to overall executive management considerations, or as a response to the actions of the federal government and other States.

Reorganization in transportation has continued rapidly, with establishment of departments of transportation in five States in 1974 (Arizona, Idaho, Iowa, Missouri, and Virginia), and two in 1975 (Kansas and Vermont). Such departments now exist in 31 States and Puerto Rico. These include the highway function (except Missouri) plus other modes such as air, water, and rail; they often include highway safety, patrol regulation, and vehicle registration. Internally these departments are variously organized; in some the departmental Secretary has primarily a policy-making role, with staff functions such as budgeting and planning located in the line agencies. In others,

these staff functions are part of the Secretary's office. Finally, in States such as Kansas and New York, the department is organized by process functions such as planning, operation, and regulation, with major construction and maintenance units responsible for all transportation modes.

State government constantly becomes involved in new or expanded activities which normally require an organizational response. A dramatic case in point during the past two years concerns energy. Because of the oil embargo and resulting fuel shortages in late 1973 and early 1974, many States had to quickly set up energy allocation offices. As the long-term implications of the energy problem became apparent, other and possibly more permanent organizational arrangements have been made to handle energy allocation and planning. Four States—Connecticut, Kentucky, Oklahoma and Oregon—have established cabinet-level departments of energy, eight States have created energy divisions within existing departments, 22 States have established energy offices, eight States have energy councils, and Minnesota has an Energy Agency.

Another area attracting expanded state activity is that of consumer protection. New consumer protection units have been set up in Maryland, Michigan, and Mississippi, and Delaware has established the office of public guardian to assist in protecting the property rights of the disabled and incompetent. At least 11 States—Connecticut, Florida, Georgia, Indiana, Maryland, Missouri, Montana, New Jersey, New York, Rhode Island, and Vermont—have established consumer counsels for public utility rate cases.

Part of expanded consumer protection action is manifested by the spreading use of ombudsmen. Alaska in 1975 established an independent ombudsman office to seek resolution of citizen complaints against government agencies. Hawaii, Iowa, and Nebraska had established ombudsmen previously. Several other States have offices with ombudsman functions, but have not made them independent of existing executive officials or agencies. Lieutenant Governors have such functions in Missouri and New Mexico, as have the Gov-

<sup>8</sup>The Council of State Governments, *Integrating and Coordinating State Environmental Programs* (Lexington, Kentucky, 1975).

ernors' offices in Illinois, Kentucky, Massachusetts, Montana, North Carolina, Oregon, South Carolina, and Virginia. Specialized units have also been set up; Ohio has separate ombudsmen for environment, business, insurance, consumer protection, and local government; and Utah has one for blacks and one for the Spanish-speaking. In 1974 New Jersey created the Department of Public Advocate, with special divisions for rates, mental health, public interest, and citizen complaints and dispute settlement.

The trend toward establishing authorities with the power to provide financial assistance for publicly supported projects continues. California, Georgia, Iowa, New Mexico, and Vermont have established such agencies for housing; Massachusetts, New Jersey, and Wyoming for community and industrial development; Wisconsin for solid waste recycling and disposal; Arizona for health care facilities; and Missouri for health and education facilities.

But action is not always in the direction of growth. Idaho has abolished some units, as has New York. New York also combined six boards having jurisdiction over racing, betting, and lotteries into one State Racing and Wagering Board.

#### GOVERNORS

The Governor's appointive power has been affected by actions in three States. A constitutional amendment in Pennsylvania is aimed at eliminating the long-term use of interim appointments; it requires the Governor to fill vacancies within 90 days, but confirmation is automatic if the Senate fails to act within 25 days. Rhode Island extended the Legislature's time to approve appointments from 3 to 12 days, after which the appointment is automatically confirmed. Alaska by law made additional appointments, including deputy heads of agencies, subject to legislative confirmation.

Two States adopted constitutional amendments for team election of the Governor and Lieutenant Governor—Indiana and North Dakota—bringing the total of States using joint election to 20. Colorado, having team election, adopted an amendment removing the Lieutenant Governor

as Senate presiding officer, continuing the trend toward making the Lieutenant Governor purely an executive officer.

The Governor's veto power was restricted by constitutional amendment in two States. In Hawaii the Governor may no longer exercise the item veto on appropriations for the Legislature and judiciary. In Washington the item veto, formerly applying to all legislation, can no longer be used for less than a section of a bill except for appropriation items. The Governor's time for action on vetoes after the legislative session is extended to 20 days from 10, but the Legislature may convene itself in extra session to consider vetoes.

#### ELECTIVE OFFICERS

The number of elective officers has been sharply reduced from 13 to 8 in Oklahoma. A constitutional amendment approved in 1975 combines into one position of Auditor and Inspector the previously two offices of Auditor, and Examiner and Inspector; abolishes the office of Commissioner of Charities and Corrections; and makes appointive the previously elective posts of Secretary of State, Labor Commissioner, and Chief Mine Inspector. These changes take effect in January 1979 when the terms of incumbents expire. Kansas, which had previously removed the State Auditor from the constitution, abolished this elective office and divided its duties among several other offices.

#### FINANCIAL MANAGEMENT

Few basic changes have been made since 1973 in the central administrative structure of the States. All but four States have central departments of administration, finance, or general services. The reorganizations in Louisiana and Missouri did not change the existing offices of administration; a similar department was retained in Idaho but the budget function was removed and placed in the Governor's office.

This shift in Idaho illustrates the dilemma of the organizational placement of the budget office. The budget function in 28 States is located in a department of administration or finance. However, in the past two years Nebraska restored the

budget unit to the Department of Administrative Services where it had formerly been, while Montana shifted budget from the Department of Administration to the office of the Governor.

A General Services Department was created in Pennsylvania, combining the former department of property and supplies and the general state authority. The latter agency had been empowered to issue revenue bonds to construct and rent state office facilities, but a liberalization of state borrowing power now enables the State to handle its building needs through ordinary administrative arrangements.

The organizational location of the planning function continues to undergo change. The planning and budgeting functions in Colorado and Idaho were brought together under the Governor in offices of planning and budget. In Kansas, overall state planning has been placed in a unit in the Department of Administration. However, a joint arrangement in Connecticut was broken up by placing planning in the new Department of Planning and Energy Policy; the new administration in Ohio removed the management and planning functions from the office of management and budget; and Kentucky set up a planning unit in the Governor's office, removing it from its tie with administration and budget. The planning function is currently located in the Governor's office in 28 States, in five of these in the same unit as the budget office. Planning is located in a department of administration in 12 States, and in units in line departments in 10 States.

#### BUDGETING

Budget processes were affected in two States with the adoption of constitutional amendments. Maryland now has a provision which requires that the budget bill submitted by the Governor specify the total of estimated revenues as well as expenditures, and that appropriations not exceed revenues. Oklahoma's constitution, which had required that appropriations be based on the previous year's revenue collections, was amended to allow appropriations on the basis of a five-year trend in receipts.

A new law in Massachusetts was de-

signed to reform budget procedures by requiring public hearings at basic stages of budget preparation and consideration, and specifying basic information to be contained in the document. In Wyoming, a 1975 law changes the budget cycle by switching the biennial budget from odd years to even. The Legislature will convene for a 20-day budget session early February in even years, but will receive the Governor's budget by January 1 to allow joint committee public hearings beginning at least 20 days in advance of the session.

Procedures for developing capital improvement budgets continually undergo review. A 1975 New Mexico law requires the preparation of a four-year capital budget plan with priorities. In New Jersey a capital needs commission recommended priorities for construction, and also recommended procedural changes aimed toward improved capital planning and development which have resulted in the establishment of a permanent Commission on Capital Budgeting and Planning staffed by a new capital planning unit in the budget division.

A decision of the West Virginia Supreme Court resolved a dispute between the Governor and Legislature over the degree to which the latter could amend the Governor's budget. The constitution of that State does not allow the Legislature to consider other appropriations until the budget bill is acted upon by both Houses. The Legislature, in order to give itself flexibility in changing the Governor's proposals, enacted a skeleton budget bill, and then passed 86 supplemental appropriation bills. The court ruled that the Legislature's procedure was legal.

Continual attention is being given to budget systems. The concept of zero-base budgeting is being continued in modified form in Georgia, the first State to adopt it, and has been followed with modifications in other States, including Idaho, New Jersey, Rhode Island, and Texas. Arizona, Kentucky, Montana, North Carolina, North Dakota, and Virginia are adapting program budget concepts to their systems. Washington is doing likewise with a Program Decision System, and the District of Columbia with a program

monitoring system to set criteria, targets, and monitor progress.

States which have had longer experience with program budgeting continue to seek improvement. Florida is revitalizing its system, Minnesota has extended its system gradually to most major agencies, and Pennsylvania is refining the system through review of program structure and improved definition of objectives and measures of effectiveness. Hawaii, which by law required an elaborate collection and publication of fiscal and program information, found it useful to amend the statutes to simplify this task, thereby reducing by one half the many-volumed budget presentation.

The emphasis in many States now is on developing methods of evaluating the effectiveness of state programs. Research toward this end is under way in North Carolina and Wisconsin. California and New Jersey continue their development of evaluation criteria, and other States such as Georgia and Montana are beginning similar procedures. At least two States, Idaho and North Carolina, are using the team approach—planning and budget staffs—to improve analysis and evaluation of programs.

In the development of program budget systems by whatever title used, it is now widely recognized that such systems cannot quickly be made effective in decision-making. Expertise must be developed; more important, the presumed beneficiaries—Governors, legislators, and administrators—must become familiar with the approach. This takes years, and most efforts now are spread over time.

#### MANAGEMENT

Governors continue their strong interest in improving the management of state government. A popular way to take advantage of the expertise of private sector managers has been to borrow large teams of such executives for a few months for intensive study of state agency organization and procedures. Such programs, often referred to as LEAP (Loaned Executives Action Program) have been recently used in Florida, Missouri, Ohio, and Pennsylvania. Arizona, Arkansas, and New York have used a variation in which such teams

are brought in for studies of one agency or problem at a time.

Illinois, Minnesota, Missouri, and Tennessee are using the business concept of management by objectives (MBO); agencies in many States are adopting this concept. Like all other concepts which become widely used, many variations exist. Under MBO, program units and management reach agreement on the specific, measurable objectives to be accomplished in a given period, and results are monitored. This procedure can be applied to all levels; the Governor and department heads seek to identify and monitor major objectives, and each level of management within the department can work with subordinate heads to identify successively more detailed levels of objectives.

Another management improvement method focuses on productivity. A productivity program directs attention to methods of accomplishing desired program results with a savings in manpower and total costs. Such programs have been developed on a statewide basis in Florida, Illinois, New York, Vermont, Washington, Wisconsin, and the District of Columbia. Only in the District of Columbia and Washington is more than one full-time person employed in the project, although in two States many other persons have part-time responsibility. The Washington effort has been strongly pushed by the Governor and also utilizes a citizens advisory committee. The Wisconsin productivity program continues the approach utilized in the last biennium, that of requiring the deduction of productivity savings in budget requests.

Revised administrative procedures acts have been enacted in Florida and Tennessee, and regulation of procedures is being strengthened in Iowa, Kentucky, Louisiana, Maryland, and Missouri to provide more uniform adherence to basic requirements of fairness and openness.

#### OTHER

States continue their efforts to maximize the return on funds held in the treasury. Florida and Kentucky have increased the proportion of funds invested, Utah has by law established a policy for investment, and the Oregon treasurer

manages a local government investment pool to enable local governments to increase earnings.

One clear trend in recent years has been consolidation of general services functions such as purchasing, construction, communications, and insurance protection under the unified management of a general services agency. The number of such agencies remains at 17, the same as in 1973, but the concept continues to gain strength. A number of States with departments of administration have established within the departments unified management of general services functions.

States continue their expanded use of economic advisory mechanisms to assist in predicting the State's economy, partly for purposes of estimating revenues. A 1974 survey showed that 18 States had councils of economic advisors; six of these are established by statute, 10 by executive order, and two informally. Councils come and go over the years, with some councils being disbanded and others being formed. Full-time staff was employed for economic analysis in 16 of the above States, and an

additional 10 States without councils also had economic analysis staffs.

The increased interest of the States in mass transit had led to broadening the use of highway revenues, which in 45 States have been dedicated by constitution or law for the use primarily of highway construction and maintenance. Two States, Connecticut and Massachusetts, in 1974 broadened their highway funds into transportation funds, joining Maryland in establishing such a fund.

Two additional States established municipal bond banks in 1975—Alaska and North Dakota—continuing the move by States to assist local governments in the bond market.

New York, in a significant move to stabilize local fiscal conditions, established in 1975 a Municipal Assistance Corporation empowered to borrow billions of dollars to assist New York City in avoiding possible default. This later had to be supplemented by a virtual state takeover of the fiscal management of New York City through an Emergency Financial Control Board.

## THE GOVERNORS

March 1976

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.....	Raul H. Castro	D	4	Jan. 6, 1975	0	...	...
Arkansas.....	David H. Pryor	D	2	Jan. 14, 1975	0	...	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.....	Sherman W. Tribbitt	D	4	Jan. 16, 1973	0	2(b)	No
Florida.....	Reubin O'D. Askew	D	4	Jan. 7, 1975	1	2	Yes
Georgia.....	George D. Busbee	D	4	Jan. 14, 1975	0	0	No
Hawaii.....	George R. Ariyoshi	D	4	Dec. 2, 1974	0	...	Yes
Idaho.....	Cecil D. Andrus	D	4	Jan. 6, 1975	1	...	No
Illinois.....	Dan Walker	D	4	Jan. 8, 1973	0	...	Yes
Indiana.....	Otis R. Bowen	R	4	Jan. 8, 1973	0	2	Yes
Iowa.....	Robert D. Ray	R	4	Jan. 16, 1975	3(c)	...	No
Kansas.....	Robert F. Bennett	R	4	Jan. 13, 1975	0	2	Yes
Kentucky.....	Julian M. Carroll	D	4	Dec. 9, 1975	(d)	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.....	Marvin Mandel	D	4	Jan. 15, 1975	(e)	2	Yes
Massachusetts.....	Michael S. Dukakis	D	4	Jan. 2, 1975	0	...	Yes
Michigan.....	William G. Milliken	R	4	Jan. 1, 1975	1(f)	...	Yes
Minnesota.....	Wendell R. Anderson	D	4	Jan. 8, 1975	1	...	Yes
Mississippi.....	Cliff C. Finch	D	4	Jan. 20, 1976	0	0	No
Missouri.....	Christopher S. Bond	R	4	Jan. 8, 1973	0	2(g)	No
Montana.....	Thomas L. Judge	D	4	Jan. 1, 1973	0	...	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. 2, 1975	1	...	...
New Jersey.....	Brendan T. Byrne	D	4	Jan. 17, 1974	0	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 E. Holshouser, Jr.	R	4	Jan. 5, 1973	0	0	No
North Dakota.....	Arthur A. Link	D	4	Jan. 2, 1973	0	...	Yes
Ohio.....	James A. Rhodes	R	4	Jan. 13, 1975	2(h)	2	No
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.....	Philip W. Noel	D	2	Jan. 7, 1975	1	...	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(i)	2	Yes
Tennessee.....	Ray Blanton	D	4	Jan. 18, 1975	0	0	No
Texas.....	Dolph Briscoe	D	4	Jan. 21, 1975	1(j)	...	No
Utah.....	Calvin L. Rampton	D	4	Jan. 1, 1973	2	...	No
Vermont.....	Thomas P. Salmon	D	2	Jan. 10, 1975	1	...	No
Virginia.....	Mills E. Godwin, Jr.	R	4	Jan. 12, 1974	1(k)	0	No
Washington.....	Daniel J. Evans	R	4	Jan. 8, 1973	2	...	No
West Virginia.....	Arch A. Moore, Jr.	R	4	Jan. 15, 1973	1	2	...
Wisconsin.....	Patrick J. Lucey	D	4	Jan. 6, 1975	1	...	Yes
Wyoming.....	Ed Herschler	D	4	Jan. 6, 1975	0	...	...
American Samoa.....	Earl B. Ruth	R	...	Feb. 4, 1975	...	...	...
Guam.....	Ricardo J. Bordallo	D	4	Jan. 6, 1975	0	2	Yes
Puerto Rico.....	Rafael Hernández-Colón	PD(l)	4	Jan. 2, 1973	0	...	...
Virgin Islands.....	Cyril E. King	I	4	Jan. 6, 1975	0	2	Yes

(a) Previous terms: 1963-67, 1971-75.

(b) Absolute two-term limitation.

(c) Served three two-year terms prior to January 1975.

(d) 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.

(e) Elected by General Assembly in January 1969 to fill unexpired term of former Governor Spiro T. Agnew (resigned). Elected to a full four-year term in November 1974.

(f) 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.

(g) Absolute two-term limitation, but not necessarily consecutive.

(h) Previous terms: 1963-67, 1967-71.

(i) Served two two-year terms prior to January 1975.

(j) This was a two-year term.

(k) Previous term: 1966-70.

(l) Popular Democratic Party.



## CONSTITUTIONAL AND STATUTORY ELECTIVE ADMINISTRATIVE OFFICIALS\*

	State or other jurisdiction	Governor	Lt. Governor	Secretary of State	Attorney General	Treasurer	Auditor	Comptroller	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	..	..	..	C	..	..	..	C3	..	.....	2	2
	Arizona.....	C	C	C	C	C	..	..	..	..	..	..	..	..	..	..	..	..	.....	7	9
	Arkansas.....	C	C	C	C	C	..	C	C	..	..	..	..	C	..	..	..	..	.....	7	7
	California.....	C	C	C	C	C	..	..	..	..	..	..	..	..	..	..	..	..	Board of Equalization—C4(b)	8	11
14	Colorado.....	C	C	C	C	C	..	..	..	..	..	..	..	..	C9	C5	..	..	.....	7	19
	Connecticut.....	C	C	C	C	C	..	C	..	..	..	..	..	..	..	..	..	..	.....	6	6
	Delaware.....	C	C	C	C	C	..	..	..	..	..	C	..	..	..	..	..	..	.....	6	6
	Florida.....	C	C	C	C	C(c)	..	C	C	C	..	C	..	..	..	(d)	S3	..	.....	9	11
	Georgia.....	C	C	C	C	..	..	..	C	C	C	C	C	..	..	..	C5	..	.....	9	13
	Hawaii.....	C	C	..	C	..	..	..	..	..	..	..	..	..	..	C9	..	..	.....	3	11
	Idaho.....	C	C	C	C	C	C	..	C	..	..	..	..	..	..	..	..	..	.....	7	7
	Illinois.....	C	C	C	C	C	..	C	..	..	..	..	..	..	S9	..	..	..	.....	7	15
	Indiana.....	C	C	C	C	C	C	..	C	..	..	..	..	..	..	..	..	..	.....	7	7
	Iowa.....	C	C	C	C	..	..	..	..	S	..	..	..	..	..	..	..	..	.....	7	7
	Kansas.....	C	C	C	C	S	..	..	..	..	..	S	..	..	..	C10	..	..	.....	7	16
	Kentucky.....	C	C	C	C	..	C	..	C	C	..	C	..	..	..	C11	C5	..	Railroad Commission—C3	9	11
	Louisiana.....	C	C	C	C	..	..	..	..	..	..	..	..	..	..	..	C5	..	Commissioner of Elections	11	25
	Maine.....	C	..	..	C	..	..	..	..	..	..	..	..	..	..	..	..	..	.....	1	1
	Maryland.....	C	C	..	C	..	..	C	..	..	..	..	..	..	..	..	..	..	.....	4	4
	Massachusetts.....	C	C	C	C	C	C	..	..	..	..	..	..	..	C24(f)	C8(g)	..	C8	.....	7	14
	Michigan.....	C	C	C	C	C	..	..	..	..	..	..	..	..	..	..	..	..	.....	8	36
	Minnesota.....	C	C	C	C	C	..	..	C	..	..	S	..	S	..	..	S3	..	.....	6	6
	Mississippi.....	C	C	C	C	C	C	..	..	S(h)	..	S	..	S	..	..	..	..	Highway Commission—S3	12	16
	Missouri.....	C	C	C	C	C	C	..	..	..	..	..	..	..	..	..	..	..	.....	6	6

\*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) Office became appointive by Industrial Commission on 1st Monday in January 1975.

(f) Secretary of State becomes Lieutenant Governor ex officio by statute.

(k) Elected by local school board in convention, plus one ex officio.

(l) No elective administrative officials.

## STATE ADMINISTRATIVE OFFICIALS: ANNUAL SALARIES\*

As of late 1975

State or other jurisdiction	Governor	Lieutenant Governor	Secretary of State	Attorney General	Treasurer	Fiscal and/or compliance post-audit	Pre-audit	Centralized accounting†	Overall revenue and/or taxation
Alabama.....	\$28,955	\$ 3,600	\$22,960	\$33,500	\$22,960	(e)	\$26,130	(b-2)	\$22,729
Alaska.....	50,000	43,999	(b-1)	48,576	42,552	(e)	24,504	\$48,576	48,576
Arizona.....	40,000	....	24,000	35,000	22,500	\$34,375	32,915	32,915	34,375
Arkansas.....	10,000	2,500	5,000	6,000	5,000	5,000	(b-2)	21,827	21,070
California.....	49,100	35,000	35,000	42,500	35,000	(e)	35,000	29,688	34,536
Colorado.....	40,000	25,000	25,000	32,500	25,000	38,500	33,466	31,860	37,000
Connecticut.....	42,000	18,000	20,000	30,000	20,000	34,813	20,000	20,000	34,791
Delaware.....	35,000	12,000	18,720	30,000	18,000	18,000	30,780	22,104	28,100
Florida.....	50,000	36,000	40,000	40,000	40,000	33,576	40,000	23,450	33,000
Georgia.....	50,000	25,000	35,000	40,000	(c)	32,500	(f)	32,500	32,500
Hawaii.....	46,000	41,400	(b-1)	39,100	(b-2)	(e)	39,100	42,000	39,100
Idaho.....	33,000	8,000	21,500	25,000	40,000	24,228	21,500	21,500	20,500
Illinois.....	50,000	37,500	42,500	42,500	23,500	40,000	40,000	40,000	38,000
Indiana.....	37,000	23,500	23,500	27,000	22,500	30,342	23,500	23,500	31,772
Iowa.....	40,000	12,000	22,500	29,000	18,500	22,500	30,388	30,388	28,000
Kansas.....	35,000	12,275	18,500	32,500	22,500	35,000	30,516	30,516	36,750
Kentucky.....	35,000	22,500	22,500	22,500	22,500	22,500	(b-2)	24,888	25,000
Louisiana.....	50,000	26,500	35,000	35,000	35,000	28,000	30,000	29,615	27,500
Maine.....	35,000	....	20,000	25,500	15,000	17,500	20,029	20,377	24,000
Maryland.....	25,000	44,856	24,000	44,856	44,856	35,300	44,856	44,856	(b-6)
Massachusetts.....	40,000	25,000	25,000	30,000	25,000	25,000	31,860	31,860	28,502
Michigan.....	45,000	27,500	42,250	42,250	33,950	36,000	33,262	33,261	35,851
Minnesota.....	41,000	30,000	25,000	36,500	25,000	30,000	36,500	35,500	28,000
Mississippi.....	43,000	15,000	28,000	30,000	26,000	26,000	26,000	36,084	25,500
Missouri.....	37,500	16,000	25,000	25,000	20,000	20,000	(f)	26,040	30,000
Montana.....	30,000	24,000	18,000	25,000	18,000	18,000	(f)	30,723	26,528
Nebraska.....	25,000	25,000	25,000	32,500	25,000	25,000	27,012	27,012	23,998
Nevada.....	40,000	6,000	25,000	30,000	22,500	24,000	22,500	22,500	25,300
New Hampshire.....	34,070	....	25,476	29,106	25,476	N.A.	28,664	28,884	26,717
New Jersey.....	60,000	....	43,000	43,000	43,000	21,250	42,500	42,500	39,151
New Mexico.....	35,000	15,000	24,000	30,000	24,000	24,000	23,652	26,088	31,104
New York.....	85,000	60,000	47,800	60,000	(d)	(d)	(d)	(d)	47,800
North Carolina.....	38,500	30,000	31,000	35,000	31,000	31,000	26,304	34,963	34,963
North Dakota.....	18,000	2,000	11,000	13,000	11,000	11,000	(b-2)	28,000	12,000
Ohio.....	50,000	30,000	38,000	38,000	38,000	38,000	(b-4)	30,638	29,037
Oklahoma.....	42,500	24,000	18,500	27,500	22,000	18,500	(b-5)	25,200	25,000
Oregon.....	38,500	....	31,900	31,900	31,900	(b-3)	(b-3)	26,784	34,472
Pennsylvania.....	60,000	45,000	35,000	40,000	42,500	42,500	33,017	N.A.	37,500
Rhode Island.....	42,500	25,500	25,500	31,875	25,500	(e)	25,198	25,198	29,211
South Carolina.....	39,000	17,500	34,000	34,000	34,000	32,786	34,000	34,000	29,988
South Dakota.....	27,500	4,200	17,500	23,000	17,500	20,900	20,900(d)	17,500	23,000
Tennessee.....	50,000	(a)	34,949	38,693	34,949	38,693	22,104	38,693	34,949
Texas.....	65,000	7,200	38,100	40,500	40,500	37,500	40,500	40,500	(b-6)
Utah.....	35,000	(b-3)	21,996	24,996	21,000	21,000	29,616	33,288	23,580
Vermont.....	36,100	15,500	19,600	24,700	19,600	19,600	26,400	33,000	28,500
Virginia.....	50,000	10,525	17,400	37,500	34,500	29,050	33,400	33,400	35,000
Washington.....	42,150	17,800	21,400	31,500	24,150	24,950	(f)	(b-5)	35,381
West Virginia.....	35,000	....	22,500	22,500	22,500	24,500	(b-4)	14,448	22,000
Wisconsin.....	44,292	28,668	22,140	36,450	22,140	39,912	25,944	33,588	44,028
Wyoming.....	37,500	....	23,000	26,500	23,000	(e)	(b-5)	27,948	31,836
American Samoa.....	45,000	45,000	....	32,328	35,328	22,575	24,806	N.A.	21,254
Guam.....	35,000	30,000	....	19,000	13,260	N.A.	14,820	20,800	19,000
Puerto Rico.....	35,000	....	28,500	28,000	28,000	27,000	(f)	N.A.	(f)
TTPI.....	....	....	26,000	26,000	27,945	24,900	27,945	N.A.	26,416

\*Methods of selection for the officials listed in the table can be found in the table beginning on page 121. Salary figures are presented as submitted by the States except where ranges were given. In those instances the maximum figure was chosen.  
†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.

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) Lieutenant Governor
- (b-2) Finance or Administration
- (b-3) Secretary of State
- (b-4) Post-audit
- (b-5) Budget
- (b-6) Pre-audit
- (b-7) Education
- (b-8) Human Resources
- (b-9) Health
- (b-10) Economic Security Department Director (\$42,259) has responsibility for public assistance and employment security.
- (b-11) Labor
- (b-12) Public assistance

(b-13) Conservation, Natural resources, Environmental protection

(b-14) Agriculture

(b-15) Attorney General

(b-16) Transportation/Highways, Public works and buildings

(b-17) Central purchasing

(b-18) Police, Public safety

(b-19) Adjutant General

(b-20) Planning

(b-21) Treasurer

(b-22) Banking

(c) Position of Treasurer has been abolished.

(d) All functions performed by Controller, CE, \$60,000.

(e) Function performed by more than one agency. Alabama: \$22,970 (CE), \$22,729 (SL); Alaska: \$42,552 (A), \$38,000 (CL); California: \$15,980 (CS), \$37,000 (L); Hawaii: \$39,100 (CL), \$39,100 (GS); Rhode Island: \$24,324 (CS), \$28,500 (L); Wyoming: \$24,180 (L), \$20,500 (GS).

(f) No single agency or official.

(g) 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.  
(h) This term is used for an umbrella agency or department. The functions under the jurisdiction of this agency may include welfare, health, mental health and retardation, corrections, or other social-oriented programs.  
(i) Director of Regulatory Agencies, \$39,100 (GS).

STATE ADMINISTRATIVE OFFICIALS: ANNUAL SALARIES\*—Continued  
As of late 1975

State or other jurisdiction	Finance or administration	Budget	Planning	Personnel	Central purchasing	Information systems	Education (chief state school officer)	Higher education
Alabama.....	\$21,657	\$26,130	\$23,699	\$22,729	\$22,568	\$22,729	\$27,208	\$35,000
Alaska.....	48,576	42,552	42,552	42,552	42,552	42,552	48,576	(b-7)
Arizona.....	34,375	32,915	28,609	31,348	27,406	36,093	27,500	33,500
Arkansas.....	33,000	23,049	26,000	23,049	23,049	24,232	27,000	27,000
California.....	43,404	31,000	34,104	31,010	37,212	29,556	35,000	50,000
Colorado.....	30,500	36,876	30,348	35,000	31,860	35,124	40,000	37,500
Connecticut.....	37,062	26,501	24,526	36,180	27,544	(f)	37,062	40,000
Delaware.....	30,150	23,800	23,800	23,800	18,950	22,498	36,991	(f)
Florida.....	37,000	33,000	32,000	31,000	28,000	28,000	40,000	51,000
Georgia.....	32,500	31,500	30,000	35,820	25,800	28,356	35,000	47,250
Hawaii.....	39,100	(b-2)	39,100	39,100	(b-6)	(b-6)	39,100	41,400
Idaho.....	23,360	24,300	26,064	28,716	19,360	26,064	23,000	26,360
Illinois.....	32,000	34,750	(b-5)	35,000	31,000	31,000	30,000	49,000
Indiana.....	31,772	31,772	25,064	26,338	(f)	26,338	25,000	42,500
Iowa.....	(f)	28,522	24,610	24,500	22,360	29,952	31,030	18,723
Kansas.....	36,750	33,612	30,000	30,516	30,516	30,516	37,500	34,800
Kentucky.....	27,500	24,888	24,888	25,000	24,888	22,584	22,500	42,500
Louisiana.....	50,000	31,308	21,573	30,648	23,400	35,000	35,000	37,924
Maine.....	25,500	22,500	22,500	22,500	21,000	(b-2)	25,500	37,500
Maryland.....	(b-6)	42,300	42,300	42,300	28,317	33,300	47,300	37,003
Massachusetts.....	39,000	32,263	29,739	33,561	31,860	(f)	38,232	38,232
Michigan.....	35,000	(b-2)	(b-2)	38,544	33,262	33,262	40,875	35,851
Minnesota.....	36,000	32,072	27,000	31,000	26,371	32,072	29,800	26,100
* Mississippi.....	(f)	33,360	N.A.	N.A.	(f)	N.A.	26,000	31,000
Missouri.....	30,000	27,324	26,040	26,040	26,040	26,040	40,008	30,000
Montana.....	27,000	29,200	20,763	20,200	18,499	23,421	20,000	38,000
Nebraska.....	21,396	27,012	22,200	21,468	23,844	27,012	31,000	(f)
Nevada.....	29,383	(b-2)	28,983	27,332	23,705	22,310	27,720	38,000
New Hampshire.....	21,875	(b-2)	N.A.	24,034	21,875	21,875	25,476	41,000
New Jersey.....	(b-6)	(b-6)	31,073	41,000	35,735	39,953	43,000	43,000
New Mexico.....	32,340	26,088	29,904	28,752	26,088	(f)	32,340	28,752
New York.....	(f)	47,800	(f)	47,800	47,800	(f)	57,650	42,448
North Carolina.....	38,083	32,333	28,199	31,621	28,747	30,420	33,500	48,500
North Dakota.....	28,000	(b-2)	18,000	24,456	22,200	(f)	12,000	41,000
Ohio.....	34,403	31,450	(b-2)	(b-2)	(b-2)	(b-2)	50,000	50,000
Oklahoma.....	(b-5)	28,500	26,000	20,700	19,680	21,780	30,000	47,500
Oregon.....	32,472	29,544	(f)	29,544	(b-2)	29,544	31,900	45,870
Pennsylvania.....	39,296	39,296	31,042	34,132	35,000	34,132	40,000	39,296
Rhode Island.....	33,224	30,549	22,632	25,198	25,198	(f)	42,500	33,580
South Carolina.....	(g)	(g)	29,366	27,767	23,442	(f)	34,000	36,849
South Dakota.....	25,000	25,000	23,000	20,500	15,900	19,000	25,000	39,900
Tennessee.....	38,693	22,104	22,104	34,949	25,596	(b-2)	38,693	38,436
* Texas.....	(f)	37,500	33,092	(f)	34,000	(f)	40,500	38,200
Utah.....	34,260	29,616	26,820	29,616	25,560	36,660	39,276	45,024
Vermont.....	33,000	28,500	21,900	24,750	22,500	25,142	33,000	(f)
Virginia.....	39,500	34,000	34,000	34,000	29,000	30,500	44,000	40,000
Washington.....	33,502	42,836	31,576	34,416	23,700	40,000	31,500	37,500
West Virginia.....	22,000	21,360	15,000	18,000	18,000	25,932	39,900	45,000
Wisconsin.....	48,000	33,588	33,588	36,612	36,612	30,762	25,000	57,024
Wyoming.....	36,804	29,688	(f)	29,688	24,012	(f)	23,000	27,636
American Samoa.....	25,545	27,270	25,545	33,415	24,806	(f)	24,000	27,000
Guam.....	19,000	19,000	19,000	13,260	13,260	(f)	19,000	21,000
Puerto Rico.....	(f)	25,750	28,000	25,750	24,060	(f)	28,000	(f)
TTPI.....	26,000	26,000	26,000	26,000	27,945	(f)	26,000	27,945

STATE ADMINISTRATIVE OFFICIALS: ANNUAL SALARIES\*—Continued  
As of late 1975

State or other jurisdiction	Human resources(h)	Health	Mental health	Public assistance	Employment security	Corrections	Labor	Human rights
Alabama.....	(f)	\$44,569	\$47,250	\$22,729	\$27,557	\$22,729	\$22,729	(f)
Alaska.....	\$48,576	42,552	42,552	42,552	42,552	42,552	48,576	\$38,112
Arizona.....	45,259	49,582	49,582	(b-10)	(b-10)	37,671	18,481	25,002
Arkansas.....	33,000	32,000	35,500	26,598	31,000	27,500	22,000	(f)
California.....	37,212	40,308	(b-9)	37,212	22,450	37,212	(b-8)	23,560
Colorado.....	(f)	45,000	36,876	36,876	36,876	38,724	33,466	30,348
Connecticut.....	23,595	36,606	36,606	36,180	29,779	36,180	34,791	26,501
Delaware.....	33,000	(b-8)	34,000	27,050	N.A.	26,800	27,050	19,450
Florida.....	37,000	41,000	41,000	31,000	30,000	35,000	28,000	19,000
Georgia.....	32,500	45,492	43,356	26,472	34,000	32,500	35,000	15,408
Hawaii.....	(f)	39,100	(b-9)	39,100	(b-11)	(b-12)	39,100	(f)
Idaho.....	(f)	35,364	(f)	23,364	25,362	25,360	24,360	15,360
Illinois.....	(f)	44,000	44,000	44,000	35,000	38,000	35,000	29,000
Indiana.....	20,670	46,956	46,956	36,790	28,912	33,384	23,894	21,710
Iowa.....	33,170	26,750	31,439	27,170	24,648	29,952	19,200	18,725
Kansas.....	(f)	36,750	34,000	36,750	27,708	36,750	36,750	20,748
Kentucky.....	27,500	40,000	(b-9)	25,000	25,000	25,000	25,000	24,888
Louisiana.....	55,000	40,000	42,500	24,000	27,000	26,300	19,000	20,000
Maine.....	(f)	24,991	36,140	21,830	21,000	17,384	19,500	13,100
Maryland.....	42,300	(b-8)	(b-8)	34,500	34,500	42,300	33,100	24,900
Massachusetts.....	39,000	34,809	44,876	34,567	31,800	34,567	26,039	19,284
Michigan.....	(f)	39,500	43,800	34,495	30,000	33,000	30,660	31,500
Minnesota.....	(f)	30,300	(f)	33,600	26,400	28,000	26,400	20,000
Mississippi.....	(f)	33,000	45,000	19,000	33,360	25,000	(f)	(f)
Missouri.....	30,000	37,063	35,000	26,500	25,000	22,500	30,000	19,881
Montana.....	22,783	34,000	24,320	25,418	24,320	26,652	24,860	15,424
Nebraska.....	(f)	37,452	33,000	21,468	25,320	25,656	19,992	18,492
Nevada.....	28,550	44,167	34,425	30,071	26,400	26,000	20,314	17,135
New Hampshire.....	15,260	32,167	37,675	28,260	25,476	23,679	18,985	9,000
New Jersey.....	43,000	41,000	38,047	37,520	34,528	34,258	43,000	26,665
New Mexico.....	18,540	45,000	21,864	30,768	29,904	31,104	22,536	18,540
New York.....	(f)	51,150	51,150	47,800	47,800	47,800	47,800	43,050
North Carolina.....	33,298	52,020	54,624	35,196	30,184	33,298	31,000	25,638
North Dakota.....	(f)	35,000	50,800	28,300	33,000	20,000	12,000	(f)
Ohio.....	31,450	36,962	39,499	31,450	31,450	31,450	31,450	19,905
Oklahoma.....	42,500	40,000	42,500	20,500	21,780	30,000	18,500	13,100
Oregon.....	35,808	31,020	43,632	32,556	32,556	32,556	31,900	(b-11)
Pennsylvania.....	25,604	37,500	32,567	48,884	39,296	39,296	34,132	32,587
Rhode Island.....	20,147	31,642	41,252	31,886	26,536	28,000	26,536	17,800
South Carolina.....	(f)	44,093	42,760	33,320	30,621	33,735	26,988	21,103
South Dakota.....	(f)	25,000	20,900	25,000	20,900	25,100	23,000	14,900
Tennessee.....	(f)	46,125	46,125	34,949	34,949	34,949	34,949	23,220
Texas.....	(f)	40,500	40,500	40,500	33,300	40,500	26,000	(f)
Utah.....	27,936	40,584	29,280	27,936	32,832	25,032	29,736	(b-11)
Vermont.....	33,630	33,000	39,000	30,000	25,500	27,000	25,500	(f)
Virginia.....	37,500	42,500	42,500	32,000	30,500	30,500	28,500	37,500
Washington.....	44,447	46,920	46,920	35,016	30,835	33,348	32,687	31,000
West Virginia.....	(f)	35,000	25,000	25,000	22,500	20,000	18,000	20,328
Wisconsin.....	52,308	43,500	44,028	39,912	36,612	39,912	28,800	28,217
Wyoming.....	22,296	46,968	32,508	27,636	20,500	18,000	19,000	(f)
American Samoa.....	33,415	36,000	21,015	18,060	33,415	12,793	33,415	(f)
Guam.....	(f)	19,000	14,300	16,510	13,780	19,000	19,000	(f)
Puerto Rico.....	(f)	28,000	24,060	28,000	18,660	24,000	28,000	20,600
TTPI.....	26,416	26,000	22,532	N.A.	(b-11)	(f)	24,700	N.A.

STATE ADMINISTRATIVE OFFICIALS: ANNUAL SALARIES\*—Continued  
As of late 1975

State or other jurisdiction	Conservation	Natural resources	Environmental protection	Agriculture	Public works and buildings	Transportation/Highways	Police
Alabama.....	\$22,729	(b-13)	\$28,821	\$22,960	(b-16)	\$22,729	(b-18)
Alaska.....	(b-13)	\$48,576	48,576	42,552	\$48,576	48,576	(b-18)
Arizona.....	(f)	(f)	31,348	31,348	26,101	42,259	(f)
Arkansas.....	(f)	(f)	22,000	(f)	29,000	33,000	\$25,415
California.....	34,104	34,104	37,212	37,212	37,212	(b-16)	37,212
Colorado.....	38,724	34,000	23,784	30,500	33,466	36,000	35,124
Connecticut.....	(b-13)	(b-13)	36,606	32,193	34,791	37,062	36,183
Delaware.....	18,000	29,200	26,988	25,950	(f)	30,150	24,500
Florida.....	(f)	34,000	33,000	40,000	33,000	37,000	25,000
Georgia.....	29,724	32,500	30,000	35,000	25,000	36,000	22,392
Hawaii.....	(b-13)	39,100	(b-9)	39,100	(b-6)	39,100	....
Idaho.....	(b-13)	(b-13)	25,440	25,360	19,360	28,428	18,048
Illinois.....	32,000	(b-13)	35,000	35,000	(b-16)	44,000	32,000
Indiana.....	(f)	30,342	38,584	21,710	27,638	35,074	33,384
Iowa.....	24,000	20,280	25,680	22,500	25,500	37,500	21,294
Kansas.....	21,768	(f)	32,000	30,516	(f)	36,750	26,000
Kentucky.....	24,888	27,500	24,888	22,500	(b-2)	27,000	25,000
Louisiana.....	20,000	22,100	24,000	35,000	27,600	31,000	27,000
Maine.....	25,500	(f)	25,500	21,000	22,500	25,500	22,500
Maryland.....	(b-13)	42,300	(b-13)	42,300	42,300	38,200	33,300
Massachusetts.....	19,591	28,000	34,000	19,780	32,263	31,688	25,022
Michigan.....	(b-13)	30,660	(b-13)	30,660	(b-2)	37,233	33,602
Minnesota.....	(b-13)	22,600	24,000	22,000	(b-2)	33,600	29,670
Mississippi.....	20,000	22,572	27,444	26,000	(f)	24,000	(b-18)
Missouri.....	30,000	30,000	27,000	30,000	26,040	30,000	28,320
Montana.....	25,416	(b-13)	(b-13)	20,967	(b-2)	27,516	(b-15)
Nebraska.....	23,352	24,096	21,468	21,912	27,012	26,712	21,540
Nevada.....	27,361	(b-13)	30,071	22,500	26,379	32,231	23,705
New Hampshire.....	(b-13)	19,713	(b-15)	20,145	23,491	32,532	19,713
New Jersey.....	(b-13)	(b-13)	43,000	41,000	35,513	43,000	34,181
New Mexico.....	(f)	16,812	30,768	31,260	22,536	33,636	28,752
New York.....	(b-13)	(b-13)	47,800	47,800	47,800	47,800	47,800
North Carolina.....	44,298	(b-13)	28,992	31,000	(b-16)	33,298	25,068
North Dakota.....	18,800	(b-13)	(b-9)	11,000	(f)	30,000	20,500
Ohio.....	(b-13)	31,450	29,037	31,450	(b-2)	32,011	(b-18)
Oklahoma.....	22,640	(f)	28,800	23,000	25,000	25,000	14,040
Oregon.....	(b-13)	(b-13)	30,924	28,068	(b-17)	39,576	29,448
Pennsylvania.....	(b-13)	37,497	39,497	35,000	(f)	40,000	37,500
Rhode Island.....	(b-13)	26,536	21,785	16,380	30,549	27,873	28,991
South Carolina.....	(f)	(f)	34,902	34,000	23,442	44,000	29,988
South Dakota.....	(f)	22,500	22,500	25,000	18,600	25,000	(b-18)
Tennessee.....	34,949	(b-13)	(b-9)	34,949	22,104	38,693	(b-18)
Texas.....	(f)	(f)	(f)	40,500	27,900	40,500	(b-18)
Utah.....	(f)	24,936	(b-9)	21,072	(f)	29,916	(b-18)
Vermont.....	29,000	(b-13)	(b-13)	24,000	25,500	33,000	(b-18)
Virginia.....	31,500	37,500	(f)	30,500	34,000	38,500	30,500
Washington.....	(b-13)	29,250	36,112	32,687	27,432	41,947	(b-18)
West Virginia.....	(b-13)	20,000	(f)	22,500	(f)	32,000	(b-18)
Wisconsin.....	(b-13)	44,028	36,612	43,500	39,912	30,125	28,217
Wyoming.....	(b-13)	(b-13)	29,688	21,000	(f)	26,500	24,012
American Samoa.....	(b-13)	(b-13)	18,093	18,970	33,750	20,711	6,388
Guam.....	12,220	19,000	20,570	19,000	19,000	15,340	17,810
Puerto Rico.....	(b-13)	28,000	23,100	28,000	28,000	27,000	23,500
TTPI.....	(b-14)	26,000	24,700	26,416	26,000	27,945	(b-18)

STATE ADMINISTRATIVE OFFICIALS: ANNUAL SALARIES\*—Concluded  
As of late 1975

<i>State or other jurisdiction</i>	<i>Public safety</i>	<i>Adjutant general</i>	<i>Civil defense</i>	<i>Economic development</i>	<i>Banking</i>	<i>Insurance</i>	<i>Public utility regulation</i>
Alabama.....	\$22,729	\$22,729	\$22,726	\$22,729	\$22,729	\$22,729	\$21,019
Alaska.....	48,576	48,576	42,552	48,576	42,552	42,552	48,576
Arizona.....	34,375	26,101	23,812	28,609	26,101	26,101	28,609
Arkansas.....	23,500	25,415	16,770	28,000	21,608	21,070	25,000
California.....	(b-18)	35,938	31,008	34,536	37,212	37,212	37,212
Colorado.....	(f)	30,500	(b-19)	30,348	30,348	30,348	28,000
Connecticut.....	(f)	33,483	22,990	33,471	32,193	33,471	33,483
Delaware.....	29,200	24,900	15,050	19,450	25,000	18,000	17,000
Florida.....	31,000	34,402	20,000	25,500	26,500	(b-21)	36,000
Georgia.....	32,500	40,253	28,500	20,376	(b-2)	20,076	35,000
Hawaii.....	(f)	39,149	(b-19)	(b-20)	(i)	(i)	(i)
Idaho.....	25,356	25,200	20,304	20,364	23,360	23,264	21,500
Illinois.....	38,000	25,000	20,000	32,000	30,000	35,000	35,000
Indiana.....	(f)	25,064	14,404	27,638	30,342	30,342	31,772
Iowa.....	26,750	30,924	17,524	26,750	27,285	26,800	26,000
Kansas.....	(f)	18,000	18,852	36,750	16,600	24,000	27,500
Kentucky.....	25,000	22,500	22,584	25,000	25,000	25,000	18,000
Louisiana.....	28,430	35,800	24,000	25,000	27,375	26,422	26,000
Maine.....	25,500	19,500	18,000	25,500	24,000	22,500	21,000
Maryland.....	42,300	28,332	21,800	42,300	16,400	33,100	14,500
Massachusetts.....	24,136	34,402	21,111	27,653	24,136	25,228	25,000
Michigan.....	(b-18)	36,000	(b-18)	26,280	29,000	27,920	27,920
Minnesota.....	26,900	32,400	26,371	22,000	22,000	22,000	20,700
Mississippi.....	24,000	28,000	15,000	29,500	25,000	26,000	24,000
Missouri.....	30,000	24,000	18,684	(f)	27,300	25,000	26,130
Montana.....	(b-15)	27,084	18,400	(b-20)	23,747	18,500	16,898
Nebraska.....	20,724	27,720	(b-19)	21,420	21,468	19,884	20,000
Nevada.....	18,630	21,850	18,530	18,630	23,000	24,000	27,123
New Hampshire.....	25,476	19,713	(b-20)	21,875	25,476	25,960	19,713
New Jersey.....	(b-18)	38,400	28,396	32,860	41,000	41,000	43,000
New Mexico.....	(b-18)	23,652	(b-19)	27,384	29,904	23,652	23,652
New York.....	(b-18)	31,957	(f)	47,800	47,800	47,800	51,150
North Carolina.....	(b-18)	27,206	25,068	(b-20)	27,309	31,000	31,500
North Dakota.....	(b-18)	35,000	17,000	21,000	38,000	11,000	11,000
Ohio.....	31,450	36,296	(b-19)	29,037	31,450	30,243	26,645
Oklahoma.....	24,000	31,565	19,750	26,000	24,500	24,500	25,000
Oregon.....	(f)	26,712	23,136	29,544	25,512	25,512	30,924
Pennsylvania.....	(b-18)	35,000	28,206	28,206	35,000	35,000	25,000
Rhode Island.....	(f)	25,198	15,780	35,000	21,785	19,328	30,549
South Carolina.....	(b-18)	34,000	23,874	40,389	24,912	36,096	26,101
South Dakota.....	25,000	4,800	(b-19)	22,800	16,800	20,800	13,000
Tennessee.....	34,949	34,949	17,340	38,693	34,949	34,949	34,945
Texas.....	40,500	31,400	(b-18)	27,900	46,500	35,000	(f)
Utah.....	24,936	24,996	19,248	24,408	22,572	21,108	25,812
Vermont.....	27,000	21,000	14,560	27,000	22,500	(b-22)	33,000
Virginia.....	(b-18)	25,300	23,500	35,000	25,600	28,000	39,300
Washington.....	33,502	36,000	27,723	29,871	23,700	24,050	32,317
West Virginia.....	19,000	14,000	14,000	20,000	19,000	20,000	26,500
Wisconsin.....	33,588	33,216	28,217	39,912	23,076	27,996	35,352
Wyoming.....	22,368	27,727	19,464	25,740	20,500	25,740	23,500
American Samoa.....	21,600	21,500	9,878	18,000	N.A.	N.A.	(b-16)
Guam.....	19,000	...	13,260	25,000	(f)	N.A.	19,000
Puerto Rico.....	(b-17)	23,500	21,600	28,000	30,000	26,900	24,700
TTPI.....	26,416	...	20,597	27,945	...	...	27,945

STATE ADMINISTRATIVE OFFICIALS:  
METHODS OF SELECTION\*

State or other jurisdiction	Governor	Lieutenant Governor	Secretary of State	Attorney General	Treasurer	Fiscal and/or compliance post-audit	Pre-audit	Centralized accounting†	Overall revenue and/or taxation	Finance or administration	Budget	Planning	Personnel	Central purchasing
Alabama	CE	CE	CE	CE	CE	(e)	CS	(b-2)	G	G	CS	CS	B	CS
Alaska	CE	CE	(b-1)	GB	A	(e)	A	(b-2)	GB	GB	A	A	A	A
Arizona	CE	CE	CE	CE	CE	L	A	G	GB	A	CS	A	A	CS
Arkansas	CE	CE	CE	CE	CE	CE	(b-2)	A	AG	G	AG	A	AG	AG
California	CE	CE	CE	CE	CE	(e)	CE	A	G	G	CS	G	CS	G
Colorado	CE	CE	CE	CE	CE	L	CS	A	GS	GS	CS	CS	GS	CS
Connecticut	CE	CE	CE	CE	CE	L	CE	CE	GS	GS	CS	CS	GS	CS
Delaware	CE	CE	GS	CE	CE	CE	AG	G	AG	GS	GS	G	GS	AG
Florida	CE	CE	CE	CE	CE	L	CE	A	GC	GS	A	A	A	A
Georgia	CE	CE	CE	CE	(c)	L	(f)	G	GS	GS	GS	GS	GS	A
Hawaii	CE	CE	(b-1)	GS	(b-2)	(e)	GS	A	GS	GS	(b-2)	GS	GS	(b-6)
Idaho	CE	CE	CE	CE	CE	L	CE	CE	GS	GS	G	A	B	A
Illinois	CE	CE	CE	CE	CE	L	CE	CE	GS	GS	G	(b-5)	GS	A
Indiana	CE	CE	CE	SE	CE	G	CE	CE	G	G	LG	G	(f)	(f)
Iowa	CE	CE	CE	CE	CE	CE	GS	G	GS	(f)	CS	G	BG	CS
Kansas	CE	CE	CE	CE	CE	L	CS	G	GS	GS	CS	DG	CS	CS
Kentucky	CE	CE	CE	CE	CE	CE	(b-2)	G	G	GS	G	G	G	G
Louisiana	CE	CE	CE	CE	CE	L	CE	A	G	G	A	G	B	A
Maine	CE	...	CL	CL	CL	L	AGC	A	AGC	GC	AGC	GC	B	AGC
Maryland	CE	CE	GS	CE	CL	L	CE	CE	(b-6)	(b-6)	GS	GS	GS	CS
Massachusetts	CE	CE	CE	CE	CE	CE	G	A	G	G	AG	AG	AG	G
Michigan	CE	CE	CE	CE	CE	GS	CL	CS	A	GS	(b-2)	(b-2)	CS	CS
Minnesota	CE	CE	CE	CE	CE	L	GS	GS	GS	GS	A	B	GS	CS
Mississippi	CE	CE	CE	CE	CE	CE	CE	A	(f)	(f)	B	GS	B	(f)
Missouri	CE	CE	CE	CE	CE	CE	(f)	G	GS	GS	A	A	GS	A
Montana	CE	CE	CE	CE	SE	L	(f)	G	GS	GS	G	A	A	A
Nebraska	CE	CE	CE	CE	CE	CE	A	G	G	G	A	G	G	A
Nevada	CE	CE	CE	CE	CE	L	CE	CE	B	G	(b-2)	G	CS	CS
New Hampshire	CE	...	CL	GC	CL	L	GC	G	GC	GC	(b-2)	GC	B	A
New Jersey	CE	...	GS	GS	GS	CL	GS	G	GS	(b-6)	(b-6)	A	GS	A
New Mexico	CE	CE	CE	CE	CE	CE	A	A	G	G	G	G	G	GS
New York	CE	CE	GS	CE	(d)	(d)	(d)	(d)	G	(f)	G	(f)	GS	A
North Carolina	CE	CE	CE	CE	CE	CE	A	G	G	G	A	A	A	A
North Dakota	CE	CE	CE	CE	CE	CE	(b-2)	A	CE	G	G	G	B	A
Ohio	CE	CE	CE	CE	CE	CE	(b-4)	A	GS	GS	GS	(b-2)	(b-2)	(b-2)
Oklahoma	CE	CE	CE	CE	CE	CE	(b-5)	A	GS	(b-5)	G	(f)	B	B
Oregon	CE	...	CE	CE	CE	(b-3)	(b-3)	A	G	GS	GD	(f)	GS	(b-2)
Pennsylvania	CE	CE	GS	GS	CE	CE	A	A	AG	GS	GS	G	A	A
Rhode Island	CE	CE	CE	CE	CE	(e)	CS	A	CS	G	CS	CS	CS	CS
South Carolina	CE	CE	CE	CE	CE	B	CE	CE	G	(g)	(g)	G	B	A
South Dakota	CE	CE	CE	CE	CE	SL	L(d)	CE	GS	G	G	G	G	A
Tennessee	CE	(a)	CL	SC	CL	CL	A	A	G	G	A	G	G	A
Texas	CE	CE	GS	CE	CE	L	CE	CE	(b-6)	(f)	AG	G	(f)	B
Utah	CE	(b-3)	CE	CE	CE	CE	A	CS	GS	GS	AG	G	AG	AG
Vermont	CE	CE	CE	CE	CE	CE	AS	G	AS	GS	AS	G	AS	A
Virginia	CE	CE	G	CE	G	CL	G	G	G	G	G	G	G	G
Washington	CE	CE	CE	CE	CE	CE	(f)	(b-5)	GS	GS	GS	GS	G	A
West Virginia	CE	...	CE	CE	CE	L	(b-4)	CE	GS	GS	AG	AG	G	AG
Wisconsin	CE	CE	CE	CE	CE	L	CS	A	GS	GS	CS	CS	CS	CS
Wyoming	CE	...	CE	GS	CE	A	(b-5)	A	G	G	G	(f)	A	A
American Samoa	DOI	CS	...	CS	CS	G	G	N.A.	A	A	A	A	G	G
Guam	CE	CE	...	GS	CS	L	CS	N.A.	GS	GS	G	G	CS	CS
Puerto Rico	CE	...	GB	GS	GS	GB	(f)	N.A.	(f)	(f)	GS	GS	GS	A
TTPI	...	...	HCB	HCB	A	A	A	N.A.	A	HCB	HCB	HCB	HCB	A

\*Salary information for the officials listed in this table can be found in the table beginning on page 116. Multiple entries indicate function is performed by more than one official.

†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.

## 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*  
 G — Governor  
 GS — Governor  
 GB — Governor  
 GE — Governor  
 GC — Governor

*Approved by*  
 Senate  
 Both Houses  
 Either House  
 Council

## Appointed by

GD — Governor  
 GOC — Governor and Council or Cabinet  
 GCS — Governor and Council  
 LG — Lieutenant Governor  
 CS — Civil Service  
 SC — Judges of Supreme Court  
 A — Agency head  
 AB — Agency head  
 AG — Agency head  
 AGC — Agency head  
 AS — Agency head  
 B — Board or Commission  
 BG — Board  
 BS — Board and Commission  
 DOI — Appointed by Department of Interior  
 HCB — Appointed by the High Commissioner and approved by both Houses.  
 N.A. — Information not available.

Approved by  
Departmental Board

Senate  
 Commission  
 Board  
 Governor  
 Governor and Council  
 Senate  
 Governor  
 Senate  
 Interior  
 HCB  
 A



STATE ADMINISTRATIVE OFFICIALS:  
METHODS OF SELECTION\*—Continued

State or other jurisdiction	Information systems	Education (chief state school officer)	Higher education	Human resources (h)	Health	Mental health	Public assistance	Employment security	Corrections	Labor	Human rights	Conservation	Natural resources
Alabama.....	G	B	B	(f)	B	B	G	A	B	G	(f)	G	(b-13)
Alaska.....	G	B	B	GB	B	A	A	A	GB	G	G	GB	GB
Arizona.....	A	CE	(b-7)	GS	GS	GS	(b-10)	(b-10)	GS	CS	CS	(f)	(f)
Arkansas.....	AG	B	CE	GS	GS	AG	AG	GS	B	GS	(f)	(f)	(f)
California.....	G	CE	CE	GS	GS	(b-9)	G	GS	GS	(b-8)	CS	GS	GS
Colorado.....	CS	GS	GS	(f)	GS	CS	CS	CS	CS	CS	CS	CS	GS
Connecticut.....	(f)	B	B	G	GE	GE	GE	A	GE	GE	B	(b-13)	(b-13)
Delaware.....	AG	B	(f)	GS	(b-8)	AG	AG	AG	AG	GS	AG	AG	GS
Florida.....	A	CE	B	GS	A	A	A	A	GS	A	GS	(f)	GOC
Georgia.....	GS	CE	B	GS	B	B	B	A	GS	GS	CS	CS	GS
Hawaii.....	(b-6)	B	B	(f)	GS	(b-9)	GS	(b-11)	(b-12)	GS	(f)	(b-13)	GS
Idaho.....	A	CE	B	(f)	GS	(f)	A	GS	B	GS	GS	(b-13)	(b-13)
Illinois.....	A	CE	B	(f)	GS	GS	GS	A	GS	GS	B	GS	(b-13)
Indiana.....	A	CE	B	A	G	G	G	G	G	G	B	(f)	(f)
Iowa.....	CS	GB	G	GB	G	B	CS	B	A	GS	GD	GD	GD
Kansas.....	CS	B	B	(f)	GS	GD	GS	CS	GS	GS	GS	GS	(f)
Kentucky.....	G	CE	G	G	G	(b-9)	G	G	G	G	G	G	G
Louisiana.....	A	CE	B	G	G	G	G	G	G	G	G	GS	A
Maine.....	(b-2)	GC	B	(f)	A	A	A	GC	A	AGC	B	GC	(f)
Maryland.....	CS	B	B	GS	(b-8)	(b-8)	AG	AG	GS	AG	G	(b-13)	GS
Massachusetts.....	(f)	G	B	G	G	G	G	G	G	G	G	A	G
Michigan.....	CS	B	CS	(f)	GS	GS	GS	B	B	GS	B	(b-13)	B
Minnesota.....	A	B	GS	(f)	B	(f)	GS	GS	GS	GS	GS	(b-13)	GS
Mississippi.....	N.A.	CE	B	(f)	B	GS	B	G	B	(f)	(f)	G	G
Missouri.....	A	B	B	GS	B	B	GS	GS	GS	GS	B	B	GS
Montana.....	A	CE	GS	A	GS	A	G	A	A	G	A	G	(b-13)
Nebraska.....	A	B	(f)	(f)	B	G	G	A	G	G	B	B	G
Nevada.....	B	B	B	G	CS	A	CS	G	G	G	B	G	(b-13)
New Hampshire.....	B	B	GC	GC	GC	GC	GC	GC	B	GC	GC	(b-13)	GC
New Jersey.....	A	GS	GS	GS	GS	A	AB	A	A	CS	A	(b-13)	(b-13)
New Mexico.....	(f)	B	B	G	A	A	A	G	B	B	B	(f)	B
New York.....	(f)	B	B	(f)	GS	GS	GS	A	GS	GS	GS	(b-13)	(b-13)
North Carolina.....	A	CE	B	G	A	A	A	A	G	CE	A	G	(b-13)
North Dakota.....	(f)	CE	B	(f)	G	AB	B	G	A	SE	(f)	C	(b-13)
Ohio.....	(b-2)	B	B	GS	GS	GS	GS	GS	GS	GS	GS	(b-13)	GS
Oklahoma.....	B	CE	B	B	B	B	A	B	B	CE	B	B	(f)
Oregon.....	AG	CE	B	GS	AG	GS	AG	AG	AG	CE	(b-11)	(b-13)	(b-13)
Pennsylvania.....	A	GS	A	AG	GS	AG	GS	AG	AG	AG	B	(b-13)	G
Rhode Island.....	(f)	B	B	G	GB	G	G	G	G	G	G	(b-13)	G
South Carolina.....	(f)	CE	GB	(f)	B	B	B	B	B	G	G	(f)	(f)
South Dakota.....	A	B	B	(f)	GS	AG	GS	AG	B	AG	A	(f)	GS
Tennessee.....	(b-2)	G	B	(f)	G	G	G	G	B	G	A	G	(b-13)
Texas.....	(f)	B	B	(f)	B	B	BS	B	B	GS	(f)	(f)	(f)
Utah.....	GS	B	B	GS	AB	AB	AB	B	B	GS	(b-11)	(f)	GS
Vermont.....	CS	B	(f)	GS	AS	AS	AS	GS	AS	GS	(f)	GS	(b-13)
Virginia.....	G	CE	G	G	G	G	G	G	G	G	G	G	G
Washington.....	B	CE	B	GS	A	A	A	GS	A	GS	B	(b-13)	CE
West Virginia.....	AG	B	B	(f)	B	GS	GS	GS	AG	GS	B	(b-13)	GS
Wisconsin.....	CS	CE	B	GS	A	A	A	CS	A	GS	CS	(b-13)	GS
Wyoming.....	(f)	CE	B	G	G	A	A	B	B	G	(f)	(b-13)	(b-13)
American Samoa.....	(f)	G	G	G	G	A	A	G	A	G	(f)	(b-13)	(b-13)
Guam.....	(f)	G	G	(f)	GS	A	CS	GS	A	GS	(f)	CS	B
Puerto Rico.....	(f)	GS	(f)	(f)	GS	A	GS	A	(f)	GS	B	(b-13)	GS
TTPI.....	(f)	HCB	A	A	HCB	N.A.	(b-11)	(f)	(f)	A	N.A.	(b-14)	HCB

(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) Lieutenant Governor
- (b-2) Finance or administration
- (b-3) Secretary of State
- (b-4) Post-audit
- (b-5) Budget
- (b-6) Pre-audit
- (b-7) Education
- (b-8) Human resources
- (b-9) Health
- (b-10) Economic Security Department Director (GS) has responsibility for public assistance and employment security.

(b-11) Labor

(b-12) Public assistance

(b-13) Conservation, Natural resources, Environmental protection

(b-14) Agriculture

(b-15) Attorney General

(b-16) Transportation/Highways, Public works and buildings

(b-17) Central purchasing

(b-18) Police, Public safety

(b-19) Adjutant General

(b-20) Planning

(b-21) Treasurer

(b-22) Banking

(c) Position of Treasurer has been abolished.

(d) All functions performed by Controller, CE.

STATE ADMINISTRATIVE OFFICIALS:  
METHODS OF SELECTION\*—Concluded

State or other jurisdiction	Environmental protection	Agriculture	Public works and buildings	Transportation/ Highways	Police	Public safety	Adjutant General	Civil defense	Economic development	Banking	Insurance	Public utility regulation
Alabama.....	CB	CE	(b-16)	G	(b-18)	G	G	G	G	G	G	SE
Alaska.....	CB	A	GB	GB	(b-18)	GB	GB	A	GB	A	A	GB
Arizona.....	A	B	A	GS	(f)	GS	GS	G	A	GS	B	B
Arkansas.....	BCS	(f)	G	B	GS	GS	GS	AG	GS	AG	AG	GS
California.....	GS	GS	GS	(b-16)	GS	(b-18)	GS	GS	GS	AG	GS	GS
Colorado.....	CS	GS	CS	GS	CS	(f)	GS	(b-19)	CS	CS	CS	GS
Connecticut.....	CE	CE	CE	CE	G	(f)	G	G	GE	GE	GE	GE
Delaware.....	GS	GS	(f)	GS	AG	GS	GS	AG	GS	B	CE	GS
Florida.....	GS	CE	GOC	GS	GCS	GOC	GS	A	A	A	(b-21)	CE
Georgia.....	GS	GS	B	GS	CS	GS	GS	A	CS	(b-2)	A	GS
Hawaii.....	(b-9)	GS	(b-6)	GS	...	(f)	GS	(b-19)	(b-20)	(i)	(i)	(i)
Idaho.....	B	GS	A	A	A	GS	GS	A	G	GS	GS	GS
Illinois.....	GS	GS	(b-16)	GS	A	GS	GS	GS	GS	GS	GS	GS
Indiana.....	G	A	G	G	G	(f)	G	G	G	G	G	G
Iowa.....	GB	CE	G	GD	GD	GB	GB	GB	GB	GB	GB	GB
Kansas.....	GD	B	(f)	G	G	(f)	GS	CS	G	G	SE	G
Kentucky.....	G	CE	(b-2)	G	G	G	G	G	G	G	G	G
Louisiana.....	G	CE	GS	B	A	GS	GS	G	B	GS	CE	B
Maine.....	GC	GC	AGC	GC	A	GC	GS	AGC	GC	AGC	AGC	G
Maryland.....	(b-13)	GS	B	GS	GS	G	GS	AG	GS	AG	AG	G
Massachusetts.....	G	AG	G	G	GS	G	G	G	G	G	G	G
Michigan.....	(b-13)	B	(b-2)	B	GS	(b-18)	G	(b-18)	GS	GS	GS	GS
Minnesota.....	GS	GS	(b-2)	GS	A	GS	GS	A	GS	GS	GS	GS
Mississippi.....	G	CE	(f)	SE	(b-18)	GS	G	G	G	G	SE	SE
Missouri.....	A	GS	A	B	GS	GS	G	G	(f)	GS	GS	GS
Montana.....	(b-13)	G	(b-2)	G	(b-15)	(b-15)	G	A	(b-20)	G	A	A
Nebraska.....	G	G	A	G	G	G	G	(b-19)	G	G	G	CE
Nevada.....	CS	B	B	B	CS	G	G	G	G	A	A	G
New Hampshire.....	(b-15)	GC	A	GC	GC	GC	GC	(b-20)	GC	GC	GC	GC
New Jersey.....	GS	BC	A	GS	GS	(b-18)	GS	A	A	GS	GS	GS
New Mexico.....	A	B	A	B	B	(b-18)	G	(b-19)	G	GS	B	GS
New York.....	G	GS	G	GS	GS	(b-18)	G	(f)	GS	GS	GS	GS
North Carolina.....	A	CE	(b-16)	G	A	(b-18)	AG	A	(b-20)	A	CE	A
North Dakota.....	(b-9)	CE	(f)	G	G	(b-18)	G	A	G	GS	CE	CE
Ohio.....	GS	GS	(b-2)	GS	(b-18)	GS	GS	(b-19)	GS	GS	GS	GS
Oklahoma.....	B	GD	GS	B	AB	GS	GS	GS	G	GS	CE	CE
Oregon.....	GS	CS	(b-17)	AB	GS	(f)	GS	AC	B	AG	AG	GS
Pennsylvania.....	CS	CB	(f)	CB	CB	(b-18)	GS	CB	CB	AG	CB	CB
Rhode Island.....	CS	CS	G	CS	G	(f)	G	G	G	G	G	G
South Carolina.....	A	SE	A	B	GD	(b-18)	CE	G	B	B	L	L
South Dakota.....	GS	GS	A	GS	(b-18)	GS	GS	(b-19)	GS	AG	AG	SE
Tennessee.....	(b-9)	C	A	C	(b-18)	G	G	A	G	G	SE	SE
Texas.....	(f)	SE	B	B	(b-18)	B	GS	(b-18)	B	BS	B	(f)
Utah.....	(b-9)	GS	(f)	BC	(b-18)	CS	GS	G	GS	GS	GS	GS
Vermont.....	(b-13)	GS	A	GS	(b-18)	GS	SL	A	GS	GS	(b-22)	GS
Virginia.....	(f)	G	G	G	G	(b-18)	G	G	GS	B	B	L
Washington.....	GS	GS	(f)	GS	(b-18)	G	G	G	GS	A	SE	CS
West Virginia.....	(f)	CE	(f)	GS	(b-18)	GS	GS	GS	GS	GS	GS	GS
Wisconsin.....	CS	B	CS	GS	CS	CS	CS	GS	GS	GS	GS	GS
Wyoming.....	G	G	(f)	BG	AG	G	G	G	G	G	G	G
American Samoa.....	G	G	G	A	A	G	A	A	G	N.A.	N.A.	(b-16)
Guam.....	GS	GS	GS	CS	CS	GS	...	A	GS	GS	GS	CS
Puerto Rico.....	GS	GS	GS	GS	GS	(b-17)	GS	GS	GS	GS	GS	GS
TPPI.....	HCB	A	A	HCB	(b-18)	A	...	A	A	...	...	A

(e) Function performed by more than one agency. Alabama: CE, SL; Alaska: A, CL; California: CS, L; Hawaii: CL, GS; Rhode Island: CS, L; Wyoming: L, GS.

(f) No single agency or official.

(g) The Budget and Control Board composed of the Governor (chairman), State Treasurer, Comptroller General, Chairman of Senate Finance Committee, and Chairman of the House Ways

and Means Committee handles this function.

(h) This term is used for an umbrella agency or department. The functions under the jurisdiction of this agency may include welfare, health, mental health and retardation, corrections, or other social-oriented programs.

(i) Director of Regulatory Agencies (GS).

# 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>
<b>ALABAMA</b> .....	Governor	Division of the Budget in Dept. of Finance	Feb. 1 preceding each regular session	By the 5th day regular business session	Unlimited	Yes	Oct. 1	Biennial (a)
<b>ALASKA</b> .....	Governor	Division of Budget and Management, Dept. of Administration	Oct. 1	3rd legislative day of session	Unlimited	Yes	July 1	Annual
<b>ARIZONA</b> .....	Governor	Budget Office, Dept. of Administration	Sept. 1 each year	By the 5th day of regular session	Unlimited	Yes	July 1	Annual
<b>ARKANSAS</b> .....	Governor	Office of Budget, Dept. of Finance and Administration	Sept. 1 in even years	Date of convening session	Unlimited	Yes	July 1	Biennial (a)
<b>CALIFORNIA</b> .....	Governor	Dept. of Finance	Oct. 1	Jan. 10	Unlimited	Yes	July 1	Annual
<b>COLORADO</b> .....	Governor	Executive Director, Office of State Planning & Budgeting	Aug. 1-15	10th day of session	Unlimited	Yes	July 1	Annual
<b>CONNECTICUT</b> .....	Governor	Managing Director, Budget & Management Div., Dept. of Finance and Control	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
<b>DELAWARE</b> .....	Governor	Office of Budget Director	Sept. 15; schools, Oct. 15	By 5th day of session	Unlimited	Yes	July 1	Annual
<b>FLORIDA</b> .....	Governor	Div. of Budget, Dept. of Administration	Nov. 1 each year	30 days prior to regular session	Unlimited	Yes	July 1	Annual
<b>GEORGIA</b> .....	Governor	Budget Div., Office of Planning & Budget	Sept. 1	By 5th day of session or sooner	Unlimited	Yes	July 1	Annual
<b>HAWAII</b> .....	Governor	Budget, Planning and Management Division, Dept. of Budget and 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(a,b)
<b>IDAHO</b> .....	Governor	Administrator, Division of the Budget, Policy Planning & Coordination,	Aug. 15 before Jan. session	Not later than 5th day of session.	Unlimited	Yes	July 1	Annual
<b>ILLINOIS</b> .....	Governor	Bureau of the Budget	Specific date for each agency set by Bureau of the Budget	First Wed. in March	Unlimited	Yes	July 1	Annual
<b>INDIANA</b> .....	Governor	Budget Agency(c)	Sept. 1 in even years, flexible policy	Within the 1st two weeks after the session convenes (d)	Unlimited	No	July 1	Biennial(a)
<b>IOWA</b> .....	Governor	Comptroller	Sept. 1	Feb. 1 or before	Unlimited	Yes	July 1	Biennial(a)

KANSAS.....	Governor	Div. of the Budget, Dept. of Administration	Sept. 15 before even- year sessions; Oct. 1 before odd-year ses- sions	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(a)
LOUISIANA.....	Governor	Director, Budget & Management, Div. of Administration	Dec. 20 before an- nual session	Not later than 1st day of each regular session. New Gov- ernor-elect, five-day grace period	Unlimited	Yes	July 1	Annual
MAINE.....	Governor	Bureau of the Bud- get, Dept. of Finance and 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(a)
MARYLAND.....	Governor	Secretary, Dept. of Budget and Fiscal Planning	Sept. 1	3rd Wed. of Jan., annually	Limited: Legislature may decrease but not increase except appropriations for the Legislature and the Judiciary	No	July 1	Annual
MASSACHUSETTS..	Governor	Budget Director, Div. of Fiscal Affairs, Executive Office for Administration and Finance	Set by administra- tive action	Within 3 weeks after convening of the General Court	Unlimited	Yes	July 1	Annual
MICHIGAN.....	Governor	Office of the Budget, Dept. of Manage- ment & Budget	Set by administra- tive action	10th day of session	Unlimited	Yes	July 1	Annual
MINNESOTA.....	Governor	Dept. of Finance	Oct. 1 preceding con- vening of Legisla- ture	Within 3 weeks after the 1st Mon. in Jan. in each odd year	Unlimited	Yes	July 1	Biennial(a)
MISSISSIPPI.....	Commission of Bud- get and Account- ing(e)	Commission of Bud- get and Accounting	Aug. 1 preceding con- vening 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, Gover- nor's Office	Sept. 1 of year be- fore each session	1st day of session	Unlimited	Yes	July 1	Biennial
NEBRASKA.....	Governor	Budget Administra- tor, Dept. of Admin- istrative Services	Not later than Sept. 15	By the 30th day of regular session	Limited: three-fifths vote required to in- crease Governor's recommendations; majority vote re- quired to reject or decrease such items	Yes	July 1	Annual

# 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>
NEVADA.....	Governor	Budget Director, Budget Division, Dept. of Administration	Sept. 1	10th day of session or before	Unlimited	No	July 1	Biennial (a)
NEW HAMPSHIRE..	Governor	Comptroller, Dept. of Administration and Control	Oct. 1 in even years	Feb. 15 in odd years	Unlimited	No	July 1	Biennial (a)
NEW JERSEY.....	Governor	Director of Division of Budget and Accounting of Dept. of the Treasury	Oct. 1	Third Tuesday after opening of session	Unlimited	Yes	July 1	Annual
NEW MEXICO.....	Governor	Budget Division, Dept. of Finance and Administration	Sept. 1	On or before 25th day of regular session	Unlimited	Yes	July 1	Annual
NEW YORK.....	Governor	Division 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	Office of State Budget, Dept. of Administration	Sept. 1 preceding session	1st week of session	Unlimited	No	July 1	Biennial (a)
NORTH DAKOTA...	Governor	Director, Dept. of Accounts and Purchases	July 15 in even years; may extend 45 days	December 1, prior to biennial session	Unlimited	Yes	July 1	Biennial
OHIO.....	Governor	Office of Budget & Management	Nov. 1	3rd week in Jan. in odd years unless change in Governor; then Mar. 15	Unlimited	Yes	July 1	Biennial (a)
OKLAHOMA.....	Governor	Director of State Finance, Div. of Budget	September 1	Immediately after convening of regular legislative session; an incoming Governor, following inaugural	Unlimited	Yes	July 1	Annual
OREGON.....	Governor	Budget and Management Division, Executive Dept.	Sept. 1 in even year preceding legislative year	Dec. 1 in even year preceding legislative year	Unlimited	Yes	July 1 in odd years	Biennial
PENNSYLVANIA....	Governor	Budget Secretary, Governor's Budget Office	Nov. 1, each year	As soon as possible after organization of General Assembly	Unlimited	Yes	July 1	Annual
RHODE ISLAND....	Governor	Division of Budget, Department of Administration	Oct. 1	24th day of session	Unlimited	No	July 1	Annual
SOUTH CAROLINA.	State Budget and Control Board (f)	Finance Division of State Budget and 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	Sept. 1	Dec. 1	Unlimited	Yes	July 1	Annual
TENNESSEE.....	Governor	Budget Div., Dept. of Finance & Administration	Dec. 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	Exec. Budget Director, 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(a)
UTAH.....	Governor	Division of Budget, Dept. of Finance	Sept. 15	After convening of Legislature, 3 days regular session; 1 day budget session 3rd Tues. in Jan.	Unlimited	Yes	July 1	Annual
VERMONT.....	Governor	Commissioner, Dept. of Budget & Management; Agency for Administration	Sept. 1		Unlimited	No	July 1	Biennial
VIRGINIA.....	Governor	Director, Division of the Budget, Office of Administration	Aug. 15 in odd years	Within 5 days after conv. of regular session on 2nd Wed. in Jan. in even years	Unlimited	Yes	July 1	Biennial(a)
WASHINGTON.....	Governor	Director, Office of Program Planning and Fiscal Management	Date set by Governor	20th day of December prior to session	Unlimited	Yes	July 1	Biennial
WEST VIRGINIA...	Governor	Division of Budget, Dept. of Finance and Administration	Aug. 15	10 days after convening of session or before	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 of Department of Administration	On or before the last Tues. in Jan. in odd-numbered year	Unlimited	Yes	July 1	Biennial(a)
WYOMING.....	Governor	Dept. of Administration and Fiscal Control	Aug. 15 preceding session in Jan.	Jan. 1	Unlimited	Yes	July 1 in even years	Biennial
DISTRICT OF COLUMBIA.....	Mayor	Office of Budget and Management Systems	Date set by Mayor	(g)	Unlimited	Yes	Oct. 1	Annual
AMERICAN SAMOA.	Governor	Planning & Budget Office	July 1	August	Recommend only	Yes	July 1	...
GUAM.....	Governor	Bureau of Budget and Management Research	Date set by Director, Bureau of Budget and 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	Date set by Budget Director. Usually not later than Sept. 30	2nd Mon. in Jan.; opening day of regular session	Unlimited	Yes	July 1	Annual
VIRGIN ISLANDS...	Governor	Director of the Budget	Set by Budget Director	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 "Legislative Procedure: Executive Action," page 70, for further details of item veto power in some States.

(a) The budget is adopted biennially, but appropriations are made for each year of the biennium separately. Minnesota: a few appropriations are made for the biennium; Montana: supplemental appropriations are considered by the Legislature annually; Virginia: increases or decreases may be made in the second legislative session; Wisconsin: statutes authorize an annual budget review, and the Governor may in even years recommend changes. Wisconsin does have a few appropriations which are made on a biennial basis.

(b) Increases or decreases may be made in even-year sessions.

(c) Budget Committee serves in advisory capacity.

(d) Convenes on 1st Thursday after 1st Monday in Jan. in odd years.

(e) Composition of Commission: Governor as ex officio Chairman, Lt. 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 Lt. Governor, Speaker of House, two House members appointed by the Speaker.

(f) Composition of Board: Governor as Chairman, Treasurer, Comptroller General, Chairman Senate Finance Committee, Chairman House Ways and Means Committee.

(g) 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.

## AGENCIES ADMINISTERING MAJOR STATE TAXES\*

As of January 1, 1976

<i>State or other jurisdiction</i>	<i>Income</i>	<i>Sales</i>	<i>Gasolins</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.
Arizona .....	Dept. of Rev.	Dept. of Rev.	Dept. of Trans.	Dept. of Trans.
Arkansas .....	Dept. Fin. & Adm.	Dept. Fin. & Adm.	Dept. Fin. & Adm.	Dept. Fin. & Adm.
California .....	Fran. Tax Bd.	Bd. of Equal.	Bd. of Equal.	Dept. Mot. Veh.
Colorado .....	Dept. of Rev.	Dept. of Rev.	Dept. of Rev.	Dept. of Rev.
Connecticut .....	Tax Dept.	Tax Dept.	Tax Dept.	Comr. Mot. Veh.
Delaware .....	Div. of Rev.	...	Dept. Pub. Sfty.	Dept. Pub. Sfty.
Florida .....	Dept. of Rev.	Dept. of Rev.	Dept. of Rev.	Div. 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.	Dept. of Law Enf.
Illinois .....	Dept. of Rev.	Dept. of Rev.	Dept. of Rev.	Sec. of State
Indiana .....	Dept. of Rev.	Dept. of Rev.	Dept. of Rev.	Bur. 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.	Dept. of Rev.	Dept. of Rev.	Dept. of Rev.
Maine .....	Bur. of Tax.	Bur. of Tax.	Bur. of Tax.	Sec. of State
Maryland .....	Comptroller	Comptroller	Comptroller	Dept. of Trans.
Massachusetts .....	Dept. Corp. & Tax.	Dept. Corp. & Tax.	Dept. Corp. & Tax.	Reg. Mot. Veh.
Michigan .....	Dept. of Treas.	Dept. of Treas.	Dept. of Treas.	Sec. of State
Minnesota .....	Dept. of Rev.	Dept. of Rev.	Dept. of Rev.	Dept. Pub. Sfty.
Mississippi .....	Tax Comr.	Tax Comr.	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. Mot. Veh.
Nebraska .....	Dept. of Rev.	Dept. of Rev.	Dept. of Rev.	Dept. Mot. Veh.
Nevada .....	...	Dept. of Tax.	Dept. of Tax.	Dept. Mot. Veh.
New Hampshire .....	Dept. Rev. Adm.	...	Dept. of Sfty.	Dept. of Sfty.
New Jersey .....	Dept. of Treas.	Dept. of Treas.	Dept. of Treas.	Dept. Law & Pub. Sfty.
New Mexico .....	Bur. of Rev.	Bur. of Rev.	Bur. of Rev.	Dept. Mot. Veh.
New York .....	Dept. Tax. & Fin.	Dept. Tax. & Fin.	Dept. Tax. & Fin.	Dept. Mot. Veh.
North Carolina .....	Dept. of Rev.	Dept. of Rev.	Dept. of Rev.	Dept. of Trans.
North Dakota .....	Tax Comr.	Tax Comr.	Tax Comr.	Dept. Mot. Veh.
Ohio .....	Dept. of Tax.	Dept. of Tax.	Dept. of Tax.	Reg. 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 Rev.
Rhode Island .....	Dept. of Adm.	Dept. of Adm.	Dept. of Adm.	Dept. of Trans.
South Carolina .....	Tax Com.	Tax Com.	Tax Com.	Highway Dept.
South Dakota .....	...	Dept. of Rev.	Dept. of Rev.	Dept. 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 .....	Comr. of Taxes	Comr. of Taxes	Comr. of Taxes	Mot. Veh. Dept.
Virginia .....	Dept. of Tax.	Dept. of Tax.	Div. Mot. Veh.	Div. Mot. Veh.
Washington .....	...	Dept. of Rev.	Dept. Mot. Veh.	Dept. Mot. Veh.
West Virginia .....	Tax Dept.	Tax Dept.	Tax Dept.	Dept. Mot. Veh.
Wisconsin .....	Dept. of Rev.	Dept. of Rev.	Dept. of Rev.	Dept. of Trans.
Wyoming .....	...	Dept. Rev. & Tax.	Dept. Rev. & Tax.	Dept. Rev. & Tax.
District of Columbia .....	Dept. Fin. & Rev.	Dept. Fin. & Rev.	Dept. Fin. & Rev.	Dept. Fin. & Rev.

\*Prepared by the Federation of Tax Administrators.

## AGENCIES ADMINISTERING MAJOR STATE TAXES\*

As of January 1, 1976

<i>Tobacco</i>	<i>Death</i>	<i>Alcoholic beverage</i>	<i>No. of agencies</i>	<i>State or other jurisdiction</i>
Dept. of Rev.	Dept. of Rev.	Al. Bev. Con. Bd.	2	..... Alabama
Dept. of Rev.	Dept. of Rev.	Dept. of Rev.	2	..... Alaska
Dept. of Rev.	Dept. of Rev.	Dept. of Rev.	2	..... Arizona
Dept. Fin. & Adm.	Dept. Fin. & Adm.	Dept. Fin. & Adm.	1	..... Arkansas
Bd. of Equal.	Controller	Bd. of Equal.	4	..... California
Dept. of Rev.	Dept. of Rev.	Dept. of Rev.	1	..... Colorado
Tax Dept.	Tax Dept.	Tax Dept.	2	..... Connecticut
Div. of Rev.	Div. of Rev.	Div. of Rev.	2	..... Delaware
Dept. Bus. Regln.	Dept. of Rev.	Dept. Bus. Regln.	3	..... Florida
Dept. of Rev.	Dept. of Rev.	Dept. of Rev.	1	..... Georgia
Dept. of Tax.	Dept. of Tax.	Dept. of Tax.	2	..... Hawaii
Dept. of Rev./Tax.	Dept. of Rev./Tax.	Dept. of Rev./Tax.	2	..... Idaho
Dept. of Rev.	Atty. Gen.	Dept. of Rev.	3	..... Illinois
Dept. of Rev.	Dept. of Rev.	Dept. of Rev.	2	..... Indiana
Dept. of Rev.	Dept. of Rev.	Dept. of Rev.	2	..... Iowa
Dept. of Rev.	Dept. of Rev.	Dept. of Rev.	1	..... Kansas
Dept. of Rev.	Dept. of Rev.	Dept. of Rev.	2	..... Kentucky
Dept. of Rev.	Dept. of Rev.	Dept. of Rev.	1	..... Louisiana
Bur. of Tax.	Bur. of Tax.	Liquor Com.	3	..... Maine
Comptroller	Local	Comptroller	3	..... Maryland
Dept. Corp. & Tax.	Dept. Corp. & Tax.	Dept. Corp. & Tax.	2	..... Massachusetts
Dept. of Treas.	Dept. of Treas.	Liquor Con. Com.	3	..... Michigan
Dept. of Rev.	Dept. of Rev.	Dept. of Rev.	2	..... Minnesota
Tax Com.	Tax Com.	Tax Com.	2	..... Mississippi
Dept. of Rev.	Dept. of Rev.	Dept. of Rev.	1	..... Missouri
Dept. of Rev.	Dept. of Rev.	Dept. of Rev.	2	..... Montana
Dept. of Rev.	Dept. of Rev.	Liquor Con. Com.	3	..... Nebraska
Dept. of Tax.	.....	Dept. of Tax.	2	..... Nevada
Dept. Rev. Adm.	Dept. Rev. Adm.	Liquor Com.	3	..... New Hampshire
Dept. of Treas.	Dept. of Treas.	Dept. of Treas.	2	..... New Jersey
Bur. of Rev.	Bur. of Rev.	Bur. of Rev.	2	..... New Mexico
Dept. Tax. & Fin.	Dept. Tax. & Fin.	Dept. Tax. & Fin.	2	..... New York
Dept. of Rev.	Dept. of Rev.	Dept. of Rev.	2	..... North Carolina
Tax Comr.	Tax Comr.	Treasurer	3	..... North Dakota
Dept. of Tax.	Dept. of Tax.	Dept. of Tax.	2	..... Ohio
Tax Com.	Tax Com.	Tax Com.	1	..... Oklahoma
Dept. of Rev.	Dept. of Rev.	Liquor Con. Com.	3	..... Oregon
Dept. of Rev.	Dept. of Rev.	Dept. of Rev.	1	..... Pennsylvania
Dept. of Adm.	Dept. of Adm.	Dept. of Adm.	2	..... Rhode Island
Tax Com.	Tax Com.	Tax Com.	2	..... South Carolina
Dept. of Rev.	Dept. of Rev.	Dept. of Rev.	2	..... South Dakota
Dept. of Rev.	Dept. of Rev.	Dept. of Rev.	1	..... Tennessee
Comptroller	Comptroller	Al. Bev. Com.	3	..... Texas
Tax Com.	Tax Com.	Tax Com.	1	..... Utah
Comr. of Taxes	Comr. of Taxes	Comr. of Taxes	2	..... Vermont
Dept. of Tax.	Dept. of Tax.	Dept. of Tax.	2	..... Virginia
Dept. of Rev.	Dept. of Rev.	Liquor Con. Bd.	3	..... Washington
Tax Dept.	Tax Dept.	Al. Bev. Con. Comr.	3	..... West Virginia
Dept. of Rev.	Dept. of Rev.	Dept. of Rev.	2	..... Wisconsin
Dept. Rev. & Tax.	Dept. Rev. & Tax.	Liquor Com.	2	..... Wyoming
Dept. Fin. & Rev.	Dept. Fin. & Rev.	Dept. Fin. & Rev.	1	District of Columbia



**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 and Finance Director (G)	Legislative Fiscal Officer, Senate Finance and Taxation and House Ways and Means Committees (L)	Dept. of Examiners of Public Accounts (L)(b)	Finance Director (G)	Comptroller (c) and State Auditor (E)	Comptroller (c)	Treasurer (E)	State Auditor (E) and Chief Examiner of Dept. of Examiners of Public Accounts (L)
<b>ALASKA</b> .....	Governor and 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)	Division of Legislative Audit (L) and Div. of Internal Audit, Dept. of Administration (d)
<b>ARIZONA</b> .....	Governor and 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 of 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 and Finance Director (G)	Joint Legislative Budget Committee (L)	Finance Director (G)	Finance Director (G)	Controller (E)	Controller (E)	Treasurer (E)	Auditor General (L) and Audits Division of Dept. of Finance (d) and Controller (E)
<b>COLORADO</b> .....	Governor and Office of State Planning and Budgeting (G)	Joint Budget Committee (L)	Director of Dept. of Administration (G)	Controller (CS)	Controller (CS)	Controller (CS)	Treasurer (E)	Auditor (L)
<b>CONNECTICUT</b> ...	Governor, Managing Director, Budget and Management Div., Dept. of Finance and Control (CS)	Office of Fiscal Analysis (L)	Comptroller (E)	Commissioner of Finance and Control (G)	Comptroller (E)	Comptroller (E)	Treasurer (E)	Auditors of Public Accounts (L) and Program Review and Investigations Committee (L)
<b>DELAWARE</b> .....	Governor and Budget Director (G)	Joint Legislative Finance Committee (L) and Controller General (L)	Budget Director (G)	Secretary, Dept. of Finance (G)	Budget Director (G) and Secretary, Dept. of Finance (G)	Secretary, Dept. of Finance (G)	Treasurer (E)	Auditor of Accounts (E)

<b>FLORIDA</b> .....	Governor and Dept. of Administration (G)	House Appropriations and Senate Ways and Means Committees (L)	Auditor (L) and Secretary, Dept. of Administration (G)	Secretary of Dept. of Administration (G) and Comptroller (E)	Comptroller (E)	Comptroller (E)	Treasurer (E)	Legislative Auditing Committee (L) and Auditor (L)
<b>GEORGIA</b> .....	Governor and Budget Div., Office of Planning and Budget (G)	Office of Legislative Budget Analyst (L)	Auditor (L)	Auditor (L) and Budget Director (G)	Commissioner, Dept. of Administrative Services (G)	Governor and Budget Director (G)	Fiscal Division, Dept. of Administrative Services (CS)	Auditor (L)
<b>HAWAII</b> .....	Governor and Finance Director (G)	Legislative Auditor (L)	Comptroller (G)	Comptroller (G)	Comptroller (G)	Comptroller (G)	Director of Finance (G)	Legislative Auditor (L) and Comptroller; Dept. of Accounting and General Services (G)
<b>IDAHO</b> .....	Governor and Administrator, Division 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)
<b>ILLINOIS</b> .....	Governor and Budget Bureau (G)	Fiscal and Economic Commission (L), Senate and House Appropriations Committees (L)	Comptroller (E)	Dept. of Finance (G)	Finance Director (G) (f), and Comptroller (E)	Comptroller (E)	Treasurer (E)	Auditor General (L)
<b>INDIANA</b> .....	State Budget Agency (G) and Budget Committee (g)	Senate Finance Committee (L), House Ways and Means Committee (L), and Legislative Council (L)	State Board of Accounts (G)	State Budget Agency (G) (h) and Auditor (E)	Auditor (E)	Auditor (E)	Treasurer (E)	State Examiner (G)
<b>IOWA</b> .....	Governor and Budget Dept., Office of Comptroller (G)	Legislative Fiscal Div., Legislative Research Dept. (L)	Auditor (E) and Comptroller (G)	Comptroller (G)	Comptroller (G)	Comptroller (G)	Treasurer (E)	Auditor (E)
<b>KANSAS</b> .....	Governor and Division of the Budget, Dept. of Administration (l)	Legislative Budget Committee of Legislative Coordinating Council (L) and Legislative Research Dept. (L)	Division of Accounts and Reports, Department of Administration (j)	Division of Accounts and Reports, Department of Administration (j)	Division of Accounts and Reports, Department of Administration (j)	Division of Accounts and Reports, Department of Administration (j)	Treasurer (E)	Legislative Post Auditor (L)
<b>KENTUCKY</b> .....	Governor; Commissioner of Executive Dept. for Finance and Administration (G); Executive Director, Office for Policy and Management (k)	Appropriations and Revenue Committees (L)	Commissioner, Executive Dept. for Finance and Administration (G)	Commissioner, Executive Dept. for Finance and Administration (G); Executive Director, Office for Policy and Management (k)	Division of Accounts, Executive Dept. for Finance and Administration (k)	Commissioner, Executive Dept. for Finance and Administration (k)	Treasurer (E)	Auditor (E)

**ELEMENTS OF STATE FINANCIAL ORGANIZATION—Continued**  
**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>LOUISIANA.....</b>	Governor, Commissioner of Administration (G) and Budget Section (I)	Legislative Fiscal Office (L)	Accounting Division of Division of Administration (I)	Commissioner of Administration (G) and Budget Division (I)	At agency level	Comptroller (E)	Treasurer (E)	Legislative Auditor (L)
<b>MAINE.....</b>	Governor and Budget Officer (I)	Joint Committee on Appropriations and Financial Affairs (L) and Legislative Finance Officer (L)	Controller in Dept. of Finance and Administration (I)	Controller in Dept. of Finance and Administration (I)	Controller in Dept. of Finance and Administration (I)	Controller in Dept. of Finance and Administration (I)	Treasurer (L)	Auditor (L)
<b>MARYLAND.....</b>	Governor and Secretary, Dept. of Budget and Fiscal Planning (G)	Division 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)
<b>MASSACHUSETTS</b>	Governor and Budget Director in Executive Office for Administration and Finance (I)	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) and Legislative Post Audit and Oversight Bureau (L)
<b>MICHIGAN.....</b>	Governor and Budget Director (G)	House Fiscal Agency (L) and House Appropriations Committee, Senate Appropriations Committee, and Senate Fiscal Agency (L)	Accounting Division, Dept. of Management and Budget (CS)	Office of the Budget and Accounting Div., Dept. of Management and Budget (CS)	At agency level and Accounting Division, Dept. of Management and Budget (CS)	Treasurer (G) and Accounting Division, Dept. of Management and Budget (CS)	Treasurer (G)	Auditor General (L)
<b>MINNESOTA.....</b>	Governor, Commissioner of Administration (G); Commissioner of Finance (G)	House Appropriations Committee, 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)
<b>MISSISSIPPI.....</b>	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) and Director, Commission of Budget and Accounting	Treasurer (E)	Auditor (E) and Joint Legislative Committee on Performance Evaluation and Expenditure Review (L)
<b>MISSOURI.....</b>	Governor, Commissioner of Administration (G)	Legislative Committee on State Fiscal Affairs (L)	Auditor (E) and Commissioner of Administration (G)	Commissioner of Administration (G)	Commissioner of Administration (G)	Commissioner of Administration (G)	Treasurer (E)	Auditor (E)

<b>MONTANA.....</b>	Governor and Governor's Office of Budget and Program Planning (G)	Legislative Fiscal Analyst, Legislative Finance Committee (L)	Auditor (E), Director, Dept. of Administration (G)	Director, Dept. of Administration (G)	At agency level and Director, Dept. of Administration (G)	Auditor (E)	Treasurer (E)	Legislative Auditor (L)
<b>NEBRASKA.....</b>	Governor and State Budget Administrator, Dept. of Administrative Services (n)	Legislative Fiscal Analyst of Legislative Council and Legislative Budget Committee (L)	State Budget Administrator and Accounting Administrator of Dept. of Administrative Services (n)	State Budget Administrator of Dept. of Administrative Services (n)	All department heads, and State and Accounting Administrators of Dept. of Administrative Services (n)	Director of Administrative Services (G)	Treasurer (E)	Auditor (E)
<b>NEVADA.....</b>	Governor and Budget Director (G)	Office of Fiscal Analyst, Legislative Counsel Bureau (L)	Budget Administrator and Legislative Auditor (L)	Budget Administrator (G)	Budget Officer (G) and Comptroller (E)	Comptroller (E)	Treasurer (E)	Legislative Auditor (L)
<b>NEW HAMPSHIRE</b>	Governor and Comptroller (G)	Legislative Budget Assistant (L)	Division of Accounts of Dept. of Administration and Control (o)	Comptroller, head of Dept. of Administration and Control (G)	Director of Accounts in Dept. of Administration and Control (o)	Director of Accounts in Dept. of Administration and Control (o)	Treasurer (L)	Legislative Budget Assistant (L)
<b>NEW JERSEY.....</b>	Governor and Director of Budget and Accounting in Treasury Dept. (G)	Director, Budget Review, Office of Fiscal Affairs (L)	Director of Budget and Accounting in Treasury Dept. (G)	Director of Budget and Accounting in Treasury Dept. (G)	Director of Budget and Accounting in Treasury Dept. (G)	Director of Budget and Accounting in Treasury Dept. (G)	Treasurer (G)	State Auditor, Office of Fiscal Affairs (L) and Director, Program Analysis, Office of Fiscal Affairs (L)
<b>NEW MEXICO....</b>	Governor and Chief of Budget Division, Dept. of Finance and Administration (d)	Legislative Finance Committee (L)	Financial Control Division, Dept. of Finance and Administration (d)	Budget and Financial Control Divisions, Dept. of Finance and Administration (d)	Financial Control Division, Dept. of Finance and Administration (d)	Financial Control Division, Dept. of Finance and Administration (d)	Treasurer (E)	Auditor (E)
<b>NEW YORK.....</b>	Governor and Budget Director (G)	Legislative Finance Committees (L)	Comptroller (E)	Budget Director (G) and Comptroller (E)	Comptroller (E)	Comptroller (E)	Commissioner of Taxation and Finance (G)	Comptroller (E) and Director, Legislative Committee on Expenditure Review (L)
<b>NORTH CAROLINA.....</b>	Governor and Office of State Budget, Dept. of Administration (p, q)	Advisory Budget Commission (L & G)	Office of State Budget, Dept. of Administration (p), and State Auditor (E)	Office of State Budget, Dept. of Administration (p)	Office of State Budget, Dept. of Administration (p)	Office of State Budget, Dept. of Administration (p)	Treasurer (E)	Auditor (E) and Fiscal Research Div., Legislative Council (L)
<b>NORTH DAKOTA.</b>	Budget Director within Dept. of Accounts and Purchases (G)	Budget Committee of Legislative Council (L)	Director of Dept. of Accounts and Purchases (G)	Director of Dept. of Accounts and Purchases (G)	Director of Dept. of Accounts and Purchases (G)	Director of Dept. of Accounts and Purchases (G)	Treasurer (E)	Auditor (E) and Legislative Budget Analyst and Auditor (L)

**ELEMENTS OF STATE FINANCIAL ORGANIZATION—Continued**  
**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>OHIO.....</b>	Governor and Director of Budget and Management (G)	Legislative Budget Office (L)	Director of Administrative Services and Director of Office of Budget and Management (G) and Auditor (E)	Director of Administrative Services (G) and Director of Office of Budget and Management (G)	Director of Administrative Services (G) and Auditor (E)	Auditor (E)	Treasurer (E)	Auditor (E)
<b>OKLAHOMA.....</b>	Director of State Finance Dept. (G)	Division of Fiscal Services of the Legislative Council (L)	Division of Central Accounting and Reporting in Budget Office (d)	Director of State Finance Dept. (G)	Director of State Finance Dept. (G)	Auditor (E)	Treasurer (E)	State Examiner and Inspector (E), and Fiscal Services Division, Legislative Council (L)
<b>OREGON.....</b>	Governor and Director of Executive Dept. (G)	Legislative Fiscal Office (L)	Director of Executive Dept. (G) and Secretary of State (E)	Director of Executive Dept. (G)	Director of Executive Dept. (G)	Director of Executive Dept. (G)	Treasurer (E)	Secretary of State (E)
184 <b>PENNSYLVANIA..</b>	Governor and Budget Secretary (G)	House and Senate Appropriations Committees (L) and Legislative Budget and Finance Committee (L)	Secretary of Administration (G) and Budget Secretary (G)	Secretary of Administration (G) and Budget Secretary (G)	Treasurer (E) and Departmental Comptrollers (G)	Treasurer (E)	Treasurer (E)	Auditor General (E)
<b>RHODE ISLAND..</b>	Governor and Budget Division of Dept. of Administration (d)	House Finance Committee Staff (L)	Division of Accounts and Control, Dept. of Administration (d)	Divisions of Budget, and Accounts and Control of Dept. of Administration (d)	Division of Accounts and Control of Dept. of Administration (d)	Division of Accounts and Control of Dept. of Administration (d)	Treasurer (E)	Auditor General (L)
<b>SOUTH CAROLINA.....</b>	State Budget and Control Board (r)	None	Auditor (s)	Comptroller General (E)	Comptroller General (E)	Comptroller General (E)	Treasurer (E)	Auditor (s) and Director, Legislative Audit Council (L)
<b>SOUTH DAKOTA.....</b>	Governor and Commissioner, Bureau of Finance and Management (G)	Legislative Research Council (L)	Governor, Bureau of Finance and Management (G) and Auditor General (L)	Commissioner, Bureau of Finance and Management (G)	Auditor (E)	Auditor (E)	Treasurer (E)	Auditor General (L)
<b>TENNESSEE.....</b>	Governor and Budget Director (G)	Fiscal Review Committee (L)	Dept. of Finance and Administration (d) and Comptroller (L)	Budget Director (G)	Commissioner of Finance and Administration (G)	Commissioner of Finance and Administration (G)	Treasurer (L)	Comptroller (L)

<b>TEXAS</b> .....	Governor, Budget Director (G) and Legislative Budget Board (L)	Legislative Budget Board (L)	Auditor (L)	Auditor (L)	Comptroller (E) (t)	Comptroller (E)	Treasurer (E)	Auditor (L) and Legislative Audit Committee (L)
<b>UTAH</b> .....	Governor, Finance and Budget Directors (G)	Office of Legislative Fiscal Analyst (L)	Director of Finance (G) and Auditor General (L)	Director of Finance (G)	Director of Finance (G)	Auditor (E)	Treasurer (E)	Auditor (E) and Auditor General (L)
<b>VERMONT</b> .....	Governor, Secretary of Administration (G) and Commissioner of 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)
<b>VIRGINIA</b> .....	Governor and Budget Director (G), under Secretary of Administration and Finance (G)	House Appropriations Committee and Senate Finance Committee (L)	State Comptroller (G)	Comptroller (G) and Budget Director (G)	Comptroller (G)	Comptroller (G)	Treasurer (G)	Auditor (L) and Joint Legislative Audit and Review Committee (L)
<b>WASHINGTON</b> ....	Governor and Director, Office of Program Planning and Fiscal Management (G)	House and Senate Ways and Means Committees (L)	Director, Office of Program Planning and Fiscal Management (G)	Director, Office of Program Planning and Fiscal Management (G)	At agency level	Treasurer (E)	Treasurer (E)	Auditor (E) and Legislative Budget Committee (L)
<b>WEST VIRGINIA</b> ..	Governor, Commissioner of Finance and Administration (G), Budget Division (d)	Legislative Auditor of Joint Committee on Government and Finance (L)	Budget Division, Dept. of Finance and Administration (d)	Governor	Commissioner of Finance and Administration (G) and Auditor (E)	Auditor (E)	Treasurer (E)	Tax Commissioner (G) and Legislative Auditor (L)
<b>WISCONSIN</b> .....	Governor and Secretary of Administration (G)	Legislative Fiscal Bureau (L)	Secretary of Administration (G)	State Budget Office, Division of Executive Services, Dept. of Administration (G)	Director of Bureau of Operations, Dept. of Administration (G)	Secretary of Administration (G)	Treasurer (E)	Auditor (L)
<b>WYOMING</b> .....	Governor and Director, Dept. of Administration and Fiscal Control (G)	Legislative Services Office (L)	Dept. of Administration and Fiscal Control (G)	Budget Division and Centralized Accounting-Data Processing (u)	Budget Division (u)	Auditor (E)	Treasurer (E)	State Examiner (G) and Legislative Auditor, Legislative Services Office (L)
<b>DISTRICT OF COLUMBIA</b> .....	Mayor (E), and 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) and Dept. of Finance and Revenue (CS)	Office of District of Columbia Auditor (CS) and U.S. General Accounting Office (CS)
<b>AMERICAN SAMOA</b> .....	Governor and Director of Administrative Services (G)	None	Comptroller (G)	Comptroller (G)	Assistant Director of Administrative Services (G)	None issued	None issued	Auditor (G)

# **ELEMENTS OF STATE FINANCIAL ORGANIZATION—Concluded** **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>GUAM</b> .....	Governor and Budget Director, Bureau of Budget and Management Research (G)	Legislative Analyst (L)	Controller (CS)	Budget Director (G) and Controller (CS)	Controller (CS)	Controller (CS)	Treasurer (CS)	Federal Comptroller; Legislative Auditor (x)
<b>PUERTO RICO</b> ...	Governor and Budget Director (G)	Legislative Finance Committees (L)	Treasury Dept. (d)	Budget Bureau (d) and Treasury Dept. (d)	Accounting Service of Treasury Dept. (d)	Accounting Service of Treasury Dept. (d)	Treasury Dept. (d)	Comptroller (G)
<b>VIRGIN ISLANDS</b> .....	Governor and Budget Director (G)	Legislative Finance Committee (L)	Commissioner of Finance (G)	Budget Director and Commissioner of Finance (G)	Finance Dept. (G)	Finance Dept. (G)	Commissioner of Finance (G)	Finance Dept., Comptroller of Virgin Islands (G)

*Note:* For more detailed information on state budgetary practices see table on pp. 124-27.

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 Commissioner 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 and Council.

(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, who is selected by the Governor.

(p) State Budget Officer, appointed by Governor, selects division chiefs, subject to approval of the Governor.

(q) Office 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.

## 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	X	25% of voters in last general election in district in which election occurred	X
<b>Arizona</b> .....	All elective officials	X	25% of votes cast in last election for office of official sought to be recalled	X
<b>California</b> .....	All elective officials	X	State officer: 12% of votes cast in last election for office sought to be recalled; state legislators, members of Board of Equalization, and judges: 20%	X
<b>Colorado</b> .....	All elective officials	X	25% of votes cast in last election for office of official sought to be recalled	X
<b>Idaho</b> .....	All elective officials except judicial officers	X	20% of the number of electors registered to vote in the last general election held in the jurisdiction from which the officer was elected	X
<b>Kansas</b> .....	All elected public officials in the State except judicial officers	X	Legislature has not implemented the amendment	X
<b>Louisiana</b> .....	All elective officials except judges of courts of record	X	25% of voters voting; 40% of voters in districts of less than 1,000 voters	X
<b>Michigan</b> .....	All elective officials except judges of courts of record	X	25% of voters in last election for Governor in electoral district of officer sought to be recalled	
<b>Nevada</b> .....	All elective officials	X	25% of voters voting in the jurisdiction electing official sought to be recalled	X
<b>North Dakota</b> ...	All elective officials	X	30% of votes cast in last general election for Governor	X
<b>Oregon</b> .....	All elective officials	X	25% of votes cast in last election for Supreme Court Justice	X
<b>Washington</b> .....	All elective officials except judges of courts of record	X	25%-35% of qualified electors depending on unit of government	X
<b>Wisconsin</b> .....	All elective officials	X	25% of votes cast in last general election for Governor	X
<b>Guam</b> .....	Governor	X	Petition for referendum: $\frac{3}{8}$ vote of Legislature or petition of Legislature by 50% of voters voting in last Governor election. Referendum election: "yes" votes must total $\frac{3}{8}$ of votes cast in last Governor election, and majority voting on issue must be "yes"	
<b>Virgin Islands</b> ...	Governor	X	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, Montana, Nebraska, New Jersey, New Mexico, Ohio, Oklahoma, South Carolina, Texas, and Wyoming.



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## PUBLIC TECHNOLOGY

BY EDWARD L. HELMINSKI\*

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THE SPACE AGE, the nuclear age, the electronic age—decades of scientific and technological progress—have made the United States not only the most advanced Nation in the world, but have presented this Nation's policymakers with a legacy of complex policy issues.

In order that effective programs be formulated to control the accompanying problems of environmental pollution, uncontrolled growth, and energy resource depletion, political leaders at all levels must have access to a diversity of scientific and technological resources.

In 1970, with financial support from the National Science Foundation, the Council of State Governments undertook a comprehensive study to "assess the part that science and technology play in state government and to propose workable arrangements for strengthening that role." Recommendations contained in the final report of the study stated:

State science advisors should be brought into budget decision procedures to focus on matching user needs with available public technology, and encouraged to propose technological alternatives for decision by the Governor.

Legislatures should be provided professional staff support to cope with the complex issues involving technology.<sup>1</sup>

These recommendations, along with others, addressed the need for States to develop scientific and technical resources to deal effectively with the issues that have and will continue to face state policymakers.

The extent to which the States must deal with technologically related issues and therefore have access to appropriate resources is readily evident. In addition

to being delegated the responsibility to implement federally enacted legislation in such areas as environmental regulations, public safety, and energy conservation, the States are being pressed by their citizens to establish comprehensive and effective programs in such areas as strip mining, land reclamation, land management, energy resource development and regulation, and a myriad other areas having sizable science and technology (S/T) components.

The question as to where, and at what levels, within the government such S/T resources should be established to be most effective is, of course, dependent upon a State's political climate.

### EXPERTISE IN EXECUTIVE BRANCH

Since the executive office usually functions as the top administrative and managerial arm within state government and often is the principal policy-making branch, the chief executive officer would need access to creditable scientific and technical resources.

### *Mission-Oriented Agencies*

State mission-oriented agencies, having a full complement of trained professionals, are an excellent resource for S/T information. Agency heads function essentially as the Governors' principal advisors in their particular areas of jurisdiction. The agency administrator, although in the service of the chief executive, also has an allegiance to "his" agency. His role in the administration is to look after those areas within the agency's jurisdiction and act therein for the chief executive officer. The Governor, however, must have the capability of evaluating the interests of several agency administrators and be able to resolve the conflicts that arise among various agency objectives to formulate effective state programs and to properly allocate state resources.

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\*Mr. Helmski is Director, Office of Science and Technology, National Conference of State Legislatures.

<sup>1</sup>The Council of State Governments, *Power to the States: Mobilizing Public Technology* (Lexington, Kentucky: May 1972).

The ability of agencies to function as an "objective" resource is further compromised by the nature of the issues that need to be addressed. In addition to having significant technical components, problems facing state policymakers tend not to fall into a single agency's jurisdiction and therefore need to be evaluated from a nonparochial perspective.

Given the complexity of issues facing state government and limitations of available resources that can provide S/T expertise, there seems to be a need to establish a mechanism within the executive branch that is capable of recognizing the multifaceted technological aspects of a particular state initiative and to assist the Governor in developing a framework within which a state program would function.

#### *Governors' Science Advisory Offices*

As reported in *Power to the States*, most States now have or have had science advisors or science advisory panels. As further noted, however, these advisory bodies have "low visibility" and are not involved in the mainstream of state policy formulation. Although there are exceptions in such States as California, Georgia, New Mexico, Pennsylvania, and South Carolina, most of these science advisory mechanisms have tended not to be important in affecting state policies.

For the most part, science advisors and science advisory panels were unpaid volunteers, interested in performing a "public service" and not in becoming identified as an entity within the governmental structure.

The complexity of policy and the technological nature of many issues faced by States over the past few years have led a few States to experiment with a full-time science advisory staff fully integrated into the executive office. Examples of some of this activity follow.

*Office of Science and Technology*—The California Office of Science and Technology (OST) was created in May 1973, with a small staff, as part of the Governor's office, "to assist and advise him and the Cabinet on the healthy, visible and imaginative use of science and technological resources by state and local governments"

and to "coordinate research and development in scientific areas among all units of government." Included among these objectives of the California OST were the "establishment of overall goals and priorities to improve application of research to state problems" and the establishment of "an ongoing process to identify major state programs, individual and interrelated, to which scientific research and financial resources can best be applied and advise the Governor on legislation in the field of Science and Technology affairs."

The office was given the responsibility to develop the state energy research agenda. Another facet of its activity was to develop effective communication links with the several federal research and development centers in the California area.

*Science Advisory Staff*—Michigan recently received a grant from the National Science Foundation to investigate the effectiveness of providing staff support to a designated Governor's science advisor, who is a member of the "Governor's Program Council," a cabinet-like group consisting of department heads of every state agency and top advisors. By utilizing the Program Council, it is hoped that state administrators will be encouraged to "consider relevant S/T policy questions."

The science advisory staff's primary function will be to (1) respond to requests for technical information from the Governor; (2) establish relationships between state agencies to develop action plans for dealing with policies and programs with scientific and technological components; and (3) identify long-term policy issues with science and technology components for gubernatorial consideration.

In order to carry out its activities, the staff will employ outside task forces, established for short periods of time, to respond to specific gubernatorial requests.

*Long-Range Policy Analysis*—With support from the National Science Foundation, Hawaii established the State Center for Science Policy and Technology Assessment within the State Department of Planning and Economic Development (DPED).

The objectives of the center were to develop guidelines for science policy for

Hawaii by performing a comprehensive investigation of Hawaii's resources and future needs, selecting priority areas of scientific concern; forecasting and assessing technological developments and their effects on Hawaii, and participating in state policy formulation. The placement of the center within the DPED, a key decision-making agency within the State, ensured its participation in the policy-making process. The center functions as staff support to the State Science Advisory Committee on Science and Technology and has become increasingly involved in working with the Legislature.

One of the significant aspects of the center staff has been its ability to perform "short-term, low-cost technology assessments." Six technology assessments were completed in such areas as aquaculture, manganese nodules, regional and urban systems modeling, quality of life indicators, marine opportunities and problems, and present and future energy needs. The center was deeply involved in the formulation of state energy policy.

A measure of the center's success, insofar as being able to establish itself as a useful mechanism within the executive branch, was the decision by the State Department of Budget and Finance in August 1974 to include in the state budget appropriations for two permanent positions within DPED, primarily to staff the center.

*Executive Branch Energy Offices*—The shortage of energy resources and associated problems provided a strong impetus to establish professional staff resources within the executive branch to determine state energy needs and aid in developing state energy policy. Most States have established energy offices or have appointed energy advisory councils. The functions of these offices range from being a fuel allocation mechanism to a comprehensive policy planning agency. (See article on "The Energy Crisis" in this volume.)

#### THE LEGISLATIVE BRANCH

As noted earlier, the *Power to the States* study recommended establishing and strengthening S/T resources for the legislative as well as executive branch.

Most of the 50 States have some type of research staff to serve the Legislature. In addition to providing research support, many also provide bill drafting services. Those legislative staff agencies that do provide substantial research support tend to be primarily comprised of lawyers, political scientists, and social scientists. There are few personnel with a general technical or scientific background. In responding to a science and technology survey, several legislative agency directors indicated that individuals on their staff, because of their involvement with a particular issue over a number of years, did possess the expertise to "translate" and evaluate a technological component of a particular legislative issue. However, the majority stated that there was a need to strengthen their internal capacity to deal with technology-related issues.

In addition to a central research staff, several State Legislatures have developed committee staff structures, providing a "specialist" in a particular area to serve the committee's needs.

State Legislatures do, therefore, have staff structures which actually or potentially provide a significant institutional resource to deal with the scientific and technical components of legislative policy. Since these structures are unique to each State, any effort to strengthen their capability must be tailored accordingly.

Generally, legislators value their staff organization and any effort to develop a scientific and technical staff mechanism may profit by integrating it into the existing infrastructure rather than by creating a separate functional unit. This again depends upon numerous factors, not the least of which is the political control of the Legislature.

#### *Models of S/T Resource Mechanisms*

Under a grant from the National Science Foundation's Office of Intergovernmental Science and Research Utilization, Pennsylvania State University's Center for the Study of Science Policy, directed by Dr. Irwin Feller, undertook a study to outline possible models of S/T staff mechanisms. Subsequently an investigative survey of legislators was conducted to determine the feasibility of the models

outlined. Figure 1 below lists the models and the tabulated responses of the legislators interviewed. The models that received most favorable comment were the professional staff model and the national clearinghouse. The preference for a national clearinghouse system seemed to stem from the opinion that a scientific/technical staff capacity within one Legislature would present a substantial financial burden, and that there would not be enough "work" to keep a technically trained professional occupied.

#### *Existing S/T Staffs in Legislatures*

Several State Legislatures have instituted or are in the process of initiating steps to formulate a scientific or technical staff component to serve their needs. The California Assembly was the first to attempt to integrate a S/T capability into its Legislature. It was followed by New York and Illinois.

A prominent factor in the Legislatures' efforts to establish S/T staff has been the "seed money" provided by the Office of Intergovernmental Science and Research Utilization (ISRU) of the National Science Foundation. The need for outside fiscal assistance to support such activities seems to indicate a lack of commitment on the part of the Legislatures in developing such capabilities. However, this is not the case. Initial NSF funding provided

only partial support, and when this support terminated these Legislatures appropriated the necessary monies to continue operations and in some instances expand them.

A brief summary of existing S/T staff mechanisms is contained in Table I. Each mechanism seems to possess its own particularities, geared to the Legislature in which it resides. The longest that have been in existence are in the New York and California Legislatures (5 years), the newest Alabama and Massachusetts.

#### *Technical Expertise on Committee Staffs*

There is a growing trend within State Legislatures toward a strong committee staff structure, which could result in the hiring of specialized professional staff with experience and training in the committee's jurisdictional area. The Legislatures that have or are in the process of establishing strong committee structures include California, Florida, Michigan, and Pennsylvania. Though information on the background of the staffs of these committees has not been compiled, they could at least be expected to have, if not formal training in areas under the committee's jurisdiction, a more than adequate working experience. The trend toward strengthening committee staff within the Legislatures will most probably result in the hiring of more technical

FIGURE 1  
Percentage of Legislators in All States Who  
Accepted, Rejected, or Had Mixed Reactions to  
the Proposed Models\*

	<i>Committee</i> (N = 100)	<i>Subcommittee</i> (N = 98)	<i>Expert-Consultation</i> (N = 99)	<i>Intern</i> (N = 100)	<i>Professional Staff</i> (N = 98)	<i>Science Advisor</i> (N = 99)	<i>State Clearinghouse</i> (N = 96)	<i>National Clearinghouse</i> (N = 95)	<i>Task Force</i> (N = 95)
Acceptance	25.0	40.8	38.4	47.0	54.1	18.2	38.5	51.6	47.4
Rejection	63.0	51.0	42.4	31.0	32.7	63.6	41.7	28.4	40.0
Mixed responses	12.0	8.2	19.2	22.0	13.3	18.2	19.8	20.0	12.6

\*Irwin Feller et al., *Sources and Uses of Scientific and Technological Information in State Legislatures*, summary report (University Park, Pa.: Pennsylvania

State University, Center for the Study of Science Policy, June 1975), p. 34.  
N = Total responses provided on each model.

professionals trained in specific fields.

To further stimulate a strengthening of the committee structure within State Legislatures, "since this is where most of the legislatures' work is done," the Citizens Conference on State Legislatures initiated the Model Committee Staff Project on Health. This effort, undertaken after two years of planning, is a demonstration project focusing on strengthening the capacity of joint legislative health committees. The project is funded by a grant of nearly \$2 million from the Robert Wood Johnson Foundation.

The overall objective of the Model Committee Staff Project is to demonstrate to "both the *legislature* and the *public* the benefits of staffing not only Health Committees but all major policy committees."

Eight States (Connecticut, Louisiana, Michigan, Minnesota, New Jersey, Texas, Washington, and Wyoming) were initially selected to participate in the program, and a ninth (West Virginia) was added when funds were made available from the West Virginia Regional Medical Program. In each State the joint health committees were assigned two professional staff members, with backgrounds and training ranging from health policy-related areas to experience with state government.

#### *Specialized Central Resources*

There has been significant activity to institute "specialized" central resources to function in areas of particularly critical legislative concern. These staffing mechanisms could be best described as acting like divisions of a central research agency. However, they are independent of the central research agency, functioning in cooperation with existing staff. Staffing programs of this nature have been tried in various Legislatures. An indicative example is Arizona's program to build a capacity within the Legislature in the area of human resources development.

In 1972, the Arizona State Legislature, with a two-year grant of \$235,770 from the Social and Rehabilitation Service Division of the Department of Health, Education, and Welfare, instituted human

resources services staffing to deal exclusively with human resource development and to "work with the legislative council, the joint budget committee, and other legislative committees to ascertain how best to utilize human resources information and to promote effective policy decisions." The professional staff within the human resources services staffing consisted of a director, an assistant director for research and evaluation, along with two planning associates. All have substantial experience and training in social and health rehabilitation.

#### *Energy Resource Staff*

Several State Legislatures, as well as executive offices, in response to the morass of policy issues brought about by the Nation's energy crisis, instituted a number of specialized committees, offices, and study commissions. In some instances they allocated additional funds for hiring professional technical staff. The effort put forth by the Legislatures to build up their policy planning and information resources to deal with energy-related areas cannot be satisfactorily treated here, but it is worthwhile to describe at least one of these staff mechanisms that resulted from this flurry of activity.

The Florida Legislature, in 1973, created the Florida Energy Committee. This is a "fifteen-member Committee composed of four Senators, four Representatives, joint legislative alternates, and seven members appointed by the Governor, representing education, industry, environmental groups, and other interests." Appropriations were authorized for the procurement of a professional staff for the committee, with expertise in the energy-related areas. The professional staff is composed of an executive director, a nuclear engineer (formerly with Oak Ridge National Laboratory), a staff engineer, a senior energy specialist, and a general counsel. The executive director reports directly to the legislative leadership. As stated in its initial report, *Energy in Florida*, the function of the staff is to "carry out those investigations necessary to the assessment and development of energy policy for Florida."

In reaction to a critical issue—energy

—several Legislatures have established similar mechanisms to strengthen their resources so that they would be prepared to deal with impending policy issues on a coequal status with the executive branch and the federal government.

#### OTHER S/T RESOURCES ACCESSIBLE TO STATE GOVERNMENT

##### *State Universities*

In considering possible S/T resources that could be utilized by state policy-makers, serious thought must be given to more effective utilization of state colleges and universities. There is now a growing movement on both sides to try to strengthen relationships between academia and state government. Several universities have, in fact, instituted programs intended to serve state and local governments. Among these are the University of Tennessee at Knoxville, the University of Missouri, Oklahoma State University, Auburn University, Virginia Polytechnic Institute, the University of Wisconsin, Pennsylvania State University, and Sangamon State University in Illinois.

In a survey recently completed by the National Association of State Universities and Land Grant Colleges and the National Conference of State Legislatures Committee on Science and Technology, several university-based technical service activities were identified. These included:

- The Institute for Public Service of the University of Tennessee at Knoxville. It was established to provide technical and other services to state and local government agencies. The institute houses seven technical service units, two of which were designed specifically to provide technical services to counties and cities in Tennessee.

- The Engineering Experiment Station at the Georgia Institute of Technology. It provides direct services to state and local governments, business and industry in Georgia, the federal government, and foreign nations. One of its activities was to establish a tornado watch system for the State of Georgia.

- The Bureau of Economic Geology at the University of Texas at Austin. It has

served as a quasi-official State Geological Survey for 66 years. Professional staff members of the bureau provide research and information services to state and local governments, offer and prepare testimony for legislative hearings, and serve on a wide range of government advisory groups.

- The University of Virginia's Institute of Government and School of Continuing Education. In cooperation with the Virginia Association of Counties, the Virginia Municipal League, and the State Office of Training Programs, it sponsored a conference on "Collective Bargaining in the Public Sector."

##### *Federal Agencies*

There has been and continues to be a push by congressional and state policy-makers to make federal agencies more responsive to state technology needs. Within most federal agencies there does exist an undercurrent desire to develop better communications and delivery systems to aid state government. There does, however, seem to be a lack of fiscal commitment to the programs initiated by various agencies.

##### *Professional Societies*

Several professional technical societies now are beginning to keep rosters of their members interested in working with state, local, and national government. Among these are the American Association for the Advancement of Science (AAAS), the American Society of Mechanical Engineers (ASME), the American Physical Society (APS) and the American Chemical Society (ACS). The AAAS, APS, ASME, and others are cooperating in a joint congressional science intern program aimed at placing active scientists on the staffs of congressional committees for a period of one year.

#### A GROWING TREND

The actions within policy-making bodies seem to indicate a growing realization of the need for intelligent and responsive scientific and technical capabilities within state governments. The efforts of several States, both within the executive and legislative branches, have

proven the worth of such strengthened capacity and the indication is that the level of activity is increasing despite present oppressive fiscal burdens.

#### SELECTED REFERENCES

- California Office of Science and Technology. *The California Science and Technology Project, Overview and Summary Report*, vol. 1. Sacramento, Calif.: December 1974.
- The Citizens Conference on State Legislatures. *Model Committee Staff Project on Health*. Princeton, N.J.: Robert Wood Johnson Foundation, undated.
- The Council of State Governments. *Power to the States: Mobilizing Public Technology*. Lexington, Ky.: 1972.
- The Council of State Governments. A series of articles in *State Government*, vol. XLVII, no. 3. Lexington, Ky.: 1974.
- Federal Energy Administration. *A Directory of State Government Energy Agencies*. Washington, D.C.: September 1975.

- Feller, Irwin et al. *Sources and Uses of Scientific and Technological Information in State Legislatures*, summary report. University Park, Pa.: The Pennsylvania State University, Center for the Study of Science Policy, June 1975.
- Florida Energy Committee. *Energy in Florida: Report and Recommendations on Energy and Energy Policy in Florida*. Tallahassee, Fla.: March 1974.
- Hawaii State Center for Science Policy and Technology Assessment. *Final Report, 1971-1974*. Honolulu, Hawaii: Department of Planning and Economic Development, November 1974.
- Helminski, Edward L., and Marcelli, Ralph J., eds. *Meeting the Challenge: Scientific and Technical Staff in the States' Legislatures*. Denver, Colo.: National Conference of State Legislatures Committee on Science and Technology, 1975.
- Menzel, Donald C.; Friedman, Robert S.; and Feller, Irwin. *Development of a Science and Technology Capability in State Legislatures: Analysis and Recommendations*. University Park, Pa.: The Pennsylvania State University, Center for the Study of Science Policy, 1973.

### SUMMARY OF EXISTING SCIENCE AND TECHNOLOGY STAFF MECHANISMS IN STATE LEGISLATURES

State	Location in Legislature	Name/Resource mechanism	Brief description
Alabama.....		Legislative Office of Technical Assistance	Created July 1974, with funds from NSF Experimental R&D Incentives Office; brokerage mechanism concentrating on utilizing state universities as technical resource.
California.....	Assembly	Assembly Science and Technology Advisory Council	Initially created 1970, partially funded by ISRU office of NSF; an expert advisory panel, functions in a semivolunteer fashion through a resident staff in the Assembly, fully supported by Assembly.
Hawaii.....	Senate/House	Legislative Scientific Advisory Committee	Expenses paid, no salary; advisory panel under administrative jurisdiction of office of the Legislative Auditor; established 1972, in operation 1974.
Illinois.....	Legislative Council	Scientist integrated into staff of Legislative Council serves both houses	A centralized professional staff mechanism within Legislative Council, fully funded by Legislature.
Iowa.....	Legislative Council	No specific unit	A lawyer with an engineering degree has been integrated into council staff.
Kentucky.....	Legislative Research Commission	Special project within the Legislative Research Commission	Jointly funded by State and ISRU-NSF; integrated into LRC staff.
Maryland.....	Senate/Assembly	Pilot project in State Department of Legislative Reference	Objective of program is to utilize resources of State Academy of Science; the services of retired electrical engineer were procured by the Academy on part-time basis to serve as liaison between Academy and Legislature.
Massachusetts.....	Senate/House	Science Resource Network	Initiated 1975, funds from ISRU-NSF; professional staff established under auspices of leadership of both houses, with direction provided by Legislative Steering Committees.
New York.....	Assembly	New York Assembly Scientific Staff	Created 1971, partial funding from ISRU-NSF; professional bipartisan staff within Speaker's office. Now fully supported by Assembly.
Utah.....	Executive/Legislative	Utah State Science Advisory Office	A central science advisory mechanism with executive director; initiated with state funds, and with continued support.
Wisconsin.....	Senate/House	Full-time scientist integrated into Joint Legislative Council staff	A full-time scientist supported by state funds and, in addition, a science intern program supported by NSF.

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# STATE INFORMATION SYSTEMS

By CHARLES TRIGG\*

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**I**NFORMATION METHODS and techniques once used are no longer adequate for state government decision-makers. In order to more effectively formulate overall policies, administer ongoing programs, and evaluate their impact, more reliable and up-to-date information is needed. As a result, state information system directors must review and reevaluate current systems and, in many instances, direct those systems to provide more meaningful information.

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 decision-making process. Information systems are providing operational data to the field caseworker through on-line case record systems, thereby increasing overall caseworker production. State police, through the use of EDP, have instant access to information on driver license records, stolen vehicles, and wanted criminals, which contributes to a more efficient law enforcement program. Today we see financial systems providing up-to-the-minute fiscal information to financial managers of state government.

The following article is based on the 1973 and 1974 annual reports of the National Association for State Information Systems.

## COORDINATION AND CONTROL

There appear to be two principal reasons for concern over coordination and control of information systems. One is the growing awareness in both the executive and legislative branches of the impor-

tance of information systems in research, planning, management, and operation of state government. A second reason is the funding requirements for information systems. Increased costs have caused continued concern on how to obtain maximum cost-effectiveness from the information systems effort.

All 50 States report some degree of central control over hardware acquisitions, 21 with an all-inclusive responsibility (Table 1). In the important planning function, all 50 States again report central control over information systems planning, with 35 having responsibility for overall coordination and 15 with a responsibility for planning that is all-inclusive. In the area of systems design, 42 States report an authority ranging from coordinating to absolute, and 41 States report some control of the operations function, 18 of which have absolute authority.

The ratio of all-inclusive authority to controlling or coordinating authority is highest in operations and lowest in planning, and is essentially unchanged from the previous year. It is interesting to note that the vast majority of States reporting all-inclusive authority for all categories are the smaller population States.

## COMPUTER INVENTORY

The 45 States reporting in 1973 and 1974 showed a slight increase (438 to 452) in the total number of computers. This increase in total numbers, however, is a direct result of a rise in the number of small or mini-computers. In 1973, 36 States reported only six mini-computers, whereas in 1974, 49 States reported a total of 44 mini-systems.

Leasing remains the most common method of procuring computers by state agencies; however, the percentage of leased systems dropped from 70 percent in 1973 to 60 percent in 1974. Eighteen

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percent of the computer systems in 1974 were purchased as compared with 11 percent in 1973. In addition, the number of mixed systems (part purchased—usually the Central Processing Unit—and part leased) increased from 19 percent in 1973 to 22 percent in 1974, all of which indicates a trend by state governments to increased purchasing of data processing equipment. The method of procurement by size of systems provides some interesting data. For large systems, we find that 60 percent are leased with 9 percent purchased and 31 percent mixed, usually meaning that the Central Processing Unit (CPU) is purchased. For medium systems, 55 percent were leased, 16 percent purchased, and 29 percent mixed. As would be expected, 43 percent of the mini-systems reported were purchased systems, by far the largest for any size group.

#### PERSONNEL

Personnel costs contribute a major portion of total electronic data processing (EDP) expenditures. Of the total number of personnel in EDP, there was a 2 percent increase in the number of management people between 1973 and 1974. Of the total information systems staff in 33 reporting States, 20 percent were direct employees of the central authority and 80 percent were employed by other state agencies. This is an increase in percentage of central authority staff from 1973 and is an indication of the continuing trend toward centralization and consolidation. Of the total state information systems personnel engaged in the management function, 20 percent are in the central authority and 80 percent are in the user agencies.

For 28 States on which personnel costs were comparable between 1973 and 1974, we find an overall increase of \$11.9 million to \$202.1 million (a 6 percent increase). These same 28 States showed an increase in total number of personnel of 1,688 to 21,055 (an 8 percent increase).

Consultant costs are an important adjunct to personnel costs. In 1974, the areas reporting the largest cost expenditures were health and welfare, law enforcement, revenue, fiscal management, highways, and EDP management. It is note-

worthy that management areas (fiscal, personnel, EDP) make up a large portion of the totals in both 1974 (11 percent) and 1975 (15 percent). For the 23 States which reported, the estimated 1975 consulting costs of \$9.8 million are about 14 percent less than the actual expenditure for 1974 of \$11.4 million.

Estimated expenditures for 1975 showed a marked decrease in law enforcement and a slight decrease in health and welfare. The need for improved fiscal management systems in state government is evidenced by the increase in estimated consulting expenditures for 1975 in this area.

#### TRAINING

Growing emphasis and resources are being devoted to training and retraining of information systems staff and user personnel. Many States have increased the number of full-time personnel devoted to the training effort. During 1974, a dramatic increase was reported in number of employees attending in-house training courses with a resulting decline in reliance on the education provided by equipment manufacturers. The cost of training has noticeably increased, with the largest component being the cost of trainee time. It is apparent that continued training of all personnel will be an absolute must due to the dynamic nature of the field.

#### PROBLEM AREAS

States were asked to rank the order of difficulties encountered in information systems development on two bases: first, according to 12 specified problem categories regarding external problems largely independent of direct EDP control; and second, on 12 specified problem categories concerning internal problems primarily under EDP control (Tables 2 and 3). In addition, States were asked to indicate, independent of rank order, whether each problem category was more or less serious on July 1, 1974, than on July 1, 1973.

There was a remarkable stability in the ranking of "external problems" in 1973 and 1974. "User Unfamiliarity with Information Systems" moved up from fifth to fourth place, changing places with "Ré-

sistance to Consolidation." "Management Interest" increased from number eight to number seven in aggregate rank and "Inadequate Financing" moved to eleventh position from twelfth in 1973. In general, the most serious problems continue to concern relationships with management and user agencies. However, the fact that 18 of the 25 States which commented felt the problem of "User Agency Cooperation" was less serious provided an encouraging sign.

Those problems which were ranked as less serious concerned operating elements (such as personnel) or actual components of the system (such as common data base). On balance, more States reported a decrease in seriousness in every category, except "Lack of Definitive Plan" and "Inadequate Financing." The problem in financing, of course, is indicative of the overall financial problem facing most States.

It appears that "Lack of Definitive Plan" is an area that requires immediate and concentrated attention. Its movement from fifth place in 1971 to fourth in 1972 and to second in 1973 and 1974 is an indication of a problem. Further, it was thought to be more serious in 1974 than in 1973 by 13 of 22 States. In addition, it is an "external" problem for which many EDP managers can be effective catalysts. Note that this has occurred despite the fact that in 1974, 28 States reported the existence of formal plans.

Although "Resistance to Consolidation" is still fairly high on the list, its slipping to fifth place from second in 1972 and the fact that it is thought to be more serious by only eight States and less serious by 22 States indicates that it is becoming generally less of a problem. This change undoubtedly reflects the fact that overall consolidation is working and user agencies are being adequately served.

#### PLANNING AND STANDARDS

The importance of a formalized state plan for information systems cannot be overestimated. The plan, of course, must be kept current and flexible so that it may be readily adjusted to meet developments of a political or technological nature.

Among the many uses for the plan is to

convey to Governors, Legislatures, and agencies the long-range objectives, costs, and implementation priorities. In general, such plans have laid the groundwork for either consolidation of computer centers or halting further proliferation of computer facilities. They have also provided useful benchmarks for monitoring progress.

Eighteen of the 47 States reporting in 1972 indicated that they had formalized state plans. That number had increased to 28 of 45 reporting in 1974.

The survey results indicate a substantial improvement in key areas of computer management, namely, formalized written procedures for procuring hardware, software, and contractual services; and for documentation for systems, programming, and operations.

It should be noted that the complexities and controversies involved in leasing and purchasing computer systems can be materially lessened by formal, written procurement procedures. Thirty-two States reported formal written procedures for procuring hardware, 27 for software, and 31 for contractual services.

It should be also noted that standardized documentation increases the ability of a system to be transferred between departments in one State or among the States.

#### FUNDING

In the 1972 NASIS report, it was anticipated that the percentage of revolving fund financing would increase in the future. This anticipation proved correct for 1973, but 1974 showed a slight decrease in revolving fund dependence. However, during 1974 three States—Maryland, Michigan, and South Carolina—changed their funding policy entirely, going from 100 percent revolving fund, etc., to 100 percent direct appropriation, while two States, Connecticut and Washington, changed from a heavy dependence on direct appropriation to 70 percent or more on revolving funds.

In 1974, 34 percent of the total EDP budgets was in the Central Information Systems agencies, with the remaining 66 percent in individual agencies.

Hardware, as a percentage of total cost,

was 41 percent in 1972 and 1973, but decreased in 1974 to 37 percent. In 1974, for the first time, the States were asked by NASIS to report their expenditures for software and this expenditure represented 2 percent of the budget for the 33 States reporting.

Assuming the accuracy of these figures, state governments appear to be at the point where all other EDP expenses total almost twice the hardware costs. In the mid-1960s these figures were reversed. This change in the expenditure structure is probably the result of the following:

1. Consolidation of computer hardware.

2. Improvement in operations management, leading to greater utilization of hardware and more efficient performance of the computer itself.

3. Changes in leasing and purchasing arrangements, leading to lower costs.

4. Continuing realization of the economy curve with large computers.

5. Increasing costs of personnel in all classes connected with EDP, reflecting general salary increases. Further, as the number of information applications steadily increased, the number of personnel has increased with hardware able to absorb the increased load.

6. Increased reliance on consultants, accounting for the movement from 3 percent in 1973 to 4 percent in 1974.

Thirty-three States reported an average fiscal year 1974 EDP budget (excluding higher education) of \$9,544,454, and an estimated budget for fiscal year 1975 of \$10,990,272. The corresponding figure in 1973 for 35 States was \$9,223,000 and for 1972 for 22 States was \$8,659,000. Although the varying number of States makes an exact comparison impossible, an increasing trend in the dollar amount of EDP expenditures is evident.

State budgets as a whole have increased during the years, of course, so figures were also sought regarding the ratio of EDP budgets to total state budgets. For the 31 States reporting, the average ratio of EDP budgets (excluding higher education) to total state budgets was 0.52 percent. The variation among States ranged from 2.5 percent to 0.13 percent.

A more accurate measure was felt to

be a comparison of EDP budgets (excluding higher education) to the amount of funds actually spent by state governments, i.e., the total state budget minus the amount redistributed to local governments. This comparison increases the average ratio from 0.52 percent to 0.65 percent for fiscal year 1975.

This is considerably less than reported for 1974. It must be remembered, however, that the number of States reporting is different for the two years. In addition, the reported decrease in ratio of EDP budget to the total state budget may well be partially explained by the following factors:

1. The effect of revenue sharing which has, no doubt, increased the total budget.

2. The fact that States have increased considerably the percentage of purchased equipment which, no doubt, decreases the overall data processing operating budget.

#### SECURITY AND PRIVACY

In commenting on this area in the 1973 NASIS report, attention was drawn to the seeming failure to provide for auditing the security measures which had been established and for installing such security plans where they were missing. The report said that such failings "represent potential catastrophes of great dimensions." The findings of the 1974 survey, as represented by Table 4, do nothing to lessen that dire foreboding.

The remainder of Table 4 relates to privacy and confidentiality as these matters stand at the close of 1974. A more recent survey by NASIS, to which 30 States had responded as of April 1, 1975, showed that 52 bills had been introduced in 25 States; of these, 18 had had committee hearings in the first house, one had had committee action in the second, one was awaiting the Governor's signature, one had been signed into law, and three had failed. The proliferation of diverse legislation in the States again points out the possibility of congressional preemption of this question if it is to apply to any interstate activities.

Table 4 and a NASIS survey seem to indicate a situation in which the citizens' rights to privacy and methods of safeguarding it are attracting attention, but very little concrete action can be found.

TABLE 1  
COORDINATION AND CONTROL OF INFORMATION SYSTEMS  
ACTIVITIES IN STATE AGENCIES\*

State	Authority	Functions				
		Planning	Design	Programming	Hardware acquisition	Operations
Alabama.....	Statute	C	C	C	A	C
Alaska (a).....	Statute	C/O	C/O	C/O	A	A
Arizona.....	Statute	A	A	A	A	A
Arkansas (b).....	Statute	C/O	C	X	C/O	X
California.....	Statute	C	C	C	C	C
Colorado (c).....	Stat/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	A	C/O
Georgia (a).....	Stat/Exec Ord	C	A	A	A	A
Hawaii.....	Exec Ord	A	C	C	A	A
Idaho.....	Statute	A	C	C	A	A
Illinois (b).....	Statute	A	C	C	A	A
Indiana.....	Statute	A	C	C	A	A
.....	Exec Ord	C	C	C	C	C
.....	None	C	C	C	C	C
Iowa (d).....	Statute	C	C	C	C	A
Kansas (e).....	Statute	C	C	C	C	O
Kentucky (b,e).....	Statute	C	C	C	C	C
Louisiana.....	Statute	C	C	C	C	C
Maine (a,d).....	Statute	A	A	A	A	A
Maryland.....	Stat/Exec Ord	C	C	C	C	C
.....	Admin Reg	..	C	C	C	C
Massachusetts.....	N.A.	C	C	C	C	C
Michigan.....	Stat/Exec Ord	C	C	C	C	C
Minnesota (f).....	Statute	A	C/O	A	A	A
Mississippi.....	Statute	C	C	C	A	C
Missouri.....	Statute	C	C	C	A	C
Montana.....	Statute	..	..	..	A	..
Nebraska.....	Statute	A	A	A	A	A
Nevada.....	Statute	C	A	A	C	C
.....	Admin Reg	..	..	..	..	..
New Hampshire.....	Statute	A (a,d)	A (a,d)	A (a,d)	..	A (a,d)
New Jersey.....	Statute	C	C/O	C/O	C	..
New Mexico.....	Statute	C	C	C	C	C
New York.....	Statute	..	..	..	C	C
.....	Exec Ord/Admin Reg	C	..	..	C	..
North Carolina.....	Statute	C	..	..	C	C
.....	Exec Ord	C	..	..	..	..
.....	Admin Ord	..	X	X	..	..
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.....	Stat/Exec Ord	C	C	C	C	C
Pennsylvania.....	Exec Ord	C	C	C	C	C
Rhode Island.....	Statute	A	A	A	A	A
South Carolina.....	Exec Ord	C	C	C	C	..
South Dakota (e).....	Statute	A	A	A	A	A
Tennessee.....	Exec Ord	C/O	C/O	C	A	A
Texas.....	Statute	C	C	X	C	C
Utah.....	Statute	A	A	A	C	A
Vermont (a).....	Exec Ord	C/O	C/O	C/O	C/O	C/O
Virginia (e).....	Statute	C/O	C	C	C/O	O
Washington.....	Statute	C	..	..	C	..
West Virginia.....	Stat/Exec Ord	A	A	A	A	A
Wisconsin.....	Statute	..	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: 1974-1975 Report*.

**Symbols:**

C—Controlling or coordinating authority.  
O—Execution of the function.  
A—Authority is all-inclusive.  
X—Scope of authority not stated.  
N.A.—Not available.

(a) Excludes employment security.  
(b) Excludes constitutional officers.  
(c) Excludes Judicial Department.  
(d) Excludes highway department.  
(e) Operation control excludes higher education.  
(f) Should be "C" for employment services.  
(g) Excludes adjutant general.

TABLE 2  
EXTERNAL PROBLEMS RELATED TO INFORMATION SYSTEMS\*  
1972-74

Problem category	Aggregate rank			Number of States identifying the category			1974 number of States reporting problems	
	1972(a)	1973(b)	1974(c)	1972	1973	1974	More serious	Less serious
Management understanding.....	1	1	1	35	37	31	5	16
Lack of definitive plan.....	4	2	2	36	38	34	13	9
Management commitment.....	3	3	3	36	37	33	9	14
User unfamiliar with information system.....	5	5	4	35	37	37	7	16
Resistance to consolidation.....	2	4	5	37	38	34	8	22
User agency cooperation.....	6	6	6	34	38	34	7	18
Management interest.....	7	8	7	34	36	31	4	16
Recruitment of qualified personnel.....	8	7	8	35	39	36	12	14
Need for common data base.....	9	9	9	36	37	34	10	12
Lack of standards.....	10	10	10	34	35	32	8	15
Inadequate financing.....	12	12	11	36	36	33	17	9
Need for documentation.....	11	11	12	35	39	33	10	14

\*Source: National Association for State Information Systems, *Information Systems Technology in State Government: 1974-75 Report*.

(a) 39 States reporting.  
(b) 41 States reporting.  
(c) 37 States reporting.

TABLE 3  
INTERNAL PROBLEMS RELATED TO INFORMATION SYSTEMS\*  
1973-74

Problem category	Aggregate rank		Number of States identifying the category		1974 number of States reporting problem	
	1973(a)	1974(b)	1973	1974	More serious	Less serious
Missed programming schedules.....	1	1	35	33	9	17
Cost overruns.....	3	2	33	30	11	12
Programming backlog.....	2	3	36	33	13	10
Inflexibility of programs.....	4	4	34	31	5	14
Costs too high.....	7	5	33	31	9	11
Poor input control.....	8	6	36	29	3	19
Poor system/program documentation.....	6	7	35	29	3	16
Systems design too primitive.....	9	8	35	26	6	13
Missed production schedules.....	5	9	34	28	5	15
Poor operations documentation.....	11	10	33	27	5	15
Inaccurate output.....	10	11	33	30	3	16
Systems design too sophisticated.....	12	12	33	26	2	17

\*Source: National Association for State Information Systems, *Information Systems Technology in State Government: 1974-75 Report*.

(a) 38 States reporting.  
(b) 33 States reporting.

TABLE 4  
SECURITY AND PRIVACY IN INFORMATION SYSTEMS\*  
(45 States reporting)

States reporting	Physical security					
	Total physical security plan				I.D. badges required	Entrance guards required
	Issued	Implemented	Enforced	Audited		
Yes	19	16	14	7	21	13
No	19	17	18	23	17	25

States reporting	Data security					Off-site back-up storage used	S & P documentation included
	Total data security plan						
	Issued	Implemented	Enforced	Audited			
Yes	13	12	9	6	33	15	
No	25	22	24	24	6	16	

States reporting	Confidentiality and privacy					
	Existing status			General legislation has been:		
	Nonexistent	Partial	Sufficient	Introduced	Passed	Vetoed
Yes	7	6	1	8	0	8
No	36	0	0	25	0	0

States reporting	Group is preparing legislation				Action has been initiated by:	
	Legislature	Governor	Exec. agency	Public	Exec. order	Admin. regs.
Yes	14	2	9	1	3	10
No	0	0	0	0	0	0

States reporting	Public conference has been:	
	Held	Scheduled
Yes	9	4
No	26	20

\*Source: National Association for State Information Systems, *Information Systems Technology in State Government: 1974-75 Report*.

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## Employment

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### STATE EMPLOYMENT IN 1974\*

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STATE GOVERNMENT employment and payrolls continued their upward trend in 1974. As of October 1974, state governments employed 3,155,000 persons and had payrolls for that month in excess of \$2.4 billion. These amounts represented 22 percent of civilian employment and 20 percent of civilian payrolls at all levels of government—federal, state, and local—in October 1974. From October 1973 to October 1974, state government employment increased 4.7 percent and their payroll costs increased 11.6 percent; for the four-year period of October 1970 to October 1974, state employment was up 14.5 percent and their payroll costs increased 49.5 percent.

Table 1 presents a summary of state government employment and payrolls since the end of World War II. The more rapid rise in payroll costs during this period is attributable in large part to the adjustments made in rates of pay.

Nearly 22 percent of all state government employees in October 1974, or 685,000, were employed on a part-time basis. When total state government employment is adjusted to a full-time equivalent basis by applying average full-time employee earnings rates to total payrolls, we find that employment on a full-time equivalency basis was 2,653,000 in October 1974—a 4.2 percent increase from October 1973.

\*Adapted by Alan V. Stevens, Chief, Employment Branch, Governments Division, U.S. Bureau of the Census, from the Census report, *Public Employment in 1974*.

#### STATES' SHARE OF CIVILIAN EMPLOYMENT

The state governments' share of civilian employees on all public payrolls—federal, state, and local—in October 1974 increased less than 0.5 percent from October 1973. This small change is caused primarily by the fact that employment at the local government level increased more dramatically during this period. State governments employed only 36.5 percent as many employees as did the approximately 78,000 local governments in October 1974, but at the same time accounted for 9.8 percent more civilian employees than did the federal government. State payrolls were 37.5 percent of local governments' and 26.9 percent less than federal civilian payrolls in October 1974.

The States' share of public employment differs widely among the various functions of government. National defense and international relations and the Postal Service are federal functions involving 12.1 percent of all civilian public employment. Likewise, local governments are primarily responsible for the provision of elementary and secondary education, police and fire protection, local parks and recreation, and public utility services. State governments, however, account for the largest share of public employment engaged in higher education, corrections and natural resources activities, and sizable portions of public employment engaged in highway, public welfare, and health and hospital activities. Table 2 presents a detailed func-

tional distribution of the October 1974 employment and payrolls of state and local governments; the summary below details selected functional categories.

Governmental function	Employees (in thousands)*				
	Total	Federal (civilian)	State and local		
			Total	State	Local
Total .....	14,628	2,874	11,754	3,153	8,600
National defense and international relations ..	1,067	1,067	...	...	...
Postal Service .....	699	699	...	...	...
Education .....	6,188	25	6,163	1,357	4,805
Highways .....	602	5	596	280	316
Health and hospitals .....	1,419	236	1,183	573	610
Police protection .....	652	54	597	69	528
Natural resources .....	438	241	197	161	36
Corrections .....	200	10	190	116	75
Financial administration .....	376	102	274	108	166
General control .....	479	41	438	71	367
All other .....	2,509	393	2,116	420	1,697

\*Because of rounding, detail may not add to totals.

Considerable geographic and interstate variations in the proportion of state and local government employment accounted for by state governments result from the patterns of assigning governmental functions between state and local governments. Nationally, local government employees outnumber state government employees by a ratio of nearly two and three-fourths to one, but in New York the ratio is nearly four and one-half to one. In Hawaii, state government employment exceeds that of local governments by more than three to one—mainly because elementary and secondary school employees are on the state government payroll.

Because of the differing proportions of part-time employees among various areas, the relationship between public employment and population can best be considered in terms of full-time equivalent employment. As shown in Table 3, state and local government employment in October 1974 ranged from a low of 394 per 10,000 inhabitants in Pennsylvania to a high of 730 per 10,000 inhabitants in Alaska—the national average was 466 full-time equivalent employees per 10,000 population. State government employment in October 1974 averaged 126 full-time equivalent employees per 10,000 population, with a low of 90 per 10,000 population in Ohio to a high of 388 per 10,000 population in Alaska.

#### AVERAGE OCTOBER EARNINGS

The average earnings during the month

of October 1974 for all full-time state government employees was \$906 and the average for full-time local government employees was \$895; these figures compare with \$843 for state employees and \$847 for local employees in October 1973. There are of course considerable variations of state and local government full-time employee earnings among the 50 States and among the various governmental functions. Table 4 provides a state-by-state distribution of average October 1974 earnings of full-time state and local government employees.

#### EMPLOYMENT BY INDIVIDUAL STATES

Slightly more than one third of all state government employment and payrolls is accounted for by six States. The States, in descending order of the number of employees, are California, New York, Texas, Pennsylvania, Michigan, and Illinois.

Care must be exercised when comparing employment and payroll data between individual state governments which differ considerably in the scope and intensity of functions performed. Such differences arise from economic, geographic, demographic, and traditional governmental structure factors which influence the total scale of public services provided and their allocation of responsibility between the state and local governments. The governmental functions of education, highways, public welfare, and health and hospitals are functions most frequently affected by these differences.

Table 3 indicates that a relatively high level of state government employment is frequently associated with a relatively low level of local government employment.

#### SOURCES OF ADDITIONAL DATA

The Bureau of the Census publishes annually a report on *Public Employment* which provides additional data on state and local government employment and payrolls by state area, level of government, type of local government, and for the various governmental functions. More extensive detail on all public employment can be obtained from the 1972 Census of Governments, Vol. 3, No. 2, *Compendium of Public Employment*.



TABLE 1  
SUMMARY OF STATE EMPLOYMENT: 1946-74\*

Year	Number of employees (in thousands)						Monthly payrolls (in millions of dollars)			Average monthly earnings of full- time employees		
	Total			Full-time equivalent								
	All	Edu- cation	Other	All	Edu- cation	Other	All	Edu- cation	Other	All	Edu- cation	Other
October:												
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 1974\*

Function	All employees (full-time and part-time) (in thousands)			October payroll (in millions of dollars)			Average monthly earnings of full-time employees
	Total	State govern- ments	Local govern- ments	Total	State govern- ments	Local govern- ments	
All functions	11,754	3,155	8,600	\$8,792	\$2,410	\$6,382	\$ 898
Education	6,163	1,357	4,805	4,580	932	3,647	946
Local schools	4,521	17	4,504	3,466	16	3,450	925
Instructional personnel	2,897	12	2,885	2,722	13	2,709	1,024
Other	1,624	6	1,619	744	3	741	645
Institutions of higher education	1,547	1,246	301	1,034	837	197	1,035
Other education	94	94	...	80	80	...	920
Functions other than education	5,592	1,798	3,794	4,212	1,476	2,735	853
Highways	596	280	316	451	238	212	803
Public welfare	327	144	183	240	111	130	762
Hospitals	991	489	502	674	355	319	721
Health	192	84	108	159	77	82	885
Police protection	597	69	528	531	70	461	999
Local fire protection	290	...	290	225	...	225	1,068
Natural resources	197	161	36	143	122	21	849
Corrections	190	116	75	169	104	65	914
Financial administration	274	108	166	198	92	106	817
General control	438	71	367	282	68	214	893
Local utilities	313	...	313	300	...	300	1,001
All other	1,187	276	910	840	239	600	844

\*Source: Bureau of the Census, *Public Employment* in 1974.

Note: Statistics for local governments are subject to sampling variation. Because of rounding, detail may not add to totals.

TABLE 3  
NUMBER OF STATE AND LOCAL GOVERNMENT EMPLOYEES:  
OCTOBER 1974\*

State or other jurisdiction	All employees (full-time and part-time)		Full-time equivalent employment of state and local governments					
			Number			Number per 10,000 population		
	State	Local	Total	State	Local	Total	State	Local
United States.....	3,154,734	8,599,668	9,851,574	2,653,259	7,198,315	466	126	341
Alabama.....	59,452	119,899	157,127	51,017	106,110	439	143	297
Alaska.....	13,823	13,468	24,596	13,068	11,528	730	388	342
Arizona.....	36,522	87,891	103,910	29,083	74,827	483	135	348
Arkansas.....	34,130	67,548	84,528	29,063	55,465	410	141	269
California.....	262,852	987,154	1,017,061	212,840	804,221	486	102	385
Colorado.....	50,093	109,907	128,848	39,120	89,728	516	157	359
Connecticut.....	45,996	104,150	127,360	39,394	87,966	412	128	285
Delaware.....	17,114	17,873	32,798	16,507	16,291	572	288	284
Florida.....	101,116	334,021	389,432	91,234	298,198	481	113	369
Georgia.....	79,100	197,074	245,934	70,928	175,006	504	145	358
Hawaii.....	35,452	10,853	38,983	28,926	10,057	460	342	119
Idaho.....	17,533	32,271	39,821	14,196	25,625	498	178	321
Illinois.....	138,571	452,692	478,879	113,485	365,394	430	102	328
Indiana.....	73,709	197,165	218,675	54,304	164,371	410	102	308
Iowa.....	44,494	121,885	132,281	36,421	95,860	463	128	336
Kansas.....	44,733	101,072	114,126	35,096	79,030	503	155	348
Kentucky.....	58,936	101,148	136,909	51,659	85,250	408	154	254
Louisiana.....	75,115	138,637	184,937	61,774	123,163	491	164	327
Maine.....	19,179	36,676	46,410	17,380	29,030	443	166	277
Maryland.....	64,951	148,904	196,469	61,117	135,352	480	149	331
Massachusetts.....	77,640	237,140	264,328	69,725	194,603	456	120	336
Michigan.....	139,728	387,927	409,426	106,957	302,469	450	118	333
Minnesota.....	61,644	171,422	184,255	48,100	136,155	470	123	348
Mississippi.....	39,026	88,456	108,533	33,305	75,228	467	143	324
Missouri.....	67,926	174,693	204,594	55,926	148,668	428	117	311
Montana.....	17,499	30,307	39,130	14,415	24,715	532	196	336
Nebraska.....	32,306	74,286	84,582	26,313	58,269	548	171	378
Nevada.....	10,678	24,826	30,427	8,786	21,641	531	153	378
New Hampshire.....	15,131	31,261	34,624	12,283	22,341	429	152	276
New Jersey.....	78,584	295,565	319,324	69,813	249,511	436	95	340
New Mexico.....	28,429	41,260	60,871	23,873	36,998	543	213	330
New York.....	202,716	939,799	1,002,764	188,416	814,348	554	104	450
North Carolina.....	86,860	182,446	230,269	77,047	153,222	429	144	286
North Dakota.....	14,478	36,968	29,328	10,338	18,990	460	162	298
Ohio.....	119,148	415,814	430,999	96,491	334,508	401	90	312
Oklahoma.....	55,005	97,379	128,250	44,950	83,300	473	166	307
Oregon.....	47,786	99,848	116,358	36,988	79,370	513	163	350
Pennsylvania.....	147,720	401,715	466,053	131,009	335,044	394	111	283
Rhode Island.....	20,204	27,180	41,213	17,535	23,678	440	187	253
South Carolina.....	54,902	97,302	132,072	48,403	83,669	474	174	301
South Dakota.....	14,491	29,636	32,973	11,321	21,652	483	166	317
Tennessee.....	63,508	150,960	193,149	55,221	137,928	468	134	334
Texas.....	162,633	464,059	547,346	135,707	411,639	454	113	342
Utah.....	28,934	44,223	58,977	25,181	33,796	503	215	288
Vermont.....	12,504	19,239	23,259	10,007	13,252	495	213	282
Virginia.....	95,625	178,144	237,937	79,831	158,106	485	163	322
Washington.....	76,960	140,945	174,591	57,652	116,939	502	166	336
West Virginia.....	38,096	54,762	81,857	33,167	48,690	457	185	272
Wisconsin.....	62,996	203,574	207,441	50,438	157,003	454	110	344
Wyoming.....	8,706	19,051	22,382	7,449	14,933	623	207	416
District of Columbia.....		59,193	55,178		55,178	763		763

\*Source: Bureau of the Census, *Public Employment in 1974*.

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 1974\*

State or other jurisdiction	Amount of October payroll (thousands of dollars)			Percent of October payroll		Average earnings of full- time state and local government employees		
	Total	State government	Local government	State government	Local government	All	Education employees	Other
United States.....	\$8,791,522	\$2,409,531	\$6,381,992	27.4	72.6	\$ 898	\$ 946	\$ 853
Alabama.....	109,705	41,489	68,215	37.8	62.2	705	756	664
Alaska.....	31,130	15,965	15,166	51.3	48.7	1,267	1,332	1,218
Arizona.....	98,698	29,042	69,656	29.4	70.6	956	1,020	889
Arkansas.....	53,075	21,244	31,830	40.0	60.0	635	685	582
California.....	1,134,660	242,287	892,374	21.4	78.6	1,119	1,148	1,096
Colorado.....	110,181	37,943	72,238	34.4	65.6	864	884	841
Connecticut.....	122,079	36,216	85,863	29.7	70.3	962	1,029	888
Delaware.....	25,016	11,580	13,436	46.3	53.7	760	741	786
Florida.....	328,479	81,630	246,850	24.9	75.1	846	900	801
Georgia.....	173,217	56,403	116,813	32.6	67.4	711	735	693
Hawaii.....	40,423	30,475	9,947	75.4	24.6	1,035	1,100	983
Idaho.....	28,572	11,461	17,111	40.1	59.9	722	764	683
Illinois.....	483,116	110,962	372,154	23.0	77.0	1,014	1,101	927
Indiana.....	167,670	44,673	122,998	26.6	73.4	773	863	672
Iowa.....	108,200	34,164	74,036	31.6	68.4	824	879	758
Kansas.....	83,410	28,113	55,297	33.7	66.3	736	785	686
Kentucky.....	95,221	37,855	57,366	39.8	60.2	706	761	648
Louisiana.....	125,238	45,770	79,468	36.5	63.5	681	721	642
Maine.....	33,723	13,568	20,155	40.2	59.8	733	744	721
Maryland.....	182,337	54,949	127,387	30.1	69.9	932	982	880
Massachusetts.....	245,023	61,040	183,982	24.9	75.1	933	986	891
Michigan.....	434,187	111,871	322,287	25.8	74.2	1,068	1,128	996
Minnesota.....	174,205	49,034	125,172	28.1	71.9	952	1,014	877
Mississippi.....	66,738	23,589	43,150	35.3	64.7	622	672	575
Missouri.....	158,848	45,180	113,668	28.4	71.6	782	821	743
Montana.....	31,138	12,582	18,555	40.4	59.6	797	863	723
Nebraska.....	63,619	21,050	42,569	33.1	66.9	754	784	724
Nevada.....	29,019	8,652	20,367	29.8	70.2	956	946	963
New Hampshire.....	26,199	10,131	16,068	38.7	61.3	764	798	729
New Jersey.....	314,616	71,743	242,873	22.8	77.2	989	1,109	871
New Mexico.....	44,232	18,241	25,991	41.2	58.8	730	754	703
New York.....	1,068,163	194,922	873,242	18.2	81.8	1,072	1,182	1,003
North Carolina.....	176,867	62,866	114,001	35.5	64.5	779	833	722
North Dakota.....	21,694	8,482	13,212	39.1	60.9	752	780	714
Ohio.....	369,441	89,119	280,322	24.1	75.9	862	893	830
Oklahoma.....	86,377	32,868	53,509	38.1	61.9	678	729	631
Oregon.....	104,083	34,413	69,670	33.1	66.9	896	906	885
Pennsylvania.....	417,124	123,409	293,715	29.6	70.4	900	944	861
Rhode Island.....	36,724	14,882	21,842	40.5	59.5	895	1,001	798
South Carolina.....	88,941	36,280	52,661	40.8	59.2	684	726	639
South Dakota.....	23,100	9,054	14,045	39.2	60.8	711	738	679
Tennessee.....	134,830	41,161	93,669	30.5	69.5	704	767	652
Texas.....	406,558	111,014	295,544	27.3	72.7	746	782	706
Utah.....	44,276	19,278	24,999	43.5	56.5	761	759	764
Vermont.....	18,201	8,613	9,588	47.3	52.7	793	805	781
Virginia.....	186,317	64,368	121,949	34.5	65.5	785	833	729
Washington.....	167,800	57,681	110,119	34.4	65.6	963	1,004	924
West Virginia.....	35,215	23,002	32,213	41.7	58.3	665	734	585
Wisconsin.....	189,293	53,194	136,100	28.1	71.9	919	962	869
Wyoming.....	16,868	6,025	10,843	35.7	64.3	761	823	700
District of Columbia.....	57,706	.....	57,706	.....	100.0	1,047	1,080	1,034

\*Source: Bureau of the Census, *Public Employment in 1974*.

Note: Statistics for local governments are subject to sampling variation. Because of rounding, detail may not add to totals.

TABLE 5

STATE GOVERNMENT EMPLOYEES (FULL-TIME EQUIVALENT),  
TOTAL AND FOR SELECTED FUNCTIONS, BY STATE: OCTOBER 1974\*

State	Education			Selected functions other than education							
	All functions	Institutions of higher education	Other education	Highways	Public welfare	Hospitals	Health	Police protection	Natural resources	Financial administration	General control
All States...	2,653,259	827,005	101,600	277,182	141,503	471,860	81,493	68,530	141,402	105,287	62,997
Alabama.....	51,017	17,172	3,213	5,931	3,326	9,610	1,051	815	2,731	1,074	766
Alaska.....	13,068	2,205	1,942	1,618	502	425	316	313	998	537	944
Arizona.....	29,083	10,824	888	3,790	1,603	3,798	358	1,270	1,519	962	648
Arkansas.....	29,063	8,322	2,341	3,758	1,587	4,073	1,404	579	2,586	985	546
California.....	212,840	79,329	4,404	16,318	1,437	21,857	6,337	9,913	10,440	13,886	2,602
Colorado.....	39,120	19,519	564	2,878	902	4,756	516	787	1,707	1,825	1,475
Connecticut...	39,394	8,395	2,020	4,126	1,913	8,679	939	1,172	1,054	1,456	2,318
Delaware.....	16,507	7,147	235	1,332	1,064	1,661	747	576	760	517	737
Florida.....	91,234	21,747	2,641	7,194	5,893	13,462	5,914	2,148	6,609	3,983	4,308
Georgia.....	70,928	22,545	3,267	7,957	4,720	12,230	3,868	1,562	4,783	1,242	1,723
Hawaii.....	28,926	5,257	12,945	834	525	2,092	1,162	.....	1,137	724	1,000
Idaho.....	14,196	4,059	471	1,567	784	922	1,386	247	2,110	585	276
Illinois.....	113,485	36,410	2,492	7,425	11,681	21,937	2,220	2,426	4,218	3,898	3,148
Indiana.....	54,304	24,751	2,198	5,286	773	10,065	592	1,359	2,067	1,583	689
Iowa.....	36,421	12,817	1,384	4,006	2,418	6,197	607	1,212	2,122	979	578
Kansas.....	35,096	13,013	778	4,029	2,395	6,399	477	564	2,249	1,063	407
Kentucky.....	51,659	14,515	5,240	8,235	3,472	5,737	1,099	1,284	4,406	1,167	721
Louisiana.....	61,774	16,192	2,125	7,259	4,528	15,322	1,552	1,116	4,232	2,196	1,082
Maine.....	17,380	4,055	965	3,171	753	1,904	371	402	1,865	712	417
Maryland.....	61,117	19,560	1,847	4,664	865	11,955	3,082	2,050	2,442	3,030	2,173
Massachusetts	69,725	13,963	1,130	6,178	6,860	18,418	1,623	1,689	2,435	4,289	2,074
Michigan.....	106,957	45,812	2,485	4,738	10,557	17,855	1,501	2,759	4,127	3,540	1,858
Minnesota.....	48,100	20,009	926	5,195	627	8,815	1,230	774	2,723	1,517	872
Mississippi.....	33,305	10,184	1,510	3,476	2,026	5,878	1,583	830	3,242	890	374
Missouri.....	55,926	14,593	1,541	6,672	5,667	13,589	1,431	1,588	3,239	1,875	1,227
Montana.....	14,415	4,832	403	1,893	880	1,456	322	315	1,235	914	267
Nebraska.....	26,313	11,794	701	2,542	908	3,981	304	511	1,921	667	676
Nevada.....	8,786	2,583	258	1,293	559	328	308	200	640	732	308
New Hampshire...	12,283	3,799	455	1,772	703	1,809	361	272	720	455	230
New Jersey.....	69,813	16,243	1,949	7,975	3,638	13,960	1,911	3,697	2,127	2,815	2,742
New Mexico...	23,873	9,152	737	3,027	1,507	2,082	720	642	1,401	1,022	961
New York.....	188,416	30,107	6,857	17,762	1,580	60,422	8,510	4,639	7,843	11,571	5,677
N. Carolina.....	77,047	24,553	3,101	11,808	1,139	13,168	1,064	2,040	4,188	1,848	3,487
North Dakota...	10,338	4,317	367	1,059	250	1,436	184	139	848	369	143
Ohio.....	96,491	34,459	1,804	10,089	1,297	18,716	2,013	2,122	4,984	3,789	1,774
Oklahoma.....	44,950	15,243	1,459	3,530	5,868	7,301	999	1,004	2,251	1,105	1,035
Oregon.....	36,988	11,320	970	3,661	3,328	4,371	625	1,106	3,074	1,776	985
Pennsylvania...	131,009	21,263	2,346	20,205	12,432	30,738	2,693	4,928	5,802	6,488	2,828
Rhode Island...	17,535	4,283	1,025	901	1,721	3,289	915	236	455	767	709
S. Carolina.....	48,403	11,458	4,868	5,275	3,390	8,783	3,218	1,097	2,685	1,413	413
South Dakota...	11,321	3,585	315	1,521	910	1,332	299	314	902	338	307
Tennessee.....	55,221	16,538	2,811	6,008	3,601	9,990	2,773	899	3,904	1,967	954
Texas.....	135,707	49,570	3,966	17,426	10,893	23,313	4,631	1,730	6,307	2,828	1,525
Utah.....	25,181	13,328	727	2,099	781	2,625	398	420	1,344	803	386
Vermont.....	10,007	3,126	326	1,134	502	1,064	332	377	798	482	368
Virginia.....	79,831	24,335	2,514	12,445	237	16,077	5,056	1,531	3,323	2,095	1,607
Washington.....	57,652	23,890	1,098	5,447	4,410	6,514	523	1,192	3,602	2,203	734
West Virginia...	33,167	8,039	1,271	7,399	2,613	5,109	779	707	2,046	889	310
Wisconsin.....	50,438	24,666	1,519	2,023	1,076	5,570	989	784	2,406	2,923	1,449
Wyoming.....	7,449	2,127	198	1,251	402	790	200	191	795	513	159

\*Source: Bureau of the Census, *Public Employment in 1974*.

Note: Because of rounding, detail may not add to totals.

TABLE 6

STATE GOVERNMENT PAYROLLS, TOTAL AND FOR SELECTED  
FUNCTIONS, BY STATE: OCTOBER 1974\*  
(In thousands of dollars)

State	All functions	Education		Selected functions other than education							
		State institutions of higher education	Other education	High- ways	Public welfare	Hos- pitals	Health	Police protection	Natura resources	Finan- cial admin- istration	General control
All States...	\$2,409,531	\$836,665	\$95,987	\$238,354	\$110,508	\$355,045	\$77,366	\$69,898	\$122,190	\$91,896	\$67,987
Alabama.....	41,489	15,442	2,570	4,070	2,454	7,469	904	680	2,182	892	740
Alaska.....	15,965	2,985	2,423	1,971	509	417	361	510	1,217	642	1,267
Arizona.....	29,042	13,212	822	3,515	1,371	2,692	350	1,319	1,346	743	679
Arkansas.....	21,244	7,113	1,733	2,624	1,048	2,378	911	451	1,696	647	482
California.....	242,287	90,314	4,915	19,333	1,351	21,894	9,640	10,829	12,633	14,018	3,354
Colorado.....	37,943	19,203	573	2,961	914	3,918	512	757	1,927	1,566	1,537
Connecticut...	36,216	9,221	2,071	3,534	1,475	6,779	928	1,162	1,045	1,236	2,423
Delaware.....	11,580	4,212	262	1,127	763	1,011	607	555	525	367	657
Florida.....	81,630	23,989	2,483	5,993	4,416	9,590	5,072	1,953	5,577	3,196	5,169
Georgia.....	56,403	18,225	2,693	6,054	4,099	8,542	3,124	1,351	3,503	1,099	1,696
Hawaii.....	30,475	6,164	13,821	888	422	1,673	1,221	...	1,153	749	1,127
Idaho.....	11,461	3,559	403	1,398	598	481	978	205	1,684	468	326
Illinois.....	110,962	41,280	2,760	7,226	9,827	17,824	2,403	2,716	3,424	3,346	3,994
Indiana.....	44,673	22,502	1,949	3,607	596	6,536	634	1,343	1,649	1,208	673
Iowa.....	34,164	13,947	1,193	3,981	1,937	4,695	516	1,175	1,579	810	692
Kansas.....	28,113	11,572	618	3,140	1,717	4,080	401	647	1,842	816	420
Kentucky.....	37,855	12,545	4,005	5,698	2,348	3,193	920	1,086	2,464	905	688
Louisiana.....	45,770	13,669	1,741	5,172	3,293	9,442	1,186	801	3,835	1,503	882
Maine.....	13,568	3,212	831	2,516	555	1,385	305	333	1,419	492	388
Maryland.....	54,949	16,981	1,963	4,065	615	9,318	2,758	2,237	2,377	2,954	2,494
Massachusetts	61,040	14,284	1,004	5,993	5,175	13,523	1,466	1,819	2,038	3,529	2,033
Michigan.....	111,871	50,924	2,624	5,363	9,880	15,904	1,742	3,295	4,407	3,460	2,418
Minnesota.....	49,034	23,053	964	5,229	628	7,185	1,172	880	2,645	1,326	990
Mississippi.....	23,589	8,329	1,112	2,341	1,285	2,748	1,105	754	2,342	690	395
Missouri.....	45,180	14,678	1,291	5,294	3,465	9,457	1,112	1,447	2,936	1,074	1,204
Montana.....	12,582	4,927	341	1,793	583	955	285	268	1,023	629	290
Nebraska.....	21,050	10,892	519	1,840	577	2,124	239	451	1,435	508	572
Nevada.....	8,652	2,641	219	1,352	496	268	295	229	670	650	356
New Hampshire	10,131	3,280	402	1,581	533	1,137	336	264	621	348	237
New Jersey.....	71,743	21,690	2,148	8,250	3,124	11,054	1,840	3,922	1,837	2,481	3,356
New Mexico...	18,241	7,304	587	2,105	950	1,284	562	583	1,124	786	903
New York.....	194,922	35,987	7,875	17,392	1,740	56,118	9,511	5,668	7,370	11,094	6,816
North Carolina	62,866	20,838	2,695	8,995	857	9,394	1,065	1,989	3,539	1,628	2,916
North Dakota...	8,482	3,888	296	1,935	202	794	144	109	771	267	148
Ohio.....	89,119	35,763	1,723	9,149	1,152	14,195	1,992	1,910	4,165	3,442	1,972
Oklahoma.....	32,868	12,814	1,280	2,591	3,973	3,966	860	780	1,371	694	1,029
Oregon.....	34,413	12,033	862	3,331	2,754	3,744	593	1,080	2,610	1,398	1,015
Pennsylvania...	123,409	24,090	2,573	17,702	11,044	25,423	2,751	5,727	5,501	5,350	2,854
Rhode Island...	14,882	4,017	934	604	1,376	2,491	801	286	324	606	655
South Carolina	36,280	9,833	4,367	3,263	2,110	5,558	2,289	887	1,714	1,024	392
South Dakota...	9,054	3,227	245	1,281	624	727	224	270	784	260	246
Tennessee.....	41,161	14,767	2,267	3,978	2,377	5,715	2,247	764	2,485	1,454	1,027
Texas.....	111,014	47,158	3,213	14,607	7,409	13,416	3,899	1,505	4,566	2,784	1,753
Utah.....	19,278	9,926	612	1,899	628	1,470	367	388	950	583	390
Vermont.....	8,613	2,939	280	984	399	709	287	380	686	347	379
Virginia.....	64,368	24,189	2,007	8,618	204	9,617	4,198	1,370	2,750	1,512	1,053
Washington...	57,681	26,426	1,097	5,269	3,826	4,973	504	1,208	4,219	2,311	810
West Virginia...	23,002	7,898	886	4,440	1,567	2,480	543	540	1,339	570	229
Wisconsin.....	53,194	27,654	1,576	2,146	1,001	4,840	1,042	852	2,268	3,026	1,692
Wyoming.....	6,025	1,869	160	1,155	263	457	161	165	622	409	169

\* Source: Bureau of the Census, *Public Employment in 1974*.

Note: Because of rounding, detail may not add to totals.

## Section IV

# CONSTITUTIONS AND LEGISLATION

1. Constitutions
2. Legislation

# Constitutions

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## STATE CONSTITUTIONS AND CONSTITUTIONAL REVISION, 1974-1975

BY ALBERT L. STURM\*

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THE BICENTENNIAL of American independence is coincident with that of the first state constitutions. It is appropriate, therefore, on the occasion of the commemoration of this significant event to preface analysis of constitutional change during the past two years with a brief general perspective of the use and development of American state constitutions.<sup>1</sup> Since 1776, the States have operated under at least 144 constitutions, eight of which were drafted in the year of American independence. A few States made alterations in their colonial charters and used them as constitutions. These first documents inaugurated a line of development that has provided the States with more collective experience in political constitution-making than the rest of the world combined until the accession of new countries to nationhood during the last decade.

Analysis of the data in Table 1 on page 174 indicates that 19 States have had only one constitution, of which five were products of the twentieth century; of the remaining 14, all date from the nineteenth century except the Massachusetts document (1780). Nine States have had two constitutions; four States have had three constitutions; nine have had four; and

three States have operated under five constitutions.

The South leads all sections of the country in constitution-making, and it is noteworthy that all States that have adopted six or more constitutions are southern. Louisiana leads all States with 11 constitutions. Georgia ranks second having operated under eight; South Carolina is next with seven, and then Alabama, Florida, and Virginia with six. The Civil War and Reconstruction periods account for many constitutional changes in the South.

The effective date and age of state constitutions range downward from the 196-year-old Massachusetts constitution operative since 1780 to Louisiana's eleventh organic law which became effective January 1, 1975. At the beginning of 1976, the average age of state constitutions was approximately 84 years, and the median, 86 years—the age of the Idaho, Mississippi, and Wyoming documents which became effective in 1890. Only three New England States have basic laws that date from the eighteenth century: Massachusetts (1780), New Hampshire (1784), and Vermont (1793). Twenty-nine of the present constitutions, almost three fifths, were written and adopted during the nineteenth century; of these, 15 date from the last quarter of the century.

Eighteen state constitutions are products of the twentieth century. Four were adopted from 1901 through 1912, and 14 in the last 30 years, 1945-75. Eight became effective during 1965-75.

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<sup>1</sup>Much of the following analysis is adapted from the writer's *Thirty Years of State Constitution-Making: 1938-1968* (New York: National Municipal League, 1970).

Thus, in the bicentennial year, 32 States, more than three fifths, are operating with constitutions that antedate 1900. Most typical of these are the 19 documents written and adopted during the 35 years from the Civil War to the turn of the century. In their lengthy provisions these constitutions reflect the problems and popular pressures of the times in which they were drafted more than the earlier basic instruments of American state government.

The original state constitutions were short, rarely containing more than 5,000 words, demonstrating the principle that the basic law should be restricted to fundamental matters.<sup>2</sup> Subsequent developments produced many changes reflecting new conditions, issues, and problems of the growing Nation. The diversity and complexity of functional growth account for much verbiage in state constitutions, exemplified in such areas as finance, education, regulation of economic enterprise, health, and welfare.

Significant factors that have contributed to the increase in length, detail, and restrictive contents of state constitutions include: population growth and urbanization; expansion of popular participation in public affairs through extension of the suffrage, increase in the number of elective officers, and adoption of the initiative and referendum in some States; industrialization; technological development, particularly in transportation and communication; and resultant growth in the magnitude and complexity of state functions and responsibilities. Also of primary importance is the change in the people's conception of the proper role of government in modern society. The extensive protective, regulatory, and service activities of the States in 1976 clearly manifest the growth of popular demand for positive government.

In large measure the dynamic factors contributing to big government account

for the length and detail of state constitutions. New functions and programs require expanded governmental machinery, much of which has a constitutional basis. Much detail is attributable to distrust of Legislatures. Pressure of special interests for constitutional status, faulty drafting, and the tendency of lengthy constitutions to breed more amendatory detail are other reasons for the length of state constitutions.

Table 1 indicates that at the end of 1975 the estimated length of state constitutions ranged from 600,000 words (including 832 amendments of which 685 are local) in the Georgia constitution down to 6,600 words in the Vermont document, which is one of the oldest. Average estimated length of the 50 documents was 36,661 words. If the Louisiana document is excluded in computing the average, the figure drops to 25,951, which is approximately three and one half times the length of the Constitution of the United States with its 26 Amendments. The median of estimated length falls between the 21,500 and 21,200 words of the Pennsylvania and Wyoming documents, respectively.

Since midcentury, more official attention has been given to revising and modernizing state constitutions than during any comparable period since the Reconstruction era. Yet, despite effective constitutional reform in approximately one third of the States during the last two decades, major weaknesses remain in others that seriously handicap the States in effectively discharging their responsibilities in the federal system. In the bicentennial year, therefore, efforts continue to achieve optimum stability and flexibility in state constitutions.

#### METHODS OF CHANGING CONSTITUTIONS

Tables 2, 3, and 4 on pages 175 to 177 summarize major constitutional provisions for the three principal methods of changing state constitutions, effective December 31, 1975. These include proposal by the Legislature, the constitutional initiative, and the constitutional convention. In addition, the Florida constitution expressly authorizes use of a constitutional commission to initiate constitu-

<sup>2</sup>For early state constitutional development, see Allan Nevins, *The American States During and After the Revolution, 1776-1789* (New York: The Macmillan Company, 1924. Reprinted in 1969 by Augustus M. Kelley, Publishers, New York), Chs. IV, "The Writing of the State Constitutions," and V, "The Constitutions in Operation: Their Revision."



tional changes and to submit them directly to the electorate. Usually constitutional commissions serve as auxiliary bodies to study constitutions and recommend changes to the Legislature. The following paragraphs summarize salient constitutional provisions for the three methods used most often in altering state constitutions.

As indicated in Table 2, proposal of constitutional changes by the Legislature is authorized in all the States, American Samoa, and Puerto Rico. The most usual vote required to propose amendments is two thirds of elected members (18 States and Puerto Rico), followed by a simple majority (17 States), and three fifths (9 States and American Samoa). Action by two sessions of the law-making body is required in 12 States. Most States (43 plus American Samoa and Puerto Rico) require a simple majority of the vote on the proposal for adoption. Use of the legislative proposal method, like the others, involves wide variation in procedural detail.

The constitutions of 17 States provide for use of the constitutional initiative in proposing amendments. In Illinois, only the legislative article may be altered by initiative petition. Sixteen States specify a number of signatures on initiative petitions equal to a required percentage of total votes cast for various offices or in a particular election; these range from 3 percent of the total votes cast for Governor at the last election (Massachusetts)

to 15 percent of the same base (Arizona). In North Dakota, the requirement is 20,000 signatures of electors. Massachusetts is the only State in which constitutional initiative measures must be approved by the law-making body (General Court) before submission to the voters. Requirement for electorate approval in most States is a majority voting on the proposal.

The constitutions of all but nine States contain provisions for calling constitutional conventions. In six States the Legislature may call a constitutional convention without popular referendum. The legislative vote specified for submission of the convention question to the electorate is a simple majority in 15 States and Puerto Rico. As shown in Table 4, there are numerous variations in requirements both for submission of the convention question to the electorate and in the specified popular majority to authorize a convention. A simple majority voting on the question is most common, applying to 23 States and Puerto Rico; seven constitutions specify a majority voting in the election. Periodic submission of the convention question to the voters is required in 14 States, the specified interval between required submissions ranging from 10 years in five States, to 16 years in Michigan, to 20 years in the remaining eight States. Like the procedure for other methods, the popular vote most often specified for ratification of convention proposals is a majority voting on the issue.

TABLE A

### STATE CONSTITUTIONAL CHANGES BY METHOD OF INITIATION 1970-71, 1972-73, 1974-75

Method of initiation	Number of States involved			Total proposals			Total adopted			Percentage adopted		
	1970-71	1972-73	1974-75	1970-71	1972-73	1974-75	1970-71	1972-73	1974-75	1970-71	1972-73	1974-75
All methods	48	47	48	403	530	352	224	368	257	55.6	69.4	73.0
Legislative proposal	47	46	47	392	497	332	222	356	245	56.6	71.6	73.8
Constitutional initiative	4	7	7	5	16	13	1	3	8	20.0	18.8	61.5
Constitutional convention	2	4	2	6	17	7	1	9	4	16.7	52.9	57.1

All authorized methods of change may be used to initiate piecemeal amendments, but proposal by the state law-making body is by far the most used technique. More extensive revision and the rewriting of state constitutions may also be proposed by the Legislature, but the traditional method for a general overhaul in American States is the constitutional convention; these bodies may be unlimited or limited in their authority to act. Submission to the voters of all legislative and initiative proposals for constitutional change is required in every State except Delaware, where legislative action only is necessary.

#### USE OF AUTHORIZED METHODS

Table A summarizes state constitutional changes by the three methods of formal initiation used during 1974-75 and the two preceding biennia. Included are totals of proposals, adoptions, percentages of adoptions, and the aggregates for all methods. All States except Rhode Island and Tennessee were involved in formal constitutional change during 1974-75. Totals for all methods in this biennium were approximately one-third fewer than during 1972-73, reflecting the diminishing official attention to constitutional revision following the heavy emphasis on modernizing constitutions in the preceding decade. The percentage of adoptions, however, improved over the last biennium.

*Legislative Proposals.* As always, state law-making bodies initiated the vast majority of proposed alterations during 1974-75. Only Louisiana, Rhode Island, and Tennessee failed to use this method. Since legislative proposals comprise such a large proportion of the total by all methods, the trends stated above apply

generally to them. Although legislative proposals diminished in number, the concern of state law-making bodies for the subject remained relatively high. In 45 States, one or more proposals initiated by the Legislature were adopted; in 17 of these the electorate approved all such proposals. The number of proposals ranged from one each in six States to 79 (13 general, 66 local) in Georgia. The tabulation below indicates the number of proposals and adoptions in the States that made greatest use of this method during 1974-75.

*Constitutional Initiative Proposals.* The constitutional initiative, which is designed to propose limited alterations that have substantial popular support when Legislatures fail to act, is inappropriate for proposing extensive constitutional change. Not only does the constitutional initiative have limited use, but proposals that originate by popular petition often lack the necessary political support to assure their success. Thus, the rate of adoption is usually substantially lower than for legislative proposals.

Table A indicates that eight, or 61.5 percent, of the 13 initiative measures proposed in seven States during 1974-75 were adopted. The numbers proposed and adopted in each State were: Arizona (1-1), Arkansas (1-0), Colorado (4-4), Massachusetts (1-1), Michigan (1-1), Montana (1-1), and Ohio (4-0). All initiative measures were adopted in five States, and none in the other two States. The substance of the four initiatives in Ohio was included in the constitutional amendments proposed by Governor James A. Rhodes, who took office in January 1975. When the General Assembly failed to approve them, he used the initiative method to get the four measures on the ballot in

<i>State</i>	<i>Proposals</i>	<i>Adoptions</i>
Georgia	13 general, 66 local	9 general, 55 local
South Carolina	6 general, 23 local	6 general, 21 local
California	18 general, 2 local	13 general, 2 local
Oklahoma	16 general	10 general
Oregon	16 general	7 general
Maryland	8 general, 5 local	7 general, 4 local

TABLE B  
SUBSTANTIVE CHANGES IN STATE CONSTITUTIONS  
PROPOSED AND ADOPTED  
1970-71, 1972-73, 1974-75

Subject matter	Total proposed			Total adopted			Percentage adopted		
	1970- 71	1972- 73	1974- 75	1970- 71	1972- 73	1974- 75	1970- 71	1972- 73	1974- 75
Proposals of statewide applicability	300	389	253	176	275	172	58.2	70.7	67.9
Bill of Rights	13	26	9	11	22	6	84.6	84.6	66.7
Suffrage and elections	39	34	23	23	24	20	59.0	70.6	86.9
Legislative branch	42	46	40	19	25	27	45.2	54.3	67.5
Executive branch	27	36	34	22	25	20	81.5	69.4	58.8
Judicial branch	17	35	20	11	26	19	64.7	74.3	95.0
Local government	21	30	13	15	23	12	71.4	76.7	92.3
Taxation and finance	50	85	49	29	56	33	58.0	65.9	67.3
State and local debt	25	24	18	10	15	6	40.0	62.5	33.3
State functions	46	40	23	26	36	16	56.5	90.0	69.6
Amendment and revision	13	19	8	7	12	7	53.8	63.1	87.5
General revision proposals	7	2	12	3	1	3	42.9	50.0	25.0
Miscellaneous provisions	—	12	4	—	10	3	—	83.3	75.0
Local amendments	103	141	99	48	93	85	46.6	65.9	85.9

the 1975 general election. Adoption rate for 1974-75 more than tripled that for the preceding biennia shown in Table A.

*Substantive Changes.* Table B classifies constitutional changes during 1974-75 and the two preceding biennia by subject matter. All proposals are grouped under two major categories: first, those of general statewide applicability, which include all proposed changes in all except five States; and, second, proposed local amendments in Alabama (3), California (2), Georgia (66), Maryland (5) and South Carolina (23), which affect 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 percentage of adoptions of proposals of statewide applicability decreased in 1974-75 to 67.9 percent compared with the 70.7 percent of adoptions during 1972-73, but remained substantially higher than the 58.2 percent of the 1970-71 biennium.

The largest number of proposed changes during each of the three biennia shown in Table B was in the area of state and local finance, including taxation, debt, and financial administration. The total number of proposals in this area decreased from the high of 109 during 1972-73 to 67, the lowest number in any of the three biennia. The percentage of adoptions remained among the lowest of all categories, 58.2 percent in 1974-75, compared with 65.1 percent during the preceding biennium. Generally, the voters continued to show greatest resistance to local debt proposals; however, as in previous biennia, they approved proposals related to both debt and taxation that involved benefits to veterans, low-income elderly, and most financial benefits relating to education.

The same rank order of proposals for constitutional change in the three branches of government occurred during 1974-75 as in the two preceding biennia. The legislative branch led in the number of proposals, followed by the executive

and the judiciary. In percentage of adoptions, the judicial branch led the others during 1974-75 with 95 percent, the highest percentage for proposals in any category, followed by the legislative branch with 67.5 percent and the executive branch with 58.8 percent. During 1974-75 the legislative branch exceeded the executive branch in percentage of adoptions, reversing the order in the two preceding biennia. The adoption rate of proposals related to the judiciary rose consistently during the three recent biennia (64.7 percent, 1970-71; 74.3 percent, 1972-73; 95 percent, 1974-75).

Most changes approved in the legislative branch provided for open legislative meetings and apportionment. Rejected most often were proposals related to compensation of legislators. Reversing the trend toward annual sessions, Montana voters approved an initiative measure substituting biennial for annual sessions which were authorized in the constitution adopted in 1972. Most adopted changes in the executive branch related to administration; the only two regarding joint election of Governor and Lieutenant Governor were approved. Rejections included the only proposals for increasing the Governor's salary, removal of the Lieutenant Governor as presiding officer of the Senate, and a general revision of the executive article. Most approved alterations in judicial articles related to judicial organization and establishment of, or changes in powers and duties of, judicial qualifications commissions. Three of four revised articles were adopted.

The number of proposed changes in bills of rights decreased during 1974-75, as did the percentage of adoptions. Two of four proposals adding sex to antidiscrimination guarantees during the biennium were approved.

Suffrage and elections proposals ranked high in percentage of adoptions (86.9), although they decreased in number. The adopted changes included liberalization of residency and voting requirements (9 of 11), reduction of the minimum voting age to 18, and restoration of voting rights to ex-felons. Voters in Oklahoma defeated the proposal to remove the residency requirements from the constitution and

authorize the Legislature to provide for them by law. The Oregon electorate rejected a proposal to reduce the minimum voting age from 21 to 18 and to remove literacy requirements, although both are required as a result of the Twenty-Sixth Amendment to the U.S. Constitution and judicial decision.

The number of local government proposals was less than half of those during 1972-73, but the percentage of adoptions increased from 76.7 to 92.3 percent, second highest rate of adoption of all proposals. Structural changes were the principal subject of approved proposals. The adoption rate of proposals relating to state functions dropped sharply, from 90 to 69.6 percent. Contributing was the high rejection percentage of proposed changes in structure or powers of governance of both public schools and institutions of higher education. During the previous biennium, all proposals relating to education had been adopted. Continuing the trend of the preceding biennium, proposals for lotteries had a relatively high rate of adoptions (5 of 6). Generally, proposed changes in amendment and revision articles liberalized the procedure for altering the States' organic laws. Included in these changes was a reduction of the required interval between proposal of constitutional amendments in Vermont from 10 to four years. Rejection by Texas voters of all eight proposals which, if adopted, would have provided an extensively revised constitution contributed to the dismal 25 percent rate of adoptions of general revision proposals.

#### CONSTITUTIONAL COMMISSIONS

*Usage.* Despite the diminished pace of general state constitutional revision following extensive modernization during the preceding decade, state law-making bodies continued to rely heavily upon constitutional commissions to initiate changes in state constitutions during 1974-75. In this period eight commissions were operative in eight States, attesting to the continuing preference of state legislators for these auxiliary bodies over constitutional conventions as organs for proposing alterations in the States' basic laws. Table 5 on page 178 summarizes salient

features of the eight commissions operative during the biennium ending December 31, 1975. Six of these bodies (in Alabama, New Hampshire, Ohio, South Dakota, Texas, and Utah) were created before 1974; both the North Dakota and Washington commissions were established in 1975. Previous volumes of *The Book of the States* have reported on the earlier activities of most of these bodies.

*General Features.* Six of the eight constitutional commissions were created by statutory law. In North Dakota, the Committee on Constitutional Revision was established as an organ of the Legislative Council by a House concurrent resolution; the Washington Commission for Constitutional Alternatives is the only one of the eight commissions created by executive order. Although the New Hampshire and Texas commissions were expressly mandated to prepare recommendations for constitutional conventions, these bodies as well as the other six operative during 1974-75 were basically study commissions. No strictly preparatory commission with a specific mandate to make all necessary preparations for holding a constitutional convention was active during the period.

Typically, study commissions are mandated to study the constitution, determine what changes are needed, and submit recommendations with supporting reports, and often with proposed drafts. Such reports most commonly are submitted to the Legislature, sometimes to the Governor, and to a constitutional convention if called. Most commissions active during 1974-75 reported to the Legislature.

The membership of constitutional commissions includes two types: ex officio and appointive. On practically all commissions appointive members far outnumber ex officio designees. Of the eight commissions active in 1974-75, ex officio members were designated only on those in Alabama (4), South Dakota (2), and Utah (1). The size of the eight commissions ranged from 60 on the Washington body down to 10 on the New Hampshire commission. Median size of the eight commissions fell between the 16-member Utah body and the 27-member Alabama com-

mission; average number of members was approximately 24. Appointing authorities typically include the Governor, the presiding officers of the two legislative houses, and the Chief Justice of the Supreme Court. Membership mix of recent commissions usually includes representatives of prominent interest groups, public officials, and legislators. Express limitations on the representation of any one political party apply to some commissions, exemplified by the South Dakota and Utah bodies.

Public funds financed all state constitutional commissions operative during 1974-75. As shown in Table 5, most commissions received direct appropriations. The North Dakota Committee on Constitutional Revision is funded from the general Legislative Council appropriation, and the Washington Commission for Constitutional Alternatives from the Governor's budget. As noted above, these two commissions are the only ones operative during 1974-75 not created by statute. Total funding for the eight commissions through the current appropriation period ranged from \$1 million appropriated to the Ohio commission down to \$10,000 for the New Hampshire body. Appropriations to the Alabama, Ohio, South Dakota, and Utah commissions extend over four biennia. Most generous funding was the \$900,000 appropriation to the Texas Constitutional Revision Commission which completed its task in less than one year. Average total funding through the current fiscal period for the seven commissions for which figures are available was \$399,241. This figure reflects not only generous financial support for the Ohio and Texas commissions, but the heavy impact of inflation on the costs of constitutional reform and of general government operations.

The duration of constitutional commissions, like their funding, varies greatly. The period of active operation of the eight commissions, as of December 31, 1975, ranged from the 80-month duration of the Utah commission and 76 months for the Alabama body to the six months' existence of the Washington commission. Average effective life of the eight commissions was between 42 and 43 months. Four

of the commissions (Alabama, Ohio, South Dakota, and Utah) were created in 1969 and were still operative at the end of 1975; the North Dakota and Washington bodies also remained active after December 1975. The New Hampshire and Texas commissions completed their work in 1974, and the South Dakota body was scheduled to submit its final recommendations by January 1976.

*Reports and Implementation.* Constitutional changes recommended in commission reports ranged from a series of proposed amendments to entire constitutions. The Alabama and Texas reports, which were completed and submitted in 1973, included proposed new or revised constitutions with commentary. At the end of 1975, implementation of the Alabama commission's recommendations included only a new judiciary article; in Texas, the commission's report was the basis for deliberations by the Legislature which assembled as a constitutional convention in 1974. The series of constitutional changes proposed by the New Hampshire commission provided the basis for action in 1974 by the State's sixteenth constitutional convention.

The Ohio, South Dakota, and Utah commissions have been involved in programs of phased revision by stages since their creation in 1969. In these and other States involved in revising their constitutions by stages, constitutional commissions prepare draft proposals, but responsibility for their formal initiation and submission to the voters rests with the Legislature. As of December 31, 1975, the Ohio commission had submitted nine reports to the General Assembly; some had been adopted, but most were still pending. The voters had approved at least five revised articles of the constitution proposed by the South Dakota commission. In Utah, revision of the legislative article had been accomplished, a proposed revision of the executive article rejected by the voters, and elections and apportionment articles submitted to the Legislature by the end of 1975. In South Carolina the voters extended through 1976 the authorized period for completing the program of phased revision initiated in the late 1960s.

The commissions in North Dakota and Washington, both created in 1975, had mandates to study the constitution and to submit their recommendations to the Legislative Assembly and the Governor, respectively. In North Dakota, much work on constitutional revision had been done by the 1972 constitutional convention. The Washington Commission for Constitutional Alternatives, established by Governor Daniel J. Evans, had instructions to work closely with the Legislature. This commission is expected to make preparatory studies for a constitutional convention, if the convention question is submitted to and approved by the voters.

#### CONSTITUTIONAL CONVENTIONS

*Usage.* Constitutional conventions were operative in Louisiana, New Hampshire, and Texas during the biennium ending December 31, 1975. Another convention, called in Arkansas by legislative act and approved by the Governor, failed to convene after the act was held unconstitutional by the State Supreme Court. The New Hampshire convention was unlimited with no restriction on its power to propose revision; the mandates of the Louisiana and Texas conventions, however, imposed stated limitations on their action. The Louisiana convention, which had assembled and completed most of its work in 1973, adjourned January 19, 1974. Both the New Hampshire and Texas conventions met and completed their deliberations in 1974. A new constitution proposed by the Louisiana convention was adopted in April 1974 and became effective January 1, 1975. The New Hampshire convention recommended a series of amendments, two of which were adopted in 1974. The Texas Legislature, sitting as a constitutional convention in 1974, was unable to muster the two-thirds majority required to approve a proposed new constitution.

The following paragraphs summarize salient features of the three conventions held during 1974-75. More information on their authorization and the early phases and developments of the Louisiana convention is provided in the previous volume of *The Book of the States*.

*Louisiana.* The limited eleventh consti-

tutional convention of Louisiana, which began its plenary sessions July 5, 1973, completed its work and adjourned sine die on January 19, 1974.<sup>3</sup> The convention, whose total membership of 132 delegates included 105 elected from House districts and 27 appointed by the Governor, approved a new constitution by a vote of 120 to 1 with 11 absent and not voting. Also approved for submission to the voters were two alternate proposals providing for a multitiered or unitary board system for control of public higher educational institutions. In comparison with the 256,500 words in the 1921 constitution with its local amendments, the proposed new constitution contained only 26,300 words.

Salient features of the proposed new constitution include: a strong bill of rights including a guarantee of equality of treatment; annual legislative sessions; single-member legislative districts; power of legislators to convene the Legislature by majority vote; automatic veto sessions; removal of the Lieutenant Governor as president of the Senate; limitation of the number of principal executive departments to 20; strengthened authority for local government; elimination of many constitutional tax rates and dedications of revenue; expanded property tax exemption on homes; provision for a lower tax assessment ratio on homes than on business property; and removal of the prohibition against public aid to private and parochial schools.

Submitted to the voters on April 20, 1974, the new constitution was approved by a vote of 360,980 to 262,676. Thirty-six percent of the registered voters voted, and 58 percent of those voting voted for the constitution. Also approved 331,339 to 199,085 was Alternative A, providing for the three-tiered board system for public higher educational institutions. Litigation in both state and federal courts to have the enabling act providing for Louisiana's eleventh constitutional convention declared unconstitutional had not been successful as of the end of the

period here under review.<sup>4</sup>

*New Hampshire.* The 400 delegates to New Hampshire's unlimited sixteenth constitutional convention were elected March 5, 1974, on a nonpartisan basis, one from each House of Representatives district.<sup>5</sup> On May 8, 1974, the convention met to organize and adopt rules and then recessed until May 15, 1974. Walter R. Peterson, former Governor and Speaker of the House, was elected president of the convention; the assistant clerks of the House and Senate were elected secretary and assistant secretary of the convention, respectively. Between May 8 and June 16, 1974, the convention was in session for 12 days. As a continuing body with life for 10 years or until its successor is authorized and selected, the convention adjourned subject to the call of the president.

The convention approved 27 proposed constitutional amendments to be submitted to the voters in referendums during the period 1974-80. Of the five proposals submitted to the electorate on November 5, 1974, two were approved. These prohibited denial of equality of rights by the State on account of race, creed, color, sex, or national origin, and authorized organizational legislative sessions. The three proposals defeated would have permitted granting of pensions by the General Court for more than one year, increased membership in the Senate from 24 to 36, and authorized the General Court to provide alternate methods for taking oaths by legislators. Referendums on the remaining 22 convention proposals are scheduled as follows: five in March 1976;

<sup>4</sup>In *Bates et al. v. Edwards, Governor*, 294 So. 2d 532 (1974), the Supreme Court of Louisiana rejected plaintiffs' contention that the one-man, one-vote requirement applies to a constitutional convention. Furthermore, the Court declared, there is no requirement that the call for a constitutional convention must be submitted to and approved by the voters. In *Driskell et al. v. Edwards et al.* (No. 74-4020, September 5, 1975), the U.S. Court of Appeals vacated and remanded a judgment by the U.S. District Court (Western La.) holding that an action for a declaratory judgment seeking to invalidate the act providing for the constitutional convention was insubstantial and need not be heard by a three-judge court, 374 F. Supp. 1 (1975).

<sup>5</sup>For initial legislative action and authorization of the convention, see *The Book of the States, 1974-1975*, vol. XX, p. 13.

<sup>3</sup>For more detailed information on the authorization, membership, organization, staffing, and early developments of the convention, see *The Book of the States, 1974-1975*, vol. XX, pp. 12-13.

seven in November 1976; four in November 1978; three in March 1980; and three in November 1980.

*Texas.* The 181 members of the Texas Legislature convened on January 8, 1974, as delegates to the State's seventh constitutional convention. A constitutional amendment approved by the electorate in November 1972 authorized the convention. Except for a recess from April 5 to May 6 to permit the delegates as legislators to campaign for the primary, the convention remained in session until sine die adjournment July 30, 1974.<sup>8</sup> Officers elected by the delegates included Speaker of the House Price Daniel, Jr., as president, a vice president, and a secretary. The convention staff ranged from 58 to 266 at various times, and eight substantive and five procedural committees comprised the basic working structure of the convention.

The Texas convention was limited by its mandate which forbade any changes in the bill of rights. Product of the convention's labors was a 17,000-word draft constitution with 11 articles, as compared with 17 articles in the 1876 document which contained approximately 64,000 words. Final vote on the convention draft was 118 for, 62 against, with one absent and not voting. The vote in favor of the draft document was three votes less than the two-thirds majority required for convention approval. Thus the seventh Texas convention, composed of legislator-delegates for whose work \$3.8 million had been appropriated, failed to submit any proposal to the electorate.

The 1975 Legislature, however, which included many who had been delegates to the constitutional convention, approved for submission to the voters eight amendments which collectively comprised a revised constitution. Based on the convention document with certain changes, the eight amendments excluded some of its most controversial provisions, such as "right to work." Submitted to the voters on November 4, 1975, all eight proposals were rejected by a margin of approximately  $2\frac{1}{2}$  to 1.

<sup>8</sup>For more background information on the convention, see *The Book of the States, 1974-1975*, vol. XX, pp. 13-14.

Major features of the proposed eight amendments relating to the three branches of government were provisions for: annual legislative sessions, authorization for organizational and veto sessions, a legislative compensation commission, deletion of many restrictions on the Legislature, enhanced gubernatorial appointment and removal powers, limitation of the Governor to two consecutive four-year terms, periodic legislative review of executive agencies with requirement for their abolition after 10 years unless renewed, initiation of reorganization plans by the Governor, a unified judicial system, elimination of jurisdictional minutiae, and election of judges.

Other salient provisions included: legislative prescription of residence and registration requirements for voting, equal educational opportunity, comprehensive reform of the property tax system, omission of numerous restrictions on public spending, authorization to incur debt by legislative action followed by popular referendum, consolidation of provisions on local government, retention of home rule for cities and extension of greater options to counties, permissive legislative authority to restrict taxing powers of local governments and mandatory imposition of debt ceilings by the Legislature, environmental protection, prohibition of discrimination against the handicapped, and provision for calling constitutional conventions and periodic submission of the convention question to the voters every 30 years.

*Arkansas.* A 4-to-3 decision by the Supreme Court of Arkansas on May 27, 1975, held unconstitutional a constitutional convention scheduled to assemble May 29, 1975. Legislative Act 16, approved by Governor David H. Pryor January 31, 1974, called the convention without popular referendum.

The act provided for 35 members, 27 to be appointed by the Governor, six from each of the four congressional districts and three from the State at large; five were to be named by the House of Representatives from its members; and three senators by the Senate. Other salient features of Act 16 were provisions for assembly of the convention within 15 days after ap-



pointment to organize, transaction of its business within 60 days after assembly, certification of a proposed constitution within five days after adjournment, reassembly to make any necessary changes, and submission of the proposal to the voters as a single issue at a special election on September 16, 1975.

Most significant were the extensive limitations on the convention specified in the act. The General Assembly listed 11 articles and sections of the constitution as amended that were not to be changed by the convention, mainly because of their controversial nature. A new constitution proposed by a constitutional convention and including many of these controversial features had been rejected by the Arkansas electorate in November 1970.<sup>7</sup> Salient provisions expressly excluded by Legislative Act 16 included the bill of rights, the judiciary, education, franchise and elections, voter registration, right to work, the legal definition (rate) of usury, and other specified sections and amendments. The General Assembly appropriated \$800,000 for the convention and expenses related to the special election.

A suit brought by two Republicans joined by two legislators against Governor Pryor and others in the Pulaski Chancery Court sought to prevent the convention. The trial court held Act 16 of 1975, which provided for the convention, invalid. On appeal, the Supreme Court of Arkansas affirmed the ruling, holding the convention unconstitutional on the ground that delegates would be exercising power inherent in the people as reserved in the Arkansas constitution;<sup>8</sup> limitations imposed on the exercise of that power without the approval of the electorate are prohibited.<sup>9</sup> If the convention had been held, it would have been Arkansas' eighth such constituent assembly.

*Other Developments.* The 1974-75

<sup>7</sup>See *The Book of the States, 1972-1973*, vol. XIX, pp. 11-12.

<sup>8</sup>Article II, Section 1 states: "All political power is inherent in the people, and government is instituted for their protection, security and benefit; and they have the right to alter, reform or abolish the same in such manner as they think proper."

<sup>9</sup>*David Pryor et al v. Lynn Lowe et al.*, 258 Ark. 188 (1975).

biennium was the first in more than a quarter of a century during which no State held a popular referendum on the question of calling a constitutional convention. Considering the extensive attention to general constitutional revision in the States since midcentury, the slackening of official attention to basic legal reform by the convention method was to be expected. Besides Arkansas' Governor Pryor, at least one other Governor—Governor Ray Blanton of Tennessee—has urged that an unlimited constitutional convention be called in his State. In Washington, creation of the Commission for Constitutional Alternatives in 1975 by Governor Daniel J. Evans was a possible first step toward calling a constitutional convention. Generally, phased revision and more limited change by amendments initiated by state law-making bodies, often with the help of constitutional commissions, continue as the most popular methods of modernizing state constitutions.

#### CONSTITUTIONAL STUDIES

Materials prepared by constitutional commissions and conventions continued to provide a major part of the literature on constitution-making in American States during 1974-75. These reports and analyses contain much information of use not only to persons directly involved in actual modernization of constitutions, but to other students of public affairs as well. Records of debates and proceedings of constitutional conventions and commissions comprise an invaluable source of data for planning and organizing constitutional reform efforts in other jurisdictions. Some recent examples are cited in the list of selected references at the end of this analysis.

Major official action to revise or rewrite a state constitution usually stimulates substantial studies by organizations other than those officially involved. Background symposia in law reviews and professional journals are prominent examples. Furthermore, bureaus or institutes of governmental research and public affairs at higher educational institutions have produced many useful studies before, during, and after completion of

official action. Institutes or bureaus at state universities in Illinois, Louisiana, Montana, North Dakota, South Carolina, South Dakota, and Texas have published such materials during the last five years.

Some of these publications are listed below. The most recent compilation of general references on state constitutional revision is the writer's *A Bibliography on State Constitutions and Constitutional Revision, 1945-1975*, published in August 1975 by the Citizens Conference on State Legislatures. The first of the two parts of this bibliography lists general works on state constitutions and constitutional revision; the second is a state-by-state listing of both nonofficial and selective official publications. The bibliography excludes those publications that deal solely with the functional areas of constitutional systems.

One of the most valuable additions to the growing body of literature on state constitutions during the biennium was Professor A. E. Dick Howard's two-volume *Commentaries on the Constitution of Virginia*. Although focused on the 1971 Virginia document, this work traces the evolution of American constitutionalism from its English and colonial antecedents to 1974. Another major contribution is the 10-volume (projected) *Sources and Documents of United States Constitutions*, edited and annotated by Professor William F. Swindler, the College of William and Mary. A number of volumes in this series were published during 1974-75.

The National Municipal League's state-by-state series of studies dealing with state constitutional conventions held since World War II added volumes on the Illinois and Alaska conventions during the biennium. This nine-volume series with previous publication of the League's *State Constitution Studies* (10 volumes in two series) issued 1960-65 constitutes a major contribution to the material on state constitutional revision.

#### SELECTED REFERENCES

- Bard, Dean F., ed. *Debates of the North Dakota Constitutional Convention of 1972*. 2 vols. Bismarck, N.D.: Quality Printing Service, 1972.
- Braden, George D. *Citizens' Guide to the Proposed New Texas Constitution*. Austin, Tex.: Sterling Swift Publishing Company, 1975.
- Browne, Cynthia E., comp. *State Constitutional Conventions: From Independence to the Completion of the Present Union*. A Bibliography. Westport, Conn.: Greenwood Press, 1973.
- Clem, Alan L., ed. *Contemporary Approaches to State Constitutional Revision*. Vermillion, S.D.: Governmental Research Bureau, University of South Dakota, 1970.
- Constitutions of the United States: National and State*. 2 vols. Dobbs Ferry, N.Y.: Oceana Publications, 1962. Loose leaf.
- Cornwell, Elmer E., Jr. et al. *Constitutional Conventions: The Politics of Revision*. New York: National Municipal League, 1974.
- Dishman, Robert B. *State Constitutions: The Shape of the Document*. Rev. ed. New York: National Municipal League, 1968.
- Edwards, William A., ed. *Index Digest of State Constitutions*. Dobbs Ferry, N.Y.: Oceana Publications, 1959. Prepared by the Legislative Research Fund, Columbia University.
- Grad, Frank P. *The State Constitution: Its Function and Form for Our Time*. New York: National Municipal League, 1968. Reprinted from *Virginia Law Review*, vol. 54, no. 5 (June 1968).
- Graves, W. Brooke, ed. *Major Problems in State Constitutional Revision*. Chicago, Ill.: Public Administration Service, 1960.
- Howard, A. E. Dick. *Commentaries on the Constitution of Virginia*. 2 vols. Charlottesville, Va.: The University Press of Virginia, 1974.
- Leach, Richard H., ed. *Compacts of Antiquity: State Constitutions*. Atlanta, Ga.: Southern Newspaper Publishers Association Foundation, [1969].
- May, Janice C. *Amending the Texas Constitution: 1951-1972*. Austin, Tex.: Texas Advisory Commission on Intergovernmental Relations, 1972.
- May, Janice C. *The Texas Constitutional Revision Experience in the Seventies*. Austin, Tex.: Sterling Swift Publishing Company, 1975.
- Model State Constitution*. 6th ed. New York: National Municipal League, 1963. Revised 1968.
- Newman, Louis E., ed. *Focus on CC-73*. Discussion Series. April-July 1973. Baton Rouge, La.: Institute of Government, Louisiana State University, 1973.
- Nunn, Walter H., and Collett, Kay G. *Political Paradox: Constitutional Revision in Arkansas*. New York: National Municipal League, 1973. Mimeographed.
- Record of Proceedings: Sixth Illinois Constitutional Convention*, December 8, 1968-September 3, 1970. 7 vols. Springfield, Ill.: July 1972. Published by the Secretary of State in cooperation with the Sixth Illinois Constitutional Convention.
- State Constitutional Convention Studies*. New York: National Municipal League, 1969-.
- Number One—Elmer E. Cornwell, Jr., and Jay S. Goodman. *The Politics of the Rhode Island Constitutional Convention*. 1969.
- Number Two—George D. Wolf. *Constitutional Revision in Pennsylvania: The Dual Tactic of Amendment and Limited Convention*. 1969.
- Number Three—John P. Wheeler, Jr. and

- Melissa Kinsey. *Magnificent Failure: The Maryland Constitutional Convention of 1967-1968*. 1970.
- Number Four—Richard J. Connors. *The Process of Constitutional Revision in New Jersey: 1940-1947*. 1970.
- Number Five—Norman Meller. *With an Understanding Heart: Constitution Making in Hawaii*. 1971.
- Number Six—Martin L. Faust. *Constitution Making in Missouri: The Convention of 1943-1944*. 1971.
- Number Seven—Donna E. Shalala. *The City and the Constitution: The 1967 New York Convention's Response to the Urban Crisis*. 1972.
- Number Eight—Samuel K. Gove and Thomas R. Kitsos. *Revision Success: The Sixth Illinois Constitutional Convention*. 1974.
- Number Nine—Victor Fischer. *Alaska's Constitutional Convention*. Published by the University of Alaska Press, Fairbanks, 1975.
- State Constitution Studies*. 10 vols. in two series. New York: National Municipal League, 1960-65.
- Stewart, William H., Jr. *The Alabama Constitutional Commission: A Pragmatic Approach to Constitutional Revision*. University, Ala.: Bureau of Public Administration, University of Alabama, 1975.
- Studies in Illinois Constitution Making*. Urbana, Ill.: University of Illinois Press, 1972-.
- Elmer Gertz. *For the First Hours of Tomorrow: The New Illinois Bill of Rights*. 1972.
- Janet Cornelius. *Constitution Making in Illinois, 1818-1970*. 1972.
- Rubin G. Cohn. *To Judge with Justice: The History and Politics of Judicial Reform*. 1973.
- Ian D. Burman. *Lobbying at the Illinois Constitutional Convention*. 1973.
- Alan G. Gratch and Virginia H. Ubik. *Ballots for Change: New Suffrage and Amending Articles for Illinois*. 1973.
- Joyce H. Fishbane and Glenn W. Fisher. *Politics of the Purse: Revenue and Finance in the Sixth Illinois Constitutional Convention*. 1974.
- Jane Gallaway Buresh. *A Fundamental Goal: Education for the People of Illinois*. 1975.
- David Kenny, Jack R. Van DerSlik, and Samuel J. Pernacciaro. *Roll Call! Patterns of Voting in the Sixth Illinois Constitutional Convention*. 1975.
- Sturm, Albert L. *A Bibliography on State Constitutions and Constitutional Revision, 1945-1975*. Englewood, Colo.: The Citizens Conference on State Legislatures, August 1975.
- Sturm, Albert L. "Modernization of State Constitutions since 1965: The Nation and the South," *Virginia Social Science Journal*, vol. 10, no. 2 (November 1975).
- Sturm, Albert L. *Thirty Years of State Constitution-Making, 1938-1968*. New York: National Municipal League, 1970.
- Sturm, Albert L. *Trends in State Constitution-Making: 1966-1972*. Lexington, Ky.: The Council of State Governments, 1973.
- Swindler, William F., ed. *Sources and Documents of United States Constitutions*. 10 vols. (projected). Dobbs Ferry, N.Y.: Oceana Publications, Inc., 1973-.
- Wheeler, John P., Jr. *The Constitutional Convention: A Manual on Its Planning, Organization and Operation*. New York: National Municipal League, 1961.
- Wheeler, John P., Jr., ed. *Salient Issues of Constitutional Revision*. New York: National Municipal League, 1961.

TABLE 1  
GENERAL INFORMATION ON STATE CONSTITUTIONS  
As of December 31, 1975

State or other jurisdiction	Number of constitutions*	Dates of adoption*	Effective date of present constitution	Estimated length (number of words)	Number of amendments	
					Submitted to the voters	Adopted
Alabama.....	6	1819, 1861, 1865, 1868, 1875, 1901	1901	120,000	514	342
Alaska.....	1	1956	1959	12,800	13	12
Arizona.....	1	1911	1912	23,000	147	81
Arkansas.....	5	1836, 1861, 1864, 1868, 1874	1874	38,280(a)	140	63(b)
California.....	2	1849, 1879	1879	32,000	682	403
Colorado.....	1	1876	1876	39,200	206	41
Connecticut.....	4	1818(c), 1965	1965	7,400	9	8
Delaware.....	4	1776, 1792, 1831, 1897	1897	21,000	(d)	97(e)
Florida.....	6	1839, 1861, 1865, 1868, 1886, 1968	1969	23,500	22	16
Georgia.....	8	1777, 1789, 1798, 1861, 1865, 1868, 1877, 1945	1945	600,000(f)	1,095(g)	832(g)
Hawaii.....	1(h)	1950	1959	17,795(a)	40	35
Idaho.....	1	1889	1890	20,942(a)	164	87
Illinois.....	4	1818, 1848, 1870, 1970	1971	13,200	1	0
Indiana.....	2	1816, 1851	1851	10,500	53	32
Iowa.....	2	1846, 1857	1857	12,500	44	42(l)
Kansas.....	1	1859	1861	11,700	103	76(l)
Kentucky.....	4	1792, 1799, 1850, 1891	1891	23,500	49	22
Louisiana.....	11	1812, 1845, 1852, 1861, 1864, 1868, 1879, 1898, 1913, 1921, 1974	1975	26,300	0	0
Maine.....	1	1819	1820	13,350	154	131(j)
Maryland.....	4	1776, 1851, 1864, 1867	1867	41,200	191	160
Massachusetts.....	1	1780	1780	33,092(k)	112	104
Michigan.....	4	1835, 1850, 1908, 1963	1964	20,000	15	7
Minnesota.....	1	1857	1858	9,491(a)	191	102
Mississippi.....	4	1817, 1832, 1868, 1890	1890	23,200	109	40
Missouri.....	4	1820, 1865, 1875, 1945	1945	34,980(a)	54	35
Montana.....	2	1889, 1972	1973	11,200	3	3
Nebraska.....	2	1866, 1875	1875	18,725(a)	243	167
Nevada.....	1	1864	1864	18,300	123	80(l)
New Hampshire.....	2	1776, 1784(l)	1784	10,000	144(l)	64(l)
New Jersey.....	3	1776, 1844, 1947	1948	15,700	27	19
New Mexico.....	1	1911	1912	26,500	188	91
New York.....	4	1777, 1822, 1846, 1895	1895	39,000	256	189
North Carolina.....	3	1776, 1868, 1970	1971	12,500	13	11
North Dakota.....	1	1889	1889	29,000	166	97
Ohio.....	2	1802, 1851	1851	31,000	212	117
Oklahoma.....	1	1907	1907	63,669(a)	205(m)	93(m)
Oregon.....	1	1857	1859	23,500	301	150
Pennsylvania.....	5	1776, 1790, 1838, 1873, 1968(n)	1968	21,500	11(n)	8(n)
Rhode Island.....	2	1842(c)	1843	19,003(a,k)	79	42
South Carolina.....	7	1776, 1778, 1790, 1861, 1865, 1868, 1895	1895	36,350(o)	606(p)	430(p)
South Dakota.....	1	1889	1889	23,000	158	85
Tennessee.....	3	1796, 1835, 1870	1870	13,300	23	19
Texas.....	5	1845, 1861, 1866, 1869, 1876	1876	60,000	354	220
Utah.....	1	1895	1896	17,350	107	61
Vermont.....	3	1777, 1786, 1793	1793	6,600	210	52
Virginia.....	6	1776, 1830, 1851, 1869, 1902, 1970	1971	18,000	3	3
Washington.....	1	1889	1889	29,400	116	63
West Virginia.....	2	1863, 1872	1872	25,550(a)	83	51
Wisconsin.....	1	1848	1848	13,800	145	105(l)
Wyoming.....	1	1889	1890	21,200	83(q)	41
American Samoa.....	2	1960, 1967	1967	5,000	9	5
Puerto Rico.....	1	1952	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 five amendments that were invalidated.

(c) Colonial charters with some alterations, in Connecticut (1638, 1662) and Rhode Island (1663), served as the first constitutions in these States.

(d) Proposed amendments are not submitted to the voters in Delaware.

(e) Various sections of the constitution have been amended 97 times by 46 acts of the General Assembly.

(f) Estimated length of the printed constitution which includes only provisions of general statewide applicability is 64,500 words.

(g) Includes 196 general and 899 local amendments submitted to the voters, and 147 general and 685 local amendments adopted.

(h) As a kingdom and a republic, Hawaii had 5 constitutions. (i) The figure given includes amendments approved by the voters and later nullified by the State Supreme Court: in Iowa, three; Kansas, one; Nevada, six; Wisconsin, two.

(j) One approved amendment is inoperative until implemented by legislation.

(k) The printed constitution includes many provisions that have been annulled. Length of effective provisions are: in Massachusetts, estimated 20,768 words (12,324 annulled); in Rhode Island, 11,376 words (7,627 annulled).

(l) The constitution of 1784 was extensively revised in 1792. Figures show proposals and adoptions since 1793, when it became effective.

(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, 16,613 words are of general statewide effect; the remaining 19,740 are local amendments.

(p) Of the 606 proposed amendments submitted to the voters, 120 were of general statewide effect and 486 local; the voters rejected 76 (12 statewide, 64 local); of the remaining 530, the General Assembly refused to approve 100 (22 statewide, 78 local), and 430 (86 statewide, 344 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

State or other jurisdiction	Legislative vote required for proposal(a)	Consideration by two sessions required	Vote required for ratification	Limitation on the number of amendments submitted at one election
Alabama.....	3/5	No	MA	None
Alaska.....	2/3	No	MA	None
Arizona.....	Maj.	No	MA	None
Arkansas.....	Maj.	No	MA	3
California.....	2/3	No	MA	None
Colorado.....	2/3	No	MA	None(b)
Connecticut.....	(c)	(c)	MA	None
Delaware.....	2/3	Yes	Not required	No referendum
Florida.....	3/5	No	Not specified	None
Georgia.....	2/3	No	MA	None
Hawaii.....	(d)	(d)	MA(e)	None
Idaho.....	2/3	No	MA	None
Illinois.....	3/5	No	(f)	None(b)
Indiana.....	Maj.	Yes	MA	None
Iowa.....	Maj.	Yes	MA	None
Kansas.....	2/3	No	MA	5
Kentucky.....	3/5	No	MA	2
Louisiana.....	2/3	No	MA(g)	None
Maine.....	2/3(h)	No	MA	None
Maryland.....	3/5	No	MA	None
Massachusetts.....	Maj.(l)	Yes	MA	None
Michigan.....	2/3	No	MA	None
Minnesota.....	Maj.	No	ME	None
Mississippi.....	2/3(j)	No	MA	None
Missouri.....	Maj.	No	MA	None
Montana.....	2/3(h)	No	MA	None
Nebraska.....	3/5	No	MA(e)	None
Nevada.....	Maj.	Yes	MA	None
New Hampshire.....	3/5	No	2/3 vote on A	None
New Jersey.....	(k)	(k)	MA	None(l)
New Mexico.....	Maj.(m)	No	MA(m)	None
New York.....	Maj.	Yes	MA	None
North Carolina.....	3/5	No	MA	None
North Dakota.....	Maj.	No	MA	None
Ohio.....	3/5	No	MA	None
Oklahoma.....	Maj.	No	MA	None
Oregon.....	(n)	No	MA	None
Pennsylvania.....	Maj.(o)	Yes(o)	MA	None
Rhode Island.....	Maj.	No	MA	None
South Carolina.....	2/3(p)	Yes(p)	MA	None
South Dakota.....	Maj.	No	MA	None
Tennessee.....	(q)	Yes(q)	ME(r)	None
Texas.....	2/3	No	MA	None
Utah.....	2/3	No	MA	None
Vermont.....	(s)	Yes	MA	None
Virginia.....	Maj.	Yes	MA	None
Washington.....	2/3	No	MA	None
West Virginia.....	2/3	No	MA	None
Wisconsin.....	Maj.	Yes	MA	None
Wyoming.....	2/3	No	ME	None
American Samoa.....	3/5	No	MA(t)	None
Puerto Rico.....	2/3(u)	No	MA	3

MA—Majority vote on amendment.

ME—Majority vote in election.

(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, three in Illinois.

(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  $\frac{2}{3}$  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 combined membership of both houses.

(i) Majority of members elected sitting in joint session.

(j) The  $\frac{2}{3}$  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  $\frac{2}{3}$  vote of members elected and approval by  $\frac{2}{3}$  of electors voting in State and  $\frac{2}{3}$  of those voting in each county.(n) Majority to amend constitution,  $\frac{2}{3}$  to revise (revise includes all or a part of the constitution).(o) Emergency amendments may be passed by  $\frac{2}{3}$  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 after popular ratification.

(q) Majority of members elected to both houses, first passage;  $\frac{2}{3}$  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  $\frac{2}{3}$  of members of each house, amendment(s) submitted to voters at special referendum; if approved by not less than  $\frac{2}{3}$  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 voters 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 General Court (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	Not specified(c)	(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; and 3/4 of all members of each house in South Dakota. 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, 1974–December 31, 1975

<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., 1969, extended in 1971, 1973, and 1975; Sept. 1969–Sept. 30, 1976	Originally 21: 2 ex officio; 19 appointed (at least 2 from each congressional district). Increased in 1971 to 25: 2 ex officio; 23 appointed. Increased in 1975 to 27: 4 ex officio, 23 appointed	\$100,000 appropriation initially; \$66,828 appropriation, fiscal year 1971–72; \$47,860 appropriation, fiscal year 1972–73; \$100,000 appropriation, fiscal years 1973–75; \$30,000 appropriation, fiscal year 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
New Hampshire.....	Commission to Study the State Constitution	Statutory; H.B. 376, c. 351, N.H. Laws, 1973; Sept. 1973 through the 1974 constitutional convention	10 members: appointed by the Speaker of the House (2), President of the Senate (2), Governor (3), and Supreme Court (3)	\$10,000 appropriation	Study the constitution and, if amendments are found to be needed, recommend such amendments to the next constitutional convention.	Report recommending constitutional changes submitted to 16th constitutional convention in 1974
North Dakota.....	Committee on Constitutional Revision	Legislative; H.C.R. No. 3059, 1975, filed April 15, 1975; April 1975–	14 members: appointed by the Legislative Council—3 Representatives, 6 Senators, and 5 citizens	No specified amount; funded from the general Legislative Council appropriation	Study the constitution and make recommendations regarding desirable revision	Mandated to submit recommendations to the 45th Legislative Assembly with drafts of proposed revisions
Ohio.....	Ohio Constitutional Revision Commission	Statutory; Secs. 103.31–103.57, Ohio Rev. Code, effective Nov. 26, 1969; Nov. 1969–July 1979	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. \$300,000 for biennium beginning July 1, 1975. Total: \$1,000,000	Study constitution and submit recommendations to the General Assembly; if convention is called, submit recommendations to it (convention call was defeated Nov. 1972)	Nine reports submitted through 1975 on: General Assembly, state debt, constitutional amendments, taxation, indirect debt limit, executive branch, elections and suffrage, local government, initiative and referendum. Several proposals have been adopted; most still pending in the General Assembly
South Dakota.....	South Dakota Constitutional Revision Commission	Statutory; S.B. 1, S.L., 1969, c. 225, approved March 13, 1969; amended by: S.B. 217, S.L., 1970, c. 19; H.B. 750, S.L., 1973, c. 21; and H.B. 733, 1975; Nov. 1969–Jan. 1976	13 members: 2 ex officio; 11 appointed—by Speaker of the House (3), President of the Senate (3), Governor (3) (no more than 2 from each group to be members of the same political party), and the Presiding Judge of the Supreme Court (2)	Fiscal year appropriation: 1970, \$25,000; 1971, \$38,500; 1972, \$42,000; 1973, \$44,500; 1974, \$44,500; 1975, \$47,300; 1976, \$20,000. Total: \$261,800	Make comprehensive study of the constitution and determine means to improve and simplify it	Required to report findings and recommendations to the Legislature at regular sessions until discharged. Voters rejected one commission proposal in Nov. 1970, approved 4 revised articles in Nov. 1972, and adopted one revised article and rejected one in Nov. 1974



<b>Texas</b> .....	Texas Constitutional Revision Commission	Statutory; S.C.R. No. 1, approved Feb. 12, 1973; March 1973-March 9, 1974	37 members: appointed by an appointment committee composed of the Governor, Lieutenant Governor, Attorney General, Speaker of the House, Chief Justice of the Supreme Court, and Presiding Judge of the Court of Criminal Appeals (subject to rejection by the Legislature)	\$900,000 appropriation (spent \$673,765.79)	Study the need for constitutional change and report recommendations to the Legislature and the constitutional convention	Submitted report to the Legislature Nov. 1, 1973; required to submit to the constitutional convention legal drafts of all proposed changes and alternative changes in the constitution
<b>Utah</b> .....	Utah Constitutional Revision Study Commission	Statutory; c. 89, <i>Laws of Utah</i> , 1969; amended by c. 107, <i>Laws of Utah</i> , 1975; May 1969-June 30, 1977	16 members: 1 ex officio; 9 members appointed—by the 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)	\$20,000 appropriation fiscal year 1969; \$30,000 annually during fiscal years 1970, 1971, and 1972; \$5,000 during fiscal year 1974. Total: \$115,000	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
<b>Washington</b> .....	Commission for Constitutional Alternatives	Executive; Ex. Ord. No. 75-08, approved July 29, 1975; July 1975-December 1976	60 members: appointed by the 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 the constitution and recommend needed changes	Mandated to work with the Legislature and to report to the Governor

TABLE 6  
CONSTITUTIONAL CONVENTIONS  
1974-1975

State	Convention dates	Type of convention	Referendum on convention question	Preparatory body	Appropriations	Convention delegates	Convention proposals	Referendum on convention proposals
Louisiana . . . . .	January 5-30, 1973 (9 days in session); July 5, 1973-January 19, 1974	Limited	No popular referendum; legislative Act 2 providing for the convention was approved by the Governor May 26, 1972	Studies used by the convention were prepared by a Constitutional Revision Commission and the Louisiana Law Institute	\$350,000 appropriation and \$90,000 from the Board of Liquidation for fiscal year 1972-73; \$2.5 million appropriation in 1973. Total: \$2,940,000 (expended: \$2,428,768.50)	132 (105 elected Aug. 19, 1972 from House districts on nonpartisan basis; 27 appointed by the Governor, 12 representing specific interest groups, 15 at large)	New constitution plus 2 alternative proposals on education submitted separately	April 20, 1974: constitution adopted; Vote: 360,980 262,676  Alternative A (multiple boards): 331,339 Alternative B (single board): 199,085
New Hampshire	May 8-June 26, 1974 (met 12 days). The 16th constitutional convention is a continuing body with life for 10 years or until successor is authorized and selected	Unlimited	November 7, 1972 Vote: 96,793 73,365	Commission to Study the State Constitution	\$180,000	400 (elected March 5, 1974, from House districts; non-partisan)	27 proposed amendments to be voted on during the period 1974-80	Referenda on 5 proposals, November 5, 1974: 2 adopted (equality of rights and organizational legislative session); 3 rejected (pensions, increase in size of Senate, and methods for taking oaths by legislators)
Texas . . . . .	January 8 - July 30, 1974 (recessed from April 5 to May 6)	Limited	Convention called by constitutional amendment approved by voters November 7, 1972 Vote: 1,549,952 985,282	Texas Constitutional Revision Commission and Joint Constitutional Convention Planning Committee	\$2 million, plus an additional appropriation of \$1.8 million. Total: \$3.8 million	181 delegates who comprised the 1974 Legislature (31 Senators, 150 Representatives)	None (a draft constitution failed by 3 votes to receive the required $\frac{3}{4}$ vote)	None (a revised constitution, based on the convention document and proposed by the Legislature in the form of 8 amendments, was rejected November 4, 1975)

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## Legislation

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### TRENDS IN STATE LEGISLATION, 1974-1975

BY ELAINE S. KNAPP\*

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THE POLITICS OF prosperity gave way to fiscal prudence as the recession lessened state revenues the latter half of the 1974-75 biennium. States with surpluses became more cautious as they watched others struggle with huge deficits.

Even when faced with yawning revenue gaps, State Legislatures were reluctant to hike taxes, although some were forced into doing so. Other States in more enviable financial positions were able to provide or expand tax relief.

Although fiscal problems occupied center-stage in several States, the biennium had its other major crises:

- The energy shortage generated an explosion of emergency legislation early in the biennium. After initial gasoline and fuel shortages diminished, States continued to deal with energy-related issues of public utilities and energy development.
- The threat of doctors' strikes brought medical malpractice insurance woes to the forefront of many legislative agendas, resulting in new laws in many States.
- Substantial legislation was adopted on a variety of issues, including land use planning, consumer protection, criminal justice, and government reorganization. Good-government measures continued to be a major source of legislative activity.
- In their roles as laboratories for democracy, States continued the trend of adopting new and innovative laws such

as marijuana liberalization, bans on pull-top and aerosol cans, rail rehabilitation, and catastrophic illness protection.

The following is an attempt to summarize some of the major legislation passed by the 46 State Legislatures which met in 1974 and the 49 which met in 1975.

#### FINANCE

The financial trend for the biennium for many States was from good times to bad. Most States enjoyed surpluses in 1974, but by early 1975 many were cutting back spending in order to keep in the black.

The States' aggregate fiscal health was detected as declining over the biennium by a survey conducted in the fall of 1975 (by the National Association of State Budget Officers and the National Association for State Information Systems for the National Governors' Conference). With returns in from 37 States, state general fund balances were shown to have fallen from a high of \$4.5 billion in fiscal 1974 (ended July 1974) to \$3.3 billion in fiscal 1975. Huge deficits forecast for 1976 by some States made the aggregate projected 1976 figures even more gloomy, although the situation could change with legislative action in late 1975 and 1976.

If the trend during 1974 was toward surpluses, the trend in 1975 was toward avoiding deficits. In 1975, some 20 States joined the few which acted in 1974 to reduce state agency spending, freeze hiring or travel and, in some cases, to lay off state workers. Several States also found it nec-

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essary to pare expanded welfare or Medicaid programs to suit less prosperous times. Others increased taxes.

Although populous northeastern States with high unemployment rates were hit severely, fiscal crises were not confined to one section of the country and affected major midwestern industrial States as well as some rural States. Energy-producing States and other rural States fared better.

The trend over the biennium was towards tax relief, although during 1974 several States found it necessary to hike some major taxes. Income or sales taxes were increased in a few States, but many more granted new or increased exemptions. Property tax relief remained a legislative favorite. Cigarette and gasoline sales were more frequent targets of tax hikes. Business taxes were increased in more States than they were decreased in others. Many energy-producing States raised or implemented severance taxes. Tax breaks for solar energy devices were provided by a growing number of States.

The energy boom prompted new or higher severance or other energy-related taxes in at least nine States. Many of these new taxes were earmarked for special funds to aid localities most affected by energy developments. Two States, California and Maryland, eliminated the oil depletion allowance. A growing number of States granted tax breaks for use of solar energy or provided other incentives for conservation or alternative energy development.

Despite tax relief afforded in many States during the preceding 1972-73 biennium, the United States average state and local per capita tax burden rose \$41 during fiscal 1974 to a record \$618. Per capita state and local tax burdens increased in every State, except Connecticut (Connecticut had to increase taxes in 1975, nullifying this advantage). Tax burdens ranged from a high of \$952 in New York to a low of \$383 in Alabama, with a median burden of \$573.

Insight into public attitudes towards various types of taxes is offered by a 1975 survey commissioned by the U.S. Advisory Commission on Intergovernmental Relations. The poll showed that antagonism toward local property taxes diminished

from being considered the least fair by 45 percent of the people in 1972 to 29 percent in 1975. Tying as the worst tax in 1975 was the federal income tax, which has declined in popularity over the last few years according to the poll. State income taxes received "least fair" ranking by 11 percent and state sales taxes were called the worst by 23 percent.

The ACIR poll also showed that most people thought the federal government provided the most for the tax dollar, with 38 percent picking it while only 20 percent accorded that honor to state governments and 25 percent favored local governments. The poll's conclusions were based on a personal interview survey conducted among a selected sample of 2,075 individuals throughout the United States. (See the section "Recent Trends in State Taxation" for a more complete discussion of state tax action.)

#### ENERGY

The gasoline shortages of late 1973 and early 1974 prompted over 20 States to adopt emergency energy powers legislation. But as lines at gasoline stations shortened, many emergency measures also faded from the scene.

Consumer complaints stemming from skyrocketing utility bills prompted much legislative activity. Among the more innovative responses was a "lifeline" utility rate which provides a low uniform charge for minimum use calculated as that sufficient to meet the basic needs of a residential consumer. California's approach to "lifeline" rates was to guarantee basic household electricity or natural gas at January 1, 1976, rates with a ban on rate increases until the average system rate increased 25 percent over the 1976 level.

Legislatures and consumers also took aim at automatic fuel-adjustment clauses which allowed utilities in some 44 States to pass higher fuel costs on to customers. Laws were passed in several States to end the automatic increases, while many others authorized investigations of utility pricing policies. Other new laws required consumer representation at utility rate hearings, further regulated utility pricing structures, or otherwise increased state controls over utilities.

Other energy measures included new energy agencies, energy-efficient building codes, research funds, incentives for alternative energy developments, protections for gasoline retailers from arbitrary actions by suppliers, bans on major oil companies from retailing gasoline, and various consumer- or conservation-oriented laws.

Among unique laws were Vermont's requirement for legislative approval for construction of any nuclear powerplant, California's ban on gas pilot lights on appliances, and Iowa's funding of solar power for the state capitol.

#### GOVERNMENT

The mixture of money and politics remained a major state concern as some 30 States passed new or expanded laws governing campaign finance. Some type of controls are now imposed on campaign finance in every State, varying from requiring reporting of campaign finances to limiting spending or contributions.

All States also now have some type of provision governing conflict of interest by state officials and more than one half have requirements for financial disclosure of some sort. Some 20 States acted over the biennium to pass new or expanded laws regulating ethics or financial disclosure.

Other "good-government" measures stiffened controls over lobbyists, provided for public financing of elections, or regulated awards of public contracts.

Open meetings laws passed for the first time in three States, leaving only two States without such laws. Another 17 States expanded their existing public access laws to meetings or records.

Public workers increased their power as at least 10 more States passed new or expanded collective bargaining laws. Over one third of the States now have comprehensive state employee bargaining laws and many others have limited collective bargaining laws. Public workers have the legal right to strike in about seven States (by law or precedent), and there are specific no-strike clauses in 36 state laws.

The biggest state employee strikes over the biennium were in Ohio in 1974, which does not have a collective bargaining law,

and in Pennsylvania in 1975, where there is a limited right to strike. Both walkouts lasted only a few days and ended with the promise of pay raises.

State workers were granted pay raises in a number of States, although many were restricted due to tight state budgets. A few States had to forego state worker raises or restrict them to promotions. Georgia was successfully sued by university professors for a promised pay raise which had been rescinded due to budget cutbacks.

Major reorganization or consolidation of state government was accomplished in Idaho, Louisiana, and Missouri, and completed in Kentucky, South Dakota, and North Carolina.

Idaho's and Louisiana's reorganization into 19 new departments each was mandated by voter-approved constitutional changes. Missouri's reorganization into 14 new departments was requested by the Governor who utilized a "Little Hoover" commission plan.

New transportation agencies were created in six States. Utah created an Office of Lieutenant Governor to be filled ex-officio by the Secretary of State. Reorganization of one or more major agencies was accomplished in at least 11 other States during the biennium.

#### LAW ENFORCEMENT

The death penalty was restored in more States, and voided by court action in one, for a total of 33 with death penalties. States began repassing capital punishment laws following the 1972 U.S. Supreme Court decision voiding such laws as they were then implemented. In late 1975 States were awaiting the outcome of a capital punishment case before the U.S. Supreme Court which could affect these new laws.

Handguns came under increasing fire as street crimes rose and political assassination attempts were made against the President and others. Four States placed strict new controls on handguns, while others more strictly regulated gun sales or prescribed tougher sentences for crimes committed with guns.

The women's movement helped spark reform of rape laws. Nearly 20

States acted to ease the victim's trauma in court by restricting questions about her sexual past, provided medical treatment for victims, or changed the sentencing structure for rape.

The trend towards easing penalties for personal marijuana use reached full flower with six States dropping all jail sentences for such offenses, making them punishable by only a fine. The counter-trend of tougher penalties for drug pushers, especially of hard drugs, continued.

Other criminal justice measures decriminalized drunkenness; tightened penalties against such "white-collar" crimes as shoplifting, bribery, or embezzlement; defined and regulated obscenity; revised criminal codes; and lifted job and other barriers to ex-offenders.

Judicial modernization was authorized by voter action in many States. Unified court systems were approved in Georgia, Kentucky, Louisiana, and West Virginia. Centralized court administration passed in New York and court revision was approved in Vermont. Reform of the justice of the peace system was authorized in Mississippi.

In legislative action, Alabama approved a new judicial article providing for streamlining of the lower court system. Maine revised its superior court system and Kansas established a court of appeals.

Mechanisms for judicial qualifications were established in four States.

#### HEALTH

Threats of doctor strikes focused attention on a nationwide medical malpractice insurance crisis which arose when companies specializing in such insurance announced they were discontinuing coverage or raising rates.

In an effort at temporary relief, more than 20 State Legislatures provided for establishment of insurance pools to provide coverage to doctors who could not obtain it privately. Other remedies prescribed by state legislation included limiting the amount of damages patients could collect, restricting lawyer contingency fees, and establishing screening panels to hear claims.

Nursing homes came under heightened

state scrutiny in the wake of a U.S. Senate investigation into patient abuse and misuse of government funds. A number of States launched their own investigations or passed laws to correct the abuses.

The emotional issue of abortions continued to occupy many State Legislatures attempting to redefine their laws in the light of U.S. Supreme Court decisions. Many States sought to place additional restrictions on abortions, such as requiring the approval of a husband or parent, and these restrictions were the subject of further litigation.

Smoking came under increasing restrictions, with some 20 States banning it in certain public places.

The rights of mental patients were expanded by at least 11 States, with the possibility of future state action in reaction to a 1975 U.S. Supreme Court decision that the harmlessly mentally ill may not be confined against their will and without treatment.

The "right to die" and a definition of death were debated nationwide when the parents of a comatose New Jersey woman sued for the right to turn off her life-sustaining respirator. Unsuccessful in a lower court, they appealed to the State Supreme Court in late 1975. The issue of how to define death, especially for patients sustained by respirators, was decided in more States as "brain death."

Other trends in health legislation included measures to authorize health maintenance organizations, to prevent child abuse, to ensure less expensive prescription drugs, and to provide insurance coverage for newborn infants.

Newly emerging trends included legalization of acupuncture by five more States and provisions for catastrophic illness insurance protection in several States.

#### EDUCATION

School finance reform continued on a limited basis, but lost much of its nationwide impetus when the U.S. Supreme Court in 1973 upheld Texas' system of relying on property taxes. Even with court pressure removed, Texas passed an initial reform effort designed to make its state aid more equitable. New Jersey struggled to meet a State Supreme Court

order to revamp its school aid system. Several other States revised their school formulas and many substantially increased state aid to schools.

The U.S. Supreme Court dampened some States' hopes for ways to aid parochial schools when it voided Pennsylvania's program of auxiliary services in 1975. Similar programs remained in effect in some other States, and at least five States aided private schools in 1974-75.

In other action, the growth of "diploma mills" prompted several States to regulate private post-secondary schools, student rights were assured by new laws in at least five States, and three States required "meditation periods."

The much discussed voucher concept was given the go-ahead in New Hampshire, where a test will allow parents to purchase their child's education at a school of their choice.

Busing for racial balance generated legislative and public unrest, but no legislation resulted as laws intended to prevent busing were vetoed (Pennsylvania) and voided by the State Supreme Court (Massachusetts).

#### ENVIRONMENT

Land use planning emerged as the major environmental issue of the biennium as States sought to prevent or curb willy-nilly growth and head off the possibility of a federal law on the subject. At least eight States required localities to start comprehensive land use planning, while a few required statewide plans. Other major areas of land use planning were coastal and wetlands areas, powerplant siting, critical or natural areas, and establishment of state trails.

At least 12 States passed new or expanded controls over strip mining.

Other environmental concerns included water use, sewers, solid waste management, agricultural areas protection, and pesticide controls.

Innovations included laws to ban aerosol spray cans and flip-top cans because of environmental and health hazards.

#### CONSUMERS

The drive for no-fault auto insurance geared down as only five more States

passed such laws, for a total of 16 with "true" no-fault limiting suits for pain and suffering, and eight with "modified" no-fault laws.

States passed a variety of consumer protection laws in efforts to stem abuses in such areas as auto repairs, securities dealings, credit transactions, door-to-door sales, advertising, and charity fund raising.

Fair trade laws—allowing retail price fixing—were repealed by some 20 States before the President signed a nationwide repeal in late 1975.

The new technology of electronic and computer banking came under state regulation in several States.

The trend towards creation of housing finance agencies, designed to help construction of low- and moderate-income homes, continued with nine more States establishing such agencies and others increasing their bonding powers.

A newly popular concept in housing—condominiums—resulted in new laws in seven States to deal with consumer dissatisfactions.

Landlord-tenant conflicts came under state regulation in more States. States also began regulating mobile homes.

Unique developments included a ban on "redlining" in Illinois, which forbids banks from arbitrarily denying mortgages because of the property's location, and incentives for urban homesteading in several States which encourage people to rehabilitate abandoned urban housing.

#### LABOR

The worker's lot continued to improve under new state laws which raised the minimum wage, bettered workmen's compensation, and increased unemployment benefits. The recession also forced several States to either borrow from the federal government to pay their jobless benefits or to increase the unemployment tax burden.

Farm laborers, including migrant workers, were given the right to unionize under a new California law.

#### SOCIAL LEGISLATION

Approval of the proposed equal rights amendment for both sexes slowed to a

trickle as only four States approved it over the biennium, for a disputed total of 34. Two States previously passed measures to rescind. State equal rights amendments were rejected by voters in two States and adopted in one.

The movement for piecemeal correction of practices discriminating against women continued in the State Legislatures as more than 20 outlawed credit discrimination against women before federal action was taken banning such discrimination. Other state laws banned discrimination on account of sex in a variety of areas, including employment and accommodations and housing.

Many States joined in the revolt against pay toilets by banning the dime boxes in toilets in public buildings and other places.

A number of States banned discrimination against the handicapped, with most

laws aimed at removing architectural barriers.

The age of majority continued to shift downward as a few more States joined the majority in setting adulthood at 18 or 19.

#### TRANSPORTATION

The trend towards consolidating transportation functions in one agency continued. These new agencies were usually also made responsible for mass transit. State or local funding for mass transit continued to grow. Decreased gasoline revenues, combined with higher construction costs, struck a blow at many highway budgets, prompting gasoline tax hikes in some States.

Railroads benefited from new laws in several States, among them Iowa's innovative program of state aid to upgrade branch line rail roadbeds.



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## UNIFORM STATE LAWS

By JOHN M. McCABE\*

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IN 1974 AND 1975, the National Conference of Commissioners on Uniform State Laws (NCCUSL) achieved a high-water mark of productivity. In 1974, the NCCUSL completed the *Uniform Rules of Criminal Procedure*, the *Uniform Rules of Evidence*, the *Uniform Eminent Domain Code*, and the revised *Uniform Consumer Credit Code*. In 1975, the NCCUSL completed the *Uniform Land Transactions Act*. These acts join the *Uniform Commercial Code*, the *Uniform Probate Code*, the *Uniform Marriage and Divorce Act*, and the *Uniform Motor Vehicle Accident Reparations Act* as comprehensive efforts at codification and at substantive law reform.

The NCCUSL is an experiment in state legislation now in its eighty-sixth year. As we observe our Nations Bicentennial, it is appropriate to review the role of the NCCUSL as an institution. The States are exclusive jurisdictions for many aspects of law and regulation. The District of Columbia and Puerto Rico have come to resemble the States in their own governments. The design was meant to encourage a healthy diversity, and to counteract the excesses of central government. The design has worked tolerably well. However, the free passage of people and commerce between these jurisdictions has meant that absolute diversity may cause people and commerce to suffer. The NCCUSL is the continuing response of the States, the District of Columbia, and Puerto Rico to this problem. It permits these governments to use the best legal minds available to probe the great body of civil and criminal law to find where diversity fails. It then uses those minds to draft legislation to achieve the recommended uniformity. There is no compulsion to enact uniform acts. They rise

or fall upon their substantive merits and upon the real need for uniformity. In this approaching bicentennial year, the NCCUSL is pleased to offer its record of service for examination.

The latest uniform acts are summarized here.

1. *The Uniform Rules of Criminal Procedure* (URCP). An initial offering of criminal procedure rules occurred in 1952. The 1974 Rules are not a revision, but a totally new package of legislation.

The Rules emphasize speedy resolution of the criminal process without a loss of fairness. Criminal citation is emphasized over arrest, thus limiting much of the tedious process of booking and processing. Criminal information is preferred to indictment. Perhaps the major innovation lies in the area of discovery. Broad discovery of evidence is afforded the criminal defendant. The prosecutor has discovery available also, as is consistent with the Fifth Amendment rights of the defendant. The prosecutor also has the "investigatory" deposition for criminal investigation, even before information or indictment is filed. The defendant's recognizance replaces bail where possible. Monetary bail is to be demanded only upon the failure of recognizance and agreement or in the event the public is substantially endangered. There are time limits upon initiating the trial. Unless delayed by the defense, trial must take place within four months of information or indictment. These are some of the highlights of this comprehensive act which will permit a more efficient resolution of criminal cases in enacting jurisdictions.

2. *The Uniform Eminent Domain Code* (UEDC). The UEDC unifies condemnation actions within States and between them. Condemnation begins with planning for a prospective project, and the UEDC provides for access to private land for surveys and essential exploratory

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activities. Once a project is planned, there must be a condemnation authorization. This provides landholders with notice and the opportunity to challenge the project. The condemnor must assess the value of the land and make a report. He must then make a first offer based on the report. The UEDC encourages negotiation and settlement before litigation. If negotiations fail, then a modern civil procedure establishes the course of litigation. The most recent innovations in procedure involve discovery and informal procedures for small compensation awards. Broad discovery of all materials created by the parties is provided. Arbitration is also offered as an alternative to litigation.

The most dramatic innovation of all concerns relocation assistance. The UEDC mandates substantial relocation assistance in terms of money and programs for all condemnations. Tenants are assisted as well as landholders. This important act would mean a substantial improvement in eminent domain proceedings.

3. *Uniform Rules of Evidence (URE)*. The NCCUSL first attempted simplification of evidentiary rules in 1952. These rules received little acceptance, but proved harbingers of future events.

The Judicial Conference of the United States convened an advisory committee to consider reform of evidentiary rules for the federal courts in the late 1960s. The advisory committee submitted an extensive report. Bills based on the report were considered in Congress for several sessions, and new federal rules were enacted in 1974. During this time, the NCCUSL resumed activity in the field, with the added incentive of producing uniformity not only between the States, but between the States and the federal government. An entirely new URE was drafted pursuant to the recommendations of the advisory committee and paralleling the proposed federal rules.

However, the URE has privilege sections which were deleted in the federal rules. The URE severely limits privileges and narrowly construes those permitted. Perhaps the most interesting limitation on privilege occurs in the section on

lawyer-client. The lawyer has no privilege relating to his practice on behalf of a public entity. This is a typical example of evidence which should be available in legal actions. Unimpeded flow of evidence, simplification of principles, and congruity between state and federal courts are the goals promoted in the new Uniform Rules of Evidence.

4. *Uniform Consumer Credit Code, Revised (UCCC)*. The UCCC was promulgated in 1968. However, in 1972 the National Commission on Consumer Finance issued a major report. In addition, the federal government pre-empted state action with the enactment of the federal Truth in Lending Act of 1968. Moreover, it became necessary to strengthen consumer protections in this act and to consider new provisions for credit cards.

In 1972, the NCCUSL began to revise the UCCC for completion in 1974. The essential additions were in the area of improved consumer protection. The major deletion was the fair credit reporting article because of federal preemption. The UCCC, as a comprehensive code for consumer credit transactions, remains much as before.

5. *Uniform Land Transactions Act (ULTA)*. Work on this act began in 1968, and extensive drafting activity took place through 1975. It unifies real property law and real property financing law. The act provides major warranties of title and of fitness for purchasers of real property. It regularizes the financing processes, including the process of foreclosure in the event of a default. It provides for open interest rates on real property financing and spells out the responsibilities of the parties in the total transaction. The greatest protection is afforded the "protected party," who purchases real property to live on it. This act accomplishes, for real property transactions, many of the things the *Uniform Commercial Code* accomplishes for transactions in personal property.

6. *Technical Amendments, Uniform Probate Code (UPC)*. Some technical amendments to the UPC were approved in 1975. These amendments clarify existing UPC concepts.

The NCCUSL continues in the drafting of uniform acts for the States. Current projects include the *Uniform Class Actions Act*, the *Uniform Exemptions Act*, the *Uniform Comparative Fault Act*, and the *Revised Uniform Limited Part-*

*nership Act*. Recently, the NCCUSL received a major grant for the development of a *Uniform Corrections Code* from the Law Enforcement Assistance Administration. This is a new major project slated for completion in 1977.

**THE BOOK OF THE STATES**  
**RECORD OF PASSAGE OF UNIFORM ACTS\***  
As of August 31, 1975

	UNIFORM ACTS													
State or other jurisdiction	Partnership (1914)	Limited Partnership (1916)	Fraudulent Conveyances (1918)	Declaratory Judgments (1922)	Fiduciaries (1922)	Federal Tax Lien Registration (1926) (1966)	Veterans' Guardianship (1928)	Principal and Income (1931) (1962)	To Secure Attendance of Out-of-State Witnesses (1931)	Narcotic Drug (1932) (1958)	Criminal Extradition (1936)	Common Trust Fund (1938) (1952)	Acknowledgment (1939) (1960)	Simultaneous Death (1940) (1953)
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.....	★	..	★	★	★	★	★	☆	★	★	★	★	..	★
District of Columbia..	★	★	..	★	★	..	..	..	★	★	★	★	..	☆
Puerto Rico.....	..	..	..	★	..	..	★	..	★	★	..	..	..	..
Virgin Islands.....	★	★	★	★	★	..	★	..	★	★	★	..	☆	☆
Total.....	47	48	25	42	27	38	44	37	50	51	46	36	27	49

\*Adapted from the National Conference of Commissioners on Uniform State Laws. The table records state adoptions of acts currently being recommended by the Conference for adoption by all jurisdictions. For complete list of uniform and model acts promulgated by the Conference, see *Handbook of the National Conference of Commissioners on Uniform State Laws*.  
☆As amended.

RECORD OF PASSAGE OF UNIFORM ACTS\*—Continued  
As of August 31, 1975

## UNIFORM ACTS—Continued

<i>Interstate Arbitration of Death Taxes (1945)</i>	<i>Interstate Compromise of Death Taxes (1943)</i>	<i>Divorce Recognition (1947)</i>	<i>Enforcement of Foreign Judgments (1948) (1964)</i>	<i>Ancillary Administration Estates (1949) (1953)</i>	<i>Photographic Copies as Evidence (1949)</i>	<i>Probate of Foreign Wills (1950)</i>	<i>Reciprocal Enforcement of Support (1950) (1958) (1968)</i>	<i>Commercial Code (1951) (1957) (1962) (1971)</i>	<i>Single Publication (1952)</i>	<i>Adoption (1953) (1969) (1971)</i>	<i>Aircraft Financial Responsibility (1954)</i>	<i>Civil Liability for Support (1954)</i>	<i>Disposition of Undeclared Property (1954) (1966)</i>	<i>State or other jurisdiction</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
..	..	..	..	..	..	..	★	★	..	..	..	..	..	District of Columbia
..	..	..	..	..	..	..	★	★	..	..	..	..	..	Puerto Rico
..	..	..	..	..	..	..	★	★	..	..	..	..	..	Virgin Islands
14	17	10	19	1	38	2	53	51	7	4	3	5	23	Total

RECORD OF PASSAGE OF UNIFORM ACTS\*—Continued  
As of August 31, 1975

UNIFORM ACTS—Continued														
State or other jurisdiction	Supervision of Trustees for Charitable Purposes (1954)	Contribution Among Tortfeasors (1955)	Motor Vehicle Certificate of Title and Anti-Theft (1955)	Post-Conviction Procedure (1955) (1966)	Arbitration (1956)	Gifts to Minors (1956) (1965) (1966)	Securities (1956) (1958)	Division of Income for Tax Purposes (1957)	Retention of Prisoners as Witnesses (1957)	Estate Tax Apportionment (1958) (1964)	Facsimile Signatures of Public Officials (1958)	Mandatory Disposition of De-linquents (1958)	Simplification of Fiduciary Security Transfers (1958)	Perpetuation of Testimony (1959)
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.....	..	..	..	..	..	..	..	..	..	..	..	..	..	..
District of Columbia.....	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Puerto Rico.....	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Virgin Islands.....	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Total.....	4	9	6	11	18	50	31	11	11	7	19	9	38	1

RECORD OF PASSAGE OF UNIFORM ACTS\*—Continued  
As of August 31, 1975

UNIFORM ACTS—Continued														
Paternity (1960)	Testamentary Additions to Trusts (1960)	Military Justice (1961)	Foreign Money Judgments Recognition (1962)	Interstate & International Procedure (1962)	Voting by New Residents in Presidential Elections (1962)	Deceptive Trade Practices Act (1964) (1966)	Status of Convicted Persons Act (1964)	Trustees' Powers Act (1964)	Certification of Questions of Law (1967)	Rendition of Accused Persons Act (1967)	Anatomical Gift Act (1968)	Child Custody Jurisdiction Act (1968)	Consumer Credit Code (1968) (1974)	State or other jurisdiction
..	★	..	★	..	..	..	..	..	..	..	★	..	..	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
..	..	..	..	..	..	..	..	..	..	..	..	..	..	District of Columbia
..	..	..	..	..	..	..	..	..	..	..	..	..	..	Puerto Rico
..	..	..	..	..	..	..	..	..	..	..	..	..	..	Virgin Islands
4	42	8	10	6	16	14	3	4	5	7	50	8	9	Total

RECORD OF PASSAGE OF UNIFORM ACTS\*—Continued  
As of August 31, 1975

UNIFORM ACTS—Continued														
State or other jurisdiction	Juvenile Court Act (1968)	Recognition of Acknowledgments Act (1968)	Probate Code (1969) (1975)	Controlled Substances Act (1970) (1973)	Jury Selection & Service Act (1970) (1971)	Consumer Sales Practices (1970) (1971)	Marriage & Divorce (1970) (1975)	Abortion (1971) (1973)	Alcoholism & Intoxication Treatment (1971)	Disposition of Community Property Rights at Death (1971)	Commercial Code—Article 9 (1972)	Duties of Disabled Persons (1972)	Management of Institutional Funds (1972)	Motor Vehicle Accident Reparations (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.....	..	..	..	★	..	..	..	..	..	..	..	..	..	..
District of Columbia.....	..	..	..	..	..	..	..	..	★	..	..	..	..	..
Puerto Rico.....	..	..	..	★	..	..	..	..	..	..	..	..	..	..
Virgin Islands.....	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Total.....	2	15	11	37	5	3	6	0	20	4	14	7	19	0



RECORD OF PASSAGE OF UNIFORM ACTS\*—Concluded  
As of August 31, 1975

UNIFORM ACTS—Concluded													
Public Assembly (1972)	Residential Landlord-Tenant (1972)	Crime Victims Reparations (1973)	Disclaimer of Property Interests (1973)	Disclaimer of Transfers by Will, Intestacy, or Appointment (1973)	Disclaimer of Transfers under Nontestamentary Instruments (1973)	Drug Dependence Treatment and Rehabilitation (1973)	Parentage (1973)	State Antitrust (1973)	Eminent Domain Code (1974)	Rules of Criminal Procedure (1974)	Rules of Evidence (1974)	Land Transactions Act (1975)	State or other jurisdiction
..	★	..	..	..	..	..	..	..	..	..	..	..	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
..	..	..	..	..	..	..	..	..	..	..	..	..	District of Columbia
..	..	..	..	..	..	..	..	..	..	..	..	..	Puerto Rico
..	..	..	..	..	..	..	..	..	..	..	..	..	Virgin Islands
1	9	2	1	2	2	0	3	1	0	0	2	0	Total

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## SUGGESTED STATE LEGISLATION, 1975-1976

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THE COUNCIL of State Governments published the thirty-fourth and thirty-fifth volumes of *Suggested State Legislation (SSL)* during the biennium, continuing a successful inter-governmental program dating back to 1940.

The 1975 edition contained 14 draft acts and the 1976 edition 27 draft acts, all presented in statutory language. Distribution of the 1976 edition was broadened to all 7,600 state legislators in the Nation. Previous editions had been disseminated primarily to legislative drafting agencies in the States and others who requested copies.

Drafts approved for inclusion in the annual volume were selected from among numerous proposals by the Council's 125-member Committee on Suggested State Legislation, composed of a cross-section of state officials. Proposals for committee consideration were received from individual state officials, associations of state officials, affiliated and cooperating organizations of the Council, public and private organizations, and federal departments and agencies. The U.S. Office of Management and Budget acts as liaison with the committee in gathering various proposals which federal departments and agencies may wish to call to the attention of the States. The Council does not attempt to influence enactment of legislation in the States nor do the SSL committee members necessarily support all the proposals published. They are presented as helpful suggestions on problems of general interest to be weighed by state officials against the backdrop of state policies, practices, and statutory or constitutional requirements and limitations.

While this article highlights acts presented in the 1975 and 1976 editions, many previous draft acts still address key issues in some States. For that reason, the Council of State Governments has ar-

ranged that cumulative indices, complete bound sets, or individual volumes of *Suggested State Legislation* be available by contacting the Director of Publications at the Council's Lexington office.

### ENERGY AND NATURAL RESOURCES

Model energy acts are presented in both the 1975 and 1976 volumes of *Suggested State Legislation*. The 1975 proposal would create state methods of dealing with short- and long-range energy problems through use of substantive and procedural energy conservation and management practices. A 25-member advisory council would be established to monitor energy supplies, make recommendations for conservation, and devise an integrated plan of action in case of serious shortages of energy. Based on Minnesota law, the suggested "State Energy Agency Act" in the 1976 volume would place all energy conservation, data gathering, power-plant siting, and other energy responsibilities into one agency. This agency would be responsible for developing an emergency allocation program, forecasting trends in energy demands, and prescribing criteria necessary to meet those needs.

A "Marine Fisheries Management Act" is among suggested acts dealing with natural resources. The act, developed in 1975 by a national task force convened by the Council of State Governments, attempts to strike an equitable balance among recreational, economic, and social fishing interests. Impetus for the effort is overexploitation of fish resources in some areas. More information is available in *To Stem the Tide: Effective State Marine Fisheries Management*, published by the Council of State Governments.

A "Safe Drinking Water Act" and a "State Underground Injection Control Act" both relating to the federal Safe Drinking Water Act are in the 1976 SSL.

These drafts are to help States meet the primary enforcement responsibility terms of the federal law.

Recognizing that varied solutions are necessary to meet individual situations, a draft *SSL* act provides a mechanism for States to determine their own responses to the critical land use issue. The proposal calls for a state land resource study commission to study and recommend policies and practices dealing with facets of land use management.

To better coordinate land development, two more acts would let counties extend their areawide planning and zoning control over smaller municipalities and unincorporated urban areas.

#### GOVERNMENT

Several acts in the 1975 and 1976 editions of *Suggested State Legislation* are aimed at improving local government operations. For instance, a draft constitutional amendment would extend to municipalities and counties all the powers and functions not denied or limited by the constitution or state laws.

Local governments could piggyback an income tax onto state income tax collection procedures under another draft act. The state tax commissioner would collect the local tax and make the appropriate distribution among the localities.

Local governments could transfer the responsibility for delivering services among themselves to better distribute the demand for local services under another draft. Two other suggested acts would give counties authority to establish subordinate service areas to reduce the need for proliferation of special service districts and authorize a county to actually perform certain urban services.

Separate acts in the 1975 volume would give counties optional forms of government; provide methods of consolidating local governments; and create a statewide system of substate districts for areawide planning, program operations, coordination, and related cooperative activities of state and local governments.

Improved intergovernmental cooperation would be facilitated under suggested legislation to strengthen existing state intergovernmental agencies, update their

procedures and activities, and encourage broader participation by and with all levels of government.

Modifications to earlier suggested legislation are presented in the 1975 *SSL* act, "State Temporary Intergovernmental Assignment Act." Revisions are designed to give States and local jurisdictions greater procedural flexibility in arranging intergovernmental assignments of employees.

#### HEALTH AND WELFARE

Health and welfare measures in the 1975 and 1976 editions range from meeting major natural disasters to protecting against radiation dangers from electronic products outside of private residences. States would assume certain regulatory responsibilities concerning manufacture, distribution, installation, and repair of electronic products under the suggested "Electronic Products Radiation Control Act" in the 1976 volume.

The "Example State Disaster Act" was previously published to help state officials strengthen their ability to meet disasters. Supplements included in 1976 *SSL*, however, would provide temporary housing authority for disaster victims, authorize community disaster loans, and permit debris and wreckage removal. Both the act and its supplements were developed by the Council of State Governments. Linked to disaster control is a 1975 suggested act, the "Mobile Home Tiedown Act," aimed at preventing unnecessary wind damage to mobile homes.

An act in 1976 *SSL* would create a state health facilities authority which could build health institutions, sell bonds for construction and repair, and refinance debts of existing health institutions with loans.

An "Assistance to Handicapped Children Act" in 1976 *SSL* would provide state support for educationally handicapped pupils with visual/perceptual disorders as well as other groups of handicapped children. Included would be state financial assistance for special education in private facilities if public schools did not have such facilities.

Another 1976 suggested act seeks to reduce the number of mine disasters by upgrading the professional competence of

those involved in surface and underground mining. The act, based on West Virginia law, is intended to require adequate training, education, and certification of all persons employed in coal mines.

#### CONSUMER PROTECTION

The 1976 SSL contains a "Consumer Debt Collection Fair Practices Act" outlawing any debt collector's actions which could be considered unscrupulous harassment or coercion of consumers. Penalties would be instituted for violations.

State insurance regulators would be authorized to establish minimum benefit levels and to require extensive disclosure of the extent of coverage and terms of individual accident and sickness policies and contracts under a 1975 suggested act.

Dealing with questionable, unethical, or fraudulent practices in providing post-secondary education is the thrust of another 1975 act. It establishes minimum standards of operation for degree-granting institutions and creates an agency to deal with diploma mills.

#### MISCELLANEOUS

States are offered broad alternatives to meet the challenge of declining rail service through the 1976 "State Rail Preservation Act" devised under auspices of the

Council of State Governments. The draft act would allow States to subsidize or operate railroads or permit localities to subsidize rail operations. Complete information is available in *The States and Rural Rail Preservation: Alternative Strategies*, published by the Council of State Governments.

Finally, among the issues in these two editions of SSL is a conflict of interest act, taking the tack that it is more important that the public know the "types" of income rather than specific amounts of money public officials have acquired. A state ethics commission is created to perform investigations and report findings of misconduct to appropriate law enforcement authorities.

While the foregoing acts all were presented in draft statutory language, the Committee on Suggested State Legislation frequently publishes "statements" about issues and refers state policymakers to model acts offered by other organizations.

Statements in the 1975 and 1976 editions included such topics as "Uniform Rules of Evidence," "Uniform Rules of Criminal Procedure," "Uniform Consumer Credit Code," "Model State Statute: Politics, Elections, and Public Office," "Child Abuse Act," and "State Ombudsman Act."

## PROPOSALS OF THE COMMITTEE ON SUGGESTED STATE LEGISLATION

### 1975 Suggested State Legislation

#### PROPOSALS ACCOMPANIED BY DRAFT LEGISLATION

Model Energy Act	County Officers Placed on Statutory Basis—Constitutional Amendment
Individual Accident and Sickness Insurance Minimum Standards Act	State Employment Offices Credit for Military Referrals which Result in Enlistment Act
Mobile Home Tiedown Act	State Temporary Intergovernmental Assignment Act
Postsecondary Educational Institutions and Authorization to Grant Degrees Act	An Act to Facilitate Exchange of Fire Control Manpower and Equipment between States
Statewide Substate Districting Act	Unauthorized Copies of Recorded Material Act
Optional Forms of County Government Act	An Act Forbidding Use of Certain Names by Corporations
Local Government Consolidation Act	
Consolidation of County Offices Act	

#### STATEMENTS WITHOUT ACCOMPANYING DRAFT LEGISLATION

Model Conflict of Interest Act	Assistance Offered to States by the Federal Mediation and Conciliation Service
Child Abuse Act	Suggested State Legislation Style Manual
State Ombudsman Act	
Model Certification Act for Operating Personnel in Water and Wastewater Utilities	

### 1976 Suggested State Legislation

#### PROPOSALS ACCOMPANIED BY DRAFT LEGISLATION

Electronic Products Radiation Control Act	County Performance of Urban Services Act
Consumer Debt Collection Fair Practices Act	Licensing of Surface and Underground Coal Miners Act
State Energy Agency Act	Precinct Boundaries and Mapping Act
Marine Fisheries Management Act	Assistance to Handicapped Children Act
Health Facilities Authority Act	State Rail Preservation Act
Transfer of Functions Act	Example State Disaster Act—Supplements
Authorization for a Local Income Tax Supplement to the State Income Tax Act	Temporary Housing for Disaster Victims and Site Acquisition and Preparation
Local Sales and Out-of-State Use Tax Act	Community Disaster Loans
An Act Providing for the Creation of a Commission on Intergovernmental Cooperation	Debris and Wreckage Removal in Disaster Emergencies or Major Disasters
County Powers in Relation to Local Planning and Zoning Actions Act	Individual and Family Assistance for Disaster Victims
County Planning, Zoning, and Subdivision Control in Unincorporated Areas Act	Example State Disaster Act of 1972
State Land Resource Study Commission Act	Safe Drinking Water Act
Residual Powers of Local Governments—Constitutional Amendment	State Underground Injection Control Act
County Subordinate Service Areas Act and a Constitutional Amendment	Conflict of Interest Act

#### STATEMENTS WITHOUT ACCOMPANYING DRAFT LEGISLATION

Uniform Acts—Statements	Model State Statute: Politics, Elections, and Public Office—Statement
Uniform Rules of Evidence	
Uniform Eminent Domain Code	
Uniform Rules of Criminal Procedure	
Uniform Consumer Credit Code	

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## CONSTITUTIONAL AMENDMENTS AND DIRECT LEGISLATION, 1974-1975

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**G**IGANTIC BOND ISSUES were rebuffed by voters, as were proposals to hike general taxes in statewide elections during 1974 and 1975.

Good-government proposals, such as campaign finance reform, were enthusiastically welcomed by the electorate and judicial reform measures also won approval in most balloting.

Changes in executive and legislative branch procedures received mixed reactions. Most attempts at higher legislative pay failed.

Education, gambling, equal rights, and environmental proposals found voters picking and choosing among them.

In one of the more unique votes, the Alaska electorate chose to relocate its capital from Juneau to a yet-undesignated, more accessible location.

The following summarizes some of the major trends of the 1974-75 primary, special, and general elections on statewide issues and amendments.

### CONSTITUTIONS

Louisiana voters ratified a new constitution in 1974 by almost a 100,000-vote margin. The new document strengthened the legislative branch, authorized annual sessions, removed the Lieutenant Governor as presiding officer of the Senate, provided for open records and meetings, authorized a code of ethics, and authorized a unified judicial system. Reorganization mandated by the new constitution was accomplished by the Legislature.

The New Hampshire constitutional convention approved 27 amendments for placement on ballots from 1974 to 1980. (In 1974 voters approved proposals for state equal rights and legislative organizational sessions, but defeated annual sessions and a larger Senate.)

Texas' electorate overwhelmingly turned back all eight propositions of the proposed new constitution. Opponents of

the new document included the Governor, although most other major state officials were numbered among its proponents. The document had a stormy history, with the Legislature meeting as a constitutional convention the first half of 1974, failing to agree on the new document, and finally giving it approval in 1975 in time for the November ballot.

The 1975 law establishing an Arkansas constitutional convention was stricken by the State's high court because it illegally restricted powers inherent in the people.

### GOVERNMENT REFORM

Political reform measures on the ballots in seven States were heartily endorsed by voters.

One of the most publicized was California's Proposition Nine which covered financial disclosure, lobbyist regulations, and campaign finance reforms.

Campaign finance reporting also was required by measures approved in Idaho and Missouri. Idaho also regulated lobbyists and Missouri limited campaign spending and mandated financial disclosure by officials as well.

Financial disclosure by officials and candidates, as well as ethical rules of conduct, were prescribed by an Oregon ballot measure. Massachusetts established a commission to investigate compliance with campaign finance laws.

Legislative meetings were opened to the public by ballot measures in California, North Dakota, and Oregon.

Maryland officials may be removed from office upon conviction of or entry of certain pleas to certain crimes.

### COURTS

Texas and Washington bucked the tide of judicial reforms by disapproving new judicial articles. Unified court systems were authorized in Louisiana (by the new constitution), Kentucky (by a new judi-

cial article), Georgia, and West Virginia. Centralized court administration was approved in New York, court revision in Vermont, and reform of the justice of the peace system in Mississippi.

Mechanisms for discipline, removal, or retirement of judges were established in Maryland, New York, and North Dakota.

Nonpartisan election of judges was cleared in Arizona and Kentucky, and Connecticut provided for appointment of justices of the peace.

New courts included authorization for an intermediate court of appeals in Kentucky and a court to hear claims against the State in Georgia.

Six-member juries in all but felony cases were authorized in North Dakota.

#### EXECUTIVE

Reorganization of state executive agencies as authorized by voters was accomplished in Idaho, Louisiana, and North Carolina.

Idaho and Louisiana each reorganized executive agencies into 19 new departments. North Carolina completed its reorganization with creation of several new departments as authorized by a constitutional amendment. Oklahoma approved eliminating some state offices and making some posts appointive rather than elective. New executive articles were refused by voters in Texas and Utah.

Team election of the Governor and Lieutenant Governor passed in Indiana and North Dakota, but failed in Utah. A four-year term for Governor lost in Vermont, as did higher gubernatorial pay in Maryland.

Measures to limit the Governor's item veto power were adopted in Hawaii and Washington, but rejected in Illinois.

Maine abolished its 155-year-old Executive Council, empowering the Legislature to confirm gubernatorial appointments instead, and established procedures for determining if a Governor cannot perform duties of office.

Removal of the Lieutenant Governor as Senate President was approved in Colorado and Louisiana, and defeated in Nebraska and South Dakota.

Quick gubernatorial and legislative action in filling vacancies was required in

Pennsylvania. Washington voters refused to restrict the Governor's powers in appointing U.S. Senate vacancies.

#### LEGISLATIVE

Legislative revision had its highs and lows during the biennium. A new legislative article was adopted in Louisiana as part of the new constitution and Kansas approved a revised legislative article, including longer sessions. Legislative revision lost in South Dakota and Texas.

Annual legislative sessions were authorized in Louisiana and Maine, losing in New Hampshire and Texas. Montana, however, reverted to biennial sessions from an annual format.

Reduction of the size of the Massachusetts House from 240 members to 160 won voter favor, but the enticement of a smaller Legislature was not enough to gain passage of a new legislative article in South Dakota. New Hampshire voters declined to increase the size of the Senate.

Reapportionment commissions were approved in Colorado and Maine.

Permission for the Legislature to call itself into special session was granted in Iowa and New York, but denied in Oregon.

Higher legislative pay failed in Arizona and Nebraska, as did commissions to set legislative pay in Arkansas, New Mexico, North Dakota, and Washington. Ohio voted down allowing interim pay raises. Texas was alone in voting to increase legislative pay.

#### BONDS

The bigger they were, the harder they fell was true for bonds offered at the polls over the biennium. In November 1975 balloting, Ohio rejected a \$4.5 billion bond package and New Jersey turned back \$922 million in bonds. Both States' Governors partially attributed the defeats to voter caution in the wake of the New York City fiscal crisis.

But voters were cautious about mammoth bond issues even before the New York City crisis made the headlines. Voters in 1974 in Michigan rebuffed a \$1.1 billion transportation bond and in New Jersey defeated a \$300 million transportation bond issue and a \$90 million housing

bond issue. The rejected 1975 Ohio bond package included \$1.75 billion for transportation funded by a gasoline tax hike and a \$2.75 billion capital improvements bond financed by a sales tax increase. New Jersey's 1975 bond failures included \$600 million for transportation, \$110 million for water and sewers, \$112 million for institutions, and \$100 million for housing.

California voters proved the generous exception in approving bond issues totaling \$1 billion over the biennium, including \$350 million for veteran's home loans, \$250 million for water, \$250 million for parks, and \$150 million for school earthquake protection.

A wide variety of bond issues won voter favor in some other States. They included \$250 million for rails in New York, \$200 million for recreation lands in New Jersey, \$205 million for Vietnam veterans bonuses in Michigan, \$100 million for nursing home safety in Pennsylvania, and a number of smaller issues in Maine, Rhode Island, and Pennsylvania. Veterans' bonding authority programs were increased in Oregon and Wisconsin.

Revenue bonds for private industry pollution control were authorized in Idaho and Ohio, and denied in North Carolina.

#### TRANSPORTATION

As noted above, most transportation bonds met with defeat, with the exceptions of \$250 million for rails in New York and a \$14 million issue in Rhode Island.

Use of highway funds for mass transit was permitted in California and Massachusetts, but rejected in Arizona. Voters defeated state financing for mass transit and rails in Wisconsin and for rails in Ohio. Michigan decided against limiting use of highway funds for mass transit. Minnesota approved taxing railroads.

#### TAXES, FINANCE

Higher general taxes met with consistent voter defeat. Higher income taxes in Oregon and a corporate income tax in Washington were refused despite being earmarked for education. Hikes in sales and gasoline taxes to finance massive

bond issues in Ohio were disapproved. A higher sales tax to finance removal of the sales tax on food was turned down in Arizona. Michigan voted removal of the sales tax on food and drugs, an action which led to later legislative enactment of a higher income tax to make up for lost revenues.

Exceptions to the resistance to higher taxes were severance taxes adopted to finance aid to localities impacted by energy developments in Montana and Wyoming.

Homestead tax exemptions for the elderly or disabled were expanded by voter action in Georgia, Kentucky, New Jersey, and Ohio.

Tax breaks for open space or farmlands were approved in Nevada and Wisconsin, but a tax break for recreational land lost in Ohio, as did tax incentives for industry.

Balanced budgets were mandated in Maryland and Louisiana. Oklahoma strengthened its budget-balancing amendment. Voters turned down proposals to limit spending in Arizona and to raise the public debt limit in Nevada.

#### EDUCATION

School finance reform gathered little voter support. A 1974 Nebraska law to increase state aid to schools was petitioned to the ballot and rescinded. A new education article guaranteeing equal educational opportunity lost in Texas. Wyoming voters declined to change from county school levies to a state levy. Income tax hikes for more school aid lost in Oregon and Washington. An exception was Florida's endorsement of state bonding authority for construction of local schools.

Voters prevented state aid to private church-related schools in Maryland and Washington, but aid for private higher education won in Massachusetts and Virginia.

A ban on busing for racial balance was voted in Colorado.

Few educational bond issues were on the ballot. California approved \$150 million for school earthquake protection, Rhode Island passed \$9.5 million in education bonds, and Maine approved a \$900,000 bond for university housing.



## ELECTIONS PROCEDURES

Voter registration by mail is available to 41 percent of the voting age population under state laws, many of them passed during the biennium.

Open primaries in which all candidates compete on the same ballot regardless of their party were adopted in Louisiana and Mississippi. No runoff is required if a candidate receives over 50 percent of the vote.

As 1976 neared, many state officials debated the possibility of forming regional presidential primaries. A loosely-knit one will be held in the West when Idaho, Nevada, and Oregon all vote on the same day. Georgia changed its primary date to be the same as Alabama's, and Massachusetts switched to March 2 hoping other New England States would join it on that date. New Hampshire passed a law to ensure its primary is always first. Presidential primaries were authorized for the first time in Arkansas and Texas and abolished in New Mexico.

In a decision which prompted changes in several States' laws, the U.S. Supreme Court in March 1974 ruled that indigent candidates cannot be kept off the ballot because they cannot afford a filing fee.

Ohio authorized simplifying the wording of constitutional amendments on the

ballot and allowing use of voting machines.

## OTHER

State equal rights amendments were approved in two States and disapproved in two others. California voted to purge sexism from the constitution's language and Indiana permitted women to join the state militia. Discrimination against the physically handicapped was banned in Florida.

Colorado and Washington voted to restore capital punishment.

Bingo by charitable groups won voter approval in Ohio and South Carolina, and New York expanded games of chance offered by charities. Less lucky were proposals for casino gambling in New Jersey and a state lottery in Washington.

Nuclear blasts, even in search of energy, were banned unless voters approve in Colorado. Colorado also voted to permit localities to join private industry in energy development and Florida authorized localities to jointly own private utilities. Utah voters rejected a 1974 land use planning law.

In other voting, Oregon banned all obscene materials, South Carolina set 18 as the age of majority except for drinking, and North Dakota chose to retain its anti-corporate farm laws.

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## ELECTION LEGISLATION

BY RICHARD G. SMOLKA\*

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**E**LECTION LAWS affecting voter registration systems and campaign finance reform have undergone great change during the past two years. During 1974 alone, 24 States adopted new or major campaign finance regulations. Twelve jurisdictions adopted mail registration during 1974-75.

At the national level, the Federal Election Commission was established and federal law superseded the States' regulation of candidates for federal office. The extension of the Voting Rights Act in 1975 also included protection for language minorities and affected many more States and jurisdictions than the original act. The courts have been very active and U.S. Supreme Court decisions have upheld the state role in election administration while at the same time providing new protection for the national political parties.

In general, the past two years have been marked by much state legislative and administrative activity to make voter registration easier, elections more convenient, ballot access more available, and campaigns more regulated. In some instances campaign finance regulation has been ruled unconstitutional. Nevertheless, election law, long a neglected area, has been in the public spotlight both in the States and in Washington during the past two years.

### VOTER REGISTRATION

The introduction of extensive mail registration systems in Maryland, Minnesota, and New Jersey during election year 1974 marked a major departure from the personal registration systems in most States and from the permissible mail registration alternatives previously available in Alaska, Kentucky, and Texas. By late 1975, 14 States and the District of Colum-

bia—containing more than 40 percent of the voting age population of the Nation—had adopted legislation providing for mail registration.

New Jersey law provides that voter registration forms be delivered door-to-door to every household during presidential election years. Further, every county must submit a registration plan to the Secretary of State. California also requires counties to submit voter registration plans to the State.

Several local governments established 24-hour answering service to accept requests for mail voter registration forms and attempted to provide one-day service to prospective registrants who telephoned their requests for forms.

Other innovations designed to make voter registration easier were introduced in Illinois, where political party precinct committeemen were made ex officio deputy registrars within their precincts, and in Oregon where, in addition to mail registration, precinct committeemen who applied could become deputy registrars. Michigan provided that motor vehicle agency locations serve to distribute voter registration forms and make them available to persons who change their address. Minnesota's law, which permits registration at the polling place on election day, in effect, establishes a system which has no prior registration requirement.

### CAMPAIGN FINANCE

The level of state activity regulating campaign finance which began in the post-Watergate period has accelerated during the past two years. Since 1972, 37 States have enacted new campaign regulation laws.

State laws place limitations on contributions by individuals and groups; place limitations on total expenditures by candidates; require disclosure of campaign contributions and expenditures; prohibit

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corporations, and in some instances, unions and other groups, from making contributions; provide for some public funding of campaigning or political parties through tax incentives or check-off plans; and protect state and local employees from political solicitations.

Although many States now have laws limiting the amount which may be contributed by an individual, there are wide variations in these limits and in how the limits are applied (see Table 10).

Contribution limitations also are affected by such factors as the level of office being contested, the population of the election district, and whether the contest is a primary or a general election.

*Limits on Expenditures.* State legislation limiting expenditures by candidates in general, places the limitation on the total amount without regard for the purpose for which the money is spent. For example, North Carolina places limitations on the amount which may be spent for media but does not limit overall expenditures. California, as part of the initiative "Proposition 9" adopted by the voters, has a unique provision which allows challengers to spend 10 percent more than incumbents. This provision is certain to be challenged in the courts. A Washington law which limited spending for or against ballot propositions to 10 cents times the number of registered voters was ruled unconstitutional by that State's Supreme Court as a violation of fundamental rights. An Oregon law which gave a candidate and/or a campaign treasurer the right to approve all expenditures for a candidate was struck down as a system of prior restraint of expression.

The U.S. Court of Appeals for the District of Columbia, however, upheld all of the major provisions of the Federal Election Campaign Act Amendments of 1974, including spending limits, disclosure, and public financing of elections. That decision has been appealed to the U.S. Supreme Court and will be considered during the Court's 1975-76 term.

*Disclosure of Campaign Contributions and Expenses.* Disclosure of campaign contributions and expenses has been accepted as necessary if most of the cam-

paign reform laws are to be effective. Disclosure laws have been attacked as an invasion of privacy, but in general have been upheld by both federal and state courts. The Socialist Workers Party in Minnesota did win an exemption from that State's disclosure law when the State Ethics Commission ruled that the Socialist Workers Party 1974 Campaign Committee could keep secret the names of individual donors or lenders but must disclose the amounts received and expended. Minnesota law differs from that in most other States by authorizing the State Ethics Commission to make exceptions from the general law for good cause. In this instance, both the Federal Bureau of Investigation and the U.S. Postal Service had refused to testify at a hearing before the commission concerning alleged surveillance of the Socialist Workers Party and alleged mail interception.

*Prohibitions of Contributions.* Regulation has taken the form of absolutely prohibiting contributions from certain groups or individuals. Some States prohibit contributions from out-of-state residents. California prohibits contributions by lobbyists. Only nine States bar contributions from labor unions and about one half prohibit contributions from corporations (see Table 10).

*Public Financing of Elections.* Public financing of elections by the States has taken the form of tax incentives, or check-off systems. Three States (Alaska, Minnesota, and Oregon) and the District of Columbia provide a direct tax credit. Another 11 States allow a state income tax deduction for small campaign contributions. Four States (Iowa, Minnesota, Montana, and Rhode Island) have a checkoff system similar to the federal income tax provision on state tax forms. Rhode Island and Iowa permit the taxpayer to designate the political party which is to receive the funds.

An optional tax surcharge which increases the liability of the taxpayer is in effect in two States, Maine and Maryland. Both contribute revenue so raised to a fair campaign financing fund. The surcharge is \$1 in Maine and \$2 in Maryland.

Response of the taxpayers to the check-

off plan has been good (for example, 17 percent in Rhode Island and 14 percent in Iowa), but poor with respect to the surcharge, with fewer than 2 percent in affected States choosing to increase their personal tax liability by even one dollar.

*Administration of Campaign Finance Regulation.* The administration of laws regulating campaign finance has become increasingly the task of independent commissions or boards established for this purpose. One half of the States now have such agencies. In general, the commission or board is created as an independent bipartisan agency whose members are appointed by the Governor, confirmed by both houses of the Legislature, and removable only by impeachment. This has been done in an attempt to vest the responsibility for regulating campaigns in officials who are protected from immediate political pressure. (For further detail see the article on "Ethics" in this edition.)

Nevertheless, in Illinois, the State Supreme Court ruled that the Governor could remove a member of the State Board of Elections (which is also responsible for campaign finance regulation) without cause at a time when there was a complaint against the Governor's campaign committee pending before the board. Also in Illinois, a district court judge ruled that the method of appointment of the State Board of Elections constituted a violation of state constitutional provisions prohibiting the Legislature from appointing executive officers.

The power granted to state boards and commissions ranges from the simple administration of the reporting requirements to audits, subpoena power, and quasi-judicial functions, including the imposition of substantial fines, removal of names from the ballot, or removal from office. The California Fair Political Practices Committee, for instance, has the power to assess fines of up to \$10,000 or three times the amount of an illegal contribution.

In order to make disclosure effective, States are beginning to develop automated systems of recording campaign reports for easy retrieval of specific information as well as cross-references and

analyses. Although all States permit access to basic information, including the use of photocopying equipment at a nominal charge, several routinely do little else to compile or utilize information.

#### ACCESS TO THE BALLOT

Three U.S. Supreme Court decisions which affected state election law and political parties were handed down on March 26, 1974. In *American Party v. White* (415 U.S. 767), a variety of Texas laws affecting the access of minor parties and candidates to the ballot were upheld by an 8-1 majority. The decision upheld a 1 percent petition requirement, the disqualification of petition signers who had participated in primary elections, a pre-primary ban on petition circulation, and a 55-day limit on securing signatures and a notarization requirement.

In *Storer v. Brown* (415 U.S. 724) the Supreme Court upheld the California law forbidding ballot position to an independent candidate if the candidate voted in the immediately preceding primary or if he had registered affiliation with a qualified political party at any time within one year prior to the immediately preceding primary election. On the same day, the Court struck down California's filing fee law in *Lubin v. Panish* (715 U.S. 709), because California offered no alternate possibility for an indigent to qualify for the ballot. In a later decision, *Cassidy v. Willis* (419 U.S. 1042, 323 A 2d 598), the Court upheld that a Delaware filing fee requirement applied only to nonindigent candidates.

Nebraska adopted a new form for use by indigent candidates unable to pay a filing fee.

#### PRIMARY ELECTIONS

Louisiana adopted a unique open primary system for offices other than presidential or congressional. All candidates, regardless of party, run in the election. A candidate who receives an absolute majority is declared elected; otherwise, the top two candidates, regardless of party, face each other in a runoff election. Candidates affiliated with a major party are identified as Democrats or Republicans on the ballot in the primary. Other candi-

dates are listed as "No Party."

The law was advocated as a means of reducing the number of elections from three to two by eliminating the runoff elections, thereby saving time and money.

#### PRESIDENTIAL PRIMARIES

Efforts to establish a regional primary as a method of reducing the number of presidential primaries took place in the South, Pacific Northwest, and in New England, but consolidation did not take place. New Hampshire passed a law providing that it could conduct a primary either on or a week earlier than any other scheduled primary in a New England State. More than 30 separate state presidential primaries were scheduled for 1976, a substantial increase over the 23 primaries held in 1972.

#### PARTY NOMINATING CONVENTIONS

The U.S. Supreme Court has given the national party conventions and party rules a status superior to state election laws. In *Cousins v. Wigoda* (415 U.S. 956), the Supreme Court, ruling on the ouster of duly elected delegates from Illinois and their replacement by an unelected challenge delegation at the Democratic National Convention, stated that the conventions serve the "pervasive national interest in the selection of candidates for national office, and this national interest is greater than the interest of any individual states." Party rules sustained the challengers' allegations that the elected delegation had been in violation of party rules.

The U.S. Court of Appeals in the District of Columbia also upheld the Republican party bonus plan for delegate apportionment to the national convention against a challenge by the Ripon Society based on deviations from the principle of one person, one vote. The court gave the party flexibility to devise the basis of its delegate allocation and ruled that the electoral college strength of the States is a rational and constitutionally permissible method.

#### STATE ADMINISTRATION

There has been a general trend toward increased state responsibility in the con-

duct of elections. This responsibility has included new processes for certification of voting equipment in Florida, increased administrative directives over purchase of equipment by the State, as in Virginia, and consolidation of voter registration records at the state level. This latter step is being taken to protect against double registration, maintain current voting records when residents move from one jurisdiction to another within a State, and to permit candidates and political parties to obtain lists of registered voters within specified state legislative or congressional districts.

The use of voter registration lists for jury duty and for commercial use has come under increasing criticism and has been viewed as a factor in holding down of both voter registration and voter turnout.

#### TRAINING

The complexity of new federal and state legislation and court decisions necessitated much more extensive training programs for local and precinct officials. The Illinois State Board of Elections established a 10-week course consisting of six weeks of classroom work and four weeks of field activity for its state coordinators of elections. These coordinators then served in the field to assist the county, municipal, and other local election officials in meeting the requirements of the election code and campaign finance regulation.

Other States which initiated rather extensive education programs included Connecticut and South Carolina. Both employed public television to provide instruction to precinct officials. A new Ohio law mandates comprehensive training for election officials.

#### FEDERAL ELECTION COMMISSION

Congressional interest in the conduct of elections has continued to grow and legislation had been introduced on almost every aspect of election administration—from voter registration, to voting hours, to reducing the maximum time any voter should be required to wait to vote at the polls.

The Federal Election Commission cre-

ated in 1974 has become the depository of records pertaining to all federal elections and is expected to cooperate with the States in assisting the States to make these records available to the public.

The clearinghouse, which had been initiated in the Office of Federal Elections within the General Accounting Office, was moved to the Federal Election Commission and has continued its work.

The clearinghouse publishes a monthly summary of election activity compiled by the Library of Congress which includes state legislation, national legislation, state and federal court decisions, and opinions of Attorneys General. It recently published a study by the Bureau of the Census which revealed that 95 percent of the cost of administering elections was paid by local units of government. Even though some States—for example, Alaska, Delaware, and Hawaii—assume most of the financial burden in their respective jurisdictions, the States collectively spent only 5 percent of the estimated \$813 million spent to administer elections during the four-year cycle of 1970–73.

State and local government election officials have been selected to form a clearinghouse advisory panel to assist in determining research priorities.

#### VOTING RIGHTS ACT

Congress extended the Voting Rights Act in 1975 for an additional seven years and included new provisions applicable to language minorities. If more than 5 percent of the citizens of voting age in a State or political subdivision are members of a

single language minority and the illiteracy rate of such persons, as a group, is higher than the national illiteracy rate, then election materials, including registration forms, voter information pamphlets, and ballots, must be printed in the minority language as well as in English.

State and local government jurisdictions covered by the Voting Rights Act extension are required to submit changes in election procedures—ranging from redistricting to the change of a polling place location—to the Justice Department for review.

#### SELECTED REFERENCES

- Alexander, Herbert E. "Trends in the Regulation of Political Finance," *Analysis of Federal and State Campaign Finance Laws*. Washington, D.C.: Federal Election Commission, 1975.
- Alexander, Herbert E. and Malloy, J. Paul. *Model State Statute: Politics, Elections and Public Office*. Princeton, N.J.: Citizens Research Foundation, 1974.
- Bureau of the Census. *State and Local Government Expenditure for Election Administration*. State and Local Government Special Studies, no. 74. Washington, D.C., July 1975.
- "Developments in Election Law," *Harvard Law Review*. Vol. 88, no. 6, April 1975.
- Federal Election Commission. *Federal-State Election Law Survey*. Washington, D.C.: American Law Division, Congressional Research Service, Library of Congress, prepared monthly.
- Phillips, Kevin and Blackman, Paul H. *Electoral Reform and Voter Participation*. Washington, D.C.: American Enterprise Institute, 1975.
- Smolka, Richard G. and Rossotti, Jack E. *Registering Voters by Mail: The Maryland and New Jersey Experience*. Washington, D.C.: American Enterprise Institute, 1975.
- U.S. Commission on Civil Rights. *The Voting Rights Act: Ten Years After*. Washington, D.C., January 1975.

TABLE I  
QUALIFICATIONS FOR VOTING

State or other jurisdiction	Minimum residence requirements before election (days)	Permanent (all areas)	Registration		Covers all elections
			Closing date (days)†	Cancellation for failure to vote at general election (years)	
Alabama.....	30	★	None	..	★
Alaska.....	30	★	30	4	★
Arizona.....	50	★	50	2	★
Arkansas.....	30	★	20	4	★
California.....	30	★	30	2	★
Colorado.....	32	★	32	2	★
Connecticut.....	None	★	(a)	..	★
Delaware.....	None	★	(b)	4	★
Florida.....	None	★	45	..	★
Georgia.....	None	★	30	3	(c)
Hawaii.....	None	★	30PE;26GE	2(d)	★
Idaho.....	None	★	5	4	(c)
Illinois.....	30D(e)	★	28	4	★
Indiana.....	60T;30P	★	29	2	★
Iowa.....	None	★	(f)	4	★
Kansas.....	None	★	20	..	★
Kentucky.....	30	★	30	4	★
Louisiana.....	None	★	30	4	★
Maine.....	1-9(g)	★	1-9	..	★
Maryland.....	30	★	(h)	5	(c)
Massachusetts.....	None	★	28F;S;20L	..	★
Michigan.....	30	★	30	..	★
Minnesota.....	20	★	20(i)	4	(j)
Mississippi.....	30	★	30	..	★
Missouri.....	30	★	(k)	..	★
Montana.....	30	★	30F;40	4	★
Nebraska.....	None	★	(l)	..	★
Nevada.....	30S;10P	★	(m)	2(n)	★
New Hampshire.....	None	★	10	..	★
New Jersey.....	30	★	29	4	★
New Mexico.....	30	★	42	4	★
New York.....	30	★	28	2	(j)
North Carolina.....	30	★	21	4	★
North Dakota.....	30	None	..	..	★
Ohio.....	30	(o)	30;11(p)	2	★
Oklahoma.....	None	★	10	2	★
Oregon.....	None	★	30	2	★
Pennsylvania.....	30	★	30	2	★
Rhode Island.....	30	★	30	5	★
South Carolina.....	None	(q)	30	2	★
South Dakota.....	None	★	15	4	★
Tennessee.....	30	★	30	4	★
Texas.....	30	★	30	..	★
Utah.....	30	★	10	4	★
Vermont.....	None	★	24(r)	..	★
Virginia.....	None	★	30	4	★
Washington.....	30	★	30	(s)	★
West Virginia.....	30	★	30	4	★(t)
Wisconsin.....	10	(u)	(v)	4	★
Wyoming.....	None	★	30	2	★
District of Columbia.....	None	★	30	4	★
American Samoa.....	2yrs.S;1yr.P	★	14	..	★
Guam.....	None	★	30	2	★
Puerto Rico.....	N.A.	★	N.A.	N.A.	★
TTPI.....	N.A.	★	N.A.	..	★
Virgin Islands.....	1yr.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 at least 30 days prior to the date of a federal election to register and apply for a presidential ballot.

Symbols: F—Federal; S—State; D—District; T—Township; P—Precinct; L—Local; PE—Primary Election; GE—General Election; N.A.—Not available.

(a) Saturday of the fourth week before election unless 18 or becomes citizen after that date.

(b) Third Saturday in October in even-numbered years.

(c) Registration covers national and state elections. Municipal registration is separate.

(d) On the 60th day after a general election, any registered voter who fails to vote in either the primary or the general election of an election year is removed from the voters list.

(e) Residency in school elections is 28 days in that district.

(f) Tenth day before election.

(g) From one municipality to another within the State, three months.

(h) Fifth Monday before election.

(i) Voter may also register on election day.

(j) All except school elections; New York, all except special district.

(k) Fourth Wednesday before election in all counties except St. Louis and St. Louis city where it is 28 days.

(l) Second Friday before election.

(m) Fifth Saturday before election.

(n) Voting twice consecutively by absentee ballot.

(o) In cities of 16,000 or more; county board of elections has the option to require registration in all or part of county.

(p) Special election held on a day other than a primary or general election day.

(q) All electors must reregister every 10 years.

(r) Fourth Saturday before election except for persons reaching 18 before election.

(s) Thirty months prior to April 1 of each odd-numbered year.

(t) 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.

(u) In municipalities with population of over 5,000; under 5,000 by local option.

(v) Second Wednesday before election.

TABLE 2  
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. 8 a.m.	5 p.m. 6 p.m. 7 p.m.	If voting machines are not used and if counties are less than 400,000 in population. If voting machines are used and in counties of 400,000 or more.
Alaska.....	8 a.m.	8 p.m.	
Arizona.....	6 a.m.	7 p.m.	Charter cities may set different hours for municipal elections.
Arkansas.....	8 a.m.	7:30 p.m.	
California.....	7 a.m.	8 p.m.	In cities of 300,000 or more polls remain open until 8 p.m.
Colorado.....	7 a.m.	7 p.m.	
Connecticut.....	6 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.
Delaware.....	7 a.m.	8 p.m.	
Florida.....	7 a.m.	7 p.m.	Commissioner may open polls at noon in cities of 3,500 or less or in school districts where past experience indicates light turnout.
Georgia.....	7 a.m.	7 p.m.	
Hawaii.....	7 a.m.	6 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.
Idaho.....	8 a.m.	8 p.m.	
Illinois.....	6 a.m.	6 p.m.	Persons within barriers or enclosures of buildings are entitled to vote, but no vote shall be cast after 12:00 midnight. The municipal officers of each municipality shall determine the time of opening the polls between the times given.
Indiana.....	6 a.m.	6 p.m.	
Iowa.....	7 a.m.	9 p.m.	In precincts using voting machines.
Kansas.....	7 a.m.	7 p.m.	
Kentucky.....	6 a.m.	6 p.m.	In cities and towns, the polls shall be kept open at least 10 hours.
Louisiana.....	6 a.m.	8 p.m.	
Maine.....	Between 6 a.m. & 10 a.m.	8 p.m.	Municipalities of less than 1,000 may establish hours of 9 a.m. to 8 p.m.
	As above	9 p.m.	
Maryland.....	7 a.m.	8 p.m.	In precincts of less than 100 registered voters.
Massachusetts....	May open as early as 5:45 a.m.; must be opened by 10 a.m.	8 p.m.	
Michigan.....	7 a.m.	8 p.m.	Mountain Time Zone. Central Time Zone. If punch-card ballots used. If paper ballots used.
Minnesota.....	7 a.m.	8 p.m.	
Mississippi.....	7 a.m.	6 p.m.	Cities: Polls open not less than 4 hours and may be opened not earlier than 6 a.m. nor later than 8 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.	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.
Nebraska.....	7 a.m. 8 a.m.	7 p.m. 8 p.m.	
Nevada.....	7 a.m. 8 a.m.	7 p.m. 7 p.m.	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 Hampshire...	Varies	Varies	
New Jersey.....	7 a.m.	8 p.m.	In voting precincts where voting machines are used, county board of elections may permit closing at 8:30 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.	
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.	



TABLE 2—Concluded  
POLLING HOURS: GENERAL ELECTIONS

<i>State or other jurisdiction</i>	<i>Polls open</i>	<i>Polls close</i>	<i>Notes on hours</i>
Oklahoma.....	7 a.m.	7 p.m.	
Oregon.....	8 a.m.	8 p.m.	
Pennsylvania.....	7 a.m.	8 p.m.	
Rhode Island.....	Between 7:00 a.m. and 12:00 noon	9 p.m.	
South Carolina...	8 a.m.	7 p.m.	Lancaster County is allowed to keep polls open until 8 p.m.
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. In counties of more than one million popu- lation the polls may be opened at 6 a.m.
Utah.....	7 a.m.	8 p.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.	
	9 a.m.	8 p.m.	1st, 2nd and 3rd class cities. 4th class cities, villages and towns. Open- ing hours extendible 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.	

TABLE 3

## 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.....	..	★	..	★	★(a)	..	..
Connecticut.....	★	..	..	..	..	..	★
Delaware.....	★	..	..	★	..	..	..
Florida.....	..	★	..	★	★	..	..
Georgia.....	..	..	★	★	★	..	★(b)
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.....	★(c)	★	..	★	..	..	..
North Carolina.....	..	..	★	★	..	..	★
North Dakota.....	..	..	★	★	..	..	..
Ohio.....	..	..	★	★	★	..	..
Oklahoma.....	..	..	★	★	..	..	★
Oregon.....	..	★	..	..	★	★	..
Pennsylvania.....	..	★	..	★	..	..	★
Rhode Island.....	★	..	..	★	..	..	★
South Carolina.....	..	..	★	★	★	..	★
South Dakota.....	..	..	★	★	★	..	★
Tennessee.....	..	★	..	★	★	..	★
Texas.....	..	★	..	★	★	..	★
Utah.....	..	..	★	..	★	..	★
Vermont.....	..	..	★	★	★	..	★
Virginia.....	..	★(d)	..	★	..	..	..
Washington.....	..	..	..	★	..	..	..
West Virginia.....	..	..	★	★	★	..	★
Wisconsin.....	..	★(e)	..	★	..	..	★
Wyoming.....	..	★	..	★	★	..	..
District of Columbia.....	★	..	..	..	..	★	..

\*Mechanical, punch card, or optical scanning vote-counting devices are not used in American Samoa, Guam, Puerto Rico, TTP, and the Virgin Islands. The use of voting machines was authorized by the 1971 Utah Legislature but are not yet in use.

†The ballot allows the citizen to vote for all candidates of the same party by marking one box or lever.

★ Indicates high frequency of use.

☆ Indicates low frequency of use.

(a) Used in absentee voting only.

(b) Except in presidential elections where candidates for the office of presidential electors are on a separate straight party ticket.

(c) Optional in primaries.

(d) All precincts having 500 or more registered voters must have voting machines.

(e) Mandatory for municipalities of 10,000 or more population; optional for smaller communities.

TABLE 4

VOTING STATISTICS ON PERSONS REGISTERED AND VOTING,  
BY STATE, IN GUBERNATORIAL ELECTIONS, 1974\*

State or other jurisdiction	Number registered prior to general election	Number voting for Governor—primary			Number voting for Governor—general election			
		Repub- licans	Democ- rats	Total	Repub- licans	Democ- rats	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.....	996,985	4,513	583,390	587,903	187,872	358,018	84	545,974
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†.....	292,652	44,067	(a)	44,067	109,583	117,274	1,865	228,722
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†.....	6,215,331	585,376	1,430,093	2,015,469	2,293,809	2,371,303	13,931	4,679,043
Indiana†.....	3,018,578	(a)	(a)	(a)	1,203,903	965,489	16,455	2,185,847
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 §.....	(e)	(a)	789,894(f)	789,894(f)	...	...	...	...
Missouri†.....	(e)	649,893	353,298	998,623(g)	1,029,451	832,751	3,481	1,865,683
Montana†.....	386,867	97,304	126,794	224,098	146,231	172,523	...	318,754
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.....	420,744	47,244	16,503	63,747	115,933	110,591	141	226,665
New Jersey†.....	3,541,809	381,719	456,410	838,127	676,235	1,397,613	31,161	2,105,009
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†.....	2,357,645	170,583	808,105(d)	979,274(f,g)	767,470	729,104	8,211	1,504,785
North Dakota†.....	(h)	97,422	32,210	129,632	138,032	143,899	...	281,931
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.....	514,334	(a)	(a)	(a)	69,224	252,436	...	321,660
South Carolina.....	997,808	35,195	416,438	415,633	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	(a)	(a)	(a)	144,449	331,998	...	476,447
Vermont.....	266,649	42,306	22,035	64,341	53,672	77,414	10,057	141,143
Virginia†.....	2,039,630	(a)	(l)	(a)	525,075	(l)	510,420(g)	1,035,495
Washington†.....	1,973,895	331,235	580,848	912,083	747,825	630,613	94,104	1,472,542
West Virginia†.....	1,062,519	155,890	364,003	519,893	423,817	350,462	...	774,279
Wisconsin.....	1,255,075(e)	161,927	331,246	449,216(g)	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†.....	1,555,504	(a)	(a)	(a)	563,609(j)	658,856(k)	69,654(l)	1,292,119

\*Figures are for 1974 except where indicated: †1972; †1973; §1975.

(a) No primary held. Alabama, Connecticut, Delaware, Florida, Indiana, Mississippi, Virginia: candidates nominated in party convention; Rhode Island, Utah: 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 second 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; North Carolina: Democrats 1,219,934, Republicans 138,050; Oklahoma: Democrats only, 534,794.

(g) Includes scattered votes. Missouri—nonpartisan candidate, 1,093; North Carolina—American Party, 586; Virginia—write-in, 317; Wisconsin: American Party, 6,043.

(h) Registration not required.

(i) No candidate.

(j) New Progressive Party.

(k) Popular Democratic Party.

(l) Puerto Rico Independence Party.

TABLE 5  
CONSTITUTIONAL QUALIFICATIONS FOR ELECTION TO STATE OFFICE\*

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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	(e)	
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 (f).....	30	15	6(a)	...	21	25	2	4	1	(c)	
Hawaii.....	30	...	5	(b)	Age of Majority(g)		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 (h).....	...	...	...	...	(b)	(b)	...	...	(e)	(b)	
Kentucky.....	30	...	6(l)	...	24	30	2	6	1	(a)	
Louisiana.....	25	5	5	...	18	18	2	2	1	(b)	
Maine†.....	30	15	5	(j)	21	25	1	1	3 mo.	(a)	
Maryland.....	30	...	5	(b)	21	25	1	1	(k)	(c)	
Massachusetts...	...	...	7	...	...	...	...	5	(e)	...	
Michigan.....	30	...	...	(b)	21	21	...	...	(e)	(b, l)	
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.(m)	...	
Nebraska.....	30	(d)	5(l)	...	U	21	U	...	1	(b)	
Nevada.....	25	...	2	(b)	(n)	(n)	(n)	(n)	...	(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	...	(o)	25	...	2	1	(b)	
North Dakota....	30	(d)	5	(b)	21	25	2	2	(e)	(b)	
Ohio (h).....	(b)	...	...	(b, p)	(b)	(b)	...	...	1	(b, p)	
Oklahoma.....	31	(d)	...	(b)	21	25	...	...	(e)	(b, l)	
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, q)	(b)	(b)	1 mo.	1 mo.	1 mo.	(b, q)	
South Carolina..	30	5	5(l)	...	21	25	...	...	...	(b)	

South Dakota...	...	(d)	2	...	25	25	2	2	...	(b, c, q)
Tennessee (r)....	30	(d)	7(a)	...	21	30	3	3	1	(c)
Texas.....	30	(d)	5	...	21	26	2	5	1	(b, c)
Utah (s).....	30	...	5(i)	(b)	25	(b)	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, o)
Wisconsin.....	(b)	(d)	...	(b)	(b)	(b)	1	1	...	(b)
Wyoming†.....	30	(d)	5	(b)	21	25	...	...	1	(a, c)
American Samoa	(t)	...	...	...	25	30	(u)	(u)	(e)	(c, v)
Guam.....	30	(d)	5	(b)	U	25	U	5	...	...
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.

U—Unicameral Legislature.

(a) Citizen of the State.

(b) Must be a qualified voter. Maryland: 5 years; Michigan: Governor 4 years; Oklahoma: 10 years; 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; American Samoa: House 1 year.

(f) State constitution provides for a Lieutenant Governor who shall be elected at the same time, for the same term, and in the same manner as the Governor, but no qualifications are prescribed.

(g) The age of majority in Hawaii is 18.

(h) Kansas and Ohio have no constitutional qualifications for the Office of Governor; however, they provide that no member of Congress or other person holding a state or federal office shall be Governor.

(i) Resident and citizen.

(j) Governor must be resident of the State during the term for which he is elected.

(k) If the district had 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.

(l) No person convicted of a felony for breach of public trust within preceding 20 years or convicted for subversion shall be eligible.

(m) 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.

(n) By statute an age 21 minimum has been established for membership in the Legislature and 1 year state residency.

(o) 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).

(p) No person convicted of embezzlement of public funds shall hold any office.

(q) No bribery convictions. South Dakota, West Virginia: No bribery, perjury, or infamous crimes.

(r) 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.

(s) By statute the Secretary of State holds the office of Lieutenant Governor ex officio.

(t) Governor and Lieutenant appointed by U.S. Secretary of Interior.

(u) Live in American Samoa for 5 years and bonafide resident 1 year.

(v) Senator must be a registered Matai.

TABLE 6

## 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 are 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 $\frac{3}{4}$ 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	.....	★
Kentucky.....	★	Petition of people (f) 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 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 $\frac{3}{4}$ of congressional districts	★
Montana.....	★	Petition of people Submitted by Legislature	5% of total qualified electors and 5% in at least $\frac{1}{8}$ 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 $\frac{1}{4}$ 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	★

TABLE 6—Concluded

## 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 are 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 $\frac{1}{4}$ of counties of State	★
Guam.....	★	Submitted by Legislature	$\frac{1}{2}$ of persons voting for Governor in last preceding general election at which Gov- ernor was elected	...
Puerto Rico.....	...	Submitted by Legislature	.....	...
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) Applies only to referendum on legislation classifying property and providing for differential taxation on same.

TABLE 7

## INITIATIVE PROVISIONS FOR STATE LEGISLATION

<i>State</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	X	10% of those voting in the last general election and resident in at least $\frac{3}{4}$ of election districts	X
Arizona.....	D	X	10% of qualified electors	X
Arkansas.....	D	X	8% of those voting in the last general election for Governor	X
California.....	D	X	5% of votes cast in the last general election for Governor	X
Colorado.....	D	X	8% of votes cast in the last general election for Secretary of State	X
Idaho.....	D	X	10% of votes cast in the last general election for Governor	X
Maine.....	I	X	10% of votes cast in last general election for Governor	X
Massachusetts.....	I	X	3% of votes cast in last general election for Governor	X
Michigan.....	I	X	8% of votes cast in last general election for Governor	X
Missouri.....	D	X	5% of voters in each of $\frac{3}{4}$ of congressional districts	X
Montana.....	D	X	5% of qualified electors in each of at least $\frac{3}{4}$ of legislative representative districts; total must equal 5% of total qualified electors	X
Nebraska.....	D	X	7% of votes cast in last general election for Governor	X
Nevada.....	I	X	10% of voters in last general election in 75% of the 17 counties	X
North Dakota.....	D	X	10,000 electors	X
Ohio.....	B	X	3% of electors	X
Oklahoma.....	D	X	8% of total vote for state office receiving largest number of votes in last general election	X
Oregon.....	D	X	6% of total votes cast in last election for Governor	X
South Dakota.....	I	X	5% of votes cast in last general election for Governor	X
Utah.....	B	X	10% of electors (direct); 5% from majority of counties (indirect) (d)	X
Washington.....	B	X	8% of votes cast in last general election for Governor	X
Wyoming.....	D	X	15% of voters in last general election and resident in at least $\frac{3}{4}$ of counties in State	X

(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.



TABLE 8  
PRIMARY ELECTIONS FOR STATE OFFICERS

State or other jurisdiction	Dates for 1976-77 primaries for officers with statewide jurisdiction*		Method of nominating candi- dates (a)	Party affiliation for primary voting		Voters receive ballot of	
	1976 primary	Runoff primary		Recorded on registration form	Declare for party ballot	One party	All parties participating
Alabama.....	May 1	June 1	C,P(b)	...	★(c)	★	...
Alaska.....	Aug. 24	...	P	...	...	...	★(d)
Arizona.....	Sept. 7	...	P	★	...	★	...
Arkansas.....	May 25	June 8	P	...	★(c)	★	...
California.....	June 8	...	P	★	...	★	...
Colorado.....	Sept. 14	...	X(e)	★	...	★	...
Connecticut.....	(f,h)	...	X(f)	★(g)	...	★(h)	...
Delaware.....	Sept. 11	...	X(f)	...	...	...	...
Florida.....	Sept. 7	Sept. 28	P	★	...	★	...
Georgia.....	Aug. 10	Aug. 31	C,P(b)	...	★(i)	★	...
Hawaii.....	Oct. 2	...	P	...	★(j)	★	...
Idaho.....	Aug. 3	...	P	...	...	...	★(k)
Illinois.....	March 16	...	C,P(l)	...	★(m)	★	...
Indiana.....	May 4	...	C,P(b)	...	★(l)	★	...
Iowa.....	June 8	...	X(n)	★(o)	...	★	...
Kansas.....	Aug. 3	...	C,P(b)	...	★(j)	★	...
Kentucky.....	May 25	...	P	★	...	★	...
Louisiana.....	(1977) May 24	...	P	...	...	...	★(d)
Maine.....	June 8	...	P	★	...	★	...
Maryland.....	May 18	...	P	★	...	★	...
Massachusetts.....	Sept. 14	...	P	★(p)	...	★	...
Michigan.....	Aug. 3	...	CP(a)	...	...	...	★(k)
Minnesota.....	Sept. 14	...	P	...	...	...	★(k)
Mississippi.....	June 1	June 22	P	...	★(c)	★	...
Missouri.....	Aug. 3	...	P	...	★(m)	★	...
Montana.....	June 1	...	P	...	...	...	★(k)
Nebraska.....	May 11	...	P	★	...	★	...
Nevada.....	Sept. 14	...	P	★	...	★	...
New Hampshire.....	Sept. 14	...	P	★	...	★	...
New Jersey.....	(1977) June 7	...	P	...	★(m)	★	...
New Mexico.....	June 1	...	P	★	...	★	...
New York.....	Sept. 14	...	CC,P	★	...	★	...
North Carolina.....	Aug. 17	Sept. 14	P	★	...	★	...
North Dakota.....	Sept. 7	...	P	★	...	...	★(k)
Ohio.....	June 8	...	P	...	★(l)	★	...
Oklahoma.....	Aug. 24	Sept. 21	P	★	...	★	...
Oregon.....	May 25	...	P	★	...	★	...
Pennsylvania.....	Apr. 27	...	P	★	...	★	...
Rhode Island.....	Sept. 14	...	P	...	★(m)	★	...
South Carolina.....	June 8	(r)	C,P(b)	...	★(s)	★(s)	...
South Dakota.....	June 1	...	X(n)	★	...	★	...
Tennessee.....	Aug. 5	...	P	...	★(m)	★	...
Texas.....	May 1	June 5	P	...	★(c)	★(s)	...
Utah.....	Sept. 14	...	X(e)	...	...	...	★(k)
Vermont.....	Sept. 14	...	P	...	...	...	★(k)
Virginia.....	(1977) June 7	...	C,P(b)	...	★(c)	★	...
Washington.....	Sept. 21	...	P	...	...	...	★(d)
West Virginia.....	May 11	...	P	★	...	★	...
Wisconsin.....	Sept. 14	...	P	...	...	...	★(k)
Wyoming.....	Sept. 14	...	P	★(t)	...	★	...
District of Columbia.....	May 4	...	P	★	...	★	...
Guam.....	Sept. 4	...	P	...	...	...	★(k)
Puerto Rico.....	(u)	(u)	C	...	★(s)	★	...

\*Primaries for statewide offices in 1977 include (1977) before the date. For a listing of candidates to be voted upon, see "General Elections in 1976 and 1977."

(a) Abbreviations: C—Convention; P—Direct primary; CP—Some candidates in convention, some in direct primary; X—Combination of indirect primary; CC,P—State Central Committees or direct primary.

(b) 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.

(c) Political party law prescribes individual party membership.

(d) Blanket primary—voting is permitted for candidates of more than one party.

(e) Preprimary endorsement assemblies are held in Colorado and preprimary conventions 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.

(f) A post-convention primary can be held if convention action is contested by a candidate receiving a specified minimum percentage of the convention vote: Connecticut, 20 percent; Delaware, 35 percent.

(g) A party enrollment list of party members is maintained separate from the registration books.

(h) Primaries of different parties are held on separate days.

(i) By written declaration. Ohio: party selection in primary is noted on registration slip at each election.

(j) Party designation is made the first time a voter partici-

pates 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 19 days before another primary. Kansas: 20 days.

(k) Voter is restricted to candidates of one party only. Ballots of all parties are received by voter and his party selection in private.

(l) Trustees of the University of Illinois are the only state officers nominated in convention.

(m) By oral declaration or request for ballot.

(n) If for any office no candidate receives 35 percent of votes cast at the primary, a convention is held to select a candidate.

(o) Party affiliation may be changed at the primary, but if changed, a voter must take an oath that the change is made in good faith. The new party designation is entered on registration form.

(p) 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.

(q) The Governor is the only state officer nominated by primary election.

(r) First runoff held two weeks after primary; second runoff held two weeks after that, if necessary.

(s) Polling areas for the different parties are physically separate.

(t) Party affiliation can be declared if uncommitted, or changed at the polls on primary election day.

(u) Primaries are not mandatory unless party regulations require them.

TABLE 9

**GENERAL ELECTIONS IN 1976 AND 1977**  
**Including All Elections for State Officers with Statewide Jurisdiction\***

State or other jurisdiction	Date of general elections in 1976(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
<b>Alabama</b> .....	Nov. 2	President of Public Service Commission, Chief Justice of Supreme Court, 3 Associate Supreme Court Justices, 1 Civil Court of Appeals Judge, 3 Court of Criminal Appeals Judges, 4 Members of State Board of Education	...	...	0	7
<b>Alaska</b> .....	Nov. 2	1 Supreme Court Justice	½	All	0	1
<b>Arizona</b> .....	Nov. 2	State Mine Inspector, 1 Corporation Commis- sioner, 1 Tax Commissioner, 2 Supreme Court Justices	All	All	1	4
<b>Arkansas</b> .....	Nov. 2	Governor, Lt. Governor, Secretary of State, Attorney General, Treasurer, Auditor, Com- missioner of State Lands, 2 Supreme Court Justices	½(c)	All	0	4
<b>California</b> .....	Nov. 2	...	½	All	1	43
<b>Colorado</b> .....	Nov. 2	2 Members of State Board of Education, 3 Regents of University of Colorado, 3 Supreme Court Justices, 5 Court of Appeals Judges	½(c)	All	0	5
<b>Connecticut</b> .....	Nov. 2	2 Associate Court Justices	All	All	1	6
<b>Delaware</b> .....	Nov. 2	Governor, Lt. Governor, Treasurer, Auditor of Accounts	½(c)	All	1	1
<b>Florida</b> .....	Sept. 28 Nov. 2	3 Supreme Court Justices 1 Public Service Commissioner	½	All	1	15
<b>Georgia</b> .....	Nov. 2	2 Public Service Commissioners, 2 Supreme Court Justices, 2 Court of Appeals Judges, 45 Superior Court Judges, 37 District Attorneys	All	All	0	10
<b>Hawaii</b> .....	Nov. 2	...	...	All	1	2
<b>Idaho</b> .....	Nov. 2	1 Supreme Court Justice (d)	All	All	0	2
<b>Illinois</b> .....	Nov. 2	Governor, Lt. Governor, Secretary of State, Attorney General, Comptroller, 3 University of Illinois Trustees, 1 Supreme Court Judge	½	All	0	24
<b>Indiana</b> .....	Nov. 2	Governor, Lt. Governor, Attorney General, Superintendent of Public Instruction, Reporter of Supreme Court	½	All	1	11
<b>Iowa</b> .....	Nov. 2	1 Supreme Court Justice	½	All	0	6
<b>Kansas</b> .....	Nov. 2	Treasurer, Insurance Commissioner, 5 Members of State Board of Education, 1 Supreme Court Justice	All	All	0	5
<b>Kentucky</b> .....	Nov. 2 (1977) Nov. 8	1 Supreme Court Judge ...	½	All	0	7
<b>Louisiana</b> .....	Nov. 2	...	...	...	0	8
<b>Maine</b> .....	Nov. 2	...	All	All	1	2
<b>Maryland</b> .....	Nov. 2	2 Court of Appeals Judges, 2 Court of Special Appeals Judges, 1 Circuit Court Judge	...	...	1	8
<b>Massachusetts</b> .....	Nov. 2	8 Executive Council Members, Chief Justice of Supreme Judicial Court	All	All	1	12
<b>Michigan</b> .....	Nov. 2	2 State Board of Education Members, 6 Trustees of State Universities, 1 Supreme Court Justice	...	All	1	19
<b>Minnesota</b> .....	Nov. 2	3 Supreme Court Justices	All	All	1	8
<b>Mississippi</b> .....	Nov. 2	3 Supreme Court Justices	...	...	1	5
<b>Missouri</b> .....	Nov. 2	Governor, Lt. Governor, Secretary of State, Attorney General, Treasurer, 1 Supreme Court Justice	½	All	1	10

TABLE 9—Continued

## GENERAL ELECTIONS IN 1976 AND 1977

Including All Elections for State Officers with Statewide Jurisdiction\*

State or other jurisdiction	Date of general elections in 1976(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
Montana.....	Nov. 2	Governor, Lt. Governor, Secretary of State, Attorney General, Auditor, Superintendent of Public Instruction, 3 Public Service Commissioners, Chief Justice of Supreme Court, 1 Associate Supreme Court Justice	½	All	1	2
Nebraska.....	Nov. 2	4 State Board of Education Members, 4 Board of Regents Members, 2 Public Service Commissioners, 1 Supreme Court Justice	½(c)	(e)	1	3
Nevada.....	Nov. 2	2 University Board of Regents Members, 4 State Board of Education Members, 1 Supreme Court Justice	½	All	1	1
New Hampshire.....	Nov. 2	Governor, 5 Executive Councilors	All	All	0	2
New Jersey.....	Nov. 2 (1977)	Nov. 8 Governor	All	All	1	15
New Mexico.....	Nov. 2	1 Corporation Commissioner, 2 Supreme Court Justices, 1 Court of Appeals Judge, 4 State Board of Education Members	⅔	All	1	2
New York.....	Nov. 2	...	All	All	1	39
North Carolina.....	Nov. 2	Governor, Lt. Governor, Secretary of State, Attorney General, Treasurer, Auditor, Superintendent of Public Instruction, Commissioner of Agriculture, Commissioner of Labor, Commissioner of Insurance, 2 Supreme Court Justices, 3 Court of Appeals Judges	All	All	0	11
North Dakota.....	Nov. 2	Governor, Lt. Governor, Secretary of State, Attorney General, Treasurer, Auditor, Commissioner of Agriculture, Commissioner of Insurance, 1 Public Service Commissioner, Superintendent of Public Instruction, Tax Commissioner, 1 Supreme Court Justice	½(c)	All		1
Ohio.....	Nov. 2	2 Supreme Court Justices, 8 State Board of Education Members	½(c)	All	1	23
Oklahoma.....	Nov. 2	1 Corporation Commissioner, 3 Supreme Court Justices, 1 Court of Criminal Appeals Judge, 2 Court of Appeals Judges	½	All	0	6
Oregon.....	Nov. 2	Secretary of State, Attorney General, Treasurer, 4 Supreme Court Judges, 1 Chief Court of Appeals Judge, 4 Associate Court of Appeals Judges	½	All	0	4
Pennsylvania.....	Nov. 2	Treasurer, Auditor General	½	All	1	25
Rhode Island.....	Nov. 2	Governor, Lt. Governor, Secretary of State, Attorney General, General Treasurer	All	All	1	2
South Carolina.....	Nov. 2	...	All	All	0	6
South Dakota.....	Nov. 2	1 Public Utilities Commissioner	All	All	0	2
Tennessee.....	Nov. 2	1 Public Service Commissioner, 1 Court of Appeals Judge	½(c)	All	1	8
Texas.....	Nov. 2	8 State Board of Education Members, 1 Railroad Commission Member, 3 Supreme Court Justices, 1 Court of Criminal Appeals Judge	½(c)	All	1	24
Utah.....	Nov. 2	Governor, Lieutenant Governor/Secretary of State, Attorney General, Treasurer, Auditor, 4 Board of Education Members, 1 Supreme Court Justice	½	All	1	2
Vermont.....	Nov. 2	Governor, Lt. Governor, Secretary of State, Attorney General, Treasurer, Auditor	All	All	1	1
Virginia.....	Nov. 2 (1977)	Nov. 8 Governor, Lt. Governor, Attorney General	...	All	1	10

TABLE 9—Concluded

GENERAL ELECTIONS IN 1976 AND 1977  
Including All Elections for State Officers with Statewide Jurisdiction\*

State or other jurisdiction	Date of general elections in 1976(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
Washington.....	Nov. 2	Governor, Lt. Governor, Secretary of State, Attorney General, Treasurer, Auditor, Insurance Commissioner, Commissioner of Public Lands, Superintendent of Public Instruction, 3 Supreme Court Justices, 4 Court of Appeals Judges	½(c)	All	1	7
West Virginia.....	Nov. 2	Governor, Secretary of State, Attorney General, Treasurer, Auditor, Commissioner of Agriculture, 2 Supreme Court Justices	½	All	1	4
Wisconsin.....	Apr. 6	1 Supreme Court Justice	½(c)	All	1	9
	(1977) Nov. 2 Apr. 5	1 Supreme Court Justice, Superintendent of Public Instruction	...	...	...	...
Wyoming.....	Nov. 2	...	½	All	1	1
District of Columbia	Nov. 2	Chief Judge of Court of Appeals	...	...	0	1(f)
American Samoa....	Nov. 2	...	All	All	0	0
Guam.....	Nov. 2	...	All	(e)	...	1(f)
Puerto Rico.....	Nov. 2(g)	Governor	All	All	...	...
TTPI.....	Nov. 2	...	½	All	...	...
Virgin Islands.....	Nov. 2	...	All	(e)	...	1(f)

\*In several States either some or all elected officials with statewide jurisdiction do not appear in the table as their terms are such that no elections for them occur in 1976-77.

(a) Elections in 1977 are indicated by "(1977)" before the date.

(b) For numbers, terms, and party affiliations of state legislators see table on page 44.

(c) Approximately.

(d) The vote for Supreme Court Justice is usually decided at the primary elections. If one or 2 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 2 candidates and none receives a majority, the 2 candidates receiving the most votes run in the general election.

(e) Unicameral Legislature.

(f) Nonvoting delegate to the U.S. House of Representatives.

(g) Election day will be the first Tuesday of November every 4 years, but the Legislature has the right to change the date by amending the election law.

TABLE 10  
REGULATION OF CAMPAIGN CONTRIBUTIONS  
AND EXPENDITURES\*

State or other jurisdiction	Contributions prohibited		Contribution restrictions on amounts and sources	Restrictions on expenditures		
	Corporations	Unions		Character	Total by candidate	Total on behalf of candidate
Alabama.....	Yes	No	(a, c)	Yes	Yes(b)	No
Alaska.....	No	No	Limit of \$1,000 per year to any one candidate unless made by individual to his own campaign. (c, d)	No	Yes(e,f)	No
Arizona.....	Yes	Yes	No.	No	Yes	Yes(g)
Arkansas.....	No	No	Limit of \$1,000 contribution by any one person to a candidate for each election. (a, c, d)	No	No	No
California.....	No	No	(c, d)	Yes	Yes	Yes
Colorado.....	No	No	In-kind contributions by governmental agency prohibited to candidate, but in specified instances permitted on certain issues. (c)	Yes	No	No
Connecticut.....	Yes	No	(a, d)	Yes	Yes	Yes
Delaware.....	No	No	In statewide election maximum contribution \$1,000; \$500 in all other elections. Candidate and his immediate family may not contribute to any one candidate and all political committees supporting that candidate a total amount for any single election in excess of \$5,000. (c, d) Written approval of candidate required before any political committee can make any expenditure for candidate. Written advance approval of candidate required for any personal contribution in aggregate in excess of \$100 in any primary, general, or special election.	Yes	Yes	Yes
Florida.....	No	No	Limit of \$3,000 contributions from any one person for statewide office and \$1,000 for legislative or local candidate.	Yes	Yes	Yes
Georgia.....	No	No	No person acting on behalf of a public utility corporation regulated by the Public Service Commission shall make any contribution to a political campaign. (d)	No	Yes(h)	Yes(h)
Hawaii.....	No	No	(d)	No(v)	Yes	Yes
Idaho.....	No	No	Not more than \$50 unless complete identity is given.	No	No	No
Illinois.....	(l)	No	Solicitation from state highway police prohibited; contributions or gifts from horse race licensees or representatives may not be accepted. Liquor license holders may not contribute in any way toward the campaign fund or expenses of any political party, candidate for public office, or for the nomination of any candidate for public office.	No	No	No
Indiana.....	No	No	(a, d)	Yes	Yes	Yes
Iowa.....	Yes	No(j)	(a)	No(v)	Yes	No
Kansas.....	(l)	No	Statewide offices: \$2,500 for primary and general elections. House and Senate: \$500 for primary and for general elections. No limits on contributions to political parties. Candidates for House and Senate and their spouses are not bound by what can be contributed to such campaign.	Yes	Yes	Yes
Kentucky.....	No	No	Limit of \$3,000 to any one candidate in any one election. (a, c, d)	No	No	No
Louisiana.....	No(l)	No	Solicitation of funds for endorsement, support, or opposition; payment for privilege of appearance at meeting, fair, or festival; giving or accepting contributions in return for promise of public employment or public office are prohibited. (a, d)	Yes	No	No
Maine.....	Yes	Yes	Candidate's personal funds limited: Governor \$35,000; others \$5,000. (a, d)	Yes	Yes	Yes
Maryland.....	No	No	Anything of value in excess of \$1,000; limit of \$2,500 contribution by any one source not a candidate in any election. (d)	Yes	Yes(k)	Yes
Massachusetts.....	Yes	No	Individual contributions during year are limited to \$1,000 to one candidate, \$1,000 to one party, and \$1,000 to nonelected political committees not organized on behalf of any candidate. (a, d)	Yes(v)	Yes	Yes

TABLE 10—Continued  
REGULATION OF CAMPAIGN CONTRIBUTIONS  
AND EXPENDITURES\*

State or other jurisdiction	Contributions prohibited		Contribution restrictions on amounts and sources	Restrictions on expenditures		
	Corporations	Unions		Character	Total by candidate	Total on behalf of candidate
Michigan(x) .....	(l)	...	A person may not give in aggregate for a single election more than: \$1,700 for candidate for state elective office; \$450 and \$250 for candidate for state senator and state representative. An independent committee shall not contribute to a candidate committee or a candidate for state elective office an aggregate for that election more than 10 times the amount permitted a person. A party state central committee shall not contribute to candidate committee for state elective office which when added to other expenditures made by committee in support of candidate are more than 25 percent of candidate's expenditure limit. Members of immediate family of a candidate and the candidate may not contribute an amount when added to the independent expenditure by members of candidate's immediate family are more than: \$50,000 for candidate for Governor or Lieutenant Governor, \$25,000 for candidate for other state elective office, \$10,000 for candidate for state senator, \$5,000 for candidate for state representative. (c, d)	Yes	...	Yes
Minnesota .....	Yes	No	10% of 50% in aggregate of candidate's total by persons and groups.	No	Yes	Yes
Mississippi.....	No	No	(a)	No	Yes	No
Missouri.....	Yes	Yes	(a)	No	Yes	Yes
Montana.....	(l)	No	Individual contributions to a candidate and political committee organized on his behalf are limited to: \$1,500 for Governor and Lieutenant Governor (filed jointly), \$750 for other statewide candidates, \$400 for district candidates for public service commission, \$300 for candidate for district judge, \$250 for legislative candidate. Contributions by a candidate and his immediate family, or a committee organized on his behalf are limited to: \$9,000 for Governor and Lieutenant Governor (jointly), \$6,000 for other statewide candidates, \$1,000 for district candidate for public service commission, \$1,000 for district judge, \$1,000 and \$500 respectively for candidates for State Legislature. Contributions by a committee not organized on behalf of or controlled by candidate, including political party organizations, are limited to: \$8,000 for Governor and Lieutenant Governor (jointly), \$2,000 for other statewide candidates, \$1,000 for district candidate for public service commission, \$250 for candidate for district judge, \$250 for legislative candidate. (a, d)	No	Yes(l)	Yes
Nebraska.....	No(m)	No	Individual contributions are limited to \$1,000 to a treasurer of a committee for any one campaign.	Yes	No	No
Nevada.....	No	No	Employee may not solicit from other employees.	No	Yes	Yes
New Hampshire.....	Yes	Yes	Any partnership as such, or any partner acting in behalf of such partnership; any classified state employee; a personal contribution in excess of \$5,000 except by candidate himself. (a, d, n)	Yes	Yes(n)	Yes
New Jersey.....	(l)	No	In gubernatorial general elections, no individual or association may give more than \$600, except party, county and municipal committees in the State may give up to \$100,000, but not more than \$10,000 in any one county. Individual and party contributions above \$40,000, total will be matched by the State. (a, d)	Yes	No(o)	Yes(o)
New Mexico.....	No	No	No money of political party may be spent on behalf of primary candidate.	No	No	No

TABLE 10—Continued

REGULATION OF CAMPAIGN CONTRIBUTIONS  
AND EXPENDITURES\*

State or other jurisdiction	Contributions prohibited		Contribution restrictions on amounts and sources	Restrictions on expenditures		
	Corporations	Unions		Character	Total by candidate	Total on behalf of candidate
New York.....	Yes	No	An authorized political committee and a candidate for nomination or election to a statewide office, including party office, may not accept from any one contributor an aggregate amount greater than one percent of the sum of 50¢ per voter enrolled in candidate's party and district or \$2,500, whichever is greater; for nomination or election for state senator \$40,000 and for member of the Assembly \$25,000, or for any general or special election, or the sum of 50¢ per voter registered in the candidate's district, whichever is greater.	No	Yes	Yes
North Carolina.....	Yes	Yes	(c, d) \$3,000 maximum except from spouse, parent or sibling.	Yes(v)	No	No
North Dakota.....	Yes	No	(a, d)	Yes	Yes	No
Ohio.....	Yes	No	(a)	Yes	Yes	No
Oklahoma.....	Yes	No	Individual contributions limited to \$5,000. (d)	No	No	No
Oregon.....	(l)	No	(a, d, g)	Yes	Yes(l)	Yes(p)
Pennsylvania.....	Yes	Yes	Contributions may not be solicited from civil service employees and those employed by the Game Commission, State Board of Vocational Rehabilitation and Board of Probation and Parole. (a, d)	Yes	No	No
Rhode Island.....	No	No	(d)	No	No(r)	No(r)
South Carolina.....	No	No	No.	No	No	No
South Dakota.....	Yes	Yes		Yes	Yes	Yes
Tennessee.....	Yes	No	No.	No	No	No
Texas.....	Yes	Yes	Contributions by persons holding a license to make, distribute or sell alcoholic beverages prohibited. (a)	Yes	No	No(q)
Utah.....	No	No	(a)	Yes(v)	Yes	Yes
Vermont.....	No	No	No.	Yes	Yes	Yes
Virginia.....	No	No	No.	No	No	No
Washington.....	No	No	Contributions from out-of-state political committee unless contribution reported to Public Disclosure Commission.	No	No	No
West Virginia.....	Yes	No	Limitations on individual contributions. (a)	Yes	No(s)	Yes
Wisconsin.....	Yes	No	Yes. (d)	Yes	Yes	Yes
Wyoming.....	Yes	Yes	(a)	Yes	Yes(t)	Yes
Dist. of Columbia.....	...	...	No individual person may give more than \$2,000 in any one election. No person shall make or receive a contribution in excess of the following amounts: Mayor \$1,000, Chairman-Council \$750, At-Large Council \$500, Ward Council \$200, At-Large School Board \$200, Ward School Board \$100, Office of a Political Party \$100. Candidates for the offices listed above may contribute double the indicated amounts. No person, excluding central committees of a political party, shall make or receive in excess of: \$2,000 for Mayor; \$1,500 for Chairman-Council, \$1,000 for At-Large Council; and \$200 for Ward School Board and Office of Political Party.	...	Yes	Yes(w)
Guam.....	Yes	Yes	Solicitations from classified civil service employees prohibited.	Yes	Yes	Yes
Puerto Rico.....	Yes	No	Individual contributions are restricted up to the amount of \$600 in an election year and \$400 in other years. (u)	...	No	No

## TABLE 10—Concluded

REGULATION OF CAMPAIGN CONTRIBUTIONS  
AND EXPENDITURES\*  
(Footnotes)

\*The January 30, 1976 decision of the United States Supreme Court invalidating limits on campaign expenditures of presidential and congressional candidates and upholding \$1,000 limits on individual contributions to such candidates may cause challenges to the constitutionality of state laws limiting campaign expenditures and contributions. *James L. Buckley et al. v. Francis R. Valeo, Secretary of the United States Senate et al.*; *United States Law Week*, vol. 44, no. 29, January 27, 1976.

(a) State employees may not or must not be solicited: Arkansas, Iowa, Kentucky, Louisiana, Maine, Ohio, and Wyoming. Employees in classified service may not be solicited: Pennsylvania and New Hampshire. State employees and candidates may not or must not be solicited: Alabama, Indiana, Massachusetts, Montana, West Virginia. Public officials shall not be solicited: Massachusetts, New Jersey (by another holder of public office). Candidates may not or must not be solicited: Connecticut, Mississippi, Missouri, North Dakota, and Utah. State employees may not be solicited during working hours: Oregon. Employees of certain public agencies may not be solicited: Pennsylvania and Texas.

(b) Newspaper, television and radio advertising exempt.

(c) Limits on cash contributions: Alaska \$100; Alabama and Arkansas \$500; California and Delaware \$50; Colorado, Kentucky, and New York \$100 to candidates, political committee, or issue. Michigan \$20.01 or more, other than in-kind contribution or a petty cash expenditure.

(d) Anonymous contributions or contributions under fictitious name are prohibited: Alaska, Connecticut, Delaware, Georgia, Hawaii, Indiana, Kentucky (in excess of \$50), Louisiana (in name of another), Maine, Maryland, Massachusetts, Michigan, Montana, New Hampshire (also contributions in guise of a loan and concealed contributions), New Jersey (also disguised contributions), New York, North Dakota, Oklahoma, Oregon, Pennsylvania, Rhode Island (also in name of another). Anonymous contributions above specified amount are given to state general fund or designated organization: Arkansas, \$100 or more; California, \$50 or more; Kentucky, in excess of \$50; Louisiana, must be reported and donated to designated organizations; Pennsylvania, Rhode Island, and Wisconsin, in excess of \$10.

(e) Expenditures limited at primary election only, exclusive of money spent for stationery, postage, printing, and advertisements in newspapers, motion pictures, radio and television broadcasts, outdoor advertising signs, and necessary personal, traveling, or subsistence expenses.

(f) Also to candidates for county, municipal, and school district offices, and on all public issues.

(g) Expenditures on behalf of a candidate in a primary election limited to 10¢ per resident in the election district and to same sum for general or special election, excluding travel expenses. Minimum of \$500 allowed for any election.

(h) Candidates and campaign committees limited to: Governor \$400,000 for any primary, \$300,000 for general election, \$200,000 for each runoff; other statewide offices: \$175,000 for any primary, \$125,000 for general election, \$75,000 for each runoff; State Senator \$10,000 for any primary, \$10,000 for any

general election, \$4,000 for each runoff; State House of Representatives \$6,000 for any primary, \$6,000 for the general election, \$3,000 for each runoff. Candidates in all multi-member House districts shall be allowed to expend sums to exceed the limits set forth above but not to exceed 50% of designated limits.

(i) Illinois: by insurance corporations only. New Jersey: by public utilities, banks and insurance corporations only. Kansas and Oregon: certain corporations only. Louisiana: corporate contributions must be by check and approved by board of directors. Michigan: a corporation may make an expenditure solely for the establishment and administration of a separate segregated corporate political education fund utilized for sole purpose of making contributions to and paying expenditures on behalf of candidate committees. Montana: prohibited from majority stockholders of certain corporations.

(j) State statute prohibits contribution only if union is a corporation.

(k) Personal funds only.

(l) Expenditures of relatives and associates deemed to be those of candidate.

(m) Contributions are not prohibited, but must be reported. Strict penalties can be imposed for noncompliance.

(n) Candidate's contribution to the state committee, his filing fee, personal travel and subsistence expenses, or services of his regular employees in discharging duties of a public office are exempt.

(o) Fifty cents per voter voting in last presidential election in district where candidate is running.

(p) Statewide offices: 15 cents times number of registered voters eligible to vote. All others: 25 cents times registered voters or \$1,000, whichever is greater.

(q) Individuals acting alone may make direct expenditures up to \$100 on behalf of candidates.

(r) Except for candidates for Governor, Lieutenant Governor, Attorney General, General Treasurer, and Secretary of State.

(s) Except for rent, maintenance and furnishings of political headquarters, and clerical employees.

(t) Travel and meal expenses exempt.

(u) Act of 1974 created an electoral fund against which each principal political party in the Commonwealth can draw up to \$100,000 annually or up to \$175,000 in election years. The act enumerates the character of the expenditures which can be paid from the fund.

(v) Media limit—Hawaii: 15.5¢ per voter. Iowa: 30¢ times number of voters in last presidential election in pertinent geographical area. Massachusetts: \$500,000. North Carolina: 10¢ times voting age population. Utah: \$100,000 for Governor; \$50,000 for Secretary of State and Attorney General.

(w) No principal campaign committee shall spend in the aggregate for "election" and "other election" (primary and general): Mayor \$120,000 and \$80,000; Chairman—Council \$90,000 and \$60,000; At-Large Council \$60,000 and \$40,000; Ward Council \$12,000 and \$8,000; At-Large School Board \$12,000 and \$6,000; Ward School Board \$6,000 and \$4,000.

(x) Michigan has just adopted another campaign finance law which is not reflected in this table.



TABLE 11

FILING REQUIREMENTS FOR CAMPAIGN CONTRIBUTIONS  
AND EXPENDITURES\*

State or other jurisdiction	Applies to:		Receipts and disbursements by:			Required time for filing statements
	Elections†	Candidates‡	Party	Candidates	Committees	
Alabama.....	P,G	1,2,3	No	Yes	Yes	Within 30 days after primary and 30 days after general election.
Alaska.....	P,G(a)	1,2,3(b)	Yes	Yes	Groups	30 days and 1 week before election, 10 days after election.
Arizona.....	P,G	1,2,3	Yes	Yes(c)	Yes	Not more than 15 or less than 10 days prior to primary, general, or special election, and within 20 days after primary and 30 days after general or special election.
Arkansas.....	P,G(a)	1,2,3	No	Yes(c)	...	Contributions in excess of \$250 per election received up to and including 30 days prior to election, not less than 25 days prior to each primary, general, and special election. Contributions received up to and including 10 days prior to election, not less than 7 days prior to primary, general, or special election. Final statement of contributions in excess of \$250, within 30 days after election.
California.....	P,G(a)	1,2,3(b)	Yes	Yes(d)	Yes	Candidates and committee treasurer: 40th day and 12th day before election; 65th day after election. Initiative and referendum: 65th day after qualification or nonqualification of a measure, 25th day and 7th day before election, 38th day after election.
Colorado.....	P,G	1,2,3	Yes	Yes	Yes	Candidate, party committee, or political committee: 11 days before and not more than 30 days after any election.
Connecticut....	P,G	1,2,3	Yes	Yes(e)	Yes	2nd Tuesday in January, April, July, and September, and on the 30th day and 7th day before election (7th day only, preceding primary), and within 45 days and 30 days following general and primary elections, respectively.
Delaware.....	P,G	1,2,3	No	Yes	Yes	20 days prior to election and December 31 of year following election and on December 31 each year thereafter until fund is closed.
Florida.....	P,G(a)	1,2,3(b)	Yes	Yes	Yes	Designated campaign treasurer or certain political committees: on first Monday of each calendar quarter until 40th day preceding election. Beginning on 40th day preceding election: on Monday preceding election for candidate unopposed for nomination or election; on Monday of each week preceding election for opposed candidate for statewide office or for political committees supporting or opposing candidates or issues voted on statewide; on 1st and 3rd Mondays and Monday preceding election for candidate opposed for nomination or election to less than statewide office, for political committees supporting or opposing candidates or issues on less than statewide basis, and for committees of continuous existence. Report filed 45 days after last election or 45 days after election in which candidate is eliminated for nomination or election. If report shows unexpended balance, a supplemental report filed on 1st Monday of each calendar quarter until no funds remain.
Georgia.....	P,G	1,2,3(b)	No	Yes	Yes	45 and 15 days before and 10 days after primary; 15 days prior to general election; and final report by December 31 of election year. A supplemental report shall be filed by each person elected to offices covered no later than December 31 of each year following the election year.
Hawaii.....	P,G	1,2,3	Yes	Yes(f)	Yes	Within 20 days after primary and general election. Candidates report disbursements 10 days prior to election.
Idaho.....	P,G	1,2,3	Yes	Yes	Yes	Not more than 40 or less than 30 days before an election; not more than 14 or less than 7 days before an election; not more than 30 days after an election; every 90 days thereafter until fund balance equals 0.
Illinois.....	P,G	1,2,3	No(g)	Yes(f)	Yes	Within 20 days after primary, if loser. If winner, 20 days after general election. Reports are required for two periods during an election year and annually.
Indiana.....	P,G	1,2,3	Yes(h)	Yes	Yes	Within 45 days after election.
Iowa.....	P,G	1,2,3	Yes	Yes	Yes	Candidates and political committee: 25th day of January, May, July, and October.
Kansas.....	P,G	1,2,3(b)	Yes	Yes(i)	Groups	7 days before and 10 days after primary; 7 days before general election; on December 3 each year.
Kentucky.....	P,G	1,2,3	Yes	Yes	Yes	Candidates for state and local office: 32 and 12 days prior to election and 30 days after. Parties: 30 days after primary and general elections.

TABLE 11—Continued

**FILING REQUIREMENTS FOR CAMPAIGN CONTRIBUTIONS  
AND EXPENDITURES\***

State or other jurisdiction	Applies to:		Receipts and disbursements by:			Required time for filing statements
	Elections†	Candidates†	Party	Candidates	Committees	
Louisiana.....	P,G	1,2,3(b)	Yes	Yes	Yes	10 days prior to and 30 days after each election. Final report 30 days after final election in which candidate or committee participates. If final report shows deficit, other reports required when 50% and 100% of deficit is paid.
Maine.....	P,G	1,2,3	...	Yes	Yes	Within 45 days preceding and after an election. If there is surplus or deficit, report filed every 3 months until disposition of surplus or liquidation of deficit.
Maryland.....	P,G	1,2,3	Yes(f)	Yes	Yes	7 days prior to an election and a number of times following an election up to 1 year.
Massachusetts..	P,G	1,2,3	Yes	Yes	Yes	Candidate and committee: 10th day of March, June, September; 15th and 5th days before election and 30 days after primary and general elections. Depository, 5th and 20th of each month. Non-depository, 8 days before primary, 8 days before election, and January 10th following election.
Michigan(v)....	P,G(a)	1,2,3	Yes	Yes	Yes	Committees: pre-election statements no later than the 30th and 14th days prior to election; post-election statements no later than 38th day after election. If all liabilities of candidates or committees are paid before closing date and additional contributions are not expected, campaign statement filed not later than 38th day after election. A late contribution of \$500 or more must be reported within 48 hours after receipt. A ballot question committee statement, with a 37th day and 18th day closing date on the question: not later than the 30th and 14th days, respectively, before the election. A ballot question committee statement, with a 28th day closing day after qualification of the measure: not later than 35 days after the question is qualified for the ballot. If the ballot question fails to qualify, the ballot question committee shall file the campaign statement within 35 days of final qualification deadline.
Minnesota.....	P,G	1,2,3	Yes	Yes	Yes	8 days before and within 10 days following primary; 8 days before and 10 days following general election.
Mississippi.....	P	1,2,3	No	Yes	No	Receipts: 5th day of each month person is candidate. Disbursements: within 60 days of election.
Missouri.....	P,G(a)	1,2,3	Yes	Yes	Yes	40 days before, 7 days before, and 30 days after election.
Montana.....	P,G	1,2,3	Yes	Yes	Yes	Candidates: within 15 days after election; parties: within 10 days after election.
Nebraska.....	P,G	1,2	Yes	Yes	Yes	Candidate and committees: 15 and 5 days before, 20 days after election.
Nevada.....	P,G	2,3	No	Yes	No	Disbursements only: 15 days after primary and 30 days after general election.
New Hampshire..	P,G(a)	1,2,3	Yes	Yes	Yes	1st statement 6 days before; 2nd, 10 days after election(j).
New Jersey.....	P,G(a)	1,2,3(b)	Yes(k)	(k)	(k)	25th day and 7th day before election; 15th d. after election, and every 60 days thereafter until final accounting. Depositories: 15th day after election.
New Mexico.....	P,G	1,2,3	Yes	Yes	Yes	Candidates: disbursements only, within 10 days after election. Parties and committees: both receipts and disbursements within 30 days after election.
New York.....	P,G	1,2,3(b)	Yes	Yes(l)	Yes(l)	On 25th and 10th days before and 20th day after the primary election or convention; on 15th day of January, May, and September of each succeeding year until such time as candidate or committee terminates activities, then final report. Termination shall be evidenced by complete payment of all liabilities and the expenditure of all funds in the possession of the committee or candidate.

TABLE 11—Continued

FILING REQUIREMENTS FOR CAMPAIGN CONTRIBUTIONS  
AND EXPENDITURES\*

State or other jurisdiction	Applies to:		Receipts and disbursements by:			Required time for filing statements
	Elections†	Candidates‡	Party	Candidates	Committees	
North Carolina..	P,G	1,2,3	Yes	Yes(m)	Yes	Treasurer of each candidate and political committee: not later than 10th day after filing of candidacy or 10th day after organization of committee, whichever comes first; a pre-primary report required by treasurer no later than 10th day preceding and no later than 10th day after primary. Candidates or committees involved in a second primary or runoff election: not later than 10 days afterwards. The treasurer shall file a final report not later than 10th day after general election; if final report does not dispose of all funds, a supplemental report filed no later than January 7 after the general election and current through December 31 after general election. During a calendar year for which no reports are otherwise required, contributions and expenditures shall be reported by January 7 of the next year. For candidates eliminated in primary, the treasurer of such candidates and committees shall file a report within 45 days after such primary.
North Dakota...	P,G	1,2,3	No	No	No	None.
Ohio.....	P,G	1,2,3	Yes	Yes	Yes	4 p.m. of the 12th day before election up to 4 p.m. of 20th day before election. Final report by 4 p.m. on 45th day before election.
Oklahoma.....	P,G	1,2,3	Yes	Yes	Yes	Within 15 days after any general election.
Oregon.....	P,G	1,2,3	Yes	Yes	Yes	Not more than 10 or less than 7 days before election.
Pennsylvania...	P,G	1,2,3	Yes	Yes(n)	Yes(n)	30 days after primary and general elections.
Rhode Island...	P,G(a)	1,2,3(b)	Yes	Yes	Yes	Candidates: 30 days before and after an election. Parties: not later than March 1 of each year.
South Carolina..	P,G	1,2,3	No	Yes	No	Disbursements only, before and after elections.
South Dakota...	P,G	1,2,3	Yes(o)	Yes(o)	Yes(o)	Before and after elections.
Tennessee.....	P,G	1,2,3(b)	Yes	Yes	Yes	Treasurer of candidate or committee: not more than 12 days or less than 8 days before election for period ending 12th day before election; not more than 30 days after election for period from last reported day of preceding report to 10th day after election; report on day of receipt or following day contribution in excess of \$1,000 received within 12 days preceding or 10 days following election. If unexpended balance or deficit, supplemental statement within 30 days after last statement, and additional supplemental statement every 60 days thereafter, if any change.
Texas.....	P,G(a)	1,2,3(b)	Yes	Yes	Yes	1st report not earlier than 40th and not later than 31st day before election; 2nd not earlier than 10th and not later than 7th day before election; 3rd not later than 31st day after election. Further statements at specified intervals until final accounting.
Utah.....	P,G	1(b)	Yes(p)	Yes	Yes(p)	10th day of June, July, August, September, October, and December of the year in which the election is held, and on 5th day preceding election. Reports to contain all expenditures and contributions as of five days prior to date of filing.
Vermont.....	P,G	P—1,2,3 G—1	No	Yes(q)	...	Within 10 days after primary and 10 days prior to and 10 days following the general election.
Virginia.....	P,G	1,2,3	Yes	Yes(r)	Yes	No later than 5th day before election. If contribution of \$1,000 or more, 7th day before election (72 hours after receipt); 30th day after election or prior to taking office, whichever is first. If unpaid bills or deficits remain, 60 days after election. If unpaid bills or deficits remain after 4th report, 6 months after election. If unpaid bills or deficits remain after 5th report, one year after election and annually thereafter.
Washington....	P,G	1,2,3	Yes	Yes(s)	Yes	19th and 5th days before election; within 10 days after primary election; 21 days after date of all other elections. On 10th day of each month preceding election when no other reports are required.
West Virginia...	P,G	1,2,3	Yes	Yes	Yes	Not less than 7 or more than 15 days before; 30 days after all elections.
Wisconsin.....	P,G	1,2,3	Yes	Yes	Yes	State and local office or referendum: 11 to 8 days

TABLE 11—Concluded

# FILING REQUIREMENTS FOR CAMPAIGN CONTRIBUTIONS AND EXPENDITURES\*

State or other jurisdiction	Applies to:		Receipts and disbursements by:			Required time for filing statements
	Elections†	Candidates†	Party	Candidates	Committees	
Wyoming.....	P,G	1,2,3	Yes	Yes	Yes	preceding and 11 to 14 days after primary or election. National office: 22 to 15 days and 12 to 5 days preceding primary or election. Continuing reports by committees or individuals supporting or opposing candidates for state office, including committees of a political party, and by individuals or groups concerned with statewide referendum, including committees of a political party: no later than January 10 and July 10. An unopposed candidate must file statements as well as a candidate who makes or receives no contributions, makes no disbursements, or incurs no obligations. Campaign treasurers and depositories must be designated by local candidates; report must be filed by them as well as on activities in connection with local referenda.
District of Columbia.....	P,G(t)	Yes	No	Yes(u)	Yes(u)	Within 30 days after election.
Guam.....	P,G	2	Yes	Yes	...	During election year, candidates and committees must report on January 31, and by 10th of March, June, August, October, and December. During year in which office is not up for election, reports are due on 31st of January and July. Candidates and committees must also report 15 and 5 days before an election.
Puerto Rico.....	G	1,2,3	Yes	Yes	...	Within 15 days after election. Quarterly within 30 days after expiration of each quarter.

\*The January 30, 1976, decision of the U.S. Supreme Court invalidating limits on campaign expenditures of presidential and congressional candidates and upholding \$1,000 limits on individual contributions to such candidates may cause challenges to the constitutionality of state laws limiting campaign expenditures and contributions. *James L. Buckley et al. v. Francis R. Valco, Secretary of the United States Senate et al.*; *United States Law Week*, vol. 44, no. 29, January 27, 1976.

†P—Primary election; G—General election. The following numbers are used as codes for indicated offices: 1. statewide; 2. State Senator; 3. State Representative.

(a) Alaska: also municipal elections, but a municipality may exempt itself by majority vote at a general election. Arkansas: also school elections, preferential primary, runoff primary. California, Florida, New Jersey, Rhode Island, and Texas: also special, municipal, district (California only), and school elections. Missouri: also all local elections. New Hampshire: excludes presidential preference and delegate primaries. Michigan: also special and millage elections, a convention or caucus of a political party held in the State to nominate a candidate, and recall elections.

(b) Alaska: also municipal offices, but a municipality may exempt itself by majority vote at a general election. Alaska, Florida, New Jersey, New York, and Texas: also candidates for county, municipal, and school district offices, and all public questions. California: also candidates for county, municipal, and district offices, and all public questions. Georgia: also district attorneys, all constitutional judicial officers, and all county and municipal offices. Kansas: also district court judges, district attorneys, and members of the State Board of Education; another act applies to all locally elected officials. Louisiana: also local candidates. Rhode Island: candidates for all public and general offices. Tennessee: also county, municipal, school, or other district precinct or political party office or position filled by voters, and public measures. Utah: candidates for Governor, Secretary of State, Attorney General, and state and county party committees.

(c) Arizona: also others collecting or spending campaign funds. Arkansas: also persons acting on behalf of candidate.

(d) Only if contributions or expenditures are more than \$200.  
(e) Only if candidate incurred personal expenses, and then he must include everything, including receipts.

(f) By agent and/or committee acting on behalf of candidate.

(g) Only if the political party is acting on behalf of candidate.

(h) All treasurers and political agents.

(i) Also those individuals making individual expenditures worth \$100 or more.

(j) Candidates for State Senator or Representative, councilor, or county officers who have spent more than \$200 are required to file another statement under certain circumstances.

(k) Political committees; political information organizations; and campaign treasurers of candidates, organizations, and individuals must file receipts and disbursements. All money must be channeled through a campaign treasurer, except that an individual may spend his own money but must file his own report if the amount is over \$100.

(l) Those spending or receiving more than \$1,000.

(m) Only in primary elections.

(n) Candidates and committees receiving or spending more than \$150.

(o) Those receiving or spending over \$100.

(p) Secretary of campaign committees of candidates for Governor, Secretary of State, Attorney General, and state and county party committees.

(q) All candidates have to file in primary; in general election only statewide candidates must file.

(r) All candidates except for town offices and water districts.

(s) All candidates other than precinct committeemen, U.S. President and Vice-President, and offices voted for in less than one county with less than 5,000 persons.

(t) "Election" and "other election" are used instead of primary and general election.

(u) Each candidate for public office must have one principal campaign committee which handles all authorized contributions for the candidate.

(v) Michigan has just adopted another campaign finance measure which is not reflected in this table.

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## LEGAL STATUS OF WOMEN

BY JOHN H. GALVIN AND ETHEL MENDELSON\*

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THE STATUS OF WOMEN under the U.S. Constitution, as reflected in Supreme Court decisions, continues to be ambiguous. Although there is a trend to strike down sex bias laws, the Court does not always do so.

For example, during the most recent biennium the Court, in several cases, considered the constitutional rights of pregnant women under state laws or local regulations. In January 1974, the Court ruled that arbitrary termination of school teachers well in advance of expected childbirth was an unconstitutional denial of due process.<sup>1</sup> It reached the same finding with respect to a blanket disqualification from state unemployment benefits for an extended period preceding and following childbirth, *Turner v. Utah Department of Employment Security*, 96 S. Ct. 249 (1975). On the other hand, the Court found that denying state temporary disability insurance benefits to workers who undergo normal pregnancy is not unlawful discrimination under the equal protection clause of the 14th Amendment, *Geduldig v. Aiello*, 417 U.S. 484 (1974).

Pending before the Supreme Court at the end of 1975 was the issue of whether employers covered by Title VII of the Civil Rights Act must treat disabilities caused by childbirth as other temporary disabilities, *General Electric Co. v. Gilbert et al.* and *Liberty Mutual v. Wetzel*.

### EQUAL RIGHTS AMENDMENTS

*Federal*—During 1974, Maine, Montana, and Ohio ratified the proposed Equal Rights Amendment (ERA) to the U.S. Constitution. In 1975, North Dakota became the 34th State to ratify the mea-

sure. To become part of the Constitution, ratification by 38 States is required before March 1979.<sup>2</sup> (See map on page 235.)

Several State Legislatures have examined their statutes and recommended changes to provide equal treatment for men and women under the law.

*State*—Fifteen States have equal rights provisions in their constitutions. Such provisions were in the original constitutions of Wyoming (1890) and Utah (1896). Since 1971, the electorate of 13 other States<sup>3</sup> have passed equal rights amendments to their constitutions. The voters of New York and New Jersey rejected proposed state equal rights amendments in 1975 referendums. Massachusetts and South Dakota will submit equal rights provisions to the electorate in November 1976.

### CREDIT

In late 1974, Congress enacted the Equal Credit Opportunity Act to outlaw discrimination based on sex or marital status in credit transactions. The law, which preempts inconsistent provisions of state laws, covers mortgage transactions as well as consumer and commercial credit. It applies to commercial banks, savings and loan institutions, credit unions, retail stores, credit card companies, government lending agencies, common carriers, airlines, stockbrokers, small business investment companies, agricultural cooperatives, and other firms regularly engaged in credit matters.

Administrative and compliance responsibilities of the act are distributed among several agencies. The Federal Trade Commission has jurisdiction over retail credit

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<sup>1</sup>*Cleveland Board of Education v. La Fleur*, *Cohen v. Chesterfield County School Board*, 414 U.S. 632 (1974).

<sup>2</sup>Legislatures in Nebraska and Tennessee have voted to rescind their earlier approval, but the legal effect of such action is in doubt.

<sup>3</sup>Alaska, Colorado, Connecticut, Hawaii, Illinois, Maryland, Montana, New Hampshire, New Mexico, Pennsylvania, Texas, Virginia, and Washington.

and any other area not specifically delegated to another agency. In addition to administrative remedies, victims of illegal discrimination may sue for actual damages and up to \$10,000 in punitive damages.

Most regulations for implementing the law were effective October 28, 1975. They require creditors to notify applicants of the name and address of the appropriate compliance agency and, upon request, to provide the reasons for denying or terminating credit. Among prohibited practices for creditors are: using sex or marital status in any credit "scoring" system; inquiring into birth control practices or childbearing capabilities or intentions; discounting part-time income (although probable continuity of an applicant's job may be considered); and refusing to carry accounts under maiden or combined surnames.

On November 1, 1975, at least 40 States<sup>4</sup> and the District of Columbia (more than twice the number reported two years earlier) had legislation or regulations on some aspect of discrimination in credit based on sex or marital status. In addition, many communities have credit ordinances or assign personnel to informally assist in resolving problems of equal credit opportunity.

Generally an aggrieved applicant has the option of pursuing remedies either under the federal law or under state and local laws.

#### HOUSING

Single women and women who are separated, divorced, or widowed experience discrimination in housing through their inability to buy or rent property on the same basis as married couples or single men. Sex bias in mortgage credit, also a serious problem, will undoubtedly be curtailed by the new credit legislation.

<sup>4</sup>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.

Congress passed the Housing and Community Development Act of 1974 (Public Law 93-383). Among other things, the new law amended the Fair Housing Act (Title VIII of the Civil Rights Act of 1968) to prohibit discrimination on the basis of sex in the rental, sale, or financing of housing, and in providing brokerage services. (Discrimination on the basis of race, color, religion, and national origin already was prohibited.)

The federal Fair Housing Act is administered by the Department of Housing and Urban Development (HUD). If the aggrieved person lives in a State which has a fair housing law similar to the federal statute, HUD will refer the complaint to the appropriate state agency for processing. As of January 1, 1976, at least 34 States and the District of Columbia had some type of fair housing code. Of these, 27 States<sup>5</sup> and the District of Columbia prohibit discrimination based on sex. The laws vary considerably in the extent of coverage, remedial procedures, and enforcement provisions.

#### MAIDEN NAME

The law permitting the use of maiden names by married women continues to be clarified by court decisions and by the official opinions of State Attorneys General. During 1975 courts in Arkansas, Tennessee, Virginia, and Wisconsin affirmed the proposition that a married woman adopts her husband's surname only by custom. Under common law, a person may adopt any name so long as he or she does so without intent to deceive or defraud.

Only Hawaii has had a statute which required every married woman to adopt her husband's name as a family name. In 1975, that statute was found by a state circuit court to be contrary to the equal rights provision of the Hawaii constitution.

There is firm legal support for the use

<sup>5</sup>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, South Dakota, Virginia, and Washington.

of maiden names in at least 26 States.<sup>6</sup> The provision in the final regulations of the Equal Credit Opportunity Act permitting the use of maiden and hyphenated surnames in obtaining credit will undoubtedly accelerate the trend.

In August 1975, the Comptroller General of the U.S. ruled that married women can use their maiden names on government payrolls.

#### HOMEMAKERS

The social and economic contributions of women who have undertaken the unpaid care of their families rather than entering the paid labor market have received increased attention in recent years. The plight of homemakers who have become "displaced" by reason of their loss of financial support because of divorce, separation, or death of a spouse and who are ineligible for public assistance, has aroused particular concern. Typically, homemakers lack the protection of Social Security and unemployment insurance and have few marketable job skills.

In 1975, California approved a pilot program to provide job counseling, training, and placement assistance, as well as supportive services, to displaced homemakers of one county. Proposed legislation to establish a similar multipurpose service program nationwide has been introduced in Congress.

Legislation to permit homemakers to "buy into" the Social Security program also has been introduced.

#### ABORTION

Considerable emotional reaction and bitter controversy have been sparked by the 1973 Supreme Court decisions in the cases of *Roe v. Wade* and *Doe v. Bolton*, 410 U.S. 113 and 410 U.S. 179 (1973). The Court ruled that during that 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 abortions may be performed to preserve the life or health of the mother. These decisions required that the majority of the States revise their abortion laws.

Many of the recent challenges to state abortion laws or regulations have involved requirements for consent of husbands or, in the case of unmarried minors, parents or guardians. Such restrictions generally have been found to be unconstitutional. In addition, state limitations on Medicare payments for legal abortions have been found contrary to the Constitution or the Social Security Act.

A number of States have enacted provisions that permit hospitals to refuse to admit patients for abortions and allow staff members to refuse to participate in abortions because of religious or moral beliefs. The Supreme Court has let stand an appeals court ruling that a municipal hospital may not constitutionally prohibit the use of its facilities for "nontherapeutic" abortions, *City of Virginia v. Myberg*, 495 F.2d 1342, Cert. Denied 419 U.S. 891 (1975). The Court also let stand a lower court's ruling that struck down extensive abortion regulations during even the first trimester of pregnancy, *Chicago Board of Health v. Friendship Medical Center*, 505 F.2d 1141, Cert. Denied 420 U.S. 997 (1975).

Several members of Congress have proposed constitutional amendments which would counteract the *Wade* and *Bolton* decisions. None of these has been enacted. One set of proposed amendments would give the States the unrestricted right to regulate abortion. Another set says that, with respect to right to life, the word "person" as used in the constitution applies to "all human beings—at every stage of their biological development." Most proposals would permit abortion to save the life of the mother.

Another aspect of the abortion controversy, namely the duty of the physician to preserve the life of the fetus, was at issue in a widely publicized 1975 criminal case. A Massachusetts jury convicted the at-

<sup>6</sup>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.

tending physician of manslaughter of a fetus aborted in accordance with the Supreme Court guidelines. The judge gave the doctor a one-year sentence and placed him on probation.

#### JURY SERVICE

In January 1975, the U.S. Supreme Court ruled as unconstitutional certain provisions of the Louisiana Constitution and Code of Criminal Procedure which automatically exempted women as a class from the jury selection system unless they had previously filed a written declaration of their desire to be subject to jury service, *Taylor v. Louisiana*, 419 U.S. 477 (1975). Citing government statistics on the changing role of women, the Court concluded that the panel from which petit jurors are drawn must represent a fair cross section of the community, and may not exclude women. Meanwhile, Louisiana had repealed the challenged provisions effective January 1, 1975.

Women are now eligible by law to serve on state and federal juries in all 50 States and in the District of Columbia and Puerto Rico. Eight States—Arkansas, Connecticut, Florida, New Hampshire, Oklahoma, South Carolina, Utah, and Wyoming—and Puerto Rico, as well as some federal judicial districts, still permit only women to be excused because of child care or family responsibilities. An additional four States—Georgia, Missouri, Rhode Island, and Tennessee—still permit women to be excused solely on the basis of sex. The New York law granting such exemption to women was declared unconstitutional in 1975 by a Kings County Supreme Court, *People of New York v. Moss*, 366 N.Y.S. 2d 522 (1975).

#### WOMEN IN PUBLIC SERVICE

In 1974, 18 women—a record for the general elections—won seats in the U.S. House of Representatives. The total later reached 19 when a woman won a special election to fill the vacancy caused by the death of her husband. No women are serving in the U.S. Senate during the 94th Congress.

Ella T. Grasso, elected Governor of Connecticut in 1974, is the first woman to attain the highest state office without suc-

ceeding her husband. Breakthroughs were also scored in 1974 and 1975 by women who were elected Lieutenant Governors of Kentucky, Mississippi, and New York, Chief Justice of North Carolina, and mayors of a number of major cities, including Phoenix, Arizona, San Jose, California, and Cincinnati, Ohio.

Women running for State Legislatures in 1974 were successful to an unprecedented degree. They registered almost a 40 percent gain in numbers—from 441 to 610—but women still account for only 8 percent of state legislators.

In 1975 Carla Anderson Hills was named Secretary of Housing and Urban Development, the third time a woman has served in a President's Cabinet.

Passage of legislation in 1975 to open the military academies to women is expected to increase the opportunities for more women attaining high posts in the military service.

#### INTERNATIONAL WOMEN'S YEAR

As "A Decade for Women" emerges from International Women's Year, American women are presenting their priorities to Governors and State Legislatures across the Nation.

In June 1975, the International Women's Conference, sponsored by the United Nations as part of its International Women's Year (IWY), developed a 10-year plan of action for member nations to promote equality between women and men in all phases of national life and to meet the special needs of women in such areas as health, education, child care, and housing. Each nation was invited to develop its own 10-year plan tailored to its particular needs and resources.

The National Commission on the Observance of IWY has recommended proposals for action by Legislatures, officials, and private agencies in areas ranging from enforcement of laws to participation in the arts and humanities, from barriers to equality facing homemakers to those facing women in employment and in public office.

#### COMMISSIONS ON THE STATUS OF WOMEN

In most States, members of commissions on the status of women are appointed by



Governors, Legislatures, mayors, or city councils. The commissions serve as links between the government and the community, making known the needs of women and seeking governmental and other resources to meet those needs.

In the last two years the number of city and county commissions has increased from 33 to approximately 75. The local commissions tend to focus on community problems such as providing day care programs, resource centers for women, career planning, or assistance in handling discrimination problems. State commissions tend to focus more on statewide activities, including legislation, administrative policies, research, and public information.

In 1975, the Interstate Association of Commissions on the Status of Women was renamed the National Association of Commissions for Women, and its structure was modified to provide more meaningful participation by city and county commissions.

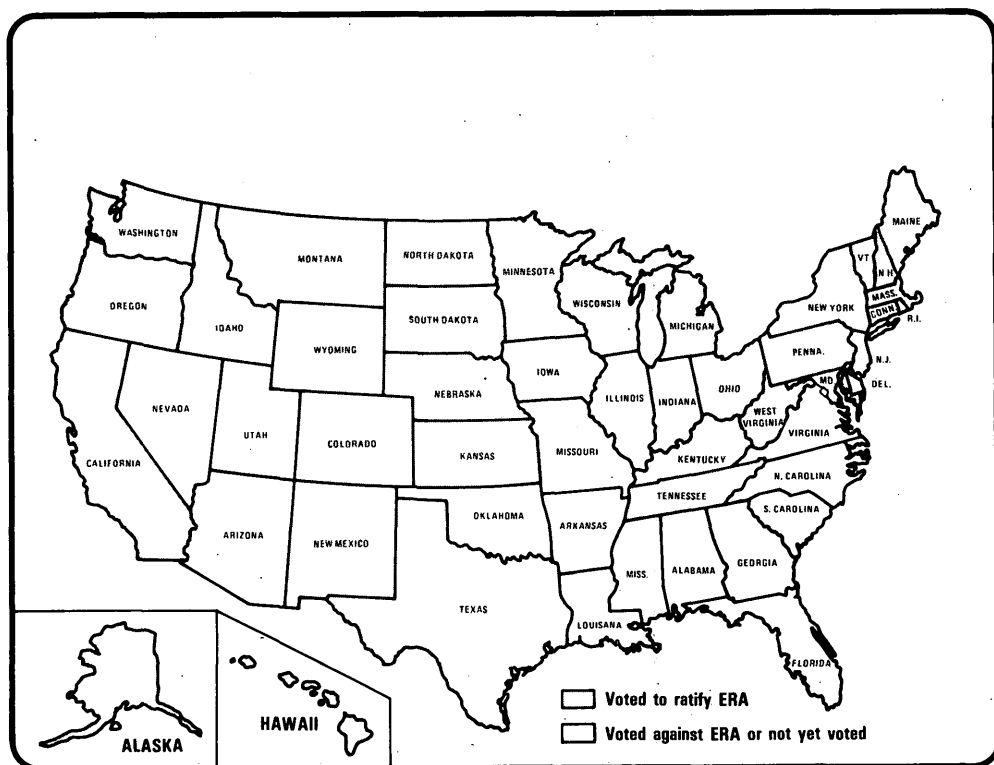
#### EDUCATION

In July 1975, the Department of Health, Education, and Welfare issued regulations to implement Title IX of the 1972 Education Amendments. Title IX prohibits sex discrimination in federally assisted education programs.

The regulations cover such matters as admissions; housing fees, rules, and benefits; course offerings; counseling; financial assistance; medical, hospital, accident, or life insurance benefits, services, or plans for students; opportunities for participation in athletics; and recruitment, pay rates, job classifications, and fringe benefits of employees. They also bar discrimination based on parental, family, or marital status, and are applicable to students, faculty members, and other employees.

#### MARRIAGE LAWS

Since the lowering of the voting age to 18 by constitutional amendment in 1971,



an overwhelming majority of the States have revised their laws to eliminate male-female differences in marriageable age without parental consent, generally by lowering the age requirement for males. Some States have made corresponding changes in age requirements for marriage with parental consent, but many have not as yet.

By late 1975, 47 States had equalized age requirements for marriage without parental consent at 18 years for both sexes, eight of them having done so within the past biennium—Alabama, Alaska, Arkansas, California, Illinois, Missouri, New York, and Utah. Among the other States and jurisdictions: Wyoming and Nebraska permit marriage without parental consent at 19 years for both males and females; Mississippi and Puerto Rico have a uniform age of 21 (their legal age of majority); and the District of Columbia sets an age of 21 for males and 18 for females.

In 1974, Missouri enacted a law relating to the age and the rights of majority which had the effect, among others, of giving males the right to marry at age 18 without parental consent, a right previously given only to females. The law was later declared unconstitutional by the Missouri Supreme Court, and the Legislature subsequently passed legislation specifically granting the right to marry at age 18 without parental consent to both men and women.

Also in 1974, the Utah Supreme Court upheld a law under which males were considered minors until age 21 and females until 18 in the context of entitlement to parental support. The decision was appealed to the U.S. Supreme Court, which held the sex-based age difference unconstitutional, *Stanton v. Stanton*, 421 U.S. 7 (1975). Meanwhile, the State had amended its code by providing for lowering the age of majority for males, thus making 18 years the uniform age of majority, but further providing that courts in divorce actions may order support to age 21.

There has been a trend in recent years for States to abolish common law marriage. However, most States continue to recognize such marriages if they were en-

tered into before the date of abolition or if they occur in a State where it is still permitted.

#### DIVORCE LAWS

Preliminary reports indicate that over 1 million divorces were granted in the United States during 1975—more than twice the number granted 10 years earlier (499,000 in 1966).

The causes for the striking increase are not clear. It is expected there will be increased pressure from women's groups for improvements in laws dealing with alimony, child support, and the division of property. In addition, fathers are more often seeking and obtaining custody of minor children.

As of December 1975, there were only four States—Illinois, Mississippi, Pennsylvania, and South Dakota—which did not have some form of "no fault" divorce law. For most States the issue has been not whether to pass a "no fault" law but which type to enact: the marriage breakdown type, separation for a period of time, or conversion of a prior decree of limited divorce to an absolute divorce. Marriage breakdown has been the most frequent choice (31 States).

In 13 States<sup>7</sup> marriage breakdown is the sole ground for divorce and in four other States<sup>8</sup> marriage breakdown and a few other "no fault" grounds such as separation and insanity are the only bases for divorce. In 31 jurisdictions (29 States, the District of Columbia, and Puerto Rico) a type of "no fault" has been added to the traditional grounds.

In those States which permit separation as a ground, there has been a trend to reduce the time of separation required. Also there has been a trend to reduce the period of residency required before bringing suit—eight States in 1974 and 1975.<sup>9</sup> In January 1975, the Supreme Court upheld a challenged one-year residency requirement for divorce, *Sosna v. Iowa*, 419

<sup>7</sup>Arizona, California, Colorado, Delaware, Iowa, Kentucky, Michigan, Minnesota, Missouri, Montana, Nebraska, Oregon, and Washington.

<sup>8</sup>Florida, Hawaii, Indiana, and Nevada.

<sup>9</sup>Alaska, Delaware, Kansas, Michigan, Missouri, Montana, Ohio, and South Dakota.

U.S. 393 (1975). The Court held that a State may regulate the divorce process to prevent abuse of its procedures.

Twenty-nine States<sup>10</sup> now have statutory authority to award alimony to either party. Seventeen States,<sup>11</sup> the District of Columbia, and Puerto Rico permit an

award of alimony only to the wife and at the discretion of the court.

#### CHILD SUPPORT

In response to pressing needs for assistance in collecting child support payments, Congress enacted the Social Services Amendments of 1974 (P.L. 93-647).

The law authorizes the Department of Health, Education, and Welfare to assist the States in a number of ways, including the operation of a parent locator service and the utilization of the Internal Revenue Service to collect delinquent payments.

The law also authorizes the garnishment of federal government wages and retirement payments to pay child support and alimony.

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<sup>10</sup>Arizona, California, Colorado, Connecticut, Delaware, Florida, Hawaii, Indiana, Iowa, Kansas, Kentucky, Maine, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nebraska, New Hampshire, New Jersey, North Dakota, Ohio, Oklahoma, Oregon, Utah, Vermont, Virginia, Washington, and West Virginia.

<sup>11</sup>Alabama, Arkansas, Georgia, Idaho, Illinois, Louisiana, Maryland, Mississippi, Nevada, New Mexico, New York, Rhode Island, South Carolina, South Dakota, Tennessee, Wisconsin, and Wyoming.

## DIVORCE LAWS AS OF DECEMBER 31, 1975\*

State or other jurisdiction	Residence required before filing suit for divorce	"No fault" divorce (a)			Grounds for absolute divorce					
		Marriage break- down (b)	Sepa- ration	Prior decree of limited divorce	Adul- tery	Mental and/or physical cruelty	Deser- tion	Alco- holism and/or drug addiction	Impo- tency	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.....	(l)	★	..	..	..	..	..	..	..	..
Colorado.....	90 days	★	..	..	..	..	..	..	..	..
Connecticut.....	1 yr. (k)	★	..	..	★	★	1 yr.	★	..	..
Delaware.....	3 mos.	★	..	..	..	..	..	..	..	..
Florida.....	6 mos.	★	..	..	..	..	..	..	..	..
Georgia.....	6 mos.	★	..	..	★	★	1 yr.	★	★	..
Hawaii.....	..	★	2 yrs.(d)	★(q)	..	..	..	..	..	..
Idaho.....	6 wks.	★	5 yrs.	..	★	★	★	★	..	★
Illinois.....	1 yr.(r)	..	..	..	★	★	1 yr.	★	★	..
Indiana.....	6 mos.	★	..	..	..	..	..	..	..	..
Iowa.....	1 yr.	★	..	..	..	..	..	..	..	..
Kansas.....	60 days	★	..	..	★	★	1 yr.	★	..	★
Kentucky.....	..	★	..	..	..	..	..	..	..	..
Louisiana.....	(u)	..	2 yrs.	★(v)	★	..	..	..	..	..
Maine.....	6 mos.(r)	★	..	..	★	★	3 yrs.	★	★	★
Maryland.....	(w)	..	(x)	..	★	..	1 yr.	..	★	..
Massachusetts.....	30 days	★	..	..	★	★	1 yr.	★	★	★
Michigan.....	180 days(r)	★	..	..	..	..	..	..	..	..
Minnesota.....	1 yr.(r)	★	..	..	..	..	..	..	..	..
Mississippi.....	1 yr.	..	..	..	★	★	1 yr.	★	★	..
Missouri.....	90 days	★	..	..	..	..	..	..	..	..
Montana.....	90 days	★(ac)	..	..	..	..	..	..	..	..
Nebraska.....	1 yr.	★	..	..	..	..	..	..	..	..
Nevada.....	6 wks.(r)	★	1 yr.(p)	..	..	..	..	..	..	..
New Hampshire.....	1 yr.(r)	★	..	..	★	★	2 yrs.	★	★	★
New Jersey.....	1 yr.	..	18 mos.	..	★	★	1 yr.	★	..	..
New Mexico.....	6 mos.	★	..	..	★	★	★	..	..	..
New York.....	1 yr.(r)	..	1 yr.(d)	..	★	★	1yr.	..	..	..
North Carolina.....	6 mos.	..	1 yr.	..	★	..	..	..	★	..
North Dakota.....	1 yr.	★	..	1 yr.	★	★	1 yr.	★	★	★(h)
Ohio.....	6 mos.	★(ag)	2 yrs.	..	★	★	1 yr.	★	★	★(h)
Oklahoma.....	6 mos.(al)	★	..	..	★	★	1 yr.	★	★	★(h)
Oregon.....	6 mos.	★	..	..	..	..	..	..	..	..
Pennsylvania.....	1 yr.	..	..	..	★	★	2 yrs.	..	★	..
Rhode Island.....	2 yrs.	..	5 yrs.(p)	..	★	★	5 yrs.(al)	★	★	★
South Carolina.....	1 yr.	..	3 yrs.	..	★	★	1 yr.	★	..	..
South Dakota.....	..	..	..	..	★	★	1 yr.	★	..	★
Tennessee.....	6 mos.	..	..	2 yrs.(p)	★	★	1 yr.	★	★	★
Texas.....	1 yr.	★	3 yrs.	..	★	★	1 yr.	..	..	..
Utah.....	3 mos.	..	3 yrs.(d)	..	★	★	1 yr.	★	★	★(h)
Vermont.....	6 mos.(aq)	..	6 mos.	..	★	★	★	..	..	★(h)
Virginia.....	1 yr.	..	1 yr.	(ar)	★	★	1 yr.	..	..	..
Washington.....	..	..	..	..	..	..	..	..	..	..
West Virginia.....	1 yr.(r)	..	2 yrs.	..	★	★	1 yr.	★	..	..
Wisconsin.....	6 mos.	..	1 yr.	1 yr.	★	★	1 yr.	★	..	★
Wyoming.....	60 days(r)	..	2 yrs.(av)	..	★	★	1 yr.	★	★	★
Dist. of Columbia	1 yr.	..	1 yr.(aw)	(ax)	★	..	1 yr.	..	..	..
Puerto Rico.....	1 yr.(r)	..	2 yrs.	..	★	★	1 yr.	★	★	..

\*Prepared by the Women's Bureau, U.S. Department of Labor.

(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 insupportable 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 restriction.

(g) Three-month residency required before final judgment may be entered.

(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) Unless domiciled in State at time of marriage and prior to filing, returned with intention to permanently remain.

(l) Fraud, force, or duress.

(m) Mental incompetence of one party at least 3 years prior to dissolution proceedings.

(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 decree of separation.

(r) Under certain circumstances a lesser period of time may be required.

(s) Loathsome disease.

(t) Attempt on the life of the spouse by poison or other means showing malice.

(u) Must be domiciled in State and grounds occurred in State, except that 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 separation decree.

(w) One year if cause occurred out of State and 2 years if on grounds of insanity.

(x) Voluntary living apart for 1 year and no reasonable expectation of reconciliation, or, living separate and apart without cohabitation or interruption for 3 years.

## DIVORCE LAWS AS OF DECEMBER 31, 1975\*

Grounds for absolute divorce						Period before parties may remarry after final decree		State or other jurisdiction
Insanity	Pregnancy at marriage	Bigamy	Unexplained absence	Felony conviction or imprisonment	Other	Plaintiff	Defendant	
5 yrs. 18 mos.	★	..	..	★	(e)	60 days(f)	60 days(f)	Alabama
3 yrs. (j)	..	★	..	★	..	..	..	Alaska
..	..	..	..	..	..	..	..	Arizona
..	..	..	..	..	..	..	..	Arkansas
..	..	..	..	..	..	..	..	California
5 yrs.	..	..	7 yrs.	★	(l)	..	..	Colorado
3 yrs.(m)	..	..	..	..	..	..	..	Connecticut
2 yrs.	★	..	..	★	(l, n, o)	(p)	(p)	Delaware
3 yrs.	..	..	..	..	..	..	..	Florida
2 yrs.	..	..	..	..	..	..	..	Georgia
3 yrs.	..	..	..	★	..	..	..	Hawaii
..	..	★	..	★	(s,t)	..	..	Idaho
2 yrs.	..	..	..	★	..	..	..	Illinois
..	..	..	..	..	..	1 yr.(f)	1 yr.(f)	Indiana
3 yrs.	..	..	..	★	..	30 days	30 days	Iowa
..	..	..	..	★	..	..	..	Kansas
..	..	..	..	★	..	..	..	Kentucky
3 yrs.	..	..	..	★	(y)	..	..	Louisiana
..	..	..	..	..	..	..	..	Maine
..	..	..	..	..	..	..	..	Maryland
3 yrs.	..	★	..	★	(n,aa)	6 mos.(f)	6 mos.(f)	Massachusetts
..	..	..	..	..	..	..	(ab)	Michigan
..	..	..	..	..	..	..	..	Minnesota
..	..	..	..	..	..	..	..	Mississippi
..	..	..	..	..	..	..	..	Missouri
2 yrs.	..	..	..	..	..	..	..	Montana
2 yrs.	..	..	2 yrs.	★	(ad,ae)	..	..	Nebraska
..	..	..	..	★	(af)	..	..	Nevada
..	..	..	..	..	..	..	..	New Hampshire
..	..	..	..	..	..	..	..	New Jersey
3 yrs.	★	..	..	★	(e)	..	..	New Mexico
5 yrs.	..	..	..	★	..	..	..	New York
4 yrs.	..	★	..	★	(l,ah)	(p)	(p)	North Carolina
5 yrs.	★	..	..	★	(l,ah)	6 mos.	6 mos.	North Dakota
3 yrs.	..	★	..	★	(l,n,aj)	60 days	60 days	Ohio
..	..	..	★	..	(am,an)	6 mos.	(ak) 6 mos.	Oklahoma
5 yrs.	..	..	..	★	..	..	..	Oregon
3 yrs.	..	★	..	★	..	..	..	Pennsylvania
..	..	..	..	..	..	..	..	Rhode Island
5 yrs.	..	..	..	..	..	..	..	South Carolina
3 yrs.	..	..	..	..	..	..	..	South Dakota
(ap)	..	..	..	..	..	..	..	Tennessee
5 yrs.	..	..	..	..	..	..	..	Texas
..	..	..	..	..	..	..	..	Utah
..	..	..	..	..	..	..	(as)	Vermont
3 yrs.	..	..	..	..	..	..	..	Virginia
2 yrs.	★	..	..	..	(at,au)	6 mos.	6 mos.	Washington
7 yrs.	..	..	10 yrs.	★	(z,ay)	..	301 days	West Virginia
..	..	..	..	..	..	..	..	Wisconsin
..	..	..	..	..	..	..	..	Wyoming
..	..	..	..	..	..	..	..	Dist. of Columbia
..	..	..	..	..	..	..	..	Puerto Rico

(y) Any cause which renders marriage null and void from the beginning.

(z) Attempt by either parent to corrupt son or prostitute daughter.

(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) Effective January 1, 1976.

(ad) Membership in religious sect disbelieving in marriage.

(ae) Wife's absence out of State for 10 years without husband's consent.

(af) Deviant sexual conduct without consent of spouse.

(ag) On petition of both spouses, accompanied by separation agreement executed and confirmed by both spouses, who must appear in court to do so not less than 90 days after filing of petition.

(ah) Defendant obtained divorce from plaintiff in another State.

(ai) Five years if on ground of insanity and insane spouse is in out-of-state institution.

(aj) Remarriage after 2 years upon false but well-founded rumor of death of other spouse (if first spouse reappears, he or she may sue for divorce on grounds of bigamy within 6 months after return).

(ak) When divorce is granted on grounds of adultery, the

guilty party cannot marry the accomplice in adultery during lifetime of former spouse.

(al) Or for shorter period in court's discretion.

(am) Void or voidable marriage; in case any party is deemed to be civilly dead from crime or other circumstances, party may be presumed dead.

(an) Gross misbehavior or wickedness.

(ao) Refusal by wife to move with husband to this State.

(ap) Permanent and incurable insanity and adjudication thereof by legal authorities of this or some other State.

(aq) Two years required if suit brought on grounds of insanity.

(ar) Limited divorce granted on grounds of cruelty, willful desertion, or abandonment may be merged into an absolute divorce after 1 year.

(as) When divorce is on grounds of adultery, court may decree the guilty party cannot remarry; after 6 months, the court may remove disability for good cause.

(at) Husband guilty of conduct constituting vagrancy.

(au) Conviction of felony before marriage.

(av) Two years separation without material fault on part of plaintiff.

(aw) Separation must be voluntary.

(ax) On application of innocent party judicial separation may be converted to absolute divorce after one year.

(ay) Proposal of husband to prostitute wife.

# THE BOOK OF THE STATES

## MARRIAGE LAWS AS OF DECEMBER 31, 1975\*

State or other jurisdiction	Age at which marriage can be contracted without parental consent		Age at which marriage can be contracted with parental consent		Max. period between exami- nation & issu- ance of license (days)	Scope of medical inquiry	Waiting period		Common law marriage	
	Male	Female	Male	Female			Before issuance of license	After issuance of license	May be contracted in State†	Recognized if valid at time and place where contracted
Alabama.....	18	18	17(a)	14(a)	30	(b)	.....	.....	Yes	Yes
Alaska.....	18	18	16(c)	16(c)	30	(b)	3 da.	.....	1917	Yes
Arizona.....	18	18	16(c)	16(c)	30	(b)	(e)	.....	.....	Yes(f)
Arkansas.....	18	18	17(c)	16(c)	30	(b)	3 da.	.....	.....	Yes
California.....	18	18	18(a,c)	16(a,c)	30	(b,g,h,i)	.....	.....	1895	Yes
Colorado.....	18	18	16(c)	16(c)	.....	(b,h,i)	.....	.....	(d)	(d)
Connecticut.....	18	18	16(c)	16(c)	35	(b)	4 da.	.....	.....	(d)
Delaware.....	18	18	18(c)	16(c)	30	(b)	(k)	.....	.....	Yes(f)
Florida.....	18	18	18(a,c)	16(a,c)	30	(b)	3 da.	.....	1/1/68	(l)
Georgia.....	18	18	18(c)	16(c)	30	(b,g)	3 da.(m)	.....	Yes	(l)
Hawaii.....	18	18	16	16	30	(b)	.....	.....	(n)	.....
Idaho.....	18	18	16(c)	16(c)	30	(b)	(o)	.....	Yes	Yes
Illinois.....	18	18	16(c)	16(c)	15	(b,g,h)	.....	.....	.....	(d)
Indiana.....	18	18	18(c)	16(c)	30	(b,g)	3 da.	.....	1/1/58	(l)
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	18(a,c)	16(a,c)	15	(b,g)	3 da.	.....	(n)	Yes
Louisiana.....	18	18	18(c)	16(c)	10	(b)	.....	72 hrs.	(n)	Yes(f)
Maine.....	18	18	16(c)	16(c)	60	(b)	5 da.	.....	.....	(l)
Maryland.....	18	18	16(c)	16(c)	.....	.....	48 hrs.	.....	.....	Yes
Massachusetts.....	18	18	18(c)	16(c)	30	(b)	3 da.	.....	.....	Yes(f)
Michigan.....	18	18	(q)	16(c)	30	(b)	3 da.	.....	1/1/57	Yes
Minnesota.....	18	18	18(a)	16(r)	.....	.....	5 da.	.....	4/26/41	(l)
Mississippi.....	21	21	17(c)	15(c)	30	(b)	3 da.	.....	4/5/56	(l)
Missouri.....	18	18	15(c)	15(c)	15	(b)	3 da.	.....	3/31/21	(d)
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)	.....	.....	5 da.	.....	3/29/43	Yes
New Hampshire.....	18	18	14(r)	13(r)	30	(b)	5 da.	.....	.....	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.	.....	.....	Yes
New York.....	18	18	16	14(s)	30	(b,g)	.....	24 hrs.(t)	4/29/33	Yes
North Carolina.....	18	18	16	16(c)	30	(b,u,v)	(w)	.....	.....	Yes
North Dakota.....	18	18	16	16	30	(b,x)	.....	.....	.....	Yes(f)
Ohio.....	18	18	18(c)	16(c)	30	(b)	5 da.	.....	Yes	Yes
Oklahoma.....	18	18	16(c)	16(c)	30	(b)	(y)	.....	Yes	Yes
Oregon.....	18	18	17	17	30(z)	(b)	7 da.	.....	.....	Yes
Pennsylvania.....	18	18	16(c)	16(c)	30	(b,x)	3 da.	.....	Yes	(l)
Rhode Island.....	18	18	18(c)	16(c)	40	(b,h,v)	.....	(aa)	Yes	(l)
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	(l)
Tennessee.....	18	18	16(c)	16(c)	30	(b)	(o)	.....	.....	Yes
Texas.....	18	18	14(c)	14(c)	21	(b)	.....	.....	Yes	Yes
Utah.....	18	18	16(a)	14(a)	30	(b)	.....	.....	.....	Yes
Vermont.....	18	18	16(c)	16(c)	30	(b)	.....	5 da.	.....	(d)
Virginia.....	18	18	16(a,c)	16(a,c)	30	(b)	.....	.....	.....	Yes
Washington.....	18	18	17(c)	17(c)	.....	(b,v,x)	3 da.	.....	.....	Yes
West Virginia.....	18	18	(ab)	(ab)	30	(b)	3 da.	.....	.....	Yes
Wisconsin.....	18	18	16	16	20	(b)	5 da.	.....	1913	(l)
Wyoming.....	19	19	17(c)	16(c)	30	(b)	.....	.....	.....	Yes
Dist. of Columbia..	21	18	18(a)	16(a)	30	(b)	3 da.	.....	Yes	Yes
Puerto Rico.....	21	21	18(c)	16(c)	10(z)	(b,ac)	.....	.....	.....	(d,f)

\*Prepared by the Women's Bureau, U.S. Department of Labor.

†Common law marriages attempted after dates shown are not valid.

(a) Parental consent not required if minor was previously married.

(b) Venereal diseases.

(c) Procedure established whereby younger persons may obtain license.

(d) Legal status uncertain.

(e) Blood test must be on record for at least 48 hours before issuance of license.

(f) If permanent residents of the State (domiciliaries) attempt to contract common law marriages in another State, such a marriage is not valid in State where domiciled.

(g) Sickle cell anemia.

(h) Rubella immunity.

(i) Tay-Sachs disease.

(j) Rh factor.

(k) Residents, 24 hours; nonresidents, 96 hours.

(l) Probably yes.

(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) Recognized under some circumstances or for limited purposes, e.g., legitimacy of children.

(o) Three days if parties are under 18 years of age.

(p) However, a misdemeanor.

(q) No provision in the law for parental consent of males.

(r) Permission of judge also required.

(s) If under 16 years of age, consent of family court judge also required.

(t) However, marriage may not be solemnized within 3 days of date on which specimen for blood test was taken.

(u) Mental competence.

(v) Tuberculosis.

(w) Forty-eight hours if both are nonresidents of the State.

(x) Marriage prohibited in event of feeble-mindedness, imbecility, insanity, or chronic alcoholism. In Washington State, an affidavit is required.

(y) Seventy-two hours if one or both parties are below the age for marriage without parental consent.

(z) Maximum period between examination and expiration of marriage license.

(aa) If female is nonresident, must complete and sign license 5 days prior to marriage.

(ab) No minimum age.

(ac) Insanity, epilepsy, idiocy (affidavit required).

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## ETHICS

BY VIRGINIA G. COOK\*

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**I**N RESPONSE to both declining public confidence in government and politicians, and changes in the relationship between government and the private economy over the past few decades, recent state legislation has attempted to stake out new boundaries for elevating standards of public service.

Although most state conflict of interest/financial disclosure laws have withstood court challenges, with almost all decisions upholding their validity, inadequate budgets, some difficulties in interpreting laws, and inadequate compliance information are among the obstacles still to be overcome.

Despite the fact that in some cases it may be a trial and error process, the various laws being implemented by States have already shown positive signs of remedying historical defects in ethics legislation. Most new laws have avoided the traditional criticism of being either too general or too specific. The use of independent special agencies to administer ethics laws should avoid partisan politics, which in the past resulted in nonenforcement in some cases, and should lend greater visibility to the function, thereby enhancing the possibility for adequate funding.

### COVERAGE

Determining which public officials and employees are to be subject to the laws is one major issue which has raised perplexing questions. As with any regulatory law, definition of terms is important and, although state definitions vary widely, the prevailing practice is to include both public officers and designated employees of the legislative and executive branches (see the table at the end of this article).

Laws of 38 of the 42 States with major

ethics legislation apply to legislators, and 10 of these States have legislative ethics committees with jurisdiction over legislators.

Certain officials in the executive branch are covered by almost all States. Generally included are statewide elective or appointed officials, top administrators performing adjudicative and regulatory functions, and those spending significant amounts of public funds and formulating administrative policies. Some States use a salary scale to determine coverage—ranging from \$12,000 in Alabama to \$30,000 in New York—but most laws make no distinctions between full- or part-time, compensated or uncompensated, or classified or unclassified employees.

The laws of 25 States apply to all or part of the judiciary and, in at least one instance, to judicial employees, as shown in the table. Although some supporters of broad coverage prefer to extend the law to judges, others feel that standards established by the American Bar Association and state bar associations, and the rules promulgated in some of the States by judicial disciplinary commissions, provide protection against unethical judicial conduct. Other observers distrust "self-policing," whether assigned to the judicial, legislative, or executive departments.

The inclusion of county and municipal officials is perhaps the most controversial coverage issue. Twenty-two States extend their laws to most or some county and/or municipal officials; but funding limitations, traditions of local self-government, caution, or in some instances a desire to avoid resignations, have prompted at least three States to compromise by declaring that counties and municipalities may and should establish a code of ethics.

Although federal laws and U.S. House and Senate rules are not as comprehensive as the financial disclosure provisions recently adopted by more than 30 States,

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most state ethics laws do not apply to congressmen and congressional candidates.

#### SCOPE OF PROVISIONS

The three most common provisions of conflict of interest/financial disclosure legislation are financial disclosure, codes of ethics, and prohibitions. The requirement for financial disclosure is based on a belief that state officials and employees should divulge those economic interests which might conflict with their public duties. The problem, however, is to obtain enough information to enforce laws without invading privacy or deterring citizens from running for office or entering public service.

Although the breadth and diversity of financial disclosure requirements vary from State to State, information commonly required includes statements of: direct financial interests, creditors, corporate affiliations, and investments; persons for whom legislative work has been done; and a description of property held, bought, or sold during the year. Most disclosure laws also require the business address of the public official as well as the financial interests of his immediate family.

Although one frequent objection to full financial disclosure is that broad requirements amount to an invasion of privacy, statutes are based on the theory that citizens have a right to such information. Moreover, broad financial disclosure greatly facilitates enforcement of conflict of interest provisions. Most States require the person seeking the financial information to submit a written request, a copy of which is sent to the person whose file has been requested. The Connecticut Legislative Ethics Committee restricts access to financial disclosure statements, which must be sealed and retained by the committee for two years after the individual has left state service. The statement can be opened only at the direction of the person filing or through committee determination that a complaint makes allegations sufficient to constitute a probable violation of the ethics law.

Twenty States have adopted ethics codes which describe the circumstances under which conflicts of interest are likely

to occur and which prescribe appropriate behavior of public officials. These codes, intended as specific guidelines, are designed to add both clarity and certainty to the law. Codes usually prohibit acquisition of conflicting interests and employment, receipt of gifts, and adverse use of confidential information. They also commonly regulate extra compensation from nonstate sources, assisting or representing others in state transactions, doing business with or having an interest in firms regulated by the State, and appearances of a lawyer-legislator before a state agency. Ethics codes as a rule are contained in a statute, but if a code applicable to the executive branch is not included in the law, executive agencies usually develop their own code.

Some state ethics laws go beyond, requiring publicizing a conflict of interest and require disqualification from voting or participating in decisions when there is a substantial conflict. Timing of the announcement of the conflict may be important. The Oregon ethics law requires an elected or appointed public official to publicly announce a conflict prior to acting. The law also requires judges to either remove themselves from a case or advise parties of the conflict; district attorneys must advise the judge of a conflict, who may require the attorney to withdraw from the case. In addition, existence of conflicts of interest must be recorded in the public records of the appropriate governmental body and both notice and disposition of the conflict must be reported to the ethics commission.

Ethics administrators have experienced difficulty in safeguarding the public interest and protecting government agencies against undue influence without causing needless hardships for legislators, public officials, and government employees appearing before a state agency. In some States, part-time lawyer-legislators have long been accustomed to appearing before government agencies and attempts to limit or prohibit such appearances by ethics commissions have been stoutly resisted. Does the ethics law apply to a legislator who practices law as one of several partners in a firm having as clients local governments in the legislator's district? At



least two ethics commissions have ruled that the case must be relinquished or the legislator must withdraw from the firm. The representational case will no doubt continue to perplex administrators of ethics laws.

Since the acceptance of gifts by legislators and other public officials may influence their decisions or cause the public to lose confidence in government, most laws require that the source and sometimes the amount of a gift or anything else of value received by the employee be included in a statement of economic interest. Usually, receipt of gifts or favors worth more than a specific amount is prohibited.

#### ADMINISTRATION OF LAWS

In the past the lack of an independent enforcement agency has been a major weakness of ethics legislation. The enforceability issue continues to be an important practical problem in new or amended ethics legislation. California law requires state, county, and municipal agencies to formulate codes to be reviewed by a code reviewing agency, while the Indiana Ethics Commission must develop an ethics code for executive agencies. In New Jersey, the heads of executive agencies develop codes applicable to their employees. Both the California and New Jersey laws have guidelines to which the codes must conform.

Those involved in administering the new legislation, however, believe it can be enforced because of the explicitness of the standards, prohibitions, and disclosure requirements, amplified by rules and advisory opinions. Since 1971, 24 States have provided for commissions or boards to enforce their ethics legislation and most States have provided for bipartisan representation. Of those States establishing these commissions, the appointments to the boards or commissions lie solely with the Governor in 12 of the States, seven of which exclude public officials or government employees from membership. Eleven States staff commissions by appointment from more than one source and in two States the Legislature makes all of the appointments. Several States have more than one commission.

The powers of ethics commissions are similar in most States. Washington's financial disclosure law, which offers a good example of well-defined duties, provides that the commission develop forms for reports and statements, adopt rules, prepare a manual for those subject to the act, review the completed forms for conformance with the law, make audits and field investigations, and prepare an annual report to the Governor. The commission investigates complaints, holds administrative and exemption hearings when necessary, and reports violations to the appropriate law enforcement agency. Most commissions announce alleged and apparent violations of the law only after preliminary investigation and sometimes only after an administrative or investigatory hearing.

The procedure for processing complaints varies among the States, but certain provisions are common to most state laws. For example, the state official involved must receive written notice of the complaint which states the exact nature and purpose of the investigation, the specific activities to be investigated, and the rights of the accused.

An administrative device used by States to guide those subject to the ethics act and to add certainty to the law is the advisory opinion. Written by the ethics commission, the Attorney General, or the legislative ethics committee, it is issued on motion of the administrative agency or upon written request of a person subject to the act. A few States require that these opinions be issued within a specified time after receipt of the request. In most States they are open to public inspection and in a few States are widely circulated.

Perhaps the most frequent violation of ethics legislation is failure to file the required information on time, and it is not uncommon for many of those forms filed to be deficient. To inform those subject to the law on what their responsibilities are, many States have developed far-reaching information programs.

Demotion, reduction in pay, suspension, or discharge are among the administrative remedies available for violations; but both civil and criminal penalties are

*(Continued on page 246.)*

# SPECIFIED COVERAGE IN CONFLICT OF INTEREST/FINANCIAL DISCLOSURE LEGISLATION

State	Legislators	Legislative employees	Statewide elected or appointed officials	State employees	Members of state commissions	Candidates for state office	State judges	County officials and employees	Municipal officials and employees	Local boards and commissions	Others
Alabama	Yes	Some	Yes	Some	Some	Yes	Yes	Yes	Yes	Some	Yes
Alaska	Yes	No	Yes	Some	Yes	Yes	Yes	Elected (a)	Official (b)	Key (h)	Yes
Arizona	Yes	Yes	Yes	Yes (c)	Yes	Yes	Yes	Yes (c)	Yes (c)	Yes (c)	Yes
Arkansas	Yes	Some	Yes	Some	Some	Yes	No	Some	Some	Some (d)	Yes
California	Yes	Some	Yes	Some	Some	Yes	No	Some	Some	Some	Yes
Colorado	Yes	No	Yes	Some	Some	No	Yes	No	No (e)	No (e)	Yes
Connecticut	Yes	Yes	Yes	Some	Some	No	No	No	No (e)	No	Yes
Delaware	No	No	Some	Yes	Yes	No	No	No	No	No	Yes
Florida	Yes	Yes	Yes	Some (h)	Yes	No	Yes	Yes (t)	Yes (t)	Yes (t)	Yes
Hawaii	Yes	Yes	Yes	Yes	Yes	No	No	No	No	No	Yes
Illinois	No	No	Some	Some	Some	No	No	No	No	No	Yes
Illinois EO	Yes	No	Yes	Some	Some	No	No	No	No	No	Yes
Indiana	Yes	Yes	Yes	Yes	Some	Some (k)	Some	Some	Some	Some	Yes
Indiana EO	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes (m)	Some (m)	Some	Yes
Kansas	Yes	Yes	Yes	Some (l)	Yes	Yes	No	Yes (m)	Some (m)	Some	Yes
Kentucky	Yes	No	Yes	Some	Some	Some	Yes	No	No	No	Yes
Kentucky EO	No	No	Some	Some	No	Some	Yes	No	No	No	Yes
Kentucky LEA	Yes	Yes	Most	Yes	Yes	No	No	No	No	No	No
Kentucky LEA EO	Yes	Yes	Appointed	Yes	Yes	No	No	No	No	No	No
Louisiana	No	No	Yes	No	Some	No	No	No	No	No	No
Louisiana EO	Yes	Yes	Yes	Some	Some	No	No	No	No	No	No
Maine	Yes	No	No	Yes (n)	No	No	No	Some	Some	Some	No
Maine EO	No	No	Appointed	Yes	Yes	No	No	No	No	No	No
Maryland	No	No	Yes	Yes	Some	No	No	No	No	No	No
Maryland EO	Yes	No	Yes	Some	Some	Yes	Some (o)	No (p)	No (p)	No	No
Maryland EO 1974	No	No	Some	Some	Some	No	No	No	No	No	Yes
Massachusetts	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Some	No
Michigan (ab)	Yes	Some	Yes	Some	Some (q)	Yes	Elected	Elected	Elected	Some	Yes (s)
Minnesota	Yes	Some	Yes	Some	Some	Yes	No (r)	No	No	No	Yes
Missouri	No	No	Appointed	Yes	Yes	No	No	No	No	No	No
Missouri EO	Yes	No	Yes	Yes	Yes	No	No	Yes	Yes	Yes	Yes
Missouri EA	Yes	No	Yes	Yes	Yes	No	No	Yes	Yes	Yes	Yes
Nebraska	Yes	Some	Some	Some	Yes	No	No	No	No	No	Yes (t)
Nevada	Yes	Yes	Yes (u)	Some	Some (v)	Yes	No	No	No	Some	Yes
New Jersey	Yes	Yes	Yes	Some	Some	Yes	No	Elected	Elected	Some	Yes
New Jersey EO	No	No	Appointed	Yes	Yes	No	No	No	No	No	No
New Mexico	Yes	Yes	Yes	Yes	Yes	No	No	Yes	Yes	Yes	No
New York	No	No	Some (w)	Some (w)	Some	No	No	No	No	No	No
New York EO	Yes	Yes	Yes	Yes	Yes	No	No	No	No	No	No
New York POL	Yes	Yes	No	No	No	No	No	No	No	No	No
North Carolina	Yes	No	Yes	No	No	No	No	No	No	No	No
North Dakota	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Ohio	Yes (y)	Yes	Yes	Yes	Yes	Yes	Yes (z)	Yes	Yes	Appointed	Some

Oklahoma.....	Yes	Yes	Yes	Yes	Yes	No	Yes	No	No	No	No
Oregon.....	Yes	Some	Yes	Yes	Some	Yes	Yes(aa)	Yes	Yes	Some	Yes
Pennsylvania EO.....	No	No	Appointed	Some	Some	No	No	No	No	No	No
Rhode Island EO.....	No	No	Some	Some	Some	No	No	No	No	No	No
South Carolina.....	Yes	Yes	Yes	Some(ab)	Yes	Yes	Yes(ac)	Yes	Yes	Yes	Yes
South Dakota.....	Yes	No	Yes	No	Some	Yes	Some	Some	Some	Some	Yes
Tennessee.....	Yes	No	Some	No	No	Yes	Yes	Yes(ad)	Yes(ad)	Some	No
Texas.....	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	No	No	No
Utah.....	No	No	Yes	Yes	Some	No	Yes	Some	Some	Some	No
Virginia.....	Yes	Yes	Yes	Yes	Some	Yes	No	Some	Some	Some	No
Washington EA.....	Yes	Some	Elected, Some apptd.	Some	Some	Yes	Yes	Elected	Elected	Elected	Yes
Washington FDA.....	Yes	No	Elected	No	Some	Yes	Yes	Elected	Elected	Elected	Yes
West Virginia.....	Yes	No	Yes	Yes	Yes	No	Yes	No	No	No	No
Wisconsin.....	Yes	Some	Yes	Some(ae)	Yes	Yes	No(af)	No(ag)	No(ag)	No	No

#### Symbols:

- ...—Probably not.  
 EO—Executive order.  
 GEA—Government Ethics Act.  
 LEA—Legislative Ethics Act.  
 FDA—Financial Disclosure Act.  
 Ectd O—Board of Ethics for Elected Officials.  
 CP—Corrupt Practices Act.  
 POL—Public Officers Law.  
 EA—Ethics Act.
- (a) All elected county officials and some county employees.  
 (b) Elected and appointed officials. Only key boards and commissions.  
 (c) Only paid employees.  
 (d) Position of public trust in any school district.  
 (e) Cities may have acted under home rule charters.  
 (f) Conflict of interest provisions are applicable to state employees but financial disclosure provisions are not.  
 (g) Employees of the judiciary are covered but judges are not.  
 (h) Advisory boards spending \$100,000 or less are exempt; appointed members of statewide boards, commissions, authorities, or councils are subject to financial disclosure.  
 (i) Elected officials are covered but employees are not.  
 (j) Any appointed members of a board, commission, authority, community college district board of trustees, or council of any political subdivision of the State and those with land planning, zoning, or natural resources responsibilities are subject to the law. Members of advisory boards are excluded.  
 (k) Candidates for nomination or election to the General Assembly and for some statewide elective or appointed officials.  
 (l) All state officers and employees are covered by conflict of interest standards; all elected and appointed (those subject to Senate confirmation) and other state officials and employees earning \$15,000 or more annually, except for teachers under control of the Board of Regents, are covered.  
 (m) County and city officials and candidates for such office are subject to separate conflict of interest/financial disclosure legislation.  
 (n) No trustees, superintendent, treasurer, or other person holding a place of trust in any state office or public institution of the State may be directly or indirectly interested in any contracts made in behalf of the State or institution.  
 (o) Disclosure provisions apply to State's attorney, clerk of the circuit court of each county, or of a court of the Supreme Bench of Baltimore, register of wills, and sheriff. Maryland has a Commission on Judicial Disabilities which administers conflict of interest and disclosure requirements for judges. Every judge must file with the State Court Administrator an annual

financial disclosure statement on a form prescribed by the Court of Appeals.

(p) Counties and municipalities are directed to enact financial disclosure provisions.

(q) Those with rule-making authority.

(r) Judges are required to file campaign financing reports.

(s) Twin-cities metropolitan area agencies only.

(t) Members of boards of directors and each officer of a public power and irrigation district shall file a financial disclosure statement.

(u) Three tests are applied for coverage: (1) position must be a constitutional one or provided for by charter or ordinance; (2) the office must involve continuous exercise of a power or duty; (3) exercise of power or duty must be part of the regular and permanent administration of government.

(v) Commissions or boards which are solely advisory in nature are excluded.

(w) Officers or employees in exempt, noncompetitive, or unclassified positions in the executive department, or agency head appointed or nominated by the Governor must file a financial disclosure statement if annual income from state employment is \$30,000 or more. Officers or employees subject to the filing requirement also are prohibited from certain activities. The State Attorney General, Lieutenant Governor, Comptroller, Chancellor of the State University and Commissioner of Education and their departments are not subject to the executive order.

(x) County and municipal officials and employees are covered by a separate conflict of interest law.

(y) Legislators are covered by the law, but they are subject to legislative ethics committees instead of to the state ethics commission.

(z) The Board of Commissioners on Grievances and Discipline of the Supreme Court enforces the ethics law for state judges.

(aa) Judges of the Supreme Court, Court of Appeals, Tax Court, circuit, district, justice, and municipal courts, and any district attorney.

(ab) Public employees who earn more than \$20,000 per year are required to file financial statements.

(ac) Although excluded from the definition of public official, members of the judiciary must file a statement of any economic interest with the Chief Justice of the Supreme Court.

(ad) Each judge and each elected city and county official must file a disclosure statement.

(ae) The Director of the Bureau of Personnel has adopted and implemented a code of ethics for classified and unclassified state employees not subject to the Code of Ethics for Public Officials; the Board of Regents of the University of Wisconsin system has established a code of ethics for University of Wisconsin teaching personnel.

(af) A separate ethics code applies to judges and Supreme Court justices.

(ag) Counties and municipalities may and should establish a code of ethics for local public officials.

(ah) Michigan has just adopted another campaign finance measure which is not reflected in this table.

*(Continued from page 243.)*

also provided in most laws. Penalties vary among the States. Alabama's penalty provisions include a fine of up to \$10,000, imprisonment for up to 10 years, or both. In Arkansas, the penalty is a \$50 to \$500 fine, imprisonment from 10 to 90 days, or both.

#### CONCLUSION

It appears that some of the new ethics laws were hastily drafted and some unnecessarily restrict coverage. The need for additional funding is urgent in some States. In those States where the various ethics laws are administered by several different agencies, administrative consolidation and codification may be the next step. In States having only executive or-

ders, a next step might be extending the ethics law to the Legislature and the judiciary; in addition, advisory ethics commissions might be given enforcement powers.

Administrators of ethics laws have been heartened by the willingness of state employees to conform to the laws and of the courts to uphold the laws. This may encourage the few States which have not yet adopted comprehensive legislation to do so.

The developments in ethics legislation during the past few years show the capacity of state governments to respond significantly to the credibility crisis by elevating the standards required of elected and appointed officials and governmental employees.

## Section V

### FINANCE

1. Revenue, Expenditure, Debt
2. Taxation

# Revenue, Expenditure, Debt

## STATE FINANCES IN 1974\*

FISCAL 1974<sup>1</sup> saw most state governments continuing to experience an excess of total revenues over total expenditures, despite the overall slowdown in the national economy. Only in four States did expenditure exceed revenue for the fiscal year. The following figures depict this comparison from 1965 to date (in billions).

Fiscal year	Total revenue	Total expenditure	Excess of revenue or of expenditure (—)
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
1966 .....	55.2	51.1	4.1
1965 .....	48.8	45.6	3.2

The existence of an overall revenue excess, however, should not be interpreted as having available freely expendable funds. Most of the excess in recent years derives from insurance trust activities, and excess balances are required to be held in trust for such insurance opera-

tions. Balances also accrue from time to time in other areas where expenditures are restricted to specific activities, such as for highway construction and maintenance.

As presented here, state government finances are comprised of three major sectors: general government, state-operated liquor stores, and state insurance trust systems. Thus total state revenue includes, in addition to general revenue, the gross sales revenue of liquor stores as operated by 17 States, and insurance trust revenue. The latter is comprised of contributions and investment earnings received by employee retirement, unemployment compensation, and other state insurance trust systems.

Correspondingly, total state expenditure includes gross amounts or purchases and other expenditures by state liquor stores, and payments of benefits and withdrawals by state insurance trust systems, as well as expenditure of the general government sector.

National totals of state finances for fiscal 1974 and selected years back to 1942 are presented in Table 1. Summary aggregates of income and outgo in fiscal 1974 are shown for individual States in Table 2. All data presented herein reflects current dollar amounts, with no adjustment made for inflationary trends.

### THE GENERAL GOVERNMENT SECTOR

For the predominant "general government sector," general revenue exceeded general expenditure for the second con-

\*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 1974*.

<sup>1</sup>Fiscal 1974 data herein is for the state fiscal years ended on June 30, 1974, except for three States with other closing dates: Alabama, September 30; New York, March 31; and Texas, August 31.

secutive year, following six years in which there was a net expenditure total. Thirty-six States experienced this excess of revenue in fiscal 1974, compared to 43 in the previous fiscal year. In the aggregate, the 8.1 percent growth in general revenue from fiscal 1973 to 1974 did not keep pace with the 10.9 percent rise in general expenditure.

In part, this reduced growth rate in general revenue stems from an increase of less than 1 percent in state intergovernmental revenue from the federal government from 1973 to 1974, despite the continued receipt of over \$2 billion in federal general revenue sharing funds. Correspondingly, this revenue source grew by 17.1 percent from fiscal 1972 to 1973, with about one half of the growth attributable to the initial receipt of general revenue sharing allocations.

State tax revenue was up 9 percent in 1974. All but one State (Connecticut) experienced an increase in tax yield from fiscal 1973 to 1974. General sales taxes showed a strong 14.2 percent increase during the year, and accounted for 18.5 percent of state general revenue in 1974 as compared to 17.5 percent in 1973. Later and more detailed data on taxes appears in the chapter on "State Tax Collections in 1975" beginning on page 293.

The increase in general expenditure was led by a 12.5 percent growth in state intergovernmental payments, consisting primarily of state aid to local governments. These state payments now account for a full 38.3 percent of general expenditure.

In terms of expenditure by function, the largest portion of state general expenditure in fiscal 1974 continued to be for education, which accounted for \$46.9 billion, or 39.1 percent of the total. State aid to local governments for support of public schools amounted to \$27.1 billion in 1974, an increase of 16.3 percent over the previous year's total. Expenditure for state institutions of higher education totaled \$15.4 billion in 1974. This amount includes \$1.9 billion for operation of commercial activities such as dormitories and dining halls. State revenue from charges for these activities amounted to \$2.1 billion. Amounts for education do not in-

clude expenditure for university-operated hospitals serving the public (classified under hospitals) or for agricultural experiment stations and extension services (classified under natural resources).

Expenditure for public welfare totaled \$22.5 billion in 1974, 4 percent more than in 1973. During fiscal 1974, the federal government assumed direct responsibility for administration of many categorical cash assistance programs formerly operated by the States. This shift in responsibility is reflected in a decrease in state expenditures for categorical programs and also in intergovernmental revenue from the federal government for public welfare programs. Smaller increases than in previous fiscal years were experienced for total public welfare expenditure. Indeed, public welfare expenditure accounted for 18.8 percent of total general expenditure in 1974, compared to 20.1 percent in 1973. Wide variation exists among the States as to whether particular welfare services are provided directly by state agencies or are delegated to local governments. State payments to local governments for welfare purposes totaled \$7 billion in 1974.

State expenditure for highways in 1974 amounted to \$15.8 billion, an increase of 5.5 percent. However, highway expenditure accounted for 13.2 percent of the total general expenditure in 1974, compared to 13.9 percent in 1973, and 15.6 percent in 1972.

#### 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 social insurance systems involving the payment of cash benefits from accumulated fund reserves. Transactions of these various systems, exclusive of administrative costs which are treated as general expenditure and of state contributions which are classified as intragovernmental transactions, are reported as insurance trust revenue and insurance trust expenditure in Tables 1 and 2.

Total revenue of insurance trust systems increased 11.9 percent to \$16.4 bil-

lion from fiscal 1973 to 1974, compared to an increase of 24.8 percent from 1972 to 1973. At the same time, insurance trust expenditure increased 15.5 percent to \$10.6 billion from 1973 to 1974, and only 2.6 percent from 1972 to 1973. Employee retirement systems, unemployment compensation systems, and workmen's compensation systems all showed revenue in excess of expenditure for fiscal 1974.

#### STATE LIQUOR STORES

For those 17 States which operate them, state liquor stores continued to provide an excess of revenue over expenditure in fiscal 1974. In total, liquor store revenue exceeded liquor store expenditure by 24 percent (\$396 million). This compares to an excess of revenue totaling \$403 million, or 25.4 percent, in fiscal 1973.

#### INDEBTEDNESS AND DEBT TRANSACTIONS

Total state debt outstanding increased at a greater rate in fiscal 1974 compared to 1973. Long-term debt outstanding rose 11.4 percent to \$61.7 billion while short-term interest-bearing debt outstanding actually declined to \$3.6 billion during the fiscal year. Nonguaranteed long-term debt (comprised of debt payable solely from pledged specific sources which do not con-

stitute obligations against any other resources if the pledged sources are insufficient) rose 13.1 percent to \$30.8 billion from 1973 to 1974, while full faith and credit long-term debt increased by only 9.7 percent to \$30.9 billion.

Of the long-term debt issued during fiscal 1974, nonguaranteed debt exceeded full faith and credit debt for the first time since fiscal 1969. Full faith and credit debt issued declined 11.2 percent from 1973 to 1974, following a 9.5 percent increase from 1972 to 1973. Additionally, only \$91 million in refunding debt was issued during the year, compared to \$128 million and \$309 million in fiscal 1973 and 1972, respectively.

#### CASH AND SECURITY HOLDINGS

The aggregate of all state cash and security holdings was 14.3 percent higher at the end of fiscal year 1974 than at the beginning. Components making up the \$134.5 billion total all increased during the year. Holdings for employee retirement systems were up 13 percent to \$66.2 billion. Bond fund holdings rose 15.7 percent to \$7.8 billion. Offsets to debt increased 23.1 percent to \$7.8 billion, and unemployment compensation reserves rose 10.2 percent to \$10.8 billion.



TABLE 1  
NATIONAL TOTALS OF STATE GOVERNMENT FINANCES: 1942-74\*

Item	Amounts in millions												Per- cent change 1973 to	Per- cent dis- tribu- tion 1974	Per capita 1974
	1974	1973	1972	1971	1970	1968	1966	1964	1962	1960	1950	1942			
Revenue and borrowing.....	\$148,775	\$137,212	\$120,931	\$105,125	\$93,463	\$73,237	\$58,970	\$47,885	\$40,589	\$35,149	\$15,331	\$7,040	8.4	.....	\$706.21
Borrowing.....	7,959	7,404	8,622	7,892	4,524	4,777	3,724	2,717	2,994	2,312	1,428	170	7.5	.....	37.78
Revenue total.....	140,816	129,808	112,309	97,233	88,939	68,460	55,246	45,167	37,595	32,838	13,903	6,870	8.5	.....	668.43
General revenue.....	122,327	113,132	98,632	85,099	77,755	59,132	46,757	37,648	31,157	27,363	11,262	5,132	8.1	100.0	580.67
Taxes total (a).....	74,207	68,069	59,870	51,541	47,961	36,400	29,380	24,243	20,561	18,036	7,930	3,903	9.0	60.7	352.25
Intergovernmental revenue.....	33,170	32,700	27,981	23,809	20,248	15,935	12,246	9,464	7,480	6,745	2,423	858	1.4	27.1	157.45
From federal government.....	31,632	31,361	26,791	22,754	19,252	15,228	11,743	9,046	7,108	6,382	2,275	802	0.9	25.9	150.15
Public welfare.....	13,320	13,653	12,289	9,553	7,818	5,240	3,573	2,977	2,449	2,048	1,107	369	-2.4	10.9	63.23
Education.....	6,720	6,430	5,984	5,468	4,554	3,891	2,654	1,152	985	727	345	137	4.5	5.5	31.90
Highways.....	4,503	4,648	4,871	4,814	4,431	4,198	3,972	3,652	2,746	2,883	438	169	-3.1	3.7	21.38
General revenue sharing.....	2,045	2,272	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	-10.0	1.7	9.71
Employment security administration.....	1,295	1,276	1,148	959	769	619	506	437	423	319	168	57	1.5	1.1	6.15
Other.....	3,749	3,082	2,499	1,960	1,681	1,280	1,037	828	504	406	217	69	21.6	3.0	17.79
From local governments.....	1,538	1,339	1,191	1,054	995	707	503	417	373	363	148	56	14.8	1.3	7.30
Charges and miscellaneous revenue.....	14,950	12,363	10,780	9,749	9,545	6,797	5,131	3,942	3,116	2,583	909	370	20.9	12.2	70.97
Liquor stores revenue.....	2,049	1,985	1,904	1,814	1,748	1,557	1,361	1,195	1,134	1,128	810	373	3.2	.....	9.73
Insurance trust revenue.....	16,439	14,690	11,773	10,320	9,437	7,771	7,128	6,324	5,304	4,347	1,831	1,366	11.9	100.0	78.03
Employee retirement.....	8,919	8,267	6,827	5,981	5,205	3,831	2,918	2,369	1,942	1,558	425	115	7.9	54.3	42.34
Unemployment compensation.....	5,711	4,947	3,588	3,084	3,090	2,963	3,326	3,250	2,812	2,316	1,176	1,134	15.4	34.7	27.11
Other.....	1,809	1,476	1,359	1,255	1,143	977	884	706	550	472	229	117	22.6	11.0	8.59
Debt outstanding at end of fiscal year, total.....	65,296	59,071	53,833	47,793	42,008	35,666	29,564	25,041	22,023	18,543	5,285	3,257	10.5	100.0	309.95
Long-term.....	61,697	55,397	50,379	44,321	38,903	33,622	28,504	24,401	21,612	18,128	5,168	3,096	11.4	94.5	292.87
Full faith and credit.....	30,855	28,139	25,065	21,502	17,736	14,698	12,709	11,147	10,313	8,912	4,209	2,641	9.7	47.3	146.46
Nonguaranteed.....	30,842	27,258	25,314	22,819	21,167	18,923	15,795	13,254	11,300	9,216	958	455	13.1	47.2	146.40
Short-term.....	3,599	3,674	3,454	3,472	3,104	2,045	1,060	641	411	415	118	161	-2.0	5.5	17.09
Net long-term.....	53,847	49,021	45,085	39,633	34,479	29,366	24,488	20,922	18,645	15,595	4,246	2,563	9.8	.....	255.60
Full faith and credit only.....	26,967	24,737	21,932	18,491	14,832	11,886	9,925	8,434	7,780	6,711	3,379	2,123	9.0	.....	128.01
Expenditure and debt redemption.....	134,948	121,930	111,933	101,094	87,152	67,754	52,385	43,620	37,392	32,496	15,373	5,746	10.4	.....	638.88
Debt redemption.....	2,814	3,094	2,690	2,254	2,096	1,500	1,262	1,036	990	900	291	403	-9.1	.....	13.36
Expenditure total.....	132,134	118,836	109,243	98,840	85,055	66,254	51,123	42,583	36,402	31,596	15,082	5,343	11.2	.....	627.22
General expenditure.....	119,891	108,086	98,810	89,118	77,642	60,395	46,090	37,242	31,281	27,228	12,250	4,549	10.9	100.0	569.10
Education.....	46,860	41,599	38,348	35,092	30,865	24,279	17,749	13,129	10,744	8,857	3,412	1,182	12.6	39.1	222.44
Intergovernmental expenditure.....	27,107	23,316	21,195	19,292	17,085	13,321	10,177	7,664	6,474	5,461	2,054	790	16.3	22.6	128.67
State institutions of higher education.....	15,395	14,248	13,381	12,448	11,011	8,982	6,353	4,649	3,634	2,856	1,107	296	8.0	12.8	73.08
Other.....	4,358	4,035	3,773	3,352	2,769	1,976	1,220	816	636	540	251	95	8.0	3.6	20.69
Public welfare.....	22,538	21,678	19,191	16,278	13,206	8,649	6,020	4,904	4,285	3,704	2,358	913	4.0	18.8	106.98
Intergovernmental expenditure.....	7,369	7,532	6,944	5,760	5,003	3,527	2,882	2,108	1,777	1,483	792	390	-2.2	6.1	34.98
Cash assistance, categorical programs.....	4,984	5,556	5,089	4,464	3,534	2,421	1,986	1,935	1,863	1,728	1,337	414	-10.3	4.2	23.66
Cash assistance, other.....	212	223	192	183	145	57	57	59	61	76	92	72	-5.2	0.2	1.00
Other public welfare.....	9,974	8,367	6,967	5,871	4,523	2,644	1,096	801	585	417	137	37	19.2	8.3	47.34
Highways.....	15,847	15,025	15,380	14,810	13,483	11,848	10,349	9,374	7,961	7,317	2,663	1,134	5.5	13.2	75.22
Regular state highway facilities.....	11,887	11,337	12,089	11,681	10,482	9,286	8,297	7,437	6,374	5,812	1,953	771	4.8	9.9	56.42
State toll highway facilities.....	749	734	658	622	562	533	327	413	260	259	105	19	2.0	0.6	3.56
Intergovernmental expenditure.....	3,211	2,953	2,633	2,507	2,439	2,029	1,725	1,524	1,327	1,247	610	344	8.7	2.7	15.24

Health and hospitals.....	8,443	7,350	6,963	6,151	5,355	4,202	3,241	2,699	2,351	2,072	1,042	311	14.9	7.1	40.07
State hospitals and institutions for handicapped.....	5,957	5,274	4,825	4,418	3,941	3,198	2,483	2,073	1,824	1,618	788	235	13.0	5.0	28.28
Other.....	2,486	2,076	2,138	1,733	1,414	1,004	758	626	527	454	254	75	19.7	2.1	11.79
Natural resources.....	3,053	2,725	2,595	2,549	2,223	2,005	1,567	1,208	992	862	477	160	12.0	2.5	14.49
Correction.....	1,812	1,553	1,389	1,257	1,104	874	691	605	524	433	198	80	16.6	1.5	8.60
Financial administration.....	1,594	1,393	1,235	1,144	1,032	819	660	582	512	447	.....	.....	14.4	1.3	7.57
Employment security administration.....	1,304	1,277	1,133	942	767	606	500	426	399	313	172	59	2.1	1.1	6.19
General control.....	1,273	1,112	944	843	717	510	377	301	259	216	322	166	14.5	1.1	6.04
Police.....	1,262	1,118	983	865	741	539	390	319	281	251	85	40	12.9	1.1	5.99
Miscellaneous and unallocable.....	15,906	13,256	10,647	9,185	8,149	6,066	4,546	3,696	2,972	2,755	1,515	505	20.0	13.1	75.51
State aid for unspecified purposes.....	4,804	4,280	3,752	3,258	2,958	1,993	1,361	1,053	839	806	482	224	12.2	4.0	22.80
Interest.....	2,863	2,434	2,135	1,761	1,499	1,128	894	765	635	536	109	122	17.6	2.4	13.59
Veterans' services.....	156	48	51	65	67	33	21	19	95	112	462	1	223.7	0.1	0.74
Other (includes intergovernmental aid for specified purposes not elsewhere classified).....	8,083	6,494	4,709	4,101	3,626	2,912	2,270	1,859	1,402	1,300	463	158	24.5	6.6	38.38
Liquor store expenditure.....	1,653	1,583	1,495	1,395	1,404	1,233	1,081	977	882	907	654	288	4.5	.....	7.85
Insurance trust expenditure.....	10,590	9,167	8,938	8,327	6,010	4,626	3,952	4,364	4,238	3,461	2,177	505	15.5	100.0	50.27
Unemployment compensation.....	4,673	4,056	4,722	4,692	2,713	2,042	1,884	2,627	2,802	2,359	1,845	369	15.2	44.1	22.18
Employee retirement.....	4,591	3,942	3,175	2,705	2,376	1,810	1,398	1,125	933	700	163	65	16.5	43.4	21.79
Other.....	1,326	1,170	1,041	928	921	774	671	612	502	402	169	71	13.3	12.5	6.30
Total expenditure by character and object.....	132,134	118,836	109,243	98,840	85,055	66,254	51,123	42,583	36,402	31,596	15,082	5,343	11.2	100.0	627.22
Direct expenditure.....	86,193	78,013	72,483	66,200	56,163	44,304	34,195	29,616	25,495	22,152	10,864	3,563	10.5	65.2	409.14
Current operation.....	50,803	44,838	39,790	35,846	30,971	23,379	16,855	13,492	11,290	9,534	4,450	1,827	13.3	38.4	241.15
Capital outlay.....	15,417	14,677	15,283	14,736	13,295	12,210	10,193	8,820	7,214	6,607	2,237	642	5.0	11.7	73.18
Construction.....	12,655	12,327	13,022	12,446	11,185	10,053	8,287	7,263	5,960	5,509	1,966	560	2.7	9.6	60.07
Purchase of land and existing structures..	1,540	1,322	1,369	1,423	1,240	1,389	1,360	1,134	903	802	131	N.A.	16.5	1.2	7.31
Equipment.....	1,222	1,028	892	866	870	769	546	424	351	296	141	N.A.	19.0	0.9	5.80
Assistance and subsidies.....	6,521	6,897	6,337	5,531	4,387	2,960	2,301	2,175	2,118	2,015	1,891	466	5.5	4.9	30.95
Interest on debt.....	2,863	2,434	2,135	1,761	1,499	1,128	894	765	635	536	109	122	17.6	2.2	13.59
Insurance benefits and repayments.....	10,590	9,167	8,938	8,327	6,010	4,626	3,952	4,364	4,238	3,461	2,177	505	15.5	8.0	50.27
Intergovernmental expenditure.....	45,941	40,822	36,759	32,640	28,892	21,950	16,928	12,968	10,906	9,443	4,217	1,780	12.5	34.8	218.07
Cash and security holdings at end of fiscal year..	134,493	117,701	99,791	89,184	84,810	69,412	58,201	45,862	38,543	33,940	N.A.	N.A.	14.3	100.0	638.41
Unemployment fund balance in U.S. Treasury	10,773	9,774	8,964	10,418	12,236	10,849	8,835	6,580	5,603	6,597	N.A.	N.A.	10.2	8.0	51.14
Cash and deposits.....	18,387	16,333	12,372	8,865	8,463	8,226	7,469	5,572	4,650	4,175	N.A.	N.A.	12.6	13.7	87.28
Securities.....	105,332	91,594	78,456	69,901	64,110	50,337	41,898	33,710	28,290	23,168	N.A.	N.A.	15.0	78.3	500.00
Total by purpose:															
Insurance trust.....	80,840	71,786	62,991	58,669	54,995	44,333	35,515	28,058	22,789	20,264	N.A.	N.A.	12.6	60.1	383.73
Debt offsets.....	7,849	6,376	5,309	4,688	4,424	4,256	4,016	3,479	2,968	2,533	N.A.	N.A.	23.1	5.8	37.26
Other.....	45,804	39,538	31,514	25,827	25,404	20,824	18,671	14,325	12,786	11,144	N.A.	N.A.	15.8	34.1	217.43

\*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 1972 Census of Governments).

Note: State totals for 1960-74 include the present 50 States. The totals for 1950 and 1942

exclude both Alaska and Hawaii. Because of rounding, detail may not add to totals.

N.A. signifies data not available.

(a) For detail, see Table 1 of section on "State Tax Collections in 1975," page 295.

TABLE 2  
SUMMARY FINANCIAL AGGREGATES, BY STATE: 1974\*  
(In thousands of dollars)

	State	Revenue					Expenditure					Debt redemption
		Total	General	Liquor stores	Insurance trust	Borrowing	Total	General	Liquor stores	Insurance trust		
	All States.....	\$140,815,514	\$122,327,392	\$2,049,354	\$16,438,768	\$7,959,198	\$132,134,353	\$119,891,358	\$1,653,326	\$10,589,669	\$2,813,931	
	Alabama.....	2,073,445	1,847,606	92,878	132,961	68,047	1,994,183	1,808,667	85,540	99,976	42,709	
	Alaska.....	527,045	477,069	.....	49,976	119,591	697,584	665,521	.....	32,063	17,484	
	Arizona.....	1,339,553	1,158,198	.....	181,355	.....	1,237,830	1,160,845	.....	76,985	3,224	
	Arkansas.....	1,079,787	996,776	.....	83,011	7,793	997,543	946,459	.....	51,084	8,531	
	California.....	16,507,414	13,610,502	.....	2,896,912	326,260	15,519,227	13,702,881	.....	1,816,346	269,706	
254	Colorado.....	1,641,788	1,449,742	.....	192,046	12,580	1,409,801	1,328,270	.....	81,531	7,629	
	Connecticut.....	1,975,371	1,756,291	.....	219,080	367,400	1,919,806	1,697,745	.....	222,061	393,770	
	Delaware.....	502,903	475,687	.....	27,216	65,400	496,142	465,736	.....	30,406	50,018	
	Florida.....	4,326,520	3,954,925	.....	371,595	260,905	4,084,511	3,904,324	.....	180,187	33,086	
	Georgia.....	2,748,308	2,521,011	.....	227,297	59,635	2,618,445	2,500,496	.....	117,949	44,366	
	Hawaii.....	989,507	867,994	.....	121,513	110,000	990,859	921,144	.....	69,715	32,897	
	Idaho.....	535,975	458,520	25,782	51,673	2,550	503,965	457,680	16,777	29,508	3,564	
	Illinois.....	7,254,548	6,532,526	.....	722,022	357,665	6,523,804	6,079,399	.....	444,405	88,481	
	Indiana.....	2,734,000	2,543,718	.....	190,282	37,150	2,275,371	2,124,371	.....	151,000	38,459	
	Iowa.....	1,786,136	1,567,062	90,621	128,453	10,000	1,627,392	1,494,560	70,270	62,562	4,390	
	Kansas.....	1,234,503	1,139,672	.....	94,831	1,713	1,112,219	1,048,623	.....	63,596	11,148	
	Kentucky.....	2,075,580	1,889,937	.....	185,643	75,637	1,816,615	1,698,250	.....	118,365	39,720	
	Louisiana.....	2,606,229	2,376,006	.....	230,223	71,184	2,401,410	2,237,167	.....	164,243	45,001	
	Maine.....	714,581	622,848	30,173	61,560	42,705	659,273	563,183	29,664	66,426	23,094	
	Maryland.....	2,782,498	2,496,841	.....	285,657	259,342	2,810,456	2,628,506	.....	181,950	87,360	
	Massachusetts.....	3,967,637	3,583,916	.....	383,721	219,726	4,229,191	3,823,694	.....	405,497	147,893	
	Michigan.....	6,874,158	5,903,074	322,864	648,220	111,274	6,434,408	5,702,035	269,559	462,814	95,899	
	Minnesota.....	3,043,538	2,799,207	.....	244,331	177,445	2,780,101	2,630,426	.....	149,675	40,688	
	Mississippi.....	1,470,666	1,301,142	62,293	107,231	63,926	1,395,240	1,290,078	54,576	50,586	23,882	
	Missouri.....	2,261,942	2,025,085	.....	236,857	34,578	2,049,510	1,918,604	.....	130,906	7,550	

Montana.....	545,045	444,761	33,115	67,169	15	476,150	408,376	27,550	40,224	4,694
Nebraska.....	754,832	721,036	.....	33,796	.....	698,260	674,117	.....	24,143	5,722
Nevada.....	502,240	390,398	.....	111,842	1,800	420,890	359,489	.....	61,401	2,590
New Hampshire.....	467,491	330,416	95,837	41,238	35,920	452,159	356,435	72,426	23,298	23,602
New Jersey.....	4,607,734	3,711,389	.....	896,345	787,840	4,389,803	3,741,324	.....	648,479	99,542
New Mexico.....	906,143	831,506	.....	74,637	13,300	795,143	756,133	.....	39,010	15,542
New York.....	16,010,816	13,823,928	.....	2,186,888	1,782,954	15,453,285	14,115,653	.....	1,337,632	383,315
North Carolina.....	3,126,023	2,809,404	.....	316,619	5,222	2,721,667	2,606,344	.....	115,323	35,329
North Dakota.....	508,728	474,432	.....	34,296	8,050	435,020	411,729	.....	23,291	1,798
Ohio.....	6,173,929	4,573,747	336,767	1,263,285	312,195	5,620,383	4,608,500	250,254	761,629	117,504
Oklahoma.....	1,566,069	1,482,711	.....	83,358	88,685	1,479,637	1,408,570	.....	71,067	21,584
Oregon.....	2,036,318	1,325,674	101,194	239,986	222,545	1,504,609	1,297,995	59,602	147,012	40,856
Pennsylvania.....	8,286,099	6,919,734	412,522	953,843	628,815	8,056,510	6,949,309	360,113	747,088	156,718
Rhode Island.....	689,548	593,240	.....	96,308	57,115	638,751	570,519	.....	88,232	40,512
South Carolina.....	1,649,240	1,492,255	.....	156,985	276,590	1,614,096	1,547,114	.....	66,982	19,855
South Dakota.....	387,807	369,862	.....	17,945	.....	363,583	356,482	.....	7,101	1,090
Tennessee.....	2,036,318	1,863,566	.....	172,752	75,483	1,910,117	1,810,114	.....	100,003	27,261
Texas.....	5,916,788	5,517,809	.....	398,979	245,162	5,027,016	4,788,737	.....	238,279	67,060
Utah.....	812,580	705,004	30,904	76,672	2,937	745,963	680,716	20,557	44,690	6,578
Vermont.....	424,305	371,638	26,512	26,155	21,990	416,923	368,451	26,098	22,374	29,224
Virginia.....	2,860,088	2,543,427	173,604	143,037	233,545	2,849,198	2,618,183	145,013	86,002	35,947
Washington.....	2,849,870	2,249,078	137,590	463,202	117,965	2,671,746	2,230,443	106,979	334,324	57,589
West Virginia.....	1,355,948	1,139,511	61,125	155,312	117,089	1,293,777	1,116,214	44,371	133,192	31,334
Wisconsin.....	3,347,687	3,020,413	.....	327,274	59,600	3,223,795	3,065,899	.....	157,896	37,146
Wyoming.....	309,700	267,098	15,573	27,029	1,875	270,990	245,848	13,977	11,165	970

\*Source: Bureau of the Census, State Government Finances in 1974.

TABLE 3  
STATE GENERAL REVENUE, BY SOURCE AND BY STATE: 1974\*  
(In thousands of dollars)

State	Total general revenue	Taxes								Inter- govern- mental revenue	Charges and miscel- laneous general revenue
		Sales and gross receipts				Licenses					
		Total	General	Motor fuels	Total	Motor vehicles	Indi- vidual income	Corpora- tion net income			
All States.....	\$122,327,392	\$74,206,938	\$40,556,197	\$22,611,751	\$8,206,632	\$6,055,277	\$3,476,572	\$17,077,931	\$6,014,518	\$33,170,233	\$14,950,221
Alabama.....	1,847,606	1,017,367	677,788	321,199	146,877	77,191	30,849	169,801	47,255	578,502	251,737
Alaska.....	477,069	124,162	27,237	.....	13,743	20,195	6,700	49,219	8,241	191,111	161,796
Arizona.....	1,158,198	743,201	466,695	308,058	87,241	46,739	32,102	137,698	39,356	262,799	152,198
Arkansas.....	996,776	605,419	378,182	191,948	107,735	51,719	35,314	117,022	45,916	308,658	82,699
California.....	13,610,502	7,971,715	4,113,822	2,670,811	744,574	450,778	324,973	1,803,080	1,046,031	4,355,503	1,283,284
Colorado.....	1,449,742	797,599	407,560	243,470	91,374	57,011	33,323	250,527	52,745	409,229	242,914
Connecticut.....	1,756,291	1,092,900	806,989	451,191	137,640	73,029	44,643	18,796	139,873	434,960	228,431
Delaware.....	475,687	308,133	70,259	.....	27,383	92,964	16,627	108,488	23,467	90,740	76,814
Florida.....	3,954,925	2,786,602	2,085,893	1,196,571	357,585	262,545	182,786	.....	188,778	796,748	371,575
Georgia.....	2,521,011	1,514,922	956,345	537,311	231,174	65,619	41,009	340,040	132,629	771,718	234,371
Hawaii.....	867,994	494,870	314,405	244,353	19,632	6,861	90	151,733	18,166	226,608	146,516
Idaho.....	458,520	256,237	125,244	69,840	34,753	31,525	16,701	72,183	23,076	150,397	51,886
Illinois.....	6,532,526	4,082,987	2,336,079	1,382,780	379,768	346,248	269,926	1,046,675	266,944	1,985,759	463,780
Indiana.....	2,543,718	1,674,183	1,181,052	831,654	244,335	101,550	79,135	328,071	15,400	484,055	385,480
Iowa.....	1,567,062	1,005,059	483,072	285,240	119,869	115,279	94,739	320,594	59,416	353,742	208,261
Kansas.....	1,139,672	702,709	393,004	234,730	95,907	60,369	43,208	147,143	76,766	281,560	155,403
Kentucky.....	1,889,937	1,106,130	643,540	334,192	165,970	61,398	38,339	212,324	83,364	551,196	232,611
Louisiana.....	2,376,006	1,319,521	655,225	337,457	148,515	92,876	30,663	99,956	67,603	619,333	437,152
Maine.....	622,848	336,347	238,161	132,673	50,207	32,539	19,521	39,033	13,202	205,275	81,226
Maryland.....	2,496,841	1,578,155	743,097	364,705	172,135	90,555	68,305	573,728	90,065	568,183	350,503
Massachusetts.....	3,583,916	2,204,744	784,366	258,214	180,989	93,573	44,421	971,030	283,634(a)	1,007,832	371,340
Michigan.....	5,903,074	3,681,154	1,890,143	1,187,246	400,855	371,364	162,801	965,704	309,122	1,485,924	735,996
Minnesota.....	2,799,207	1,843,129	754,428	348,141	144,348	117,753	87,718	701,389	190,336	629,209	326,869
Mississippi.....	1,301,142	746,480	557,120	360,880	125,569	52,277	21,034	82,533	30,065	412,768	141,894
Missouri.....	2,025,085	1,300,435	766,445	450,617	200,826	141,254	95,264	315,481	54,683	547,686	176,964

Montana.....	444,761	219,948	65,893	.....	35,440	20,948	8,830	79,029	15,736	149,085	75,692
Nebraska.....	721,036	405,615	256,858	.....	82,730	44,501	32,578	79,334	21,949	201,368	114,053
Nevada.....	390,398	251,415	194,787	.....	24,902	39,213	13,510	.....	.....	95,175	43,808
New Hampshire.....	330,416	163,164	94,266	.....	37,447	26,297	16,124	8,344	23,881	105,390	59,862
New Jersey.....	3,711,389	2,056,302	1,346,302	735,066	266,848	304,747	148,795	44,035	197,591	1,016,481	638,606
New Mexico.....	831,506	437,674	275,068	182,203	53,982	28,331	17,427	57,946	16,160	236,176	157,656
New York.....	13,823,928	8,516,363	3,348,029	1,863,241	510,040	397,228	272,232	3,431,993	874,379	3,722,993	1,584,572
North Carolina.....	2,809,404	1,806,433	932,107	410,422	268,594	154,829	82,228	504,319	153,289	688,697	314,274
North Dakota.....	474,432	218,693	125,718	81,146	26,095	25,947	19,406	45,435	14,526	121,141	134,598
Ohio.....	4,573,747	2,788,875	1,736,886	878,123	375,898	326,474	122,024	419,174	190,584	1,184,316	600,556
Oklahoma.....	1,482,711	777,522	387,087	144,293	111,215	106,846	77,829	120,773	40,386	443,558	261,631
Oregon.....	1,325,674	701,616	134,745	.....	81,765	105,266	71,085	352,396	85,734	404,982	219,076
Pennsylvania.....	6,919,734	4,609,141	2,235,823	1,190,553	426,116	493,154	171,443	1,115,612	540,103	1,665,465	645,128
Rhode Island.....	593,240	333,653	191,492	100,496	31,843	18,583	13,211	73,898	34,610	171,879	87,708
South Carolina.....	1,492,255	901,540	572,399	314,726	127,242	44,136	23,381	192,712	77,568	392,406	198,309
South Dakota.....	369,862	165,626	143,273	75,517	36,085	17,251	10,201	.....	1,299	130,961	73,275
Tennessee.....	1,863,566	1,092,405	760,214	451,072	174,499	157,463	77,123	16,464	112,974	547,621	223,540
Texas.....	5,517,809	3,287,923	2,248,159	1,130,649	389,948	412,760	203,371	.....	.....	1,415,809	814,077
Utah.....	705,004	363,095	216,340	149,455	47,579	24,180	14,719	90,032	20,173	229,592	112,317
Vermont.....	371,638	179,641	93,696	26,504	21,833	19,530	14,803	52,662	8,024	125,716	66,281
Virginia.....	2,543,427	1,507,852	780,415	337,175	239,997	96,935	68,768	468,967	106,406	643,425	392,150
Washington.....	2,249,078	1,359,740	1,128,362	784,028	158,168	97,141	52,839	.....	.....	593,358	295,980
West Virginia.....	1,139,511	610,107	446,700	270,722	72,849	40,962	28,865	99,563	12,744	430,147	99,257
Wisconsin.....	3,020,413	2,032,164	811,989	477,590	155,835	114,532	79,023	802,995	160,269	647,616	340,633
Wyoming.....	267,098	124,235	83,438	54,879	20,678	24,812	16,566	.....	.....	97,381	45,482

\*Source: Bureau of the Census, *State Government Finances in 1974*.

(a) Includes a portion of the corporation excise taxes and surtaxes measured by corporate excess. Separation not available.

TABLE 4  
SUMMARY OF EXPENDITURE, BY CHARACTER AND OBJECT AND BY STATE: 1974\*  
(In thousands of dollars)

State	Intergovernmental expenditure	Direct expenditure									Insurance benefits and re-payments	Exhibit: Total personal services
		Total	Current operation	Capital outlay				Assistance and subsidies	Interest on debt			
				Total	Construction	Land and existing structures	Equipment					
All States.....	\$45,941,111	\$86,193,242	\$50,802,721	\$15,416,985	\$12,654,509	\$1,540,095	\$1,222,381	\$6,520,706	\$2,863,161	\$10,589,669	\$26,344,002	
Alabama.....	555,013	1,439,170	926,180	276,946	241,631	9,502	25,813	97,940	38,128	99,976	430,884	
Alaska.....	146,623	550,961	296,773	178,309	163,588	7,961	6,760	19,133	24,683	32,063	172,530	
Arizona.....	470,705	767,125	476,473	155,940	135,321	3,528	17,091	54,051	3,676	76,985	335,063	
Arkansas.....	314,643	682,900	415,645	132,447	103,056	13,184	16,207	78,812	4,912	51,084	218,380	
California.....	6,901,808	8,617,419	5,557,667	893,091	659,235	147,691	86,165	98,721	251,594	1,816,346	2,626,845	
Colorado.....	482,735	927,066	668,746	150,780	115,785	15,687	19,308	21,516	4,493	81,531	407,080	
Connecticut.....	429,011	1,490,795	756,218	269,548	173,980	39,103	56,465	129,248	113,720	222,061	420,536	
Delaware.....	134,868	361,274	223,586	69,924	59,830	4,005	6,089	20,219	17,139	30,406	121,274	
Florida.....	1,560,305	2,524,206	1,492,698	592,749	425,163	133,515	34,071	184,488	74,084	180,187	879,537	
Georgia.....	817,138	1,801,307	1,081,957	369,708	316,532	18,964	34,212	186,367	45,326	117,949	646,795	
Hawaii.....	21,741	969,118	584,956	215,497	205,236	4,385	5,876	60,861	38,089	69,715	338,912	
Idaho.....	135,844	368,121	235,158	72,085	63,613	1,675	6,797	29,191	2,179	29,508	116,155	
Illinois.....	2,043,053	4,480,751	2,467,879	686,842	597,062	35,569	54,211	779,563	102,062	444,405	1,178,366	
Indiana.....	753,675	1,521,696	1,031,754	267,550	227,894	27,271	12,385	47,850	23,542	151,000	528,447	
Iowa.....	584,348	1,043,044	682,567	193,472	152,397	18,576	22,499	98,776	5,667	62,562	361,659	
Kansas.....	304,312	807,907	529,339	145,204	118,174	12,447	14,583	62,686	7,082	63,596	323,063	
Kentucky.....	404,707	1,411,908	806,783	315,949	273,048	24,720	18,181	108,534	62,277	118,365	440,586	
Louisiana.....	731,312	1,670,098	962,478	337,287	293,049	21,702	22,536	148,605	57,485	164,243	494,490	
Maine.....	109,340	549,933	333,074	78,943	72,009	3,244	3,690	54,229	17,261	66,426	152,615	
Maryland.....	1,091,811	1,718,645	1,082,099	366,149	303,799	32,976	29,374	16,909	71,538	181,950	584,442	
Massachusetts.....	916,244	3,312,947	1,740,718	542,490	493,111	27,821	21,558	486,496	137,746	405,497	698,441	
Michigan.....	2,072,529	4,361,879	2,681,351	508,822	419,092	49,953	39,777	644,394	64,498	462,814	1,199,115	
Minnesota.....	1,391,182	1,388,919	891,502	250,345	205,814	22,679	21,852	64,672	32,725	149,675	555,913	
Mississippi.....	459,559	935,681	587,740	184,513	155,008	10,835	18,670	85,394	27,448	50,586	240,946	
Missouri.....	598,876	1,450,634	809,869	298,197	50,188	228,338	19,671	204,031	7,631	130,906	487,627	

Montana.....	96,534	379,616	231,148	85,259	71,717	3,362	10,180	18,820	4,165	40,224	123,443
Nebraska.....	180,772	517,488	341,812	113,684	95,659	6,503	11,522	34,680	3,169	24,143	197,281
Nevada.....	119,059	301,831	174,972	53,463	42,366	4,135	6,962	9,404	2,591	61,401	94,753
New Hampshire.....	69,147	383,012	262,245	64,563	56,594	4,382	3,587	25,425	7,481	23,298	104,166
New Jersey.....	1,365,174	3,024,629	1,567,739	598,820	469,485	44,135	85,200	54,442	155,149	648,479	739,146
New Mexico.....	271,566	523,577	350,743	89,262	75,083	5,595	8,584	40,109	4,453	39,010	190,916
New York.....	7,914,358	7,538,927	3,534,087	1,801,674	1,595,623	121,373	84,678	233,856	631,678	1,337,632	2,178,448
North Carolina.....	1,179,995	1,541,672	1,086,577	301,935	231,590	38,315	32,030	20,244	17,593	115,323	660,587
North Dakota.....	114,500	320,516	214,829	56,317	52,084	1,092	3,141	23,558	2,525	23,287	95,895
Ohio.....	1,828,135	3,792,248	2,050,325	517,232	416,096	53,514	47,622	354,733	108,329	761,629	944,630
Oklahoma.....	368,558	1,111,079	706,222	193,819	149,083	27,514	17,222	103,465	36,506	71,067	341,265
Oregon.....	353,141	1,151,468	737,765	124,704	106,241	10,703	7,760	89,189	52,798	147,012	361,383
Pennsylvania.....	2,352,901	5,703,609	2,980,429	847,465	713,254	97,587	36,624	861,071	267,556	747,088	1,412,272
Rhode Island.....	114,275	544,476	345,630	43,953	37,506	2,743	3,704	50,801	15,860	88,232	177,119
South Carolina.....	444,103	1,169,993	715,291	299,589	242,315	17,040	40,234	55,373	32,758	66,982	381,019
South Dakota.....	62,979	300,604	190,598	79,899	69,382	2,636	7,881	21,198	1,808	7,101	102,062
Tennessee.....	545,545	1,364,572	827,628	286,186	223,421	40,016	22,749	121,324	29,431	100,003	453,135
Texas.....	1,433,098	3,393,918	2,251,806	753,979	640,389	41,028	72,562	285,572	64,282	238,279	1,198,584
Utah.....	197,742	548,221	351,255	111,881	86,557	10,221	15,103	36,996	3,399	44,690	194,154
Vermont.....	69,620	347,303	221,979	52,952	46,657	3,347	2,948	31,107	18,891	22,374	98,235
Virginia.....	844,923	2,004,322	1,349,322	530,279	474,487	37,620	18,142	13,798	24,924	86,002	809,423
Washington.....	671,821	1,099,625	1,702,702	246,878	207,518	17,071	21,389	163,926	52,088	334,324	625,822
West Virginia.....	254,904	1,038,873	484,167	329,374	268,316	21,891	10,307	53,995	22,545	133,194	231,423
Wisconsin.....	1,587,473	1,636,322	1,170,626	238,111	193,815	10,667	33,589	27,216	42,453	157,806	590,169
Wyoming.....	69,406	201,584	129,007	51,930	45,566	1,574	4,820	7,718	1,744	11,165	68,481

\*Source: Bureau of the Census, *State Government Finances in 1974*.



TABLE 5

STATE GENERAL EXPENDITURE IN TOTAL AND FOR SELECTED FUNCTIONS, BY STATE: 1974\*  
(In thousands of dollars)

State	Total general expendi- ture (a)	Education	Public welfare	Highways	Hospitals	Natural resources	Health	Corrections	Financial adminis- tration	Employment security adminis- tration	General control	Police
All States .....	\$119,891,358	\$46,860,148	\$22,537,662	\$15,847,192	\$6,207,952	\$3,053,121	\$2,233,683	\$1,811,564	\$1,594,136	\$1,303,845	\$1,273,017	\$1,262,062
Alabama .....	1,808,667	879,473	245,802	285,311	106,618	53,211	33,206	16,613	24,495	18,221	10,784	14,178
Alaska .....	665,521	227,730	40,010	102,556	6,511	29,345	14,271	13,932	13,923	6,069	30,321	7,196
Arizona .....	1,160,845	510,661	78,666	171,825	41,605	28,439	17,320	16,567	20,015	10,369	12,816	24,490
Arkansas .....	946,459	377,912	161,850	182,698	47,027	43,318	16,934	12,563	17,922	13,731	7,056	8,495
California .....	13,702,881	5,109,847	3,556,028	1,177,021	349,552	428,424	254,990	249,581	194,956	131,815	101,462	169,804
Colorado .....	1,328,270	651,508	235,769	162,166	70,571	37,606	21,227	25,694	24,432	12,908	28,113	15,401
Connecticut .....	1,697,745	529,163	293,950	220,510	129,984	24,215	18,809	35,086	23,354	17,744	39,909	19,047
Delaware .....	465,736	233,410	47,524	55,464	21,179	7,947	11,665	9,712	6,900	3,688	11,386	8,322
Florida .....	3,904,324	1,659,184	376,633	665,177	155,561	167,997	99,351	99,970	46,169	31,505	75,935	47,874
Georgia .....	2,500,496	1,060,673	416,611	343,244	146,482	101,365	71,791	57,674	27,594	31,798	20,170	19,610
Hawaii .....	921,144	331,348	115,656	76,886	51,024	32,658	19,664	6,353	11,575	7,374	19,237	217
Idaho .....	457,680	165,281	54,663	95,963	5,794	25,726	16,328	7,668	8,705	8,238	6,480	6,931
Illinois .....	6,079,399	2,394,461	1,563,879	798,367	298,726	90,917	100,599	76,923	63,917	60,822	65,980	52,048
Indiana .....	2,124,371	1,029,077	246,916	397,954	109,954	51,099	26,592	28,740	28,469	19,058	14,922	24,250
Iowa .....	1,494,560	620,543	158,942	319,423	72,419	44,799	11,440	17,744	17,405	15,630	12,196	15,565
Kansas .....	1,048,623	439,047	160,696	182,529	82,678	38,158	9,082	14,916	18,445	13,802	10,960	8,298
Kentucky .....	1,698,250	713,887	341,464	247,743	61,982	64,040	33,148	18,990	20,803	22,614	17,026	25,671
Louisiana .....	2,237,167	837,917	316,078	369,271	155,298	58,319	32,743	22,943	28,939	30,159	27,645	33,917
Maine .....	563,183	160,058	123,845	96,067	30,600	26,512	9,254	9,422	15,282	9,622	7,604	6,177
Maryland .....	2,628,506	913,710	411,460	398,114	152,542	63,534	79,469	67,326	49,260	16,138	46,957	53,639
Massachusetts .....	3,823,694	1,195,057	1,102,589	322,278	252,042	40,341	61,522	56,310	43,085	35,389	43,614	25,688
Michigan .....	5,702,035	2,310,612	1,373,277	635,524	265,109	101,315	124,660	58,382	59,015	64,566	49,245	53,952
Minnesota .....	2,630,426	1,163,801	350,954	338,545	122,704	65,339	31,141	22,961	25,784	19,738	21,812	19,352
Mississippi .....	1,290,078	541,013	195,063	224,382	58,118	50,739	17,360	11,988	10,293	13,912	8,566	16,090
Missouri .....	1,918,604	806,650	329,692	375,316	116,190	48,442	29,306	21,671	21,671	27,826	20,229	19,066

Montana.....	408,376	165,162	47,808	82,608	14,988	23,837	8,631	7,368	13,410	6,021	5,690	6,288
Nebraska.....	674,117	250,777	100,465	144,172	42,049	28,875	11,619	9,506	7,442	7,638	8,119	7,626
Nevada.....	359,489	144,952	32,402	65,089	6,422	17,195	7,505	8,910	11,295	7,790	4,833	5,026
New Hampshire....	356,435	99,599	57,142	80,693	17,309	12,895	7,240	4,323	6,246	3,908	5,370	6,206
New Jersey.....	3,741,324	1,184,971	817,706	493,359	196,685	76,716	54,880	62,516	42,462	52,906	44,537	40,105
New Mexico.....	756,133	379,802	86,933	112,094	16,507	24,659	13,095	6,891	14,068	5,850	12,004	9,330
New York.....	14,115,653	4,585,798	3,311,427	827,979	1,031,148	146,627	325,225	177,198	170,062	145,235	129,900	76,387
North Carolina....	2,606,344	1,351,214	263,480	354,318	151,109	80,807	45,244	64,042	31,852	21,414	42,312	34,323
North Dakota.....	411,729	164,620	33,175	72,729	14,951	14,544	4,244	2,881	4,774	7,953	2,535	1,482
Ohio.....	4,608,500	1,767,598	801,987	731,200	248,205	89,630	52,214	91,260	61,997	54,583	26,207	40,971
Oklahoma.....	1,408,570	551,423	284,755	242,071	82,799	40,168	13,059	16,487	11,994	18,705	15,258	20,472
Oregon.....	1,297,995	450,509	193,149	200,607	53,769	69,550	25,149	22,381	38,319	25,169	17,483	15,450
Pennsylvania.....	6,949,309	2,619,566	1,480,625	951,898	416,352	153,013	139,753	83,232	98,130	81,238	69,922	116,411
Rhode Island.....	570,519	197,998	151,402	37,565	46,851	10,259	15,908	11,107	10,169	8,881	12,267	6,169
South Carolina....	1,547,114	666,551	136,557	210,020	76,380	40,477	43,645	29,343	16,203	14,160	7,636	16,338
South Dakota.....	356,482	122,975	46,458	88,177	11,572	18,991	5,503	2,760	7,872	5,634	3,480	3,732
Tennessee.....	1,810,114	742,553	255,036	344,925	102,228	58,134	43,600	28,581	27,694	18,044	17,918	13,798
Texas.....	4,788,737	2,407,663	792,750	670,681	277,106	111,289	62,226	50,646	43,137	57,780	41,710	51,266
Utah.....	680,716	357,004	74,831	101,805	26,044	27,552	12,017	8,675	10,858	9,145	6,204	5,157
Vermont.....	368,451	123,881	59,908	61,068	13,334	13,490	9,445	8,135	6,177	4,968	6,308	6,021
Virginia.....	2,618,183	1,088,414	327,819	565,927	176,563	62,575	60,378	41,986	45,918	27,936	30,954	36,993
Washington.....	2,230,443	967,526	388,610	307,721	65,110	98,972	46,059	42,393	36,683	36,944	13,983	21,621
West Virginia.....	1,116,214	379,628	112,722	378,318	42,580	32,330	19,745	9,482	14,707	9,650	7,426	8,615
Wisconsin.....	3,065,899	1,137,926	460,505	316,008	157,205	60,111	41,597	38,985	36,268	24,455	28,238	14,482
Wyoming.....	245,848	90,015	15,714	68,105	10,416	16,620	3,850	2,747	3,991	5,102	2,298	2,515

\*Source: Bureau of the Census, *State Government Finances in 1974*.

(a) Does not represent sum of state figures because total includes miscellaneous expenditures, not shown separately.

TABLE 6  
STATE DEBT OUTSTANDING AT END OF FISCAL YEAR,  
BY STATE: 1974\*  
(In thousands of dollars)

State	Total	Long-term			Short-term	Net long-term	
		Total	Full faith and credit	Non- guaranteed		Total	Full faith and credit
All States.....	\$65,296,227	\$61,696,845	\$30,855,218	\$30,841,627	\$3,599,382	\$53,847,383	\$26,966,770
Alabama.....	873,184	873,184	93,015	780,169	.....	840,846	84,604
Alaska.....	560,820	536,820	293,119	243,701	24,000	478,641	292,659
Arizona.....	84,079	84,079	.....	84,079	.....	71,286	.....
Arkansas.....	113,352	113,028	.....	113,028	324	105,061	.....
California.....	6,246,943	6,246,943	5,366,885	880,058	.....	4,899,335	4,081,173
Colorado.....	126,663	126,663	.....	126,663	.....	116,364	.....
Connecticut.....	2,595,028	2,542,778	2,209,640	333,138	52,250	2,305,521	2,059,373
Delaware.....	555,640	542,950	414,791	128,159	12,690	538,158	414,791
Florida.....	1,487,955	1,487,004	146,470	1,340,534	951	1,234,628	48,378
Georgia.....	1,073,792	1,073,792	16	1,073,776	.....	1,010,779	.....
Hawaii.....	1,063,947	1,054,937	770,325	284,612	9,010	1,047,687	768,594
Idaho.....	37,405	37,405	466	36,939	.....	31,296	46
Illinois.....	2,327,347	2,180,141	861,400	1,318,741	147,206	1,922,262	831,720
Indiana.....	607,338	590,024	.....	590,024	17,314	502,901	.....
Iowa.....	129,242	129,242	3,900	125,342	.....	122,175	.....
Kansas.....	194,785	194,204	.....	194,204	581	174,573	.....
Kentucky.....	1,858,515	1,858,515	375,120	1,483,395	.....	1,514,059	368,251
Louisiana.....	1,214,796	1,210,319	707,758	502,561	4,477	1,176,344	687,738
Maine.....	378,025	377,961	257,210	120,751	64	347,585	257,210
Maryland.....	1,759,367	1,759,367	1,122,031	637,336	.....	1,667,989	1,076,869
Massachusetts.....	3,176,881	2,656,499	1,591,141	1,065,358	520,382	2,505,354	1,584,037
Michigan.....	1,437,367	1,259,867	333,000	926,867	177,500	1,140,495	333,000
Minnesota.....	779,496	779,496	623,417	156,079	.....	766,378	619,200
Mississippi.....	623,647	620,781	516,975	103,806	2,866	601,280	510,669
Missouri.....	212,955	212,877	47,590	165,287	78	182,596	47,590
Montana.....	88,962	88,962	.....	88,962	.....	70,834	.....
Nebraska.....	73,235	73,235	.....	73,235	.....	51,404	.....
Nevada.....	55,200	55,200	34,786	20,414	.....	43,111	25,349
New Hampshire.....	195,575	185,060	151,766	33,294	10,515	177,957	146,523
New Jersey.....	3,611,221	3,400,280	1,456,471	1,943,809	210,941	3,145,675	1,435,986
New Mexico.....	157,819	157,819	15,126	142,693	.....	104,896	10,305
New York.....	13,375,207	11,219,006	3,801,851	7,417,155	2,156,201	9,606,442	2,975,448
North Carolina.....	498,602	495,476	362,495	132,981	3,126	459,621	338,794
North Dakota.....	65,495	65,495	18,275	47,220	.....	55,818	14,538
Ohio.....	2,447,509	2,385,654	1,548,701	836,953	61,855	2,161,155	1,548,472
Oklahoma.....	833,499	833,145	193,675	639,470	354	762,812	181,484
Oregon.....	1,268,261	1,268,261	1,268,261	.....	.....	240,064	240,064
Pennsylvania.....	5,096,503	5,072,903	2,697,031	2,375,872	23,600	4,745,487	2,629,712
Rhode Island.....	408,847	390,347	269,641	120,706	18,500	373,894	260,471
South Carolina.....	859,843	859,843	411,699	448,144	.....	765,119	343,940
South Dakota.....	40,843	40,843	.....	40,843	.....	40,195	.....
Tennessee.....	690,585	610,119	407,780	202,339	80,466	522,911	405,625
Texas.....	1,815,507	1,815,507	733,965	1,081,542	.....	1,612,334	599,327
Utah.....	87,613	87,471	30,000	57,471	142	79,375	30,000
Vermont.....	413,094	411,855	251,667	160,188	1,239	304,505	251,667
Virginia.....	585,387	545,637	58,372	487,265	39,750	403,758	57,934
Washington.....	1,160,275	1,160,275	287,220	873,055	.....	1,031,750	284,302
West Virginia.....	927,596	904,596	552,752	351,844	23,000	867,009	551,604
Wisconsin.....	945,765	945,765	569,415	376,350	.....	880,113	569,415
Wyoming.....	75,215	75,215	.....	75,215	.....	37,551	.....

\*Source: Bureau of the Census, *State Government Finances in 1974*.

Note: Debt figures include revenue bonds and other special obligations of state agencies as well as state general obligations.

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## STATE AND LOCAL GOVERNMENT FINANCES IN 1973-1974\*

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COMBINED REVENUE of state and local governments rose 9.3 percent to \$237.9 billion during fiscal year 1973-74<sup>1</sup> as compared to fiscal year 1972-73, while direct expenditure of these governments increased 10 percent to \$225.7 billion. State and local government indebtedness increased 9.6 percent from the 1972-73 to 1973-74 fiscal years to \$206.6 billion:

The economic climate during 1973-74 included persistent inflation, the beginning of recession, and the oil embargo in early 1974. Other factors influencing public sector finances during the fiscal year were the increasing significance of intergovernmental transactions, a federal government takeover of certain public welfare programs formerly handled by States, and shifts in the relative importance of various tax sources.

### INTERGOVERNMENTAL TRANSACTIONS

Transfers of funds between governments have become an increasingly important revenue source of States and localities. For 1973-74, of the total state-local revenue of \$237.9 billion, 17.6 percent (\$41.8 billion) was intergovernmental revenue from the federal government. Over the past five years, this source has grown from 14.6 percent of total state-local government revenue to 17.6 percent of the total, accounting for 22.7 percent of the growth in total revenue experienced by governmental units. Revenue from the federal government as a percentage of revenue from "own sources" has

risen from 17 percent in 1969-70 to 21.3 percent in 1973-74.

An especially large percentage increase occurred between fiscal 1971-72 and 1972-73, when allocations under the federal general revenue sharing program were disbursed for the first time. In 1972-73, \$2.3 billion was received by States under this program, and \$4.4 billion was received by general purpose local governments (municipalities, townships, and counties). The 1973-74 payments were \$2 billion for States and \$4.5 billion for localities.

Table 4 enables an analysis of state and local government revenue by level of origin and allocation to final recipient, thus reflecting the importance of transfers among governments. General revenue of all state and local governments equaled \$207.7 billion in 1973-74. The federal government financed 20.1 percent of this total general revenue of States and localities, in that it transferred \$41.8 billion to these governments. States financed 42.9 percent of the total; after transfers 37.4 percent was classified as state general revenue. Local governments directly financed 36.9 percent of the total, but were final recipients of 62.6 percent of the total.

Localities have turned increasingly to the States and the federal government in search of expanded revenue sources, as their own ability to impose new types of taxes is usually limited by constitutional or statutory restrictions and as they find it increasingly difficult to increase their property tax effort. Thus, direct federal aid to local governments has almost quadrupled over the past five years and now totals \$10.2 billion. Intergovernmental revenue from the States, totaling \$44.6 billion in 1973-74, has increased about 66 percent over the same five-year period. After the property tax, aid from the States is the single most important revenue source for local governments.

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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 Census report, *Governmental Finances in 1973-74*, and prior years' reports.

<sup>1</sup>The data pertains to governmental fiscal years that ended between July 1, 1973 and June 30, 1974 (including also Alabama and Texas state and school district fiscal years ended respectively in September and August 1974).

## THE ECONOMIC CLIMATE

Governmental units found themselves facing an economy characterized by a high rate of inflation during 1973-74. Additionally, a slowdown in economic activity and increasing unemployment became factors as the economy began moving toward a recession, and the oil embargo of early 1974 created some unexpected problems.

Inflation during 1973-74 was extremely high. The Consumer Price Index for all items (for urban wage earners and clerical workers, 1967 = 100) rose from 132.4 in June 1973 to 146.9 in June 1974, an 11 percent increase. The implicit price deflator for gross national product jumped from 152.61 to 167.39 over the same period, a 9.7 percent increase. One measure of change in the price level for public sector activity is the implicit price deflator for state and local government purchases of goods and services,<sup>2</sup> as developed by the Bureau of Economic Analysis from their national income and product accounts. From 1969 to 1973, this deflator rose from 153.4 to 195.1, a 27 percent jump. State and local government direct expenditure reported in current dollars over the same period increased 38.6 percent. During fiscal 1973-74 alone, the implicit price deflator ranged from 193.9 in the second quarter of 1973 to 212.4 in the second quarter of 1974—a 9.5 percent rise. This compares to a 10 percent growth in state-local direct expenditure during the 1973-74 fiscal year. Thus, when comparing year-to-year financial amounts reported in Table 1, it should be kept in mind that the data is reported in current dollars.

One impact of inflation and rising unemployment on the public sector can be seen in the differing rates of growth in the yield of general sales taxes and individual income taxes from fiscal 1972-73 to 1973-74. Over this period, general sales taxes rose 14.4 percent, the largest increase in the yield of any major tax. Since there were very few tax rate increases (with no States raising their general sales tax rate),

much of this growth reflects the impact of price inflation.

Individual income taxes rose by 8.3 percent from 1972-73 to 1973-74. This smaller increase followed a five-year period in which individual income tax collections had been growing at a much faster rate than general sales tax collections. During 1973-74, rising unemployment and the start of an economic downturn tended to offset somewhat the growth in income tax collections that would have been expected with high inflation rates. Additionally, 1973-74 saw very little activity in the area of income tax legislation, while in previous years many States imposed individual income taxes for the first time, and there was much activity in the area of rate increases.

Attempts to determine the full impact of inflation on governments' financial situations are thus compounded by other economic factors—rising unemployment and the desire for increased tax relief measures. Furthermore, the effect on revenue is necessarily different from the impact on expenditure. While revenue may have been initially more responsive, expenditures lag somewhat in their response to inflation, but become increasingly affected as officials and the public react to recession and unemployment by seeking more aid programs.

The oil embargo of early 1974 affected the yield of state excise taxes on motor fuels, which rose by only 1.8 percent during fiscal 1973-74. This compares to an 11.7 percent rise from fiscal 1971-72 to 1972-73, and a 9 percent rise in the yield of all state taxes from fiscal 1972-73 to 1973-74. The local government yield of motor fuel taxes did rise from \$65 million to \$71 million (about 10 percent), but this reflects the facts that some localities imposed this tax for the first time in fiscal 1973-74, and that many localities that impose a motor fuel tax had fiscal year ending dates in late 1973, prior to the oil embargo.

## PUBLIC WELFARE PROGRAMS

A major shift in responsibility for the administration of public welfare categorical cash assistance programs took effect during 1973-74. The federal government,

<sup>2</sup>The category considered here, government purchases of goods and services, is not completely identical in concept to the Bureau of the Census category of government expenditure.

under its Supplemental Security Income program, now makes direct payments to individuals under various programs for old age assistance and aid to the blind, needy, and disabled. Previously, each State financed these programs on its own. States now must reimburse the federal government for their share of the cost of these supplemental programs.

This shift in responsibility is evident in the data presented in Table 1. Looking at direct expenditure by character and object, it can be seen that "assistance and subsidies," which consist primarily of welfare assistance payments, dropped from \$12.2 billion in 1972-73 to \$11.3 billion in 1973-74, the first time in over 20 years that this category of expenditure has decreased. Direct expenditure for public welfare increased by only 4.9 percent from 1972-73 to 1973-74, after increasing at an average annual rate of 19.2 percent since 1968-69. Since this program was not implemented until January 1974, the 1973-74 data was only partially affected. The full impact of the shift will be reflected in subsequent years' data.

#### STATE-LOCAL TAX YIELDS

Over the past five years, the relative importance of various state-local tax sources has been shifting. For example, property taxes as a percent of total state-local tax revenue have dropped from 39.2 to 36.3 percent. The largest drop occurred between 1972-73 and 1973-74 when property taxes went from 37.4 to 36.3 percent of total tax revenue. Total property tax collections increased by only 5.5 percent during 1973-74, compared to an average annual increase over the previous five years of 10.3 percent. Property taxes still remain the single largest source of total state-local tax revenue, however.

Data available by type of local government shows that property tax collections increased from 1972-73 to 1973-74 at vastly different rates for the various levels of local government. For municipalities, property tax revenue rose only 3 percent (from \$11.9 to \$12.2 billion). Counties also showed a 3 percent increase (\$9.3 to \$9.6 billion), while townships' property taxes rose 8 percent (\$2.7 to \$3 billion). Special district governments, which have

only limited property taxing powers, showed a 9 percent rise (\$971 million to \$1.1 billion). The largest amounts of property taxes are collected by local school districts, which experienced an 8 percent growth, from \$19.1 to \$20.6 billion.

In part, this relative decline in importance of the property tax reflects attempts by governments to make their revenue base more responsive to economic growth and inflation. Additionally, the property tax structure has been affected by the increasing number of property tax relief programs coming into existence in recent years. These programs have been of two types—the circuit-breaker, providing relief when the tax burden exceeds a set portion of income, and the homestead exemption, which provides blanket relief to designated classes of property owners (or renters). Not all of the existing programs actually reduce the property tax bill, with relief under the circuit-breaker type coming in the form of either a reduced bill, a cash refund, or a credit on the individual income tax (see Table 9).

Although the costs of the various property tax relief programs totaled about \$447 million in fiscal 1973-74,<sup>3</sup> the extent to which state-local property tax collections actually declined as a result of the implementation of relief programs is not determinable. However, along with these programs has come greater concern for the establishment or maintenance of an equitable system of property taxation, which has helped hold the line on annual tax hikes.

As previously indicated, the yield of general sales taxes rose 14.4 percent from 1972-73 to 1973-74, the largest increase for this tax since 1969-70. This brought the percentage of total tax revenue accounted for by general sales taxes to 20.1 percent, compared to 19 percent in 1972-73. The yield from the various individual and corporate income taxes, which had overtaken the general sales tax as a per-

*(Continued on page 279.)*

<sup>3</sup>Advisory Commission on Intergovernmental Relations, "Property Tax Circuit-Breakers: Current Status and Policy Issues" (Washington, D.C., February 1975).

TABLE 1  
SUMMARY OF STATE AND LOCAL GOVERNMENT FINANCES:  
1969-70 TO 1973-74\*  
(In millions of dollars, except per capita amounts)

	1973-74			1972-73	1971-72	1970-71	1969-70	Per capita				
	Total	State	Local					1973-74	1972-73	1971-72	1970-71	1969-70
Revenue, total.....	\$237,915	\$139,276	\$ 98,639	\$217,579	\$189,724	\$166,090	\$150,106	\$1,125.48	\$1,036.83	\$911.12	\$805.26	\$738.58
From federal government.....	41,831	31,632	10,199	39,256	31,253	26,146	21,857	197.88	187.07	150.08	126.76	107.54
Revenue from own sources.....	196,085	107,645	88,440	178,323	158,471	139,945	128,248	927.60	849.76	761.03	678.50	631.03
General revenue from own sources.....	165,899	89,157	76,742	150,921	135,100	118,782	108,898	784.79	719.18	648.79	575.89	535.82
Taxes.....	130,722	74,207	56,515	121,102	108,801	94,975	86,795	618.39	577.09	522.49	460.47	427.06
Property taxes.....	47,753	1,301	46,452	45,283	42,133	37,852	34,054	225.90	218.07	200.37	183.51	167.56
Sales and gross receipts.....	46,098	40,556	5,542	42,047	37,488	33,233	30,322	218.07	200.37	180.03	161.12	149.19
General.....	26,314	22,612	3,702	22,992	20,294	17,812	16,128	124.48	109.56	97.45	86.36	79.35
Selective.....	19,783	17,944	1,839	19,054	17,194	15,420	14,194	120.66	90.80	82.57	74.76	69.84
Individual income.....	19,491	17,078	2,413	17,994	15,237	11,900	10,812	92.20	85.75	73.17	57.69	53.20
Corporation net income.....	6,015	6,015	.....	5,425	4,416	3,424	3,738	28.45	25.85	21.20	16.60	18.39
Other taxes.....	11,365	9,257	2,108	10,354	9,526	8,567	7,868	53.76	49.34	45.75	41.54	38.71
Charges and miscellaneous.....	35,177	14,950	20,227	29,819	26,299	23,807	22,103	166.58	142.10	126.20	115.42	108.75
Insurance trust revenue.....	18,438	16,439	2,000	16,504	13,398	11,804	10,736	87.22	78.65	64.34	57.23	52.82
Utility revenue.....	9,392	.....	9,392	8,622	7,787	7,276	6,608	44.43	41.09	37.39	35.27	32.51
Liquor stores revenue.....	2,355	2,049	306	2,276	2,188	2,083	2,006	11.14	10.85	10.50	10.09	9.86
Direct expenditure by character and object.....	225,691	86,193	139,498	205,195	188,825	170,766	148,052	1,067.65	977.81	906.80	827.93	728.47
Current operation.....	154,810	50,803	104,007	138,848	125,630	111,829	97,915	732.34	661.65	603.32	542.18	481.77
Capital outlay.....	38,084	15,417	22,667	35,257	34,237	33,137	29,650	180.16	168.01	164.42	160.66	145.89
Construction.....	30,542	12,655	17,887	28,243	28,107	26,970	24,252	144.48	134.59	134.98	130.75	119.32
Equipment.....	4,192	1,222	2,970	3,735	3,118	2,965	2,768	19.83	17.80	14.97	14.37	13.62
Land and existing structures.....	3,350	1,540	1,810	3,278	3,012	3,203	2,631	15.85	15.62	14.46	15.52	12.94
Assistance and subsidies.....	11,290	6,521	4,769	12,187	11,527	10,104	8,090	53.41	58.07	55.36	48.98	39.80
Insurance benefits and repayments.....	12,667	10,590	2,077	11,074	10,538	9,793	7,273	59.92	52.77	50.61	47.47	35.78
Interest on debt.....	8,840	2,863	5,977	7,828	6,893	5,904	5,123	41.82	37.30	33.10	28.62	25.20
Exhibit: Expenditure for personal services.....	94,054	26,344	67,710	86,042	78,679	70,561	62,998	444.93	410.01	377.84	342.10	309.97
Direct expenditure, by function.....	225,691	86,193	139,498	205,195	188,825	170,766	148,052	1,067.65	977.81	906.80	827.93	728.47
Direct general expenditure.....	198,618	73,950	124,668	181,086	166,873	150,674	131,332	939.57	862.93	801.38	730.52	646.20
Education.....	75,833	19,753	56,080	69,573	64,886	59,413	52,718	358.73	331.54	311.60	288.05	259.39
Local schools.....	53,059	468	52,591	48,789	45,658	41,766	37,461	251.00	232.49	219.27	202.49	184.32
Institutions of higher education.....	18,883	15,395	3,488	17,299	15,946	14,785	12,924	89.33	82.10	76.57	71.68	63.59
Other education.....	3,890	3,890	.....	3,555	3,282	2,861	2,332	18.40	16.94	15.76	13.87	11.47
Public welfare.....	24,745	15,169	9,576	23,582	21,070	18,226	14,679	117.06	112.37	101.18	88.36	72.23
Highways.....	19,946	12,636	7,310	18,615	19,010	18,095	16,427	94.35	88.71	91.29	87.73	80.83
Hospitals.....	12,493	6,083	6,410	11,112	10,293	9,086	7,863	59.10	52.95	49.43	44.05	38.69
Police protection.....	7,289	1,145	6,144	6,710	5,976	5,228	4,494	34.48	31.98	28.70	25.34	22.11

General control.....	4,371	1,215	3,156	3,841	3,407	3,027	2,652	20.68	18.30	16.36	14.67	13.05
Sewerage.....	4,080	...	4,080	3,604	3,164	2,646	2,167	19.30	17.17	15.19	12.82	10.66
Natural resources.....	3,661	2,917	3,744	3,278	3,110	3,082	2,732	17.32	15.62	14.93	14.94	13.44
Housing and urban renewal.....	3,461	382	3,079	3,165	2,781	2,554	2,138	16.37	15.08	13.35	12.38	10.52
Health.....	3,452	1,411	2,041	2,732	2,574	2,119	1,806	16.33	13.02	12.36	10.27	8.88
Financial administration.....	3,165	1,584	1,581	2,811	2,480	2,271	2,030	14.97	13.40	11.91	11.01	9.99
Local fire protection.....	3,037	...	3,037	2,770	2,577	2,303	2,024	14.37	13.20	12.37	11.16	9.96
Local parks and recreation.....	2,951	...	2,951	2,561	2,323	2,109	1,888	13.96	12.20	11.15	10.22	9.29
Correction.....	2,806	1,729	1,077	2,383	2,108	1,885	1,626	13.27	11.36	10.12	9.13	8.00
Sanitation other than sewerage.....	1,915	...	1,915	1,718	1,565	1,441	1,246	9.06	8.19	7.51	6.98	6.13
General public buildings.....	1,902	508	1,394	1,682	1,548	1,405	1,287	9.00	8.02	7.43	6.81	6.33
Employment security administration.....	1,308	1,304	4	1,282	1,136	945	769	6.18	6.11	5.45	4.58	3.78
Airports.....	1,301	224	1,077	1,418	1,156	1,061	969	6.15	6.76	5.55	5.14	4.77
Interest on general debt.....	7,666	2,863	4,803	6,785	5,963	5,089	4,374	36.27	32.33	28.63	24.67	21.52
Other and unallocable.....	13,236	5,027	8,209	11,464	9,748	8,689	7,442	62.62	54.63	46.87	42.21	36.63
Insurance trust expenditure.....	12,667	10,590	2,077	11,074	10,538	9,793	7,273	59.92	52.77	50.61	47.47	35.78
Utility expenditure.....	12,487	...	12,487	11,204	9,697	8,675	7,820	59.07	53.39	46.57	42.05	38.47
Liquor stores expenditure.....	1,918	1,653	265	1,831	1,717	1,625	1,627	9.07	8.73	8.25	7.87	8.00
Debt outstanding at end of fiscal year.....	206,616	65,296	141,320	188,485	174,502	158,827	143,570	977.42	898.18	838.01	770.04	706.42
Long-term.....	189,953	61,697	128,256	172,605	158,781	143,617	131,415	898.59	822.51	762.51	696.30	646.61
Full faith and credit.....	110,951	30,855	80,095	102,945	95,813	84,024	75,337	524.86	490.56	460.12	407.37	370.68
Nonguaranteed.....	79,002	30,842	48,161	69,660	62,968	59,592	56,078	373.73	331.95	302.39	288.92	275.92
Short-term.....	16,663	3,599	13,064	15,879	15,722	15,210	12,155	78.83	75.67	75.50	73.74	59.80
Long-term debt issued.....	23,219	7,801	15,417	21,804	21,889	19,232	12,848	109.84	103.90	105.11	93.24	63.21
Long-term debt retired.....	9,956	2,479	7,477	9,013	8,188	7,670	7,011	47.09	42.95	39.32	37.18	34.49
Cash and security holdings, by type.....	212,059	134,493	77,567	185,590	158,150	142,490	133,517	1,003.16	884.38	759.49	690.84	656.96
Unemp. Comp. Fund bal. in U.S. Treasury.....	10,817	10,773	44	9,867	8,982	10,418	12,346	51.17	47.02	43.13	50.51	60.74
Other deposits and cash.....	53,777	18,387	35,390	47,287	38,032	31,276	26,603	254.40	225.34	182.64	151.63	130.89
Securities.....	147,464	105,332	42,133	128,436	111,136	100,796	94,568	697.59	612.03	533.71	488.69	465.31
Federal.....	34,695	18,678	16,017	29,349	27,307	26,316	29,545	164.13	139.86	131.13	127.58	145.37
State and local government.....	3,892	1,638	2,254	3,589	4,190	4,373	4,453	18.41	17.10	20.12	21.20	21.91
Other.....	108,876	85,017	23,861	95,498	79,638	70,106	60,571	515.05	455.08	382.45	339.90	298.03

\*Source: Bureau of the Census, *Governmental Finances in 1973-74*.  
 Note: Because of rounding, detail may not add to totals. Local government amounts included here are estimates subject to sampling variation.



TABLE 2

GENERAL REVENUE OF STATE AND LOCAL GOVERNMENTS, BY  
SOURCE AND BY STATE: 1973-74\*

(In millions of dollars)

State or other jurisdiction	Total general revenue	From federal govern- ment	All general revenue from own sources	Taxes			Charges and miscella- neous general revenue
				Total	Property	Other	
United States.....	\$207,729.8	\$41,830.9	\$165,898.9	\$130,721.7	\$47,753.7	\$82,968.0	\$35,177.2
Alabama.....	2,666.2	713.6	1,952.6	1,370.3	174.5	1,195.8	582.3
Alaska.....	652.8	220.0	432.9	205.9	63.5	142.4	226.9
Arizona.....	1,939.4	358.9	1,580.4	1,253.6	459.8	793.8	326.9
Arkansas.....	1,431.2	386.8	1,044.4	791.4	171.2	620.2	252.9
California.....	24,832.3	4,989.6	19,842.7	15,936.3	7,147.9	8,788.4	3,906.4
Colorado.....	2,498.7	531.3	1,967.4	1,464.8	518.0	946.8	502.6
Connecticut.....	3,054.8	549.7	2,505.1	2,126.2	1,023.0	1,103.2	378.8
Delaware.....	633.5	121.4	512.1	388.8	69.2	319.6	123.3
Florida.....	6,670.5	1,069.4	5,601.1	4,206.8	1,245.9	2,690.9	1,394.4
Georgia.....	4,176.6	996.5	3,180.1	2,326.8	667.2	1,659.6	853.4
Hawaii.....	1,091.6	253.8	837.8	648.2	121.9	526.3	189.6
Idaho.....	684.8	184.1	500.8	382.4	123.0	259.4	118.3
Illinois.....	11,596.1	2,396.5	9,199.6	7,781.0	3,179.9	4,601.1	1,418.6
Indiana.....	4,396.6	649.1	3,747.5	2,915.1	1,257.1	1,658.0	832.4
Iowa.....	2,576.2	433.2	2,142.9	1,683.1	667.4	1,015.7	459.9
Kansas.....	2,020.9	356.3	1,664.7	1,300.1	586.4	713.7	364.6
Kentucky.....	2,676.1	694.6	1,981.5	1,480.5	291.3	1,189.2	501.0
Louisiana.....	3,375.5	788.7	2,586.8	1,865.2	296.6	1,568.6	721.6
Maine.....	975.4	238.7	736.7	625.5	294.1	331.4	111.1
Maryland.....	4,252.3	756.1	3,496.2	2,761.2	854.9	1,906.3	735.0
Massachusetts.....	6,356.6	1,199.9	5,156.7	4,446.8	2,224.3	2,222.5	709.9
Michigan.....	9,800.8	1,845.2	7,955.6	6,178.9	2,395.6	3,783.3	1,776.6
Minnesota.....	4,349.0	820.9	3,528.1	2,725.6	849.6	1,876.0	802.4
Mississippi.....	1,836.1	523.0	1,313.1	988.7	223.1	765.6	324.5
Missouri.....	3,713.2	727.8	2,985.4	2,394.8	824.3	1,570.5	590.6
Montana.....	744.7	178.4	566.3	431.1	224.8	206.3	135.2
Nebraska.....	1,383.1	249.6	1,133.5	837.7	399.4	438.3	295.8
Nevada.....	681.7	116.3	565.4	423.0	135.7	287.3	142.4
New Hampshire.....	617.8	129.9	488.0	390.0	224.6	165.4	98.0
New Jersey.....	7,416.6	1,202.0	6,214.6	5,007.8	2,779.8	2,228.0	1,206.8
New Mexico.....	1,091.9	317.9	774.0	543.0	108.6	434.4	230.9
New York.....	25,649.3	4,450.2	21,199.1	17,247.0	6,213.7	11,033.3	3,952.1
North Carolina.....	3,997.3	873.2	3,124.1	2,474.2	583.3	1,890.9	649.9
North Dakota.....	659.3	147.4	511.9	329.1	106.8	222.3	182.8
Ohio.....	8,545.3	1,569.3	6,976.0	5,333.1	2,058.5	3,274.6	1,642.9
Oklahoma.....	2,192.6	559.1	1,633.5	1,160.5	292.0	868.5	473.0
Oregon.....	2,305.6	547.9	1,757.7	1,292.4	567.5	724.9	465.3
Pennsylvania.....	11,012.2	2,178.0	8,834.2	7,277.9	1,821.7	5,456.2	1,556.3
Rhode Island.....	892.6	209.4	683.1	568.0	236.3	331.7	115.1
South Carolina.....	2,046.7	486.6	1,560.1	1,173.5	257.3	916.2	386.7
South Dakota.....	646.5	178.7	467.7	353.9	171.7	182.2	113.8
Tennessee.....	3,101.9	730.6	2,371.3	1,749.3	430.2	1,319.1	622.0
Texas.....	9,333.8	1,900.0	7,433.8	5,631.7	2,065.2	3,566.5	1,802.2
Utah.....	1,013.3	268.0	745.3	553.2	167.6	385.6	192.1
Vermont.....	534.6	141.9	392.7	310.7	129.8	180.9	82.0
Virginia.....	4,006.1	807.8	3,198.3	2,502.7	684.7	1,818.0	695.6
Washington.....	3,622.0	702.4	2,919.6	2,162.9	740.5	1,422.4	756.7
West Virginia.....	1,497.8	483.9	1,013.9	806.6	164.8	641.8	207.4
Wisconsin.....	4,713.4	791.0	3,922.3	3,178.3	1,220.8	1,957.5	744.0
Wyoming.....	419.6	109.9	309.7	211.9	94.6	117.3	97.8
District of Columbia	1,347.2	696.6	650.6	524.3	144.1	380.2	126.3

\*Source: Bureau of the Census, *Governmental Finances in 1973-74*.

TABLE 3  
PER CAPITA GENERAL REVENUE OF STATE AND LOCAL  
GOVERNMENTS, BY SOURCE AND BY STATE: 1973-74\*

State or other jurisdiction	Total	From federal govern- ment	All general revenue from own sources	Taxes			Charges and miscel- laneous general revenue
				Total	Property	Other	
U. S. average.....	\$982.68	\$197.88	\$784.79	\$618.39	\$225.90	\$391.19	\$166.58
Median State.....	931.60	206.38	734.06	572.71	207.53	353.97	163.79
Alabama.....	745.37	199.49	545.88	383.09	48.79	334.30	162.79
Alaska.....	1,937.12	652.69	1,284.42	611.03	188.37	422.60	673.39
Arizona.....	900.78	166.71	734.07	582.25	213.58	368.67	151.81
Arkansas.....	694.06	187.57	506.49	383.83	83.04	300.79	122.66
California.....	1,187.75	238.66	949.09	762.25	341.89	420.35	186.85
Colorado.....	1,001.08	212.86	788.22	586.85	207.53	379.32	201.37
Connecticut.....	989.24	178.01	811.22	688.55	331.28	357.27	122.68
Delaware.....	1,105.51	211.83	893.68	678.54	120.77	557.78	215.14
Florida.....	824.54	132.19	692.35	520.00	154.00	365.99	172.36
Georgia.....	855.51	204.11	651.40	476.60	136.67	339.93	174.80
Hawaii.....	1,288.81	299.67	989.14	765.31	143.88	621.43	223.83
Idaho.....	857.12	230.40	626.72	478.61	153.92	324.68	148.12
Illinois.....	1,041.78	215.30	826.48	699.03	285.68	413.35	127.45
Indiana.....	824.89	121.79	703.10	546.92	235.85	311.07	156.17
Iowa.....	902.34	151.75	750.59	589.52	233.77	355.75	161.07
Kansas.....	890.28	156.95	733.33	572.71	258.32	314.40	160.62
Kentucky.....	797.18	206.92	590.26	441.03	86.76	354.27	149.23
Louisiana.....	896.78	209.53	687.25	495.54	78.79	416.75	191.71
Maine.....	931.60	228.02	703.58	597.42	280.88	316.55	106.16
Maryland.....	1,038.67	184.68	853.99	674.46	208.81	465.65	179.53
Massachusetts.....	1,095.96	206.88	889.08	766.68	383.50	383.18	122.40
Michigan.....	1,077.24	202.81	874.43	679.15	263.31	415.84	195.28
Minnesota.....	1,110.28	209.57	900.71	695.84	126.90	478.95	204.86
Mississippi.....	790.06	225.02	565.03	425.41	96.01	329.40	139.62
Missouri.....	777.32	152.36	624.96	501.32	172.56	328.76	123.64
Montana.....	1,013.22	242.68	770.54	586.54	305.82	280.72	184.00
Nebraska.....	896.39	161.77	734.62	542.89	258.85	284.04	191.73
Nevada.....	1,189.64	202.98	986.66	738.22	236.79	501.43	248.44
New Hampshire.....	764.63	160.72	603.90	482.67	278.01	204.66	121.23
New Jersey.....	1,011.81	163.98	847.83	683.19	379.23	303.96	164.64
New Mexico.....	973.13	283.31	689.82	483.99	96.78	387.21	205.83
New York.....	1,416.23	245.72	1,170.51	952.29	343.09	609.20	218.22
North Carolina.....	745.35	162.81	582.54	461.35	108.76	352.58	121.19
North Dakota.....	1,035.02	231.41	803.61	516.62	167.71	348.92	286.98
Ohio.....	795.87	146.16	649.72	496.70	191.72	304.98	153.02
Oklahoma.....	809.37	206.39	602.98	428.38	107.78	320.60	174.60
Oregon.....	1,017.49	241.80	775.69	570.35	250.45	319.90	205.34
Pennsylvania.....	930.47	184.03	746.44	614.95	153.93	461.02	131.50
Rhode Island.....	952.57	223.50	729.07	606.20	252.23	353.97	122.87
South Carolina.....	735.15	174.77	560.39	421.50	92.44	329.06	138.89
South Dakota.....	947.88	262.06	685.82	518.91	251.69	267.21	166.91
Tennessee.....	751.24	176.94	574.30	423.67	104.18	319.48	150.63
Texas.....	774.59	157.68	616.92	467.36	171.38	295.97	149.56
Utah.....	863.84	228.45	635.40	471.60	142.86	328.74	163.79
Vermont.....	1,137.47	301.86	835.61	661.07	276.16	384.91	174.55
Virginia.....	816.24	164.58	651.66	509.93	139.52	370.41	141.73
Washington.....	1,042.00	202.08	839.92	622.24	213.03	409.20	217.69
West Virginia.....	836.29	270.16	566.14	450.34	91.99	358.35	115.80
Wisconsin.....	1,032.27	173.24	859.03	696.08	267.36	428.72	162.95
Wyoming.....	1,168.70	306.08	862.61	590.25	263.44	326.81	272.36
District of Columbia	1,863.30	963.50	899.80	725.18	199.38	147.93	225.30

\*Source: Bureau of the Census, *Governmental Finances in 1973-74*.

TABLE 4  
ORIGIN AND ALLOCATION, BY LEVEL OF GOVERNMENT, OF GENERAL REVENUE OF STATE AND  
LOCAL GOVERNMENTS: 1973-74\*  
(Dollar amounts in millions)

State or other jurisdiction	Total general revenue	By originating level of government (before transfers among governments)						By final recipient level of government (after intergovernmental transfers)			
		Amount			Percent			Amount		Percent	
		Federal	State	Local	Federal	State	Local	State	Local	State	Local
United States.....	\$207,729.8	\$41,830.9	\$89,157.2	\$76,741.7	20.1	42.9	36.9	\$77,774.0	\$129,955.8	37.4	62.6
Alabama.....	2,666.2	713.6	1,269.1	683.5	26.8	47.6	25.6	1,304.1	1,362.1	48.9	51.1
Alaska.....	652.8	220.0	286.0	146.8	33.7	43.8	22.5	344.6	308.2	52.8	47.2
Arizona.....	1,939.4	358.9	895.4	685.0	18.5	46.2	35.3	722.2	1,217.2	37.2	62.8
Arkansas.....	1,431.2	386.8	688.1	356.3	27.0	48.1	24.9	722.8	708.3	50.5	49.5
California.....	24,832.3	4,989.6	9,255.0	10,587.7	20.1	37.3	42.6	6,768.7	18,063.6	27.3	72.7
Colorado.....	2,498.7	531.3	1,040.5	926.9	21.3	41.6	37.1	972.7	1,526.0	38.9	61.1
Connecticut.....	3,054.8	549.7	1,321.3	1,183.7	18.0	43.3	38.8	1,420.8	1,634.0	46.5	53.5
Delaware.....	633.5	121.4	384.9	127.1	19.2	60.8	20.1	342.2	291.3	54.0	46.0
Florida.....	6,670.5	1,069.4	3,158.2	2,442.9	16.0	47.3	36.6	2,430.0	4,240.5	36.4	63.6
Georgia.....	4,176.6	996.5	1,749.3	1,430.8	23.9	41.9	34.3	1,764.6	2,412.0	42.3	57.7
Hawaii.....	1,091.6	253.8	641.4	196.4	23.3	58.8	18.0	841.7	249.9	77.1	22.9
Idaho.....	684.8	184.1	308.1	192.6	26.9	45.0	28.1	322.8	362.0	47.1	52.9
Illinois.....	11,596.1	2,396.5	4,546.8	4,652.8	20.7	39.2	40.1	4,485.5	7,110.6	38.7	61.3
Indiana.....	4,396.6	649.1	2,059.7	1,687.8	14.8	46.8	38.4	1,810.0	2,586.6	41.2	58.8
Iowa.....	2,576.2	433.2	1,213.3	929.6	16.8	47.1	36.1	1,054.1	1,522.1	40.9	59.1
Kansas.....	2,020.9	356.3	858.1	806.5	17.6	42.5	39.9	854.5	1,166.4	42.3	57.7
Kentucky.....	2,676.1	694.6	1,338.7	642.8	26.0	50.0	24.0	1,491.8	1,184.4	55.7	44.3
Louisiana.....	3,375.5	788.7	1,756.7	830.1	23.4	52.0	24.6	1,697.4	1,678.1	50.3	49.7
Maine.....	975.4	238.7	417.6	319.1	24.5	42.8	32.7	527.7	447.7	54.1	45.9
Maryland.....	4,252.3	756.1	1,928.7	1,567.6	17.8	45.4	36.9	1,437.0	2,815.3	33.8	66.2
Massachusetts.....	6,356.6	1,199.9	2,576.1	2,580.6	18.9	40.5	40.6	2,910.2	3,446.3	45.8	54.2
Michigan.....	9,800.8	1,845.2	4,417.1	3,538.4	18.8	45.1	36.1	3,889.5	5,911.3	39.7	60.3
Minnesota.....	4,349.0	820.9	2,170.0	1,358.1	18.9	49.9	31.2	1,486.4	2,862.6	34.2	65.8
Mississippi.....	1,836.1	523.0	888.4	424.8	28.5	48.4	23.1	866.8	969.3	47.2	52.8
Missouri.....	3,713.2	727.8	1,477.4	1,508.0	19.6	39.8	40.6	1,419.9	2,293.3	38.2	61.8

Montana.....	744.7	178.4	295.7	270.7	24.0	39.7	36.3	347.5	397.3	46.7	53.3
Nebraska.....	1,383.1	249.6	519.7	613.8	18.0	37.6	44.4	531.4	851.8	38.4	61.6
Nevada.....	681.7	116.3	295.2	270.1	17.1	43.3	39.6	272.4	409.3	40.0	60.0
New Hampshire.....	617.8	129.9	225.0	263.0	21.0	36.4	42.6	281.2	336.6	45.5	54.5
New Jersey.....	7,416.6	1,202.0	2,694.9	3,519.7	16.2	36.3	47.5	2,511.9	4,904.7	33.9	66.1
New Mexico.....	1,091.9	317.9	595.3	178.7	29.1	54.5	16.4	555.4	536.5	50.9	49.1
New York.....	25,649.3	4,450.2	10,100.9	11,098.1	17.4	39.4	43.3	5,294.0	20,355.3	20.6	79.4
North Carolina.....	3,997.3	873.2	2,120.7	1,003.4	21.8	53.1	25.1	1,720.3	2,277.1	43.0	57.0
North Dakota.....	659.3	147.4	353.3	158.6	22.4	53.6	24.1	364.3	295.0	55.3	44.7
Ohio.....	8,545.3	1,569.3	3,389.4	3,586.6	18.4	39.7	42.0	3,134.9	5,410.4	36.7	63.3
Oklahoma.....	2,192.6	559.1	1,039.2	594.3	25.5	47.4	27.1	1,120.0	1,072.6	51.1	48.9
Oregon.....	2,305.6	547.9	920.7	837.0	23.8	39.9	36.3	982.7	1,322.9	42.6	57.4
Pennsylvania.....	11,012.2	2,178.0	5,254.3	3,579.9	19.8	47.7	32.5	4,778.6	6,233.6	43.4	56.6
Rhode Island.....	892.6	209.4	421.4	261.8	23.5	47.2	29.3	494.2	398.4	55.4	44.6
South Carolina.....	2,046.7	486.6	1,099.8	460.3	23.8	53.7	22.5	1,095.8	950.9	53.5	46.5
South Dakota.....	646.5	178.7	238.9	228.8	27.6	37.0	35.4	313.0	333.5	48.4	51.6
Tennessee.....	3,101.9	730.6	1,315.9	1,055.3	23.6	42.4	34.0	1,371.6	1,730.2	44.2	55.8
Texas.....	9,333.8	1,900.0	4,102.0	3,331.8	20.4	43.9	35.7	4,048.7	5,285.1	43.4	56.6
Utah.....	1,013.3	268.0	475.4	269.9	26.4	46.9	26.6	505.3	508.0	49.9	50.1
Vermont.....	534.6	141.9	245.9	146.8	26.5	46.0	27.5	309.5	225.2	57.9	42.1
Virginia.....	4,006.1	807.8	1,900.0	1,298.3	20.2	47.4	32.4	1,797.7	2,208.4	44.9	55.1
Washington.....	3,622.0	702.4	1,655.7	1,263.9	19.4	45.7	34.9	1,545.8	2,076.1	42.7	57.3
West Virginia.....	1,497.8	483.9	709.4	304.6	32.3	47.4	20.3	889.1	608.7	59.4	40.6
Wisconsin.....	4,713.4	791.0	2,372.8	1,549.5	16.8	50.3	32.9	1,421.4	3,292.0	30.2	69.8
Wyoming.....	419.6	109.9	169.7	140.0	26.2	40.5	33.4	199.5	220.1	47.5	52.5
District of Columbia.....	1,347.2	696.6	.....	650.6	51.7	....	48.3	.....	1,347.2	....	100.0

\*Source: Bureau of the Census, *Governmental Finances in 1973-74*.

TABLE 5  
DIRECT GENERAL EXPENDITURE OF STATE AND LOCAL  
GOVERNMENTS, FOR SELECTED ITEMS, BY STATE: 1973-74\*  
(In millions of dollars)

State or other jurisdiction	Total	Other than capital outlay	Education			Highways		Public welfare	Health and hos- pitals
			Total	Other than capital outlay	Local schools	Total	Other than capital outlay		
United States .....	\$198,618.2	\$164,537.8	\$75,833.1	\$67,436.7	\$53,059.2	\$19,945.8	\$7,794.1	\$24,744.8	\$15,945.5
Alabama .....	2,548.1	1,988.8	974.6	861.6	549.7	330.3	119.8	252.4	282.2
Alaska .....	842.9	576.6	278.8	221.5	203.9	116.2	25.1	40.5	24.9
Arizona .....	1,920.9	1,508.1	857.8	732.4	556.2	206.0	69.3	85.1	121.7
Arkansas .....	1,256.1	1,036.4	492.9	441.8	322.3	176.4	72.0	162.9	112.2
California .....	23,392.2	20,586.3	8,367.0	7,737.4	5,936.2	1,538.3	616.8	3,943.3	1,637.1
Colorado .....	2,380.8	1,959.0	1,094.5	952.0	717.4	222.5	90.6	258.0	166.3
Connecticut .....	2,947.6	2,369.2	1,100.9	967.7	870.0	281.8	126.9	303.5	172.4
Delaware .....	604.9	489.0	292.0	248.0	188.8	63.1	22.4	47.6	32.9
Florida .....	6,337.1	5,122.2	2,392.9	2,159.6	1,719.2	712.0	208.3	408.3	648.1
Georgia .....	3,876.5	3,166.8	1,419.9	1,231.9	984.8	410.3	154.7	435.8	565.6
Hawaii .....	1,142.3	867.9	331.6	288.0	204.0	104.8	31.1	113.9	73.3
Idaho .....	654.1	519.7	240.9	210.9	162.2	114.6	38.3	58.0	44.7
Illinois .....	10,533.6	8,921.2	4,298.2	3,809.8	2,993.1	1,003.3	404.8	1,543.4	679.4
Indiana .....	3,813.3	3,222.5	1,791.2	1,606.4	1,190.4	402.9	163.0	325.7	349.6
Iowa .....	2,428.5	2,003.8	1,118.2	1,008.8	775.7	408.2	182.7	178.7	160.5
Kansas .....	1,885.1	1,493.3	783.7	713.3	520.8	255.4	110.8	173.2	156.6
Kentucky .....	2,393.4	1,894.6	948.9	867.9	596.6	375.3	123.1	253.7	150.4
Louisiana .....	3,095.6	2,521.1	1,117.5	1,030.8	820.0	439.3	156.1	321.0	279.3
Maine .....	862.3	716.2	309.7	280.2	230.8	126.6	66.8	126.5	45.8
Maryland .....	4,319.2	3,351.2	1,622.5	1,380.8	1,177.5	447.2	114.9	428.9	305.1
Massachusetts .....	6,137.0	5,181.0	2,165.7	1,720.8	1,564.6	400.2	215.5	1,145.8	479.4
Michigan .....	9,375.3	7,987.7	3,844.5	3,458.5	2,606.9	726.2	261.6	1,435.2	724.4
Minnesota .....	4,080.3	3,335.8	1,638.3	1,466.5	1,172.0	520.3	222.3	523.1	282.1
Mississippi .....	1,705.9	1,364.2	641.8	574.8	387.7	261.7	111.2	196.2	178.0
Missouri .....	3,447.1	2,864.2	1,414.1	1,296.1	1,061.4	467.1	164.9	337.0	317.1
Montana .....	660.6	523.2	278.8	248.9	192.2	107.0	35.0	54.0	31.8
Nebraska .....	1,274.1	1,001.7	514.4	460.7	354.0	208.0	79.5	110.0	94.3
Nevada .....	656.1	525.6	210.7	178.4	153.9	75.1	34.8	40.4	52.3
New Hampshire .....	626.1	512.9	239.2	222.2	166.6	104.6	45.1	72.4	29.8
New Jersey .....	7,172.2	6,020.9	2,771.7	2,409.0	2,074.4	720.0	257.5	880.2	404.7
New Mexico .....	941.7	788.1	430.6	390.0	257.6	127.1	57.4	88.1	44.8
New York .....	26,228.4	21,797.1	8,102.1	7,186.4	6,008.1	1,447.2	670.7	3,860.9	2,953.4
North Carolina .....	3,674.2	3,034.9	1,664.8	1,524.1	1,100.2	393.3	148.3	320.2	296.7
North Dakota .....	566.4	455.4	223.3	197.9	132.6	97.0	37.1	36.0	19.8
Ohio .....	8,090.5	6,801.7	3,172.6	2,911.7	2,300.6	873.7	373.1	956.7	643.2
Oklahoma .....	2,093.7	1,709.0	778.4	691.3	498.9	275.8	136.1	286.3	161.0
Oregon .....	2,242.8	1,905.5	913.3	838.8	613.0	225.3	107.0	197.4	112.9
Pennsylvania .....	10,474.3	8,747.0	4,043.9	3,529.4	3,010.5	1,103.5	428.2	1,540.2	659.8
Rhode Island .....	846.2	769.5	322.6	305.6	210.1	54.7	28.1	151.4	63.9
South Carolina .....	2,058.5	1,592.8	870.5	741.4	548.2	209.4	60.8	140.9	207.0
South Dakota .....	591.6	445.0	238.9	217.6	159.1	122.2	42.8	48.4	23.8
Tennessee .....	3,034.1	2,352.2	1,094.3	959.6	724.9	397.4	159.7	270.7	320.6
Texas .....	8,675.6	6,865.0	3,778.5	3,213.4	2,616.6	996.1	338.7	812.6	674.1
Utah .....	985.8	773.4	497.1	424.6	311.3	120.8	35.1	77.4	55.5
Vermont .....	499.9	412.8	188.1	171.9	116.4	78.9	38.1	60.4	23.7
Virginia .....	4,030.1	3,145.4	1,674.6	1,469.8	1,155.6	618.8	168.8	358.3	257.6
Washington .....	3,621.8	2,956.8	1,448.0	1,315.9	957.6	410.3	165.2	378.5	181.5
West Virginia .....	1,460.2	1,061.9	525.6	481.0	388.4	393.0	99.6	113.6	95.9
Wisconsin .....	4,468.1	3,852.9	1,871.7	1,716.4	1,163.4	556.4	327.0	571.4	281.2
Wyoming .....	397.4	306.2	171.7	149.1	114.3	73.0	26.0	17.8	38.8
District of Columbia ..	1,267.6	1,134.0	269.3	213.9	218.5	47.2	21.3	203.1	226.3

\*Source: Bureau of the Census, *Governmental Finances in 1973-74*.

TABLE 6  
PER CAPITA DIRECT GENERAL EXPENDITURE OF STATE AND LOCAL  
GOVERNMENTS, FOR SELECTED ITEMS,  
BY STATE: 1973-74\*

State or other jurisdiction	Total	Education		Other than capital outlay	Highways		Public welfare	Health and hos- pitals
		Total	Capital outlay		Total	Capital outlay	Other than capital outlay	
U. S. average.....	\$939.57	\$358.73	\$39.72	\$319.01	\$94.35	\$57.48	\$36.87	\$117.06
Median State.....	867.41	350.58	38.00	311.38	102.98	63.08	37.15	84.43
Alabama.....	712.37	272.46	31.58	240.88	92.35	58.87	33.48	70.55
Alaska.....	2,501.17	827.44	170.29	657.15	344.89	270.37	74.52	120.23
Arizona.....	892.20	398.41	58.24	340.17	95.68	63.49	32.19	39.51
Arkansas.....	609.17	239.05	24.78	214.26	85.56	50.65	34.92	79.00
California.....	1,118.87	400.20	30.11	370.09	73.58	44.08	29.50	188.61
Colorado.....	953.84	438.51	57.11	381.40	89.14	52.85	36.29	103.38
Connecticut.....	954.53	356.52	43.14	313.39	91.27	50.17	41.10	98.29
Delaware.....	1,055.71	509.55	76.72	432.84	110.10	70.93	39.17	83.13
Florida.....	783.33	295.79	28.84	266.94	88.01	62.26	25.75	50.47
Georgia.....	794.03	290.85	38.50	252.34	84.04	52.35	31.69	89.26
Hawaii.....	1,348.61	391.51	51.53	339.98	123.69	87.00	36.69	134.51
Idaho.....	818.67	301.53	37.53	264.00	143.42	95.52	47.89	72.53
Illinois.....	946.33	386.15	43.88	342.27	90.14	53.77	36.37	138.65
Indiana.....	715.44	336.07	34.68	301.39	75.59	45.00	30.59	61.10
Iowa.....	850.63	391.67	38.34	353.33	142.99	79.01	63.98	62.58
Kansas.....	830.45	345.26	31.05	314.21	112.50	63.70	48.80	76.29
Kentucky.....	712.96	282.66	24.11	258.55	111.79	75.13	36.66	75.56
Louisiana.....	822.41	296.89	23.05	273.84	116.71	75.24	41.48	85.28
Maine.....	832.61	295.81	28.15	267.66	120.94	57.09	63.85	120.87
Maryland.....	1,055.00	396.31	59.03	337.28	109.23	81.16	28.07	104.77
Massachusetts.....	1,058.10	373.39	76.70	296.69	69.00	31.84	37.16	197.56
Michigan.....	1,030.47	422.56	42.43	380.13	79.82	51.07	28.75	157.75
Minnesota.....	1,041.69	418.25	43.86	374.39	132.82	76.07	56.75	133.54
Mississippi.....	774.85	276.16	28.82	247.34	112.61	64.75	47.86	84.43
Missouri.....	721.61	296.02	24.70	271.32	97.78	63.26	34.52	70.55
Montana.....	898.84	379.33	40.64	338.69	145.55	97.96	47.59	73.53
Nebraska.....	825.72	332.37	34.80	298.57	134.79	83.27	51.52	71.26
Nevada.....	1,144.98	367.80	56.41	311.39	131.02	70.24	60.78	70.48
New Hampshire.....	774.85	296.02	21.00	275.02	129.49	73.65	55.83	89.65
New Jersey.....	978.48	378.12	49.47	328.65	98.22	63.09	35.14	120.08
New Mexico.....	839.30	383.81	36.25	347.56	113.31	62.12	51.19	78.52
New York.....	1,448.20	447.36	50.56	396.80	79.91	42.87	37.04	213.18
North Carolina.....	685.10	310.43	26.24	284.18	73.34	45.68	27.66	59.70
North Dakota.....	889.18	350.59	39.90	310.69	152.30	94.11	58.20	56.50
Ohio.....	753.51	295.48	24.30	271.19	81.37	46.62	34.75	89.10
Oklahoma.....	772.86	287.34	32.14	255.20	101.80	51.55	50.25	105.67
Oregon.....	989.75	403.06	32.88	370.18	99.44	52.23	47.20	87.10
Pennsylvania.....	885.03	341.69	43.47	298.22	93.24	57.05	36.18	130.14
Rhode Island.....	903.12	344.34	18.20	326.14	58.40	28.42	29.98	161.62
South Carolina.....	739.39	312.66	46.35	266.31	75.21	53.39	21.83	50.60
South Dakota.....	867.42	350.28	31.27	319.01	179.14	116.42	62.72	71.00
Tennessee.....	734.83	265.03	32.64	232.39	96.25	57.56	38.68	65.56
Texas.....	719.97	313.57	46.89	266.68	82.67	54.56	28.10	67.43
Utah.....	840.37	423.77	61.81	361.97	102.99	73.09	29.90	66.00
Vermont.....	1,063.63	400.16	34.40	365.76	167.87	86.88	80.99	128.53
Virginia.....	821.14	341.20	41.72	299.48	126.07	91.69	34.39	73.00
Washington.....	1,041.94	416.57	38.01	378.57	118.04	70.53	47.52	108.88
West Virginia.....	815.30	293.47	24.90	268.57	219.43	163.83	55.60	63.40
Wisconsin.....	978.56	409.92	34.00	375.92	121.86	50.24	71.62	125.14
Wyoming.....	1,107.00	478.33	63.02	415.31	203.41	130.84	72.56	49.50
District of Columbia..	1,753.26	372.49	76.64	295.85	65.25	35.73	29.53	280.86

\*Source: Bureau of the Census, *Governmental Finances in 1973-74*.

TABLE 7

## RELATION OF SELECTED ITEMS OF STATE AND LOCAL GOVERNMENT FINANCES TO PERSONAL INCOME, BY STATE: 1973-74\*

State or other jurisdiction	General revenue per \$1,000 of personal income					General expenditure per \$1,000 of personal income				
	Total	From federal government	All state and local general revenue sources	Taxes	Charges and miscellaneous general revenues	All general expenditure	Edu- cation	High- ways	Public welfare	Health and hos- pitals
U.S. average.....	\$196.38	\$ 39.54	\$156.83	\$123.58	\$ 33.25	\$187.76	\$ 71.69	\$18.86	\$23.39	\$15.07
Median State.....	198.55	42.70	148.21	116.41	35.39	186.75	72.37	22.86	18.82	13.14
Alabama.....	194.61	52.09	142.53	100.92	42.50	186.00	71.14	24.11	18.42	20.60
Alaska.....	333.41	112.34	221.07	105.17	115.90	430.49	142.41	59.36	20.69	12.73
Arizona.....	200.87	37.18	163.69	129.84	33.85	198.96	88.84	21.34	8.81	12.61
Arkansas.....	177.78	48.05	129.74	98.32	31.42	156.04	61.23	21.92	20.23	13.94
California.....	218.31	43.87	174.45	140.10	34.34	205.65	73.56	13.52	34.67	14.39
Colorado.....	203.89	43.35	160.54	119.53	41.01	194.27	89.31	18.15	21.05	13.57
Connecticut.....	167.25	30.10	137.15	116.41	20.74	161.38	60.28	15.43	16.62	9.44
Delaware.....	190.34	36.47	153.87	116.83	37.04	181.77	87.73	18.96	14.31	9.89
Florida.....	176.52	28.30	148.22	111.32	36.90	167.69	63.32	18.84	10.81	17.15
Georgia.....	198.58	47.38	151.20	110.63	40.57	184.31	67.51	19.51	20.72	26.89
Hawaii.....	238.24	55.40	182.85	141.47	41.38	249.29	72.37	22.87	24.87	15.99
Idaho.....	201.54	54.18	147.37	112.54	34.83	192.50	70.90	33.72	17.06	13.14
Illinois.....	178.86	36.96	141.90	120.02	21.88	162.47	66.30	15.48	23.81	10.48
Indiana.....	165.85	24.49	141.36	109.96	31.40	143.84	67.57	15.20	12.28	13.19
Iowa.....	168.22	28.29	139.93	109.90	30.03	158.58	73.02	26.66	11.67	10.48
Kansas.....	167.19	29.47	137.71	107.55	30.16	155.95	64.84	21.13	14.33	12.95
Kentucky.....	198.56	51.54	147.02	109.85	37.17	177.58	70.40	27.84	18.82	11.16
Louisiana.....	228.15	53.31	174.84	126.07	48.77	209.23	75.53	29.69	21.70	18.88
Maine.....	232.46	56.90	175.56	147.07	26.49	205.51	73.81	30.18	30.16	10.91
Maryland.....	190.35	33.85	156.51	123.61	32.90	193.35	72.63	20.02	19.20	13.66
Massachusetts.....	208.00	39.26	168.73	145.50	23.23	200.81	70.86	13.10	37.49	15.69
Michigan.....	195.23	36.76	158.47	123.08	35.39	186.75	76.58	14.47	28.59	14.43
Minnesota.....	217.24	41.01	176.24	136.15	40.08	203.82	81.84	25.99	26.13	14.09
Mississippi.....	226.34	64.47	161.88	121.88	40.00	210.30	79.12	32.26	24.19	21.94
Missouri.....	161.23	31.60	129.63	103.98	25.65	149.67	61.40	20.28	14.63	13.77
Montana.....	220.59	52.83	167.76	127.70	40.06	195.69	82.59	31.69	16.01	9.41
Nebraska.....	170.19	30.71	139.48	103.07	36.40	156.77	63.29	25.59	13.53	11.61
Nevada.....	216.54	36.95	179.59	134.37	45.22	208.41	66.95	23.85	12.83	16.61
New Hampshire.....	166.39	34.98	131.42	105.04	26.38	168.62	64.42	28.18	19.51	8.03
New Jersey.....	172.37	27.94	144.44	116.39	28.05	166.70	64.42	16.73	20.46	9.41
New Mexico.....	256.18	74.58	181.60	127.41	54.19	220.95	101.04	29.83	20.67	10.52
New York.....	246.16	42.71	203.45	165.52	37.93	251.72	77.76	13.89	37.05	28.36
North Carolina.....	177.05	38.68	138.38	109.59	28.79	162.74	73.74	17.42	14.18	13.14
North Dakota.....	180.88	40.44	140.44	90.29	50.15	155.39	61.27	26.62	9.87	5.43
Ohio.....	156.87	28.81	128.06	97.90	30.16	148.52	58.24	16.04	17.56	11.81
Oklahoma.....	189.70	48.37	141.33	100.41	40.92	181.15	67.35	23.86	24.77	13.93
Oregon.....	214.42	50.95	163.46	120.19	43.27	208.57	84.94	20.95	18.36	10.50
Pennsylvania.....	185.31	36.65	148.66	122.47	26.19	176.25	68.05	18.57	25.92	11.10
Rhode Island.....	189.50	44.46	145.04	120.60	24.44	179.67	68.50	11.62	32.15	13.56
South Carolina.....	193.41	45.98	147.43	110.89	36.54	194.53	82.26	19.79	13.31	19.57
South Dakota.....	200.20	55.35	144.85	109.60	35.25	183.21	73.98	37.84	15.00	7.37
Tennessee.....	183.58	43.24	140.34	103.53	36.81	179.57	64.76	23.52	16.02	18.97
Texas.....	173.13	35.24	137.89	104.46	33.43	160.92	70.09	18.48	15.07	12.50
Utah.....	215.09	56.88	158.21	117.43	40.78	209.25	105.52	25.64	16.43	11.79
Vermont.....	284.22	75.42	208.79	165.18	43.61	265.77	99.99	41.95	32.12	12.58
Virginia.....	170.43	34.36	136.06	106.47	29.59	171.45	71.24	26.32	15.24	10.96
Washington.....	204.93	39.74	165.19	122.38	42.81	204.92	81.93	23.22	21.41	10.27
West Virginia.....	210.75	68.08	142.67	113.49	29.18	205.46	73.96	55.30	15.98	13.49
Wisconsin.....	217.18	36.45	180.73	146.45	34.28	205.87	86.24	25.64	26.33	12.96
Wyoming.....	253.21	66.32	186.89	127.88	59.01	239.84	103.63	44.07	10.73	23.44
Dist. of Columbia.....	284.93	147.34	137.60	110.89	26.70	268.11	56.96	9.98	42.95	47.87

\*Source: Bureau of the Census, *Governmental Finances in 1973-74*.

TABLE 8  
INDEBTEDNESS OF STATE AND LOCAL GOVERNMENTS,  
AT END OF 1973-74 FISCAL YEAR, BY STATE\*  
(In millions of dollars, except per capita amounts)

State or other jurisdiction	Total debt	Long-term debt		Short-term debt	Per capita debt	
		Total	General only		Total	Long-term
United States .....	\$206,615.8	\$189,952.8	\$162,470.8	\$16,663.0	\$ 977.42	\$ 898.59
Alabama .....	2,841.4	2,743.2	2,402.2	98.2	794.36	766.90
Alaska .....	1,046.2	1,009.5	931.9	36.6	3,104.32	2,995.65
Arizona .....	1,676.2	1,655.9	951.6	20.3	778.53	769.10
Arkansas .....	1,012.0	967.8	854.9	44.2	490.80	469.36
California .....	19,304.9	18,978.6	14,006.7	326.4	923.37	907.76
Colorado .....	1,751.8	1,697.0	1,155.8	54.7	701.83	679.90
Connecticut .....	4,435.9	3,934.4	3,846.8	501.4	1,436.49	1,274.11
Delaware .....	896.9	881.3	822.7	15.6	1,565.27	1,538.06
Florida .....	6,046.9	5,926.0	4,529.4	120.9	747.45	732.51
Georgia .....	3,587.7	3,446.7	2,806.7	141.0	734.89	706.01
Hawaii .....	1,358.0	1,345.1	1,296.0	12.9	1,603.34	1,516.49
Idaho .....	223.0	205.5	190.2	17.5	279.07	257.22
Illinois .....	8,769.9	7,762.7	6,882.8	1,007.2	787.88	697.39
Indiana .....	2,656.0	2,529.9	2,349.8	126.1	498.32	474.65
Iowa .....	1,218.6	1,171.6	1,045.0	47.0	426.83	410.37
Kansas .....	1,604.1	1,499.7	1,209.4	104.4	706.67	660.68
Kentucky .....	3,662.8	3,567.2	3,134.9	95.6	1,091.10	1,062.61
Louisiana .....	3,854.4	3,806.3	3,365.7	48.1	1,024.02	1,011.25
Maine .....	675.2	637.4	591.4	37.8	644.85	608.77
Maryland .....	4,672.2	4,511.9	4,150.5	160.3	1,141.24	1,102.09
Massachusetts .....	6,664.3	5,514.1	4,933.1	1,150.2	1,149.01	950.70
Michigan .....	8,066.5	7,623.2	7,006.1	443.2	886.62	837.90
Minnesota .....	3,847.6	3,677.7	3,520.0	169.9	982.27	939.90
Mississippi .....	1,497.0	1,454.3	1,311.3	42.6	644.13	625.79
Missouri .....	2,754.1	2,632.7	2,292.8	121.4	576.54	551.12
Montana .....	417.4	414.1	392.5	3.3	567.95	563.39
Nebraska .....	2,168.3	2,069.6	748.1	98.8	1,405.27	1,341.26
Nevada .....	572.5	565.3	523.9	7.2	999.14	986.54
New Hampshire .....	514.0	474.3	461.7	39.7	636.18	586.99
New Jersey .....	8,335.4	7,486.2	7,241.2	849.3	1,137.17	1,021.30
New Mexico .....	561.0	560.4	449.8	0.5	499.96	499.47
New York .....	37,489.1	29,865.7	26,327.1	7,623.4	2,069.96	1,649.04
North Carolina .....	2,100.7	1,967.4	1,630.4	133.2	391.70	366.85
North Dakota .....	270.3	261.5	234.4	8.8	424.40	410.57
Ohio .....	7,544.9	6,613.9	6,177.2	931.1	702.71	615.99
Oklahoma .....	2,090.2	2,036.8	1,828.9	53.4	771.56	751.87
Oregon .....	2,269.2	2,226.1	1,965.3	43.1	1,001.43	982.39
Pennsylvania .....	14,180.4	13,475.5	12,703.3	704.9	1,198.18	1,138.62
Rhode Island .....	848.2	732.6	690.0	115.5	905.20	781.89
South Carolina .....	1,798.9	1,757.5	1,558.9	41.3	646.14	631.29
South Dakota .....	137.1	131.7	113.9	5.5	201.07	193.04
Tennessee .....	3,652.0	3,440.3	2,559.2	211.7	884.47	833.21
Texas .....	10,975.2	10,821.0	8,902.1	154.2	910.81	898.01
Utah .....	513.7	508.9	445.8	4.7	437.91	433.88
Vermont .....	583.3	554.9	542.0	28.4	1,241.12	1,180.65
Virginia .....	3,352.1	3,119.3	2,841.5	232.8	682.98	635.55
Washington .....	5,387.8	5,301.1	3,249.4	86.7	1,549.99	1,525.06
West Virginia .....	1,377.3	1,302.5	1,261.2	74.8	769.00	727.24
Wisconsin .....	3,072.6	3,001.0	2,841.0	71.6	672.94	657.25
Wyoming .....	340.6	340.6	302.1	....	948.79	948.79
District of Columbia .....	1,939.9	1,744.7	893.4	195.3	2,683.16	2,413.09

\*Source: Bureau of the Census, *Governmental Finances in 1973-74*.



TABLE 9  
KEY FEATURES OF STATE-FUNDED CIRCUIT-BREAKER PROPERTY  
TAX RELIEF PROGRAMS, 1975\*

<i>State or other jurisdiction</i>	<i>Date of adoption</i>	<i>Description of beneficiaries (Number of beneficiaries)</i>	<i>Income ceiling</i>	<i>Description of program</i>	<i>Form of relief</i>
<b>Arizona (a)</b> .....	1973	Homeowners and renters 65 and over (N.A.)	\$3,500 single, \$5,000 married (assessed value of all property not to exceed \$5,000)	A percentage of tax is returned as a credit; credit declines as income rises. Only taxes on first \$2,000 of assessed value are considered (25% of rent equals tax equivalent, up to \$225).	State income tax credit or rebate
<b>Arkansas (b)</b> .....	1973; 1975 revised	Homeowners 65 and over (2,798)	\$8,000	Relief cannot exceed \$150 and is equal to homestead realty tax paid (up to \$500 less 5% of household income up to \$8,000).	State income tax credit or rebate
<b>California (c)</b> .....	1967; 1973 revised	Homeowners 62 and over (302,000)	\$10,000 net; \$20,000 gross	Relief ranges from 96% of tax payment on first \$7,500 of value if net household income is less than \$1,400 to 4% of tax payment if net household income is \$10,000 (additionally there is a state-financed homestead exemption of \$1,750 for all homeowners).	State rebate
<b>Colorado</b> .....	1971; 1973 revised; 1974 revised; 1975 revised	Homeowners and renters 65 and over or disabled (27,251)	\$6,900 single, \$7,900 married (net worth less than \$30,000—home, furniture, clothing, and car excluded)	Relief cannot exceed \$400 and is equal to \$400 reduced by 10% of income over \$3,000 for individuals and 10% of income over \$4,000 for married couples (20% of rent equals tax equivalent).	State income tax credit or rebate
276 <b>Connecticut (d)</b> .....	1973; 1974 revised	Homeowners and renters 65 and over (19,533)	\$6,000	Taxes exceeding 5% of income. Maximum refund ranges up to \$400 for incomes below \$3,000 (20% of rent equals tax equivalent).	Reduction in tax bill
<b>Idaho</b> .....	1974	Homeowners age 65 and over (15,924)	\$5,000	Relief ranges from lesser of \$200 or actual taxes for those with incomes \$3,000 or less to lesser of \$100 or taxes for those with incomes of \$5,000.	Reduction of tax bill
<b>Illinois (e)</b> .....	1972; 1974 revised; 1975 revised	Homeowners and renters 65 and over or disabled (144,647)	\$10,000 implicit in formula, although not stated	Relief based on amount by which property tax (or rent equivalent) exceeds 6% of first \$3,000 of household income plus 7% of income in excess of \$3,000. Relief limit is \$500 less 5% of household income (30% of rent equals tax equivalent).	State rebate
<b>Indiana</b> .....	1973	Homeowners and renters 65 and over (44,000)	\$5,000	Relief ranges from 75% of property tax for incomes below \$500 to 10% for incomes above \$4,000. Relief limit is \$500 (20% of rent equals tax equivalent [15% if furnished or utilities provided]).	Income tax credit or rebate
<b>Iowa</b> .....	1973; 1975 revised	Homeowners and renters 65 and over or totally disabled (15,924)	\$6,000	Relief ranges from 100% of property tax for incomes below \$1,000 to 25% for incomes above \$8,000. Property taxes are limited to \$600 for calculating relief (25% of rent equals tax equivalent).	State rebate
<b>Kansas</b> .....	1970; 1973 revised; 1975 revised	Homeowners and renters 60 and over or disabled (31,307)	\$8,150	Taxes in excess of various percentages of income, ranging from zero% for incomes below \$3,000 to 13% for incomes above \$8,000. Property taxes are limited to \$400 for calculating relief (12% of rent equals tax equivalent).	State rebate

<b>Maine</b> .....	1971; 1973 revised; 1974 revised	Homeowners and renters 62 and over (13,468)	\$4,500 single; \$5,000 mar- ried	Relief equal to amount of tax less 21% of household income in excess of \$3,000. Relief cannot exceed \$400 (25% of rent equals tax equivalent).	State rebate
<b>Maryland</b> .....	1975	Homeowners 60 and over (N.A.)	None	Relief, not to exceed \$750, equals property tax exceeding sum of graduated schedule of percentages of income ranging from 3% of first \$3,000 of household income to 9% of income over \$15,000.	Credit against property tax bill (cash payment to renters)
<b>Michigan (f)</b> .....	1973	All homeowners and renters (810,000)	None	Credit equals 60% of property taxes in ex- cess of 3.5% of income (100% of a lower percentage of income for elderly). Maxi- mum relief is \$500 (17% of rent equals tax equivalent).	State income tax credit or rebate
<b>Minnesota (g)</b> .....	1967; 1973 revised	Homeowners and renters 65 and over or disabled (110,000)	\$6,000	A percentage of tax is returned as a credit; percentage declines as income increases. No more than \$800 tax considered (20% of rent equals tax equivalent).	State income tax credit or rebate
<b>Missouri</b> .....	1973; 1975 revised	Homeowners and renters 65 and over (58,031)	\$7,500	Tax exceeding various percentages of in- come is remitted; percentages range from 1% for incomes below \$2,000 to 4% for incomes above \$5,000. Not more than \$500 tax considered for relief (20% of rent equals tax equivalent).	State income tax credit or rebate
<b>Nevada</b> .....	1973; 1975 revised	Homeowners and renters 62 and over (1,994)	\$10,000	Relief ranges from 90% of property tax for incomes of less than \$1,000 up to 10% for incomes above \$7,000. Maximum re- lief is \$300 (15% of rent equals tax equivalent).	State rebate
<b>North Dakota (h)</b> .....	1973	Renters 65 and over (5,052)	\$3,500	Property tax in excess of 5% of income is refunded. Maximum relief is \$100 (20% of rent equals tax equivalent).	State rebate
<b>Ohio</b> .....	1971; 1973 revised; 1975 revised	Homeowners 65 and over (264,300)	\$10,000	Benefits range from reduction of 70% or \$5,000 assessed value (whichever is less) for incomes below \$3,000 to 40% or \$2,000 for incomes above \$7,000.	Reduction of tax bill
<b>Oklahoma (i)</b> .....	1974	Homeowners 65 and over or disabled (N.A.)	\$6,000	Relief equal to property taxes due in excess of 1% of household income, not to ex- ceed \$200.	Refundable income tax credit
<b>Oregon</b> .....	1971; 1973 revised	All homeowners and renters (509,000)	\$15,000	Refund of all property taxes up to various maximums that depend on income (\$490 for incomes below \$500) (17% of rent equals tax equivalent).	Refundable income tax credit
<b>Pennsylvania</b> .....	1971; 1973 revised	Homeowners and renters 65 and over or disabled (410,000)	\$7,500	Relief ranges from 100% of tax for incomes less than \$3,000 (maximum relief \$200) to 10% of tax for incomes greater than \$7,000 (20% of rent equals tax equiva- lent).	State rebate
<b>Vermont</b> .....	1969; 1973 revised	All homeowners and renters (26,400)	None	Refund of taxes exceeding variable per- centage of income ranging from 4% for incomes less than \$4,000 to 6% for in- comes over \$16,000. Maximum relief is \$500 (20% of rent equals tax equivalent).	State rebate (or income tax credit for elderly)
<b>West Virginia</b> .....	1972	Homeowners and renters 65 and over (8,529)	\$5,000	Taxes exceeding a given percentage of in- come are remitted. These percentages range from 0.5% to 4.5% (12% of rent equals tax equivalent; not more than \$125 considered for relief).	State rebate

TABLE 9—Concluded  
KEY FEATURES OF STATE-FUNDED CIRCUIT-BREAKER PROPERTY  
TAX RELIEF PROGRAMS, 1975\*

<i>State or other jurisdiction</i>	<i>Date of adoption</i>	<i>Description of beneficiaries (Number of beneficiaries)</i>	<i>Income ceiling</i>	<i>Description of program</i>	<i>Form of relief</i>
Wisconsin.....	1964; 1973 revised	All homeowners and renters (189,521)	\$7,000	Excess taxes are taxes above 14.3% of income exceeding \$3,500. Tax credit equals 80% of excess taxes. Not more than \$500 tax considered for relief (25% of rent equals tax equivalent).	State income tax credit or rebate
District of Columbia (j)	1974	Homeowners and renters 65 and over (N.A.)	\$7,000	Relief takes the form of a variable credit ranging from 80% of tax in excess of 2% of income for incomes less than \$3,000 to 60% of tax in excess of 4% of income for incomes over \$5,000. Maximum tax of \$400 used in figuring credit (15% of rent equals tax equivalent).	Income tax credit

\*Source: Advisory Commission on Intergovernmental Relations staff compilation from questionnaire responses and Commerce Clearing House data.

N.A.—Not available.

(a) Program took effect calendar year 1974. First claims were to be filed January 1975.

(b) Relief currently takes the form of cash refunds as those having an income tax liability fail to qualify for property tax rebate.

(c) California also has a program to provide property tax relief to all renters, regardless of income or age. California expects an increase of 40,000 to 50,000 participants in fiscal year 1975 as welfare recipients become eligible for the program for the first time.

(d) Homeowners in Connecticut now have the option of circuit-breaker relief or a property tax freeze. Both programs reduce tax bill.

(e) Relief formula changed January 1, 1975. New formula grants relief for property tax in excess of 4 percent of all income. Same limits will apply.

(f) In 1974 Michigan extended circuit-breaker coverage to farmers as well as owners of residential property. Farmers must agree to restrict land use to obtain relief, however.

(g) Homeowners 65 and over also participate in a property tax freeze program wherein the State will refund property tax increases.

(h) North Dakota has a separate program which lowers the assessed value of low-income elderly homeowners by as much as \$1,000.

(i) The Oklahoma program took effect January 1, 1975, and grants relief for taxes paid in 1974.

(j) Took effect January 1, 1975.

(Continued from page 265.)

cent of total tax revenue in 1972-73, increased only slightly to account for 19.5 percent of total tax revenue.

#### PRESENTATION OF DATA

Tables 1 through 8 present the state-local finance data for fiscal 1973-74. Table 1 depicts national totals back through 1969-70. Tables 2 and 3 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 4 enables an analysis of the impact of intergovernmental transactions on state and local government general revenue. Data on direct expenditure by State appears in Tables 5 and 6.

Table 7 presents selected items of state-local government finances in relation to personal income for fiscal 1973-74. 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 8, 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 refer to the general government sector—i.e., all government activity excluding liquor stores operation, insurance trust systems, and local utilities. The latter include public electric, gas, transit, and water systems operated by local government units.

# 2

## Taxation

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### RECENT TRENDS IN STATE TAXATION

BY JOHN GAMBILL\*

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**N**EITHER 1974 NOR 1975 were characterized by major legislative activity relating to state taxation. In the legislation adopted in 1974, decreases tended to predominate. Actions in 1975 were more mixed. Few States adopted major programs involving several taxes. Among those that did were Arizona in 1974 and Massachusetts and the District of Columbia in 1975.

Connecticut, which had reduced its sales tax from 6.5 cents to 6 cents in 1974, raised it to 7 cents in 1975 (the rate which had existed from July 1972 to June 1973). The only other sales tax rate changes legislated were increases in Arizona in 1974 and Massachusetts in 1975.

Two States reduced individual income taxes and another temporarily suspended a surcharge in 1974. In 1975, five States increased and one State (North Dakota) reduced income tax rates. Unusual circumstances were present in several of these 1975 actions. Michigan increased its rate to offset the revenue loss from sales tax exemption for food adopted at the end of 1974. Rhode Island taxes income at a percentage of the federal tax and raised its rate to avoid the revenue loss that would have resulted from the Federal Tax Reduction Act of 1975. Nebraska, which also increased its rate, also taxes income at a percentage of the federal rate. Utah had adopted a federal-state conformity law in 1973 and misjudged the rates necessary to maintain

the same revenue; the 1975 increase was designed to overcome that defect. North Dakota's tax reduction was made possible by an especially good wheat crop.

One major feature of revenue legislation in 1974 and 1975 was increases in motor fuel taxes. In 1974, two States raised motor fuel tax rates and a third indefinitely extended a 1973 increase. In 1975, nine more States raised their motor fuel tax rates.

Another major feature of revenue legislation in 1974 and 1975 was the adoption of provisions to reduce the regressivity of the sales and property taxes. Two States in 1974 and the District of Columbia in 1975 exempted food. Three States exempted prescription drugs in 1974. Numerous States enlarged or adopted income tax credits for sales or property taxes and other forms of residential property tax relief; these measures were especially characteristic of 1974, but some were still being adopted in 1975.

#### ACTION IN 1974

##### *General Sales Taxes*

*Tax rates.* Arizona raised its sales tax rate from 3 to 4 percent. Connecticut reduced its rate from 6.5 to 6 percent. Tennessee again extended its 3.5 percent (rather than 3 percent) rate for another year.

*Local sales taxes.* California authorized transit districts in Orange, Santa Clara, and San Mateo Counties to levy sales taxes, with approval of the voters. Califor-

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\*Mr. Gambill is Research Associate of the Federation of Tax Administrators.

nia also provided for the termination of the San Francisco Bay Area Rapid Transit sales tax. Louisiana increased the authorized municipal sales tax rate from 1 to 1.5 percent. New Jersey again extended the authorization for the Newark sales tax. New York increased the authorized rate of the New York City sales tax from 3 to 4 percent for the period June 1, 1974, to June 30, 1975. Ohio, Utah, and Washington also authorized local sales taxes for rapid transit.

*Exemptions and credits.* Michigan provided an income tax credit for sales taxes paid on food and prescription drugs, based on household income and ranging up to \$10 for each taxpayer and dependent. This credit applied to 1974 only. After the state constitution was amended at the November election, legislation was adopted exempting food and drugs from the sales tax, effective January 1, 1975.

Iowa exempted food and prescription drugs. South Dakota and Washington also exempted prescription drugs. Arizona voters defeated a measure that would have exempted food but also would have raised the sales tax from 4 to 5 percent.

Colorado increased its income tax credit for sales paid on food from \$7 to \$21 per exemption for one year only. Nebraska increased its credit from \$10 to \$13 per exemption. Vermont increased its sliding-scale credit against the income tax.

South Dakota created a sales tax refund of up to \$88 for one-person households and \$176 for households with more than one person, for persons over age 65.

Idaho, Illinois, Indiana, New Jersey, and Wyoming provided exemptions for certain meals served to the homebound or the elderly.

Rhode Island provided for phasing-in by 1978 a complete exemption for manufacturing machinery and equipment for agricultural and manufacturing equipment.

California exempted food sold to airlines for consumption by passengers. Connecticut exempted gas (including bottled gas), water, electricity, cable television services, and telephone and telegraph services. North Carolina exempted house-

to-house magazine sales by resident magazine dealers. West Virginia exempted radio, television, newspaper, and outdoor advertising; services of day care centers; and bank safe deposit boxes.

*Base expansion.* Rhode Island removed the exemption for tobacco products other than cigarettes. South Dakota subjected speciality cleaners, cable television, and the rental of tangible personal property other than motor homes to the sales tax.

### *Individual Income Taxes*

*Tax rates.* New York suspended its 2.5 percent surcharge for 1974 tax years, as it had done in 1973 for 1973 tax years. New Mexico reduced the rates in all brackets under \$24,000 for joint returns and brackets under \$20,000 for single individuals. Pennsylvania reduced its tax rate from 2.3 to 2 percent and allowed low-income taxpayers an inversely graduated exemption, ranging up to 100 percent for taxpayers with incomes of \$3,000 or less. Minnesota also adopted a credit equal to tax liability for low-income taxpayers.

The Nebraska Board of Equalization and Assessment set the 1975 income tax at 10 percent of federal tax liability; the 1974 rate was 11 percent.

*Personal exemptions.* Personal exemptions were increased by Montana from \$600 to \$650 and by Ohio from \$500 to \$650.

*Credits.* Hawaii increased the sliding-scale credit for taxpayer and dependents, but repealed credits for drugs and medical expenses, the credit for dependent children attending educational institutions, and for rented real estate. Idaho continued for a second year a \$15 (rather than \$10) credit for taxpayer and dependents. New Mexico increased the amount of its credit for state and local taxes.

*Political contributions.* Alaska, Minnesota, Montana, Oklahoma, and the District of Columbia adopted deductions or credits for contributions made to political candidates or political parties.

*State-federal conformity.* Louisiana replaced its former income tax law with one based on federal tax liability and number of exemptions.

*Local income tax authorizations.* Geor-

gia authorized counties and municipalities, with voter approval, to impose a 1 percent income tax. The authorization did not become effective, however, until 1975 when a local sales tax authorization was adopted.

#### *Corporation Income Taxes*

*Tax rates.* Two States increased and one State reduced corporation income tax rates, all effective with 1974 tax years. Arizona increased its corporation income tax to a range from 2.5 to 10.5 percent; the former range was 2 to 8 percent. Vermont raised its rate from a flat 6 percent to a graduated schedule, ranging from 5 to 7.5 percent; the minimum tax was raised from \$25 to \$50. Pennsylvania reduced its rate from 11 to 9.5 percent.

*Deductions and credits.* Arizona provided a deduction for child care facilities for employees' children. Indiana increased a credit for hiring the unemployed. New York increased the investment credit. Rhode Island provided an investment credit, a carry-over/carry-back provision for losses, and a deduction for new research and development facilities.

California provided that taxpayers who derive rental income from substandard housing in California are denied deductions for interest, depreciation, taxes, or amortization related to that housing.

*Miscellaneous.* Delaware imposed a franchise tax on the income of banks, trust companies, and building and loan associations, and exempted these institutions from the corporate income tax. Minnesota made the corporate income tax applicable to railroad companies. Montana adopted the Uniform Division of Income for Tax Purposes Act.

#### *Motor Fuel Taxes*

*Tax rates.* Arizona increased its motor fuels tax from 7 cents to 8 cents per gallon, and Pennsylvania increased its rate from 8 cents to 9 cents per gallon. Delaware extended indefinitely a 9-cent-per-gallon tax on gasoline which had been temporarily raised from 8 cents in 1973. Virginia provided that aviation fuel would be taxed at 4 cents per gallon; formerly such fuel was taxed as highway fuel

at 9 cents per gallon but was eligible for refunds.

*Transit.* Illinois voters approved a regional transit authority for the Chicago metropolitan area, authorized by 1973 legislation; the authority may impose a tax of up to 5 percent of gross receipts on the retail sale of motor fuel. Michigan and New York provided for a complete refund of taxes on fuel used by buses in local transit service; both States had previously allowed partial refunds.

#### *Tobacco Taxes*

Cigarette tax rates were increased by two States: Arizona, from 10 cents to 13 cents per pack, and Maine, from 14 cents to 16 cents per pack.

Rhode Island repealed its tax on cigars and tobacco products other than cigarettes, but subjected these items to the sales tax.

Minnesota subjected little cigars to the cigarette tax rate.

Louisiana changed its tax on cigars and smoking tobacco from a tax in dollar and cent amounts, based on weight and retail price for tobacco, to ad valorem taxes based on invoice price.

#### *Alcoholic Beverage Taxes*

Arizona increased the tax on liquor from \$2 to \$2.50 per gallon. Idaho indefinitely continued a 7.5 percent temporary surcharge on goods sold at the state liquor dispensary but later reduced the surcharge to 2 percent of the current price. Montana increased the license tax on retail sales of liquor from 4 to 5 percent and raised the total tax on beer from \$3 to \$3.25 per barrel. Vermont imposed a tax of 24 percent of gross revenues from sales on spirituous liquors and fortified wines sold through the liquor control board; formerly, the tax was \$5.60 per gallon on spirituous liquors and \$1.40 on fortified wines.

Georgia required municipalities and counties permitting the sale of malt beverages to impose a tax of 5 cents per 12 ounces; localities previously levying higher taxes were required to gradually reduce them to this rate. Louisiana cut its per-barrel tax on beverages of low alcoholic content produced in the State from

\$10 to \$5. Massachusetts changed the dividing line between alcoholic beverages taxed at 80 cents per gallon and those taxed at \$2.95 from 24 percent to 15 percent alcoholic content.

### *Property Tax Relief*

*General residential.* The District of Columbia and Maryland adopted circuit-breaker property tax relief programs for homeowners and renters regardless of age. (The circuit-breaker is a property tax relief mechanism that provides a refund or tax credit based on the amount of the claimant's income and his property tax liability.) The District of Columbia program was restricted to persons with less than \$7,000 income; the Maryland program applied to all incomes. (See the 1975 section, however, for subsequent changes in the Maryland program.)

Arizona amended its classification system to reduce the assessment level of residential property and to increase the assessment level of utility, commercial, and industrial property.

The District of Columbia provided that taxpayers with combined household adjusted gross incomes less than \$20,000 may defer, with interest, that part of their current property taxes in excess of 110 percent of property tax liability for the preceding year. Households with greater incomes may defer the amount of tax attributable to an increase of the assessment by more than 25 percent over the previous year.

The Louisiana constitution of 1974 increased the basic homestead exemption from \$2,000 to \$3,000 for households with gross household income less than \$4,000. The Legislature was authorized to provide tax relief to renters. The new constitution also provided that residential structures and all land would be assessed at 10 percent of market value, but other property at 15 percent.

California voters approved a change in the constitution to require a \$7,000 homestead exemption, already provided by 1972 legislation. (The \$7,000 is equivalent to \$1,750 assessed value, as property is generally assessed at 25 percent of true value.) The new amendment allows the Legislature to increase the exemption, re-

quiring, however, that renters receive comparable benefits. Previously, the constitution had required only the equivalent of a \$3,000 exemption.

*Senior citizens, blind, and disabled.* Oklahoma adopted an income tax credit for property taxes in excess of 1 percent of household income for people 65 and older or totally disabled having income less than \$6,000. Idaho adopted a program granting a property tax reduction, ranging from \$200 to \$100 depending upon income, to senior citizens, widows, disabled veterans, and the blind, if their income is less than \$5,000.

Several States amended their circuit-breaker programs. Colorado increased the benefits and extended the program to the disabled. Illinois increased the amount of relief each participant receives. Maine removed several restrictions on eligibility and increased the amount of relief each participant receives. Connecticut revised its program by excluding Social Security from computed income of participants, but established a lower maximum on the amount of relief. Arizona offered its senior citizen renters a choice of the circuit-breaker relief (enacted in 1973) or a credit of 10 percent of rent, up to \$25.

Massachusetts enacted a property tax deferral plan for persons over 65 with incomes from all sources less than \$20,000. At the time of sale of the property, back taxes plus 8 percent interest per year must be paid. The total amount of taxes and interest due may not exceed 50 percent of the owner's share of the value of the property.

Connecticut amended the income qualifications for its senior citizen property tax freeze. Applicants are now permitted to have up to \$6,000 adjusted gross income and tax-exempt interest, rather than \$3,000 if single and \$5,000 if married.

West Virginia established a homestead exemption of \$5,000 assessed value for homeowners 65 and older. Washington State amended its property tax relief programs for senior citizens and persons unemployed due to physical disability by creating a \$5,000 homestead exemption for persons with incomes less than \$4,000. An Ohio constitutional amendment permits the Legislature to provide a tax relief



for permanently and totally disabled residents by means of reductions in assessed values, previously permitted only for senior citizens; the Legislature is permitted to impose income and other qualifications. Florida revised its \$5,000 senior citizen homestead exemption (which is in addition to a \$5,000 homestead exemption for all homeowners) to apply to all property taxes rather than only to school taxes; Florida also increased the homestead exemption for disabled persons.

Georgia voters approved several constitutional amendments making changes in homestead exemptions in order to provide senior citizens greater relief from the property tax. Mississippi provided that for heads of families and disabled veterans, the \$5,000 homestead exemption would apply to all state and local property taxes rather than only some taxes, as in the case of other homeowners; local governments will be reimbursed for the revenue lost due to the exemption by receiving one mill of the state property tax. Louisiana increased its homestead exemption for senior citizens from \$2,000 to \$5,000. Nebraska increased the amount of the senior citizen homestead exemption and also increased the amount of income allowed the claimant of the homestead exemption.

Rhode Island increased its \$3,000 homestead exemption for the blind to \$5,000. South Carolina extended to the blind its \$10,000 homestead exemption for the aged and disabled. Massachusetts liberalized the qualifications for its senior citizen homestead exemption. New York and Virginia liberalized local option senior citizen property tax relief programs.

South Dakota eliminated its homestead exemption of \$1,000 for persons 65 and older with incomes less than \$4,000 (\$2,400 if single). However, the state concurrently enacted a sales tax refund of up to \$176 (\$88 if single), depending on income, for persons 65 and older.

*Agricultural land, use-value assessments.* Several States provided for preferential treatment of farmland, but most also provided for recapture of the benefits when the land is converted to nonagricultural use. The new Nebraska, Ohio, and South Dakota laws provide that agri-

cultural land will be assessed on the basis of its value for use in agriculture. Montana relaxed the eligibility requirements for its agricultural land use-value assessment law. The Delaware Legislature passed a measure providing for use-value assessment of agricultural and forest land; as this measure is a constitutional amendment, it must also be passed by the next Legislature to become effective. Nevada voters adopted a constitutional amendment allowing separate classification for taxation of agricultural and open space real property that has a greater value for another use than its actual use. Wisconsin voters approved a constitutional amendment exempting agricultural land and undeveloped land from the constitutional requirements of uniform taxation of all property, thus permitting legislation establishing preferential treatment of such land.

Several of these States provide that if land receiving preferential treatment is subsequently converted to another use, the benefits must be repaid for a given number of years, as indicated: Delaware (3 years), Nebraska (5 years plus 6 percent interest per annum), Nevada (7 years), and Ohio (4 years). Alaska amended its farm use law to increase the recapture from two years without interest to seven years plus 5 percent per annum interest.

Michigan provided property tax relief to farmers, using the circuit-breaker method. The Michigan law provides a refundable credit against the income tax for property taxes in excess of 7 percent of household income from all sources. Recipients must agree not to develop the land for 10 years, and some forgone taxes would be recaptured if the land is converted to another use. Separate provisions for certain open space land allow such land to be assessed exclusive of its potential for development, subject to similar rules.

*Personal property tax relief.* Washington exempted business inventories, including livestock, effective with 1983 assessments. Between 1974 and 1983 a credit is provided against the taxpayer's business and occupational taxes equal to an increasing percentage of personal property taxes on inventories. Animals and

crops will be assessed at a declining percentage of value. Rhode Island exempted new machinery and equipment of a manufacturer purchased after 1974 and provided for a gradual phase-out by 1982 of property purchased before 1975. Missouri and Montana exempted household goods, furniture, and wearing apparel of individuals. Florida provided a \$20,000 per natural person exemption against the intangibles tax (of one mill per dollar). Georgia adopted a constitutional amendment exempting from property taxes goods which have a planting-to-harvest cycle less than 12 months, are customarily cured for more than one year, and are held for manufacturing purposes.

*Pollution.* Iowa provided a 10-year exemption for air and water pollution control property. Kentucky provided that property certified as an air, water, or noise pollution control facility is exempt from local (but not state) property taxes. Michigan exempted seawalls and other structures whose primary purpose is to prevent or control erosion on property affected by waters or levels of the Great Lakes or connecting waters.

*Energy.* Indiana provided a reduction in assessment for property equipped with a solar energy heating or cooling system. The assessment reduction is equal to the lesser of \$2,000 or the amount by which the system increases the value of the property.

## ACTION IN 1975

### General Sales Taxes

*Tax rates.* Connecticut increased its sales tax rates from 6 to 7 percent. Massachusetts increased its rate from 3 to 5 percent. Tennessee again extended its 3.5 (rather than 3) percent sales tax another year.

*Local sales taxes.* Local sales taxes, to be administered by the State, were authorized in Arkansas (for two cities), Georgia, and New Mexico. Utah authorized a higher rate. New York State continued the 4 percent New York City tax but converted it to a state tax; the revenues from this tax will be distributed to the Municipal Assistance Corporation created to assist New York City in meeting

its financial obligations until the notes and bonds of the corporation are paid.

*Exemptions and Credits.* The District of Columbia exempted food, which it had previously taxed at a reduced rate (2 percent rather than the general 5 percent). Nebraska increased its sales tax credit against the income tax from \$13 to \$16 per exemption. Wyoming exempted prescription drugs from the sales tax. Wyoming also provided a sales tax refund of up to \$100 (\$150 for married persons), depending upon income, for persons over 65 or disabled.

Minnesota exempted meals purchased for and served exclusively to senior citizens and handicapped by government agencies and nonprofit organizations.

Arizona exempted the manufacture and publishing of books. Idaho exempted property used in radio and television programs and agricultural irrigation equipment. Illinois exempted farm chemicals. Louisiana exempted renal dialysis machines and wheelchairs. North Carolina exempted deposits on returnable beverage containers. South Dakota exempted personal property and motor vehicles leased for more than 28 days. Texas adopted several exemptions related to the production of newspapers.

*Base expansion.* Connecticut extended the tax to various services and to the leasing or rental of personal property. Following authorization by New York State, New York City extended its sales tax to credit-rating and collection services, detective and protective services, and interior decorating and design. Wisconsin expanded its base to include cigarettes, cable television services, and all telephone services, including connection charges and the transmission of sound, vision, information, data, or material, whether or not by voice (except interstate calls and calls paid for by inserting coins in telephones).

### Individual Income Taxes

*Tax rates.* Alaska adopted a new structure for its individual income tax, replacing the previous system where the Alaska tax was 16 percent of federal tax liability, as determined by applying the federal tax rates in effect December 31,

1963. The new structure in Alaska will graduate from 3 to 14.5 percent of taxable income with the maximum applying to individuals with incomes over \$200,000, joint returns over \$400,000, and heads of households over \$300,000. Iowa revised its tax by reducing rates in the first four \$1,000 brackets but adding new brackets for incomes over \$15,000. Massachusetts increased the rate on interest and dividends from 9 to 10 percent and imposed a 7.5 percent surtax on personal income tax rates.

Michigan increased its rate from 3.9 to 4.6 percent of taxable income, from May 1, 1975, to July 1, 1977, and to 4.4 percent thereafter. Nebraska provided that the income tax rate, which is set by the State Board of Equalization and Assessment on the basis of legislative appropriations, was not to exceed 12 percent of federal tax liability for 1975. The board subsequently set the rate at 12 percent. Later, in November, the board set the 1976 rate at 15 percent. Rhode Island increased its tax rate from 15 to 17 percent of federal tax liability. Utah also increased its tax rates. North Dakota repealed a 1 percent supplemental income tax ("Vietnam bonus surtax") and adopted a two-year tax credit equal to 25 percent of state tax liability.

*Special income taxes.* California changed its tax on tax preference income from a flat rate to a graduated rate. Connecticut increased the rate of its capital gains tax on individuals from 6 to 7 percent and reinstated the dividends tax (imposed at 6 percent when repealed two years ago) at 7 percent. (The dividends tax applies only to individuals and couples with more than \$20,000 federal gross income.) The New Hampshire tax on the incomes of non-residents working in the State was declared unconstitutional by the U.S. Supreme Court. New Jersey imposed a tax on capital gains and other unearned income (interest, dividends, royalties, income from an interest in an estate or trust, and distribution of earnings or profits from a partnership or corporation). The rates range from 1.5 percent for unearned income up to \$1,000 to 8 percent for unearned income over \$25,000. Oregon imposed a tax, at rates

of 1 to 3 percent, on persons who receive more than \$3,000 of tax preference income as defined in the Internal Revenue Code.

*Credits.* Arkansas provided an additional \$17.50 credit for persons over 65 and their spouses. Idaho permanently extended its \$15 (rather than \$10) credit for taxpayers and dependents. Minnesota expanded its credit for low-income taxpayers. New Mexico increased the amount of its credit for state and local taxes. New Mexico also enacted a credit for medical and dental expenses. Ohio continued its credit for joint returns another two years. Oregon increased its credit for political contributions.

*Exemptions.* Oregon increased the personal exemption from \$675 to \$750. The District of Columbia changed its exemptions to be the same as the federal (\$750 per person, rather than \$1,000 each for taxpayer and spouse and \$500 per dependent).

*Deductions.* Arizona enacted a deduction for moving expenses. Idaho provided a credit or deduction for political contributions. Iowa raised the limit on the standard deduction (10 percent of income) from \$500 to \$1,000 for single persons and joint returns, and repealed a requirement that a taxpayer use the optional standard deduction on the state return if he used the optional standard deduction on the federal return. Oklahoma permitted a deduction for federal income taxes, up to \$500 plus 5 percent of federal income taxes in excess of \$500, not to exceed a total of \$1,700. Oregon raised the limit on its deduction for federal income taxes from \$3,000 to \$5,000.

*State-federal conformity.* Utah and Wisconsin froze the definition of the Internal Revenue Code as of January 1, 1975, and December 31, 1974, respectively. Oregon updated the definition to mean the current Internal Revenue Code rather than that of January 1, 1975.

*Local income tax authorizations.* Indiana authorized counties, cities, and towns to impose a 1.5 percent occupation tax on compensation for personal services, less state income tax deductions. The authorization also provides for a credit against this local tax for state income

taxes. New Jersey authorized Jersey City to impose an employer payroll tax. Following authorization by New York State, New York City continued its higher income tax rates another year.

*Miscellaneous.* Delaware required monthly withholding of all employers. Maryland required that 50 percent of tax preference income, as defined in the Internal Revenue Code, be included in Maryland taxable income.

### *Corporation Income Taxes*

*Tax rates.* Alaska restructured its corporate income tax, formerly 18 percent of federal tax based on federal rates in effect December 31, 1963, as 4 percent of taxable income, with a 5.4 percent surtax imposed on the same income as the federal surtax. Connecticut increased its tax from 8 to 10 percent. The District of Columbia increased its rate from 8 percent to 12 percent for 1975 and 9 percent thereafter. Massachusetts imposed a 10 percent surtax on corporate income taxes and on bank and trust companies and utilities for 1975 calendar year and other tax years beginning in 1975. For subsequent years, the basic corporate tax rate was increased from 7.5 to 8.33 percent, making the total rate 9.4962 percent. The tax on banks and trust companies was increased from 11.4 percent (including a 14 percent surtax) to 12.54. Nebraska by one legislative act increased its corporate income tax rate from 25 percent of the rate imposed on individuals to 30 percent and, by a subsequent act, changed the rate to 25 percent of the individual rate for the first \$25,000 of taxable income and 27.5 percent of the excess. The individual income tax rate was subsequently increased, thereby causing a further increase in the corporate income tax. New Jersey increased its rate from 5.5 to 7.5 percent. Oregon raised its rate from 6 percent to 6.5 percent for 1976, 7 percent for 1977, and 7.5 percent for 1978. Following authorization by New York State, New York City increased its corporate income tax rate. North Dakota repealed a 1 percent supplemental income tax ("Vietnam bonus surtax").

*Single business tax.* Michigan imposed a single business 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. The tax replaces the income tax on corporations and financial institutions, the franchise tax, and several other taxes on businesses.

*Miscellaneous.* New Jersey and Oregon provided for banks to be taxed under the general corporate income tax. Georgia excluded banks from the income tax and reimposed a share tax on banks. Arizona, Connecticut, and Iowa amended their apportionment provisions. California and Delaware limited the amount of the oil depletion allowance.

### *Motor Fuel Taxes*

*Tax rates.* Eight States and the District of Columbia raised gasoline tax rates and one State raised the rate on diesel and liquefied petroleum gas only. The increases are as follows: District of Columbia, from 8 to 10 cents per gallon; Hawaii, from 5 to 8.5 cents for the period of May 1, 1975, to July 1, 1976 (LPG, from 4 to 6 cents); Massachusetts, from 7.5 to 8.5 cents to June 30, 1980; Minnesota, from 7 to 9 cents; Montana, from 7 to 7.75 cents on gasoline and 9 to 9.75 cents on diesel fuel; Oregon, from 7 to 8 cents; Rhode Island, from 8 to 10 cents; South Dakota, from 7 to 8 cents on gasoline and diesel fuel (LPG remained at 6 cents); and Wyoming, from 7 to 8 cents. The Oregon increase, however, was suspended before its effective date by a referendum petition, to be voted upon in November 1976.

Delaware increased the diesel and LPG rate from 8 to 9 cents per gallon, thus raising the taxes on these fuels to the same rate imposed on gasoline. In addition to the rate increase, Montana repealed the per gallon tax on LPG, providing that vehicles powered with LPG would be subject to a special annual fee, and authorized the Governor to increase rates by 1.5 cents per gallon if necessary for Montana to obtain full benefits under the federal aid highway program.

Oklahoma provided that passenger vehicles and pickup trucks (up to 0.75 ton capacity) using LPG would pay a flat fee of \$50 per year rather than the per gallon tax on the fuel. Washington renewed its

exemption for natural gas and propane used in any motor vehicles until July 1, 1977.

#### *Tobacco Taxes*

Four States and the District of Columbia increased cigarette tax rates: the District of Columbia and Maryland, from 6 cents to 10 cents per pack; Massachusetts, from 16 cents to 21 cents (until June 30, 1980); New Hampshire, from 42 percent of average retail price (equivalent to 11 cents per pack) to 12 cents; and Rhode Island, from 13 cents to 18 cents. The New Hampshire act also removed the 42 percent tax from tobacco products other than cigarettes.

Florida changed the criteria for cigarettes to be taxed at higher than the normal rate. Iowa subjected cigarettes made of tobacco substitutes to the tobacco tax. Texas reduced the rate on one category of cigars.

#### *Alcoholic Beverage Taxes*

Massachusetts increased the rates on beer, wine, and all other alcoholic beverages, until 1980. Oregon increased the tax on beer and wine.

Indiana provided that the tax on wines with less than 21 percent alcohol, produced by holders of a small winery permit, would be 25 cents per gallon (rather than 45 cents). New Hampshire increased the gallonage tax on alcoholic beverage manufacturers from 12 to 15 cents per gallon. North Carolina imposed a single tax of 22.5 percent of retail selling price in place of several taxes based on selling price and volume on spirituous liquors containing more than 21 percent alcohol. North Carolina also repealed its tax on fruit cider containing less than 14 percent alcohol. South Carolina stated its tax on wine in liters as well as in gallons.

#### *Property Tax Relief*

*General residential.* Maryland, which in 1974 enacted a circuit-breaker for homeowners and renters of all ages, by 1975 legislation (before the 1974 program was implemented) restricted it to senior citizen homeowners. Minnesota, which had a circuit-breaker property tax relief program for the elderly for the past dec-

ade, extended its program to the elderly, replacing several other property tax relief programs. Wisconsin made small adjustments in the payment formula for its circuit-breaker program.

*Senior citizens, disabled, veterans.* A number of States made changes in their circuit-breaker programs. Arkansas and Colorado extended their programs to recipients with higher incomes than previously and increased the amount of relief that presently eligible recipients will be granted. Illinois increased the percentage of rent that constitutes property taxes for purposes of determining the grant. Iowa and Missouri increased the amount of relief and increased the percentage of rent that constitutes property taxes for purposes of determining the grant. Kansas extended its program to elderly renters. Nevada amended its program by lowering the age limit to 62, extending relief to higher incomes, and revising the formula. North Dakota, which previously had a circuit breaker for elderly renters and a traditional homestead exemption for elderly homeowners, revised the homestead exemption to incorporate the circuit-breaker principle. Ohio extended its senior citizen circuit breaker to the permanently and totally disabled.

Montana revised the eligibility requirements for the reduced assessment allowed retired persons and senior citizen widows and widowers. New Hampshire authorized a senior citizen homestead exemption on a local option basis and provided a tax deferral program for totally disabled persons. North Carolina and Wyoming raised the income qualification for their senior citizen homestead exemptions. Utah revised the eligibility requirements for its local property tax abatement program to allow greater relief and relief to persons not previously eligible. Washington provided a tax deferral program for retired persons over 62 and disabled persons.

Indiana enacted a \$3,000 homestead exemption for low-income veterans of World War I. Maine increased its exemption for disabled veterans and veterans over 62. North Carolina enacted a \$34,000 exemption for disabled veterans.

*Homestead improvements.* Illinois pro-

vided an exemption for homestead improvements for four years, up to \$15,000 of assessed value. Indiana provided for locally administered urban homesteading programs, under which property would be transferred to persons who will occupy and rehabilitate it, and further provided this property would be exempt. Montana provided that increases in value due to the repairing, maintaining, or improving of existing structures would be assessed at preferential levels for four years. New Jersey provided an exemption of up to \$4,000 for rehabilitated property in blighted neighborhoods. Oregon provided that maintenance, repairs, or replacement to existing, owner-occupied, single-family dwellings (not including construction which adds to the amount of living space) would not increase the assessed value.

*Agricultural land, use-value assessments.* Missouri provided that land used for agricultural and horticultural purposes will be assessed on the basis of its value in that use. Nevada provided for the assessment of agricultural and open space land at its value in that use, implementing a 1974 constitutional amendment.

*Energy.* Special provisions in the form of exemptions or preferential assessment for solar heating or cooling were adopted in seven States: Colorado, Illinois, Maryland, New Hampshire, North Dakota, Oregon, and South Dakota. In addition, Montana provided incentives for capital investment in certain nonfossil sources of energy.

#### 1975 STATE FINANCIAL CONDITION

A review of budgets submitted by Governors in 1975 gives several indications of the financial condition of the States.

First, state fiscal conditions in 1975 varied considerably between States. One reason is that different industries and economic activities are significant in the various States. Some of the midwestern States with a substantial agricultural sector reported surpluses. The northeastern States, experiencing unemployment above the national average, had a strong

tendency to exhibit considerable deficits. The differing structure of state tax systems also made a difference. In particular, States without a personal income tax (the tax most responsive to inflation) tended to report deficits or the need for additional revenue.

Second, many States had sizable general fund surpluses at the end of calendar year 1974. These surpluses had resulted from the underestimation of tax revenues in the previous two years. In general, the Governors planned to use these surpluses to avoid tax increases. Two Governors (Indiana and North Carolina) who had planned to use their surpluses for tax relief later had to cancel these plans. The surplus in North Dakota was a major factor in its income tax reductions.

A third indication of the fiscal situation of the States is that Governors frequently sought to limit the size of increases in expenditures and salaries. Often, the Governors recommended increases that in percentage terms were smaller than the rise in the price index since budgets were last adopted. In some States, the proposed expenditure increase was smaller than in many years. Seeking to reduce the rate of growth in expenditures, Governors rarely recommended salary increases comparable to the increase in the cost of living. In spite of a high rate of inflation, proposed salary increases were generally in the 5 to 8 percent range, not much different than earlier years when the cost of living was rising much more slowly.

#### AUTHOR'S NOTE

This article was prepared in the fall of 1975 while several State Legislatures were still in session. The principal legislation passed after the article was prepared was the following:

New York State increased its state corporate net income tax from 9 to 10 percent and imposed a one-year 20 percent surcharge. New York also increased the tax on banks and financial institutions from 8 to 12 percent of taxable net income and imposed a 30 percent surcharge for two years.

# THE BOOK OF THE STATES

## STATE INDIVIDUAL INCOME TAXES\*

As of January 1, 1976

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 - 5.0(4)	\$ 1,000	\$ 5,000	\$1,500	\$3,000	\$ 300	★
Alaska.....	3.0 -14.5(24)	2,000(b)	200,000(b)	750(m)	1,500(m)	750(m)	..
Arizona.....	2.0 - 8.0(7)	1,000(c)	6,000(c)	1,000	2,000	600	★
Arkansas.....	1.0 - 7.0(6)(d)	3,000	25,000	17.50(e)	35(e)	6(e)	..
California.....	1.0 -11.0(11)	2,000(f)	15,500(f)	25(e)	50(e)	8(e)	..
Colorado.....	3.0 - 8.0(11)(g)	1,000	10,000	750	1,500	750	★
Delaware.....	1.6 -19.8(15)	1,000	100,000	600	1,200	600	★(h)
Georgia.....	1.0 - 6.0(6)	750(i)	7,000(i)	1,500(j)	3,000(j)	700	..
Hawaii.....	2.25-11.0(11)(k)	500	30,000	750	1,500	750	..
Idaho.....	2.0 - 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.....	2.0	Flat rate		1,000	2,000(n)	500	..
Iowa.....	0.5 -13.0(13)(o)	1,000	75,000	15(e)	30(e)	10(e)	★
Kansas.....	2.0 - 6.5(5)	2,000	7,000	600	1,200	600	★
Kentucky.....	2.0 - 6.0(5)	3,000	8,000	20(e)	40(e)	20(e)	★
Louisiana.....	2.0 - 6.0(3)	10,000	50,000	2,500	5,000	400	★
Maine.....	1.0 - 6.0(6)	2,000	50,000	1,000	2,000	1,000	..
Maryland.....	2.0 - 5.0(4)	1,000	3,000	800	1,600	800	..
Massachusetts.....	5.375(p)	Flat rate		2,000	2,600(q)	600	..
Michigan.....	4.6(r)	Flat rate		1,500	3,000	1,500	..
Minnesota.....	1.6 -15.0(11)	500	20,000	21(e)	42(e)	21(e)	★
Mississippi.....	3.0 - 4.0(2)	5,000	5,000	4,500	6,500	750	..
Missouri.....	1.5 - 6.0(10)	1,000	9,000	1,200	2,400	400	★
Montana.....	2.0 -11.0(10)(s)	1,000	35,000	650	1,300	650	★
Nebraska.....	15% of U.S. tax(t)	..	..	..	..	..	..
New Mexico.....	0.9 - 9.0(16)(u)	500	100,000	750(m)	1,500(m)	750(m)	..
New York.....	2.0 -15.0(14)(v)	1,000	25,000	650	1,300	650	..
North Carolina.....	3.0 - 7.0(5)	2,000	10,000	1,000	2,000	600	..
North Dakota.....	1.0 -10.0(6)(w)	1,000	8,000	750(m)	1,500(m)	750(m)	★
Ohio.....	0.5 - 3.5(6)	5,000	40,000	650	1,300	650	..
Oklahoma.....	0.5 - 6.0(7)(x)	1,000	7,500	750	1,500	750	★(h)
Oregon.....	4.0 -10.0(7)	500	5,000	750(m)	1,500(m)	750(m)	★(h)
Pennsylvania.....	2.0	Flat rate		..	..	..	..
Rhode Island.....	17% of U.S. tax	..	..	..	..	..	..
South Carolina.....	2.0 - 7.0(6)	2,000	10,000	800	1,600	800	★(h)
Utah.....	2.5 - 8.0(7)(y)	750	4,500	750(m)	1,500(m)	750(m)	★
Vermont.....	25% of U.S. tax(z)	..	..	..	..	..	..
Virginia.....	2.0 - 5.75(4)	3,000	12,000	600	1,200	600	..
West Virginia.....	2.1 - 9.6(24)(aa)	2,000	200,000(aa)	600	1,200	600	..
Wisconsin.....	3.1 -11.4(15)	1,000	14,000	20(e)	40(e)	20(e)	..
Dist. of Columbia...	2.0 -10.0(9)	1,000	25,000	750	1,500	750	..

\*Prepared by the Federation of Tax Administrators on the basis of legislation enacted at 1975 sessions.

(a) Figure in parentheses is the number of steps in range.  
(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, 1975, and North Dakota and Utah 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) Decreased to 4.4 percent effective July 1, 1977.  
(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) 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.  
(v) Plus a 2.5 percent surcharge.  
(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 3.0 percent on income up to \$1,500 to 8 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 determined 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.

Note: The table excludes the following state taxes: Connecticut taxes dividends and capital gains at 7 percent. New Hampshire taxes interest and dividends at 4.25 percent. New Jersey taxes "unearned income" (dividends, capital gains, interest, royalties, income from an estate or trust) at rates of 1.5 to 8 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.  
Also excluded are the commuter's income taxes in New Jersey, imposed on New York and Pennsylvania commuters at rates in effect in New York and Pennsylvania.

## RANGE OF STATE CORPORATE INCOME TAX RATES \*

As of January 1, 1976

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>Mississippi</b> .....		
Business corps...	5		\$0 to \$5,000 .....	3	..
Banks & financial corps.	6		Over \$5,000 .....	4	
<b>Alaska</b> .....		..	<b>Missouri</b> .....		★
Business corps...	5.4(a)		Business corps...	5	
Banks & financial corps.	7(b)		Banks & trust companies .....	7	
<b>Arizona</b> .....		★	<b>Montana</b> .....	6.75(n)	..
\$0 to \$1,000 .....	2.5		<b>Nebraska</b> .....		..
Over \$6,000 .....	10.5(7)		\$0 to \$25,000 .....	3.75(o)	
<b>Arkansas</b> .....		..	Over \$25,000 .....	4.125(o)	
\$0 to \$3,000 .....	1		<b>New Hampshire</b> .....	7(p)	..
Over \$25,000 .....	6(5)		<b>New Jersey</b> .....	7.5(q)	..
<b>California</b> .....		..	<b>New Mexico</b> .....		..
Business corps...	9(c)		Business corps...	5	
Banks & financial corps.	9-13(d)		Banks & financial insts.	6(r)	
<b>Colorado</b> .....		..	<b>New York</b> .....		..
<b>Connecticut</b> .....	10(e)		Business corps...	10(s)	
<b>Delaware</b> .....	7.2		Banks & financial corps.	12(t)	
<b>Florida</b> .....	5(f)		<b>North Carolina</b> .....		..
<b>Georgia</b> .....	6		Business corps...	6	
<b>Hawaii</b> .....		..	Buildings & loan assoc.	7.5	
Business corps...			<b>North Dakota</b> .....		★
\$0 to \$25,000 .....	5.85(g)		Business corps...		
Over \$25,000 .....	6.435		\$0 to \$3,000 .....	3(u)	
Banks & financial corps.	11.7		Over \$15,000 .....	6(u)	
<b>Idaho</b> .....	6.5(h)	..	Banks & financial corps.	5(v)	
<b>Illinois</b> .....	4	..	<b>Ohio</b> .....		..
<b>Indiana</b> .....	5.5(l)	..	\$0 to \$25,000 .....	4(w)	
<b>Iowa</b> .....		(j)	Over \$25,000 .....	8(w)	
Business corps...	6		<b>Oklahoma</b> .....	4	..
\$0 to \$25,000 .....	10(3)		<b>Oregon</b> .....		..
Over \$100,000 .....			Business corps...	6.5(x)	
<b>Kansas</b> .....		..	<b>Pennsylvania</b> .....	9.5	..
Business corps...	4.5(k)		<b>Rhode Island</b> .....	8(y)	..
Banks .....	5(k)		<b>South Carolina</b> .....		..
Trust companies & savings & loan assoc.	4.5		Business corps...	6	
<b>Kentucky</b> .....		..	Banks .....	4.5	
\$0 to \$25,000 .....	4		Financial assoc.	8	
Over \$25,000 .....	5.8		<b>South Dakota</b> .....		★
<b>Louisiana</b> .....	4	★	Banks & financial corps.	5.5(z)	
<b>Maine</b> .....		..	<b>Tennessee</b> .....		..
\$0 to \$25,000 .....	5		Business corps...	6	
Over \$25,000 .....	7		Financial assoc.	7(aa)	
<b>Maryland</b> .....	7	..	<b>Utah</b> .....	6(ab)	★
<b>Massachusetts</b> .....		..	<b>Vermont</b> .....		..
Business corps...	9.4962(c, l)		\$0 to \$10,000 .....	5(ac)	
Banks & trust companies .....	12.54		Over \$250,000 .....	7.5(4)(ac)	
Utility corps...	6.5		<b>Virginia</b> .....	6	..
<b>Minnesota</b> .....		..	<b>West Virginia</b> .....	6	★(ad)
Business corps...	12(m)		<b>Wisconsin</b> .....		
Banks .....	12		\$0 to \$1,000 .....	2.3	
			Over \$6,000 .....	7.9(7)	
			<b>District of Columbia</b> .....	9(ab)	..

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†Figure in parentheses is number of steps in range.

(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) Minimum tax is \$50.

(f) An exemption is allowed of \$5,000 or an amount equal to the maximum federal income tax credit, whichever is less.

(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 2.5 percent supplemental tax. The supplemental tax is scheduled to rise to 3 percent on January 1, 1977.

(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: plus a tax of \$2,000 on taxable tangible property (or net worth allocable to State, for intangible property corporations). 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 2/10 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 of 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 \$100 or 1.6 mills per dollar of capital stock; for savings institutions, the minimum tax is \$100 or 2 percent of interest credited to depositors in preceding year. A 30 percent surcharge is imposed on 1976 tax years.

(u) In addition to the tax shown, imposes a privilege tax of 1 percent on corporations not subject to personal property (or in lieu) taxes, minimum \$20.

(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) Rate to rise to 7 percent on January 1, 1977, and to 7.5 percent on January 1, 1978. Minimum tax is \$10.

(y) Or, for business corporations, the tax is 40 cents per \$100 of corporate excess, 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 \$50.

(z) Minimum tax is \$24.

(aa) Not less than 1.5 percent of gross income.

(ab) Minimum tax is \$25.

(ac) Minimum tax is \$50.

(ad) Limited to 10 percent of net income.

Note: Michigan has imposed a single business tax or business activities 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. This tax replaced the income tax on corporations and financial institutions, the franchise tax, and several other taxes.



## STATE EXCISE RATES\*

As of January 1, 1976

State or other jurisdiction	Sales and gross receipts (percent)	Cigarettes (cents per pack)	Gasoline(a) (cents per gallon)	Distilled spirits(b) (per gallon)	State or other jurisdiction	Sales and gross receipts (percent)	Cigarettes (cents per pack)	Gasoline(a) (cents per gallon)	Distilled spirits(b) (per gallon)
Alabama.....	4	12	7	....	Montana.....	12	7.75	....	....
Alaska.....	8	8	8	\$4.00	Nebraska.....	2.5(l)	13	8.5	2.00
Arizona.....	4(c)	13	8	2.50	Nevada.....	3(m)	10	6	1.90
Arkansas.....	3	17.75	8.5	2.50	New Hampshire.....	12	9	....	....
California.....	4.75	10	7	2.00	New Jersey.....	5	19	8	2.80
Colorado.....	3	10	7	1.80	New Mexico.....	4	12	7	1.50(n)
Connecticut....	7	21	10	2.50	New York.....	4	15	8	3.25
Delaware.....	14	9	2.25	....	North Carolina..	3(o)	2	9	....
Florida.....	4(d)	17	8	3.75(e)	North Dakota....	4	11	7	2.50
Georgia.....	3	12	7.5	3.75	Ohio.....	4	15	7	....
Hawaii.....	4(f)	40% of wholesale price	8.5(g)	20% of wholesale price	Oklahoma.....	2	13	6.58	4.00
Idaho.....	3	9.1	8.5	....	Oregon.....	9	7(p)	....	....
Illinois.....	4	12	7.5	2.00	Pennsylvania....	6	18	9	....
Indiana.....	4(h)	6	8	2.28	Rhode Island....	5	18	10	2.50
Iowa.....	3	13	7	....	South Carolina..	4	6	8	2.72
Kansas.....	3	11	7	1.50	South Dakota....	4	12	8(q)	3.05
Kentucky.....	5	3	9(l)	1.92	Tennessee.....	3.5(r)	13	7(s)	4.00
Louisiana.....	3	11	8	2.50	Texas.....	4	18.5	5	2.00
Maine.....	5	16	9	....	Utah.....	4	8	7	....
Maryland.....	4	10	9	1.50	Vermont.....	3	12	9	....
Massachusetts..	5	21(j)	8.5(j)	4.05(j)	Virginia.....	3	2.5	9(t)	....
Michigan.....	4	11	9	....	Washington.....	4.5(u)	16	9	....
Minnesota.....	4	18	9	4.39	West Virginia...	3(v)	12	8.5	....
Mississippi....	5(k)	11	9	....	Wisconsin.....	4	16	7	2.60
Missouri.....	3	9	7	2.00	Wyoming.....	3	8	7(w)	....
					District of Columbia....	5(x)	10	10	2.00

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(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	9.5
Alaska.....	Liquefied petroleum gas	no tax
Arkansas.....	Diesel	9.5
California.....	Liquefied petroleum gas	7.5
Hawaii.....	Liquefied petroleum gas	6
Iowa.....	Diesel	8
Kansas.....	Diesel	8
Michigan.....	Liquefied petroleum gas	5
Mississippi....	Diesel	10
Montana.....	Liquefied petroleum gas	9.75
New Jersey....	Liquefied petroleum gas	no tax
New York.....	Diesel	4
South Dakota..	Liquefied petroleum gas	10
Tennessee.....	Diesel	6
Texas.....	Diesel	8
Vermont.....	Diesel and liquefied petroleum gas	6.5
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 3 percent.

(d) Farm equipment is taxed at 3 percent.

(e) On beverages containing 14 to 48 percent alcohol. The tax rate on beverages containing more than 48 percent alcohol is \$7.52 per gallon.

(f) Wholesalers and manufacturers, 0.5 percent; retailers, 4 percent.

(g) Scheduled to revert to 5 cents and the liquefied petroleum gas rate to 4 cents on July 1, 1976.

(h) In addition to the 4 percent sales tax, a gross income tax is imposed, under which wholesale and retail sales are taxed at 0.45 percent in 1976. Thereafter, the gross income tax will be reduced annually until 1992, when it goes out of existence.

(i) Heavy equipment motor carriers pay an 11-cents-per-gallon tax on a use basis.

(j) Until June 30, 1980.

(k) 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, 1.0 percent; contractors (on compensation exceeding \$10,000), 2.5 percent.

(l) The rate for 1975. State board of equalization and assessment determines rate annually.

(m) Includes a mandatory, statewide, state-collected 1 percent county sales tax.

(n) If not over 100 proof. If over 100 proof, \$2.40 per gallon.

(o) 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.

(p) Increased to 8 cents by 1975 legislation, but increase suspended pending referendum to be held November 1976.

(q) Scheduled to revert to 7 cents per gallon on July 1, 1976.

(r) Rate scheduled to revert to 3 percent on June 30, 1976.

(s) Also subject to a special privilege tax of 7/10 of 1 cent per gallon.

(t) An 11-cents-per-gallon tax is imposed on motor carriers of property on a use basis.

(u) 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.

(v) 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.

(w) Rate scheduled to increase to 8 cents on March 1, 1976.

(x) Parking charges are taxed at 8 percent; rooms, lodging, accommodations, food or drink for immediate consumption, alcoholic beverages at 6 percent; food or drink sold from vending machines, 2 percent.

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## STATE TAX COLLECTIONS IN 1975\*

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STATE TAX COLLECTIONS continued to increase in fiscal 1975, but at the slowest pace in four years. Total collections amounted to \$80.1 billion—an increase of 8 percent over the \$74.2 billion collected in 1972.<sup>1</sup> The rate of increase lags behind the annual rates of 9, 13.5, and 16.2 percent in 1974, 1973, and 1972, respectively. During the past two years there has been a slowdown in the growth rate of practically all major state tax sources due to the widespread economic recession.

These tax figures relate to revenue from state taxes only. During the 12 months of July 1974 through June 1975, collections of locally imposed taxes amounted to \$61.3 billion, or about 23.5 percent less than the aggregate of \$80.1 billion state tax revenue.<sup>2</sup>

Tax amounts recorded 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. Locally collected and retained tax amounts are not included. The 1975 figures are preliminary.

### MAJOR TAX SOURCES

General sales and gross receipts taxes accounted for 30.9 percent of all state tax collections. The \$24.8 billion general sales taxes collected in 1975 was an increase of 9.6 percent over 1974 as compared to an increase of 14.2 percent in 1974 over 1973.

In addition to general sales taxes, a variety of selective sales and gross receipts produced \$18.6 billion or 23.2 percent of

all taxes. The largest of these, sales taxes on motor fuel, provided \$8.3 billion in 1975, up only 0.6 percent from the previous year due to cutbacks in consumption. Tobacco sales tax revenue was up 1.1 percent to \$3.3 billion. Alcoholic beverage sales taxes supplied \$2 billion, higher by 2.5 percent than in 1974.

Altogether, general and selective sales and gross receipts taxes were up \$2.8 billion, or 6.9 percent, to reach \$43.3 billion. This sum accounts for 54.1 percent of the total collected from all state tax sources.

Income taxes provide overall 31.8 percent of state tax revenue. Revenue from individual income taxes (imposed by 44 States) totaled \$18.8 billion in 1975, or 10.2 percent more than 1974. Corporation net income taxes yielded \$6.6 billion. This was 10.4 percent greater than the \$6.0 billion collected the previous year.

License taxes amounted to \$6.3 billion in 1975, 3.8 percent higher than 1974. Motor vehicle licenses provided \$3.7 billion in 1975, up 5.1 percent from 1974. This category includes truck mileage and weight taxes and other motor carrier taxes except those measured by gross receipts, net income, or assessed valuations.

The yield of state-imposed property taxes rose to \$1.5 billion in 1975. This is a relatively minor revenue source, commonly involving taxation only of special types of property, such as intangibles, motor vehicles, or particular classes of utility property. In contrast, local government revenue from property taxation was \$46.5 billion in fiscal 1973-74.

Death and gift taxes fell by 0.5 percent to \$1.4 billion in 1975. Severance taxes increased substantially (by 38.7 percent) to \$1.7 billion.

### INDIVIDUAL STATE COMPARISONS

All of the States, with two exceptions, reported higher total tax yields in 1975 than in 1974. The largest amounts of in-

\*Adapted by Maurice Criz, Senior Advisor, Governments Division, U.S. Bureau of the Census, from the Census report, *State Tax Collections in 1975*.

<sup>1</sup>Tax revenue amounts reported here pertain to state fiscal years, which end on June 30 except for Alabama, New York, and Texas. See Table 3.

<sup>2</sup>Bureau of the Census, *Quarterly Summary of State and Local Tax Revenue*, April-June 1975.

crease were reported by California (up \$1.6 billion), New York (up \$423 million), Texas (up \$349 million), Illinois (up \$327 million), and Ohio (up \$250 million). The sharpest rates of increases—20 percent or more—appear for Alaska, Arizona, California, North Dakota, West Virginia, and Wyoming.

An additional 11 States had increases from 10 to 19.9 percent, 19 States from 5 to 9.9 percent, and 12 States had increases of less than 5 percent. Two States (Connecticut and Michigan) had decreases in tax collections (3.1 and 5.3 percent, respectively); the major factors in Connecticut were reductions in the general sales tax rate and the base of the capital gains tax, and repeal of the tax on interest and dividends, while in Michigan the depressed motor vehicle industry was a dominant factor.

While state tax yields are influenced by underlying economic trends, sharp year-to-year changes in amounts for individual States (such as those mentioned above) generally reflect also the effect of legal changes in the base, rate, or collection-timing of particular major taxes.

California collected \$9.6 billion in state taxes and New York \$8.9 billion in 1975, far more than other States.

A considerable interstate range appears in the average per capita amount of state

tax revenue as indicated by the following distribution of the 50 States, based on Table 2:

<i>Per capita state tax revenue, 1975</i>	<i>Number of States</i>
\$500 or more .....	4
450-499 .....	5
400-449 .....	7
350-399 .....	9
300-349 .....	17
Less than 300 .....	8

New Hampshire has the lowest per capita taxes with \$210.77, while Hawaii has the highest, \$665.37. However, caution must be used in comparing tax amounts for individual state governments. There are marked interstate differences in the scope and intensity of public services, in economic resources, and in the pattern for distribution of responsibility, as between the state and local levels, for performing and financing particular public functions.

Some state governments directly administer certain activities which elsewhere are undertaken by local governments, with or without state fiscal aid. In particular, it should be noted that the proportion of state-local tax revenue which is contributed by state-imposed taxes differs markedly from one state area to another. Percentage figures illustrating this variation, in terms of 1973-74 tax revenue data, are presented in Table 3.

TABLE 1  
NATIONAL SUMMARY OF STATE TAX REVENUE, BY TYPE OF TAX:  
1973 TO 1975\*

Tax source	Amounts (in millions)			Percentage increase or decrease (-)		Percentage distribution 1975	Per capita 1975
	1975 (Prelim.)	1974	1973	1974 to 1975	1973 to 1974		
<b>Total collections.....</b>	<b>\$80,141</b>	<b>\$74,207</b>	<b>\$68,069</b>	<b>8.0</b>	<b>9.0</b>	<b>100.0</b>	<b>\$377.30</b>
Sales and gross receipts.....	43,339	40,556	37,123	6.9	9.2	54.1	204.04
General.....	24,780	22,612	19,793	9.6	14.2	30.9	116.66
Selective.....	18,559	17,944	17,330	3.4	3.5	23.2	87.38
Motor fuels.....	8,256	8,207	8,058	0.6	1.8	10.3	38.87
Alcoholic beverages.....	1,958	1,909	1,817	2.5	5.1	2.4	9.22
Tobacco products.....	3,286	3,250	3,112	1.1	4.4	4.1	15.47
Insurance.....	1,751	1,667	1,607	5.0	3.8	2.2	8.24
Public utilities.....	1,739	1,445	1,347	20.3	7.3	2.2	8.19
Other.....	1,570	1,466	1,388	7.0	5.6	2.0	7.39
Licenses.....	6,283	6,055	5,753	3.8	5.3	7.8	29.58
Motor vehicles.....	3,653	3,477	3,386	5.1	2.7	4.6	17.20
Motor vehicle operators.....	284	278	250	1.9	11.2	0.4	1.34
Corporations in general.....	1,041	1,054	970	- 1.2	8.6	1.3	4.90
Alcoholic beverages.....	148	142	140	4.7	1.0	0.2	0.70
Other.....	1,156	1,105	1,006	4.6	9.8	1.4	5.44
Individual income.....	18,819	17,078	15,587	10.2	9.6	23.5	88.60
Corporation net income.....	6,642	6,015	5,425	10.4	10.9	8.3	31.27
Property.....	1,451	1,301	1,312	11.5	- 0.8	1.8	6.83
Death and gift.....	1,418	1,425	1,431	- 0.5	- 0.4	1.8	6.68
Severance.....	1,741	1,255	850	38.7	47.6	2.2	8.20
Other.....	448	521	588	-14.0	-11.3	0.6	2.11

\*Source: Bureau of the Census, *State Tax Collections in 1975*.  
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, 1975, were used to calculate per capita amounts (see Table 3).

TABLE 2  
SUMMARY OF STATE TAX REVENUE: 1973 TO 1975\*

State	Amounts (in millions)			Percent increase or decrease (—)		Per capita, 1975 (dollars)
	1975 (Prelim.)	1974	1973	1974 to 1975	1973 to 1974	
All States . . . . .	\$80,141	\$74,207	\$68,069	8.0	9.0	\$377.30
Alabama . . . . .	1,111	1,107	931	9.2	9.3	307.50
Alaska . . . . .	203	124	109	63.9	13.9	578.01
Arizona . . . . .	938	743	682	26.3	9.0	421.94
Arkansas . . . . .	653	605	523	7.8	15.8	308.43
California . . . . .	9,565	7,972	7,324	20.0	8.8	451.48
Colorado . . . . .	866	798	667	8.6	19.7	341.92
Connecticut . . . . .	1,059	1,093	1,143	-3.1	-4.4	342.13
Delaware . . . . .	336	308	265	9.2	16.1	580.99
Florida . . . . .	2,791	2,787	2,488	0.2	12.0	334.00
Georgia . . . . .	1,548	1,515	1,362	2.2	11.3	314.21
Hawaii . . . . .	576	495	433	16.3	14.4	665.37
Idaho . . . . .	298	256	225	16.3	13.9	363.50
Illinois . . . . .	4,410	4,083	3,676	8.0	11.1	395.65
Indiana . . . . .	1,854	1,674	1,256	10.7	33.3	349.08
Iowa . . . . .	1,062	1,005	854	5.7	17.6	370.02
Kansas . . . . .	769	703	610	9.4	15.2	339.23
Kentucky . . . . .	1,284	1,106	1,020	16.1	8.4	378.01
Louisiana . . . . .	1,529	1,320	1,189	15.6	10.9	403.24
Maine . . . . .	369	336	304	9.7	10.8	348.46
Maryland . . . . .	1,731	1,578	1,456	9.7	8.4	422.33
Massachusetts . . . . .	2,219	2,205	2,054	0.6	7.3	380.67
Michigan . . . . .	3,486	3,681	3,528	-5.3	4.4	380.69
Minnesota . . . . .	2,022	1,843	1,638	9.7	12.5	515.09
Mississippi . . . . .	797	746	661	6.8	12.9	339.89
Missouri . . . . .	1,303	1,300	1,222	0.2	6.4	273.56
Montana . . . . .	233	220	187	5.8	17.5	311.11
Nebraska . . . . .	425	406	375	4.7	8.1	274.78
Nevada . . . . .	267	251	213	6.1	18.1	450.71
New Hampshire . . . . .	172	165	156	4.4	6.0	210.77
New Jersey . . . . .	2,101	2,056	1,919	2.2	7.1	287.17
New Mexico . . . . .	520	438	387	18.7	13.2	452.97
New York . . . . .	8,939	8,516	8,170	5.0	4.2	493.33
North Carolina . . . . .	1,900	1,806	1,657	5.2	9.0	348.64
North Dakota . . . . .	264	219	180	20.6	21.7	415.18
Ohio . . . . .	3,039	2,789	2,676	9.0	4.2	282.48
Oklahoma . . . . .	884	778	691	13.7	12.5	325.86
Oregon . . . . .	793	702	596	13.0	17.6	346.60
Pennsylvania . . . . .	4,733	4,609	4,367	2.7	5.5	386.81
Rhode Island . . . . .	350	334	313	4.8	6.7	377.30
South Carolina . . . . .	957	902	825	6.1	9.3	339.45
South Dakota . . . . .	171	166	151	3.3	9.5	250.55
Tennessee . . . . .	1,141	1,092	1,002	4.4	9.0	272.35
Texas . . . . .	3,637	3,288	2,819	10.6	16.6	297.18
Utah . . . . .	399	363	359	9.8	1.0	330.68
Vermont . . . . .	187	180	175	4.1	2.5	397.02
Virginia . . . . .	1,663	1,508	1,400	10.3	7.7	334.75
Washington . . . . .	1,554	1,360	1,287	14.3	5.6	438.51
West Virginia . . . . .	741	610	569	21.4	7.2	410.77
Wisconsin . . . . .	2,141	2,032	1,868	5.3	8.8	464.69
Wyoming . . . . .	154	124	105	24.2	18.1	412.48

\*Source: Bureau of the Census, *State Tax Collections in 1975*.  
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, 1975, were used to calculate per capita amounts (see Table 3).

TABLE 3  
FISCAL YEAR, POPULATION, AND PERSONAL INCOME, BY STATE

State	Date of close of fiscal year in 1975	Total population (a) (excluding armed forces overseas)		Personal income, calendar year 1974 (b)		State government portion of state-local totals (percent)	
		July 1, 1975 (provisional)	July 1, 1974	Amount (millions of dollars)	Per capita	Tax revenue in fiscal 1973-74 (c)	Payrolls for October 1974 (d)
All States.....		212,405,000	210,661,000	\$1,146,529	\$5,424	56.8	27.3
Alabama.....	September 30	3,614,000	3,575,000	15,076	4,215	74.2	37.8
Alaska.....	June 30	352,000	341,000	2,380	7,062	60.3	51.3
Arizona.....	June 30	2,224,000	2,160,000	11,039	5,127	59.3	29.4
Arkansas.....	June 30	2,116,000	2,068,000	8,660	4,200	76.5	40.0
California.....	June 30	21,185,000	20,876,000	126,118	6,032	50.0	21.4
Colorado.....	June 30	2,534,000	2,515,000	13,765	5,515	54.5	34.4
Connecticut.....	June 30	3,095,000	3,086,000	19,934	6,455	51.4	29.7
Delaware.....	June 30	579,000	577,000	3,614	6,306	79.2	46.3
Florida.....	June 30	8,357,000	8,099,000	43,816	5,416	66.2	24.9
Georgia.....	June 30	4,926,000	4,877,000	23,196	4,751	65.1	32.6
Hawaii.....	June 30	865,000	854,000	5,105	6,042	76.3	75.4
Idaho.....	June 30	820,000	796,000	3,929	4,918	67.0	40.1
Illinois.....	June 30	11,145,000	11,160,000	69,396	6,234	52.5	23.0
Indiana.....	June 30	5,311,000	5,313,000	27,631	5,184	57.4	26.6
Iowa.....	June 30	2,870,000	2,857,000	15,072	5,279	59.7	31.6
Kansas.....	June 30	2,267,000	2,266,000	12,485	5,500	54.0	33.7
Kentucky.....	June 30	3,396,000	3,354,000	14,912	4,442	74.7	39.8
Louisiana.....	June 30	3,791,000	3,762,000	16,528	4,391	70.7	36.5
Maine.....	June 30	1,059,000	1,049,000	4,806	4,590	53.8	40.2
Maryland.....	June 30	4,098,000	4,089,000	24,329	5,943	57.2	30.1
Massachusetts.....	June 30	5,828,000	5,799,000	33,391	5,737	49.6	24.9
Michigan.....	June 30	9,157,000	9,117,000	53,520	5,883	59.6	24.1
Minnesota.....	June 30	3,926,000	3,905,000	21,238	5,442	67.6	28.1
Mississippi.....	June 30	2,346,000	2,334,000	8,839	3,803	75.5	35.3
Missouri.....	June 30	4,763,000	4,772,000	24,056	5,036	54.3	28.4
Montana.....	June 30	748,000	737,000	3,643	4,956	51.0	40.4
Nebraska.....	June 30	1,546,000	1,541,000	8,144	5,278	48.4	33.1
Nevada.....	June 30	592,000	574,000	3,447	6,016	59.4	29.8
New Hampshire.....	June 30	818,000	808,000	3,995	4,944	42.3	38.7
New Jersey.....	June 30	7,316,000	7,322,000	45,790	6,247	41.1	22.1
New Mexico.....	June 30	1,147,000	1,119,000	4,642	4,137	80.6	41.2
New York.....	March 31	18,120,000	18,101,000	111,541	6,159	49.4	18.2
North Carolina.....	June 30	5,451,000	5,375,000	25,017	4,665	73.0	35.5
North Dakota.....	June 30	635,000	636,000	3,556	5,583	66.5	39.1
Ohio.....	June 30	10,759,000	10,745,000	59,245	5,518	52.3	24.1
Oklahoma.....	June 30	2,712,000	2,681,000	12,409	4,581	67.0	38.1
Oregon.....	June 30	2,288,000	2,255,000	11,973	5,284	54.3	33.1
Pennsylvania.....	June 30	11,827,000	11,841,000	64,471	5,447	63.3	29.6
Rhode Island.....	June 30	927,000	938,000	5,006	5,343	58.8	40.5
South Carolina.....	June 30	2,818,000	2,775,000	12,003	4,311	76.8	40.8
South Dakota.....	June 30	683,000	681,000	3,195	4,685	46.8	39.2
Tennessee.....	June 30	4,188,000	4,149,000	18,789	4,551	62.4	30.5
Texas.....	August 31	12,237,000	12,017,000	59,669	4,952	58.4	27.3
Utah.....	June 30	1,206,000	1,179,000	5,247	4,473	65.6	43.5
Vermont.....	June 30	471,000	468,000	2,131	4,227	57.8	47.3
Virginia.....	June 30	4,967,000	4,910,000	26,205	5,339	60.3	34.5
Washington.....	June 30	3,544,000	3,494,000	19,849	5,710	62.9	34.4
West Virginia.....	June 30	1,803,000	1,784,000	7,829	4,372	75.6	41.7
Wisconsin.....	June 30	4,607,000	4,566,000	23,957	5,247	63.9	28.1
Wyoming.....	June 30	374,000	362,000	1,940	5,404	58.6	35.7

(a) Bureau of the Census, *Current Population Reports*, Series P-25, December 1975.

(b) U.S. Department of Commerce, *Survey of Current Business*, August 1975.

(c) Bureau of the Census, *Governmental Finances in 1973-74*, November 1975.

(d) Bureau of the Census, *Public Employment in 1974*, May 1975.

TABLE 4  
STATE TAX REVENUE, BY TYPE OF TAX: 1975\*  
(In thousands of dollars)

State	Total	Sales and gross receipts (Table 5)	Licenses (Table 6)	Individual income	Corporation net income	Property	Death and gift	Severance	Document and stock transfer	Other
Number of States using tax...	50	50	50	44	46	45	49	30	29	16
All States.....	\$80,141,314	\$43,339,098	\$6,282,504	\$18,819,472	\$6,642,049	\$1,450,933	\$1,417,965	\$1,741,112	\$415,175	\$33,006
Alabama.....	1,111,317	734,597	81,620	189,964	58,158	28,593	3,952	10,948	3,485	...
Alaska.....	203,459	33,752	26,576	87,658	17,344	6,566	68	29,347	...	2,148
Arizona.....	938,399	579,665	50,773	157,537	49,553	97,158	3,713	...	...	...
Arkansas.....	652,646	403,769	54,135	126,192	54,469	1,625	1,621	7,264	1,335	2,236
California.....	9,564,630	4,830,845	454,060	2,456,573	1,252,633	327,747	239,636	3,136	...	...
Colorado.....	866,425	441,614	61,588	280,498	58,115	1,697	18,681	2,361	...	1,871
Connecticut.....	1,058,902	785,518	73,178	13,578	140,365	...	46,263	...	...	...
Delaware.....	336,393	71,626	93,400	137,598	17,545	1,406	8,039	...	6,779	...
Florida.....	2,791,223	2,114,381	276,547	...	180,256	53,492	34,294	30,005	102,248	...
Georgia.....	1,547,774	976,613	62,494	373,916	119,353	6,123	4,907	...	3,319	1,049
Hawaii.....	575,549	364,480	6,702	168,670	31,505	...	3,479	...	713	...
Idaho.....	298,069	137,970	36,256	91,244	28,162	325	3,631	481	...	...
Illinois.....	4,409,545	2,504,642	379,375	1,136,918	306,828	4,246	74,337	...	3,199	...
Indiana.....	1,853,950	1,201,920	104,838	400,793	77,427	32,084	36,413	475	...	...
Iowa.....	1,061,960	484,146	124,243	358,899	63,612	115	29,460	...	1,485	...
Kansas.....	769,035	424,431	63,191	170,044	85,887	13,294	11,488	700	...	...
Kentucky.....	1,283,705	696,390	67,067	249,449	116,626	35,364	17,845	99,089	1,875	...
Louisiana.....	1,528,692	683,408	97,544	108,870	78,668	26	11,666	548,510	...	...
Maine.....	369,015	251,784	33,236	44,603	20,181	10,250	8,500	...	461	...
Maryland.....	1,730,723	796,163	94,018	665,997	92,004	52,419	14,592	...	13,079	2,451
Massachusetts.....	2,218,537	797,816	98,576	985,616	268,521	595	61,174	...	6,239	...
Michigan.....	3,485,965	1,880,820	381,315	846,427	222,640	114,062	36,121	4,580	...	...
Minnesota.....	2,022,228	797,326	116,685	807,108	195,905	2,982	42,205	35,897	8,880	15,240
Mississippi.....	797,390	589,321	52,285	92,687	33,704	3,076	4,730	21,587	...	...
Missouri.....	1,302,972	775,523	136,903	311,334	56,405	3,952	18,053	...	640	162

Montana.....	232,712	69,571	21,302	88,599	22,079	10,604	5,395	14,685	...	477
Nebraska.....	424,805	272,428	44,575	78,436	25,858	143	1,592	958	815	...
Nevada.....	266,819	207,168	41,292	...	...	17,586	...	177	596	...
New Hampshire.....	172,410	98,313	26,533	8,562	26,320	5,724	5,969	153	833	3
New Jersey.....	2,100,903	1,407,027	279,718	45,942	202,780	82,281	83,155	...	...	...
New Mexico.....	519,551	317,609	39,836	56,575	18,344	13,994	1,567	71,626	...	...
New York.....	8,939,223	3,638,232	399,830	3,588,584	967,401	25,381	146,161	...	173,634	...
North Carolina.....	1,900,440	968,773	158,192	549,927	166,447	29,222	27,724	...	...	155
North Dakota.....	263,638	141,285	27,782	64,580	19,964	1,468	1,679	6,880	...	...
Ohio.....	3,039,163	1,808,222	361,884	481,785	267,315	91,335	24,730	3,892	...	...
Oklahoma.....	883,735	409,092	113,382	162,741	42,533	...	24,609	128,096	1,694	1,588
Oregon.....	793,010	146,229	103,777	427,002	90,691	57	21,958	3,084	212	...
Pennsylvania.....	4,733,435	2,410,685	506,394	995,409	601,016	47,881	126,338	...	45,712	...
Rhode Island.....	349,759	200,569	19,848	79,682	36,652	4,641	7,925	...	442	...
South Carolina.....	956,581	602,580	45,634	210,895	82,682	3,357	6,382	...	5,051	...
South Dakota.....	171,127	145,987	18,770	...	1,869	...	4,501	...	...	...
Tennessee.....	1,140,610	791,436	161,580	18,436	126,715	...	27,840	1,529	10,545	2,529
Texas.....	3,636,623	2,445,885	431,093	...	...	44,901	47,868	666,876	...	...
Utah.....	398,801	243,309	22,290	104,919	18,002	258	3,785	6,238	...	...
Vermont.....	186,996	96,415	19,865	55,140	9,921	291	2,997	...	1,440	927
Virginia.....	1,662,677	828,860	114,247	547,125	117,065	19,442	19,266	655	15,715	302
Washington.....	1,554,074	1,232,095	104,453	...	...	156,641	35,633	23,203	2,049	...
West Virginia.....	740,615	545,442	47,320	119,237	19,122	653	7,301	...	1,525	15
Wisconsin.....	2,140,836	851,108	119,832	873,723	153,407	92,087	47,147	504	1,175	1,853
Wyoming.....	154,268	102,258	26,470	...	...	5,789	1,575	18,176	...	...

\*Source: Bureau of the Census, State Tax Collections in 1975.



TABLE 5  
SALES AND GROSS RECEIPTS TAX REVENUE: 1975\*  
(In thousands of dollars)

State	Total	General sales or gross receipts	Selective sales and gross receipts								Other
			Total	Motor fuels	Alcoholic beverages	Tobacco products	Insur- ance	Public utilities	Pari- mutuels	Amuse- ments	
Number of States using tax.	50	45	50	50	50	50	50	39	29	28	32
All States.....	\$43,339,098	\$24,780,056	\$18,559,042	\$8,255,582	\$1,957,686	\$3,285,851	\$1,750,883	\$1,739,489	\$676,426	\$98,888	\$794,237
Alabama.....	734,597	354,751	379,846	148,571	62,579	45,964	35,434	70,686	...	69	16,543
Alaska.....	33,752	...	33,752	18,015	6,597	4,033	4,420	687	...	...	...
Arizona.....	579,665	397,374	182,291	101,624	15,924	34,172	15,627	8,335	6,609	...	...
Arkansas.....	403,769	211,274	192,495	108,581	16,535	41,727	14,617	...	11,035	...	...
California.....	4,830,845	3,380,652	1,450,193	743,732	120,709	253,076	205,053	2,373	86,829	275	38,146
Colorado.....	441,614	274,971	166,643	91,303	15,706	31,402	21,018	711	6,395	106	2
Connecticut.....	785,518	425,882	359,636	138,471	24,248	70,614	34,299	82,618	...	9,384	2
Delaware.....	71,626	...	71,626	29,707	4,498	11,609	3,711	13,122	8,036	157	786
Florida.....	2,114,381	1,200,061	914,320	362,518	173,152	176,948	52,193	45,322	78,135	2,314	23,738
Georgia.....	976,613	563,660	412,953	228,159	75,162	70,976	38,656	...	...	...	...
Hawaii.....	364,480	287,219	77,261	21,218	12,783	8,706	9,886	24,668	...	...	...
Idaho.....	137,970	79,110	58,860	37,112	5,947	7,579	7,564	408	250	...	...
Illinois.....	2,504,642	1,497,126	1,007,516	374,414	77,905	170,543	54,331	251,809	60,907	2,506	15,101
Indiana.....	1,201,920	849,144	352,776	242,764	25,293	49,307	35,391	...	...	21	...
Iowa.....	484,146	283,758	200,388	118,923	13,300	44,293	23,592	...	...	...	280
Kansas.....	424,431	263,732	160,699	94,295	15,771	30,462	19,816	355	...	...	...
Kentucky.....	696,390	371,819	324,571	168,746	14,669	21,185	47,541	...	10,005	254	62,171
Louisiana.....	683,408	364,972	318,436	153,397	42,463	53,321	36,091	12,805	9,932	205	10,222
Maine.....	251,784	137,369	114,415	50,609	20,750	22,977	8,834	9,858	1,387	...	...
Maryland.....	796,163	396,066	400,157	176,871	26,834	37,277	35,434	33,344	17,926	461	72,010
Massachusetts.....	797,816	252,946	544,870	179,913	64,545	114,149	73,847	...	34,983	5,877	71,556
Michigan.....	1,880,820	1,177,360	703,460	397,262	81,315	135,595	61,332	...	27,887	69	...
Minnesota.....	797,326	384,391	412,935	143,993	48,879	78,789	34,443	53,801	...	18	53,012
Mississippi.....	589,321	387,445	201,876	127,390	14,520	29,292	21,235	...	...	958	8,481
Missouri.....	775,523	481,807	293,716	178,793	22,169	56,602	35,894	258	...	...	...

Montana.....	69,571	142,021	69,571	36,470	8,098	10,830	8,323	2,965	4,601	477	2,885
Nebraska.....	272,428	89,732	130,407	81,127	9,728	21,571	12,053	719	64,884	850	850
Nevada.....	207,168	...	117,436	25,787	8,883	11,251	5,468	...	...	...	191
New Hampshire.....	98,313	...	98,313	36,096	3,202	23,877	6,254	1,575	14,500	12,809	12,809
New Jersey.....	1,407,027	770,381	636,646	273,621	54,663	166,640	48,999	37,870	34,317	36	20,500
New Mexico.....	317,609	218,291	99,318	57,690	6,377	13,431	9,860	1,481	1,753	67	8,659
New York.....	3,638,232	2,000,854	1,637,378	509,840	154,573	330,470	158,304	305,647	177,427	1,117	...
North Carolina.....	968,773	424,018	544,755	265,739	80,340	20,753	47,815	111,998	...	...	18,110
North Dakota.....	141,285	94,458	46,827	27,004	5,882	8,157	4,924	618	...	...	242
Ohio.....	1,808,222	929,725	878,497	371,404	70,467	190,334	76,614	148,230	21,448	...	...
Oklahoma.....	409,092	163,455	245,637	111,291	29,428	44,723	33,619	2,160	...	...	24,416
Oregon.....	146,229	...	146,229	81,696	3,656	31,230	23,275	745	3,627	...	...
Pennsylvania.....	2,410,685	1,271,015	1,139,670	455,400	101,915	239,331	88,173	226,749	28,003	72	27
Rhode Island.....	200,569	103,431	97,138	31,828	7,076	18,631	7,498	23,712	8,170	223	...
South Carolina.....	602,580	337,711	264,869	127,904	66,162	22,084	22,406	14,004	...	3,351	8,778
South Dakota.....	145,987	84,863	61,124	29,853	5,715	8,906	6,095	66	1,963	...	8,526
Tennessee.....	791,436	477,012	314,424	173,140	31,905	62,820	35,725	7,458	...	231	3,145
Texas.....	2,445,885	1,272,418	1,173,467	595,221	119,164	260,414	97,282	75,750	...	5,476	220,160
Utah.....	243,309	174,401	68,908	48,417	4,267	17,036	8,682	496	...	...	...
Vermont.....	96,415	26,523	69,892	21,703	11,883	8,802	3,591	7,649	2,540	...	13,724
Virginia.....	828,860	361,125	467,735	246,814	51,573	16,886	45,745	65,595	...	65	41,057
Washington.....	1,232,095	871,418	360,677	141,514	61,701	56,595	25,614	53,331	4,694	28	...
West Virginia.....	343,442	360,761	184,681	73,042	10,871	25,252	15,512	12,785	...	...	38,019
Wisconsin.....	831,108	510,379	300,720	156,046	37,685	80,092	25,525	39,311	...	7	89
Wyoming.....	102,238	73,235	29,023	20,484	1,129	4,323	3,058	...	29	...	...

\*Source: Bureau of the Census, State Tax Collections in 1975.

TABLE 6  
LICENSE TAX REVENUE: 1975\*  
(In thousands of dollars)

State	Total	Motor vehicles	Motor vehicle opera- tors	Corpo- rations in general	Public utili- ties	Alco- holic bever- ages	Amuse- ments	Occu- pations and busi- nesses	Hunting and fishing	Other
Number of States using tax.....	50	50	49	49	31	49	30	50	50	41
All States.....	\$6,282,504	\$3,652,862	\$283,649	\$1,041,490	\$75,351	\$148,393	\$32,974	\$712,999	\$296,010	\$38,776
Alabama.....	81,620	31,428	4,121	28,962	474	2,483	...	9,367	4,785	...
Alaska.....	26,576	9,498	440	595	...	844	78	11,986	3,135	...
Arizona.....	50,773	33,465	4,113	1,268	...	1,398	...	6,262	4,100	167
Arkansas.....	54,135	36,433	4,155	2,022	1,430	680	118	3,990	5,143	164
California.....	454,060	330,439	14,820	2,727	10,160	15,335	69	55,797	22,745	1,968
Colorado.....	61,588	36,436	1,737	1,897	133	1,663	73	7,273	11,846	530
Connecticut.....	73,178	44,982	8,987	1,024	...	4,766	...	11,920	1,061	438
Delaware.....	93,400	16,285	927	55,030	1,657	386	41	18,505	287	282
Florida.....	276,547	189,599	19,387	3,815	3,224	11,498	6	39,238	5,545	4,235
Georgia.....	62,494	38,724	5,439	4,019	...	640	...	8,006	5,553	113
Hawaii.....	6,702	157	...	401	697	...	...	5,280	133	34
Idaho.....	36,256	19,102	1,706	1,057	...	571	...	8,936	4,884	...
Illinois.....	379,375	301,118	14,919	25,929	...	1,115	7,021	22,638	5,846	789
Indiana.....	104,838	83,373	(a)	1,908	88	8,092	20	6,992	4,245	120
Iowa.....	124,243	99,767	6,341	1,002	34	4,700	...	6,350	4,676	1,373
Kansas.....	63,191	44,163	2,687	3,902	600	472	78	8,350	2,741	198
Kentucky.....	67,067	40,692	2,262	7,240	903	905	374	9,099	5,026	566
Louisiana.....	97,544	30,881	5,219	37,813	405	1,379	173	19,253	2,161	260
Maine.....	33,236	18,381	1,976	920	...	1,103	92	5,928	4,405	431
Maryland.....	94,018	70,148	4,851	2,187	...	210	358	12,483	3,348	433
Massachusetts.....	98,576	48,070	10,936	3,723	...	480	477	31,302	3,013	575
Michigan.....	381,315	162,671	11,151	162,930	1,153	6,570	19	18,139	14,059	4,623
Minnesota.....	116,685	84,390	3,859	774	44	342	7	15,730	9,611	1,928
Mississippi.....	52,285	18,691	3,285	14,199	698	1,687	...	9,778	3,947	...
Missouri.....	136,903	88,537	4,954	19,188	2,102	1,426	...	9,450	10,395	851

Montana.....	21,302	8,961	1,468	238	...	1,197	...	3,403	6,035	...
Nebraska.....	44,575	32,431	1,566	1,778	...	136	106	5,315	3,032	211
Nevada.....	41,292	14,783	742	704	...	20	19,199	2,997	2,011	836
New Hampshire.....	26,533	16,588	1,673	1,169	361	482	30	3,488	2,028	714
New Jersey.....	279,718	143,404	18,999	86,220	13	1,852	...	25,088	3,825	317
New Mexico.....	39,836	28,396	1,319	2,487	53	313	85	3,572	3,611	...
New York.....	399,830	274,977	16,061	5,117	24,229	32,790	723	34,214	9,887	1,832
North Carolina.....	158,192	81,812	5,224	32,617	5	469	1,386	31,444	4,858	377
North Dakota.....	27,782	20,450	668	180	...	199	56	4,561	1,668	...
Ohio.....	361,884	188,280	12,753	108,285	3,973	12,418	...	27,633	7,481	1,061
Oklahoma.....	113,382	81,921	6,157	9,769	2	1,042	692	5,239	4,313	4,247
Oregon.....	103,777	68,235	5,293	1,821	2,173	924	495	14,623	9,138	1,075
Pennsylvania.....	506,394	185,022	16,359	191,667	14,863	8,704	9	66,527	21,309	1,934
Rhode Island.....	19,848	13,152	2,800	1,876	...	93	18	1,543	212	154
South Carolina.....	45,634	24,291	730	3,195	...	2,151	1,072	9,728	3,360	1,107
South Dakota.....	18,770	11,326	682	195	...	692	...	2,287	3,200	388
Tennessee.....	161,580	77,131	5,505	30,951	445	418	...	42,075	5,055	...
Texas.....	431,093	209,807	18,247	166,635	343	7,092	...	14,698	12,500	1,771
Utah.....	22,290	13,693	1,228	...	62	83	...	2,506	4,527	191
Vermont.....	19,865	14,837	1,006	122	...	289	85	1,035	2,184	306
Virginia.....	114,247	75,254	9,448	4,873	...	1,306	14	16,615	6,270	467
Washington.....	104,453	58,389	7,386	3,356	3,680	2,809	...	18,256	10,471	106
West Virginia.....	47,320	32,530	1,900	1,897	1,339	4,066	...	2,000	3,572	16
Wisconsin.....	119,832	81,340	7,860	1,570	8	93	...	11,810	15,564	1,587
Wyoming.....	26,470	18,422	303	236	...	10	...	290	7,209	...

\*Source: Bureau of the Census, *State Tax Collections in 1975*.

(a) Included with motor vehicle licenses.

TABLE 7  
STATE SEVERANCE TAXES: 1975\*

State	Title and application of tax (a)	Rate
<b>Alabama</b> .....	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 and ultimate use 2% of gross value at point of production 4% of gross value at point of production 13.5¢/ton (b)
<b>Alaska</b> .....	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 to 4% of raw fish value based on type of fish 4% gross value for gas, 5 to 8% for oil
<b>Arkansas</b> .....	Natural Resources Severance Tax Oil and Gas Conservation Tax	Separate rate for each substance Less than 10 mills/bbl oil and 1 mill/1,000 cu. ft. of gas
<b>California</b> .....	Oil and Gas Production Tax	Rate determined annually by Department of Conservation
<b>Colorado</b> .....	Coal Tonnage Tax Oil and Gas Conservation Tax Oil and Gas Production Tax	.7¢/ton 1 mill/\$1 market value at wellhead Progressive rates dependent upon income for oil and gas
<b>Florida</b> .....	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
<b>Georgia</b> .....	Oil and Gas Production Tax	5 mills/bbl of oil and ½ mill/1,000 cu. ft. of gas
<b>Idaho</b> .....	Ore Severance Tax Oil and Gas Production Tax	2% of value 5 mills/bbl oil and 5 mills/50,000 cu. ft. of gas (f)
<b>Indiana</b> .....	Petroleum Production Tax (g)	1% of the value
<b>Kansas</b> .....	Oil and Gas Production Tax	\$.0025/bbl oil and \$.000425/1,000 cu. ft. gas (h)
<b>Kentucky</b> .....	Oil Production Tax Coal Severance Tax	¾% of market value (i) 4% of gross value
<b>Louisiana</b> .....	Natural Resources Severance Tax Gas Gathering Tax	Rate varies according to substance 1¢/1,000 cu. ft. of gas (j)
<b>Michigan</b> .....	Gas and Oil Severance Tax	2% of gross value (k)
<b>Minnesota</b> .....	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 upon ore 15 to 15.5% of royalty depending upon ore 11.5¢/ton (5¢/ton of agglomerates) (m) 10¢/ton (m) 1% of value of ores mined or produced (n)
<b>Mississippi</b> .....	Oil and Gas Severance Tax  Timber Severance Tax Salt Severance Tax	The greater of 6% of value or 6¢/bbl for oil and 6% of value or 3 mills/1,000 cu. ft. of gas (o) 3% of value of amount produced
<b>Montana</b> .....	Coal Severance Tax Metalliferous Mines License Tax (p) Oil or Gas Producers Severance Tax  Micaceous Minerals Cement License Tax (q) Mineral Mining Tax	Varies by quality of coal and type of mine 0.15% to 1.438% of value Max. of 2.1% to 2.65% of value according to amount produced 5¢/ton produced 4¢/bbl of cement, 5¢/ton of gypsum \$25 plus ¼% of gross value if over \$5,000
<b>Nebraska</b> .....	Oil and Gas Severance Tax Oil and Gas Conservation Tax	2% of value Not to exceed 4 mills per dollar of value
<b>Nevada</b> .....	Net Proceeds of Mines Tax Oil and Gas Conservation Tax	Property tax rate of place where mine is located 5 mills/bbl oil and 5 mills/50,000 cu. ft. of gas
<b>New Hampshire</b> ....	Refined Petroleum Products Tax	0.1% of value
<b>New Mexico</b> .....	Resources Excise Tax (r) Severance Tax (r) 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 (s)	Different rate for each substance Different rate for each substance 3.75% of value 2.55% of value 0.45% of value Variable .18% of value
<b>North Carolina</b> ....	Oil and Gas Conservation Tax	5 mills/bbl oil and ½ mill/1,000 cu. ft. of gas (f)
<b>North Dakota</b> .....	Oil and Gas Gross Production Tax Coal Severance Tax	5% of gross value at well 50¢/ton and 1¢/ton for each 3 point increase in wholesale price index

TABLE 7—Concluded  
STATE SEVERANCE TAXES: 1975\*

State	Title and application of tax (a)	Rate
Ohio.....	Resource Severance Tax	Separate rate for each substance
Oklahoma.....	Oil, Gas and Mineral Gross Production Tax (t)	Separate rate for each substance
Oregon.....	Forest Products Severance Tax Severance Tax on Eastern Oregon Timber	5¢/1,000 board ft. 5% of value
South Dakota.....	Mineral Severance Tax	4% of net profits (o)
Tennessee.....	Oil Production Tax (g) Coal Severance Tax	5¢/bbl oil and 5% of sale price of gas 20¢ per ton
Texas.....	Natural Gas Production Tax Oil Production Tax Sulphur Production Tax Cement Distributor's Tax	7½% of market value 4.6% of value if greater than \$1/bbl; otherwise 4.6¢/bbl \$1.03/long ton 2¼%/100 lbs.
Utah.....	Mining Occupation Tax (u) Oil and Gas Conservation Tax	1% of value for metals, 2% of value for oil and gas 2 mills per dollar of value maximum rate
Virginia.....	Forest Products Tax	Varies by species and ultimate use
Wisconsin.....	Copper Production Tax	1.5% of taxable value of metals recovered
Wyoming.....	Oil and Gas Production Tax Mining, Excise and Severance Taxes	¾ mill/dollar (f) Varies by substance

\*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) 43 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) Plus additional tax based on the percentage iron content of the product.

(n) Plus miscellaneous taxes on royalties and additional tax based on the percentage copper-nickel content of the ore.

(o) Only imposed on annual market value if above \$100,000.

(p) Metals and gems and precious stones.

(q) Cement and gypsum or allied products.

(r) Natural resources except oil and gas.

(s) Oil, gas, geothermal energy, coal, and uranium.

(t) Asphalt, oil, gas, uranium, and metals.

(u) Metals, oil, and gas.

## Section VI

### MAJOR STATE SERVICES

1. Education
2. Transportation
3. Human Services
4. Public Protection
5. Housing and Development
6. Natural Resources
7. Labor Relations

# 1

## Education

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### STATE PUBLIC SCHOOL SYSTEMS\*

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THE PUBLIC SCHOOL SYSTEMS of the 50 States continued to be the focus of attention of a variety of segments of the Nation's population in 1974-75. The major concern of state decision-makers, i.e., Governors and legislators, continued to be school finance, according to polls by the Education Commission of the States. This issue is followed closely by problems arising out of demands for collective bargaining rights by teachers (indeed, by all public employees) and the problems associated with education of the handicapped, an area in which vast strides were made since 1973.

Other societal ills such as the energy crisis, inflation, and the recession have affected schools to a far greater extent than was previously the case. Integration and problems arising from court-ordered busing continued to plague school personnel and parents alike, reaching a peak in the disorders in Boston and Louisville. Increased parental pressure for a role in their children's school governance and curriculum received added support in the elementary and secondary education amendments of 1974 by the establishment of mandatory Parents' Advisory Councils in Title I schools. While demands for alternative schools and inno-

vations in curriculum were increasing, those very innovations were on the wane partly as a result of decreased federal assistance and congressional disenchantment with the apparent lack of results achieved with federal monies. While the results of a National Assessment of Educational Progress showed a decline in science knowledge, the major innovations in science instruction had long since had their day and no new burst of energy was seen as a result of this assessment.

While being faced with fiscal crises in State after State, the schools were at the same time being pressed with expanded demands in the areas of education of the handicapped, early childhood education, education of the aged, and career education. In addition, at the time when the U.S. Supreme Court defined students' rights in *Goss v. Lopez* and *Wood v. Strickland*, alcoholism replaced drug abuse as the number one problem in junior and senior high schools.

#### DECLINING ENROLLMENTS

The effect of the declining birth rate in the last decade has begun to be reflected in declining enrollments in the schools. This trend is illustrated in Table A.

Because of the emphasis on zero population growth and a variety of other sociological phenomena, this downward trend is projected to continue through the 1970s attended by declining enrollments. The first effects were felt, of course, at the kindergarten through grade eight level, but the decline in high school enrollments

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\*This article was prepared by three members of the staff of the Education Commission of the States, Russell B. Vlaanderen, Director, Research and Information Services; Chris Pipho, Associate Director, Research and Information Services; and Allan Odden, Director, ECS Education Finance Center.



TABLE A  
Number of Births for Selected Years\*

Year	No. of births (thousands)
1962 .....	4,167
1966 .....	3,606
1970 .....	3,731
1974 .....	3,166 (a)

\*Source: U.S. Bureau of the Census, *Statistical Abstracts of the United States: 1974* (95th edition), Washington, D.C., 1974.

(a) Estimated.

will be felt in the next biennium. While the overall trend seems to be downward, it may be erroneous to assume that these figures represent other than minor perturbations in population trends. Some demographers, based on predicted changes in the value systems of women of child-bearing age, are predicting a change in this downward trend. We may already be seeing evidences of a change in view in the fact that there were 507,000 live births in January and February 1975 as compared with 498,000 in the corresponding period of 1974. Total enrollment in public elementary and secondary schools for fall 1973 was 45,371,873 while the fall 1974 enrollment was estimated at 45,075,141 (see Table 1). Unlike the previous biennium in which some States continued to gain, all States showed a decline in the fall of 1974. Although the retention rate has varied only slightly in the last 10 years (74 percent in 1965 to an estimated 75.4 percent in 1975), the number of high school graduates has increased from 2,362,100 in 1965 to an estimated 2,829,615 in 1975. The upward trend in high school enrollments will probably continue until 1977 and then start to decrease.

Declining enrollments have caused significant problems at the state and local levels. Most state finance systems are based in part upon average daily membership or attendance, which results in decreased state aid for many districts while costs are still soaring, causing diseconomies of scale. Many States have altered the system to allow districts to average enrollments over the last several years in order to alleviate the problem. At the local level, school boards are faced with dismissing teachers, many times under statutory regulations that are based on seniority,

resulting in frequent misassignments of those teachers who remain. In some areas enrollment has declined drastically enough to warrant the closing of entire schools. Some board members have reported that closing schools caused more problems than integrating schools.

Enrollment trends are complicated by the decline in attendance at nonpublic schools. While the public schools enrolled 85.4 percent of the school-age population in 1965, this figure reached 88.3 percent in 1975, reflecting in part the increased retention rate and the decrease in nonpublic school enrollment as costs went up and the nonpublic sector was forced to close many schools.

Attempts by a number of States (most notably New York, Ohio, and Pennsylvania) to provide state monies for the support of nonpublic education have been largely thwarted by adverse court decisions based on the establishment of religion clause of the First Amendment to the U.S. Constitution (see section on the courts and the schools).

#### COLLECTIVE BARGAINING AND TEACHERS' RIGHTS

Spurred by the inflationary spiral, teacher militancy was maintained if not increased despite the apparent oversupply in the profession. Not all teacher demands were related strictly to salary levels, but included in many instances the guarantee of jobs for teachers who might be dismissed because of reductions in force due to declining enrollments and general fiscal belt tightening. Despite the thrust of the profession to obtain collective bargaining laws in the 19 States presently without such legislation, and other attempts to amend and strengthen existing laws, no significant progress had been made as of the fall of 1975. As schools opened in fall 1975, over 1 million students were given extended summer vacations because of teacher strikes. The pattern of strikes exhibited no correlation with the existence of collective bargaining laws as witnessed by the fact that New York City teachers, in a State with a collective bargaining law, elected to strike as did Chicago teachers, in a State with no bargaining statute for teachers. Propo-

nents of bargaining rights for public employees were not concentrating solely on activity at the state houses, however. Federal legislation was introduced on the subject. During hearings on various House and Senate bills (H.R. 8677 and 9730 and S. 3295 and 3294), feelings ran high among proponents and opponents, especially over the right of public employees to strike. Lawrence Raful, in *A Legislator's Guide to Collective Bargaining in Education*,<sup>1</sup> summarized the arguments for and against as follows:

Arguments for:

1. The civil service system has failed to meet the needs of public employees and is not an acceptable substitute for collective bargaining.

2. The federal government is already playing such a large role in the state and local scene (i.e., education) that it is a logical extension of that role to protect the employees affected.

3. Collective bargaining agreements can be the basis for improvement of state administration or, in the case of education, for improvement of the education system.

4. Strikes by state public employees have effects nationwide, and federal legislation is needed to help avert labor disputes that would be a burden on interstate commerce.

Arguments against:

1. Public employees should not have the right to strike.

2. With unionization, public employees would control the public tax burdens, and taxes would go up in order to pay for collective bargaining demands.

3. State public employee collective bargaining is an area that should be controlled by the States.

4. If the "employer" is the citizen, who can fairly and representatively bargain for him?

5. The merit system would disappear under the collective bargaining scheme.

6. Unlike a private industry strike, the public has nowhere else to go for services if the public employees go on strike.

The National School Boards Association, the National Governors' Conference, and the National Conference of State Legislatures have adopted strong positions against federal legislation. Future changes might depend strongly upon the outcome of a suit initiated by the National Governors' Conference and the National League of Cities to test the legality of federal minimum wage laws for state and municipal employees. The authority—or lack of it—of the federal government to establish minimum wages for state and local employees might well be a precedent for its authority to mandate collective bargaining for those same employees. Whatever the outcome, collective bargaining and, more specifically, teachers' rights to strike will occupy much of the educational spotlight in the next biennium (see Table 2).

#### BILINGUAL EDUCATION

In recent years there has been a definite swing back to bilingual education after a long period in which public school instruction could only be given in the English language. The movement is built on the idea that the best medium for instruction is the pupil's mother tongue. The federal bilingual acts of 1968 and of 1974 have given impetus to a great deal of state activity and legislation. By late 1975, 13 States had passed general legislation requiring school districts containing a minimum number or percentage of students speaking a language other than English to offer programs in this second language. Other States have passed legislation lifting current restrictions on the use of languages other than English in public schools, thus giving permissive authority to school districts in implementing their own programs. In States with high concentrations of students speaking a second language, the issue is not a discussion of the merits of bilingual education but rather a discussion of the type of program and the special needs which should be met with legislation. In 1975, the Colorado Legislature passed a bilingual-bicultural bill making this one of the first States to implement a broad-based program emphasizing not only the second language but also the native cul-

<sup>1</sup>Doris M. Ross and Lawrence Raful, *A Legislator's Guide to Collective Bargaining in Education* (Denver, Colorado: The Education Commission of the States, 1975), pp. 38-39.

ture throughout the educational program.

In the summer of 1975, the Vietnamese refugee problem served to highlight dramatically the bilingual issues schools are asked to help solve. A number of States had the task of absorbing Vietnamese refugees into the local school systems. In some cases States and school districts hurriedly initiated summer review programs and in other communities the problem was handled on an individual basis. The immediacy of the problem tended to highlight the special needs of students coming to the American schools without the ability to speak English. In general, the trend appears to be toward legislation dealing not only with the language problem but also adding the task of preserving or reintroducing the native culture throughout the school program.

#### SPECIAL EDUCATION

State expenditures for handicapped children's education programs have taken a sharp turn upward in recent years. While four States—Delaware, Nevada, Ohio, and Vermont—have permissive legislation allowing school districts to implement special education programs, the remainder of the States all have passed some form of mandatory legislation. Since 1970, the States just getting started with handicapped children's programs have chalked up the largest dollar increases (see Table 3).

Trends in handicapped children's education programs show that a greater emphasis is being placed on earlier identification of children with handicaps. Ten States now extend their statewide programs for the handicapped down to the age of birth. Legislation has also strengthened long-range planning for handicapped education programs and has highlighted the need for more interagency cooperation at the state level and has pointed out the necessity for a more systematic statewide identification of all handicapped children.

In the school districts, interdistrict cooperation through boards of cooperative service and other cooperative arrangements have helped extend handicapped children's programs to people living in rural areas. A decade ago emphasis was

placed on special education rooms and programs which separated the handicapped students. Today, "mainstreaming" (putting the handicapped student in the regular class for all or part of his education) is gaining in popularity.

#### STUDENT CONTROL

School violence and vandalism, along with student discipline and control, have become key concerns for educators and state legislators. The annual Gallup poll of public attitudes toward education has identified the lack of discipline in our schools as the number one public concern in six out of the last seven years.

The U.S. Senate Subcommittee on Juvenile Delinquency also conducted a poll of 757 school districts during 1975 and found that violence and vandalism cost the American public schools as much as they spend on textbooks each year. Other statistics released as a result of this poll and public hearings show that for the period 1970-73, assaults on teachers were up 77.4 percent, assaults on students up 85.3 percent, robberies in schools up 36.7 percent, rapes and attempted rapes up 40.1 percent, homicides up 18 percent, and weapons confiscated up 54.4 percent.

A number of States have reacted to this issue with legislation calling for study commissions and investigations, laws adding corporal punishment or defining its use, laws clarifying parent liability for student control, laws requiring teachers to report all assaults, and laws reimbursing teachers for economic loss resulting from physical attack. Other issues touched by legislation include restriction of visitors on school property, control on college campuses, habitual truancy, and a host of suspension- and expulsion-related topics.

#### PROBLEMS OF INTEGRATION

Court-ordered busing has stirred emotional reactions on a massive scale. It is far from clear, however, that busing will be the ultimate solution to problems of integration. The scene of battle has shifted from the South to the cities of the North. A number of court decisions in the last two years by the U.S. Supreme Court, federal district courts, and courts of appeal have not served to clarify

the situation. The reversal by the U.S. Supreme Court of a lower court in *Milliken v. Bradley*, the Detroit desegregation case, in which the court had ordered suburban school districts to become a part of a plan to implement cross-district busing as a way of achieving racial balance in Detroit's schools, was seen as a defeat for integration proponents. Similarly, the latest decision at the federal district court level in the same case evidenced the growing disenchantment with busing. The court regarded busing as a last resort while indicating more interest in the quality of education than in busing plans. Conversely, the U.S. Supreme Court, on November 17, 1975, affirmed a federal district court order in *Buchanan v. Evans* which ordered interdistrict busing to achieve racial balance in the Wilmington, Delaware area. Here the Supreme Court upheld the principle that suburban school districts can be held responsible for urban school desegregation. The Seventh Circuit Court of Appeals granted a stay in *Buckley v. Indianapolis Board of School Commissioners* in which interdistrict consolidation had been mandated. The above-cited cases are representative only of the vast number of cases currently in litigation in courts at all levels. The U.S. Supreme Court was asked to hear a total of 13 cases concerning integration during the 1974-75 term. Meanwhile, with at least 11 major cities having over a 40 percent black population, problems continue to plague planners trying to achieve racial balance.

#### THE COURTS AND THE SCHOOLS.

Court decisions are having an increasingly heavy impact on the governance and operation of the Nation's public elementary and secondary schools. Court activity may be largely subsumed under five major headings: integration (previously discussed), nonpublic schools, teachers' rights (previously discussed), students' rights, and school finance reform (to be discussed in the last section of this chapter). Obviously, a great many other types of cases are accepted and decided in a great variety of educational categories, but these categories represent the greatest influence on educational policy-making.

A sharply divided Supreme Court ruled that students have a due process right to at least minimal procedural safeguards in cases of temporary suspension. At stake was the constitutionality of an Ohio statute permitting public school principals to suspend a student for up to 10 days or to expel him. The statute specified further, in the case of suspension, for a notification to be sent to the parents within 24 hours, specifying the reasons for the action. There were no other procedural requirements, however. The court ruled that once a State extends the right to an education, it may not withdraw that right on the grounds of misconduct in the absence of fundamentally fair procedures which, at a very minimum, must afford the student some kind of notice and the right to a hearing at which he may present his side (*Goss v. Lopez*). However, the court also held, in *Wood v. Strickland*, that students whose rights were thus denied were not necessarily entitled to damages and that school board members were entitled to qualified immunity. Qualified immunity in this respect means the board is immune unless it acted with malicious intent or knew, or should have known, that the action taken would violate clearly established constitutional rights.

Also in 1974, the U.S. Supreme Court faced the recurrent question of the constitutionality of state efforts to provide state aid to nonpublic, church-related schools. The fine line a State must walk between excessive entanglement and setting up sufficient controls to assure no funds will advance religion was illustrated in the case of *Meek v. Pittenger*. The court concluded that the direct loan of textbooks to nonpublic students was "constitutionally indistinguishable" from the textbook loan program upheld in *Board of Education v. Allen* (1968). However, "auxiliary services"—remedial and accelerated instruction, counseling and testing, speech and hearing services—all of which were offered directly and on nonpublic premises, were not acceptable to the court on the basis of excessive entanglement needed to ensure nonreligious usage. Also in violation of the U.S. Constitution was the provision for loan of material and equipment to private schools.

## SCHOOL FINANCE REFORM

The first half of the 1970s has been a period of ferment and change in elementary and secondary public school finance. Sparked by the landmark opinion of the California Supreme Court in *Serrano v. Priest* in August 1971, courts and State Legislatures have become involved in a series of activities that is now called the "school finance reform movement."

The magnitude of public school finance in the United States is often overlooked. In 1974-75, approximately \$61 billion, over 4 percent of the Nation's gross national product, was spent for public elementary and secondary education, an increase of 165 percent over expenditures in 1964-65. Expenditures per pupil were approximately \$1,182 (Table 4), more than a 150 percent increase over 1964-65. Average teacher salaries in 1974-75 were \$11,513, an increase of 86 percent over the preceding decade.

Public schools are supported primarily by local property taxes, which are supplemented by state and federal aid. For the first time in many years, the local portion dropped to less than 50 percent in 1973-74. In 1973-74, the proportions were 48.6 local support, 43.6 state support, and 7.8 percent from federal funds. As indicated in Table 5, though, the proportions differ markedly among the States.

The ability to raise local property tax dollars varies greatly among local school districts. As a consequence, school districts with below-average property wealth per pupil usually levy above-average school tax rates and at the same time have to settle for below-average expenditures per pupil. On the other hand, school districts with above-average tax bases have typically enjoyed the highest expenditures per pupil with low- or medium-level school tax rates. This disparity has existed despite a wide variety of state-aid programs.

*The Courts*

It was these property- and wealth-related disparities that led the California Supreme Court to opine that such a system "invidiously discriminates against the poor because it makes the quality of a child's education a function of the wealth

of his parents and neighbors." This legal opinion sparked a series of similar court cases, as well as a flurry of activity in State Legislatures.

Courts in Arizona, Michigan, Minnesota, and Texas, to name a few, followed the lead of *Serrano* and found the school finance structures in their States to be constitutionally impermissible. These school finance court cases were based primarily on the Equal Protection Clause of the U.S. Constitution. Thus, much attention was focused on the appeal of the *Rodriguez v. San Antonio Independent School District* case in Texas to the U.S. Supreme Court. In March 1973, that court, in overturning the *Rodriguez* decision, dealt a serious blow to school finance litigation based on the U.S. Constitution. The decision of the Court clearly indicated, however, that school finance litigation could continue on the basis of the state constitutions and statutes.

As if responding to that suggestion, the New Jersey Supreme Court, in April 1973, declared that the structure of school finance in New Jersey was in violation of a stipulation in the New Jersey constitution calling for a "thorough and efficient" system of public schools. In April 1974, the trial court in the *Serrano* case in California held that the California school finance system violated the equal protection clause of the state constitution. Similarly, in December 1974, a district court in Connecticut, in *Horton v. Meskill*, found that the Connecticut system of school finance violated the Connecticut constitution.

All state courts have not followed the leads of California, Connecticut, and New Jersey, however. Indeed, State Supreme Courts in Idaho, Oregon, and Washington have found their state structures of school finance, which are similar to those in California, Connecticut, and New Jersey, to be in compliance with state constitutions.

In spite of the *Rodriguez* decision, therefore, school finance litigation has not stopped but has shifted to state rather than federal courts. Clearly, however, the results of such litigation have been varied and not subject to easy prediction.

The scope of future school finance liti-

gation is expected to be broadened. Past court cases focused almost exclusively on property wealth related disparities. Emerging research is documenting income as an equally important variable in school district fiscal behavior; income-related tax and expenditure disparities may be subject to scrutiny in future litigation. Litigation may also focus more clearly on inequities in the administration of the property tax. Inter- as well as intra-class assessment differentials are being declared illegal in many States. Finally, a small body of research is unearthing assessment practices that have income and race biases; such biases can be litigated under equal protection standards. All these possibilities indicate that legal activity in school finance reform will not diminish in the near future.

#### *State Legislatures*

Since 1971 many State Legislatures have enacted major reforms of their school finance structures. The reforms have focused on general aid formulas; the primary objective has been to eliminate property- and wealth-related tax and expenditure disparities.

No State, except Hawaii, has fully assumed the total costs of public education. Some States—California, Florida, Minnesota, and Utah, for example—have adopted expanded foundation programs which guarantee every school district more than a minimum level of expenditures. Other States—Colorado, Kansas, Maine, and Michigan, for example—have adopted power-equalizing programs which guarantee equal expenditures for equal tax rates. On the average, the new programs increased the States' share in current operating costs by well over 10 percentage points; over time, the States' proportion will increase further.

Three important new elements have been attached to the general aid formulas in those States enacting school finance reform. First, new measures of local school district wealth have been developed. Assessed valuation per pupil is no longer the only standard. Connecticut utilizes assessed valuation per capita, a more neutral measure which indicates the ability to raise local property tax dollars

for any governmental service, including education. Other States now use income as part of their wealth measure. Kansas and Maryland use taxable income per pupil in addition to property measures. Connecticut and Rhode Island modify the property measure by a median family income ratio. Among other effects, the use of income makes the state aid formula sensitive to the property rich but income poor jurisdictions by allocating more state aid to such districts.

Second, some States—Maine, Montana, Utah, and Wisconsin—have recapture clauses which allow the State to utilize excess revenue generated in the very wealthy districts to finance aid distributions to the poor districts. Although politically unpopular in most States, recapture provisions are gaining stature as needed elements in the fiscal redistribution of equalizing school finance plans.

Third, budget constraints, expenditure limits, and caps on state aid increases are becoming necessary elements for reform. Florida, Kansas, Maine, and New Mexico set maximum school tax rates, thus absolutely limiting school expenditures. California, Colorado, and Kansas, with more lenient systems, limit expenditure increases to a fixed percentage, but scale the limits to the comparative wealth or relative expenditures of the local school districts, thus protecting the state treasury but allowing poor or low-spending districts to "catch up" with the higher-spending areas. Connecticut has enacted a cap on state aid increases.

These constraints have been enacted for two primary reasons: first, to protect the state treasury from massive state aid increases by gradually phasing in reform and, second, to put a brake on what are considered the escalating costs of elementary and secondary education.

The designs of recent legislative reforms, moreover, have gone beyond the bare elements of state aid formulas. Sophisticated pupil weighting programs have been enacted in Florida, New Mexico, and Utah, thus including aid for special education, vocational education, and compensatory education pupils in the general aid formula. Other States—Connecticut, Illinois, Minnesota, and Texas,

for example—have bolstered state programs for the disadvantaged. California and Colorado have enacted new bilingual-bicultural educational programs for students for whom English is not the dominant language.

Changes in state and local revenue systems have also been part of school finance reform. Property tax relief has occurred in over one half the school finance reform States; property tax reform has been enacted in others. Rates on state taxes have often been increased. In addition, some States are faced with the probability of enacting a new state tax to fund a reform; Connecticut and New Jersey may need an income tax to raise the necessary funds for school finance reform, and Oregon may need a sales tax.

In summary, Legislatures during the early 1970s have dealt with school finance issues with determination and a new sophistication based on a broader range of substantive knowledge. School finance policy no longer concerns only the details of state aid formulas; school finance reform now encompasses a range of issues, from the extra needs of hard-to-educate pupils to the restructuring of state tax policies.

#### *Federal Role in School Finance*

In the early 1970s, renewed attention was given to the possibility of a federal role in general aid to education. A 1973 study by the Advisory Commission on Intergovernmental Relations, entitled *Financing Schools and Property Tax Relief*, concluded, however, that States possessed sufficient resources to cope with school finance on their own. For the next few years, the federal role in school finance appears to be, as it has been in the past, limited to categorical programs on issues that are felt to have national importance.

An important and growing concern with federal aid, however, is the degree to which it meshes with the structures of education finance in the States. For example, impact aid, when not counted as local revenues, sometimes can be a disqualifying element in a State's school finance structure. Activities have been initiated to modify the impact aid regula-

tions to correct this anomaly. Another example of this issue is the coordination, or lack of it, of ESEA Title I aid with new state programs for the disadvantaged. A third issue concerns federal aid for special education; where States have fully implemented programs that deliver and finance services for the handicapped, it makes little sense for federal aid for special education to bypass the state agency and flow directly to the local school district. The coordination of federal and state aid for vocational education, bilingual programs, and early childhood activities also deserves attention. In short, one of the major issues with federal aid to education in the next few years will be the interweaving of the regulations for each federal program with the variety of financial structures in the States so that common objectives can be met in an efficient and equitable manner.

#### *The Property Tax*

One of the most encouraging effects of the recent activities related to school finance reform has been the increased attention given to property tax reform. There is a growing realization that meaningful school finance reform cannot occur unless its fiscal foundation—the property tax—is administered equitably and structured rationally.

Given equitable assessments, the structure of the property tax, that is, the unequal distribution of assessed valuation, is what produces the most egregious inequities in the financing of schools. Thus, a restructuring of the tax is under consideration in some States and has been tried in others. A statewide property tax for schools is the most common suggestion. In between that suggestion and the current structure, however, is a two-tiered property tax structure, with one uniform statewide levy and a smaller, and probably nonuniform, local levy. In fact, many States that require minimum tax rates for schools have, in effect, a two-tiered structure. A third alternative would be a regionalization of the property tax structure and a sharing of the tax base or increases in the base. The Minneapolis-St. Paul metropolitan area in Minnesota adopted this structure in 1971.

In addition to proposals for restructuring the property tax is the growing popularity of circuit-breaker programs of property tax relief which, in the main, limit tax payments to a percentage of income, thus protecting households against property tax overburden. Circuit-breakers, now adopted in some form by 24 States and the District of Columbia, have been criticized, however, by a growing number of academics who claim that, contrary to the conventional wisdom, the property tax is progressive and does not need circuit-breakers. However, empirical research is contradicting the new view and documenting the persistent patterns of regressivity that characterize the real-world incidence of the tax. Because circuit-breakers can be designed to reduce dramatically the regressivity, they are important as property tax reform tools and ideal as a complementary part of a comprehensive school finance reform package. (See table on page 276.)

#### *Future Financial Issues*

In addition to the problems already mentioned are three issues that are expected to interact with school finance in the 1970s. The first is the phenomenon of declining enrollments. Almost unmentioned five years ago, declining enrollments will cause fiscal hardships in numerous school districts. For the near future, declining enrollments will complicate the fiscal picture both at the state and local level. Second is the issue of geographic cost-of-education differentials. As sophisticated school finance reform bills are enacted in the States, the issue of cost differentials must be faced. Although the technology for making cost adjustments is rudimentary, it is an issue that merits attention and it is a refinement

that should be considered in future reform legislation. Last is the constantly recurring cost-quality debate. Like the cost differential issue, the cost-quality issue must be faced seriously if reform of school finance structures is to make sense as well as be equitable. States no longer can avoid the need for determining what kinds of educational outputs are produced by the financial resources invested in public elementary and secondary schools.

#### SELECTED REFERENCES

- Andersen, Carol. *School Finance Reform: The Whys and Wherefores*. Denver, Colorado: The Education Commission of the States, 1975.
- Andersen, Carol. *School Finance Reform: The Wherewithals*. Denver, Colorado: The Education Commission of the States, 1975.
- Berke, Joel S. *Answers to Inequity*. Berkeley: McCutchum Publishing Corp., 1974.
- Coons, John E.; Clune, William; and Sugarman, Stephan. *Private Wealth and Public Education*. Cambridge: Harvard University, Belknap Press, 1970.
- Davis, F. Ronnie and Morrall, John F., III. *Evaluating Educational Investment*. Lexington, Mass.: Lexington Books, D. C. Heath and Company, 1974.
- Hayas, Denis Kale and Ross, Doris M. *The Education of the Exceptional Individual*. Denver, Colorado: The Education Commission of the States, 1975.
- Kirp, David L. and Yudof, Mark G. *Educational Policy and the Law*. Berkeley: McCutchum Publishing Corp., 1974.
- The National Center for Education Statistics. *The Condition of Education*. Washington, D.C.: Government Printing Office, 1975.
- Peterson, George E., ed. *Property Tax Reform*. Washington, D.C.: The Urban Institute, 1973.
- Pincus, John, ed. *School Finance in Transition: The Courts and Educational Reform*. Cambridge: Ballinger Publishing Co., 1974.
- Reischauer, Robert O. and Hartman, Robert W. *Reforming School Finance*. Washington, D.C.: The Brookings Institution, 1973.
- Ross, Doris M. and Raful, Lawrence. *A Legislator's Guide to Collective Bargaining in Education*. Denver, Colorado: The Education Commission of the States, 1975.



TABLE 1  
FALL ENROLLMENT IN PUBLIC ELEMENTARY AND  
SECONDARY DAY SCHOOLS, 1973-74 AND 1974-75\*

State or other jurisdiction	1973-74 fall enrollment			1974-75 fall enrollment			Percentage increase 1973-74 to 1974-75
	Elementary	Secondary	Total	Elementary	Secondary	Total	
United States.....	26,183,392	19,188,481	45,371,873	25,790,920	19,284,221	45,075,141	-0.7
Alabama.....	397,107	373,632	770,739	390,830	373,656	764,486	-0.8
Alaska.....	50,165	33,962	84,127	47,431	39,145	86,576	2.9
Arizona.....	382,095	156,827	538,922	384,311	163,633	547,944	1.7
Arkansas.....	244,728	225,903	470,631	243,758	210,648	454,406	-3.5
California.....	2,700,094	1,759,234	4,459,328	2,646,000	1,750,000	4,396,000	-1.4
Colorado.....	305,405	267,749	573,154	305,570	267,930	573,500	0.1
Connecticut.....	472,784	194,304	667,088	467,405	192,785	660,190	-1.0
Delaware.....	69,558(a)	63,386	132,944	67,214(a)	63,402	130,616	-1.8
Florida.....	773,020	674,580	1,447,600	834,121	736,729	1,570,850	8.5
Georgia.....	684,404	402,510	1,086,914	673,197	408,252	1,081,449	-0.5
Hawaii.....	95,300	82,500	177,800	93,290	83,710	177,000	-0.4
Idaho.....	90,550	94,250	184,800	92,014	95,538	187,552	1.5
Illinois.....	1,428,814	891,858	2,320,672	1,388,000	893,000	2,281,000	-1.7
Indiana.....	638,734	568,409	1,207,143	613,523	577,921	1,191,444	-1.3
Iowa(b).....	342,263	288,869	631,132	330,044	290,919	620,963	-1.6
Kansas.....	269,069	213,441	482,510	243,296	206,268	449,564	-6.8
Kentucky.....	444,115	265,649	709,764	440,000	265,000	705,000	-0.7
Louisiana.....	508,659	333,492	842,151	508,400	333,841	842,241	0.01
Maine.....	174,472	70,897	245,369	172,503	71,778	244,281	-0.4
Maryland.....	491,558	419,539	911,097	483,091	413,181	896,272	-1.6
Massachusetts.....	675,000	547,000	1,222,000	669,702	547,938	1,217,660	-0.4
Michigan.....	1,132,474	1,025,401	2,157,875	1,099,000(c)	1,032,000(c)	2,131,000(c)	-1.3
Minnesota.....	453,166	447,328	900,494	445,000	449,000	894,000	-0.7
Mississippi.....	293,416	226,370	519,786	289,164	224,312	513,476	-1.2
Missouri.....	700,674	319,129	1,019,803	680,224	321,481	1,001,705	-1.8
Montana.....	115,416	56,629	172,045	115,143	57,015	172,158	0.1
Nebraska.....	167,874	156,653	324,527	162,630	159,038	321,668	-0.9
Nevada.....	72,290	62,951	135,241	72,800	63,950	136,750	1.1
New Hampshire.....	102,135	69,287	171,422	102,660(c)	71,340(c)	174,000(c)	1.5
New Jersey.....	955,625	525,980	1,481,605	941,000	529,000	1,470,000	-0.8
New Mexico.....	137,548	141,388	278,936	131,959(d)	141,937(d)	273,896	-1.8
New York.....	1,820,837	1,632,495	3,453,332	1,782,200	1,643,300	3,425,500	-0.8
North Carolina.....	814,431	358,984	1,173,415	818,594	359,266	1,177,860	0.3
North Dakota.....	90,351	47,951	138,302	85,746	47,495	133,241	-3.7
Ohio.....	1,423,177	948,401	2,371,578	1,375,300	947,700	2,323,000	-2.1
Oklahoma.....	324,938	274,208	599,146	317,000	274,000	591,000	-1.4
Oregon.....	278,287	198,231	476,518	276,874	197,226	474,100	-0.5
Pennsylvania.....	1,183,777	1,137,660	2,321,437	1,162,500	1,137,100	2,299,600	-0.9
Rhode Island.....	112,292	72,332	184,624	105,000	73,662	178,662	-3.2
South Carolina.....	375,675	232,180	607,855	374,288	231,321	605,610	-0.4
South Dakota.....	106,179	51,343	157,522	102,559	51,033	153,592	-2.5
Tennessee.....	531,397	344,307	875,704	528,856	349,174	878,030	0.3
Texas.....	1,529,583	1,252,568	2,782,151	1,526,324	1,253,866	2,780,190	-0.1
Utah.....	161,355	144,445	305,800	160,785	145,603	306,388	0.2
Vermont.....	64,008	41,628	105,636	63,217	41,707	104,924	-0.7
Virginia.....	678,529	406,748	1,085,277	680,543	412,766	1,093,309	0.7
Washington.....	405,711	382,613	788,324	400,548	384,909	785,457	-0.4
West Virginia.....	229,329	179,855	409,184	228,658	175,785	404,443	-1.2
Wisconsin.....	564,255	422,767	987,022	550,893	423,440	974,333	-1.3
Wyoming.....	42,842	42,549	85,391	43,323	43,261	86,584	1.4
District of Columbia.....	77,927	58,109	136,036(e)	74,432	57,259	131,691(f)	-3.2

\*Adapted from National Education Association, *Estimates of School Statistics, 1974-75*.

(a) Elementary enrollment includes prekindergarten.

(b) Organization type more clearly describes junior high schools for placing them in elementary or secondary. Elementary enrollment includes prekindergarten.

(c) National Education Association estimate.

(d) 5,646 handicapped pupils are not recorded by grade level. These pupils are evenly divided in the elementary and secondary totals.

(e) Does not include 399 tuition grant students and 32 memberships for Americanization Schools and 65 Capitol Pages.

(f) Does not include 548 tuition grant students and 67 Capitol Pages.

TABLE 2

**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; permissive or mandatory; partial or total
	Professional (b)	Classified (c)	Permitted	Prohibited	
Alabama.....	.....	.....	.....	.....	.....
Alaska.....	★	.....	.....	.....	.....
Arizona.....	.....	.....	.....	.....	.....
Arkansas.....	.....	.....	.....	.....	.....
California.....	★	★	.....	★	.....
Colorado.....	.....	.....	.....	.....	.....
Connecticut.....	☆	.....	.....	★	.....
Delaware.....	☆	.....	.....	.....	.....
Florida.....	★(d)	★(d)	.....	★	★(e)
Georgia.....	.....	.....	.....	.....	.....
Hawaii.....	★(d)	★(d)	★	.....	★
Idaho.....	★	.....	.....	.....	.....
Illinois.....	.....	.....	.....	.....	.....
Indiana.....	★	★	.....	★	★
Iowa.....	★(d)	★(d)	.....	★	★
Kansas.....	☆	☆	.....	★	.....
Kentucky.....	.....	.....	.....	.....	.....
Louisiana.....	.....	.....	.....	.....	.....
Maine.....	★	★	.....	★	★
Maryland.....	★	★(f)	.....	★	.....
Massachusetts.....	★(d)	★(d)	.....	★	★
Michigan.....	★(d)	★(d)	.....	★	.....
Minnesota.....	★(d)	★(d)	.....	★	★
Mississippi.....	.....	.....	.....	.....	.....
Missouri.....	.....	☆	.....	★	.....
Montana.....	★(g)	★(g)	.....	.....	★
Nebraska.....	.....	.....	.....	.....	.....
Nevada.....	★	★	.....	★	★(h)
New Hampshire.....	★(d)	★(d)	.....	★	.....
New Jersey.....	★(d)	★(d)	.....	.....	★
New Mexico.....	.....	.....	.....	.....	.....
New York.....	★(d)	★(d)	.....	★	★
North Carolina.....	.....	.....	.....	.....	.....
North Dakota.....	★	.....	.....	★	.....
Ohio.....	.....	.....	.....	.....	.....
Oklahoma.....	★	★	.....	★	.....
Oregon.....	★(d)	★(d)	★	.....	★
Pennsylvania.....	★(d)	★(d)	★	.....	★
Rhode Island.....	★	★	.....	★(i)	★
South Carolina.....	.....	.....	.....	.....	.....
South Dakota.....	★(d)	★(d)	.....	★	.....
Tennessee.....	.....	.....	.....	.....	.....
Texas.....	.....	.....	.....	.....	.....
Utah.....	.....	.....	.....	.....	.....
Vermont.....	☆	★	★	.....	★(i)
Virginia.....	.....	.....	.....	.....	.....
Washington.....	★	★	.....	★(i)	.....
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) Single omnibus law covering most public employees in a State, including educational personnel.

(e) Final settlement by "appropriate legislative body."

(f) Covers 12 of 23 counties; Baltimore has separate procedures.

(g) In 1975, education personnel previously covered separately were included in new public employee law. Only nurses have separate coverage now.

(h) Within Governor's power.

(i) Classified personnel only.

TABLE 3

STATE LEGISLATION PROVISIONS AND STATE EDUCATION AGENCY  
EXPENDITURES FOR HANDICAPPED CHILDREN, JUNE 1975\*

State or other jurisdiction	Year enacted	Legal age of eligibility for special education services	Level of state (only) expenditures (in millions of dollars)			Percentage increase since 1971
			1971-72	1972-73	1973-74	
United States.....	...	...	\$998.10	\$1,150.28	\$1,510.95	51.4
Alabama.....	1971	6-21	15.00	19.00	25.00	66.6
Alaska.....	1974	3-19	N.A.	N.A.	N.A.	N.A.
Arizona.....	1973	5-21	3.10	4.00	5.60	80.6
Arkansas.....	1973	5-21	0.45	0.50	2.00	344.4
California.....	1974	3-20	171.80	183.00	188.10	9.4
Colorado.....	1973	5-21	6.70	11.70	14.30	113.4
Connecticut.....	1966	3-21	22.70	26.40	31.00	36.5
Delaware.....	1935	6-17	5.80	6.30	8.30	43.1
Florida.....	1968	5-18	42.80	57.20	85.50	99.7
Georgia.....	1968	Birth-21	18.50	31.40	51.20	176.7
Hawaii.....	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
Idaho.....	1973	6-21	N.A.	N.A.	N.A.	N.A.
Illinois.....	1972	3-21	56.90	65.10	73.30	28.8
Indiana.....	1969	6-18	N.A.	13.00	N.A.	N.A.
Iowa.....	1974	5-21	3.70	5.40	7.40	100.0
Kansas.....	1974	Birth-21	3.70	4.30	6.10	64.9
Kentucky.....	1970	6-21	8.40	10.20	12.20	45.2
Louisiana.....	1972	3-21	12.00	14.20	20.00	66.7
Maine.....	1973	5-21	1.30	1.80	1.50	15.4
Maryland.....	1973	Birth-20	24.00	27.80	32.60	35.8
Massachusetts.....	1972	3-21	18.80	24.20	31.90	69.7
Michigan.....	1971	Birth-25	55.00	60.40	73.60	33.8
Minnesota.....	1957	5-21	20.10	23.10	27.50	36.8
Mississippi.....	1973	Birth-21	3.70	5.40	7.10	91.9
Missouri.....	1973	5-21	14.00	16.10	18.50	32.1
Montana.....	1974	6-21	5.90	7.20	10.50	78.0
Nebraska.....	1973	5-18	3.60	4.00	4.70	30.5
Nevada.....	1973	5-18	N.A.	N.A.	6.00	N.A.
New Hampshire.....	1971	Birth-21	0.87	1.10	1.20	38.5
New Jersey.....	1954	5-20	35.40	44.90	56.50	59.6
New Mexico.....	1972	6-21	4.50	6.00	8.00	77.8
New York.....	1956	5-21	21.60	25.40	29.40	36.1
North Carolina.....	1974	Birth-20	30.00	35.00	39.00	30.0
North Dakota.....	1973	6-20	1.40(a)	...	3.00(b)	114.3
Ohio.....	1973	Birth-21	65.50	81.00	90.40	38.0
Oklahoma.....	1971	4-21	5.10	5.70	7.90	54.9
Oregon.....	1973	6-21	2.10	2.40	2.50	19.0
Pennsylvania.....	1955	6-21	73.60	139.60	152.80	107.6
Rhode Island.....	1952	3-21	N.A.	N.A.	11.90(c)	N.A.
South Carolina.....	1972	6-21	10.00	12.50	16.50	65.0
South Dakota.....	1972	Birth-21	0.35	0.35	0.35	0.0
Tennessee.....	1972	4-21	13.50	15.70	25.60	89.6
Texas.....	1969	3-21	92.70	114.60	142.60	53.8
Utah.....	1969	6-18	N.A.	17.00	17.00	N.A.
Vermont.....	1972	Birth-21	3.20	4.00	4.50	40.6
Virginia.....	1972	2-21	8.60	11.10	12.60	46.5
Washington.....	1971	6-20	56.00(a)	...	64.00(b)	14.2
West Virginia.....	1974	5-23	0.57	2.20	2.70	377.6
Wisconsin.....	1973	3-21	50.70(a)	...	67.90(b)	33.9
Wyoming.....	1969	5-21	0.33	0.43	1.80	437.7
District of Columbia.....	1971(d)	N.A.	4.70	9.60	8.90	89.3

\*Source: Handicapped Children's Education Project, Education Commission of the States.

N.A.—Not available.

(a) 1971-73 biennium.

(b) 1973-75 biennium.

(c) Based on cost analysis study by state education agency.

(d) Mandated by court decision for the plaintiff in *Mills v. Board of Education*, December 20, 1971.

TABLE 4  
ESTIMATED EXPENDITURES FOR PUBLIC ELEMENTARY  
AND SECONDARY SCHOOLS, 1974-75\*

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- ture, capital outlay, and interest (in thou- sands of dollars)
United States.....	\$51,808,899	\$1,182	\$5,191,464	\$61,074,886
Alabama.....	626,758	871	40,000	674,458
Alaska.....	130,734	1,624	39,500	184,335
Arizona.....	543,017	1,176	151,171	713,627
Arkansas.....	383,056	916	68,615	464,443
California.....	5,235,504	1,210	501,179	6,934,627
Colorado.....	632,020	1,188	100,000	758,520
Connecticut.....	915,000	1,507	28,000	979,000
Delaware.....	175,560	1,485	20,000	205,260
Florida.....	1,613,350	1,093	312,990	1,963,447
Georgia.....	979,834	1,000	42,600	1,059,534
Hawaii.....	177,459	1,076	15,100	197,159
Idaho.....	155,559	895	16,000	176,259
Illinois.....	2,778,460	1,376	268,184	3,248,919
Indiana.....	1,126,124	1,039	135,800	1,320,924
Iowa.....	712,923	1,239	75,653	804,361
Kansas.....	514,555	1,276	56,648	603,106
Kentucky.....	560,000	864	39,000	625,300
Louisiana.....	758,290	996	69,000	853,790
Maine.....	213,741	936	18,000	243,741
Maryland.....	1,225,870	1,551	280,044	1,553,151
Massachusetts.....	1,373,000	1,182	100,000	1,555,000
Michigan.....	2,571,520	1,312	290,000	3,000,520
Minnesota.....	1,172,232	1,378	157,464	1,434,089
Mississippi.....	398,895	838	30,000	473,795
Missouri.....	947,643	1,078	85,298	1,101,704
Montana.....	168,800	1,048	5,300	182,450
Nebraska.....	359,000	1,189	30,000	398,500
Nevada.....	138,700	1,101	17,000	167,300
New Hampshire.....	152,902	949	22,000	181,802
New Jersey.....	2,165,000	1,517	130,000	2,420,000
New Mexico.....	283,006	1,077	58,008	356,141
New York.....	6,080,000	2,005	500,000	7,006,500
North Carolina.....	1,168,188	1,052	95,000	1,443,489
North Dakota.....	132,500	1,033	13,000	151,500
Ohio.....	2,425,000	1,144	196,000	2,749,000
Oklahoma.....	560,000	1,018	60,000	634,200
Oregon.....	621,870	1,455	82,000	717,425
Pennsylvania.....	3,067,901	1,446	112,870	3,547,927
Rhode Island.....	242,517	1,435	16,407	271,875
South Carolina.....	559,090	984	64,000	648,470
South Dakota.....	141,920	973	11,200	157,070
Tennessee.....	744,064	903	48,600	834,564
Texas.....	2,531,667	1,009	320,559	2,989,930
Utah.....	270,115	940	86,362	369,992
Vermont.....	123,400	1,235	16,000	143,551
Virginia.....	1,132,000	1,130	140,000	1,331,000
Washington.....	877,365	1,199	80,000	1,085,480
West Virginia.....	338,571	910	35,000	383,660
Wisconsin.....	1,300,952	1,496	86,412	1,435,226
Wyoming.....	165,000	1,263	5,500	112,500
District of Columbia.....	198,265	1,669	20,000	227,265

\*Source: National Education Association, *Estimates of School Statistics, 1974-75*. (a) Average daily attendance.

TABLE 5  
ESTIMATED REVENUE RECEIPTS, PUBLIC SCHOOLS, 1974-75, AND  
STATE AND LOCAL TAX COLLECTION AS A PERCENTAGE  
OF PERSONAL INCOME, 1973\*

State or other jurisdiction	Total receipts (in thousands of dollars)	Receipts by source, percent			Total state and local tax collec- tions as a percentage of personal income
		Federal	State	Local	
United States.....	\$64,456,409	7.8	43.6	48.6	10.9
Alabama.....	723,141	14.0	63.1	22.9	9.1
Alaska.....	200,696	18.3	64.2	17.5	8.3
Arizona.....	780,503	8.9	49.8	41.3	11.9
Arkansas.....	446,678	16.2	51.0	32.9	8.7
California.....	7,435,823	9.0	38.6	52.4	13.4
Colorado.....	774,000	6.4	37.8	55.8	10.8
Connecticut.....	1,090,616	3.0	23.5	73.5	12.2
Delaware.....	217,150	7.2	68.1	24.6	10.1
Florida.....	1,941,253	8.4	58.0	33.6	10.0
Georgia.....	1,139,723	12.6	55.3	32.1	9.9
Hawaii.....	243,411	8.3	88.7	3.0	12.4
Idaho.....	195,000	11.9	45.3	42.7	10.1
Illinois.....	3,839,879	5.4	44.6	50.0	10.6
Indiana.....	1,515,000	5.7	34.1	60.1	9.4
Iowa.....	814,667	5.8	42.9	51.3	10.0
Kansas.....	547,171	8.3	43.7	48.0	9.7
Kentucky.....	708,665	12.8	55.3	31.9	10.0
Louisiana.....	973,000	17.4	54.2	28.4	11.4
Maine.....	256,887	9.3	35.0	55.7	12.6
Maryland.....	1,623,264	6.7	45.1	48.2	11.5
Massachusetts.....	1,616,000	5.1	23.9	71.0	13.6
Michigan.....	2,985,000	3.8	51.3	44.9	11.4
Minnesota.....	1,458,700	4.7	58.2	37.1	12.6
Mississippi.....	501,300	23.0	54.6	22.3	10.6
Missouri.....	1,216,546	6.5	35.4	58.1	9.8
Montana.....	184,000	8.4	39.7	52.0	11.3
Nebraska.....	359,000	10.6	22.9	66.5	9.5
Nevada.....	175,800	6.7	36.0	57.3	12.0
New Hampshire.....	191,100	2.8	7.2	90.0	9.7
New Jersey.....	2,555,000	5.6	31.2	63.1	10.8
New Mexico.....	327,656	17.0	64.5	18.4	11.4
New York.....	7,355,000	4.7	41.3	54.0	15.7
North Carolina.....	1,449,055	11.8	68.3	19.9	9.9
North Dakota.....	161,000	8.7	42.6	48.7	8.2
Ohio.....	3,108,000	5.9	34.7	59.5	9.4
Oklahoma.....	677,000	10.1	51.2	38.8	9.1
Oregon.....	725,000	5.8	25.5	68.7	11.0
Pennsylvania.....	3,669,030	7.8	49.9	42.3	11.6
Rhode Island.....	271,620	8.8	35.5	55.7	11.2
South Carolina.....	707,561	14.2	60.2	25.7	10.1
South Dakota.....	171,155	15.0	13.0	72.0	10.5
Tennessee.....	844,211	10.6	49.7	39.7	9.6
Texas.....	3,155,357	10.2	48.4	41.4	9.2
Utah.....	345,829	6.9	58.2	34.9	11.5
Vermont.....	148,600	6.0	33.1	60.9	15.3
Virginia.....	1,282,000	10.6	34.0	55.3	9.8
Washington.....	1,102,904	7.9	46.5	45.6	11.2
West Virginia.....	439,234	13.1	54.6	32.3	10.5
Wisconsin.....	1,470,979	4.3	37.0	58.7	14.0
Wyoming.....	109,000	9.3	33.3	57.4	11.4
District of Columbia.....	227,265	18.8	...	81.2	...

\*Sources: National Education Association, *Estimates of School Statistics, 1974-75*, Table 9, and *Rankings of the States, 1975*, Table F-9.

TABLE 6  
AVERAGE ANNUAL SALARY OF INSTRUCTIONAL STAFF IN PUBLIC  
ELEMENTARY AND SECONDARY DAY SCHOOLS, BY STATE,  
1959-60, 1969-70, AND 1973-74\*

State or other jurisdiction	Adjusted dollars: 1973-74 purchasing power (a)			Percentage increase 1959-60 to 1969-70	Percentage increase 1969-70 to 1973-74
	1959-60	1969-70	1973-74 (b)		
United States.....	\$ 8,215	\$10,919	\$11,185	32.9	2.4
Alabama.....	6,354	8,590	9,443	35.2	9.9
Alaska.....	10,891	13,579	16,053	24.7	18.2
Arizona.....	8,876	11,086	10,943	24.9	-1.3
Arkansas.....	5,232	7,961	8,139	52.2	2.2
California.....	10,479(c)	12,327	13,875	17.6	12.6
Colorado.....	7,934	9,758	10,757	23.0	10.2
Connecticut.....	9,540	11,611	11,660	21.7	0.4
Delaware.....	9,209(c)	11,487	11,860	24.7	3.3
Florida.....	8,066	10,623	10,954	31.7	3.1
Georgia.....	6,199(d)	9,106	9,110	46.9	0.0
Hawaii.....	8,558	12,141	11,968	41.9	-1.4
Idaho.....	6,694	8,964	8,696	33.9	-3.0
Illinois.....	9,231(e)	12,290	12,261	33.1	-0.2
Indiana.....	8,800	11,826	10,828	34.4	-8.4
Iowa.....	6,399	10,129	10,580	58.3	4.5
Kansas.....	7,066(c)	9,648	9,420	36.5	-2.4
Kentucky.....	5,283	9,417	8,557	78.3	-9.1
Louisiana.....	7,904	8,918	9,500	12.8	6.5
Maine.....	5,865	9,954	9,547	69.7	-4.1
Maryland.....	8,823	12,210	12,310	38.4	0.8
Massachusetts.....	8,804(f)	11,333	11,710	28.7	3.3
Michigan.....	8,977	12,506(g)	13,050	39.3	4.4
Minnesota.....	8,376	12,299	11,730	46.8	-4.6
Mississippi.....	5,262	7,426	7,865	41.1	5.9
Missouri.....	7,202	9,994	9,823	38.8	-1.7
Montana.....	7,026(c)	10,005	9,772	42.4	-2.3
Nebraska.....	6,154	9,702	9,541	57.7	-1.7
Nevada.....	9,039	11,968	N.A.	32.4	N.A.
New Hampshire.....	7,074	9,904	9,331	40.0	-5.8
New Jersey.....	9,322(h)	11,734	12,000	25.9	2.3
New Mexico.....	8,546	10,036	9,300	17.4	-7.3
New York.....	10,379	12,599	13,300	21.4	5.6
North Carolina.....	6,634	9,565	9,823	44.2	2.7
North Dakota.....	5,867	8,523	8,790	45.3	3.1
Ohio.....	8,136	10,615	10,750	30.5	1.3
Oklahoma.....	7,398	8,818	8,500	19.2	-3.6
Oregon.....	8,788	11,364	10,265	29.3	-9.7
Pennsylvania.....	8,428	11,117	11,400	31.9	2.6
Rhode Island.....	8,731(h)	10,993	11,709	25.9	6.5
South Carolina.....	5,478	8,646	9,046	57.8	4.6
South Dakota.....	5,915	8,276	8,500	39.9	2.7
Tennessee.....	6,238	9,005	9,150	44.4	1.6
Texas.....	7,475	9,268	9,301	24.0	0.4
Utah.....	8,091	9,942	9,685	22.9	-2.6
Vermont.....	7,091	10,160	9,189	43.3	-9.6
Virginia.....	6,847	10,129	10,300	47.9	1.7
Washington.....	8,960(h)	11,734	11,935	31.0	1.7
West Virginia.....	6,275	9,696	8,840	54.5	-8.2
Wisconsin.....	7,733(i)	11,302	11,637	46.2	3.0
Wyoming.....	7,839	10,539	10,164	34.4	-3.6
District of Columbia.....	9,971	13,680	13,412	37.2	-2.0

\*Sources: U.S. Department of Health, Education, and Welfare, National Center for Education Statistics, *Statistics of State School Systems*; and *Statistics of Public Elementary and Secondary Day Schools*, Fall 1973.

N.A.—Not available.

(a) Based on the Consumer Price Index, prepared by the Bureau of Labor Statistics.

(b) Estimated.

(c) Partly estimated by the Office of Education.

(d) Excludes kindergarten teachers.

(e) Includes administrators.

(f) Includes clerical assistants to instructional personnel.

(g) Represents actual salary for 1972-73 school year.

(h) Includes attendance personnel.

(i) Excludes vocational schools not operated as part of the regular school system.

TABLE 7

STATE BOARDS OF EDUCATION AND CHIEF SCHOOL OFFICERS  
FOR THE COMMON SCHOOL SYSTEMS, 1947 AND 1975\*

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	1975	1947	1975	1947	1975	1947	1975	1947	1975	1947	1975
Alabama.....	...	★	★	...	...	...	★	...	...	★	...	...
Alaska.....	...	...	★	...	...	...	...	...	★	★	...	...
Arizona.....	...	...	...	★	★	...	★	★	...	...	...	...
Arkansas.....	...	...	★	★	...	...	...	...	★	★	...	...
California.....	...	...	★	★	...	...	★	★	...	...	...	...
Colorado.....	...	★	...	...	★	...	★	...	...	★	...	...
Connecticut.....	...	...	★	★	...	...	...	...	★	★	...	...
Delaware.....	...	...	★	★	...	...	...	...	★	★	...	...
Florida.....	...	...	...	...	★	★	★	★	...	...	...	...
Georgia.....	...	...	★	★(a)	...	...	★	★	...	...	...	...
Hawaii.....	...	★	★	...	...	...	...	...	...	★	★	...
Idaho.....	...	...	★	★	...	...	★	★	...	...	...	...
Illinois(c).....	...	...	...	★	...	...	★	...	...	★	...	...
Indiana.....	...	...	★	★	...	...	★	★	...	...	...	...
Iowa(c).....	...	...	...	★	...	...	★	...	...	★	...	...
Kansas.....	...	★	★	...	...	...	★	...	...	★	...	...
Kentucky.....	...	...	★	★	...	...	★	★	...	...	...	...
Louisiana.....	★	★	...	...	...	...	★	★	...	...	...	...
Maine(c).....	...	...	...	★	...	...	...	...	...	...	★	★(d)
Maryland.....	...	...	★	★	...	...	...	...	★	★	...	...
Massachusetts.....	...	...	★	★	...	...	...	...	★	★(b)	...	...
Michigan.....	★	★	...	...	...	...	★	...	...	...	...	...
Minnesota.....	...	...	★	★(a)	...	...	...	...	★	★	...	...
Mississippi.....	...	...	...	...	★	★	★	★	...	...	...	...
Missouri.....	...	...	★	★	...	...	...	...	★	★	...	...
Montana.....	...	...	★	★	...	...	★	★	...	...	...	...
Nebraska(c).....	...	★	...	...	...	...	★	...	...	★	...	...
Nevada.....	★	★	...	...	...	...	★	...	...	★	...	...
New Hampshire.....	...	...	★	★	...	...	...	...	★	★	...	...
New Jersey.....	...	...	★	★	...	...	...	...	...	...	★	★
New Mexico.....	...	★	★	...	...	...	★	...	...	★	...	...
New York.....	...	...	...	...	★	★	...	...	★	★(e)	...	...
North Carolina.....	...	...	★	★	...	...	★	★	...	...	...	...
North Dakota(c).....	...	...	...	★	...	...	★	★	...	...	...	...
Ohio(c).....	...	★	...	...	...	...	...	...	...	★	★	...
Oklahoma.....	...	...	★	★	...	...	★	★	...	...	...	...
Oregon.....	...	...	★	★	...	...	★	★	...	...	...	...
Pennsylvania.....	...	...	★	★	...	...	...	...	...	...	★	★
Rhode Island(c).....	...	...	...	★	...	...	...	...	...	★(e)	★	...
South Carolina.....	...	...	★	...	...	★	...	...	...	...	...	...
South Dakota(c).....	...	...	...	★	...	...	★	...	...	★	...	...
Tennessee.....	...	...	★	★	...	...	...	...	...	...	★	★
Texas.....	...	★	★	...	...	...	★	...	...	★(a)	...	...
Utah.....	...	★	...	...	★	...	★	...	...	★	...	...
Vermont.....	...	...	★	★(a)	...	...	...	...	★	★(f)	...	...
Virginia.....	...	...	★	★	...	...	...	...	...	...	★	★
Washington.....	...	...	...	...	★	★	★	★	...	...	...	...
West Virginia.....	...	...	★	★	...	...	★	...	...	★	...	...
Wisconsin.....	...	...	No state board				★	...	...	...	...	...
Wyoming.....	...	...	...	...	★	...	★	★	...	...	...	...
Total.....	3	12	30	31	8	5	31	20	11	25	8	5

\*Sources: Adapted from the 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 1975 information.

(a) With Senate approval.

(b) Also has an appointed secretary of education in the

Governor's Cabinet.

(c) No state board in 1947.

(d) With advice of the state board of education and consent of the Council.

(e) Board of Regents.

(f) With the approval of the Governor.

TABLE 8

NUMBER OF SCHOOL DISTRICTS (BASIC ADMINISTRATIVE UNITS),  
1951-52 AND 1974-75, AND NUMBER OF NONOPERATING DISTRICTS,  
1974-75\*

<i>State or other jurisdiction</i>	<i>1951-52</i>	<i>1974-75</i>	<i>Percentage change 1951-52 to 1974-75</i>	<i>Number of non- operating districts 1974-75</i>
Alabama.....	108	126	16.7	0
Alaska.....	27	32	18.5	0
Arizona.....	329	283	-14.0	2
Arkansas.....	425	383	- 9.9	2
California.....	2,044	1,117	-45.4	0
Colorado.....	1,333	181	-86.4	0
Connecticut.....	172	165	- 4.1	0
Delaware.....	17	26	52.9	0
Florida.....	67	67	no change	0
Georgia.....	204	188	- 7.8	0
Hawaii.....	1	1	no change	0
Idaho.....	281	115	-59.1	0
Illinois.....	3,413	1,039(a)	-69.6	0
Indiana.....	1,115	304	-72.7	1
Iowa.....	4,649	450	-90.3	0
Kansas.....	3,704	309	-91.7	0
Kentucky.....	231	185	-19.9	0
Louisiana.....	67	66	- 1.5	0
Maine.....	492	236	-52.0	56
Maryland.....	24	24	no change	0
Massachusetts.....	351	156	-55.6	11
Michigan.....	4,736	592	-87.5	2
Minnesota.....	6,018	439(b)	-92.7	2
Mississippi.....	1,989	150	-92.5	0
Missouri.....	4,573	572	-87.5	0
Montana.....	1,386	599	-56.8	44
Nebraska.....	6,499	1,208	-81.4	34
Nevada.....	177	17	-90.4	0
New Hampshire.....	238	156	-34.5	11
New Jersey.....	555	588	6.0	22
New Mexico.....	107	88	-17.8	0
New York.....	3,175	737	-76.8	18
North Carolina.....	172	149	-13.4	0
North Dakota.....	2,135	325	-84.8	35
Ohio.....	1,429	617	-56.8	0
Oklahoma.....	2,066	634	-69.3	0
Oregon.....	995	338	-66.0	1
Pennsylvania.....	2,514	566	-77.5	1
Rhode Island.....	39	40	2.6	0
South Carolina.....	521	92	-82.3	0
South Dakota.....	3,390	226	-93.3	5
Tennessee.....	150	146	- 2.7	0
Texas.....	2,281	1,131	-50.4	5
Utah.....	40	40	no change	0
Vermont.....	263	273	3.8	1
Virginia.....	127	139	9.5	0
Washington.....	560	311	-44.5	0
West Virginia.....	55	55	no change	0
Wisconsin.....	5,463	436	-92.0	0
Wyoming.....	313	60	-80.8	0
District of Columbia.....	1	1	no change	0
50 States and District of Columbia...	71,021	16,178	-77.2	253

\*Sources: U.S. Department of Health, Education, and Welfare, Office of Education, *Statistics of State School Systems: Organisation, Staff, Pupils and Finances, 1951-52*, Table 4;

National Education Association, *Estimates of School Statistics, 1974-75*, Research Report, Table 1.

(a) Includes centers in the Department of Corrections.

(b) Excludes 3 vocational post-graduate districts.



TABLE 9  
ESTIMATED SCHOOL-AGE POPULATION, 1974; AS PERCENTAGE  
OF TOTAL POPULATION, 1974; AND PERCENTAGE CHANGES,  
1972 AND 1974\*

State	School-age population (5-17), 1974 (in thousands)	Total state population, 1974 (in thousands)	School-age population as percentage of total population, 1974	Percentage change in total population, 1972 to 1974	Percentage change in school-age population, 1972 to 1974
Alabama.....	898	3,597	25.0	+ 2.48	- 2.07
Alaska.....	95	337	28.2	+ 3.69	+ 9.20
Arizona.....	549	2,153	25.5	+10.69	+14.85
Arkansas.....	505	2,062	24.5	+ 4.25	+ 3.27
California.....	4,849	20,907	23.2	+ 2.15	- 1.30
Colorado.....	620	2,496	24.8	+ 5.90	+ 6.90
Connecticut.....	737	3,088	23.9	+ 0.20	- 3.53
Delaware.....	146	573	25.5	+ 1.42	- 0.68
Florida.....	1,765	8,091	21.8	+11.46	+11.50
Georgia.....	1,214	4,882	24.9	+ 3.43	+ 0.91
Hawaii.....	210	845	24.9	+ 4.45	+ 4.48
Idaho.....	198	799	24.8	+ 5.69	+ 2.06
Illinois.....	2,629	11,131	23.6	- 1.07	- 7.27
Indiana.....	1,322	5,330	24.8	- 0.74	- 3.29
Iowa.....	725	2,855	25.4	- 0.97	- 0.55
Kansas.....	533	2,270	23.5	+ 0.53	- 5.16
Kentucky.....	828	3,357	24.7	+ 1.76	- 0.12
Louisiana.....	1,023	3,764	27.2	+ 1.18	0.00
Maine.....	252	1,047	24.1	+ 1.75	- 0.79
Maryland.....	1,030	4,094	25.2	+ 0.94	- 0.58
Massachusetts.....	1,390	5,800	24.0	+ 0.23	- 0.64
Michigan.....	2,313	9,098	25.4	+ 0.18	- 4.38
Minnesota.....	1,000	3,917	25.5	+ 0.54	- 3.20
Mississippi.....	608	2,324	26.2	+ 2.70	- 2.41
Missouri.....	1,129	4,777	23.6	+ 0.51	- 2.92
Montana.....	186	735	25.3	+ 2.23	- 2.11
Nebraska.....	370	1,543	24.0	+ 1.18	- 2.38
Nevada.....	140	573	24.4	+ 8.73	+ 9.38
New Hampshire.....	200	808	24.8	+ 4.80	+ 6.95
New Jersey.....	1,783	7,331	24.3	- 0.49	- 0.17
New Mexico.....	318	1,122	28.3	+ 5.35	+ 4.61
New York.....	4,165	18,112	23.0	- 1.38	- 3.94
North Carolina.....	1,282	5,363	23.9	+ 2.86	- 1.46
North Dakota.....	166	637	26.1	+ 0.79	- 2.92
Ohio.....	2,629	10,737	24.5	- 0.43	- 5.43
Oklahoma.....	618	2,709	22.8	+ 2.85	- 0.32
Oregon.....	533	2,266	23.5	+ 3.85	+ 3.50
Pennsylvania.....	2,749	11,835	23.2	- 1.06	- 4.38
Rhode Island.....	224	937	23.9	- 3.20	+ 1.36
South Carolina.....	710	2,784	25.5	+ 4.47	+ 0.42
South Dakota.....	170	682	24.9	+ 0.44	- 6.59
Tennessee.....	998	4,129	24.2	+ 2.43	+ 1.31
Texas.....	2,942	12,049	24.4	+ 3.43	- 0.47
Utah.....	315	1,173	26.9	+ 4.17	+ 2.61
Vermont.....	117	470	24.9	+ 1.73	+ 0.86
Virginia.....	1,181	4,908	24.1	+ 3.02	+ 0.26
Washington.....	820	3,476	23.6	+ 0.96	- 5.20
West Virginia.....	416	1,791	23.2	+ 0.56	- 4.37
Wisconsin.....	1,187	4,566	26.0	+ 1.02	+ 0.42
Wyoming.....	86	359	24.0	+ 4.06	- 4.44

\*Source: National Education Association. Figures from or derived from *Estimates of School Statistics for 1972-73 and 1974-75*, Table 2.

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## POSTSECONDARY EDUCATION

BY RICHARD M. MILLARD AND NANCY M. BERVE\*

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### INFLATION, RECESSION, RETRENCHMENT

AMONG the most serious problems facing the higher and postsecondary education institutions of the States in 1974 and 1975 are those that faced the country as a whole—inflation and recession. Through 1973, college and university expenditures increased more rapidly than the consumer price index. In 1974, the consumer price index rose 11 percent, compared to an 8.6 percent increase in higher education costs.<sup>1</sup> This lower rate of increase for higher education is explained by the fact that faculty salaries—the largest portion of institutional expenses—increased by only 5.8 percent resulting in a loss in buying power of 5.2 percent.<sup>2</sup> Thus, while the rate of inflation for colleges and universities was lower than for consumers in general, the lower rate was achieved at the expense of reduced buying power of faculty and staff.

Meantime, most other costs for colleges and universities had skyrocketed. Heating oil during the same period went up 51.9 percent; electricity, 21.3 percent; industrial chemicals, 65.8 percent; supplies and materials, 24.8 percent; and books and periodicals, 16 percent.<sup>3</sup> In the area of energy costs alone, in spite of major conservation efforts, a study of 35 colleges and universities indicated that fuel costs for them had jumped from \$41.6 million in 1969–70 to \$103.5 million in 1974–75.<sup>4</sup> During this same period the costs to students continued to increase. Costs for the fall of 1975 over the fall of 1974 were

up 12 percent in public institutions and 8 percent at private institutions.

The lower rate of increased expenditures has in turn been dictated by the income situation. Institutions faced shrinkage in endowments due to decline in the stock market. While state support of higher education increased 28 percent in 1975–76 from the 1973–74 appropriations, the actual purchasing power increase was only 10 percent when this is adjusted to take into account the rise due to inflation. State increases over the same period covered a wide range, from a high of 126 percent in Alaska, where a mammoth oil pipeline construction project has added to inflationary pressures, to a low of 4 percent in New Jersey where funds for education were reduced by the Legislature's rejection of a proposed state income tax. In seven other States, after appropriations are adjusted for the inflation rate, appropriations for higher education provided less purchasing power in 1975–76 than in 1973–74—Connecticut, Georgia, Maine, Massachusetts, Rhode Island, Vermont, and Wisconsin.<sup>5</sup>

The general revenue surpluses that existed in a number of States in 1973–74 and in some States in 1974–75 have mostly diminished or disappeared. Governors in California, Florida, Massachusetts, New York, Vermont, and Wisconsin, among others, called for austerity, restraint, and cutbacks in state expenditures, including expenditures for postsecondary and higher education. In spite of an estimated national increase in enrollments of 8.9 percent in the fall of 1975, not fully reflected in what were al-

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<sup>1</sup>National Center for Education Statistics, preliminary data in *Chronicle of Higher Education* (March 10, 1975), p. 4.

<sup>2</sup>*AAUP Bulletin*, vol. 61, no. 2 (Washington, D.C.: American Association of University Professors, Summer 1975).

<sup>3</sup>D. Kent Halstead, "Higher Education Prices and Indexes, 1971–74," *Chronicle of Higher Education* (October 6, 1975), pp. 1, 6.

<sup>4</sup>*Chronicle of Higher Education* (July 21, 1975), p. 10.

<sup>5</sup>M. M. Chambers in *Chronicle of Higher Education* (November 10, 1975), p. 7.

ready austerity budgets, many public as well as private institutions have been faced with the necessity of serious retrenchment.

Retrenchment has taken the forms of faculty dismissals or layoffs, program curtailment, deferred maintenance, no faculty increases in salary, hiring freezes, enrollment ceilings, travel freezes, and energy-saving campaigns. In some cases specific types of retrenchment have been ordered by the Legislature. In three States—Florida, Georgia, and Rhode Island—the Legislatures imposed salary freezes. In Wisconsin the Governor called upon the regents to prepare a plan to reduce the number of students, programs, and campuses of the University of Wisconsin system. Among the institutions represented by the National Association of State Universities and Land-Grant Colleges, 29 have imposed freezes on hiring new faculty and 35 on hiring new staff. Eight universities will hold faculty salaries at 1974–75 levels and nine institutions expect to make additional faculty personnel cuts.<sup>6</sup>

In such a period of retrenchment, the central issue relating to program deletion or consolidation is that of the criteria to be used for such elimination, and concern on the part of the academic community that qualitative as well as quantitative standards be taken into account.

#### PRIVATE HIGHER EDUCATION

Recession and inflation posed problems for private and public institutions alike; but for many private institutions, the financial crunch raised questions of survival itself. The tuition differential between the private and public institutions continued to increase. In 1974–75 the average weighted tuition differential between public and private institutions for the Nation was \$1,884 and is projected for 1975–76 at \$2,099.<sup>7</sup> Many private institutions have become concerned that they are pricing themselves out of their markets.

Since 1973, reports recommending ma-

jor public aid to private institutions in the form of state-federal matching tuition equalization grants have appeared—one from the National Council of Independent Colleges and Universities, *A National Policy for Private Higher Education*,<sup>8</sup> and one from the Carnegie Council on Policy Studies in Higher Education, *The Federal Role in Postsecondary Education*.<sup>9</sup> In April 1975, President Gerald R. Ford requested the U.S. Commissioner of Education to review the status particularly of smaller liberal arts colleges and to make appropriate recommendations for action. The report of the commissioner to the President was due in December 1975.

Over the last six to eight years, the States have become progressively more aware of the growing problems of private independent higher education and the desirability of ensuring the viability of the private sector. Both the federal government and most States have tended to affirm the goals of access and reasonable choice in postsecondary education for all citizens interested in and capable of benefiting from it regardless of economic status. While these goals have not yet been reached, the private sector is crucial to the kind of diversified postsecondary education community in which choice can be effective.

At the present time the States are doing far more than the federal government to reinforce independent higher education. In 1974–75, 42 States appropriated approximately \$800 million in indirect or direct aid available to private institutions. The forms of state support included student aid; tuition equalization grants; contracts; direct aid to institutions; special contracts and student support programs in medicine, dentistry, nursing, and allied health fields; and a series of miscellaneous programs. The latter include endowed chairs in private institutions, tax

<sup>8</sup>National Council of Independent Colleges and Universities, *A National Policy for Private Higher Education*, report of a task force (Washington, D.C.: Association of American Colleges, 1974).

<sup>9</sup>Carnegie Council on Policy Studies in Higher Education, *The Federal Role in Postsecondary Education* (San Francisco, Calif.: Jossey-Bass, Inc., 1975).

<sup>6</sup>*Chronicle of Higher Education* (October 6, 1975), p. 6.

<sup>7</sup>National Center for Education Statistics, unpublished figures.

credits to donors, availability of state purchasing services, and funds to encourage development of consortia. By far the largest part of the funds, \$510 million, is available through the state student aid programs, including tuition equalization grants of \$53.6 million. About \$144 million is available in direct grants to institutions.

Among the questions still to be resolved in many States, however, are: (1) the mode of involvement of the private institutions in the state planning and budgetary process, and (2) the nature and extent of private institution accountability in the utilization of public funds.

#### STUDENT ASSISTANCE

While state student assistance programs have been an important source of support for private higher education, their primary purpose (except in tuition equalization grants) is to aid needy and deserving students whether they attend public, private or, in a few States, proprietary institutions, to help provide access and a choice. Four States, for constitutional reasons, provide student aid only to students in public institutions and a number of States provide additional student aid funds directly through their public institutions.

While federal student aid programs go back at least to the G.I. Bill passed during World War II, federal involvement in need-based programs really got under way with the National Defense Education Act of 1958. Throughout the 1960s federal student aid programs increased in funding and number, culminating in the complex of programs in the Education Amendments of 1972. This act introduced a new foundation program—the Basic Educational Opportunity Grant Program—and a program to encourage and to reinforce state student aid programs through matching federal funds—the State Student Incentive Grant Program. In addition, it continued as major programs the Educational Opportunity Grants Program—under the new name of Supplemental Educational Opportunity Grants—the Work-Study Program, National Defense Student Loans, and the Guaranteed Student Loan Program. Although the State

Student Incentive Grant Program was not funded until 1974, and then at a minimal level of \$19 million, 41 States responded in the first year and 48 States in 1975.

The various state and federal programs are not necessarily designed to complement each other, with the result that students, parents, institutions, and state agencies, not to mention the federal government, find themselves enmeshed in a variety of forms, procedures, and non-congruent dates for application and award. To achieve the access and choice intended through the programs, more effective coordination of programs has become essential. A U.S. Office of Education task force and a National Task Force on Student Aid Problems addressed the problems of coordination of programs and both recommended a far more effective state-federal-institutional partnership. The National Task Force recommended a common application form, a common needs analysis, an integrated federal-state calendar, and decentralization (where feasible) of administration of federal student aid programs to the States. While some progress in coordination has been made, much remains to be done. Congress is currently considering revisions in the federal student aid programs which could further implement these recommendations and develop a more effective state-federal partnership.

#### PLANNING, COORDINATION, GOVERNANCE

One of the areas in which the federal Education Amendments of 1972 had major impact on the States was that of statewide planning for postsecondary education and its scope. The act did so in two ways: first, by redefining the range of state and federal concern for higher education to encompass all areas of postsecondary education, including public, private, and proprietary institutions and involving programmatically everything from postsecondary vocational education to graduate and continuing education; and, second, by authorizing development of state postsecondary planning (Section 1202) commissions. Under this legislation, the States could at their option designate existing agencies, augment existing agencies, or create new agencies as state postsecond-

dary education commissions as long as these agencies were broadly and equitably representative of the various types of postsecondary education and undertook planning with the range of postsecondary education in mind.

While the existing state higher education agencies (coordinating or governing boards) in some of the States were already including sectors other than public higher education in their planning process, either by legislative mandate or as a matter of policy, the primary emphasis of such agencies in most States had been on public higher education. Due to opposition by the Administration to implementation and funding of such commissions, official federal action to implement Section 1202 was not taken until March 1974 and then by congressional mandate through the budgeting process. However, expansion of the planning concept was in harmony with state concerns as indicated by the fact that some 17 States had acted on their own through executive order or legislation to designate or establish such commissions before the Administration took action.

Upon receipt of a March 1974 letter from the U.S. Commissioner of Education, which invited the Governors of the States and Territories to establish such commissions, the state response was overwhelming. Forty-four States, the District of Columbia, American Samoa, Guam, and Puerto Rico established commissions the first year in spite of the fact that available funding was minimal, approximately \$26,000 per State. Even the three States that previously had no statutory central higher or postsecondary planning or coordinating agency (Delaware, Nebraska, and Vermont) established postsecondary planning commissions. Two additional States established commissions during 1975-76. Of the 46 States establishing commissions, 20 designated their existing higher or postsecondary education coordinating or governing boards, nine States augmented existing boards with additional members, and 17 States technically created new agencies.

Among the critical issues facing statewide planning, coordinating, and governing boards was how most effectively to

involve the private and proprietary sectors in the planning process. This issue is complicated by the private and proprietary sectors' concern about the degree of accountability such involvement might bring. Yet state and institutional concern about effective and efficient utilization of the variety of postsecondary educational resources within the States in a period of retrenchment and possible declining enrollments has made such effective involvement imperative even in the planning for public postsecondary education.

Perhaps the most serious issue facing planning, coordinating, and governing boards today is how to plan for retrenchment in contrast to planning for expansion of the 1960s. State boards and institutions are faced with cutting back programs and with developing criteria for consolidation or elimination not only of programs and faculty but, in some cases, of institutions. Of particular concern in a number of States are the issues of retrenchment and consolidation of graduate education. Such review and elimination or consolidation using differing criteria have already taken place in Kansas, New York, and Washington, and are under way in a number of other States.

Although state higher and postsecondary planning, coordinating, and governing boards have been under increasing pressure and stress both from the executive and legislative branches of government and from institutions in the light of the tightening fiscal situation, the tendency among States during the past few years has been to strengthen such agencies, as in Kentucky, Louisiana, and Texas, or to study the possibility of further consolidation, as in Alabama, Idaho, and Minnesota.

#### COLLECTIVE BARGAINING

While collective bargaining is still relatively new in higher education, it has increased dramatically over the last few years. As of October 31, 1975, 267 institutions with 432 campuses had named agents and were involved in some part of the collective bargaining process. The major bargaining agents are the American Association of University Professors (33 institutions and 34 campuses), the

National Education Association (107 institutions, 167 campuses) and the American Federation of Teachers (67 institutions, 113 campuses). Thirty institutions with 40 campuses have independent agents and 23 institutions and 74 campuses have combined agencies (AAUP/NEA, AAUP/AFT, NEA/AFT). Forty-four institutions where elections have been held have at least temporarily opted for no agent. Of the campuses with collective bargaining, 373 are public and 59 are private, 157 are senior institutions, and 274 are community or junior colleges.<sup>10</sup> Strikes, while not as prevalent as in elementary-secondary education, were held in 1974 and the fall of 1975 on such campuses as the New Jersey state college system, Rider College, the University of Bridgeport, Rhode Island Junior College, the Chicago city colleges, and community colleges in Illinois.

Twenty-two States currently have legislation requiring collective bargaining for public postsecondary education professional faculty. In three States (California, Washington, and Wisconsin) bargaining is currently authorized only for community colleges or two-year institutions and in one State (Vermont) the state university is specifically excluded. Two additional States have "meet and confer" laws.<sup>11</sup> In the 1975 legislative sessions, over 300 measures were considered in some 44 States which concerned collective bargaining for education employees, and legislation will undoubtedly be under consideration again in a number of States in the 1976 legislative sessions.

A major new factor in collective bargaining history is the involvement of a third party—students as consumers—as well as faculty and administrators in the collective bargaining process. This has occurred in practice in Massachusetts, is provided for by law in Montana and Oregon, and is under consideration in California. There are strong indications that the collective bargaining movement will continue to expand in postsecondary ed-

ucation as conditions of retrenchment continue.

#### CAMPUS DEVELOPMENTS

##### *Student Enrollments*

Preliminary estimates of the National Center for Education Statistics for total enrollment for fall 1975 show the largest one-year increase in a decade. Total enrollment in fall 1975 was estimated at 11,128,003 (for the 50 States and the District of Columbia), an increase of 8.9 percent from fall 1974. Not since 1965, when the one-year increase was 12.1 percent, has the change been this great.

The experience of 1975 contrasts sharply with that of recent years, with projections that enrollments would increase relatively slowly through the 1970s and then actually decline in the mid-1980s before increasing again slowly toward the end of the century.<sup>12</sup> After yearly increases of 8 percent throughout the 1960s, the growth slowed markedly after 1969, and the yearly increases from 1970 to 1971, 1971 to 1972, 1972 to 1973, and 1973 to 1974 were 5.3, 3, 4.2, and 6.5 percent, respectively.<sup>13</sup>

Authorities caution that the experience of 1975 is most likely an exception resulting from unusual economic conditions rather than a reversal of the projected long-term slowing of enrollment growth. Because of the difficulty in finding employment in 1975, persons appear to have decided to continue their education. The upsurge resulted both from increased applications and from a decrease in the number of persons dropping out of higher education institutions.

The enrollment increase from 1974 to 1975 was 9.9 percent for public institutions and 4.9 percent for private institutions. The percentage of total enrollment in public institutions increased by 0.8 percent to 78.9 percent. The rate of increase

<sup>10</sup>"Special Report #12 Update" (Washington, D.C.: Academic Collective Bargaining Information Service, July 1975).

<sup>11</sup>Doris Ross, *Compact Magazine*, vol. 19, no. 1 (February 1975).

<sup>12</sup>Carnegie Foundation for the Advancement of Teaching, *More Than Survival: Prospects for Higher Education in a Period of Uncertainty* (San Francisco, Calif.: Jossey-Bass, Inc., 1973), pp. 39-49.

<sup>13</sup>National Center for Education Statistics, *Digest of Educational Statistics*, 1970, 1971, 1972, 1973, 1974 (Washington, D.C.: U.S. Government Printing Office).

in the proportion of enrollment in public institutions did not accelerate. Of the 904,274 additional students enrolled in 1975 compared to 1974, 12.2 percent enrolled in private institutions. This compares with 8.5 percent of the additional students from 1973 to 1974 who enrolled in private institutions.

The largest increase in enrollment from 1974 to 1975 occurred in two-year institutions (3.8 percent for universities; 5.7 percent for other four-year institutions; and 16.6 percent for two-year institutions). The proportion of total enrollment in two-year institutions continued to increase (from 33.4 percent in 1974 to 35.7 percent in 1975). Enrollment increases in these institutions (16.6 percent from 1974 to 1975) were the highest of any institutional category. Private two-year institutions, which had been experiencing extremely slow growth in recent years, had a surprisingly high increase of 11.8 percent from 1974 to 1975.<sup>14</sup>

From 1972 to 1974, the ratio of men to women enrolled in degree and non-degree credit programs continued to approach 1:1, although the change in the last two years appears to have been slower than the previous two. In 1974, 56 percent of the students were men, compared to 57 percent in 1972 and 59 percent in 1970.<sup>15</sup>

In the fall of 1974, 9,023,446 students of the total enrollment of 10,223,729 were enrolled for degree credit. Of these, 75.6 percent were undergraduates, 2.6 percent were first professional students, and 13.2 percent were graduate students.

Despite the sudden increase in demand for enrollment in 1975, a number of States found it necessary to restrict enrollments because of tight budgets. The number of students applying for admission far exceeded the number for which public institutions received state subsidy, with the result that institutions either had to increase class sizes far beyond ex-

pected levels, or turn down large numbers of applicants.<sup>16</sup> These limits in public institutions may have contributed to the larger proportion of the increased enrollment going to private institutions than in previous years.

### Degrees

In 1972-73, the number of bachelor's and advanced degrees conferred by colleges and universities (in the 50 States and the District of Columbia) totalled 1,270,528, an increase of 54,848 or 4.5 percent from 1971-72. The rate of increase in degrees conferred has slowed considerably since the early 1970s. Over the period of 1970-71 to 1972-73, the increase was 12 percent, down from the 16 percent increase in the previous two-year period. The National Center for Education Statistics estimates that the increase from 1972-73 to 1974-75 dropped to 3.3 percent.

In 1972-73, 73 percent of the degrees conferred were bachelor's degrees, 4 percent were first professional degrees (medicine, dentistry, other health professions, law, theology, and other), 21 percent were master's degrees, and approximately 3 percent were doctoral degrees. These proportions appear to have been relatively stable since 1968-69.

Over the period from 1970-71 to 1972-73, the number of bachelor's degrees in social sciences increased by 24 percent, in the humanities by 17 percent, and in natural sciences and other fields by 6 percent. In the following period, 1972-73 to 1974-75, the National Center for Education Statistics estimates that the number of bachelor's degrees increased in the social sciences by 10 percent and in the humanities by 7 percent. The number of bachelor's degrees conferred in the natural sciences and other fields in the same period is estimated to have decreased by 5 percent as a result primarily of decreases in the number of education and engineering degrees conferred.<sup>17</sup>

<sup>14</sup>National Center for Education Statistics, preliminary data on fall enrollment 1975, December 5, 1975.

<sup>15</sup>National Center for Education Statistics, *Digest of Educational Statistics, 1974* (Washington, D.C.: U.S. Government Printing Office, 1975).

<sup>16</sup>*Chronicle of Higher Education* (November 3, 1975), pp. 1, 8.

<sup>17</sup>"20 Year Trends in Degrees Awarded," *Chronicle of Higher Education* (November 25, 1974).

### Faculty

The number of regular full-time and part-time resident instructional staff in institutions of higher education was estimated for fall 1974 at 622,000, an increase of only 0.3 percent from 1973. This compares with a 2.8 percent increase from 1972 to 1973. The increases have dropped from 9.2 percent from 1969 to 1971, and 3.2 percent from 1972 to 1974.<sup>18</sup>

The percentage of women among full-time instructional faculty increased from 22.3 to 24.1 from 1972 to 1974. The percentages of women in each rank in 1974 were 10.3 of professors, 16.9 of associate professors, 27.1 of assistant professors, and 40.6 of instructors. The increase in the proportion of women faculty members was greatest among assistant professors. In 1974-75, 57 percent of the men and 26.7 percent of the women who were full-time faculty had tenure.<sup>19</sup>

From 1973 to 1974, average faculty salaries increased 5.8 percent, and total compensation (including fringe benefits) increased 6.4 percent, according to the American Association of University Professors. These increases did not keep pace with the increase in the cost of living. The consumer price index rose 11.1 percent from 1973 to 1974. The average salary of all faculty members of all ranks in all kinds of colleges and universities was \$16,320 for the 1974-75 academic year. Average total compensation (including fringe benefits) was \$18,580.<sup>20</sup>

Over the two-year period 1972-74, average salaries of instructional faculty rose 10.5 percent. Salaries at public institutions rose 12.1 percent and those at private institutions rose 6.7 percent. Salaries of women rose 11.3 percent compared to a 10.9 percent increase for men. In all ranks at public institutions, however, increases for men were greater than those

for women. In contrast, for all ranks except instructors, increases for women at private institutions were greater than those for men for the two-year period.<sup>21</sup>

### Student Costs

In the fall of 1975, total costs (tuition and fees, room and board, and other expenses) for students attending college averaged \$3,594 for students living on campus and \$3,186 for commuting students. This data is from an annual survey by the College Scholarship Service of the College Entrance Examination Board. From 1970-71 to 1975-76, the total costs for students living on campus at public four-year institutions rose 50.3 percent (from \$1,783 to \$2,679). Costs for commuting students at those institutions rose 48 percent. Over the period, total costs for students living on campus at private institutions rose 47.4 percent (from \$2,974 to \$4,391), and 65.8 percent for commuting students at those institutions.

The increase in average tuition and fees for resident students at four-year institutions from 1974-75 to 1975-76 was 6.8 percent at public institutions (from \$541 to \$578) and 7.7 percent at private institutions (from \$2,080 to \$2,240).

In 1970-71, average tuition and fees for resident students at private four-year institutions were 3.8 times greater than average tuition and fees at four-year public institutions. Over the period from 1970-71 to 1975-76, this relationship changed only slightly with private institution average tuition and fees being 3.9 times public institution average tuition and fees in 1975-76.<sup>22</sup>

### Expenditures

From 1969-70 to 1974-75, estimated expenditures by institutions of higher education for all purposes (except for debt retirement) increased from \$24.7 billion to \$40.5 billion, or 63 percent. Nevertheless, in constant dollars (using a price index for higher education), expenditures

<sup>18</sup>National Center for Education Statistics, *Digest of Education Statistics, 1974* (Washington, D.C.: U.S. Government Printing Office, 1975), p. 84.

<sup>19</sup>National Center for Education Statistics, "Salaries and Tenure of Full-Time Instructional Faculty, 1974-75," prepublication release, January 29, 1975.

<sup>20</sup>*Chronicle of Higher Education* (June 9, 1975), pp. 1, 11.

<sup>21</sup>National Center for Education Statistics, "Salaries and Tenure of Full-Time Instructional Faculty, 1974-75," prepublication release, January 29, 1975.

<sup>22</sup>*Chronicle of Higher Education* (March 31, 1975), p. 1.



increased only 19 percent to \$29.3 billion in 1974-75 (in 1969-70 dollars). During the same period, enrollments increased 28 percent. The net effects, therefore, of inflation and enrollment increases were that higher education expenditures per student actually decreased from \$3,288 in 1969-70 to \$2,866 in 1974-75, a decrease of 15 percent.

From 1974-75 to 1975-76, expenditures are estimated to have increased an additional \$4.7 billion or 11.7 percent. At the same time, however, it is reasonable to assume that prices have increased by at least 7 percent (compared to 8.6 percent between 1973-74 and 1974-75), and it is known that enrollments have increased 8.9 percent. In 1969-70 dollars, then, the increase from 1974-75 to 1975-76 is estimated at only \$1.5 billion or 5 percent, and the expenditures per student are estimated to have decreased by 3.5 percent to \$2,768.<sup>23</sup>

#### *Voluntary Support*

In 1972-73, voluntary support for colleges and universities was \$2.240 billion, an increase of \$22 million or 11 percent from the previous year. From 1972-73 to 1973-74, however, there was no change in the dollars for voluntary support, the first time in the 20 years of the survey that year-to-year figures did not change. Although the total did not change, there were changes in the support from various sources. Gifts by individual donors (alumni and others) decreased 7 percent, reflecting a tendency to postpone gifts at the time of a drop in stock market prices. Nevertheless, this decrease was offset by increased contributions from foundations of 2.1 percent, from business corporations of 10.6 percent, and from religious denominations of 17.2 percent.

Private institutions continued to receive most of the voluntary support from all sources; however, the proportion of support going to four-year public institutions increased from 20.2 percent to 21.2 percent among the 827 institutions included in both the 1972-73 and 1973-

74 surveys. The increase in support going to these public institutions was 4.7 percent, compared to increases for private women's colleges of 4.3 percent and for professional and specialized institutions of 5.2 percent. Decreases in voluntary support were experienced by major private universities (-2.2 percent), private men's colleges (-17.1 percent), private coeducational colleges (-1.6 percent), and junior colleges (-16.9 percent).

The 10 institutions receiving the most voluntary support in 1973-74 were as follows (numbers in parentheses indicate rank in 1972-73):<sup>24</sup>

1. (1) Harvard University	\$56,826,486
2. (4) Yale University	44,078,008
3. (2) Stanford University	41,819,550
4. (3) University of California System	37,131,878
5. (5) Cornell University	32,580,643
6. (10) Columbia University	29,963,543
7. (15) University of Michigan	28,341,837
8. (17) University of Minnesota	26,287,522
9. (8) University of Chicago	26,253,214
10. (12) University of Wisconsin	25,339,468

#### *Federal Expenditures*

In fiscal year 1974, federal outlays for higher education were \$5,990 million and are estimated to have increased to \$7,413 million, or 23.7 percent, by fiscal year 1975. The estimated increase to fiscal year 1976, as presented in available data on the basis of the President's fiscal year 1976 budget, was only \$17 million to \$7,430 million. 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. Not included in the outlay figures are outlays for research and development carried out in colleges and universities.

Over the period from fiscal years 1974 to 1976, the largest increase is estimated to have occurred in outlays for education purposes. These were \$2,236 million in fiscal year 1974, \$3,075 million in 1975, and \$3,398 million in 1976, an increase of 52 percent over the three years. In U.S.

<sup>23</sup>National Center for Education Statistics, unpublished data for expenditure estimates. Halstead Higher Education Price Index for index figures.

<sup>24</sup>The *CFAE Newsletter*, The Council for Financial Aid to Education, April 1975.

Office of Education student assistance programs, outlays are estimated to have increased from \$853 million in fiscal year 1974 to \$1,779 million in fiscal year 1976, an increase of 109 percent in three years.

In the category of "other basic purposes," the largest outlays are for veterans readjustment benefits. These are estimated to have increased from \$2,309 million in fiscal year 1974 to \$2,703 million in fiscal year 1975, and then to have decreased slightly to \$2,539 million in fiscal year 1976.

As indicated, the figures just discussed do not include outlays for federal research and development carried out in colleges and universities. These are estimated to have been \$2,067 million in fiscal year 1974 and are estimated to have increased to \$2,278 million by fiscal year 1976. About \$1.1 billion or 50 percent of these outlays are from the Department of Health, Education, and Welfare.<sup>25</sup>

#### CONCLUSION

While enrollments have increased during the fall of 1975, the rate of increase (2.4 percent higher than in the fall of 1974) may in part be due to recession and

the difficulty young people are having finding jobs. It would appear that the percentage of high school graduates going on to college continues to decrease while the part-time and older students are increasing at a more rapid rate. Colleges and universities are faced with inflation, retrenchment in public funding, and the need to reevaluate programs, faculty (including tenure), goals, and directions. States, faced in many cases with shortages and competing priorities, not only are finding funding of postsecondary education more difficult but are insisting upon more effective utilization of resources, accountability, and in some cases program audit. State agencies find it essential that the scope of planning and inventory of resources be broadened to include private and proprietary institutions. The States and the general public have become more aware of the problems facing private higher education and in many States some steps have been taken to alleviate them. Collective bargaining by college faculties, both public and private, is constantly increasing. The immediate future does not appear bright, but hopefully out of the reevaluation that appears inevitable in the light of retrenchment will emerge a new and more effective postsecondary educational system to meet the changing needs of the citizens of the States and the Nation.

<sup>25</sup>Executive Office of the President, Office of Management and Budget, *Special Analysis, Budget of the United States Government, Fiscal Year 1976* (Washington, D.C.: U.S. Government Printing Office, 1975), pp. 139-52, 267.

TOTAL ENROLLMENTS IN HIGHER EDUCATION, 1974\*  
(Including degree credit and nondegree credit students)

State or other jurisdiction	Total enrollment		First-time enrollment	
	Number of students 1974	Percentage change 1972-74	Number of students 1974	Percentage change 1972-74
United States.....	10,223,729	10.9	2,379,434	12.3
Alabama.....	143,188	20.6	34,177	19.4
Alaska.....	14,043	2.2	3,841	16.4
Arizona.....	152,299	23.1	48,748	50.3
Arkansas.....	56,680	5.1	13,495	1.8
California.....	1,597,179	16.2	333,154	16.6
Colorado.....	141,269	9.4	34,712	13.2
Connecticut.....	146,491	11.8	36,499	24.1
Delaware.....	30,357	9.4	6,705	-22.2
Florida.....	306,680	17.9	62,031	0.5
Georgia.....	155,924	10.4	34,237	19.8
Hawaii.....	43,861	3.1	8,979	- 9.6
Idaho.....	35,714	1.7	10,191	- 6.2
Illinois.....	535,388	10.1	130,089	7.4
Indiana.....	203,833	1.2	46,058	14.1
Iowa.....	113,714	3.9	29,018	0.4
Kansas.....	113,352	5.1	29,331	11.7
Kentucky.....	113,755	5.2	23,716	8.3
Louisiana.....	140,565	4.6	29,064	2.2
Maine.....	36,634	6.0	9,302	- 6.2
Maryland.....	186,915	11.3	42,285	11.8
Massachusetts.....	356,239	10.7	82,928	10.8
Michigan.....	457,342	12.5	104,219	9.2
Minnesota.....	167,230	5.8	33,298	1.9
Mississippi.....	87,167	8.6	28,818	28.4
Missouri.....	200,717	6.3	38,822	- 6.5
Montana.....	28,092	- 0.4	6,841	5.7
Nebraska.....	67,292	1.9	15,229	3.4
Nevada.....	26,274	52.1	9,285	80.4
New Hampshire.....	34,365	13.8	9,810	27.1
New Jersey.....	275,864	14.5	65,474	9.3
New Mexico.....	50,666	4.5	10,123	7.0
New York.....	947,299	11.4	188,528	6.9
North Carolina.....	224,418	13.1	68,372	10.1
North Dakota.....	28,544	- 4.1	8,933	4.4
Ohio.....	408,836	4.8	90,962	5.8
Oklahoma.....	132,829	8.7	28,762	13.4
Oregon.....	139,055	12.9	48,200	10.9
Pennsylvania.....	446,994	4.0	113,027	22.9
Rhode Island.....	59,436	18.9	13,093	23.5
South Carolina.....	114,708	22.3	33,110	- 4.2
South Dakota.....	26,855	- 7.1	7,184	13.3
Tennessee.....	164,420	11.6	35,001	13.9
Texas.....	547,142	12.2	121,250	11.4
Utah.....	82,036	- 0.3	19,589	0.4
Vermont.....	28,289	10.0	7,272	5.9
Virginia.....	215,851	22.3	37,054	-26.9
Washington.....	210,018	8.7	62,583	- 5.6
West Virginia.....	71,250	12.0	17,402	20.4
Wisconsin.....	226,575	4.0	59,039	- 6.1
Wyoming.....	19,447	10.2	4,472	-14.6
District of Columbia.....	81,403	1.2	10,196	7.5
U.S. Service Schools....	29,235	74.2	8,685	104.9
Outlying Areas (a).....	97,810	17.9	26,241	41.9

\*Sources: Total enrollment: National Center for Education Statistics, unpublished figures; 1972 first-time enrollment: *Fall Enrollment in Higher Education 1972* (Washington, D.C.: National Center for Education Statistics, 1974); 1974 first-time enrollment: National Center for Education Statistics, as pub-

lished in *Chronicle of Higher Education Fact-File* (Washington D.C.: *Chronicle of Higher Education*, December 16, 1974).

(a) Includes American Samoa, Canal Zone, Guam, Puerto Rico, Trust Territory of the Pacific Islands, and the Virgin Islands.

STATE PROGRAMS OF ASSISTANCE TO STUDENTS  
ATTENDING PRIVATE INSTITUTIONS OF HIGHER EDUCATION, 1974-75\*

State	Aid recipients in private institutions	Percentage of total recipients	Dollars to private students (millions)	Percentage of total dollars	Dollars per private recipient(a)	Dollars per resident stu- dent attending in-state private(b)
<b>Total</b> .....	308,040	...	\$268.84	...	\$ 873	...
Alaska.....	1,000(c)	100	\$ .90	100	\$ 900	\$871
California.....	16,665	35	29.55	72	1,773	262
Connecticut.....	5,610(c)	68	4.85(c)	55	865	137
Delaware.....	27	21	.02	20	740	...
Florida.....	1,779(c)	40	1.62(c)	55	911	57
Georgia.....	11,461(c)	97	4.80(c)	83	419	292
Illinois.....	30,600	34	41.73	66	1,364	415
Indiana.....	4,955(d)	39	6.61(d)	55	1,334	241
Iowa.....	7,102	94	6.30	96	887	286
Kansas.....	2,803	81	2.57	89	917	388
Kentucky.....	408	25	.24	43	588	21
Maine.....	420	100	.38	100	905	147
Maryland.....	1,655(c)	34	1.83(c)	44	1,106	85
Massachusetts.....	9,570(c)	52	8.55(c)	75	893	81
Michigan.....	11,173	50	11.85	64	1,061	288
Minnesota.....	4,847	39	4.45	52	918	219
Missouri.....	4,351	57	3.20	83	735	96
New Jersey.....	18,253	38	9.70	36	531	185
New York.....	79,000	38	54.63	50	692	189
North Carolina.....	6,600(c)	100	4.60(c)	100	697	174
North Dakota.....	66	9	.02	9	303	19
Ohio.....	10,400	26	8.19	47	788	127
Oklahoma.....	578(c)	25	.14(c)	26	242	11
Oregon.....	829	15	.45	19	543	69
Pennsylvania.....	43,256	40	36.70	50	848	294
Rhode Island.....	1,243(d)	48	.95(d)	48	764	74
South Carolina.....	4,892	100	6.10	100	1,247	394
South Dakota.....	115(c)	20	.05(c)	20	435	9
Tennessee.....	2,790	48	1.98	65	710	122
Texas.....	15,000	100	7.50	100	500	125
Vermont.....	1,350	33	.92	33	681	415
Washington.....	720(c)	14	.54(c)	14	750	34
West Virginia.....	570	15	.48	28	842	88
Wisconsin.....	7,950	34	6.50	48	818	364

\*Sources: Joseph D. Boyd, 1974-75 Undergraduate State Scholarship/Grant Programs (Deerfield, Ill.: Illinois State Scholarship Commission, October 1974); Nancy M. Berve, "State Support of Private Higher Education," *Higher Education in the States*, Vol. 5, No. 1 (Denver, Colo.: Education Commission of the States, 1975).

Student aid excludes assistance for medical, dental and other professional students when such aid is clearly in a program separate from general scholarship or grant program.

(a) Calculated.

(b) Resident students attending in-state private institutions was calculated using 1974 opening fall enrollment and 1972 residence and migration data. This data includes graduate enroll-

ment and therefore could be misleading when divided into expenditures primarily for undergraduate student assistance. To the extent that this applies relatively evenly across States, the general relationships are accurately reflected. There is no intent to show precise ranking. Data by State on undergraduate enrollment for 1974-75 is not available.

(c) Estimated. In these instances, programs were included which are not included in Boyd's survey or for which Boyd or the Education Commission of the States' survey did not have precise figures.

(d) Information directly from state agency responsible for programs.

# PROGRAMS OF ASSISTANCE TO INSTITUTIONS AND STUDENTS IN PRIVATE SECTOR, BY STATE, 1974-75\*

State or other jurisdiction	Student aid						Institutional aid		
	State has institutional or student aid for private sector	Private only or tuition equalization	One or more programs for both public and private	Tuition and fees only	More than tuition and fees	Percent of all student aid going to private students	For unrestricted uses	Block grant to one or a few institutions	Formula assistance
Alabama.....	★	..	..	..	..	..	★	★	..
Alaska.....	★	★	..	..	..	100	★	★	..
Arizona.....	..	..	..	..	..	..	..	..	..
Arkansas.....	..	..	..	..	..	..	..	..	..
California.....	★	..	★	★	★	72	..	..	..
Colorado.....	..	..	..	..	..	..	..	..	..
Connecticut.....	★	★	★	..	★	55	★	..	★
Delaware.....	★	..	★	..	★(a)	20	..	..	..
Florida.....	★	..	★	..	★	55	..	..	..
Georgia.....	★	★	★	..	★(a)	83	..	..	..
Hawaii.....	..	..	..	..	..	..	..	..	..
Idaho.....	..	..	..	..	..	..	..	..	..
Illinois.....	★	..	★	★	..	66	★	..	★
Indiana.....	★	★	..	★	..	55	..	..	..
Iowa.....	★	★	★	★(a)	..	96	..	..	..
Kansas.....	★	★	★	..	★(a)	89	..	..	..
Kentucky.....	★	..	..	..	★(a)	43	..	..	..
Louisiana.....	..	..	..	..	..	..	..	..	..
Maine.....	★	★	..	..	..	100	★	..	..
Maryland.....	★	..	★	..	★	44	★	..	★
Massachusetts.....	★	..	★	..	★(a)	75	..	..	..
Michigan.....	★	★	..	★	..	64	★	..	★
Minnesota.....	★	..	★	..	★	52	★	..	★
Mississippi.....	..	..	..	..	..	..	..	..	..
Missouri.....	★	..	★	★(a)	..	83	..	..	..
Montana.....	..	..	..	..	..	..	..	..	..
Nebraska.....	..	..	..	..	..	..	..	..	..
Nevada.....	..	..	..	..	..	..	..	..	..
New Hampshire.....	..	..	..	..	..	..	..	..	..
New Jersey.....	★	★	★	★(a)	★	36	★	..	★
New Mexico.....	..	..	..	..	..	..	..	..	..
New York.....	★	..	★	★	..	50	★	★	★
North Carolina.....	★	★	..	..	..	100	..	..	..
North Dakota.....	..	..	..	..	..	9	..	..	..
Ohio.....	★	..	★	★	..	47	★	★	..
Oklahoma.....	★	..	★	★(a)	..	26	..	..	..
Oregon.....	..	..	..	..	★	19	★	★	..
Pennsylvania.....	★	..	★	★	..	50	★	★	★
Rhode Island.....	★	..	★	..	..	48	..	..	..
South Carolina.....	★	★	..	..	..	100	..	..	..
South Dakota.....	★	★	★	..	..	30	..	..	..
Tennessee.....	★	..	★	★	..	55	..	..	..
Texas.....	★	★	..	..	..	100	..	..	..
Utah.....	..	..	..	..	..	..	..	..	..
Vermont.....	★	..	★	..	★	33	..	..	..
Virginia.....	..	..	..	..	..	..	..	..	..
Washington.....	★	..	★	..	★(a)	14	..	..	..
West Virginia.....	★	..	★	★	..	28	..	..	..
Wisconsin.....	★	★	..	..	★	48	..	..	..
Wyoming.....	..	..	..	..	..	..	..	..	..
District of Columbia.....	..	..	..	..	..	..	..	..	..

\*Sources: Joseph D. Boyd, 1974-75 Undergraduate State Scholarship/Grant Programs (Deerfield, Illinois: Illinois State Scholarship Commission, October 1974); Nancy M. Berve, "State Support of Private Higher Education," *Higher Education in the*

*States*, vol. 5, no. 1 (Denver, Colorado: Education Commission of the States, 1975).

(a) Maximum less than \$1,000.

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			1974-76		1966-76	
	1965-66	1973-74	1975-76	Two-yr. gain	Percent	Ten-yr. gain	Percent
Alabama.....	\$ 40,327	\$ 151,836	\$ 213,750(a)	\$ 61,914	41	\$ 173,423	430
Alaska.....	6,108	23,399	52,884	29,485	126	46,776	766
Arizona.....	35,459	135,998	162,657	26,659	20	127,198	359
Arkansas.....	28,722	73,411	103,202	29,791	41	74,480	259
California.....	413,103	1,156,254	1,541,528	385,274	33	1,128,425	273
Colorado.....	44,073	140,315	184,313	43,998	31	140,240	318
Connecticut.....	31,060	119,918	136,623	16,705	14	105,563	340
Delaware.....	7,390	33,573	41,966	8,393	25	34,576	468
Florida.....	95,476	346,056	410,952	64,896	19	315,476	330
Georgia.....	50,859	218,660	240,490	21,830	10	189,631	373
Hawaii.....	17,006	57,295	83,255	25,960	45	66,249	390
Idaho.....	15,490	40,566	61,558	20,992	52	46,068	297
Illinois.....	204,403	550,904	642,942	92,038	17	438,539	215
Indiana.....	90,105	233,379	295,297	61,918	27	205,192	228
Iowa.....	61,284	144,476	195,320	50,844	35	134,036	219
Kansas.....	48,598	108,927	153,078	44,151	41	104,480	215
Kentucky.....	49,507	148,214	185,619	37,405	25	136,112	275
Louisiana.....	73,318	158,855	198,996	40,141	25	125,678	171
Maine.....	12,771	39,828	44,392	4,564	11	31,621	248
Maryland.....	48,275	172,826	207,451	34,625	20	159,176	330
Massachusetts.....	32,022	176,707	200,000(a)	23,293	13	167,978	525
Michigan.....	176,380	464,029	551,146	87,117	19	374,766	212
Minnesota.....	65,211	187,552	250,815	63,263	34	185,604	285
Mississippi.....	25,931	112,868	149,363	36,495	32	123,432	476
Missouri.....	62,168	180,719	213,774	33,055	18	151,606	244
Montana.....	14,749	36,792	45,649	8,857	24	30,900	210
Nebraska.....	21,894	68,000	100,082	32,082	47	78,188	357
Nevada.....	7,114	26,632	37,719	11,087	42	30,605	430
New Hampshire.....	7,335	17,403	22,453	5,058	29	15,118	206
New Jersey.....	50,826	257,708	267,699	9,991	4	216,873	427
New Mexico.....	21,649	54,902	74,226	19,324	35	52,577	243
New York.....	283,722	983,941	1,256,593	272,652	28	972,871	343
North Carolina.....	76,323	287,115	368,754	81,638	28	292,431	383
North Dakota.....	13,989	31,730	48,865	17,135	54	34,876	249
Ohio.....	85,045	345,759	451,566	105,807	31	366,521	431
Oklahoma.....	41,867	96,038	127,656	31,618	33	85,789	205
Oregon.....	49,252	123,476	159,328	35,852	29	110,076	223
Pennsylvania.....	102,611	500,684	622,636(a)	121,952	24	520,025	507
Rhode Island.....	12,868	42,439	47,801	5,362	13	34,933	271
South Carolina.....	21,403	145,402	213,040	67,638	47	191,637	895
South Dakota.....	15,987	25,977	35,667	9,690	37	19,680	123
Tennessee.....	41,106	147,253	171,473	24,220	16	130,367	317
Texas.....	165,624	509,130	830,320	321,190	63	664,696	401
Utah.....	24,891	66,373	87,848	21,475	32	62,957	253
Vermont.....	6,395	18,453	20,138	1,685	9	13,743	215
Virginia.....	40,830	206,458	277,198	70,740	34	236,368	579
Washington.....	94,979	252,224	310,131	57,907	23	215,152	227
West Virginia.....	32,294	81,796	103,125	21,329	26	70,831	219
Wisconsin.....	78,451	304,546	334,322	29,776	10	255,871	326
Wyoming.....	8,771	23,532	33,821	10,289	44	25,050	286
Total.....	\$3,055,021	\$9,830,328	\$12,569,481	\$2,739,190		\$9,514,460	
Weighted average.....					28		311

\*Source: M. M. Chambers, Department of Educational Administration, Illinois State University, Normal, Illinois.  
(a) Appropriations by Alabama, Massachusetts and Penn-

sylvania were incomplete when this table was prepared. The figures are estimates by officials in the state capitols.

# COLLECTIVE BARGAINING LAWS FOR POSTSECONDARY EDUCATION AND INSTITUTIONAL ELECTIONS FOR NAMING BARGAINING AGENTS, BY STATE\*

As of October 31, 1975

State	States with laws covering public postsecondary institutions		Number of campuses with collective bargaining agents(a)		Number of public and private rejecting collective bargaining
	Professional employees	Classified employees	Public 2 and 4 year	Private 2 and 4 year	
Alabama.....	..	..	9	..	..
Alaska.....	★	★	..	..	..
Arizona.....	..	..	..	..	..
Arkansas.....	..	..	..	..	..
California.....	★(b)	★(b)	..	1	1
Colorado.....	..	..	..	2	1
Connecticut.....	★	★	4	3	..
Delaware.....	☆	..	5	..	..
Florida.....	★(c)	★(c)	2	..	3
Georgia.....	..	..	..	..	..
Hawaii.....	★(c)	★(c)	9	..	..
Idaho.....	..	..	..	..	..
Illinois.....	..	..	21	..	2
Indiana.....	..	★	..	..	..
Iowa.....	★(c)	★(c)	..	2	..
Kansas.....	☆	☆	10	..	..
Kentucky.....	..	..	..	..	..
Louisiana.....	..	..	..	..	..
Maine.....	★(d)	★(d)	6	..	1
Maryland.....	..	..	3	..	..
Massachusetts.....	★(c)	★(c)	13	7	6
Michigan.....	★	..	38	3	6
Minnesota.....	★(c)	★(c)	26	..	1
Mississippi.....	..	..	..	..	..
Missouri.....	..	☆	..	..	..
Montana.....	★(c)	★(c)	5	..	..
Nebraska.....	★	★	4	..	..
Nevada.....	..	..	..	..	..
New Hampshire.....	★(c)	★(c)	..	2	..
New Jersey.....	★(c)	★(c)	28	8	..
New Mexico.....	..	..	..	..	..
New York.....	★(c)	★(c)	77	20	7
North Carolina.....	..	..	..	..	..
North Dakota.....	..	..	..	1	..
Ohio.....	..	..	2	1	4
Oklahoma.....	..	..	..	..	..
Oregon.....	★(c)	★(c)	9	..	1
Pennsylvania.....	★(c)	★(c)	29	5	6
Rhode Island.....	★	★	3	2	1
South Carolina.....	..	..	..	..	..
South Dakota.....	★(c)	★(c)	..	..	..
Tennessee.....	..	..	..	..	1
Texas.....	..	..	..	..	..
Utah.....	..	..	..	..	..
Vermont.....	★(e)	★(e)	4	1	..
Virginia.....	..	..	..	1	1
Washington.....	★(b)	★	26	..	1
West Virginia.....	..	..	..	..	..
Wisconsin.....	★(b)	★	39	..	1
Wyoming.....	..	..	..	..	..

\*Sources: State laws provided by the Department of Information and Research Services, Education Commission of the States. Campus election information from Academic Collective Bargaining Information Service, Washington, D.C., Special Report #12 Update, July 1975.

Key: ★—Bargaining required by law.

☆—Parties must "meet and confer."

(a) Represents 266 institutions; agent refers to the union recognized by employee election.

(b) Community and/or two-year colleges only.

(c) Single (omnibus) public employee law (except Montana which excludes nurses).

(d) Excludes Maine Maritime Academy.

(e) Excludes University of Vermont.

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## STATE LIBRARY AGENCIES: AN OVERVIEW

BY MARY R. POWER\*

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**H**ISTORICALLY, every State has created agencies concerned with the provision of library services at the state level and with the development of public library services throughout the State. Increasingly, numbers of these agencies have begun to develop programs involving all types of libraries—public, school, college and university, and special. A few have even involved the private sector in special projects. They have become the logical agency to coordinate statewide library development, to provide public library extension services in unserved and sparsely populated areas, to provide consultant services within the State, to assume responsibility for administering federal and state aid for library service, to sponsor continuing education for library personnel, and to develop and coordinate a master plan for the full utilization of library resources within a given State.

Each state library agency has developed in accordance with its own State's needs and the general values placed upon library services. Nationwide, the organizational structures and services vary greatly. Just as there are no two identical state governments, there are no two identical state library agencies.

### LSCA AND REVENUE SHARING

Until 1956, the federal government had minimal participation in the development of libraries. The first federal aid program for libraries was enacted through the Library Services Act, later to become the 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 improved library resources, new facilities, improved personnel, and a more sophisticated exchange of information. The LSCA program has now been extended through fiscal year 1976. Convinced that federal involvement in library development is necessary and beneficial, the library community is attempting to extend LSCA funding for another five-year period. As of late 1975, it is not known whether Congress will approve an extension of categorical aid, replace it with revenue sharing, or opt for a combination of the two.

Although libraries have been eligible to receive revenue sharing funds since the program began in 1972, the impact of revenue sharing has not been as great as the impact of LSCA. In some communities, libraries have benefited from revenue sharing; in others, revenue sharing funds have been used to supplant previous local support of libraries. In many instances revenue sharing monies have been spent for a one-time capital expenditure rather than operational items. In relation to other community agencies, such as law enforcement, parks, and recreation, libraries have not fared well. Without state library agency administration of a categorical grant program such as LSCA provides, it is difficult to develop a coordinated plan for adequate library service.

Although improved library services have been realized, state library administrators are searching for an avenue to preserve and further develop the progress which has been made. One of the prime questions still centers around the sources of adequate funding. The impoundment of federal funds in fiscal year 1973 resulted in several States successfully replacing federal funds with state funds. However, with current economic difficulties, programs implemented with state funds are, in some cases, now being severely curtailed.

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\*Ms. Power is Executive Secretary of the Association of State Library Agencies.



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 have been created as an integral part of the model which are responsive to national and state demands for accountability.

#### A NATIONAL CONFERENCE

The recently established National Commission on Libraries and Information Science published *Toward a National Program for Library and Information Services: Goals for Action* in May 1975. In this national plan, the commission views the state library agency as the coordinator of system and network development for all types of libraries and information resources within the State. This 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 the plan for a White House Conference on Libraries and Information Services. The purpose of a meeting at this level would be to establish and fully understand the goals and objectives of a national plan for library and information science. In numerous States, the state library agencies are taking the lead in sponsoring or encouraging Governors' conferences to prepare for the national conference. As of January 1976, funds had

not been appropriated nor had the Administration established a date for the White House conference, although the necessary legislation had been passed and state library agencies had initiated preliminary planning.

#### RECENT DEVELOPMENTS

New developments on the state level are encouraging. For example, several States have established legislative hotlines in an effort to improve library services to state government. We are witnessing the conversion of individual card catalogs of major collections to machine-readable form to provide data for computerized union catalogs. We see new library legislation in which state library agencies are being charged by law to look toward and implement the improvement of all types of libraries. In addition, many States have legislated for the establishment of regional library systems and networks. The state library agency is in a position to create a climate in which the changes necessary in legislation and governmental structure needed for a coordinated and unified library network can be accomplished.

#### SELECTED REFERENCES

- "Federal Aid to Libraries: Its History, Impact, Future." Genevieve M. Casey, issue editor. *Library Trends*, vol. 24, no. 1, July 1975.
- "General Revenue Sharing and Federalism." David A. Caputo, special editor. *The Annals of the American Academy of Political and Social Science*, vol. 419, May 1975.
- Knight, Douglas, and Nourse, E. Shepley, eds. *Libraries at Large*. New York: Bowker, 1969.
- "American State Libraries and State Library Agencies," pp. 400-411, from a report by Nelson Associates, Inc.
- Toward a National Program for Library and Information Services: Goals for Action*. Washington, D.C.: The National Commission on Libraries and Information Science, 1975.

STATE LIBRARY AGENCIES\*  
Structure and Appropriations  
Fiscal Year 1975

State	Organi- zation struc- ture†	Agency reports to‡	Appropriations					Other sources of income	Total
			State		Federal				
			Agency appropri- ation	Direct assistance to public libraries	Library Services and Con- struction Act	Other			
Alabama.....	I	G	\$178,000	\$650,000	\$890,965	...	...	\$1,718,965	
Alaska.....	U	E	1,263,100	54,300	100,000	...	...	1,417,400	
Arizona.....	U	A	1,146,800	225,000	620,555	...	\$5,000	1,997,355	
Arkansas.....	U	E	360,523	788,000	569,047	...	...	1,717,570	
California.....	U	C	2,756,754	1,000,000	4,031,235	\$25,500	...	7,787,989	
Colorado.....	U	E	581,111	620,672	693,069	...	...	1,894,852	
Connecticut.....	I	B	1,822,000	500,000	758,588	...	...	3,080,588	
Delaware.....	U	D	187,012	32,000	303,814	...	...	522,826	
Florida.....	U	S	588,956	1,720,000	1,661,805	...	177,116	4,147,877	
Georgia.....	U	E	630,838	5,982,187	1,100,780	25,000	2,000	7,740,805	
Hawaii.....	U	E	5,236,917	(a)	394,388	...	...	5,631,305	
Idaho.....	U	B, E	522,000	157,000	488,400	...	6,300	1,173,700	
Illinois.....	U	S	2,133,475	11,523,857	2,291,659	...	...	15,348,944	
Indiana.....	I	G	1,061,661	...	1,213,693	...	...	2,275,354	
Iowa.....	I	B	213,233	...	765,582	...	...	978,815	
Kansas.....	I	G	505,178	445,000	757,139	...	...	1,707,317	
Kentucky.....	I	G	3,851,000	296,800	1,102,727	450,000	23,500	5,724,027	
Louisiana.....	I	C	538,255	...	1,074,307	...	72,700	1,685,262	
Maine.....	U	E	548,884	99,000	68,112	...	3,270	1,349,266	
Maryland.....	U	E	740,345	3,721,612	897,894	1,820,000	...	7,179,851	
Massachusetts.....	U	E	268,055	4,727,033	1,304,564	2,472,931	...	8,772,583	
Michigan.....	U	E	1,192,856	4,317,100	2,067,813	4,667,022	...	12,244,791	
Minnesota.....	U	E	328,624	1,885,979	905,451	...	...	3,120,054	
Mississippi.....	I	C	599,731	965,787	659,348	3,000,000	...	5,224,866	
Missouri.....	U	B	315,854	1,236,461	1,114,676	...	...	2,666,991	
Montana.....	U	E	183,000	...	374,011	...	...	557,011	
Nebraska.....	I	C	627,719	150,000	521,423	...	...	1,149,142	
Nevada.....	I	G	453,536	104,000	341,151	...	...	898,687	
New Hampshire.....	I	G	358,719	...	385,760	...	...	744,479	
New Jersey.....	U	E	1,709,125	7,067,890	1,558,534	1,500,000	...	11,835,499	
New Mexico.....	I	C	575,500	145,000	430,000	...	20,000	1,171,500	
New York.....	U	E	5,048,500	24,678,607	3,583,675	...	...	33,310,782	
North Carolina.....	U	R	1,284,781	3,454,056	1,213,326	...	...	5,952,163	
North Dakota.....	U	I	199,985	...	356,571	25,000	5,711	587,267	
Ohio.....	I	B	1,749,491	632,604	2,943,106	...	267,535	5,593,336	
Oklahoma.....	I	B	890,673	125,725	718,186	...	41,110	1,775,694	
Oregon.....	I	B	647,358	...	723,932	...	12,500	1,383,790	
Pennsylvania.....	U	E	1,133,000	8,216,000	2,117,592	...	...	11,766,592	
Rhode Island.....	I	G	372,809	658,907	417,519	...	...	1,449,235	
South Carolina.....	I	B	567,260	1,036,206	703,017	...	...	3,306,483	
South Dakota.....	U	G	322,658	...	365,200	...	...	687,858	
Tennessee.....	U	E	992,900	1,640,200	917,628	...	...	3,550,728	
Texas.....	I	C	3,583,493	1,466,000	2,411,351	...	50,000	6,044,844	
Utah.....	I	C	577,160	...	451,030	...	...	1,028,190	
Vermont.....	I	G	579,181	...	325,547	...	19,071	923,799	
Virginia.....	I	B	1,565,295	1,554,945	721,195	...	...	3,841,435	
Washington.....	I	C	2,802,128	...	1,025,860	...	427,302	4,255,290	
West Virginia.....	I	C	667,500	800,000	568,236	...	...	568,236	
Wisconsin.....	U	E	1,115,200	2,912,760	1,505,107	...	...	5,533,067	
Wyoming.....	I	B	148,298	...	304,804	...	10,000	463,102	
Total.....	...	...	\$55,726,431	\$95,590,688	\$50,819,372	\$13,985,453	\$1,143,115	\$217,265,059	

\*Prepared by the American Library Association.

†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; L—Legislature; R—Department of Cultural Resources; S—Secretary of State.

(a) Hawaii has a totally integrated system; all public and state library support included in previous column.

THE BOOK OF THE STATES  
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	Specialised 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 American Library Association.  
★Primary.

†Shared.  
..None.



## MAJOR FUNCTIONS OF STATE LIBRARY AGENCIES

**A. LIBRARY SERVICES TO STATE GOVERNMENT**

1. Documents
2. Information and Reference Service
3. Legislative Reference or Information Service
4. Law Collection
5. Genealogy and State History Collection
6. Archives
7. Liaison with Institutional Libraries

A strong collection of federal, state, and local documents maintained for historical research, public affairs, and special informational needs.

A quick information and extensive bibliographic service for state staffs on government assignments.

The research and digesting of information to help state legislators meet their generally increased responsibilities.

An extensive collection of constitutions, codes, statutes, sessions, laws, and legal documents to serve the judicial, legislative, and executive branch of government, the lower courts, students, and the general public.

Primary nonofficial source material to support intensive study of the State's political, economic, and cultural history. The State's own records preserved, organized, and used for the legal and administrative functions of government.

An effort to facilitate the initial development and growth of libraries in the areas of health, welfare, and correctional programs.

**B. 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.

8. Academic
9. Public
10. School
11. Institutional
12. Research
13. Coordination of Library Systems
14. Consulting Services
15. Interlibrary Loan, Reference and Bibliographic Service
16. Statistical Gathering and Analysis
17. Library Legislation Review
18. Interstate Library Compacts, Contracts, and Other Cooperative Efforts
19. Specialized Resource Centers
20. Direct Library Service to the Public
21. Annual Reports
22. Public Relations
23. Continuing Education

Coordination of library growth in academic libraries.

Coordination of library growth in public libraries.

Coordination of library growth in school libraries.

Coordination of library growth in institutional libraries.

A means of identifying programs, resources, and other background information on various levels that are needed to further library growth.

The determination and implementation of the most effective structure to provide access to the total library resources.

Individual or small group contact with state and local officials emphasizing special aspects of library service, and to offer guidance and stimulation to all libraries to develop their potential.

Information services designed to supplement community and regional library services.

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.

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 insure the compatibility of library laws.

The effort of the state agency to provide a legal and equitable means for extending cooperation across state lines.

Libraries designated by the state agency to permit more specialized and comprehensive resources that provide backup for the local collection.

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.

The compilation used to show the state library agency's activity as a coordinating agency providing information to legislators and citizenry of the State.

The interpretation of library service to the government and to the public to create a climate of public opinion favorable to library development.

Providing meetings, seminars, and workshops to bring facts and needed information to the attention of librarians and trustees.

**C. STATEWIDE DEVELOPMENT OF LIBRARY RESOURCES**

24. Long-range Planning
25. Determining the Size and Scope of Collections
26. Mobilization of Resources

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.

The extent of collections needed in relation to other existing collections and strengths of resources within and without the State.

Cooperative agreements made to insure that materials are made quickly and easily available by various means.

MAJOR FUNCTIONS OF STATE LIBRARY AGENCIES

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27. Subject and Reference Centers
28. Defining Types of Resources—Books
29. Other Printed Materials
30. Multi-Media
31. Materials for the Blind and Handicapped
32. Coordination of Resources
33. Little-used Material Centers
- D. STATEWIDE DEVELOPMENT OF INFORMATION NETWORKS**
34. Planning of Information Networks
35. Centralized Informational Facilities
36. Exchanging Information and Material
37. Interstate Cooperation
- E. FINANCING LIBRARY PROGRAMS**
38. Administering Federal Aid
39. Administering State Aid
40. Organization and Reorganization of Library Systems and Networks
- 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.
- 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.
- 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.
- Films, film strips, slides, recordings, and other new forms of communication media are important elements of the total resources of the State.
- Talking books on discs and tapes and books in braille and in large print are needed in each State.
- 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.
- Locations established for the holding of rare and out-of-print materials disposed of by libraries participating in the total state program.
- The development and implementation of formal coordinated structures for the optimum utilization of the total library and information resources within a State.
- The determination of the most advanced techniques for acquiring, recording, and processing all kinds of informational material and the centralizing of these activities to insure the most economical and efficient service possible.
- The opening of new sources and channels for the flow of information through networks.
- 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.
- Monies obtained from federal sources to provide incentive money to help States improve the quality of library service.
- 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.
- 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.
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## Transportation

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### TRANSPORTATION

By JAMES F. RUNKE AND CHARLES G. WHITMIRE\*

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TRANSPORTATION REPRESENTS an area to which States, in cooperative programs with federal and local governments, dedicate billions of dollars each year for the various modes. In 1974, state, local, and federal agencies expended \$15.8 billion for highways, \$276 million for aviation, and \$176 million for waterway programs and projects. Expenditures of this magnitude indicate the tremendous public demand for and benefits received from investments in transportation facilities, services, and safety programs (see Table 1).

In most areas of transportation, state responsibility not only covers the expenditures for programs, but also numerous methods of deriving revenues to help offset the cost of transportation programs. These methods of raising revenues for transportation take the form of taxes and charges (see Table 2). When costs of a program exceed revenues plus any federal program funds, appropriations must be made from some other source, usually general fund revenues. This is common in mass transportation, aviation and, most recently, in railroad programs. Table 3 indicates, in very broad terms, the per capita general revenues and expenditures for selected transportation items, by State.

Responsibility for transportation varies throughout the States. The needs and demand for transportation are a function

of a State's economic base, physical size, urban-rural ratio, population distribution and density, and other attributes. From these criteria and voter response a State will decide on the investment level and number of transportation programs necessary to meet its own needs. Generally, a major impetus for many transportation programs is engendered by national programs. Substantial monetary incentives, 90 percent federal funds and 10 percent state funds in the Interstate Highway Program, are offered to obtain national transportation goals. At the same time, such programs may permit States to accomplish state transportation goals at reduced funding levels.

At present, this responsibility for transportation in most States (regardless of the agency in state government) lies in the general areas of administration, construction, maintenance, inspection, enforcement, planning, operation, regulation, safety, research, taxation, and coordination of programs in highways, aviation, railroads, mass transportation, waterways, and pipelines. This vast and varied role of state government in transportation has produced some problems in program control, consistency in policy-making, and responsiveness to state needs. These are not, however, unique problems of state government but also problems of the federal and local governments. There is a movement to consolidate and reorganize the transportation function in state government to contend with these problems.

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### STATE DOTs

Traditionally, each mode of transportation or specialized function, such as licensing of vehicles, has been administered by a single, independent agency or department in state government. The planning, design, inspection, accounting, and other aspects have been part of each individual agency. Through general reorganization of state government or legislative/executive desire for integration of transportation during the past 15 years, this duplication of services in each mode or function has been substantially reduced and consolidated by creation of State Departments of Transportation (DOTs).

Among the 31 State Departments of Transportation, the specific organizational structure and realm of responsibility vary significantly. The reason for the variation in structure or responsibility stems from the differences in state transportation needs and the political climate in the States at the time of department creation (see Tables 4 and 5).

Most States with DOTs have found one of the three organizational structures adequate for their needs (see Table 5). States such as Georgia, Maryland, and Texas have organized on a modal basis—a division of highways, aviation, mass transportation, railroads, and waterways. Other States, such as Illinois, Kansas, and New York, have organized along functional lines—a division of planning, maintenance, operation, and so forth. The majority of State DOTs fit in the final organizational approach—a mixed modal and functional structural alignment.

Under any of the three organizational structures, the States have included at least two and as many as five modes in the DOT. Table 4 illustrates the variation in composition of State DOTs. The number of modes and functions administered by a DOT appears to increase with time and as the DOT matures. All States include highways, except Missouri, with the majority having jurisdiction over aviation and mass transportation. Responsibility for railroads has increased with the bankruptcy of eight northeastern and

midwestern carriers while waterways are included by most coastal States which have a DOT. Only two States have regulatory powers as well as functional and modal responsibilities.

Regardless of the number of modes and functions in a DOT, operation and development of transportation programs to meet state needs are dependent on adequate funding. At present, States utilize three distinct mechanisms to finance transportation. First, many States operate specific programs with dedicated revenues from specific sources. Highway and aviation programs are typical of this approach. Specific charges or fees such as fuel taxes, tolls, or enplanement fees are assessed to the users of a specific mode. The user charges are placed in a dedicated fund to finance that specific modal program. This type of funding has been in operation for many years in most States.

During the gasoline shortage of 1973-74 and subsequent fuel price increases, however, the revenues anticipated from user charges dropped. The reduction in dedicated fund revenues produced substantial reductions and cutbacks in specific highway and other transportation programs. Besides revenue instability, several States have experienced problems in overall transportation program control and integration which have been attributed to dedicated fund financing of specific modes.

Another approach for financing transportation, adopted by Maryland, is through a transportation trust fund concept. Under the trust fund concept, all revenues are derived from transportation sources through the usual license, user, and fuel taxes, tolls, and other charges. These revenues are placed in the transportation trust fund and all transportation programs are budgeted from the fund. This approach, unless supplemented by general fund appropriations, suggests that the problems of dedicated funds are removed; however, all modal programs, regardless of their contribution to the trust fund, must be funded from the trust. This redistribution of funds among the modes adds greater flexibility in planning programs, but reduces funds for traditional programs in highways and



aviation, the primary contributors to the fund. Furthermore, unless all transportation revenues are contributed to the fund, such as railroad property taxes and so forth, it may be difficult to initiate new programs because revenue sources are limited and growth of these sources is also limited.

The final method of funding transportation in the States is through general fund appropriations. Under this system all fuel taxes, user charges, and other transportation fees are collected in the general fund. No funds are dedicated to specific modes or projects, but rather all phases of transportation are apportioned from the general fund regardless of the amount of revenue contributed to the fund by a mode. The general fund financing removes the dedicated funding of specific modes and permits a balanced assessment of modal priorities for funds in line with state transportation needs. However, general fund approaches for financing state transportation programs also suggest that transportation will have to compete with other state programs, i.e., welfare, education, corrections, and so forth, for available funds. On July 1, 1975, Connecticut became the first State to adopt the general fund approach to finance transportation.

#### HIGHWAY TRANSPORTATION

The highway system has been and will continue to be the backbone of this Nation's transportation system. We now have 3.8 million miles of public roads and streets, of which 790 thousand miles are state-administered, and 135 million motor vehicles (see Tables 6 and 7). The 1974 National Transportation Report shows how decisively highway travel dominates the Nation's transportation by all modes in a ratio of more than 10 to 1. Some 94 percent of all person-miles of travel in the Nation by all modes is performed by highway vehicles, both automobiles and buses. Within urban areas, the ratio is even higher—98 percent (94 percent by automobile and 4 percent by bus). Even in the largest urbanized areas where rail and bus mass transit are available, person-trips by these two modes combined are only 11 percent of the daily trips. While

large shares of the travel to the central business district during "rush hours" occur by mass transit, it represents only a small portion of the total travel within the area. Freight and service vehicle movements within urban areas depend almost 100 percent on the availability of a street and highway network.

Highway affairs in this country have traditionally been a partnership between federal, state, and local governments. The States and local communities are vital forces in highway affairs; they manage the systems, maintain them, and program their improvements. State and local governments also raise a substantial part of the total funds required, mostly from highway user taxes. In 1974 the Federal Highway Administration estimated that total capital outlay for highways was \$12.9 billion. State and local governments accounted for \$12.6 billion of this expenditure, including about \$4.9 billion of federal aid. However, construction expenditures have declined from close to 2 percent of GNP in the 1930s to about 0.75 percent, including Interstate System construction. Despite increasing travel, more fuel-efficient vehicles and practices are expected to reduce user tax income below previously anticipated levels at existing tax rates.

The 1974 National Highway Needs Report shows that arterial and collector highway, road, and street capital needs from 1973 to 1990 (17 years) will be about \$428 billion at 1971 prices, which have already risen 57 percent. For the same 17-year period, local road and street capital needs are estimated to total \$187 billion. Obviously, these sums of money are not available and highway officials must establish priorities for future highway programs. Moreover, maintenance and administrative costs are rising rapidly for all systems.

Today's complex highway program needs to be concerned with the protection of the environment, assistance to the urban citizenry, reduction of pollution, conservation of energy sources, and greater participation of citizens in the planning and development stages.

Safety always has been one of the principal concerns of highway programs. The

elimination of safety hazards on older roads is a continuing goal. For example, some 32,000 bridges on the federal-aid systems are considered to be in unsafe condition. Federally funded safety construction programs are specially authorized in amounts of \$475 million annually for fiscal years 1975 and 1976.

The Federal-Aid Highway Act of 1973 and 1974 amendments also provide for continuation of the 42,500-mile Interstate System with authorizations of \$3 billion each for fiscal years 1975 and 1976, and \$3.25 billion annually for fiscal years 1977 through 1979. The Interstate System is 87 percent "completed," but only 22 percent of the mileage is built to fully acceptable standards. Federal-aid primary and secondary road systems in rural areas will receive \$1.1 billion for fiscal 1975 and \$1.25 billion for fiscal 1976. In order to improve the federal-aid primary highways which connect to the Interstate System in both rural and urban areas, the act authorizes the creation of a new Priority Primary System with funding of \$600 million for fiscal years 1974-76. To improve urban highway systems the act also authorized \$1.15 billion for fiscal years 1975 and 1976.

Official estimates show that to meet the demands of a growing population, motor vehicle travel by 1990 will be up nearly 50 percent over the 1975 level, which increased almost 5 percent above the oil-crisis year of 1974. The highway system, as we know it today, will continue to be the predominant system of transportation, but it will require better coordination with air and rail in order to increase efficiency and develop a truly intermodal transport system for the benefit of the public.

Energy conservation will also demand more efficient traffic management on the highway system, including major efforts to increase vehicle occupancy through car and van pools (raising the work trip average of 1.2 people per car to 2 could save over 1 million barrels of oil per day), improved public transportation with exclusive or preferential bus and carpool lanes, and improved highway systems to reduce fuel- and time-consuming stop and go travel.

#### STATE AVIATION PROGRAMS

Aviation is a critical component of a balanced state transportation system and the States have a major interest in policies and programs which affect the pattern of development of airport and airway facilities. Substantial progress was made in 1975 toward furthering the federal-state partnership in developing the national air transportation system. Three forces were at work to accomplish this objective: the continuing Administration philosophy favoring decentralization of the federal government and more reliance on state and local governments; the publication of studies prepared by the General Accounting Office and independent consultants under contract by DOT demonstrating the cost effectiveness and efficiency of the States in implementing general aviation programs which hopefully will influence the Congress to transfer general aviation programs from federal to state administration; and, most importantly, under the leadership of the National Association of State Aviation Officials (NASAO), the States have developed a unified voice on aviation policy matters.

The Airport Development Aid Program (ADAP) was enacted in 1970 and was considered an important landmark in aviation legislation. It established, for the first time, a federal commitment to a long-term funding program for the development of airports and airway facilities. Further, it established an annual authorization for airport development and planning of \$295 million, and this was increased to \$310 million by amendments made to the act in 1973. The accomplishments under the 1970 legislation have been substantial, involving the funding of over 2,000 projects, including the building of 82 new airports and 166 new runways. The ADAP expired on June 30, 1975, and a coalition of state organizations representing the Governors, state legislators, State DOT Secretaries, and state aviation officials worked closely throughout the year in presenting a uniform state position to Congress. The thrust of the state position has been to seek new directions for the ADAP pro-

gram to give the States greater responsibilities.

Unified state aviation policies were also developed to cover major issues such as the need for improved scheduled air service to smaller communities; increased recognition of the role played by the scheduled air taxi and commuter airlines in providing air transportation services; development of comprehensive transportation system plans coordinated at each level of government; and reduction of the jet noise problem via airport zoning laws, jet engine modification, and improved in-flight procedures.

Most of the States had completed their State Airport System Plans by the end of 1975. Other major state aviation programs such as flying safety, accident prevention, regulation of intrastate air carriers, provision of supplementary air navigational aids, and aviation information programs for the public continued throughout 1975.

The extent to which the federal agencies will transfer additional aviation responsibilities to the States will continue to depend largely upon the willingness of the States to assume these responsibilities, as well as upon the States' demonstrated competence to exercise them. In view of the sharply increased interest in aviation shown by state officials in 1975, it would appear that Congress and the federal agencies will display increased confidence in state aviation capabilities.

#### URBAN MASS TRANSIT

In the past 30 years, the number of persons carried by public transit has declined from 23 billion passengers annually in 1945 to 7 billion in 1974. The public may prefer the automobile at the expense of such public modes as buses, subways, surface rail, and trolleys, but given the world energy situation, the States are beginning to devote more attention to methods of making public transportation economically advantageous, convenient, and efficient. Rail rapid transit systems are in operation or under construction in nine American cities; rail systems are in the planning and engineering stages in many other cities. To most States, however, improved mass transit means more buses,

using exclusive bus lanes, and other preferential facilities to move large numbers of people quickly, comfortably, and conveniently. Then, too, in many communities, large and small, no public transportation is available at all.

The increasing involvement of state government in public transportation is vital. Farebox revenue is unable to support mass transit, and States and the federal government are going to have to increase revenue commitments, possibly assuming total responsibility for capital expenditures. For example, the Maryland DOT has the sole responsibility for providing public transport (bus and rail) in the Baltimore metropolitan area and is contributing much of the local share for the Washington Metro Rapid Rail project.

States have exercised their authority to form area public transit districts and have granted them taxing authority and bonding powers. Financial aid for public transit is varied and includes a cigarette tax in Massachusetts; higher gas and electric rates in New Orleans, Louisiana; a half-penny sales tax in Colorado; a special property tax in Toledo, Ohio; dedicated parking meter revenues in Baton Rouge, Louisiana; and a payroll tax in Portland, Oregon. Additionally, there are sales and other general taxes in several cities, tax relief or rebates to public operators in at least 15 States, and reimbursement to public operators for discounted fares for school children and senior citizens.

Urban transportation is so complex that state action seems necessary. The State can give each urban area the technical and financial assistance it requires, ensure proper planning and coordination, set priorities, and help resolve conflicts between city and suburban subdivisions. With the proper combination of highways and transit modes there is hope for progress against urban congestion and energy conservation. A strong state role in public transportation is a major element in the most recent federal legislation pertaining to transit.

The Federal-Aid Highway Act of 1973 authorized for the first time the use of the Highway Trust Fund for public transportation. For the urban system, the act

authorized \$780 million out of the Highway Trust Fund for fiscal year 1974 and \$800 million each for fiscal years 1975 and 1976. Beginning in fiscal year 1975, urban areas have had the option of using up to a total of \$200 million of their allocations for purchase of buses; beginning in fiscal 1976, they can use all or any part of those allocations for buses, rail transit systems, or highways. By law, these urban projects are to be selected by appropriate local officials and concurred with by state governments. This requires even greater coordination and cooperation between the various levels of government.

In addition, the Federal-Aid Highway Act opened up other possibilities because public transportation can now be substituted on a dollar-for-dollar basis for un-built urban Interstate Highway segments no longer considered essential to the national system. This act also established an 80 percent federal, 20 percent local matching ratio for Urban Mass Transportation Administration (UMTA) grants.

In 1974, the passage of the National Mass Transportation Assistance Act (NMTA) expanded and in many ways created new roles and involvement of the States in public transportation. In the earlier Housing Acts and Urban Mass Transportation Act of 1964, the States had very minimal input or impact on mass transportation decision-making. The 1974 NMTA has a hierarchical system where national, state, and local requirements and priorities are assessed to try to ensure coordinated mass transportation in conjunction with the needs of each level of government.

Under the 1974 NMTA, \$11.8 billion was provided over a six-year period from fiscal year 1975 through fiscal year 1980. The formula grant program provides \$3.975 billion (see below) while \$7.825 billion can be distributed at the discretion of the Secretary of Transportation.

<i>Formula</i>	<i>Funds</i>
1975	\$300 million
1976	\$500 million
1977	\$650 million
1978	\$775 million
1979	\$850 million
1980	\$900 million

Other sections of the 1974 NMTA also require direct state involvement. This state involvement will have to come from agencies such as state highway departments to aid local areas in traffic management for transit vehicles; state and local planners' cooperative efforts on development of long-term, multimodal, statewide transportation planning; and Governors and legislators mandating continued funding levels for mass transportation. These represent only a few examples of the necessity for integration and cooperation among state and local governments.

#### RAILROADS

The States have generally held only a regulatory role with regard to railroads for the past 75 years. Intrastate freight rates, property tax, trackage abandonments, passenger service corridors, and safety were the primary interests of the States. With the financial collapse and bankruptcy petition of eight northeastern and midwestern rail carriers and the shaky financial position of many other railroads, the States are changing their perspective to ensure continuation of vital rail service.

A change in state perspective on rail transportation was more or less mandated for those States within the region of bankrupt northeastern and midwestern railroads. Congress considered existing legislation for reorganization of the bankrupt railroads totally inadequate because of the number and size of carriers involved. Thus, new legislation, the Regional Rail Reorganization Act of 1973 (RRRA), was passed with explicit roles for the States.

Under RRRA, a quasi-public/private corporation, the United States Railway Association (USRA), was to plan the restructuring of bankrupt carriers. The basic method of reorganization of the bankrupt railroads into a new economically viable system was through abandonment of excess, duplicative, and unprofitable segments of track in the affected States.<sup>1</sup> This process, at its conclusion,

<sup>1</sup>The States involved are Connecticut, Delaware, Illinois, Indiana, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, and West Virginia.

identified 5,700 miles of track to be abandoned or subsidized from the total 22,000 miles in the 17-state system.<sup>2</sup>

To retard the economic, environmental, and societal impacts of eliminating 5,700 miles of excess trackage in the 17 States, the RRA has a two-year subsidy provision. The subsidy provision is a federal-state matching ratio: 70 and 30 percent respectively. The total dollar amount of the rail subsidy program is \$180 million (\$90 million per year), \$45 million per year under state entitlement and \$45 million per year at the discretion of the Secretary of Transportation.

Under entitlement funds, the \$45 million each year is distributed to the 17 States on the ratio of each State's total rail mileage to the total rail mileage in the northeastern and midwestern region. No State is to receive less than 3 percent or more than 10 percent of the total funds available. The entitlement funds may be used for operating losses, maintenance expenses, and rehabilitation costs of tracks to 10 mph (Federal Railroad Administration Class I track standards) on lines not included in the new, reorganized railroad.

Under discretionary funds, the Secretary of the U.S. Department of Transportation may distribute funds up to \$45 million per year to the States and/or local or regional transportation authorities in the form of loans, loan guarantees, or grants. This distribution of funds will be for acquisition of trackage and/or modernization of track above 10 mph. Low priority excess lines may possibly receive assistance through discretionary monies. Again, under either entitlement or discretionary funds, 70 percent will be federal funds and 30 percent must be state and/or local or regional entities.

It is at this point that the state role, which is clearly specified in the RRA, comes into play. For any eligible State to participate in the federal program, the State must have a State Rail Plan administered by a designated state agency. The state agency must be staffed with qualified personnel who will maintain research and

development programs in rail transportation. The State must exercise control and proper accounting of federal funds and comply with regulations promulgated by the Secretary of Transportation.

This meant that the States had to develop rail transportation expertise to inventory, plan, research, and analyze all aspects of rail transportation facilities, equipment, rates, routes, and services for both freight and some passenger service. This had to be accomplished in a very short time (since January 1974) in order to respond to the USRA planning effort and establish state rail transportation policy. Many States have had to pass new enabling legislation and funding to participate in the program to retain vital rail services. The effort on behalf of the States has been equal to the task, and rail transportation has assumed a role in state transportation on a level with the other modes.

Other States not included in the RRA are taking a hard look at rail transportation and its role as part of the state transportation and economic systems. Iowa has an innovative, cooperative state, local, and railroad companies rehabilitation program for rural branch lines. South Dakota and North Dakota have embarked on rail research programs for their States. Minnesota is also examining rail transportation systems. These States are only examples of a few state programs in rail transportation. Many other States have similar investigations under way.

The final outcome of the rail reorganization in the Northeast and Midwest is undetermined at the present. The new, restructured railroad system, ConRail, will have to prove itself and this may only be done with time. Congress is in the process of reevaluating national rail transportation policy and regulation. At present, any action will strongly impact upon the States and the rail industry.

#### NO-FAULT INSURANCE

There has been a slackening in the rate of enactment of state no-fault auto insurance laws during the past biennium. In 1974, four additional States acted; in 1975 only one additional State (North Dakota) enacted a no-fault law. At present, one half of the States have laws and

<sup>2</sup>The Council of State Governments, *The States and Rural Rail Preservation: Alternative Strategies* (Lexington, Kentucky: October 1975).

54 percent of the Nation's population is covered by such laws (see Table 10). States are logically pausing to judge the results of no-fault laws of varying types before enacting their own no-fault laws.

Congressional interest in mandatory state no-fault insurance continues to exert pressure on the States to enact their own no-fault insurance plans. The thrust at both the state and federal levels is the same—to provide benefits to victims of auto accidents without regard to fault.

The no-fault insurance system does away with establishing blame except in cases involving serious injury or death, and allows an accident victim to recover damage from his own insurance company without the need to institute legal action.

The first state-type no-fault insurance program was approved in Puerto Rico in 1968. It has proven very successful and is being studied by many State Legislatures. The Puerto Rico plan is said to return 90 cents in benefits for every dollar of premium collected. In comparison, the present liability-based insurance system is estimated to return 50 cents in benefits for every dollar of premiums.

In 1970, Massachusetts became the first State to adopt a genuine no-fault system, that is, one which limits tort liability for property damage. The Massachusetts law provides no-fault benefits up to \$2,000 for medical expenses, wage-loss coverage, and substitute services.

To date, all of the State Legislatures have considered no-fault reform legislation in at least two legislative sessions. Twenty-four States and Puerto Rico have enacted automobile insurance reform laws. There is a great deal of variation among state laws. Only 16 of the 24 States restrict, at least to some degree, the tort lawsuit remedy for automobile accident injuries. Since restriction of tort lawsuits is a key element in any effort to produce a low-cost, comprehensive, and fair system for compensating motor vehicle accident victims on a no-fault basis, only 16 States can be said to have genuine no-fault laws. They are Colorado, Connecticut, Florida, Georgia, Hawaii, Kansas, Kentucky, Massachusetts, Michigan, Minnesota, Nevada, New Jersey, New York, North Dakota, Pennsylvania, and Utah. The other eight States that have enacted motor vehicle insurance reform laws are Arkansas, Delaware, Maryland, Oregon, South Carolina, South Dakota, Texas, and Virginia. Most of these eight States do require first-party benefits insurance coverage for motor vehicle accident victims, without regard to fault, but they do not restrict tort liability.

Major federal legislation has been introduced in both the House and the Senate, providing for minimum national standards that each State must meet or exceed in order to establish its own plan for no-fault insurance.

TABLE 1  
SELECTED STATE TRANSPORTATION EXPENDITURES—1974\*  
(Thousands of dollars)

State	Highways			Airports			Water transport and terminals		
	Total	Inter-governmental	Direct	Total	Inter-governmental	Direct	Total	Capital outlay	Other
All States....	\$15,847,192	\$3,211,455	\$12,635,737	\$276,603	\$52,882	\$223,721	\$176,154	\$72,149	\$104,00
Alabama.....	285,311	69,238	216,073	356	.....	356	20,783	9,476	11,307
Alaska.....	102,556	.....	102,556	40,432	.....	40,432	1,996	1,645	351
Arizona.....	171,825	32,090	139,735	1,213	170	1,043	.....	.....	.....
Arkansas.....	182,698	61,368	121,330	90	90	.....	.....	.....	.....
California.....	1,177,021	376,441	800,580	2,556	1,828	728	.....	.....	.....
Colorado.....	162,166	37,825	124,341	.....	.....	.....	.....	.....	.....
Connecticut....	220,510	15,826	204,684	4,589	895	3,694	76	33	43
Delaware.....	55,464	2,000	53,464	.....	.....	.....	.....	.....	.....
Florida.....	665,177	113,289	551,888	.....	.....	.....	321	224	97
Georgia.....	343,244	64,443	278,801	558	558	.....	14,940	5,562	9,378
Hawaii.....	76,886	.....	76,886	40,864	.....	40,864	10,879	4,963	5,916
Idaho.....	95,963	24,942	71,021	.....	.....	.....	.....	.....	.....
Illinois.....	798,367	220,675	577,692	14,506	7,475	7,031	2,720	33	2,687
Indiana.....	397,954	154,145	243,809	1,346	1,346	.....	475	.....	475
Iowa.....	319,423	109,875	209,548	.....	.....	.....	.....	.....	.....
Kansas.....	182,529	38,913	143,616	.....	.....	.....	.....	.....	.....
Kentucky.....	341,464	9,241	332,223	7,113	7,113	.....	297	.....	297
Louisiana.....	369,271	30,126	339,145	.....	.....	.....	25,141	10,580	14,561
Maine.....	96,067	4,285	91,782	684	509	175	528	310	218
Maryland.....	398,114	145,440	252,674	17,677	.....	17,677	17,911	9,032	8,879
Massachusetts..	322,278	75,437	246,841	49,949	819	49,130	23,080	8,332	14,748
Michigan.....	635,524	316,456	319,068	13,642	.....	13,642	3,562	166	3,396
Minnesota.....	338,545	86,997	251,548	6,575	6,193	382	80	.....	80
Mississippi.....	224,382	55,917	168,465	76	76	.....	3,201	2,681	520
Missouri.....	375,316	37,174	338,142	200	200	.....	.....	.....	.....
Montana.....	82,608	.....	82,608	249	.....	249	.....	.....	.....
Nebraska.....	144,172	30,438	113,734	1,191	783	408	.....	.....	.....
Nevada.....	65,089	11,532	53,557	.....	.....	.....	5	5	.....
New Hampshire..	80,693	4,886	75,807	629	629	.....	37	.....	37
New Jersey.....	493,359	34,779	458,580	.....	.....	.....	4,952	1,574	3,378
New Mexico....	112,094	9,991	102,103	.....	.....	.....	.....	.....	.....
New York.....	827,979	110,278	717,701	29,017	3,121	25,896	13,387	2,017	11,370
North Carolina..	354,318	29,296	325,022	298	298	.....	6,279	1,506	4,773
North Dakota...	72,729	17,127	55,602	224	224	.....	.....	.....	.....
Ohio.....	731,200	234,373	496,827	328	328	.....	554	.....	554
Oklahoma.....	242,071	67,364	174,707	378	274	104	.....	.....	.....
Oregon.....	200,607	74,929	125,678	66	12	54	.....	.....	.....
Pennsylvania....	951,898	125,693	826,205	17,022	13,294	3,728	1,018	.....	1,018
Rhode Island....	37,565	387	37,178	2,222	.....	2,222	254	28	226
South Carolina..	210,020	32,739	177,281	1,481	.....	1,481	13,383	5,367	8,016
South Dakota...	88,177	3,692	84,485	3,288	3,288	.....	.....	.....	.....
Tennessee.....	344,925	91,998	252,927	3,792	.....	3,792	.....	.....	.....
Texas.....	670,681	7,300	663,381	257	257	.....	.....	.....	.....
Utah.....	101,805	7,808	93,997	1,741	1,482	259	.....	.....	.....
Vermont.....	61,068	5,465	55,603	725	40	685	.....	.....	.....
Virginia.....	565,927	36,678	529,249	472	128	344	10,221	8,615	1,606
Washington.....	307,721	92,916	214,805	.....	.....	.....	74	.....	74
West Virginia...	378,318	.....	378,318	511	137	374	.....	.....	.....
Wisconsin.....	316,008	93,180	222,828	8,859	.....	8,859	.....	.....	.....
Wyoming.....	68,105	6,463	61,642	1,427	1,315	112	.....	.....	.....

\*Source: Bureau of the Census, *State Government Finances* in 1974.

..... Represents zero or rounds to zero.

TABLE 2  
SELECTED STATE TRANSPORTATION REVENUES—1974\*  
(Thousands of dollars)

State	Intergovernmental revenue			Taxes			Current charges		
	From federal government		From local governments for highways	Sales and gross receipts for motor fuels	License taxes		Highways	Water transport and terminals	Airports
	Highways	Airports			Motor vehicles	Motor vehicle operators			
All States....	\$4,503,485	\$100,573	\$206,863	\$8,206,632	\$3,476,572	\$278,260	\$1,001,704	\$117,598	\$87,443
Alabama.....	104,417	...	11,524	146,877	30,849	3,960	728	14,676	...
Alaska.....	70,749	18,453	2,743	13,743	6,700	360	159	...	12,984
Arizona.....	73,636	837	2,097	87,241	32,102	1,732	404	...	49
Arkansas.....	30,866	...	4,131	107,735	35,314	4,096	547	...	...
California.....	314,984	...	13,769	744,574	324,973	14,126	55,426	...	...
Colorado.....	60,607	...	...	91,374	33,323	1,710	112	...	...
Connecticut....	48,304	389	565	137,640	44,643	8,729	38,593	94	3,951
Delaware.....	22,741	...	...	27,383	16,627	621	7,619	...	...
Florida.....	157,455	...	...	357,585	182,786	17,243	69,400	26	...
Georgia.....	98,772	...	35	231,174	41,009	5,462	1,154	13,214	...
Hawaii.....	40,056	8,212	595	19,632	90	...	...	10,885	25,529
Idaho.....	38,652	...	911	34,753	16,701	1,025	661	...	...
Illinois.....	194,429	8,801	12,556	379,768	269,926	22,447	79,947	10	...
Indiana.....	84,304	1,341	4,353	244,335	79,135	4,500	24,243	144	...
Iowa.....	48,079	...	4,627	119,869	94,739	5,617	1,602	...	...
Kansas.....	53,206	...	4,901	95,907	43,208	2,085	22,036	...	...
Kentucky.....	111,670	6,288	2,876	165,970	38,339	1,456	22,967	...	24
Louisiana.....	117,156	...	4,665	148,515	30,663	5,046	4,629	24,222	...
Maine.....	27,369	20	3,891	50,207	19,521	1,764	13,809	94	33
Maryland.....	85,828	2,290	4,394	172,135	68,305	4,433	42,861	13,317	6,735
Massachusetts..	87,846	2,292	277	180,989	44,421	10,495	52,449	15,966	28,117
Michigan.....	158,615	13,775	22,807	400,855	162,801	11,941	7,281	213	137
Minnesota.....	97,673	5,291	9,213	144,348	87,718	5,011	9,138	...	39
Mississippi.....	42,594	...	453	125,569	21,034	3,654	854	1,310	...
Missouri.....	110,411	...	656	200,826	95,264	4,830	2,420	...	...
Montana.....	46,717	12	150	35,440	8,830	1,391	692	...	61
Nebraska.....	40,234	2,039	3,623	82,730	32,578	1,508	1,182	...	487
Nevada.....	30,275	60	293	24,902	13,510	1,044	2,383	...	...
New Hampshire..	16,776	383	1,110	37,447	16,124	2,561	6,583	1	...
New Jersey.....	128,823	4,691	64	266,848	148,795	17,001	144,818	4,028	...
New Mexico.....	42,037	...	401	53,982	17,427	1,234	142	...	...
New York.....	206,216	1,601	28	510,040	272,232	16,805	135,581	1,080	5,874
North Carolina..	106,196	...	590	268,594	82,228	5,340	378	4,951	...
North Dakota...	30,851	...	2,872	26,095	19,406	654	431	...	206
Ohio.....	180,359	...	23,650	375,898	122,024	10,269	47,695	...	...
Oklahoma.....	57,917	81	3,600	111,215	77,829	6,133	19,246	...	...
Oregon.....	60,040	...	767	81,765	71,085	5,938	3,207	...	...
Pennsylvania....	249,732	12,509	8,005	426,116	171,443	14,842	77,247	...	2,079
Rhode Island...	31,426	5	...	31,843	13,211	2,630	2,780	161	1,131
South Carolina..	47,485	...	1,677	127,242	23,381	1,035	2,497	10,353	7
South Dakota...	33,920	3,271	...	36,085	10,201	399	...	...	...
Tennessee.....	80,444	1,484	9,453	174,499	77,123	5,333	246	...	...
Texas.....	219,709	...	5,325	389,948	203,371	17,510	15,461	...	...
Utah.....	56,639	...	716	47,579	14,719	1,238	1,712	...	...
Vermont.....	26,566	342	...	21,833	14,803	977	174	...	...
Virginia.....	138,920	...	15,338	239,997	68,768	5,684	38,665	2,853	...
Washington.....	90,724	...	4,508	158,168	52,839	7,493	28,725	...	...
West Virginia...	211,591	36	...	72,849	28,865	1,853	11,504	...	...
Wisconsin.....	60,689	5,050	11,502	155,835	79,023	6,699	797	...	...
Wyoming.....	28,780	1,020	1,152	20,678	16,566	346	499	...	...

\*Source: Bureau of the Census, *State Government Finances* in 1974.



TABLE 3.  
PER CAPITA AMOUNTS OF SELECTED  
TRANSPORTATION FINANCIAL ITEMS: 1974\*

State	General revenue				General expenditures		
	Intergovern- mental federal revenue: Highways	Current charges: Toll highways	Taxes		Highways	Direct expendi- ture	Per \$1,000 of personal income
			Motor fuels	Motor vehicle licenses			
National average.....	\$ 21.38	\$ 4.36	\$38.96	\$16.50	\$15.24	\$ 59.98	\$15.05
Median State.....	23.86	6.97	42.15	16.40	15.03	65.59	17.81
Alabama.....	29.19	...	41.06	8.62	19.36	60.41	20.83
Alaska.....	209.94	...	40.78	19.88	...	304.32	52.38
Arizona.....	34.20	...	40.52	14.91	14.90	64.90	17.80
Arkansas.....	14.97	...	52.25	17.13	29.76	58.84	22.70
California.....	15.07	2.00	35.61	15.54	18.01	38.29	10.35
Colorado.....	24.28	...	36.61	13.35	15.15	49.82	13.23
Connecticut.....	15.64	12.22	44.57	14.46	5.13	66.28	12.07
Delaware.....	39.69	12.73	47.79	29.02	3.49	93.31	16.67
Florida.....	19.46	8.08	44.20	22.59	14.00	68.22	17.60
Georgia.....	20.23	...	47.35	8.40	13.20	57.11	16.32
Hawaii.....	47.29	...	23.18	0.11	...	90.77	16.78
Idaho.....	48.38	...	43.50	20.90	31.22	88.89	28.24
Illinois.....	17.47	6.32	34.12	24.25	19.83	51.90	12.31
Indiana.....	15.82	4.40	45.84	14.85	28.92	45.74	15.01
Iowa.....	16.84	...	41.99	33.18	38.49	73.40	20.86
Kansas.....	23.44	7.63	42.25	19.03	17.14	63.27	15.10
Kentucky.....	33.26	6.66	49.44	11.42	2.75	98.96	25.33
Louisiana.....	31.13	0.19	39.46	8.15	8.00	90.10	24.96
Maine.....	26.14	12.89	47.95	18.64	4.09	87.66	22.89
Maryland.....	20.96	10.14	42.05	16.68	35.53	61.72	17.82
Massachusetts.....	15.15	8.94	31.20	7.66	13.01	42.56	10.55
Michigan.....	17.43	0.69	44.06	17.89	34.78	35.07	12.66
Minnesota.....	24.94	...	36.85	22.39	22.21	64.22	16.91
Mississippi.....	18.33	...	54.03	9.05	24.06	72.49	27.66
Missouri.....	23.11	...	42.04	19.94	7.78	70.79	16.30
Montana.....	63.56	...	48.22	12.01	...	112.39	24.47
Nebraska.....	26.08	...	53.62	21.11	19.73	73.71	17.74
Nevada.....	52.84	...	43.46	23.58	20.13	93.47	20.68
New Hampshire.....	20.76	8.09	46.35	19.96	6.05	93.82	21.73
New Jersey.....	17.57	19.74	36.40	20.30	4.74	62.56	11.47
New Mexico.....	37.47	...	48.11	15.53	8.90	91.00	26.30
New York.....	11.39	7.43	28.16	15.03	6.09	39.63	7.95
North Carolina.....	19.80	...	50.08	15.33	5.46	60.60	15.69
North Dakota.....	48.43	...	40.97	30.46	26.89	87.29	19.95
Ohio.....	16.80	4.30	35.01	17.36	21.83	46.27	13.42
Oklahoma.....	21.38	7.10	41.05	28.73	24.87	64.49	20.94
Oregon.....	26.50	0.38	36.08	31.37	33.07	55.46	18.66
Pennsylvania.....	21.10	6.42	36.00	14.49	10.62	69.81	16.02
Rhode Island.....	33.54	2.91	33.98	14.10	0.41	39.68	7.98
South Carolina.....	17.06	...	45.70	8.40	11.76	63.68	19.85
South Dakota.....	49.74	...	52.91	14.96	5.41	123.88	27.31
Tennessee.....	19.48	...	42.26	18.68	22.28	61.26	20.41
Texas.....	18.23	1.14	32.36	16.88	0.61	55.05	12.44
Utah.....	48.29	...	40.56	12.55	6.66	80.13	21.61
Vermont.....	56.52	...	46.45	31.50	11.63	118.30	32.47
Virginia.....	28.30	7.88	48.90	14.01	7.47	107.83	24.08
Washington.....	26.10	6.97	45.50	15.20	26.73	61.80	17.41
West Virginia.....	118.14	6.12	40.68	16.12	...	211.23	53.23
Wisconsin.....	13.29	...	34.13	17.31	20.41	48.80	14.56
Wyoming.....	80.17	...	57.60	46.14	18.00	171.70	41.10

\*Source: Bureau of the Census, *State Government Finances in 1974*.

TABLE 4  
RESPONSIBILITIES OF STATE DEPARTMENTS  
OF TRANSPORTATION—1975\*

State	Highways	Aviation	Mass transit	Railroads	Water transport	Pipelines	Motor vehicles	Highway or transportation safety	Highway patrol	Transportation regulation
Arizona.....	★	★	★	..	..	..	★	..	..	..
California.....	★	★	★	..	..	..	★	★	..	..
Connecticut.....	★	★	★	★	★	..	★	★	..	..
Delaware.....	★	★	★	..	..	..	★	..	..	..
Florida.....	★	★	★	★	★	..	★	..	..	..
Georgia.....	★	★	★	..	..	..	★	..	..	..
Hawaii.....	★	★	..	..	..	..	..	★	..	..
Idaho.....	★	★	★	..	..	..	..	★	..	..
Illinois.....	★	..	★	..	★	..	★	★	..	..
Iowa.....	★	★	★	★	★	..	★	..	..	★
Kansas.....	★	★	★	★	★	★	..	★	..	..
Kentucky.....	★	★	..	..	..	..	★	..	..	..
Maine.....	★	★	..	★	..	..	..	..	..	..
Maryland.....	★	★	★	..	★	..	★	★	..	..
Massachusetts.....	★	★	★	..	★	..	..	..	..	..
Michigan.....	★	★	★	..	★	..	..	..	..	..
Missouri.....	..	★	★	★	★	★	..	..	..	..
New Jersey.....	★	★	★	★	★	..	★	★	..	..
New York.....	★	★	★	★	★	..	..	★	..	★
North Carolina.....	★	★	★	★	★	..	★	★	★	..
Ohio.....	★	★	★	★	★	..	..	..	..	..
Oregon.....	★	★	★	..	★	..	..	..	..	..
Pennsylvania.....	★	★	★	★	★	..	..	★	..	..
Rhode Island.....	★	★	★	★	★	..	..	..	..	..
South Dakota.....	★	★	..	★	..	..	..	..	..	..
Tennessee.....	★	★	★	..	★	..	..	..	..	..
Texas.....	★	..	★	..	..	..	..	..	..	..
Utah.....	★	★	★	★	..	..	..	★	..	..
Vermont.....	★	★	★	★	★	..	★	★	..	..
Virginia.....	★	..	★	..	..	..	..	★	..	..
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 1975.

TABLE 5  
STATE DEPARTMENTS OF TRANSPORTATION AND PRIMARY  
FORM OF ORGANIZATION\*

State	Name of agency	Year established	Form of organization		
			Modal	Functional	Mixed
Arizona.....	Department of Transportation(a)	1973	...	...	★
California.....	Business and Transportation Agency(b)	1960	...	...	★(c)
Connecticut.....	Department of Transportation	1969	...	...	★
Delaware.....	Department of Highways and Transportation(a)	1970	...	...	★
Florida.....	Department of Transportation(d)	1967	...	...	★
Georgia.....	Department of Transportation(a)	1973	★	...	...
Hawaii.....	Department of Transportation	1959	★	...	...
Idaho.....	Transportation Department	1974	★	...	...
Illinois.....	Department of Transportation	1971	...	★	...
Iowa.....	Department of Transportation	1974	...	...	★
Kansas.....	Department of Transportation	1975	...	★	...
Kentucky.....	Department of Transportation(a, e)	1974	...	...	★
Maine.....	Department of Transportation(a)	1971	...	...	★
Maryland.....	Department of Transportation(a)	1970	★	...	...
Massachusetts.....	Executive Office of Transportation and Construction(a)	1969	...	...	★
Michigan.....	Department of State Highways and Transportation	1973	...	...	★
Missouri.....	Department of Transportation(a, f)	1974	...	...	★
New Jersey.....	Department of Transportation	1966	...	...	★
New York.....	Department of Transportation	1967	...	★	...
North Carolina.....	Department of Transportation and Highway Safety(a)	1971	★	...	...
Ohio.....	Department of Transportation	1972	...	★	...
Oregon.....	Department of Transportation(a)	1969	★	...	...
Pennsylvania.....	Department of Transportation	1970	...	...	★
Rhode Island.....	Department of Transportation	1970	...	...	★
South Dakota.....	Department of Transportation(a)	1973	...	...	★
Tennessee.....	Department of Transportation	1972	...	...	★
Texas.....	State Department of Highways and Public Transportation	1975	★	...	...
Utah.....	Department of Transportation	1975	...	★	...
Vermont.....	Department of Transportation	1975	...	...	★
Virginia.....	Department of Highways and Transportation	1974	★	...	...
Wisconsin.....	Department of Transportation(a)	1967	...	...	★

\*Source: 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 1975.

(a) Department of Transportation originally created as part of overall state reorganization. All other State DOTs were created to integrate transportation.

(b) Reorganized in 1973 to form a Department of Transportation with broader responsibilities within the Business and Transportation Agency.

(c) Before the DOT was reorganized in 1973, California's DOT had a modal structure.

(d) Reorganized in 1969 as part of overall state reorganization.

(e) Has broader responsibilities.

(f) All modes except highways.

TABLE 6  
EXISTING MILEAGE OF RAILROADS,  
STATE-ADMINISTERED ROADS AND STREETS, AND  
FEDERAL-AID HIGHWAY SYSTEMS—SUMMARY—1974\*

State	Railroads	Roads and streets			Total	Federal-aid highway systems		
		Total rural	Total state municipal(a)	Other(b)		Inter-state Highway	Federal-aid highway(c)	Total
All States.....	201,555	677,427	84,091	28,868	790,386	42,728	884,282	927,010
Alabama.....	4,541	18,944	2,043	875	21,862	898	21,192	22,090
Alaska.....	538	4,904	524	...	5,428	...	4,165	4,165
Arizona.....	2,034	5,667	356	...	6,023	1,211	6,810	8,021
Arkansas.....	3,559	13,758	1,966	...	15,724	514	18,474	18,988
California.....	7,335	12,691	2,409	1,581	16,681	2,311	25,552	27,863
Colorado.....	3,499	8,467	616	...	9,083	945	9,142	10,087
Connecticut.....	656	1,329	2,356	189	3,874	323	2,661	2,984
Delaware.....	291	4,224	243	135	4,602	30	2,081	2,111
Florida.....	4,143	12,800	2,364	...	15,164	1,500	18,690	20,190
Georgia.....	5,414	15,760	2,475	113	18,348	1,125	27,800	28,925
Hawaii.....	...	855	83	41	979	49	969	1,018
Idaho.....	2,659	4,641	353	137	5,131	615	8,340	8,955
Illinois.....	10,607	13,015	3,942	156	17,113	1,753	26,048	27,801
Indiana.....	6,419	10,056	1,238	157	11,451	1,149	24,117	25,266
Iowa.....	7,644	8,808	1,243	274	10,325	812	42,414	43,226
Kansas.....	7,621	9,686	783	422	10,891	804	31,525	32,329
Kentucky.....	3,518	23,689	1,139	189	25,017	720	18,764	19,484
Louisiana.....	3,752	14,160	1,904	32	16,096	677	12,205	12,882
Maine.....	1,667	10,685	889	267	11,841	314	4,298	4,612
Maryland.....	1,099	4,800	353	227	5,380	360	9,456	9,816
Massachusetts.....	1,405	1,055	1,891	682	3,628	453	5,956	6,409
Michigan.....	6,032	8,022	1,300	221	9,543	1,150	35,119	36,269
Minnesota.....	7,382	10,112	2,085	975	13,172	919	37,947	38,866
Mississippi.....	3,645	9,766	1,078	...	10,844	676	22,717	23,393
Missouri.....	6,082	29,841	2,193	1	32,035	1,113	31,534	32,647
Montana.....	4,900	6,236	214	71	6,521	1,195	11,370	12,565
Nebraska.....	5,334	9,341	520	497	10,358	483	23,188	23,671
Nevada.....	1,573	6,179	234	...	6,413	537	5,633	6,170
New Hampshire.....	751	3,025	1,347	41	4,413	216	2,930	3,146
New Jersey.....	1,708	770	1,425	837	3,032	374	4,735	5,109
New Mexico.....	2,087	11,667	1,037	61	12,765	1,002	9,653	10,655
New York.....	5,325	10,641	5,584	1,222	17,447	1,453	28,050	29,503
North Carolina.....	4,115	70,983	3,924	459	75,366	871	32,919	33,790
North Dakota.....	5,079	6,703	275	27	7,005	579	18,376	18,955
Ohio.....	7,746	16,005	3,158	1,079	20,242	1,538	28,490	30,028
Oklahoma.....	4,946	10,880	1,284	644	12,808	798	22,536	23,334
Oregon.....	3,041	6,960	622	2,600	10,182	729	12,570	13,299
Pennsylvania.....	8,064	38,634	5,987	3,930	48,551	1,597	20,761	22,358
Rhode Island.....	139	283	771	262	1,316	98	1,033	1,131
South Carolina.....	3,016	32,367	5,101	163	37,631	769	26,038	26,807
South Dakota.....	3,363	8,676	285	134	9,095	712	19,084	19,796
Tennessee.....	3,207	7,959	1,755	347	10,061	1,015	17,782	18,797
Texas.....	13,320	61,633	7,783	10	69,426	3,231	56,749	59,980
Utah.....	1,734	4,834	657	...	5,491	923	6,136	7,059
Vermont.....	765	2,419	231	195	2,845	321	3,171	3,492
Virginia.....	3,873	49,811	2,706	...	52,517	1,040	23,889	24,929
Washington.....	4,807	6,239	673	8,360	15,272	766	15,712	16,478
West Virginia.....	3,508	31,335	779	668	32,782	565	12,996	13,561
Wisconsin.....	5,832	10,176	1,752	587	12,515	575	26,783	27,358
Wyoming.....	1,780	5,936	161	...	6,097	920	5,722	6,642

\*Sources: Railroad mileage from American Association of Railroads, *Yearbook of Railroad Facts, 1975*; roads and streets and federal-aid highway systems from Federal Highway Administration, U.S. Department of Transportation, from reports of state authorities.

(a) May include mileage in some States not designated by law

as part of the state system but which constitutes the municipal portion of a state route within a city or town.

(b) Includes mileage of state park, forest, institutional, toll, and other roads under state control.

(c) Includes mileage of primary, secondary, and urban federal-aid highway system, exclusive of Interstate Highways.

TABLE 7  
STATE MOTOR VEHICLE REGISTRATIONS—1974\*

State or jurisdiction	Auto- mobiles (b)	Buses (b,c)	Trucks (b)	Motor- cycles (b)	Total	Comparison of registrations, 1973-74(a)		
						Total 1973	Increase or decrease 1974	Percentage change
United States..	104,898,256	446,547	24,598,284	4,961,589	134,904,676	125,669,992	4,273,095	3.4
Alabama.....	1,854,168	8,212	547,364	78,059	2,487,803	2,353,629	56,115	2.4
Alaska (d).....	125,000 <sup>b</sup>	841	62,181	13,000	201,022	172,167	15,855	9.2
Arizona.....	1,081,551	2,789	389,595	65,018	1,539,317	1,419,452	54,483	3.8
Arkansas.....	847,981	7,345	390,217	44,955	1,290,498	1,185,423	60,120	5.1
California.....	11,162,119	23,469	2,498,811	672,121	14,356,520	13,412,774	271,625	2.0
Colorado.....	1,394,559	4,860	462,708	92,725	1,954,852	1,802,567(e)	59,560	3.3
Connecticut.....	1,828,790	7,689	154,918(f)	65,346	2,056,743	1,949,832(e)	41,565	2.1
Delaware.....	284,832	1,325	57,675	7,451	351,283	333,137	10,695	3.2
Florida.....	4,704,754	14,733	896,583	187,540	5,803,610	5,347,245	268,825	5.0
Georgia.....	2,534,495	12,401	696,911	104,600	3,348,407	3,170,412	73,395	2.3
Hawaii.....	420,556	1,859	62,890	9,940	495,245	477,780	7,525	1.6
Idaho.....	404,596	2,648	225,859	46,237	709,340	590,126	42,977	7.3
Illinois.....	5,277,359	21,072	896,971	207,573	6,402,975	5,951,948	243,454	4.1
Indiana.....	2,542,222	13,314	712,980	145,033	3,413,549	3,232,321(e)	36,195	1.1
Iowa.....	1,506,124	9,231	518,331	138,201	2,171,887	1,978,631	55,055	2.8
Kansas.....	1,252,391	4,959	527,887	92,354	1,877,591	1,777,799	74,338	0.4
Kentucky.....	1,626,177	6,479	531,404	58,034	2,222,094	2,090,748	73,312	3.5
Louisiana.....	1,615,984	14,637	503,905	59,722	2,194,248	2,057,279	77,247	3.8
Maine.....	498,118	1,964	137,073	25,832	662,987	596,345	40,810	6.8
Maryland.....	2,000,184	10,707	335,142	65,077	2,411,110	2,258,772	87,261	3.9
Massachusetts....	2,726,002	8,468	307,482	82,881	3,124,833	2,951,795	90,157	3.1
Michigan.....	4,536,177	14,133	850,594	299,834	5,700,738	5,239,792	161,112	3.1
Minnesota.....	1,942,414	14,209	575,596	139,304	2,671,523	2,452,616	79,603	3.2
Mississippi.....	964,913	7,874	368,458	34,618	1,375,863	1,312,445	28,800	2.2
Missouri.....	2,142,280	9,392	673,789	108,869	2,934,330	2,744,553	80,908	2.9
Montana.....	363,107	1,732	220,481	39,692	625,012	567,056	18,264	3.2
Nebraska.....	807,412	2,809	334,457	49,209	1,193,887	1,096,840	47,838	4.4
Nevada.....	338,228	948	116,875	17,147	473,198	436,978	19,073	4.4
New Hampshire....	403,870	1,219	85,214(f)	27,145	517,448	462,140	28,163	6.1
New Jersey.....	3,752,701	10,930	404,820(f)	84,621	4,253,072	4,073,749	94,702	2.3
New Mexico.....	532,493	3,556	227,403	33,622	797,074	725,637	37,815	5.2
New York (d)....	6,662,900	30,522	787,600(f)	99,000	7,580,022	7,319,493	161,529	2.2
North Carolina...	2,773,153	23,805	772,811	117,515	3,687,284	3,445,377	124,392	3.6
North Dakota....	320,620	1,811	204,143	22,429	549,003	490,442(e)	36,132	7.4
Ohio.....	6,097,830	21,252	846,399	238,087	7,203,568	6,643,998(e)	321,483	4.8
Oklahoma.....	1,395,351	8,102	637,196	104,221	2,144,870	1,984,145	56,504	2.8
Oregon.....	1,281,589	6,346	291,801	71,817	1,651,553	1,605,880	26,144	1.6
Pennsylvania....	6,166,528	22,645	927,501	281,157	7,397,831	6,674,740	441,934	6.6
Rhode Island (d) .	510,000	928	68,422(f)	21,000	600,350	562,830	16,520	2.9
South Carolina...	1,334,366	9,106	327,536	56,706	1,727,714	1,601,114	69,894	4.4
South Dakota....	330,865	2,013	174,046	23,019	529,943	486,059	20,865	4.3
Tennessee.....	1,987,890	7,906	572,585	98,178	2,666,559	2,466,821	101,560	4.1
Texas.....	6,007,106	26,445	2,019,718	279,475	8,330,774	7,815,645	237,624	3.0
Utah.....	588,733	1,063	219,829	52,065	861,690	777,370(e)	32,255	4.1
Vermont.....	229,984	1,045	53,913	13,435	298,377	274,563	10,379	3.8
Virginia.....	2,656,125	10,916	504,703	89,978	3,261,722	2,990,592(e)	181,152	6.1
Washington.....	1,826,023	10,785	607,638	110,162	2,554,608	2,370,610	73,836	3.1
West Virginia (d) .	691,757	2,279	240,581	62,101	996,718	911,005	23,612	2.6
Wisconsin.....	2,131,663	9,368	436,516	104,898	2,682,415	2,472,201	105,346	4.3
Wyoming.....	187,897	2,021	116,878	16,245	323,041	293,912	12,884	4.4
Dist. of Columbia	246,319(g)	2,385	13,894	4,341	266,939	261,207	1,391	0.5

\*Source: Federal Highway Administration, U.S. Department of Transportation. Compiled for the calendar year 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) Does not include motorcycles.

(b) Includes federal, state, county, and municipal vehicles. Vehicles owned by the military services are not included.

(c) Those portions of the total which reflect numbers of private and commercial buses are estimates by the Federal High-

way Administration of the numbers in operation, rather than the registration counts of the States.

(d) The State was unable to provide motor-vehicle registration data for 1974. The figures shown here are estimates by the Federal Highway Administration.

(e) Additional information required the revision of the 1973 data.

(f) 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 table: Connecticut, 4,222; New Hampshire, 3,695; New Jersey, 6,916; New York, 17,892; and Rhode Island, 1,483.

(g) Includes 3,895 automobiles of the Diplomatic Corps.

TABLE 8  
COMPARISON OF ESTIMATED STATE PAYMENTS INTO THE  
HIGHWAY TRUST FUND AND FEDERAL-AID APPORTIONMENTS  
FROM THE FUND\*  
Fiscal years 1957-74  
(In thousands of dollars)

State or other jurisdiction	Payments into the fund (a)		Apportionments from the fund (b)		Ratio: Apportionments/Payments	
	Fiscal year 1974	Cumulative since July 1, 1956	Fiscal year 1974	Cumulative since July 1, 1956	Fiscal year 1974	Cumulative since July 1, 1956
<b>Total</b> .....	\$6,260,310	\$69,837,853	\$4,893,749	\$71,147,399	0.78	1.02
Alabama.....	115,961	1,253,322	92,145	1,404,123	0.79	1.12
Alaska.....	7,408	76,466	63,979	676,082	8.64	8.84
Arizona.....	76,716	715,804	79,397	1,027,801	1.03	1.44
Arkansas.....	77,979	816,119	46,199	705,579	0.59	0.86
California.....	618,134	7,056,092	363,328	5,739,261	0.59	0.81
Colorado.....	84,293	864,284	86,798	992,737	1.03	1.15
Connecticut.....	75,920	907,904	99,504	1,118,338	1.31	1.23
Delaware.....	18,427	208,004	23,312	271,382	1.27	1.30
Florida.....	256,947	2,376,154	143,556	1,552,140	0.56	0.65
Georgia.....	177,067	1,793,539	114,130	1,449,358	0.64	0.81
Hawaii.....	15,891	170,050	37,224	509,169	2.34	2.99
Idaho.....	29,668	331,598	34,273	507,816	1.16	1.53
Illinois.....	291,440	3,426,107	229,490	3,689,897	0.79	1.08
Indiana.....	178,191	2,021,481	82,936	1,560,860	0.47	0.77
Iowa.....	105,196	1,147,014	66,821	1,037,112	0.64	0.90
Kansas.....	81,224	974,018	67,070	876,952	0.83	0.90
Kentucky.....	103,198	1,122,026	72,319	1,252,261	0.70	1.12
Louisiana.....	107,571	1,188,227	113,529	1,646,033	1.06	1.39
Maine.....	32,402	377,999	28,247	413,368	0.87	1.09
Maryland.....	106,530	1,159,889	130,917	1,329,013	1.23	1.15
Massachusetts.....	132,869	1,575,641	126,318	1,662,721	0.95	1.06
Michigan.....	270,914	3,081,689	175,072	2,574,027	0.65	0.84
Minnesota.....	122,280	1,382,193	109,824	1,602,062	0.90	1.16
Mississippi.....	76,377	833,321	51,419	857,810	0.67	1.03
Missouri.....	158,899	1,857,085	104,671	1,737,226	0.66	0.94
Montana.....	31,298	350,525	54,479	912,516	1.74	2.60
Nebraska.....	58,436	658,125	40,419	622,277	0.69	0.95
Nevada.....	24,184	242,589	30,794	484,703	1.27	2.00
New Hampshire.....	23,784	256,831	23,500	350,356	0.99	1.36
New Jersey.....	186,771	2,201,126	132,371	1,790,738	0.71	0.81
New Mexico.....	45,117	502,830	47,073	797,988	1.04	1.59
New York.....	335,258	4,156,345	257,853	4,014,458	0.77	0.97
North Carolina.....	174,432	1,862,840	98,520	1,107,174	0.56	0.59
North Dakota.....	22,665	256,554	32,641	488,022	1.44	1.90
Ohio.....	306,585	3,567,774	174,419	3,468,382	0.57	0.97
Oklahoma.....	100,120	1,146,949	54,273	886,831	0.54	0.77
Oregon.....	81,895	888,913	97,492	1,249,853	1.19	1.41
Pennsylvania.....	301,352	3,517,958	230,231	3,334,692	0.76	0.95
Rhode Island.....	21,143	264,792	34,562	412,769	1.63	1.56
South Carolina.....	88,660	926,104	48,404	696,828	0.55	0.75
South Dakota.....	25,285	300,871	34,267	570,764	1.36	1.90
Tennessee.....	139,533	1,431,513	78,942	1,514,561	0.57	1.06
Texas.....	453,866	4,797,373	247,346	3,603,088	0.54	0.75
Utah.....	40,197	420,629	48,566	857,436	1.21	2.04
Vermont.....	14,899	165,313	20,569	427,192	1.38	2.58
Virginia.....	149,443	1,598,379	157,435	1,914,771	1.05	1.20
Washington.....	104,002	1,186,614	130,169	1,554,154	1.25	1.31
West Virginia.....	50,887	583,267	77,764	1,300,422	1.53	2.23
Wisconsin.....	125,875	1,423,795	79,806	993,327	0.63	0.70
Wyoming.....	19,594	217,377	32,820	619,958	1.68	2.85
District of Columbia...	13,527	196,441	67,096	836,037	4.96	4.26
Puerto Rico.....	...	...	19,460	144,974	...	...

\*Source: Highway Statistics, 1973, Federal Highway Administration, U.S. Department of Transportation.

(a) Fiscal year 1974 payments into the fund are based on

preliminary receipts as reported by the U.S. Department of the Treasury. Includes revenues from excises only.

(b) Includes capital outlay and other funds, including Highway Safety Funds.

TABLE 9  
STATE AVIATION AGENCIES:  
SOURCES OF INCOME AND EXPENDITURES\*

State	Fiscal year 1973 budget	Principal sources of income	State airport development funds		Navigation aids	Regulation, safety and education
			Planning	Construction		
All States.....	\$109,976,694	...	\$2,379,831	\$118,724,919	\$3,084,016	\$1,255,164
Alabama.....	450,000	B	168,000	175,798	...	500
Alaska.....	12,922,700(a)	B,D,H	133,824	20,780,000(b)	...	N.A.
Arizona.....	636,100	A,B,C,D	25,000	390,464(b)	22,500	60,125(c)
Arkansas.....	201,956	B,E	...	43,830	...	1,321
California.....	4,800,850(d)	B	...	1,054,343	19,000	20,800
Colorado.....	...	...	...	...	...	...
Connecticut.....	2,629,146	E	...	3,570,800	60,000	1,200
Delaware.....	N.A.	N.A.	N.A.	...	N.A.	N.A.
Florida.....	5,613,435	F	124,022	2,671,246	200,000	25,500
Georgia.....	1,060,000	E	...	976,000	...	...
Hawaii.....	28,208,000	B,D,H	33,000	22,700,000	348,000	500,400(e)
Idaho.....	447,900	B,C,H	...	430,574	...	15,524
Illinois.....	9,000,000	C,E	190,550	14,483,391	54,723	96,846
Indiana.....	114,947	E	...	...	...	...
Iowa.....	498,800	A,C	2,992	295,168	19,730	23,646
Kansas.....	50,000	E	...	...	...	...
Kentucky.....	2,432,594	E,I	76,700	1,496,800	13,000	4,500
Louisiana.....	39,840(a)	E	235,813	87,535	24,000	4,500
Maine.....	1,643,290	D,E,K	34,280	460,160	40,673	2,125
Maryland.....	914,861(f)	J	90,000	16,632,947(b)	55,000	95,000
Massachusetts.....	1,255,000	C,K	48,598	371,023	57,165	400
Michigan.....	3,770,187	B,C,H	50,000	1,752,200	60,000	37,200
Minnesota.....	4,000,000	B,C,G,H	236,800	3,426,641	582,355	19,858
Mississippi.....	329,000	B	16,000	86,868	...	...
Missouri.....	300,474	E	30,000	168,000	4,000	10,400
Montana.....	985,000	B,D,I	65,000	104,000	25,000	63,500
Nebraska.....	1,271,550	B,D,H	...	633,725	146,608	11,992
Nevada.....	...	...	...	...	...	...
New Hampshire.....	298,785	B,C	...	104,838	45,000	2,200
New Jersey.....	204,000	E	...	...	...	...
New Mexico.....	245,200	A,C	4,822	113,359	300	27,445
New York.....	500,000(a)	K	150,000	15,320,000	50,000	1,000
North Carolina.....	25,000(a)	E	40,000	2,000,000	...	400
North Dakota.....	332,000	A,B,C,H	10,000	145,150	8,000	5,000
Ohio.....	720,000	C,K	133,000	150,000	...	...
Oklahoma.....	396,000	E	...	223,589	11,200	41,424
Oregon.....	1,640,035(g)	B,C,H	15,000	246,278	...	15,430
Pennsylvania.....	1,200,000(f)	B	...	1,998,335(b)	...	...
Rhode Island.....	3,565,000	D,E	205,000	220,000(b)	825,000	11,000
South Carolina.....	2,601,172	C,E	...	212,185	818	10,174
South Dakota.....	1,854,875	B,E	2,000	541,629	10,288	1,040
Tennessee.....	4,688,000	E	20,000	1,100,000	80,000	60,000
Texas.....	1,031,569	A,E,L	75,000	455,000	20,000	20,000
Utah.....	1,876,400	B	107,518	216,970	295,870	2,544
Vermont.....	1,629,000	B,E	N.A.	N.A.	N.A.	N.A.
Virginia.....	368,775(a)	B,H	34,912	113,175	5,786	12,642
Washington.....	301,075	B,H	...	595,198	...	26,328
West Virginia.....	970,578	E	...	900,000	...	17,000
Wisconsin.....	1,703,600	A,C,G	22,000	1,127,700	...	3,400
Wyoming.....	250,000	E	...	150,000	...	2,800

\*Source: National Association of State Aviation Officials.

N.A.—Not available.

A—Unclaimed fuel tax refunds.

B—Fuel tax.

C—Aircraft registration fees.

D—Revenue from state-owned airports.

E—General fund.

F—Highway Trust Fund.

G—Airline flight property tax.

H—Other.

I—Airport loan fund.

J—Transportation fund.

K—Bond issue.

L—Revenue sharing funds.

(a) Operating expenses only.

(b) Amounts shown do not include expenditures for operation and maintenance of state-owned airports.

(c) Includes \$50,000 to Civil Air Patrol for aerial search and rescue.

(d) Includes carryover funds not anticipated in future years.

(e) \$500,000 of total shown was for safety.

(f) Exclusive of amounts budgeted for operation of state-owned airports.

(g) Budget is for biennium.

TABLE 10  
MOTOR VEHICLE LAWS\*  
As of January 1975

State or other jurisdiction	Age for driver license		Driver license renewal	Financial responsi- bility law (a)	Has no-fault insurance law	Safety inspection	Chemical test for intoxi- cation
	Regular	Restrictive					
Alabama.....	16	..	2 years	★	..	(b)	★(c)
Alaska.....	18	16(d)	3 years	★	..	Spot	★(c)
Arizona.....	18	16(d)	3 years	★	..	..	★(c)
Arkansas.....	18	14(d)	2 years	★	★	★	★(c)
California.....	18	16(e)	4 years	★(f)	..	Spot	★(c)
Colorado.....	21	16(e)	3 years	★(g)	★	★	★(c)
Connecticut.....	18	16(e)	2 years	★(g)	★	Spot	★(c)
Delaware.....	18	16(e)	4 years	★(g)	★	★	★(c)
Florida.....	18	15(d,e)	4 years	★(g)	★	★	★(c)
Georgia.....	16	..	4 years	★(g)	★	★	★(c)
Hawaii.....	18	15(d)	2 or 4 years	★(g)	★	★	★(c)
Idaho.....	16	14(e)	3 years	★	..	..	★(c)
Illinois.....	18	16(d,e)	3 years	★	..	Trucks only	★(c)
Indiana.....	16½	16(e)	4 years	★	..	★	★(c)
Iowa.....	18	16(e)	2 or 4 years	★	..	Spot(b)	★(c)
Kansas.....	16	14	4 years	★(g)	★	..	★(c)
Kentucky.....	18	16(d)	2 years	★(g)	★	★	★(c)
Louisiana.....	17	15	2 years	★	..	★	★(c)
Maine.....	17	15(e)	2 years	★	..	★	★(c)
Maryland.....	18	16(d,e)	2 years	★(g)	★	★(h)	★(c)
Massachusetts.....	18	16½(d,e)	4 years	★(g)	★	★	★(c)
Michigan.....	18	14(d)	3 years	★(g)	★	Spot	★(c)
Minnesota.....	18	16(e)	4 years	★	★	Spot(b)	★(c)
Mississippi.....	15	..	2 years	★	..	★	★(c)
Missouri.....	16	15½(e)	3 years	★	..	★	★(c)
Montana.....	18	14½(d,e)	4 years	★	..	★	★(c)
Nebraska.....	16	14	4 years	★	..	★	★(c)
Nevada.....	18	16(d)	4 years	★(g)	★	..	★(c)
New Hampshire.....	18	16(e)	4 years	★(f)	..	★	★(c)
New Jersey.....	17	16	1 or 3 years	★(i)	★	★	★(c)
New Mexico.....	16	15(e)	2 years	★	..	★	★(c)
New York.....	18	16(d)	3 years	★(f,g,i)	★	★	★(c)
North Carolina.....	18	16(d,e)	4 years	★(g)	..	★	★(c)
North Dakota.....	16	14	2 years	★(i)	..	..	★(c)
Ohio.....	21	14	4 years	★	..	Spot	★(c)
Oklahoma.....	16	15½(e)	2 years	★(f)	..	★	★(c)
Oregon.....	16	14	2 years	★(f)	★	Spot	★(c)
Pennsylvania.....	18	16(d)	2 years	★(g)	★	★	★(c)
Rhode Island.....	18	16(e)	2 years	★(g)	..	★	★(c)
South Carolina.....	16	15	4 years	★(f,i)	★	★	★(c)
South Dakota.....	16	14	4 years	★	★	★	★(c)
Tennessee.....	16	14	2 years	★(g)	★	(b)	★(c)
Texas.....	18	16(e)	4 years	★(g)	★	★	★(c)
Utah.....	16	..	4 years	★	★	★	★(c)
Vermont.....	18	16	2 years	★	..	★	★(c)
Virginia.....	18	16(d,e)	4 years	★(f,i)	★	★	★(c)
Washington.....	18	16(e)	2 years	★	..	Spot	★(c)
West Virginia.....	18	16(d)	4 years	★	..	★	★(c)
Wisconsin.....	18	16(e)	2 years	★	..	Spot	★(c)
Wyoming.....	19	16(d)	3 years	★	..	★	★(c)
Dist. of Columbia.....	18	16(d)	4 years	★	..	★	★

\*Compiled from data supplied by the American Automobile Association.

(a) Security and/or future proof requirements.

(b) Certain or all cities may provide for compulsory inspection. In Iowa, required prior to first registration on all transfers.

(c) Law contains implied consent provision. In Maryland, express consent for residents, implied consent for nonresidents.

(d) Under "Regular" age, need consent of parent or guardian.

(e) Must have completed approved driver education course.

(f) Mandatory uninsured motorist coverage.

(g) Compulsory insurance.

(h) Required only for purposes of titling used vehicles.

(i) Unsatisfied claim and judgment fund.



TABLE 11

## MOTOR VEHICLE OPERATORS AND CHAUFFEURS LICENSES—1975\*

State or other jurisdiction	Operators licenses			Chauffeurs licenses			Estimated total licenses in force during 1974 (a)
	Years for which issued	Renewal date	Amount of fees	Years for which issued	Renewal date	Amount of fees	
Alabama.....	2	Birthday	\$4.25	...	...	...	1,902,812
Alaska.....	3	Birthday	5.00	1	Sept. 2	\$2.00	179,155
Arizona.....	3	Birthday	5.00	3	Birthday	7.50	1,284,155
Arkansas.....	2	Birth month	6.00	1	Birth month	5.00	1,269,165
California.....	4	Birthday	3.25	4	Birthday	3.25	13,176,000
Colorado.....	3	Birthday	2.25	3	Birthday	2.25	1,643,451
Connecticut.....	2	Birth month	8.00	2	Birth month	8.00	1,784,898
Delaware.....	4	Birthday	10.00	4	Birthday	10.00	370,269
Florida.....	4	Birth month	6.50	4	Birth month	10.50	4,945,289
Georgia.....	4	Birthday	4.50	4	Birthday	8.50	3,452,478
Hawaii.....	2 & 4(b)	Birthday	2 & 4(b)	2 & 4(b)	Birthday	2 & 4(b)	492,310
Idaho.....	3	Birthday	7.00	3	Birthday	9.00	553,351
Illinois.....	3	Birthday	8.00	3	Birthday	8.00	6,299,774
Indiana.....	4	Birth month	5.00	1	Birth month	2.50	3,185,040
Iowa.....	2 & 4(c)	Birthday	5 & 10(c)	2 & 4(c)	Birthday	10 & 20(c)	1,843,033
Kansas.....	4	Birthday	6.00	4	Birthday	10.00	1,641,506
Kentucky.....	2	Birth month	3.00	1	Jan. 1	2.00	1,742,084†
Louisiana.....	2	Birthday	3.50	2	Issuance	9.00	2,033,227
Maine.....	2	Birthday	5.00	2	Birthday	5.00	650,462
Maryland.....	2	Birthday	2.00	2	Birthday	2.00	2,358,860
Massachusetts.....	4	Birthday	10.00	1	Issuance	2.50	3,567,311
Michigan.....	3	Birthday	4.50	3	Birthday	11.00	5,532,599
Minnesota.....	4	Birthday	3.50	4	Birthday	10.50	2,402,550
Mississippi.....	2	Birth month	5.00	2	Birth month	9.00	1,378,308
Missouri.....	3	Issuance	3.00	3	Issuance	10.00	2,908,549
Montana.....	4	Birthday	8.00	4	Birthday	8.00	494,640
Nebraska.....	4	Birthday	6.00	...	...	...	1,044,347
Nevada.....	4	Birthday	5.00	4	Birthday	5.00	398,003
New Hampshire.....	4	Birthday	12.00	4	Birthday	12.00	525,017
New Jersey.....	1 or 3	Issuance	4 or 11	(d)	(d)	None	4,216,959†
New Mexico.....	2	Birth month	3.75	1	Birth month	3.25	701,660
New York.....	3	Issuance	8.00	4	Issuance	8.00	8,770,000(e)
North Carolina.....	4	Birthday	3.25	2	Birthday	4.75	3,161,146
North Dakota.....	2	Birth month	3.00	2	Birth month	3.00	361,720
Ohio.....	4	Birthday	5.00	4	Birthday	5.00	6,781,081
Oklahoma.....	2	Birth month	6.00	2	Birth month	10.00	1,711,805
Oregon.....	2	Birthday	4.00	2	Birthday	2.50	1,533,153†
Pennsylvania.....	2	Birth month	4.00	1	Issuance	None	6,659,977
Rhode Island.....	2	Birthday	8.00	2	Birthday	8.00	555,658
South Carolina.....	4	Birthday	2.00	1	Jan. 1	2.00	1,462,971†
South Dakota.....	4	Birthday	5.00	...	...	...	411,283
Tennessee.....	2	Birthday	4.00	2	Birthday	6.00	2,371,396
Texas.....	4	Birthday	7.00	2	Birthday	13.00	7,287,730
Utah.....	4	Birthday	5.00	4	Birthday	5.00	721,042
Vermont.....	2	Birthday	6.00	...	...	...	302,400
Virginia.....	4	Birth month	9.00	1	Birth month	6.00	2,944,068
Washington.....	2	Birthday	5.50	2	Birthday	5.00	2,122,131
West Virginia.....	4	Issuance	5.00	1	Issuance	3.00	1,221,272
Wisconsin.....	2	Birthday	4.00	1	Birthday	4.00	2,663,886†
Wyoming.....	3	Birthday	2.50	3	Birthday	2.50	257,462
District of Columbia..	4	Issuance	12.00	...	...	...	331,938

\*Source: Federal Highway Administration, U.S. Department of Transportation.

(a) Allowance has been made for deaths, emigration, and revocations in the States that were able to do so. Chauffeurs licenses have not been added to operators licenses in the States that require an operators license in addition to a chauffeurs license. Such States are indicated with a dagger (†).

(b) Two years at \$2 for 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 AND MENTAL HEALTH PROGRAMS

BY GARY J. CLARKE\*

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EVERY AMERICAN PRESIDENT since John F. Kennedy has spoken of the "crisis" of the American health care system. Similarly, reports emanating from Governors' offices across the country almost invariably refer to a crisis in the States' health care system.

While the dissolution or bankruptcy of the Nation's health and hospital system does not seem imminent, there are very great problems with the way health care is financed and delivered in the United States today. Access to medical care is uneven, with those most needing it often the least likely to get it. The Nation annually educates a more than ample supply of surgeons, yet fails to produce enough primary care physicians to meet more mundane health needs. All but the extremely wealthy and those meeting certain welfare rules live in fear of catastrophic illness which could wipe out what little financial security a family has gained over the years. Despite pouring a relatively greater percentage of the gross national product into health care services and research than any other country in the world, the United States still lags behind many other countries in gross indicators of health status.

The reasons for all these problems are complex, but only within the last decade have such problems received major governmental attention, either from the States or the federal government.

The historic Medicare and Medicaid enactments of 1965 marked a significant change in public policy toward the delivery of health care in the United States. In an industry previously dominated by private, professional interests, the federal government suddenly began ensuring the health care of most of the Nation's elderly population (Medicare). In addition, it entered into a partnership with state governments to provide health care to much of the Nation's poor and near-poor (Medicaid). With massive amounts of tax dollars now flowing directly into the health industry, Governors and state legislators became more aware of the shortcomings in the health industry, and the shortcomings of state government itself in providing direct health services and regulating the industry.

#### THE COST OF HEALTH CARE

The health care industry is the third largest industry in the United States. In fiscal year 1975, health spending accounted for 8.3 percent of the gross national product (a percentage which is higher than any other country in the world), and was estimated at about \$118.5 billion, or \$547 per person. Health prices have been escalating faster than the cost of living for more than a decade, with apparently no end in sight. In fiscal year 1975, total health spending increased 13.9 percent over the previous year.

All government spending for health—state, federal, and local combined—accounts for 42.2 percent of the Nation's

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health expenditures. In fiscal year 1975, government health spending rose  $2\frac{1}{2}$  times as fast as private health spending. The largest portion of government spending—70 percent—is accounted for by federal health expenditures. Nonetheless, within the context of generally smaller budgets, state fiscal efforts in health compare favorably with federal efforts. Thus, in fiscal year 1973 the States spent about 11 percent of their total budgets, on the average, for health care while the federal government spent 7.5 percent of its total outlays for health. The federal percentage rises to 11.8 percent, however, when outlays for defense, veterans benefits, and international affairs are excluded from the accounting.

The impact of health spending on state budgets varies greatly from State to State. In fiscal year 1973, state spending expressed as a percentage of the budget ranged from a high of 19.2 percent of the total state budget in Rhode Island to a low of 4.2 percent in Alaska. Of eight different state expenditure categories (excluding "other") compiled by the Bureau of the Census, health spending was third largest on the average, after "education" and "highways" respectively.

#### MEDICAID

By far the largest item of state spending for health purposes is the Medicaid program (Title XIX of the Social Security Act). In fiscal year 1973, an average of almost 45 percent of all state spending for health purposes was allocated to this single program. Medicaid is a jointly financed federal-state program to provide payment for health services to all recipients of categorical assistance (welfare). Also included in the program are aged persons who are not eligible for, or who are unable to make, the various payments required by the Medicare program, or who have exhausted their Medicare benefits. Additionally, at its option each State can include certain persons not eligible for categorical assistance in their Medicaid programs. Members of this latter group are eligible for benefits only if they qualify under state standards as "medically needy" or "medically indigent." By federal law, their incomes can be no more

than 133 percent of Aid to Families with Dependent Children income levels in the State.

Administration of the Medicaid program is mainly a state responsibility under federal guidelines. Eight basic services are required to be offered to recipients, and at their option, States may offer an additional 17 services to eligible recipients. These services, as well as the costs for administration, are paid for on a cost-sharing basis according to a formula based on the per capita income of the State. In 1973, federal cost-sharing was as high as 81 percent in Mississippi, and in 12 States was 50 percent—the statutory minimum.

The eventual costs of the Medicaid program were grossly underestimated at the time of its enactment, and together with the Medicare program, it has played a large part in the inflation of health care costs in the last decade. More importantly, however, the program has opened the doors of the health industry to many of the poor and near poor who were either previously shut out, or who were forced to rely on "free" care when available.

Confronted with tight budgets in recent years and the size of the Medicaid program—about 5.5 percent of the average State's budget—much of the recent state activity on this program has been concerned with cost cutting. New Jersey and New York initiated computer audit systems to catch blatant overbilling. California instituted prior authorization programs to discourage excess utilization by recipients, and encouraged Medicaid recipients to join prepaid group health plans. Each of the States set limits on the amount of provider fees reimbursable under Medicaid.

Many of these more general programs have met with limited success, but the search continues to find new ways to reduce state costs for this program. Recent shortfalls in revenue have forced at least 17 States to not only tighten program requirements but actually eliminate benefits, such as dental and eye care, previously available in their Medicaid programs. In addition to these measures, recent federal initiatives to reduce welfare and resultant Medicaid errors are also designed to reduce program costs.

One major program being implemented with regard to Medicaid is the Early Periodic Screening, Diagnosis and Treatment program (EPSDT) required as a mandatory service for Medicaid-eligible children since 1967. The absence of federal regulations regarding this service, and state concerns with manpower and cost requirements, delayed its implementation in all but the most limited sense up until 1974. As of late 1975 however, it appears that all but nine States will be implementing satisfactory plans to carry out this requirement. At least one State, California, has gone beyond the concept of screening just Medicaid-eligible children for health and development problems. In late 1973 it passed a statute designed to screen all children entering the public schools. This program should be a good test of the ability of the health care system to conduct massive screening programs, and what effect such screening will have in preventing serious disease.

#### CATASTROPHIC HEALTH INSURANCE

The concept that health care is a "right," and that access to it should be provided regardless of ability to pay (like public education), seems to have gained acceptance in the United States. Serious public discussions of national health insurance have emerged with recurring frequency since at least 1913, but the nearest approximations to such a program were Medicare and Medicaid, which were not only limited in themselves, but were restricted to Social Security recipients and those eligible for welfare. In 1974, however, three States—Rhode Island, Maine, and Hawaii—passed programs designed to relieve all their citizens from the burden of paying for at least catastrophic illness.

Rhode Island amended existing state regulations to require that all private insurers provide a minimum benefit level to cover most major health expenses, although coverage is still voluntary on the employers' part. It then set up a health insurance program for those who could not otherwise obtain any insurance, usually due to the nature of their employment. Finally, it set up a fund to pay for catastrophic expenses not covered by private insurance or other public programs

such as Medicare or Medicaid. Projections of the ultimate cost of this fund (about \$2.5 million in the first year of operation) are relatively small considering Rhode Island's already large investment in Medicaid and other public health programs. Between these programs and private health insurance, most catastrophic health expenses will be covered. In Maine, a similar fund is being financed out of a special tax on cigarettes.

Hawaii has taken a slightly different approach. It requires virtually all employers to provide health insurance for their employees. In addition, it requires this insurance to have minimum benefits at a fairly high, though not catastrophic, level. Apparently, the only additional state expense is for a small fund to relieve the financial burden of this new program on small employers.

#### CERTIFICATE OF NEED

The high cost of health care and its seemingly inexorable rise have led a number of States to experiment with different methods, in addition to Medicaid controls, to control such costs. The first major effort in this regard was the passage of "certification of need" statutes. These statutes seek to control the construction of new health facilities, or the expansion of existing ones, by withholding licensure unless public need for such additional construction can be shown. A variety of mechanisms was established to "certify" this need, most of them relying on the state and areawide comprehensive health planning agencies established by federal statute (P.L. 89-749) in 1966. The progenitor of these state laws was the Metcalf-McCloskey Act passed by the New York Legislature in 1964.

The justification for these statutes was that a large part of inflation in hospital costs was due to underutilization caused by overbuilding of hospital beds. The hospital industry has been the most inflationary sector in the health industry. In fiscal year 1974, hospital costs comprised 42 percent of all health expenditures, exclusive of research and construction. According to some health economists, the high overhead costs of hospitals result in unfilled beds costing

nearly two thirds as much as a full bed to maintain. This amounts to about \$18,000 per year per unused bed, on the average.

The sudden influx of government dollars, together with the continual increase in the number of persons covered by private health insurance, provided a significant financial incentive for hospital construction. Under the widely used cost or cost-plus reimbursement systems, the cost for each bed (whether used or unused) could be figured into the allowable rate paid to hospitals by both private health insurers and by the Medicare and Medicaid programs. The result in many States was an estimated 10 to 20 percent oversupply of hospital beds beyond that allowed for emergency situations, seasonal fluctuations, and the like. In addition, there was also an oversupply of specialized hospital programs, such as open heart surgery units or cancer irradiation units, resulting in increased costs. By 1974, 26 States had passed some kind of certification of need statute in response to these problems.

The federal response to control the overbuilding of health facilities, especially hospitals, has followed the state model. Under Section 1122 of P.L. 92-603 (a series of extensive amendments to the Social Security Act), States were permitted to designate agencies and were provided with funds to determine the consistency or inconsistency of proposed capital expenditures with area or state health plans. If "inconsistency" was found, the Secretary of the Department of Health, Education, and Welfare (HEW) was permitted to withhold a portion of the health facility's reimbursement under maternal and child health programs, Medicare, and Medicaid. After negotiations in 1974, most States signed agreements to perform these functions.

An ultimately more important federal program became law in late 1974. The National Health Planning and Resources Development Act (P.L. 93-641) requires that all States enter into "agreements" with HEW by the end of 1980 to administer a certificate of need program (among other things) or face the loss of all federal funding under the Public Health Services Act, the Mental Retarda-

tion Facilities and Community Mental Health Centers Construction Act, and the Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970. All of the States have submitted areawide designation plans to begin conforming with the new federal law. In addition, several States, including Florida, Ohio, and Texas, have already passed new certificate of need statutes or amendments to their existing laws in response to federal statutes.

#### RATE REGULATION

Despite the apparent federal consensus on the effectiveness of certification of need as one way to control health costs, a number of States have pushed considerably beyond those borders. Rather than just controlling facility construction and expansion, they have searched for ways to control the costs of health facilities in their States more directly. The first efforts in this area were begun through exercise of already existing powers of the commissioners of insurance over Blue Cross, and the health and welfare departments over Medicaid. A number of States, including New York, New Jersey, Rhode Island, Pennsylvania, and Ohio, began hearings into rate negotiations between these programs and hospitals, and frequently turned down rate increase requests or demanded increases in efficiency before approving any new increases. A few States, such as New York, established prospective reimbursement systems, hoping to reward efficiency and punish inefficiency, in place of the old cost or cost-plus reimbursement systems which paid almost any cost within reason.

Perhaps the most important new trend is to establish independent commissions, somewhat similar to public utility commissions, to regulate the rates of all health facilities. Maryland was the first State to pass such legislation and its law remains the most comprehensive statute in the Nation in terms of coverage of facilities and authority vested in a commission. Connecticut, Massachusetts, and Washington have enacted similar statutes recently, while Arizona, California, and Oregon have similar commissions in effect, although the latter only have advisory pow-

ers at the present time. In each of these States, however, health facilities are required to maintain standardized accounting procedures and make annual reports on their expenditures to the States. These can be the bases for regulation which may come at a later time.

#### HEALTH MAINTENANCE ORGANIZATIONS

Not all state efforts at reducing health costs have attempted to do so through stricter regulation. There has been significant state activity in recent years to actively encourage the formation of health maintenance organizations (HMOs) to compete with one another, and with the fee-for-service system, in an attempt to reduce costs through more open free-market competition. HMOs are organizations providing medical care to consumers in return for an annually determined, prepaid fee. Since the prepaid fee entitles the consumer to almost all health and hospital services he would normally require, HMOs have an economic incentive to maintain and improve the health of their clients, thereby avoiding costly hospitalization. Thus, HMOs concentrate on providing preventive health services and produce other economies by strict peer review and more intensive use of expensive equipment and highly trained personnel.

In light of studies which show that HMOs are successful in providing high-quality, lower-cost care, there has been a considerable push to expand these organizations to all parts of the country—from the western States, New York City, and Washington, D.C., where they have flourished for more than 20 years. Much of this activity has come about in 30 States where statutes regulating health insurance companies, Blue Cross/Blue Shield, professional corporations, and physician licensure effectively prohibited the formation of competitive, viable HMOs. Since 1970, however, the number of States prohibiting the formation of HMOs has dropped from more than 30 to less than 10. In at least 17 of these States, special legislation has been adopted sanctioning and setting standards for the operation of HMOs. In addition, the federal Health Maintenance Organization Act of 1973

(P.L. 93-222), which provides a substantial amount of money to encourage new HMOs, also contains a provision to override state laws where an HMO is "qualified" under federal law. The difficulty of meeting the qualification provisions has effectively negated the override intent in most cases, although recently proposed amendments may change this situation.

#### MENTAL HEALTH AND MENTAL RETARDATION

Some of the most important health care programs of state governments, yet frequently overlooked in discussions of state health responsibilities, are programs for the mentally ill and mentally disabled. For years, most public mental health care in this country was provided and funded by the States. Even today, while the States receive more than 50 percent of all Medicaid funds from the federal government, they receive only 11.5 percent of all expenditures on hospitals for the mentally handicapped from the federal government. The federal government, however, has made a significant investment in community mental health care through the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963.

State mental health systems have changed drastically in the last 20 years, primarily in response to the development of psychotropic (mind affecting) drugs, pressure from the courts, changes in statutes by the Legislatures, and the availability of alternative community care facilities. Under pressure from courts and Legislatures, many of the large institutions are closing their doors, and all are upgrading the care they provide. The development of psychotropic drugs was the first to begin this trend, permitting more patients to be handled on an out-patient basis and, in many cases, ending the need for long-term custodial care. The federal Community Mental Health Centers Act in 1963, and similar programs at the state level, have encouraged the building and staffing of community facilities where out-patient and emergency mental health care can be provided, as well as some in-patient care. More recently, changes in statutes have considerably revised com-

mitment standards in a number of States, making it more difficult to commit individuals, permitting only short commitment periods, and requiring mandatory review to ensure patients are not hospitalized unnecessarily.

The most significant development in recent years has been the successful litigation of a number of state and federal constitutional issues regarding state care for the mentally ill and mentally retarded. In several cases, beginning with *Rouse v. Cameron*, D.C. Cir. 373 F.2d 451 (1966), state and federal courts began recognizing a "right to treatment" which accompanies any commitment in a mental institution. This has generally been taken to mean that each patient has a right to receive such treatment as will reasonably afford an "opportunity to be cured or to improve his or her mental condition," *Wyatt v. Aderholt*, 503 F.2d 1305 (5th Cir. 1974). While not all courts have subscribed to this theory, a number of cases are being brought throughout the country to test its limits. In addition, such other legal theories as the right to protection from harm, the right to refuse treatment, rights to confidentiality, freedom of communications, protection under the Fair Labor Standards Act, and placement in the least restrictive facilities, in addition to basic constitutional rights, are being litigated and frequently won.

One of the most significant court cases affecting mental health care in recent years is *O'Connor v. Donaldson*, 95 S. Ct. 2486, decided by the U.S. Supreme Court in June 1975. The Court held that "a State cannot constitutionally confine without more a non-dangerous individual who is capable of surviving safely in freedom by himself or with the help of willing and responsible family members or friends." While this decision left many questions unresolved, and left the eventual impact on the States difficult to predict, it did define at least one situation where a State can no longer confine individuals without more than custodial care. The Court also held that courts do have the power to review the adequacy of treatment, and that mental health professionals may be found personally liable

for violating a patient's constitutional rights. It also held that States have the responsibility to periodically review committed patients to ensure that the original justification for commitment exists. Whether the provisions in state statutes which provide for review as infrequently as six months or a year would meet this test is unresolved. Also left unresolved are acceptable definitions of "dangerous" and "mental illness." The Court did imply, however, that the States must use the least restrictive alternatives necessary to achieve any legitimate goal of involuntary confinement.

While the Supreme Court focused on the specific issue of involuntary confinement—still a major problem in some States—most States have been moving away from this type of commitment. A larger problem in many States is deinstitutionalization, which has had its problems as well as its obvious benefits. Among the most severe problems of deinstitutionalization are finding (or funding) good community care facilities, conducting continual inspections to ensure they meet minimal standards, and especially ensuring the availability of qualified staff so that patients in less restrictive alternatives receive at least the care they would have received in large institutions. In many cases, the rush to deinstitutionalize has resulted in patients being placed in the community with little attention for their particular needs.

A number of States, including California and Minnesota, have enacted programs to aid the financing and staffing of community care facilities for the mentally ill and retarded. These programs are necessary not only because the federal effort is not large enough to provide all the needed assistance, but also because federal requirements on receiving funds are frequently impossible to meet or inappropriate for the patient needs which must be met.

#### LICENSING OF HEALTH MANPOWER

Each of the States requires that health professionals submit to some kind of licensing mechanism. By far the most frequent method is licensing by an independent board composed mostly, or entirely,

of licensed professionals. The number of such independent boards varies widely, from 22 in California to nine in Vermont.

Though once the subject of relatively little oversight, state licensing boards are coming under increasing scrutiny. A number of States, including California, Minnesota, and New Jersey, have opted to place one or more "consumer" representatives on the licensing boards. In a few States, all the licensing boards have been placed in a single agency in order to share staff and encourage better communication. Increasing staff size is a key problem in many of the States, since most licensing boards, due to a lack of staff and other factors, only rarely carry out the disciplinary and regulatory tasks which are a main part of the boards' reason for existence.

Another recent issue with regard to licensing boards is the development of some mechanism to license and regulate new health professionals such as physician assistants, or relatively "old" professions where members are performing new tasks, such as nurse clinicians in various specialties. These new health professionals are trained and competent to perform needed health tasks, but outdated licensing laws may have operated to effectively prohibit their employment. Most of the States have resolved this dilemma by simply amending their licensing laws to regulate these professionals under existing licensing boards. A novel approach has been taken in Minnesota, where all new health professionals are regulated under a special board created just for that purpose.

#### MALPRACTICE REFORM

Sharp increases in malpractice insurance rates for physicians and hospitals in 1975 precipitated what became known as the "malpractice crisis." In its most visible form, it led to a massive shutdown of the health industry in most of northern California by physicians striking to protest exorbitant premium rates. In other parts of the country, both physicians and hospitals were left without coverage as malpractice insurers simply stopped covering certain specialties, or withdrew coverage from certain parts of the country.

Though more severe in the urbanized States, the malpractice crisis was so sufficiently widespread that 38 States addressed the problem through some type of legislation in 1975. By far the most comprehensive program was enacted in Indiana, which set up arbitration panels and limited the amount of permissible recovery to \$500,000. In a number of States, such as Idaho and South Carolina, the Insurance Commissioner was given the power to form reinsurance pools to cover physicians and hospitals left without coverage when insurers withdrew from the market. Other States changed courtroom rules of evidence and procedure in an attempt to stem the flow of costly malpractice litigation. In some States, such as Iowa and Tennessee, the portion of the total award an attorney could recover in fees was limited to a decreasing percentage amount as the size of the award increased.

While the Indiana response is the most comprehensive, a number of States will be working for more comprehensive long-run solutions in the years ahead. One thing seems clear, however: the crisis is the result of the way health care is delivered and regulated in this country, consumers' expectations of that care, the way health professionals and facilities are insured, and the way the legal system tries to adjudicate problems arising between consumers and physicians. Unless some long-range solution to these problems appears, the number of malpractice suits seems certain to rise, and the malpractice "crisis" will recur.

#### LICENSING HEALTH FACILITIES

State licensing of nursing homes, hospitals, laboratories, clinics, and other sites of health care is a traditional responsibility which dates at least to the turn of the century with the rise of the public health movement. Such licensing is traditionally concerned with the physical aspects of the conditions under which care is rendered, such as the adequacy of the fire prevention systems, the healthfulness of the food systems, etc. More recently, however, especially in the nursing home area, enforcement is concentrating on the quality of care being rendered, as well as



structural aspects. (See chapter on Aging elsewhere in this volume for more detail.)

With the assistance of federal monies and guidelines, States are moving toward more frequent, more reliable enforcement in this general area. As of 1975, one half of the States also regulated independent clinical laboratories, the site of much of the diagnostic work critical to the proper performance of modern health sciences. Evidently, this enforcement is minimal in all but about six or seven States, and Congress is now considering legislation to expand federal regulation in this area. Blood banks are another ancillary to modern medicine which are regulated in about eight States, and here again stricter regulation appears imminent under federal auspices.

#### EMERGENCY MEDICAL SYSTEMS

Accidental injury is the leading cause of death among persons under 38 years old in the United States, and the fourth leading cause of all deaths. Within the past five years, both the States and the federal government have been moving to upgrade the Nation's emergency medical systems. Most of these efforts have been concentrated on upgrading the training of mobile emergency personnel and ensuring that ambulances have the necessary equipment to meet most emergencies. In addition, emphasis on increased communications between mobile units and hospitals, and between the public and emergency systems through the establishment of a universal number (911) are helping to save lives. Among the many States active in this area, Illinois and North Carolina, and recently Connecticut, have been leaders.

While at least some of the cost of improving emergency medical systems is fairly minimal (much of what is required is simply better coordination), the costs of retraining health personnel, purchasing new equipment, and providing coordinated communications systems may be more than any local jurisdiction can afford. The federal Emergency Medical Service Systems Act of 1973 (P.L. 93-154) authorizes up to \$185 million in federal grants to state and local governments and other public and private nonprofit en-

tities to plan, improve, and expand comprehensive and integrated systems for providing emergency medical services. In addition, the Robert Wood Johnson Foundation set up a \$15 million national program to improve the Nation's emergency medical systems.

#### DRUG AND ALCOHOL ABUSE

The late 1960s and early 1970s witnessed much national discussion about a "drug abuse" crisis, especially a "heroin epidemic." In response, both federal and state programs were established not only to investigate and prosecute users and sellers of restricted substances, but to provide for rehabilitation and treatment programs. More recently, States and local communities are assuming an increasing portion of the financial and administrative responsibility in providing for care and treatment programs.

One major effort has been in the area of "decriminalization" of both the use of alcohol and marijuana. About 17 States, including Massachusetts and Wisconsin, are now placing the public inebriate in community facilities for care and treatment in lieu of criminal penalties and incarceration. Similarly, there is now activity in most of the States to remove criminal but not civil penalties for the possession of small amounts of marijuana for personal use. Five States—Alaska, California, Colorado, Maine, and Oregon—have passed such statutes.

About 30 States have combined the alcohol and drug abuse treatment and prevention agencies into a single state agency. This has been accomplished to conserve scarce resources, make funding less difficult, and assist local agencies which carry out most of the treatment programs in these fields.

#### OCCUPATIONAL SAFETY AND HEALTH

The safety and health of American workers has come under increasing scrutiny in recent years. About 14,000 persons are killed annually and 2.2 million suffer disabling injuries due to job-related causes. As many as 100,000 deaths each year may result from occupationally related disease.

In response to these problems, the fed-

eral government preempted traditional state responsibility for regulation in this area in 1970 with the Williams-Steiger Occupational Safety and Health Act (P.L. 91-596). Since that time, about one half of the States have regained responsibility for regulation through the approval of a state plan for regulation by the Department of Labor. While most of these plans simply implement federal standards, at least seven States have implemented their own standards which the Department of Labor has judged "at least as effective" as the federal standards.

Recent investigations have pointed to the occurrence of abnormally high incidences of cancer in different parts of the country. While all the causes for this increased incidence are not known, in many places it seems due to the presence of certain industries, especially chemical and mining industries, which have caused environmental pollution. These cancers have affected not only workers in these industries, but also their families and even persons residing in the community with no job relation to those industries. This research points to the critical place of the environment in affecting the Nation's health, and the need for vigilant programs to assure the safety of the worker and the community.

#### OTHER STATE HEALTH ACTIVITIES

In addition to those programs mentioned above, a number of significant developments in health are taking place at the state level. Since the late 1960s virtually all of the States have redefined the rights of minors, permitting them access to medical care without the need to receive approval from their parents. This has permitted better distribution of information and treatment with regard to venereal disease, birth control methods, pregnancy, and abortion.

Several States require that all drinking water be fluoridated. Where this has proved impossible, at least one State has mandated the topical application of fluoride as a part of its school health program. Probably the best dental health program for children has been enacted in Vermont, which provides all children with the opportunity for dental screen-

ing, education, and care, and pays for all, or a portion of, such care for families with an income of \$8,750 or less.

A number of States, as well as the federal government, are now exploring problems with regulating medical devices while ensuring their availability at a reasonable cost. One recent study showed that in States which prohibited as unethical advertising by optometrists of the prices of eyeglasses, eyeglass prices were significantly higher than in States without such prohibitions. Nonetheless, there have been numerous reports which cite the need for better regulation, since many Americans, especially the aged, annually are sold millions of dollars worth of improperly fitted eyeglasses, hearing aids, and dentures by unscrupulous dealers.

A few States are also attempting to eliminate advertising restrictions on the sale of prescription drugs in order to increase price competition and thus reduce costs. In Minnesota, recent changes in state statutes have not only permitted advertising of prescription drugs, but substitution of lowest-priced drugs which are the generic equivalents of those prescribed by the physician. Both of these measures are designed to reduce the cost of prescription drugs without any diminution in quality. Another innovation implemented in a few States, including New Jersey, is the requirement that pharmacists keep a history of prescriptions of their patients and any possible allergies to drugs. This is designed to reduce the number of patient reactions resulting from drug allergies or taking drugs which should not be taken in combination.

About 15 States, including New Jersey, and a number of local jurisdictions, have also established Health Facilities Financing Authorities. These authorities are designed to sell tax-exempt state and local government bonds to help finance the construction or renovation of public and nonprofit health facilities. The significantly lower interest rates payable on these bonds due to their tax-exempt status are designed to place less cost on the health facility and, ultimately, on the consumer.

During the early 1970s about 15 to 20

States began passing state statutes designed to screen and treat persons with certain hereditary disorders, particularly sickle cell anemia. While many of these statutes and programs were well-meaning, they have been either unenforced or repealed. Nevertheless, there is still considerable activity in the States on screening for hereditary disorders. Almost all States routinely screen infants for phenylketonuria (PKU), an inherited metabolic disorder leading to severe mental retardation. Recent research, however, has noted that many screening programs are not working as well as they should.

A few States, such as Massachusetts and New York, are expanding the number of hereditary disorders for which they screen newborn infants. Maryland has taken a unique approach in this regard. Rather than passing a statute for every new disease to be screened, it has established an administrative body to make such determinations and has given it strict medical, ethical, and legal guidelines to work under in making such determinations.

A number of States in recent years have completely reorganized their administrative structures for delivering health services. In California, Departments of Public Health and Mental Health, as well as a separate Medicaid agency, were combined into a single Department of Health to encourage greater communication and cooperation among different state health programs. In New York State, however, there has been a push to separate the mental retardation programs from the Department of Mental Hygiene in order to get more attention for these programs.

There also has been some activity in a number of States to encourage the reorganization and regionalization of the health departments of local units of government. Often these departments are so small and understaffed that the enforcement of basic public health codes is ineffectively carried out, if at all. New Jersey, Ohio, Texas, and Wisconsin are a few of the States which have made recent efforts in this regard.

One of the more difficult issues that States will have to deal with in the next few years is that of the so-called "right to die" and definition of death. Recent ad-

vances in medical technology have made it possible to prolong life indefinitely in some situations. Often, however, there is no cognitive functioning, and life is dependent entirely upon sophisticated and expensive medical machinery and care. As recent court cases have dramatically illustrated, the laws of the States and medical ethics have made it difficult, if not impossible, to know when to terminate the use of such technology, if at all.

#### CONCLUSION

The past decade has witnessed a marked change in the role of government in health affairs. Since 1967, the state and federal governments have been pouring massive amounts of tax dollars into a largely heretofore private health system. The purpose was to improve the availability of health services to the aged and the poor. Such infusions of tax dollars have undoubtedly achieved this goal to some extent. In addition, however, these government programs have heightened consumer expectations, graphically illustrated and exacerbated existing problems within the health system, and created more problems of their own.

The shape of the health care system and the state role in that system seems certain to continue to change at the rapid pace witnessed in the past few years. Better, more coordinated, and more consumer-oriented regulation of health costs, health insurance, health facilities, and health manpower, as well as the provision of better, more community-based mental health care, seem to be emerging as the dominant roles for state governments in the years ahead. Consensus also seems to be emerging that the financing of health care for those who cannot afford it (except mental health and retardation services) will be a primary responsibility of the federal government.

Access to good health care is now considered a sort of "right" by most of the public. Inherent in the concept of a "right" is the understanding that government will guarantee that right should the private marketplace fail. Today, the Nation and its individual units of government seem committed to ensuring that right.

# MAJOR STATE SERVICES SELECTED STATE HEALTH STATUTES\*

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State	Certificate of need	Rate regulation—Hospitals	Blue Cross regulation—Premium rates	Blue Shield regulation—Premium rates	Health Maintenance Organization laws	Statutory right to treatment in mental health facilities	Nurse practitioner—Role recognized	Physician assistants—Role recognized	Emergency medical system organization created by statute	Approved occupational safety & health plan	Clinical labs—State licensing laws	Blood banks—License & inspect
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.....	..	..	..	..	..	..	..	..	..	..	..	..
Total.....	26	7	29	26	17	28	16	33	23	22	19	8

\*Source: Gary J. Clarke, *Health Programs in the States: A Survey* (New Brunswick, N.J.: Eagleton Institute, Rutgers University, 1975), plus revisions.

**STATUS OF FEDERAL-STATE CONSTRUCTION AND MODERNIZATION PROGRAMS FOR  
HOSPITAL AND OTHER HEALTH CARE FACILITIES\***

July 1, 1947-June 30, 1975

State or other jurisdiction	Cost of construction (in thousands of dollars)		Total projects	Inpatient care beds provided	Other health care facilities	Inpatient Care Facilities								Public health centers projects	Out- patient facility projects
	Total cost	Hill-Burton funds				General hospitals		Long-term care facilities(a)		Other hospitals(b)					
						Projects	Beds	Projects	Beds	Projects	Beds				
Total .....	\$15,165,530	\$4,181,594	11,719	501,677	3,578(c)	6,164(d)	370,417	1,831	102,588	279	28,672	1,395	1,388		
Alabama .....	290,415	124,298	372	12,497	124	184	9,654	57	1,862	9	981	78	27		
Alaska .....	56,052	10,797	32	635	7	19	523	6	112	...	...	3	2		
Arizona .....	90,879	34,069	117	3,807	29	64	2,662	24	905	2	240	5	15		
Arkansas .....	209,627	78,364	246	8,608	45	150	6,475	49	1,633	6	500	12	12		
California .....	865,213	195,059	454	22,707	166	219	18,922	64	3,381	11	404	75	57		
Colorado .....	141,535	41,767	138	5,075	50	69	3,814	23	1,261	...	...	16	19		
Connecticut .....	274,758	33,390	177	5,977	51	106	4,804	18	1,091	2	82	7	32		
Delaware .....	50,354	13,044	54	2,086	25	18	892	7	511	4	683	4	13		
Florida .....	407,627	125,249	400	15,066	192	151	10,677	55	3,439	3	950	96	65		
Georgia .....	434,278	137,761	506	14,895	226	225	11,639	53	3,056	4	200	165	45		
Hawaii .....	56,601	19,004	63	1,882	22	22	1,164	11	464	8	254	8	9		
Idaho .....	69,579	21,343	93	2,733	24	53	1,937	18	596	2	200	6	9		
Illinois .....	749,334	139,552	320	22,302	72	186	18,150	60	3,909	3	243	7	48		
Indiana .....	405,406	100,667	233	11,908	54	136	9,539	43	2,150	4	219	1	32		
Iowa .....	242,442	70,908	201	9,870	23	141	7,385	35	2,273	2	212	...	10		
Kansas .....	148,647	52,032	142	6,114	18	82	4,535	41	1,465	2	114	3	7		
Kentucky .....	287,559	104,218	318	10,890	122	141	8,142	43	1,891	13	857	94	18		
Louisiana .....	304,540	113,195	306	12,598	122	125	8,359	43	2,147	16	2,092	78	23		
Maine .....	93,647	30,234	105	3,050	26	58	2,499	19	525	2	26	...	21		
Maryland .....	359,328	55,362	185	9,961	68	83	7,137	37	2,764	1	60	26	26		
Massachusetts .....	512,375	87,579	338	15,369	91	204	12,238	41	3,063	2	68	3	72		
Michigan .....	752,413	146,951	355	18,155	101	203	13,994	50	3,569	9	592	25	52		
Minnesota .....	280,947	84,466	234	11,343	37	144	7,837	52	3,446	1	60	6	12		
Mississippi .....	192,218	96,897	390	8,911	204	162	7,258	28	1,239	2	414	85	106		
Missouri .....	347,421	100,780	242	11,589	51	138	8,094	47	3,021	7	474	16	21		
Montana .....	62,899	18,897	107	2,940	10	61	1,649	36	1,291	...	...	...	4		
Nebraska .....	129,489	37,331	144	4,237	25	89	3,030	29	1,117	1	90	1	17		
Nevada .....	32,632	13,386	51	1,201	11	26	705	10	286	4	210	1	8		
New Hampshire .....	69,491	20,541	104	2,579	43	46	1,646	15	933	...	...	...	33		
New Jersey .....	476,759	86,487	244	15,020	89	110	10,880	32	2,302	13	1,838	9	58		

New Mexico	89,733	29,640	140	3,308	46	72	2,397	19	789	3	122	10	27
New York	1,081,213	211,806	396	26,721	57	257	20,710	81	5,833	3	178	9	25
North Carolina	472,105	165,720	495	18,560	140	306	15,465	41	2,408	8	687	97	24
North Dakota	70,132	24,170	89	2,877	11	57	1,551	20	1,122	1	204	1	2
Ohio	780,350	175,907	460	25,799	148	216	18,885	98	6,333	10	581	28	83
Oklahoma	243,463	71,822	335	10,427	96	184	6,694	49	1,318	24	2,415	41	23
Oregon	180,136	39,744	157	6,512	28	95	4,781	31	1,141	4	590	11	11
Pennsylvania	880,680	229,374	396	26,120	68	259	19,630	65	6,293	4	197	8	41
Rhode Island	117,924	19,743	73	2,331	22	37	1,690	12	491	2	150	1	14
South Carolina	201,695	95,122	305	8,520	149	90	5,034	42	1,763	26	1,723	113	22
South Dakota	64,123	24,449	103	3,089	5	75	2,068	23	1,021	...	...	...	...
Tennessee	316,280	122,758	352	13,785	133	147	8,477	62	3,042	17	2,266	81	33
Texas	873,331	266,588	606	33,192	160	367	24,238	66	6,018	13	2,936	33	79
Utah	72,132	27,759	82	2,631	16	39	1,499	19	744	8	388	3	7
Vermont	48,399	16,237	64	2,018	20	32	1,576	12	442	...	...	...	14
Virginia	316,316	114,677	254	10,390	110	110	8,188	37	2,202	...	...	77	14
Washington	189,991	53,180	141	5,113	43	78	4,064	20	1,049	...	...	14	21
West Virginia	153,373	61,629	142	5,441	43	62	3,559	22	1,192	15	690	14	10
Wisconsin	298,538	87,080	186	8,287	26	122	6,175	37	1,872	1	240	1	16
Wyoming	46,484	14,519	71	1,794	15	45	1,495	12	299	...	...	...	13
Dist. of Columbia	43,793	13,216	52	727	22	26	581	3	134	1	12	...	12
American Samoa	2,344	1,875	7	...	6	1	...	...	...	...	...	3	3
Guam	4,600	3,548	19	36	17	2	36	...	...	...	...	14	3
Puerto Rico	215,407	112,318	108	9,669	62	60	5,059	14	1,380	6	3,230	5	15
TTPI	1,634	1,472	1	...	1	...	...	...	...	...	...	...	1
Virgin Islands	6,889	3,613	14	325	6	10	325	...	...	...	...	1	2

\*Source: U.S. Department of Health, Education, and Welfare, Public Health Service, Health Resources Administration, Bureau of Health Planning and Resources Development, Division of Facilities Development. The figures represent projects approved under the Hospital Survey and Construction Act of 1946 (Hill-Burton Act) and subsequent amendments.

(a) Nursing homes, long-term care units of hospitals, and chronic disease hospitals.

(b) Mental and tuberculosis hospitals.

(c) Represents 133 public health centers built in combination with general hospitals, 1,395 separate public health centers, 1,388 outpatient facilities, 614 rehabilitation facilities, and 48 state health laboratories.

(d) Includes 133 public health centers built in combination with general hospitals.

**FEDERAL FUNDS AWARDED—COMMUNITY HEALTH SERVICE AND  
MATERNAL AND CHILD HEALTH—BY STATE, FISCAL YEAR 1975\***  
(In thousands of dollars)

<i>State or other jurisdiction</i>	<i>Compre- hensive health planning(a)</i>	<i>Area-wide health planning(a)</i>	<i>Training studies &amp; demon- strations(a)</i>	<i>Compre- hensive public health services</i>	<i>Health services development</i>	<i>Migrant health services</i>	<i>Maternal &amp; child health services</i>	<i>Crippled children's services</i>
<b>Total.....</b>	<b>\$10,000</b>	<b>\$29,839</b>	<b>\$45,828</b>	<b>\$89,102</b>	<b>\$197,327</b>	<b>\$22,173</b>	<b>\$201,603</b>	<b>\$64,893</b>
Alabama.....	173	623	440	1,655	2,022	...	4,483	1,400
Alaska.....	100	70	...	402	500	...	368	332
Arizona.....	100	574	360	1,001	2,396	667	1,855	620
Arkansas.....	101	596	35	1,087	1,911	...	2,345	783
California.....	689	2,934	5,544	6,813	23,960	4,001	11,172	4,107
Colorado.....	100	270	466	1,102	8,315	730	3,884	917
Connecticut.....	100	610	1,528	1,243	650	98	2,188	589
Delaware.....	100	108	56	478	...	100	578	279
Florida.....	292	716	50	2,883	4,247	2,788	6,535	1,783
Georgia.....	204	250	...	2,006	4,146	...	5,597	1,597
Hawaii.....	100	128	...	562	1,293	...	1,408	474
Idaho.....	100	71	...	579	...	438	788	340
Illinois.....	364	1,300	2,897	3,804	7,160	230	8,823	2,376
Indiana.....	203	731	942	2,091	580	223	4,417	1,515
Iowa.....	113	403	551	1,286	400	141	2,436	1,557
Kansas.....	100	311	...	1,060	200	258	1,591	764
Kentucky.....	154	320	423	1,543	5,847	...	4,102	1,272
Louisiana.....	177	569	105	1,714	450	350	4,763	1,412
Maine.....	100	609	30	682	1,238	44	1,170	259
Maryland.....	239	428	4,848	1,599	4,774	...	6,544	1,453
Massachusetts.....	200	1,218	4,376	2,162	5,693	148	5,352	1,208
Michigan.....	309	1,498	2,611	3,188	3,880	1,015	7,657	2,386
Minnesota.....	151	541	962	1,623	2,099	339	3,396	1,533
Mississippi.....	121	299	572	1,217	6,787	...	3,808	1,137
Missouri.....	185	822	1,432	1,916	7,686	102	4,105	1,447
Montana.....	100	157	...	553	151	83	696	354
Nebraska.....	100	139	105	820	20	160	1,835	610
Nevada.....	100	84	...	471	...	...	582	237
New Hampshire.....	100	55	99	570	45	...	774	297
New Jersey.....	235	556	584	2,577	2,154	459	3,645	1,247
New Mexico.....	100	251	214	714	1,967	405	1,470	411
New York.....	581	2,932	3,382	5,945	26,168	832	17,314	3,617
North Carolina.....	231	313	1,272	2,208	4,790	211	6,482	2,129
North Dakota.....	100	29	...	533	...	...	767	256
Ohio.....	395	1,650	727	3,849	10,324	878	8,275	2,683
Oklahoma.....	117	528	42	1,264	3,183	96	2,196	830
Oregon.....	100	389	366	1,056	2,844	476	1,968	792
Pennsylvania.....	445	1,391	1,465	4,266	8,452	128	9,093	3,874
Rhode Island.....	100	...	435	623	1,700	...	951	360
South Carolina.....	131	59	139	1,334	7,589	163	3,813	1,132
South Dakota.....	100	...	...	551	289	...	734	258
Tennessee.....	187	555	858	1,820	7,081	...	4,058	1,992
Texas.....	493	1,032	921	4,459	4,967	3,756	8,934	3,756
Utah.....	100	123	519	722	2,387	319	1,948	416
Vermont.....	100	124	1,327	470	40	...	561	249
Virginia.....	187	971	531	1,933	1,600	191	4,504	1,694
Washington.....	128	635	896	1,441	3,279	1,157	3,243	813
West Virginia.....	100	963	...	968	4,432	110	2,198	755
Wisconsin.....	179	904	449	1,859	477	156	3,636	1,433
Wyoming.....	100	...	564	419	273	53	330	243
District of Columbia..	100	...	2,705	513	3,414	125	4,146	846
American Samoa.....	100	...	...	266	...	...	100	81
Guam.....	100	...	...	320	...	...	264	165
Puerto Rico.....	316	...	...	2,161	3,218	743	6,697	1,492
TTPI.....	100	...	...	455	...	...	342	165
Virgin Islands.....	100	...	...	266	249	...	682	166

\*Source: U.S. Department of Health, Education, and Welfare,  
Public Health Service, Health Services and Mental Health

Administration.

(a) These figures are for fiscal year 1974.

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# STATE PUBLIC ASSISTANCE AND RELATED PROGRAMS

BY R. DOUGLAS ROEDERER\*

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**I**N RECENT YEARS there has been increasing concern and frustration over public welfare programs in the United States. Taxpayers who pay for the programs and public officials responsible for the administration of programs are concerned about (1) escalating cost, (2) the overlap and fragmentation in available services, (3) programs that appear to foster dependency rather than self-sufficiency, and (4) the complexity of the many service programs with varying procedures for financing, administration, and delivery of services.

In addition to the many benefit payment programs, there has been a proliferation of programs at the federal, state, and local levels to provide services to a wide range of client groups—the physically ill, mentally ill, mentally retarded, aged, unemployed, abused children, alcoholic, drug abuser, and others.

Several efforts to address these concerns include the reorganization of state human service programs, attempts to more efficiently administer (including increased requirements on recipients) the Aid to Families with Dependent Children program, transfer of administration of payment programs for the aged, blind, and disabled from States to the Social Security Administration, reform of the food stamp program, and passage of Title XX of the Social Security Act.

## REORGANIZATION

Since 1965, over one half of the States have reorganized state human service functions. Many found that the numerous human service programs initiated in the 1960s were being administered through more than 100 agencies, boards, and commissions. This administrative structure encouraged overlap and duplication of

efforts and made it difficult for the Governor, Legislature, or human service agency head to effectively plan and administer human services for the State's citizens.

States administer eight major human services—public assistance/social services, health, mental health, mental retardation, corrections, youth services, vocational rehabilitation, and employment services. Reorganization in most States has taken the form of grouping these services into a single “umbrella” department (see Table 1).

There is considerable debate over the most appropriate mix of functions within the reorganized human service agency. Some argue that all manpower-related programs should be included in the human service agency. Vocational rehabilitation services are frequently included; employment service programs, with few exceptions, are not. Possibly most controversial is the inclusion of corrections programs. Some argue that to foster rehabilitation and provide total family services, corrections programs must have organizational ties to other human service programs. There is also strong support for placement of corrections with other criminal justice functions.

While reasons for the reorganization of human service programs vary, several goals appear to be common to a number of States. These goals include:

1. Making human service programs more accountable by establishing clear lines of authority to a single administrator directly responsible to the Governor.

2. Introducing a coordinated (integrated) approach to the identification, treatment, and rehabilitation of clients. In some cases this has been attempted through creation of a single organizational unit for service delivery. In other cases, common intake procedures, one-stop multiservice centers, or other mech-

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anisms for coordination between organizational units have been tried. This goal grows out of the recognition that many individuals and families have multiple problems and have received services independently from several departments.

3. Streamlining administrative functions within the new agency. Budgeting, planning, personnel management, and other administrative services from previously separate departments have in some instances been consolidated into a single unit directly responsible to the human services agency head. In other States, common procedures have been established to coordinate existing administrative services.

Reorganization does not automatically lead to the improved coordination of the delivery of services. There is a wide variety of human service professionals, and bringing their specialties into a unified delivery system has been difficult.

Reorganization is usually a long process frequently requiring a term of more than one state administration. Goals may change and public officials' views of the problem may differ. At least five States, Florida, Georgia, Iowa, Washington, and Wisconsin, have restructured their human services agencies since their original reorganization.

#### AID TO FAMILIES WITH DEPENDENT CHILDREN

##### *Recipients and Payment Levels*

In June 1975, approximately 11,304,000 individuals received payments under the Aid to Families with Dependent Children program (AFDC). This compares with approximately 10,756,000 in June 1974. Some 966,000 individuals received payments in June 1975 under a general assistance program funded and administered by a state and/or local government. Under the AFDC program, the average payment per family in June 1975 was \$212.72. The average payment per recipient was \$65.46. This compares with \$198.77 and \$58.90, respectively, for June 1974. The AFDC program continues to be administered by state and local governments with federal participation (see Tables 2 and 3).

##### *Work Incentive Program*

The increasing number of welfare recipients resulted in support for programs to assist recipients in locating employment, thus eliminating dependency on welfare payments. The Work Incentive (WIN) program was established by the 1967 amendments to the Social Security Act (Title IV-C). This program provides training and employment services to recipients of AFDC.

In July 1972, additional amendments to the Social Security Act restructured the WIN program. These changes included mandatory enrollment of AFDC recipients into the program, and a shift in emphasis from training for jobs to immediate employment. In fiscal year 1974, the WIN program placed 177,000 enrollees into unsubsidized employment, an increase of 30 percent over fiscal year 1973. State services provided to WIN participants include family planning, medical examinations, and home management services. The most needed service to WIN program participants—day care services for children—has expanded rapidly in the States in recent years.

##### *Child Support*

In January 1975, Congress amended the Social Security Act to include Title IV-D, Child Support and Establishment of Paternity. This legislation was designed to assist States in locating and obtaining support payments from absent parents. A network of cooperating state child support agencies is to be established with each State charged with locating absent parents, establishing paternity, and obtaining support payments. The federal Department of Health, Education, and Welfare (HEW) estimates that 1.3 million absent parents increase the cost of the AFDC program by over \$1 billion.

##### *Quality Control*

Since the early 1960s, Congress' concern about the growing number of AFDC recipients has been accompanied by a concern about errors in the administration of AFDC payments. Errors include ineligible receiving payments, eligibles not receiving payments, and overpayments or

underpayments to eligible recipients. Errors may result from faulty agency procedures, staff error, or recipient misunderstanding or fraud.

Each state public welfare agency is required to have a quality control unit which, through sampling, determines the agency rate of error. Tolerance levels for error rates are 3 percent for ineligibility and 5 percent for overpayment. States not functioning within these tolerance levels are subject to withholding of federal matching funds.

#### SUPPLEMENTAL SECURITY INCOME

In January 1974, the Supplemental Security Income (SSI) program began operation. Previously States were responsible for administration of payment programs for the aged, blind, and the permanently and totally disabled, while the federal government provided matching funds. The change to a federal benefit program administered by the Social Security Administration was brought about to ensure that eligibility requirements and minimum payment levels would be uniform throughout the States.

In addition to minimum payment levels established in federal law, States have the option of supplementing this payment with state funds. Levels of state supplementation vary. Thirty States had contracted with the Social Security Administration to administer some or all of these supplemental payments as of June 1975.

At the beginning of the SSI program, 3.2 million persons received federally administered payments. This is essentially the same number of persons receiving benefits previously under the 50 separate state payment programs. Of this total, about 1.9 million were aged, 72,000 were blind, and 1.3 million were disabled. In December 1974, the total number of persons receiving SSI benefits had increased to 4 million. In June 1975, this figure had increased to about 4.2 million. Of this total, 2.3 million were aged and 1.9 million were blind or disabled. In the first 12 months of the program, state expenditures for payments to the aged, blind, and disabled declined by \$40 million while federal expenditures doubled to almost

\$4 billion annually. Federal payments for SSI in June 1975 were approximately \$457,000 (see Table 4).

States are responsible for the provision of social services to the aged, blind and disabled who are receiving SSI. These services might include job counseling or placement, nutrition services, financial planning, medical care, protective services, transportation, homemaker services, or home nursing care. A problem currently being addressed by the Social Security Administration and the States is the process of referring clients receiving payments from the Social Security Administration to the appropriate state agency for services. The over 4 million SSI recipients are eligible for state social services provided under the state plan. Several States indicate that at present a small percentage of these payment recipients are receiving services.

#### THE FOOD STAMP PROGRAM

The Food Stamp Program came into existence with the passage of the Food Stamp Act of 1964. The program, which is intended to improve nutrition in low-income households, is administered at the federal level by the U.S. Department of Agriculture (USDA), Food and Nutrition Service. The USDA is responsible for establishing program guidelines, printing stamps, and certifying grocery stores for redemption of stamps. State and local welfare agencies establish eligibility, issue stamps, carry on education and outreach programs to find eligible participants and, in cooperation with USDA, maintain a quality control program.

Under the Food Stamp Program, a household pays a certain amount for an allotment of food coupons which carry a monetary value greater than the purchase price. At the program's beginning in 1964, States participated voluntarily with many States choosing to continue the surplus commodity distribution program. Since 1964, amendments to the Food Stamp Act have expanded the number of eligible households and have increased benefits. As of December 1974, the program was operating nationwide.

The program's expansion has resulted in substantially increased costs. Federal

expenditures of less than \$200 million in fiscal year 1968 increased to approximately \$5 billion in fiscal 1975. The monthly average of participants in fiscal 1968 was over 2,200,000. In May 1975 approximately 17,994,000 individuals were participating (see Table 5).

Rising unemployment has contributed to these increases. States and localities have had difficulty effectively administering the Food Stamp Program for these rapidly increasing numbers. Long lines of applicants at welfare offices, delays in receiving benefits, and errors in determining eligibility and benefit levels have, in some instances, resulted. Congress and the President have proposed reforms and there appears to be increasing support for such proposals.

#### TITLE XX

Prior to January 1975, the majority of social services programs administered by state and local governments were authorized by Titles IV-A and VI of the Social Security Act. For several years much debate had occurred between the States and HEW, and the implementation of the titles had been at issue. Regulations promulgated by HEW created a furor among state officials who contended that detailed requirements for eligibility, services allowable, etc., stifled creative, flexible planning and delivery of social services.

In response to this continuing debate, a new title of the Social Security Act, Title XX, was enacted in January 1975. Title XX encompasses the services previously available under Titles IV-A and VI. The \$2.5 billion (allotted to the States on the basis of population) ceiling on expenditures under Titles IV-A and VI remains in effect under Title XX.

Title XX includes a number of substantial changes for the planning and delivery of social services in the States. Generally, Title XX allows the States increased flexibility in determining needs and priorities. The Governor of each State is required to designate an agency to administer the Title XX program. This agency is then

required to develop a comprehensive annual service plan. This plan is to include information on categories of persons to be served, eligibility criteria, services to be provided, geographic distribution of services, program evaluation, assessment of needs by area, and a plan for coordination of Title XX services with other social services (public and private) available throughout the State.

In an attempt to inform and involve citizens in each State's planning for social services, the annual services plan must be available to the public for 45 days for review and comment. While HEW approves the plan in terms of procedural requirements for the plan's development and public review, HEW has limited authority to disapprove contents of the plan. In terms of the plan's content, HEW must only determine that at least one service is available that addresses each of the five nationwide goals for social services. These goals include:

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.
5. Securing referral or admission for institutional care when other forms of care are not appropriate, or providing services to individuals in institutions.

Despite recent efforts to restructure welfare and human services programs, there remains considerable dissatisfaction with the present system for funding, administration, and delivery of human services. There is indication that in the next few years "welfare reform" or some major overhaul of the welfare benefits system will be enacted at the federal level.

TABLE 1  
REORGANIZATION OF HUMAN SERVICES PROGRAMS\*

State	Agency	Reorganization date, (a)	Programs (b)							
			PA & SS	H	MH	MR	Corr.	YI	VR	ES
Alabama.....	Dept. of Pensions & Security	....	★	..	..	..	..	..	..	..
Alaska.....	Dept. of Health & Social Services	1959	★	★	★	★	★	★	..	..
Arizona.....	Dept. of Economic Security	1973	★	..	..	..	..	..	★	★
Arkansas.....	Dept. of Social & Rehabilitative Services	1970	★	..	★	★	..	★	★	..
California.....	Health & Welfare Agency	1968	★	★	★	★	★	★	★	★
Colorado.....	Dept. of Social Services	....	★	..	..	..	..	..	★	..
Connecticut.....	Dept. of Social Services	....	★(c)	..	..	..	..	..	..	..
Delaware.....	Dept. of Health & Social Services	1969	★	★	★	★	..	★	..	..
Florida.....	Dept. of Health & Rehabilitative Services	1975	★	★	★	★	..	★	★	..
Georgia.....	Dept. of Human Resources	1972	★	★	★	★	..	..	★	..
Hawaii.....	Dept. of Social Services & Housing	1959	★	..	..	..	★	★	★	..
Idaho.....	Dept. of Health & Welfare	1973	★	★	★	★	..	★	..	..
Illinois.....	Dept. of Public Aid	....	★(d)	..	..	..	..	..	..	..
Indiana.....	Dept. of Public Welfare	....	★	..	..	..	..	..	..	..
Iowa.....	Dept. of Social Services	1967	★	..	★	★	★	★	..	..
Kansas.....	Dept. of Social & Rehabilitation Services	....	★	..	★	★	..	★	★	..
Kentucky.....	Dept. for Human Resources	1972	★	★	★	★	..	★	..	★
Louisiana.....	Health & Human Resources Administration	1972	★	★	★	★	..	..	..	..
Maine.....	Dept. of Human Services	1931	★	★	..	..	..	..	★	..
Maryland.....	Dept. of Employment & Social Services	1970	★	..	..	..	..	..	..	★
Massachusetts...	Executive Office of Human Services	1971	★	★	★	★	★	★	★	..
Michigan.....	Dept. of Social Services	1965	★	..	..	..	..	★	..	..
Minnesota.....	Dept. of Public Welfare	1939	★	..	★	★	..	..	..	..
Mississippi.....	Dept. of Public Welfare	....	★	..	..	..	..	..	..	..
Missouri.....	Dept. of Social Services	1974	★	★	..	..	★	★	★	..
Montana.....	Dept. of Social & Rehabilitation Services	1972	★	..	..	..	..	..	★	..
Nebraska.....	Dept. of Public Welfare	....	★	..	..	..	..	..	..	..
Nevada.....	Dept. of Human Resources	1963	★	★	★	★	..	★	★	..
New Hampshire...	Dept. of Health & Welfare	1961	★	★	★	★	..	..	..	..
New Jersey.....	Dept. of Institutions & Agencies	1948	★	..	★	★	★	..	..	..
New Mexico.....	Health & Social Services Dept.	1969	★	★	★	★	..	..	★	..
New York.....	Dept. of Social Services	....	★	..	..	..	..	..	..	..
North Carolina...	Dept. of Human Resources	1971	★	★	★	★	..	..	★	..
North Dakota...	Social Services Board	1973	★	..	..	..	..	..	★	..
Ohio.....	Dept. of Public Welfare	....	★	..	..	..	..	..	..	..
Oklahoma.....	Dept. of Institutions, Social & Rehabilitative Services	....	★	..	..	★	..	★	★	..
Oregon.....	Dept. of Human Resources	1971	★	★	★	★	★	★	★	★
Pennsylvania....	Dept. of Public Welfare	1958	★	..	★	★	..	★	..	..
Rhode Island....	Dept. of Social & Rehabilitative Services	1972	★	..	..	..	..	..	★	..
South Carolina...	Dept. of Social Services	....	★	..	..	..	..	..	..	..
South Dakota....	Dept. of Social Services	1972	★	..	★	★	★	..	★	..
Tennessee.....	Dept. of Human Services	....	★	..	..	..	..	..	..	..
Texas.....	Dept. of Public Welfare	....	★	..	..	..	..	..	..	..
Utah.....	Dept. of Social Services	1969	★	★	★	★	★	★	★	..
Vermont.....	Agency of Human Services	1970	★	★	★	★	★	★	★	..
Virginia.....	Office of Human Affairs	1972	★	★	★	★	..	★	★	..
Washington.....	Dept. of Social & Health Services	1970	★	★	★	★	★	★	★	..
West Virginia...	Dept. of Welfare	....	★	..	..	..	..	..	..	..
Wisconsin.....	Dept. of Health & Social Services	1967	★	★	★	★	★	★	★	..
Wyoming.....	Dept. of Health & Social Services	1969	★	★	★	★	..	..	★	..

\*Source: The Council of State Governments' Project on Human Services Integration, 1975.

(a) Although some of the agencies may have changed their names since the reorganization date listed, the programs covered have remained essentially the same.

(b) Symbols: PA & SS—Public Assistance and Social Services (includes medical assistance); H—Health; MH—Mental Health;

MR—Mental Retardation; Corr.—Corrections; YI—Youth Institutions; VR—Vocational Rehabilitation; ES—Employment Security.

(c) Social services for children are administered by the Dept. of Children and Youth Services.

(d) Social services are administered by the Dept. of Children and Family Services.

TABLE 2

**AID TO FAMILIES WITH DEPENDENT CHILDREN:  
RECIPIENTS AND PAYMENTS, JUNE 1975\***

State or other jurisdiction	Number of families	Payments to recipients				
		Number of recipients		Average money payment		Total amount
		Total (a)	Children	Per family	Per recipient	
Total .....	3,478,260	11,303,634	8,069,532	\$212.72	\$65.46	\$739,904,575
Alabama .....	52,086	168,723	125,518	95.60	29.51	4,979,617
Alaska .....	4,035	11,115	8,216	261.19	94.82	1,053,898
Arizona .....	20,722	70,002	52,757	125.75	37.22	2,605,750
Arkansas .....	33,906	108,749	80,638	125.99	39.28	4,271,802
California .....	447,112	1,385,462	957,588	230.20	74.29	102,924,400
Colorado .....	30,531(b)	95,766	67,840	194.49	62.01	5,938,040
Connecticut .....	40,372	129,666	94,508	266.78	83.06	10,770,552
Delaware .....	10,087	31,742	23,142	164.69	52.34	1,661,258
Florida .....	80,465	257,000	192,837	122.22	38.27	9,834,414
Georgia .....	116,983	363,402	267,584	98.66	31.76	11,541,409
Hawaii .....	15,366	50,548	35,060	309.86	94.19	4,761,304
Idaho .....	6,339	19,576	13,706	208.00	67.36	1,318,542
Illinois .....	229,365	809,880	583,188	278.27	78.81	63,824,401
Indiana .....	53,474	166,286	122,094	153.49	49.36	8,207,539
Iowa .....	28,796	91,522	63,096	275.97	86.83	7,946,974
Kansas .....	23,595	70,429	52,295	203.82	68.28	4,809,122
Kentucky .....	55,169	172,177	123,007	172.72	55.34	9,529,019
Louisiana .....	67,675	236,857	178,214	117.61	33.60	7,959,300
Maine .....	24,098(b)	80,101	56,086	167.62	50.43	4,039,352
Maryland .....	67,874	216,891	156,747	167.28	52.35	11,353,650
Massachusetts .....	112,302(b)	361,028(b)	251,059(b)	402.63	125.24	45,216,029(b)
Michigan .....	195,195	635,960	450,491	253.36	77.76	49,455,165
Minnesota .....	42,716	124,783	89,458	247.06	84.57	10,553,464
Mississippi .....	55,078	188,920	145,913	49.15	14.33	2,706,874
Missouri .....	86,750	268,473	198,615	119.83	38.72	10,395,280
Montana .....	7,165	21,120	15,593	146.00	49.53	1,046,117
Nebraska .....	11,914	38,030	27,375	178.93	56.05	2,131,722
Nevada .....	4,819	14,341	10,501	136.91	46.01	659,770
New Hampshire .....	8,695	27,057	18,880	231.58	74.42	2,013,619
New Jersey .....	132,022	446,643	319,864	270.45	79.94	35,705,071
New Mexico .....	18,974	61,634	45,330	137.60	42.36	2,610,750
New York .....	357,539	1,215,476	855,108	312.18	91.83	111,616,302
North Carolina .....	64,539	188,897	138,069	158.69	54.22	10,241,972
North Dakota .....	4,598	13,918	10,128	224.17	74.06	1,030,735
Ohio .....	176,792	563,577	388,910	174.23	54.65	30,801,785
Oklahoma .....	30,020	96,600	72,964	191.75	59.59	5,756,391
Oregon .....	35,406	102,496	69,320	197.35	68.17	6,986,744
Pennsylvania .....	190,524	630,610	432,560	256.50	77.50	48,870,109
Rhode Island .....	16,283	52,777	37,110	241.70	74.57	3,935,585
South Carolina .....	43,412	138,769	102,890	87.21	27.28	3,785,944
South Dakota .....	8,165	25,310	18,615	201.82	65.11	1,647,886
Tennessee (c) .....	67,594	209,099	154,173	105.49	34.10	7,130,803
Texas .....	113,667	383,569	284,132	107.84	31.96	12,257,349
Utah .....	12,442	34,282	23,119	218.38	79.26	2,717,131
Vermont .....	6,612	22,121	14,807	254.77	76.15	1,684,511
Virginia .....	59,048	180,911	129,515	189.55	61.87	11,192,669
Washington .....	46,710	139,419	92,468	223.66	74.93	10,447,341
West Virginia .....	21,731	72,742	49,539	168.88	50.45	3,669,868
Wisconsin (c) .....	58,288	175,126	124,860	241.23	80.29	14,060,950
Wyoming .....	2,323	6,792	4,997	155.02	53.02	360,104
District of Columbia .....	31,981	103,655	74,951	235.35	72.61	7,526,621
Guam .....	822	3,320	2,621	191.98	47.53	157,804
Puerto Rico .....	44,916(b)	216,204(b)	158,131(b)	45.68	9.49	2,051,914(b)
Virgin Islands .....	1,168(b)	4,081(b)	3,345(b)	128.30	36.72	149,853(b)

\*Source: National Center for Social Statistics, Office of Information Systems, Social and Rehabilitation Service, U.S. Department of Health, Education, and Welfare. All data subject to revision. Data includes nonmedical vendor payments, unemployed father segment, and AFDC-foster care.

(a) Includes as recipients the children and one or both parents or one caretaker relative other than a parent in families in which the requirements of such adults were considered in determining the amount of assistance.

(b) Does not include AFDC-foster care.

(c) Estimated data.

TABLE 3  
GENERAL ASSISTANCE:  
RECIPIENTS AND PAYMENTS, JUNE 1975\*

State or other jurisdiction	Payments to recipients				
	Number of		Average money payment		Total amount
			Per case	Per recipient	
Cases	Recipients				
Total.....	667,614	966,319	\$140.56	\$ 97.11	\$93,842,194
Alabama.....	49	49	(a)	(a)	612
Alaska.....	44	98	(a)	52.84	5,178
Arizona.....	3,844	3,844	74.59	74.59	286,725
Arkansas.....	464	1,482	15.95	4.99	7,402
California.....	49,848	52,989	106.75	100.42	5,321,305
Colorado.....	3,080	4,267	95.62	69.02	294,501
Connecticut (b).....	13,412	24,690	126.33	68.63	1,694,391
Delaware.....	2,107	4,081	61.29	31.64	129,137
Georgia.....	1,856	3,211	53.85	31.13	99,949
Hawaii.....	6,029	11,477	204.00	107.17	1,229,945
Illinois.....	68,404	85,092	138.13	111.04	9,448,398
Iowa (b).....	4,220	10,736	86.20	33.88	363,767
Kansas.....	5,762	9,202	129.69	81.21	747,274
Louisiana.....	5,836	6,133	55.93	53.22	326,425
Maine.....	5,056	15,175	63.49	21.15	320,987
Maryland.....	15,556	16,438	110.95	105.00	1,725,984
Massachusetts.....	45,790	54,802	161.12	134.62	7,377,627
Michigan.....	58,534	74,150	159.01	125.53	9,307,751
Minnesota.....	11,425	17,068	143.40	95.99	1,638,382
Mississippi.....	909	1,158	15.50	12.17	14,090
Missouri.....	9,630	10,581	66.79	60.79	643,176
Montana.....	639	1,193	60.78	32.56	38,840
New Hampshire.....	1,532	3,986	81.31	31.25	124,571
New Jersey.....	25,920	53,922	166.39	79.98	4,312,831
New Mexico.....	286	314	78.17	71.20	22,357
New York.....	126,650	224,623	188.66	106.37	23,893,411
North Carolina.....	2,515	6,018	45.62	19.06	114,733
North Dakota.....	105	262	63.60	25.49	6,678
Ohio.....	48,706	62,147	90.26	70.74	4,396,040
Oklahoma.....	170	324	18.88	9.91	3,210
Oregon.....	3,646	4,385	90.48	75.23	329,902
Pennsylvania.....	100,274	131,820	142.13	108.12	14,251,846
Rhode Island.....	7,860	13,620	121.80	70.29	957,330
South Carolina.....	344	402	57.88	49.52	19,909
South Dakota.....	479	1,242	36.37	14.03	17,422
Utah.....	2,447	2,642	91.74	84.97	224,494
Virginia.....	8,183	11,972	107.53	73.50	879,936
Washington.....	9,540	15,016	144.14	91.58	1,375,143
West Virginia.....	2,597	7,326	47.40	16.80	123,098
Wisconsin (b).....	6,980	11,029	117.63	74.44	821,030
Wyoming.....	173	314	63.48	34.97	10,982
District of Columbia.....	6,098	6,399	149.20	142.18	909,814
Guam.....	46	46	(a)	(a)	3,839
Puerto Rico.....	239	239	13.36	13.36	3,192
Virgin Islands.....	330	355	56.30	52.34	18,580

\*Source: National Center for Social Statistics, Office of Information Systems, Social and Rehabilitation Service, U.S. Department of Health, Education, and Welfare. All data subject to revision. Data includes nonmedical vendor payments. Data does not include Florida, Idaho, Indiana, 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.

(b) Estimated data.

TABLE 4

## SUPPLEMENTAL SECURITY INCOME FOR THE AGED, BLIND, AND DISABLED, JUNE 1975\*

State or other jurisdiction	Number of persons receiving federally administered payments				Payments (in thousands)				Average monthly amount of combined federal and state payments†			
	Total	Aged	Blind	Disabled	Total federal payments	Federal SSI	Federally admin- istered state supple- mentation	State- admin- istered state supple- mentation	Total	Aged	Blind	Disabled
United States.....	4,188,502(a)	2,326,330	73,489	1,788,323	\$457,053	\$342,896	\$114,158	\$14,333	...	...	...	...
Alabama.....	143,899(b)	102,180	2,036	39,683	12,169	12,169	...	1,128	\$ 88.98	\$ 80.88	\$115.00	\$108.87
Alaska.....	3,034(b)	1,505	74	1,455	336	336	...	176	128.56	107.71	161.86	150.15
Arizona.....	27,294(b)	14,219	437	12,638	2,781	2,781	...	137	105.26	88.41	120.00	124.21
Arkansas.....	87,993	60,375	1,667	25,951	7,281	7,002	279	...	82.74(c)	74.45	113.76	100.03
California.....	633,662	326,822	12,882	293,958	98,012	40,653	57,360	...	154.68(c)	123.52	195.79	187.51
Colorado.....	35,623(b)	20,859	330	14,434	3,123	3,123	...	1,336	104.23	89.36	119.86	127.13
Connecticut.....	22,238(b)	9,328	280	12,630	2,111	2,111	...	746	(d)	(d)	(d)	(d)
Delaware.....	6,732	3,498	272	2,962	621	530	91	...	92.26(c)	72.04	113.92	114.15
Florida.....	149,201	92,217	2,374	54,610	14,696	14,431	265	102	98.50(e)	88.30	121.93	114.69
Georgia.....	160,488	95,553	3,097	61,838	14,243	13,876	367	...	88.75(c)	77.57	115.92	104.65
Hawaii.....	9,100	5,345	117	3,638	1,217	752	465	...	133.78(c)	111.16	176.73	165.62
Idaho.....	8,852(b)	4,238	104	4,510	704	704	...	104	91.28(f)	71.26	105.77	109.76
Illinois.....	134,690(b)	47,906	1,612	85,172	13,514	13,514	...	3,356	117.28	79.82	128.88	137.99
Indiana.....	43,740	23,619	1,173	18,948	3,352	3,227	124	...	76.62(c)	60.84	106.29	94.46
Iowa.....	27,970	17,580	874	9,516	2,296	2,076	220	...	82.07(c)	67.58	111.86	106.11
Kansas.....	23,511	12,885	374	10,252	1,830	1,760	70	...	77.83(c)	65.58	109.34	92.09
Kentucky.....	97,868(b)	60,029	2,070	35,769	9,036	9,036	...	766	98.96	85.73	132.49	119.48
Louisiana.....	148,673	97,569	2,133	48,971	13,924	13,351	573	...	93.65(c)	84.07	120.29	111.59
Maine.....	24,126	13,687	288	10,151	2,174	1,577	596	...	90.10(c)	67.95	125.78	118.95
Maryland.....	46,818	18,688	521	27,609	4,969	4,793	176	...	106.13(c)	75.97	123.47	126.22
Massachusetts.....	129,156	82,080	3,031	44,045	19,872	6,374	13,498	...	153.86(c)	131.32	208.72	192.08
Michigan.....	115,948	52,285	1,680	61,983	14,060	9,343	4,717	...	121.26(c)	94.14	141.09	143.60
Minnesota.....	39,660	20,108	748	18,804	3,246	2,929	317	202	81.84(c)	65.01	116.24	98.47
Mississippi.....	123,718	83,208	1,968	38,542	10,814	10,671	143	...	87.41(c)	75.74	115.25	111.17
Missouri.....	101,254(b)	67,192	2,249	31,813	8,758	8,758	...	2,064	93.20	83.63	120.35	113.07

Montana.....	8,200	3,935	157	4,108	713	682	31	...	86.92(c)	62.11	95.85	110.35
Nebraska.....	16,224(b)	8,924	227	7,073	1,308	1,308	...	257	91.21	66.77	134.38	120.08
Nevada.....	5,568	3,696	167	1,705	562	390	172	...	...	...	...	...
New Hampshire.....	5,352(b)	3,131	165	2,056	403	403	...	150	(d)	(d)	(d)	(d)
New Jersey.....	78,802	40,072	1,005	37,725	8,756	6,438	2,317	...	111.11(c)	88.71	126.82	134.48
New Mexico.....	25,485(b)	12,520	412	12,553	2,490	2,490	...	...	97.69	76.20	114.66	118.57
New York.....	394,129	179,102	4,293	210,734	55,900	34,024	21,876	...	141.83(c)	104.66	165.40	172.95
North Carolina.....	144,520(b)	80,471	3,876	60,173	12,505	12,505	...	1,161	93.72	75.36	120.43	116.52
North Dakota.....	8,098(b)	5,078	60	2,960	649	649	...	14	81.73	67.69	118.17	105.07
Ohio.....	127,912	54,994	2,458	70,460	12,508	12,201	307	...	97.78(c)	71.46	113.04	117.80
Oklahoma.....	84,370(b)	53,171	1,110	30,089	7,376	7,376	...	1,885	106.92	100.28	131.15	117.24
Oregon.....	25,410(b)	11,124	587	13,699	2,236	2,236	...	566	100.59	72.89	136.51	122.68
Pennsylvania.....	143,797	66,525	5,062	72,210	16,399	13,207	3,191	...	114.04(c)	89.11	126.59	136.13
Rhode Island.....	16,045	7,323	205	8,517	1,654	1,059	595	...	103.11(c)	73.69	141.47	127.48
South Carolina.....	77,390	46,271	1,962	29,157	6,652	6,623	29	66	85.95(c)	71.27	114.96	107.30
South Dakota.....	8,840	5,764	118	2,958	686	654	32	...	77.60(c)	65.90	125.61	98.47
Tennessee.....	134,978	80,187	1,757	53,034	11,668	11,564	104	...	86.44(c)	71.20	120.94	108.34
Texas.....	270,218(g)	192,709	3,953	73,556	21,793	21,793	...	...	...	...	...	...
Utah.....	9,240	3,712	181	5,347	845	831	14	...	91.44(c)	71.67	106.71	104.65
Vermont.....	9,022	4,828	100	4,094	1,021	645	376	...	113.16(c)	88.20	142.24	141.89
Virginia.....	72,084(b)	42,413	1,349	28,322	5,995	5,995	...	116	84.78(f)	67.79	117.12	108.64
Washington.....	52,202	21,371	501	30,330	6,089	4,871	1,219	...	116.65	82.11	144.35	140.53
West Virginia.....	41,786(b)	20,735	622	20,429	4,045	4,045	...	1	96.82(f)	75.28	125.40	117.77
Wisconsin.....	64,831	38,250	885	25,696	7,549	3,081	4,467	...	116.43(c)	97.39	148.59	143.68
Wyoming.....	2,527	1,384	36	1,107	212	203	9	...	83.68(c)	65.62	150.25	104.51
District of Columbia.	15,884	5,489	201	10,194	1,828	1,721	106	...	115.06(c)	86.03	117.27	130.65

\*Source: Office of Research and Statistics, Social Security Administration, Department of Health, Education, and Welfare.

†Averages for States with state-administered supplementation are based upon persons receiving federally administered benefits plus those receiving state supplementation only. Persons receiving only state supplementation in state-administered States in June 1975 are: Alabama, 5,550; Alaska, 945; Arizona, 430; Colorado, 7,154; Illinois, 9,155; Kentucky, 1,188; Minnesota, 379; Missouri, 14,866; Nebraska, 939; North Carolina, 1,293; North Dakota, 9; Oklahoma, 2,245; Oregon, 2,449. Data not available for: Connecticut, Idaho, Maryland, New Hampshire, South Carolina, Virginia, West Virginia. None in Florida or New Mexico.

(a) Includes persons with federal SSI payments and/or federally administered state supplementation, unless otherwise indicated.

(b) Data for federal SSI payments only. State has state-administered supplementation but data for such payments is not available for this month.

(c) Total amount federally administered.

(d) Not computed; number of persons receiving state supplementation only not available.

(e) Average based on combined amounts from SSI, federally administered mandatory state supplementation, and state-administered optional state supplementation.

(f) Partly estimated.

(g) Data for federal SSI payments only; state supplementary payments not made.



TABLE 5  
FOOD STAMP PROGRAM, MAY 1975\*

State or other jurisdiction	Recipients			Payments		
	Total	Public assistance recipients (a)	Nonpublic assistance recipients	Total value of coupons distributed	Amount paid by receiving household	Average bonus value per recipient
United States.....	17,994,000	8,515,119	9,478,881	\$643,688,166	\$259,036,458	\$21.38
Alabama.....	399,961	95,706	304,255	14,220,393	4,917,470	23.26
Alaska.....	16,221	4,072	12,149	798,881	194,209	37.28
Arizona.....	175,185	38,146	137,039	5,922,731	1,817,936	23.43
Arkansas.....	275,039	61,057	213,982	10,029,145	3,564,566	23.50
California.....	1,560,911	1,054,167	506,744	55,683,693	23,078,374	20.89
Colorado.....	168,445	77,337	91,108	6,164,521	1,951,479	25.01
Connecticut.....	169,631	96,018	73,613	6,199,874	3,136,093	18.06
Delaware.....	30,379	16,558	13,821	1,040,319	418,088	20.48
Florida.....	768,097	168,648	599,449	28,291,642	7,406,545	27.19
Georgia.....	577,910	195,981	381,929	20,347,706	7,379,377	22.44
Hawaii.....	83,072	53,029	30,043	3,998,350	1,770,037	26.82
Idaho.....	45,828	16,181	29,647	1,673,572	575,254	23.97
Illinois.....	1,014,029	806,147	207,882	39,259,930	16,738,592	22.21
Indiana.....	259,460	105,881	153,579	8,957,094	3,261,588	21.95
Iowa.....	119,191	59,854	59,337	4,268,900	1,938,177	19.55
Kansas.....	63,824	37,567	26,257	2,268,246	1,140,737	17.67
Kentucky.....	547,901	100,206	447,695	19,753,870	6,544,740	24.11
Louisiana.....	510,083	169,883	340,200	18,307,922	6,069,598	23.99
Maine.....	157,712	40,461	117,251	5,495,728	2,098,738	21.54
Maryland.....	275,452	183,514	91,938	10,338,651	3,673,348	24.20
Massachusetts.....	572,371	298,077	274,294	19,863,372	9,613,162	17.91
Michigan.....	705,741	500,250	205,491	24,317,522	12,796,969	16.32
Minnesota.....	188,785	87,182	101,603	6,690,965	3,013,862	19.48
Mississippi.....	395,656	88,683	306,973	13,959,662	4,586,873	23.69
Missouri.....	316,268	158,672	157,596	11,933,110	4,513,108	23.46
Montana.....	39,772	13,979	25,793	1,436,180	465,989	24.39
Nebraska.....	56,946	22,446	34,500	2,016,759	751,220	22.22
Nevada.....	35,776	8,291	27,485	1,332,130	364,047	27.06
New Hampshire.....	69,186	20,767	48,419	2,488,711	983,500	21.76
New Jersey.....	548,876	327,324	221,552	21,076,397	9,074,414	21.87
New Mexico.....	151,584	44,125	107,459	5,497,876	1,756,235	24.68
New York.....	1,416,466	1,154,021	262,445	45,824,625	27,214,774	13.14
North Carolina.....	594,010	88,805	505,205	20,788,835	7,450,793	22.45
North Dakota.....	18,570	4,857	13,713	657,828	283,786	20.14
Ohio.....	948,910	522,840	426,070	34,531,867	11,308,212	24.47
Oklahoma.....	185,935	58,213	127,722	6,622,129	3,251,338	18.13
Oregon.....	215,493	91,320	124,173	7,885,340	2,804,766	23.58
Pennsylvania.....	913,184	559,497	353,687	33,498,891	17,345,241	17.69
Rhode Island.....	95,934	55,584	40,350	3,497,639	1,892,899	16.73
South Carolina.....	431,901	67,183	364,718	15,481,378	4,788,166	24.76
South Dakota.....	32,312	12,369	19,943	1,147,229	500,409	20.02
Tennessee.....	436,706	101,658	335,048	15,887,390	5,150,781	24.59
Texas.....	1,190,345	271,728	918,617	41,994,031	13,825,158	23.66
Utah.....	51,073	32,790	18,283	1,844,447	829,451	19.87
Vermont.....	49,456	21,438	28,018	1,738,352	842,253	18.12
Virginia.....	298,060	100,989	197,071	10,196,815	3,971,590	20.89
Washington.....	257,439	125,989	131,450	9,867,768	3,852,406	23.37
West Virginia.....	250,034	112,439	137,595	7,372,508	2,848,060	18.10
Wisconsin.....	165,942	90,638	75,304	5,686,718	2,847,218	17.11
Wyoming.....	11,342	3,859	7,483	390,602	139,855	22.11
Dist. of Col. ....	131,596	88,693	42,903	5,139,922	2,294,977	21.62

\*Source: Food and Nutrition Service, U.S. Department of Agriculture.

(a) Includes Aid to Families with Dependent Children and General Assistance.

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## STATE PROGRAMS FOR THE AGING

By LOUISE B. GERRARD\*

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**M**ORE THAN 22 million men and women in the United States are 65 years of age or older. This is approximately 10 percent of the population, with the percentage of older Americans rising steadily.

Eight States have particularly large concentrations of older persons, that is, 12 percent or more of the State's population is over the age of 65: Arkansas, Florida, Iowa, Kansas, Missouri, Nebraska, Oklahoma, and South Dakota. Seven States each have more than 1 million men and women over the age of 65: California, Florida, Illinois, New York, Ohio, Pennsylvania, and Texas.

While the percentage of senior citizens has increased steadily, the proportion of the elderly 75 and over has increased even more markedly. Between 1960 and 1974, the population aged 65 through 74 increased 23 percent; the population aged 75 and over increased 49 percent. More than 1.7 million Americans are 85 years of age and over. The older population includes more and more of what gerontologists call the "old old." The older population is, of course, more in need of services than the "young old," most of whom are relatively healthy. Fewer than one older American in 20 is in an institution.

Women greatly outnumber men: 12.8 million compared to 9 million. The average for the 65 and over population is 143 women for every 100 men. For the 85 and over group, there are 200 women for every 100 men. In 1974 most older men (79 percent) were married. As would be expected from their longevity, the majority of older women (52 percent) were widows. There are five times as many widows as widowers.

According to the U.S. Senate Special Committee on Aging, older persons have

less than one half the income of younger people and have higher health costs, accounting for some 20 percent of personal health care expenditures. One in six of the elderly lives in poverty, a much higher percentage than for other Americans.

Recent increases in Social Security benefits have helped keep many elderly out of the ranks of poverty, but women and minority aged are overrepresented among the poor. Many older men and women became poor only after reaching their later years because of reduction in income when they left the labor force. About one half of the older couples in the country do not have an income which would allow them to enjoy the "modest but adequate" standard of living budget prepared by the Bureau of Labor Statistics.

In spite of their need for jobs, mature workers (45 and over) accounted for only about one out of every 23 new enrollees (4.4 percent) in federal job and training programs, although they represented 19 percent of the unemployed. It is anticipated there will be a special push by senior groups to seek more active enforcement of the Age Discrimination in Employment Act, administered by the Wage and Hour Division of the U.S. Department of Labor. Similar efforts are anticipated in some States.

### FEDERAL LEGISLATION

*Older Americans Act.* The Older Americans Act was 10 years old in 1975 and remains the cornerstone of senior programs in the States. The Administration on Aging (AoA), responsible for administering the Older Americans Act, is in the Office of Human Development, Department of Health, Education, and Welfare. There are aging staffs in all 10 federal regional offices who are assigned to each of the States and Territories.

Every State and Territory has a state

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agency on aging, funded in part under Title III of the Older Americans Act. Some States have independent commissions; in some States, the agency is a division within a department. There is growing interest in a full department of elder affairs; Connecticut, Illinois, and Massachusetts already have established these cabinet-level agencies.

State agencies on aging receive allotments from AoA based on the number of men and women aged 60 and over. Allocations are in two parts under Title III, the first for State Planning, Coordination, Evaluation and Administration, the second for Area Planning and Social Services. In fiscal 1975, out of a total of \$15 million for state administration, the minimum allocation was \$160,000 for each State (25 States and Puerto Rico were in this category), and \$50,000 for each Territory. New York received the largest allotment, \$1,190,087.

Out of \$82 million for Area Planning and Social Services in fiscal 1975, each State received an amount proportionate to its share of the national population aged 60 and over. Allotments ranged from \$410,000 for Alaska (with .043 percent of the Nation's elderly) to \$7,241,149 for New York (with 9.472 percent).

Each state agency on aging is required to hold public hearings on its annual state plan. The plan must be signed by the Governor and Attorney General and approved by the Commissioner on Aging (AoA) before Older Americans Act funds are released. In 1975, the signature of the state auditor also was required.

Advocacy became a major responsibility under the 1973 amendments, and has grown in emphasis since. State plans currently call for the negotiation of a formal interagency agreement with the state agency administering social services programs (Title XX of the Social Security Act) and information and referral services to reach the elderly are required.

Area agencies on aging were established as a result of the 1973 amendments to the Older Americans Act as part of a network charged with working to establish a comprehensive and coordinated system of services to meet the needs of older Americans at the state and community levels.

The state agency awards Title III funds to support the area agency's administrative costs and to enable it to enter into contracts or grants with service providers for the development and expansion of needed social services for older persons. Aside from exceptional cases, area agencies on aging are not permitted to deliver social services themselves.

More than 400 area agencies on aging were in operation during 1975, ranging from one-county agencies in some localities to statewide agencies in places of limited population. Most area agencies were in city or county governments or within regional councils of government. Forty-seven percent were in rural areas. The Administration on Aging has set the goal of having an area agency representing the concerns of older persons in every planning and service area of the country. Limited funds slowed that goal in 1975 as a maximum of 15 percent of a State's allotment under Title III for Area Planning and Social Services may be used for administration of area agencies.

Probably the most popular activity of state agencies on aging is the Title VII (Older Americans Act) nutrition program for the elderly, enacted into law in 1972. Allotments are authorized on a formula similar to Title III. Operating level for the end of fiscal 1975 and for fiscal 1976 was \$150 million. Allotments ranged from \$743,750 for Alaska to \$13,504,313 for New York. Approximately 228,000 meals are served daily. Funds are awarded to projects to provide one hot, nutritionally balanced meal a day, five or more days a week, to at least 100 men and women in the project area. Persons 60 years of age and over, and their spouses of whatever age, are eligible, with special attention being paid to low-income and minority elderly. No fees are charged, but participants are encouraged to contribute according to their ability to pay.

The Title VII program seeks to integrate nutrition projects into area social service systems and to bring about coordination with the providers of other supportive services, including outreach, transportation, information and referral, counseling, recreation, and nutrition education.

The Administration on Aging urges the use of other public and private resources as much as possible in order to assure that the greatest amount of Title VII money goes directly into food for the elderly. Special emphasis is placed on using school facilities. Commodities are supplied to the projects by the U.S. Department of Agriculture at an approximate rate of 10 cents a meal, an amount which may be increased in 1976. A number of States supplement the Title VII allotment so as to broaden the scope of the program. Funds also are received from counties and cities, but the demands for the program far exceed the ability of state agencies and local grantees to satisfy them.

*Supplemental Security Income.* The Supplemental Security Income (SSI) program became effective in January 1974. The program was designed to provide a guaranteed income by the federal government for the aged, blind, and disabled, relieving the States of this responsibility. SSI payments are administered by the Social Security Administration with States having the option of supplementing the federal payment. Thirty-nine States did so in 1975; in all but three of these States, the average combined federal and state payments are higher than those formerly paid in the State.

Under the direction of the Administration on Aging, state agencies on aging engaged in an effort to identify people who were eligible for the program and to help them apply. Although SSI payments rise with the cost of living, large numbers of elderly still have poverty-level incomes.

*Title XX.* The Social Services Amendments of 1974 (P.L. 93-647) added a new Title XX under which the States are required to provide at least three types of services for aged, blind, and disabled recipients of Supplemental Security Income (SSI). The federal government supplies three federal dollars for each matching dollar; the program, beginning October 1, 1975, appears to involve a major advance in services to low-income elderly in States which have not reached the limit of entitlement for reimbursement under the federal allotment formula. The present \$2.5 billion limit on federal payments to the program continues.

*Revenue Sharing.* Senior citizen groups, and many state offices on aging, complain that senior citizens have benefited little from revenue sharing funds. Cutbacks in, and even complete elimination of, categorical programs benefiting the poor and aged have been justified on the grounds that general and special revenue sharing funds would take their place. However, a study in 1974 by the U.S. General Accounting Office revealed that less than one half of 1 percent of the total monies authorized for expenditure by local governments surveyed were directed specifically to programs to benefit the aged.

#### STATE ACTIVITY

Activities in the States are directed to the key problems identified by the elderly themselves or by those responsible for programs serving them. Income maintenance, health care, transportation, and housing remain the essential concerns.

*Income Maintenance.* States moved ahead to protect the incomes of older residents, although legislative activity of direct benefit to the aged was slowed somewhat because of the generally tight financial situation. As in recent years, much activity centered around taxation either in homestead exemption or through the circuit-breaker system of tax relief. Some form of property tax relief for the elderly now is provided in every State. Property tax relief for the elderly is state-financed in 31 States, with local financing mandated or authorized in the others. Income levels for eligibility for homestead exemption and for circuit-breaker systems have been increased in a number of States.

In Massachusetts, elderly homeowners with incomes of less than \$20,000 were given the right to defer property tax payments until death, when the estate is responsible for tax payments which had been waived. Georgia extended homestead exemption for elderly to more people by not counting some retirement benefits as income. Renters were benefited through tax credits or rebates in Indiana, Kansas, Minnesota, West Virginia, and Wisconsin, among other States. A rental aid program for low-income elderly was instituted in Oregon, where eligible tax-

payers receive direct monthly reimbursements in an amount equal to the difference between their gross rent and 60 percent of household income.

In spite of a 6 percent budget reduction, the tax relief program for senior citizens continued in Illinois. Senior and disabled property taxpayers received an average of \$259.84 in tax relief in 1975, an increase of about \$100 over the previous year. Benefits came from two programs, senior citizen tax relief and circuit-breaker property tax relief. Low-income disabled and elderly were exempted from the first \$50 of tax on intangibles in Kansas. Minnesota exempted individuals with incomes under \$4,400 from paying income taxes.

Michigan, among other States, removed the sales tax on food and prescription drugs, an action which benefits large numbers of older men and women. A few States are considering a food sales tax credit on income tax in order to reach those who need the benefit most.

Nebraska changed the definition of household income to be the total federal taxable income, which makes more of the elderly homeowners eligible for the state exemption.

In Alabama, persons 65 and over with a gross income of \$5,000 or less are entitled to tax exemptions from state, county, and city ad valorem taxes on their dwellings and on land up to 160 acres.

South Carolina residents over 50 became exempt from payment of sales taxes on medicine or prosthetic devices sold on prescription. The new law abolished the former plan under which a senior citizen could apply by June 30 for a rebate of any such taxes paid during the preceding 12 months.

Senior citizen groups have been pressing public service commissions and Legislatures for protective legislation from spiraling fuel costs. Some States have prohibited utilities from making automatic pass-throughs for higher fuel charges. One major request is for so-called lifeline rates which would provide a minimum amount of electricity at a low price for the poor and elderly to meet essential needs. Other proposals would set up utility funds for low-income consumers, or require written

notice or a hearing before the cutoff of electric service. The California Public Utilities Commission in 1975 ordered electric power companies to draw up alternative rate structures for the poor and elderly. New Mexico's Utility Supplement Act of 1975 provided \$1,310,000 from the State's general fund to be used by the Health and Social Services Department to assist recipients of federal SSI benefits and aid to families with dependent children in meeting increased costs for gas and electrical utilities. Vermont granted a \$10 tax credit on purchase of home heating fuel by low-income families.

*Health Care.* Older people have higher health care costs, go to the hospital more often and stay there longer, use more medication, and require more nursing home care than other people. The elderly represent some 10 percent of the population but account for about 30 percent of personal health care expenditures.

Although Medicare is essential to the older person attempting to secure and pay for health care, it covers only about 38 percent of the total health care costs of the average senior citizen, a percentage which has declined steadily in the years since Medicare was instituted. A major drive in 1975 was for home services, including home health aides and homemakers. Title XX funds are being used in many States for these services.

New York's State Department of Social Services assisted Monroe County to begin an experimental project, financed by HEW, to develop new and more effective ways of providing comprehensive long-term health and social services for the elderly. The project was spurred by studies which showed that many nursing home patients could be served better and less expensively in the community.

The California Legislature in 1974 appropriated \$420,000 for a statewide senior influenza vaccination program. Rhode Island has had an influenza immunization program since 1973 administered by the state office on aging in cooperation with the Visiting Nurses Association.

In less than two years, more than 7,000 older residents of Arkansas have been served by a free mobile medical screening unit which travels to rural areas in a re-

built school bus to provide a clinic on wheels for more than 250 towns. About 18 percent of all patients have required follow-up for serious ailments.

Costs of prescription drugs are a large part of the budgets of many senior citizens. Medicare does not cover out-of-hospital medicines. Substitution of less expensive generic or brand name drugs for prescribed drugs was authorized in Florida and public notice required of availability of substitutes. Advertising of prescription drugs was allowed. Similar action has been taken or is contemplated in other States.

Under recent legislation, public posting of prescription drug prices is required in California, Minnesota, New Hampshire, and New York, and is allowed in Connecticut, Nevada, South Dakota, and Wisconsin. In South Dakota, pharmacists are required to quote prescription prices on the telephone, if requested.

Licensing requirements for administration of long-term care are being tightened in a number of States, or are being considered. Changes are being made in licensing requirements for nurses, pharmacists, and optometrists. Members of the public are being added to regulatory boards.

*Transportation.* Federal transportation legislation in 1974 and 1975 mandated special services and/or fares for the elderly and handicapped. Funds for demonstration projects also were available.

The Governor of Michigan created an Interagency Transportation Coordinating Council, directed to giving special attention to developing the best statewide system of transportation for the elderly and handicapped.

In West Virginia, the Transportation Remuneration Incentive Program (TRIP), introduced a transportation ticket plan similar to the Food Stamp Program also pioneered in this State, through which low-income elderly and handicapped can buy tickets at reduced cost. Private transit companies, including taxicabs, are encouraged to expand their services, with special attention being paid to the needs of rural residents.

The West Virginia Legislature also authorized county school boards to permit elderly persons to ride school buses in pro-

grams approved by the Commission on Aging.

Those 65 or older or handicapped persons ride free at certain hours on the Rhode Island Transit Authority bus lines, and at all other times pay only half fare with no extra zone fare charges and no charge for transfers. Rhode Island also has a statewide "demand-response" transportation system for people 60 and over on a priority basis for medical care, participation in nutrition programs, and for food shopping.

During its 1974 session, the Nebraska Legislature approved a bill to permit municipalities to subsidize bus fares for older people during nonpeak hours so that the fare would be no more than 10 cents. Money could be made available through a doubling of the one mill levy and also by \$1 million from the State's general fund.

*Nursing Homes.* In spite of property and other tax relief (discussed in the section on "Income Maintenance") and increased long-term health and social services for the elderly, about 1 million Americans 65 and over live in nursing homes because of the combination of poor health and poverty. The U.S. Senate Subcommittee on Long-Term Care issued a series of reports during 1974-75 titled *Nursing Home Care in the United States: Failure in Public Policy*. These reports, underpinned by 15 years of fact-gathering by various Senate committees, deal with misuse of drugs in nursing homes, inadequate attention by doctors, shortages of nurses, nursing home fires, dumping of mental patients in nursing homes, discrimination against minority groups, and possible profiteering. Many investigations by a variety of state agencies were spurred by these revelations.

In New York a series of 20 laws was enacted in 1975 covering nursing home patient abuses. These laws include giving patients class-action status for claims of grievances and injuries, allowing patients full access to information about the home, setting daily fines up to \$1,000 for violating rules on patient care, requiring biannual inspections, tying Medicaid payments to the quality of patient care, posting of the most recent inspection re-

ports, and empowering the state health department to transfer patients to another home if the one they are in is unsafe or plans to close. Between January and September 1975, 44 homes had been closed for structural deficiencies, another 18 were scheduled to close, and 32 others were in litigation over closing. The state health department's nursing home hotline received 1,353 complaints during that same period.

A bill of rights for nursing home patients and other measures to assure quality patient care were contained in an omnibus law enacted by the 1975 Connecticut General Assembly. The 1975 law also required patient advocates to be assigned to nursing homes in each community, working on a volunteer basis.

The 1975 session of the Michigan Legislature changed the state reimbursement schedule to nursing homes. The major change reduces the profit factor for the homes allowed by the State from \$1.75 to \$1.50 and requires the extra 25 cents to be spent on patient care. Other approved changes provide a 7 percent cost-of-living hike, require open disclosure of financial reports by homes, require homes to fully fill out state cost reports, deny the state profit factor to substandard homes, provide an incentive for homes to accept Medicare patients, and require homes to record spending according to specific categories (uniform charts of accounts).

Alternatives to long-term care facilities such as nursing homes are being explored in Wisconsin. Wisconsin obtained a waiver from federal regulations to offer community-based care, funded by Medicaid, to the elderly who would otherwise have to go to a nursing home.

Another program in Wisconsin gears nursing home payments to patient progress—an effort to encourage homes to offer rehabilitation to patients.

The 1975 Wisconsin Legislature made the federally funded ombudsman program a state program. In its first three years of operation it investigated more than 1,000 patient complaints. Its efforts resulted in a state law requiring annual, unannounced inspections and, in the 1975 session, a bill of rights for nursing home patients.

Maximum fines against nursing homes for violations were raised from \$250 to \$1,000 by the 1975 Minnesota Legislature. The 1975 session revised the omnibus 1973 inspection and licensing law to eliminate one of two hearings allowed nursing homes on correction orders so as to reduce the time in which the home paid its fine.

A patients' bill of rights, guaranteeing hospital and nursing home patients quality care, was enacted in Minnesota in 1973. Similar laws were passed in 1975 in Connecticut and Wisconsin, as already mentioned, and in Colorado. Patient rights are also protected by ombudsmen and patient advocate programs in various States. The ombudsman listens to and investigates complaints about nursing homes from patients and others.

Grants were given by the U.S. Administration on Aging in 1975 to each state agency on aging to initiate nursing home ombudsman programs. Emphasis was placed on developing advocacy programs through area agencies on aging and local groups.

A 1975 Florida law authorizes nursing home ombudsman committees to hear patient complaints.

California will train elderly persons to serve as legal counselors to other senior citizens, particularly those in nursing homes. The program's cost will be split between the State and the federal government.

Iowa assigned three nurses and one attorney to the full-time task of investigating complaints about nursing homes in 1974. The 1975 Iowa Legislature also revised the licensing law to give the health department greater latitude. It established a system of fines from \$100 to \$5,000 for violations, replacing the previous "all or nothing" system which set license suspension as the only punishment.

*Information and Referral.* In all States, an information and referral system is being developed by the aging agencies to enable older people to reach the services they need without having to make needless dead-end calls. The service also helps to identify unmet needs and duplicating services.

Montana is experimenting with a 24-hour-a-day telephone network whereby

any resident over 55 can call a toll-free number to receive information on needed services. Staff members, themselves over 60, work out of local communities across the State and earn \$2,400 as a supplement to Social Security.

The 1974 Colorado Legislature approved funds to establish a toll-free citizens' information line. Indiana has a toll-free line to identify which state agencies can handle particular problems of citizens. A growing number of Governors' offices have "hot lines" for citizen use.

*Volunteers.* It is estimated that approximately 4.5 million older Americans are serving as volunteers in their own communities. The federal agency, ACTION, sponsors the Retired Senior Volunteer Program (RSVP) which encourages older men and women to volunteer, reimbursing them for some of their expenses.

Under ACTION there is also a Senior Companion Program in some States. Low-

income elderly, given a small stipend, serve as companions to physically disabled or frail older persons, accompanying them to meals, reading, and doing errands. The Foster Grandparent Program, in which low-income older men and women work with children in institutions, schools, and day care centers, is a popular program with ACTION.

#### SUMMARY

A network of aging programs is being put into place by the federal government in cooperation with the States; income maintenance, health care, transportation, and housing remain key concerns. Senior power groups are becoming increasingly involved in questions of public policy and are asserting the needs of older Americans. The well-being of senior citizens, however, is particularly dependent on the soundness of the economy of the Nation and the States.



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## STATE SERVICES FOR CHILDREN AND YOUTH

By ALLEN F. BREED\*

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SERVICES MADE AVAILABLE to children and youth will have a profound effect on the direction and strength of the United States in the years to come. The problems faced by young people in this era of rapid and great change are of such scope and magnitude that state services to them are of critical importance. Not only must these services address current needs, but they must also predict accurately and plan wisely for future necessities.

This chapter will discuss current state developments in services to children and youth in the areas of delinquency, law, and education since publication of the 1974-75 volume of *The Book of the States*. Implied in each discussion is the recognition that our lives have changed in scale as well as in style, and that our young people are even more profoundly affected by these changes than any other segment of the population.

### JUVENILE DELINQUENCY

#### *Statistics*

The FBI's Uniform Crime Report indicates that juvenile arrests (under 18 years of age) constituted 26.4 percent of the total arrests for 1973.

The arrest trends between 1968-73 revealed that arrests for males under 18 rose 10 percent, while arrests for females under 18 increased 35 percent. Over one half of the runaway cases involving police custody were girls under 18 years of age.

Based on reports submitted by law enforcement agencies, 10 percent of all persons arrested for murder were under 18 years. During the period 1968-73, there

was a 59 percent increase in the number of persons in this age group arrested for murder. Examination of arrest data shows that 34 percent of those arrested for robbery were under 18 years of age. Young persons under 18 also accounted for 54 percent of all arrests for burglary. Forty-eight percent of arrests for larceny-theft were persons under 18. Auto theft arrests primarily involve the youth population. In 1973, 56 percent of all persons arrested were under 18.

Arrests of persons under 18 years of age for narcotic drug law violations have increased sharply in recent years. In 1973, 26 percent of marijuana arrests involved those under 18 years of age. From 1968 to 1973, arrests for narcotic drug law violations increased 174 percent.

#### *Rehabilitation*

A trend in shifting the treatment of juvenile offenders from institutions to community-based programs is apparent. Clear evidence that greater penetration in the criminal justice system makes removal from that system more unlikely is leading to extensive diversion programs using community resources.

In February 1967, the President's Commission on Law Enforcement and the Administration of Justice helped focus the public's concern on practices in corrections and their shortcomings. The National Advisory Commission on Criminal Justice Standards and Goals, which grew from that concern, adopted in 1973 a goal of reducing crime through a combined effort of federal, state, and local governments.

In 1974, Congress passed the Juvenile Justice and Delinquency Prevention Act. This act was designed to encourage the development of projects that would improve the quality of juvenile justice in the United States. The purposes of the act are: (1) to develop and implement effective

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tive methods of prevention and reduction of delinquency; (2) to divert juveniles from the traditional juvenile justice system and provide critically needed alternatives to institutionalization; (3) to improve the quality of juvenile justice in the U.S.; and (4) to increase the capacity of state and local governments and public and private agencies to conduct effective juvenile justice and delinquency prevention and rehabilitation programs, as well as to provide research, evaluation, and training services in the field of juvenile delinquency prevention.

#### *Use of Volunteers*

As a national trend, citizen involvement in addressing community problems is increasing. A recent nationwide survey indicated that a total of 37 million Americans performed some form of volunteer work during 1974. The average time donated was nine hours per week. Additionally, those surveyed showed that all strata of economic, educational, and social levels are involved in volunteer work, with 12 percent of the volunteers having an income of less than \$4,000 per year, and 17 percent coming from the unemployed ranks.

The criminal justice system is receiving a considerable share of the public's time and attention. Statistics show that 300,000 volunteers serving 2,000 courts donated 200 million hours of service during 1974. Volunteers possessing a diversity of skills have performed a tremendous variety of tasks for juveniles as well as adults, ranging from routine to innovative, but all designed to assist in the rehabilitative process.

Recently, the scope of volunteer services is being expanded to encompass specialized programs which offer counseling for parents of abused children, advocacy for neglected children, services and counseling for victims, and diversion alternatives for potential juvenile delinquents. The growing movement toward preventive programs is providing opportunities for volunteers to offer their services to their own community's children and youth who are diverted from the justice system.

Volunteers were formerly recruited pri-

marily from churches and colleges, but there is now a trend for national and regional citizens' organizations to form alliances with agencies that are willing to use volunteers in their work.

#### *Youth Service Bureaus*

Youth Service Bureaus were proposed in 1967 by the President's Commission on Law Enforcement and the Administration of Justice to coordinate all community services for young people and to provide services lacking in the community, especially for less seriously delinquent juveniles.

A national study of Youth Service Bureaus, conducted by the California Youth Authority for the federal Youth Development and Delinquency Prevention Administration, determined that in 1971 Youth Service Bureaus were operating in about 170 locations, including almost every State. Since that time, additional bureaus have been established. Some bureaus, starting as demonstration projects with primarily federal funds, have continued with funds from state or local government or private sources. Moreover, state legislation, such as California's Youth Service Bureaus Act, has begun to develop guidelines for administration and service delivery by the bureaus.

Despite the growth of Youth Service Bureaus in the years since they were first proposed, the bureaus' continued funding is often uncertain, which tends to diminish effective programming and planning. For this reason, they tend not to command the careful attention or authority that would permit greater coordination of existing youth service agencies.

### FAMILY LAW

#### *Abortion*

On January 22, 1973, the U.S. Supreme Court declared the abortion laws of two States to be unconstitutional invasions of the right of privacy. The Court held that abortions may be prohibited during the last three months of pregnancy unless they are necessary to protect the woman's life or her health. The only regulation the State may make about abortion in the

first three months is that it must be done by a licensed physician. During the second three months, the State may, if it chooses, set forth certain conditions to protect the health of the woman, such as specifying that the abortion must be performed in a hospital or a specially equipped clinic.

Parents may not force a minor to have an abortion; probably they cannot force her to have the baby, either. There is a growing body of law which recognizes that minors do have fundamental constitutional rights—among them the right to make some important decisions which affect their private lives.

### *Adoption*

Legislation of therapeutic abortions, the increasing widespread public support for family planning, and more effective birth control measures have resulted in a decreasing number of newborn infants relinquished for adoption. Increased emphasis is being placed on attempts to find homes for children in permanent foster care who may be over 3 years of age, handicapped, of minority ethnic background, or members of sibling groups. Some States are enacting legislation to give financial assistance to adoptive parents of children with "special needs."

As the number of native-born infants available for adoption declines, growing interest is being centered on the adoption of orphans or otherwise abandoned children from other countries such as Vietnam and Korea. This resulted in a large number of placements in the spring of 1975 when Operation Babylift brought around 2,000 Vietnamese and Cambodian children to the U.S. Almost all of these were placed in homes that had been previously identified for them.

### *Child Abuse*

In the past, federal efforts in the area of child abuse and neglect have concentrated primarily on improving services provided to children and families during crisis situations. In 1975, research grants totaling over \$2 million were awarded by the National Center on Child Abuse and Neglect to focus primarily on the causes of child abuse and neglect.

The center was created by the Child Abuse Prevention and Treatment Act of 1974 and coordinates the efforts of the Department of Health, Education, and Welfare to combat the nationwide problems of the mistreatment of children. Efforts will be made to study the underlying causes of child abuse and neglect within the context of the family and of institutions affecting family life.

### *Medical Rights of Children*

Increasingly, society is recognizing that minors are capable of making decisions concerning their own medical care, and that they also have a need for medical confidentiality. Very few States, however, allow full medical services to children without parental consent. The Department of Health, Education, and Welfare now requires, for federally funded programs, that in experimental programs the consent of any child over 7 years of age must be obtained in addition to parental consent.

All 50 States have laws that allow minors to be examined and treated for venereal disease, without parental consent required. Eight of these States have legally defined the term "minor." Forty-one States and the District of Columbia have not defined it. In California, free and confidential venereal disease checkups are available without parental consent for minors 12 years and over.

Contraceptive services are available through family planning agencies in all States. There has not been a single successful case in the U.S. where parents have sued agencies for providing such services to a minor. In addition, under the Social Security Act, a State must provide family planning services to all women between the ages of 15 and 44 in order to receive federal funds for these services.

### EDUCATION

The effect of the declining birth rate in the 1960s has resulted in a decrease in the population of elementary school age children and a declining elementary school enrollment (grades 1 through 8) since the early 1970s. This has not yet affected high school enrollment, and it will not affect college enrollment until about 1980.

Nursery school attendance is higher than 10 years ago despite the decline in the fertility rates evident since the 1960s. Between 1964 and 1974, enrollment in nursery school tripled from about 470,000 to 1.6 million. During that time, the population of three and four year olds decreased from 8.4 million to 7 million. However, the proportion of this age group enrolled in schools increased from 10 percent to 29 percent. Therefore, although the fertility rate has decreased in the last 10 years, the participation of women in the labor force has resulted in the in-

creased use of pre-schools as child care centers.

A major thrust of educational programs nationally has been the differentiated development of programs and courses of instruction directed towards the "disadvantaged." This designation includes children from districts characterized by low incomes, mobility of population, poor housing, substandard public services, and other factors which tend to produce children who are insecure, emotionally unstable, undernourished, socially maladjusted, and potentially delinquent.

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## Public Protection

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### THE STATES AND THE CRIMINAL JUSTICE SYSTEM\*

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#### CRIMINAL JUSTICE PLANNING

**R**ESPONDING TO a growing concern of the American public with rising crime, Congress authorized modest federal assistance to the States under the Law Enforcement Assistance Act of 1965. Under the auspices of the Department of Justice, the program had a relatively small budget to fund research and demonstration projects. As a categorical funding program, grants were given by the federal government directly to state and local units of government or implementing agencies in accordance with predetermined, federally defined categories of projects. The act also authorized funds for the States to establish criminal justice planning agencies, a novel concept at that time.

Three years later Congress enacted the Omnibus Crime Control and Safe Streets Act of 1968 (Public Law 90-351). This act provided for block grants to the States. Objectives of the new block grant program were "to: (1) encourage states and units of general local government to prepare and adopt comprehensive plans based upon their evaluation of state and

local problems of law enforcement; (2) authorize grants to states and units of local government in order to improve and strengthen law enforcement; and (3) encourage research and development of new methods for the prevention and reduction of crime and the detection and apprehension of criminals."<sup>1</sup>

The act established the Law Enforcement Assistance Administration (LEAA) within the Department of Justice and charged it with administration of the act at the federal level. At the state level, the act was to be administered by State Criminal Justice Planning Agencies (SCJPAs). Congress has amended the original act twice, and these changes have added to and clarified the responsibilities of LEAA and SCJPAs.

The most recent amendment to the act was made in 1973 when the act was renewed for the second time. In the 1973 renewal of the act, comprehensive plan requirements were made more specific. The amended act also required that local and regional planning boards be composed of a majority of locally elected officials, and that procedures be established whereby political subdivisions of 250,000 or more inhabitants could submit comprehensive plans to SCJPAs rather than submit applications on a project-by-project basis. Regional planning units were allowed up to 100 percent federal funding, and planning grants to inter-

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<sup>1</sup>Omnibus Crime Control and Safe Streets Act of 1968, Title I, Declarations and Purpose.

state metropolitan or regional planning boards were authorized.

#### *The SCJPA Planning Process*

As required by LEAA, each SCJPA goes through an annual planning process. This process is expected to take maximum advantage of input from SCJPA supervisory boards, local and regional planning units, and other criminal justice and local officials throughout the State. The initial phase involves a substantial data collection effort aimed at identifying key criminal justice and law enforcement problems across the State. Once the data is collected, it is analyzed in reviews by SCJPA and regional staffs, and by individual units of local government. In the next major phase, key elements of the comprehensive plan—problem descriptions, setting of goals and priorities, and design of action programs—receive review and comment from SCJPA staff and regional planners, and policy direction from the SCJPA supervisory board. Completing the cycle, programs are implemented, monitored, and evaluated.

#### *Organization of SCJPAs*

There is a wide variation in the location of SCJPAs in state government. Some are part of the Governor's office, some are independent agencies, while others are components of preexisting state planning or administrative agencies. All SCJPAs, however, regardless of their location on the state government organization chart, are responsible by statute to Governors, and all have certain common responsibilities. The Omnibus Crime Control Act stipulates that each SCJPA must have a full-time administrator and staff, and a supervisory board with responsibility for reviewing and approving the State's comprehensive plan. The composition of the supervisory board must include a representative cross section of a State's criminal justice agency, of local government, and the public at large.

All SCJPAs are required, by statute, to perform a variety of functions beyond the development of comprehensive plans. They must also monitor grants, evaluate projects, and audit expenditures. In addition, many SCJPAs are involved in special

criminal justice studies, and in some cases are active in legislative programming and systemwide criminal justice budget review.

Funding for local and regional planning comes primarily from federal funds. In some States, local planning is done either by single-jurisdiction coordinating councils, or by combinations of local units of government, generally called regional planning units. The regional planning units are established as multi-jurisdictional planning organizations in accordance with the provisions of the Intergovernmental Cooperation Act of 1968, which supports interstate and inter-jurisdictional coordination of comprehensive and functional planning activities. In addition, cities and counties with populations in excess of 250,000 may submit annual plans for crime reduction and criminal justice system improvement in their jurisdictions for SCJPA consideration.

#### *Comprehensive Planning*

In recent years, largely through LEAA and its state planning agency structure, there has been an attempt at systemwide planning. In practice, this has meant getting police, prosecution, courts, and correctional interests integrated into a comprehensive plan. These comprehensive plans have essentially been programs for the distribution of federal funds. Until recently, they generally have not functioned as a vehicle which state and local governments can use to plan the expenditure of their own funds.

Significant differences exist between planning for the distribution of LEAA dollars and planning for all criminal justice policies, programs, and expenditures. One of the major features of the LEAA planning process is the fact that SCJPA has centralized decision-making authority over the development and execution of programs funded by federal money. There is no parallel for this in state and local governments. In normal operations, criminal justice agencies are not supported from a common treasury, nor is there centralized political or administrative control over them.

Criminal justice is primarily a state and

local government responsibility. The police, prosecution, court, and correctional functions are fragmented within a State. Each unit of general purpose government may develop its own police, prosecutorial, and correctional agencies. This situation presents an imposing obstacle to comprehensive planning.

The recent trend toward unification of state court systems represents a significant event that will enable judicial policies and programs to be developed and implemented on a statewide basis. The centralization of responsibility for court management in the office of a State's highest court will provide the necessary leverage to impose systemwide changes in policy and resource allocation.

The agencies involved in crime control present a much different situation. Police service is largely a municipal or county function, as is the office of the prosecutor. On the other hand, correctional services are primarily state operated, with the exception of probation services and jails. To further complicate the situation, police and most correctional services are under the administration of the executive branch of state or local government, but sheriffs and prosecutors are generally elected officials serving outside or independent of either branch of government. The elected officials are, obviously, not subject to the same kind of hierarchical controls as the appointed officials. All of this makes the development and implementation of systemwide policies and programs for crime control difficult to accomplish except through legislation.

The challenge to planning is to devise an effective way of bringing about the type of systemwide policy coordination that is needed to make this organizationally fragmented system function as a true system.

#### *Standards and Goals*

In October 1971, the Law Enforcement Assistance Administration created a National Advisory Commission on Criminal Justice Standards and Goals (NAC) to develop a clear statement of priorities, goals, and standards to help set a national strategy to reduce crime. The commission subsequently published, in 1973, a series

of six reports which contained over 500 recommended standards and goals. LEAA has since offered funds to individual States to establish standards and goals that will reflect their own priorities and goals, using the NAC reports as a guide. During 1974 and 1975, States have established their own task forces or commissions to develop standards and goals for criminal justice. Presumably, future planning decisions will be guided by these standards and goals.

#### LEGISLATIVE ACTION

Legislation enacted during 1974 and 1975 reflects the continuing interest of State Legislatures in criminal justice reform. The subjects of primary concern will be covered in this section.

#### *Criminal and Penal Code Revision*

State penal and criminal codes continue to be revised in many States. Prior to revision, these codes were an accumulation of antiquated, often overlapping and inconsistent statutes dating back to the turn of the century. Seven States enacted penal law revision in 1974 and 1975 (Delaware, Montana, North Dakota, Ohio, Pennsylvania, Texas, and Utah), bringing to 21 the total number of States with revised codes. Comprehensive criminal code revision was accomplished in six States (Florida, Kentucky, Maine, Montana, New Mexico, and North Dakota). A number of other States have completed the laborious process of drafting penal and/or criminal codes but have not enacted them as yet.

In some criminal code revision, offenses commonly characterized as "victimless crimes" have been decriminalized. In other States, decriminalization of victimless crimes has been accomplished through separate legislation. For example, in 11 States public intoxication is no longer considered a crime (Connecticut, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Michigan, Montana, New York, and Wisconsin), which now makes 20 States which have taken such action. Four States (Alaska, California, Colorado and Maine) have joined Oregon in decriminalizing possession of small amounts of marijuana and have instituted civil fines

in place of criminal sanctions. Penalties for homosexual and aberrant sexual behavior were eliminated by California and New Mexico, while California and Montana repealed statutes which had made adultery a criminal offense. Vagrancy and loitering were also decriminalized by Montana and New Mexico.

### *Handgun Control*

A significant number of handgun control statutes were enacted by Legislatures since 1974. Legislation in previous years dealt primarily with registration and licensing of handguns, but the trend in 1974 and 1975 was on stiffer sentences, including mandatory incarcerations, for felonies committed with a handgun. Eight States passed such legislation (Arkansas, Connecticut, Georgia, Massachusetts, New York, North Dakota, South Carolina, and Virginia). Massachusetts also passed a law providing for mandatory one-year sentences for persons found possessing unregistered handguns. "Saturday night specials" were outlawed in New Jersey. An even broader approach to handgun control was taken by South Carolina which passed a gun regulation law establishing stringent licensing procedures for retail gun dealers, tightening identification procedures for gun purchases, curbing multiple handgun sales, and making it a felony to sell handguns to ex-felons and out-of-state residents.

### *Capital Punishment*

State legislators have also attempted to deter violent crime by enacting legislation which reinstitutes the death penalty. In its somewhat ambiguous *Furman v. Georgia* decision in 1972, the U.S. Supreme Court ruled, essentially, that existing state capital punishment legislation was unconstitutional because it was applied in a capricious, discriminatory, and arbitrary manner. To comply with the Court's decision, while still retaining the authority to apply capital punishment, many States enacted statutes that prescribed the death penalty for specifically defined offenses. During the 1974 and 1975 legislative sessions, 12 States passed death penalty legislation which added to the 21 States enacting such measures dur-

ing the 1973 session. The constitutionality of the more narrowly drawn death penalty statutes still remains to be tested when the U.S. Supreme Court rules on *Fowler v. North Carolina*.

### *Sentencing*

As another expression of concern over the rising crime rate, sentences were revised upward to deal more stringently with repeat, violent, and drug offenders. New Hampshire provided for stiffer, mandatory penalties, while Louisiana precluded time off for good behavior for habitual offenders. Those committing violent offenses will be punished more severely in Florida, which set three-year mandatory minimums for repeat offenders using firearms or destructive devices; in North Carolina, which stiffened penalties for armed robbery; and in Tennessee, which increased sentences to a mandatory minimum of 10 years for rape of anyone over 12 years old and the death penalty for the rape of a child under 12. Drug abuse penalties were changed by increasing sentences for drug pushers in Georgia (mandatory life sentence for second conviction of pushing hard drugs), Indiana (20 years to life for second conviction), New Jersey (life sentence and \$25,000 fine for any large-volume drug pusher), and Connecticut.

### *Crime Victim Compensation*

The concern about the effect of violent crime has also prompted legislative initiatives on behalf of victims of those crimes. In the past, the emphasis of the criminal justice system has been on efforts to apprehend and punish offenders. State legislative efforts in recent years have reflected this shifting orientation; and with legislation passed in Delaware, North Dakota, and Minnesota, 14 States now have statutes providing compensation for victims of violent crime.

### *Court Reform*

The courts, as the most visible component of the criminal justice system in the processing of offenders, have become a major target for change. Legislative interest in court reform has been particularly significant in the past two legislative



sessions. Five States (Connecticut, Florida, and West Virginia in 1974, Maine and Mississippi in 1975) have enacted statutes unifying their court systems under the rule-making and management authority of their State Supreme Courts. Hawaii and Maine joined 10 other States with state-financed court systems. Arizona, Hawaii, Indiana, and Maine approved legislation to enable the State Supreme Court to transfer and assign state and local judges. As a result, those state court systems will be able to relieve courts which have overloaded case dockets. Rhode Island created an administrative traffic court which will relieve congestion in courts of general jurisdiction. In other actions directed toward expediting offender processing, Connecticut established a division of public defender; Mississippi established a uniform jury selection process; North Carolina approved a code of pretrial criminal procedure; prosecution by information was authorized by Illinois, Pennsylvania, and Rhode Island; and Illinois passed a speedy trial bill establishing a 120-day limit on bringing a case to trial.

There were also a number of enactments designed to improve the quality of judicial personnel. Arizona, Kansas, and Tennessee statutes now provide for appointment of judges by the Governor from a list nominated by a judicial qualification commission. Louisiana increased judicial salaries through a standardized statewide salary system which abolished local supplements. To exert some control over judicial performance and integrity, five States (Connecticut, Nebraska, New York, North Dakota, and Rhode Island) passed legislation establishing such review, along with disciplinary procedures for those judges found to be incompetent or unethical.

#### *Correctional and Law Enforcement Training*

In addition to the attention given to improving the quality of judges, standards for correctional and law enforcement personnel were upgraded through legislative action. Colorado and Oklahoma now require state training of correctional personnel, while Virginia

stipulates law officer training and Pennsylvania agreed to fund local police training. Improvements in correctional standards, however, have not been limited to training requirements. Other efforts have included improving community correctional programs and facilities. Utah and Colorado brought to 12 the number of States establishing operational and management standards for such programs and facilities. Those two States, along with Montana, also adopted licensing standards for community corrections programs and facilities.

#### *Criminal Justice Information Systems*

One of the more recent and topical criminal justice issues revolves around the accumulation, storage, and distribution of criminal justice information. Proposed federal legislation and the promulgation of LEAA guidelines are forcing States to reexamine their policies toward the security and privacy of sophisticated, often computerized, criminal information systems.

During the 1974 and 1975 sessions, States demonstrated a responsiveness to the problems raised by criminal information systems. Privacy and security restrictions upon the accumulation, collection, maintenance, and dissemination of criminal records were adopted in California, New Jersey, and New Mexico, bringing to 20 the total number of States with such regulations. Connecticut and New Mexico are the most recent additions to a list of 20 States which have passed legislation limiting access to criminal offender records. Arkansas and New Mexico enacted statutes similar to those in eight other States which permit an individual to have access to his criminal file to verify its accuracy. New Mexico also allowed the individual to correct records determined to be inaccurate or incomplete by a designated review board. Expungement of records at a certain point after an offender completes his sentence was accomplished in Arkansas and California for both adult and juvenile offenders. Nevada passed an expungement measure for juvenile offenders, which added to its existing statute providing for expungement of adult records. Presently, there are

23 States with juvenile expungement statutes; however, only 12 have enacted adult expungement measures.

### JUVENILE DELINQUENCY

In every state juvenile code there is an offense which is identified as delinquency, the violation of which can subject both child and parent to the judicial process. However, there are no degrees of delinquency, so that the violation of the most minor misdemeanor is indistinguishable from major felonies. In about one half of the States, delinquency is the violation of a prohibited act within the adult criminal code by a juvenile or is a violation of a previous order of the juvenile court. In these States, a delinquent child may have committed homicide or may have failed to attend school, as previously ordered by the court. In the remainder of the States, delinquency is defined to include not only the type of offenses described above, but also a number of offenses (now referred to as status offenses) which, if committed by adults, would not be crimes. 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 the past two years, several funda-

mental 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 shall be treated as adults.

The federal Juvenile Justice and Delinquency Prevention Act of 1974 has highlighted these issues, since States applying for grants under the act must remove status offenders from detention and correctional facilities, and must prepare a comprehensive juvenile plan as a condition for funding. As it now stands, adequate appropriations to accomplish the Juvenile Justice Act's stated objectives have not been provided and are not likely to be available in the near future. However, the anticipation of future funding has instigated substantial state and local activity for improved juvenile services. The identification of the most significant areas of recent activity will be discussed here.

### Status Offenders

Increasingly, the types of children his-

Statutory Classification of Status Offenders\*

Status offenses included under "delinquency"		Mixed (a)	Status offenses in separate "nondelinquency" category (b)	
Alabama	Michigan	Arizona	Alaska	New York
Arkansas	Minnesota	Georgia	California	North Carolina
Connecticut	Mississippi	Idaho	Colorado	North Dakota
Delaware	Missouri	Kansas	Florida	Ohio
Indiana	New Hampshire	New Jersey	Hawaii	Oklahoma
Iowa	Oregon	Pennsylvania	Illinois	Tennessee
Kentucky	South Carolina	Rhode Island	Louisiana	Texas
Maine	Virginia	South Dakota	Maryland	Utah
	West Virginia		Massachusetts	Vermont
			Montana	Washington
			Nebraska	Wisconsin
			Nevada	Wyoming
			New Mexico	District of Columbia

\*Source: John Dineen, *Juvenile Court Organization and Status Offenses: A Statutory Profile* (Pittsburgh, Penn.: National Center for Juvenile Justice, December 1974), pp. 34-42.

(a) States are included in this category if some status offenses are included in delinquency and some are placed in a separate category.

(b) The titles of the nondelinquency category vary from State to State. The most common, "Child in Need of Supervision" or "Person in Need of Supervision," usually shortened to the acronyms CINS and PINS. "Wayward," "incorrigible," and "unruly child" are also used.

torically identified as juvenile delinquents are being subdivided into three categories: status offenders, juvenile delinquents, and dangerous juvenile offenders. Two trends have clearly emerged in handling the first category of children—status offenders. The first trend is a movement toward abolition of juvenile court jurisdiction over children committing truancy and other noncriminal acts of incorrigibility, on the theory that their constitutional rights of due process have been violated by involuntarily subjecting them to judicial control. In States where such legislation has been enacted or is being contemplated, the abolition of court jurisdiction is presumably coupled with the expectation that services such as counseling, educational alternatives, crisis intervention, and shelter care will be provided on a voluntary basis by either existing or newly created agencies concentrating on family counseling and related services.

Less drastic has been the trend toward separation of status offenders from juveniles charged with offenses which, if committed by adults, would have been crimes. Such separation is specifically required as a condition for receiving federal funds under the Juvenile Justice Act, and many States have begun to take steps that will ultimately result in the removal of status offenders from detention and correctional facilities. This separation does not mean that status offenders will either be exempt from confinement in other types of facilities or from juvenile court jurisdiction itself; however, it does signify 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*

At the other end of the spectrum are those delinquent youth who have been involved in crimes of a particularly brutal nature. The number of juveniles being charged with crimes involving murder, rape, armed robbery, extortion, and aggravated assault is steadily increasing. Over the years, state laws have either permitted juvenile courts to waive jurisdic-

tion over such juveniles to adult criminal courts, or have vested original jurisdiction in adult courts with either the option to transfer such cases to juvenile courts or to juvenile correctional institutions. However, recently there has been a marked propensity to treat such juveniles as adults instead of as children.

The trend toward transferring jurisdiction of dangerous juvenile offenders from juvenile to adult courts has led to a re-examination 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. Like the issue involving the propriety of status offenders in juvenile court, the question of appropriate services for dangerous juvenile offenders is likely to be keenly debated well into the end of this decade.

#### *Due Process for Juveniles*

Interestingly enough, 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 meriting 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 has declined sharply from the efforts of several years ago.

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 correctional 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 75-year-old notion of surrogate, paternal control.

#### ADULT CORRECTIONS

State correctional programs are undergoing massive, often contradictory, changes. In the past 10 years, corrections has been subject to a high level of scrutiny by the courts, legislators, and public offi-

cials, as well as the news media and the general public. In addition, correction administrators have had to deal with the effects of shifts in sentencing structure, the emergence of unions among their employees, fiscal crises, and burgeoning prison populations. These pressures have resulted in changes in programs and services available to inmates, ushered in an era of humanization for the incarcerated offender, and challenged many of the traditional practices in prison administration.

#### Humanization

It was to be expected that the civil rights movement of the 1960s would spill over into prisons. The resulting "prisoners' rights" activity helped to spawn the humanization movement in corrections administration. Humanization assumes that the dignity of the individual and his rights as a person are intrinsic characteristics which transcend the prison wall. The definition of these rights has come through court decisions, prisoner activities, and shifts in the approaches of prison administrators.

In the wake of *Morrissey v. Brewer*, 408 U.S. 471 (1972), and *In re Gault*, 387 U.S. 1, 70 (1967), litigation has been a major vehicle in establishing the rights of prisoners. Practically every area impinging upon the daily life of the incarcerated individual—religion, grooming, discipline, food, medical care, working conditions, wages, correspondence, and visitation—has been subjected to judicial scrutiny. In 1973, Supreme Court decisions dealt with the loss of prisoners' good time, standards for censorship and inspection of their mail, their access to the media, legislative criteria for who may receive preferential rehabilitative treatment, and assistance for prisoners filing civil rights actions. In each case the Court ruled that these were not simply a matter of administration prerogatives but involved the rights of the prisoner as well.

The primary initiators of this litigation have been individual inmates and prisoners' rights organizations. Many times petitions have been considered by the courts to be either excessive or frivolous, but nevertheless litigation has continued

to be an avenue through which the incarcerated offender has found relief from substandard and abusive practices.

In addition to litigation, some inmates have recently turned to prisoners' unions to promote their interests. Prevailing goals of the unions appears to be the abolition of the indeterminate sentence system and all its ramifications; the establishment of workers' rights for prisoners, including the right to collectively organize and bargain; and the restoration of civil and human rights for the prisoners. The major organization is a California-based "Prisoners' Union." Approximately 25,000 inmates representing every region of the country have pledged their support. However, organization and growth of the prisoner movement in the U.S. have been hampered by internal conflict of goals, the efficacy of "inside" or "outside" leadership, and the opposition of corrections officials to this union.

Many prison administrators have adopted the humanization approach to corrections and introduced appropriate changes in procedures. Eliminated in many state systems are the time-worn rituals of mail censorship, strict clothing codes, visiting through barricades, and prohibitions restricting access by the media and the general public.

#### *Justice Model*

The justice model is a recently suggested approach to corrections policy that attempts to meet criticisms that prisons are not accomplishing their intended mission or that rehabilitation programs (as they exist in prisons) are a myth. The model states, in effect, that prisons are essentially designed to punish rather than reform. Rehabilitation programs are continued, under this approach, but access is limited to those who volunteer and participation does not influence release from prison.

The change in rationale includes a shift in sentencing structure from indeterminate to determinate. Advocates recommend flat-time sentencing and abolition of the parole function. Early release from an institution is based on satisfactory service of an offender's sentence rather than his presumed rehabilitation.

According to a survey by *Corrections Magazine* of May/June 1975, corrections administrators overwhelmingly reject the premise upon which this shift in philosophy is based. Sixty-three percent of the administrators stated some rehabilitation programs are successful. An additional 15 percent suggested more evidence is needed before failure can be declared. Despite these opinions of prison officials, the justice model is receiving widespread attention by state legislators and Governors and is likely to have a continuing effect on corrections procedures.

#### *Consolidation*

States continue to unify their corrections services under varying organizational patterns, guided by their particular needs and the motivations for reorganization. In some instances, corrections services have been placed in a department of human resources, which includes health and welfare services as well. Where it has been located in an umbrella health-welfare agency, corrections has sometimes moved to gain, or to regain, its separate identity as an independent department. Examples of these efforts are the reorganization efforts in Florida and Delaware, in which adult corrections was separated from the human resources agencies.<sup>2</sup> Adult parole boards and court-directed probation programs have resisted the trend toward unification and, in most cases, have successfully retained control over their respective field service units.

#### *Overcrowding*

Another significant trend affecting state prisons is the increasing number of prisoners. Between 1970 and 1975, the prison population increased 75 percent in New York and 70 percent in Texas. Federal courts, in 1975, ordered Alabama, Louisiana, and Mississippi to halt commitments to prisons until conditions were improved. Corrections officials in Florida imposed their own restriction on accepting commitments from the courts due to overcrowding of state prisons, and Geor-

<sup>2</sup>*Human Resources Agencies: Adult Corrections in State Organizational Structure* (Lexington, Kentucky: the Council of State Governments), October 1975.

gia began releasing prisoners on early parole in October 1975 to relieve overcrowding. There are no clear indicators as to the reason for the general upswing in inmate population. Rather than an increase in crime, it could reflect tougher sentencing practices on the part of the courts, stiffening of penalties, or more stringent parole release criteria.

#### *Fiscal and Personnel Problems*

Economic trends in the Nation affect all state government administration, but for those departments providing residential care, there is a multiplying factor. Inflationary rates are more pronounced in institutions which must be staffed with personnel 24 hours per day. This results in ballooning costs of care and custody. In those States engaged in collective bargaining with organized labor, budgets are further strained by an accelerated cost of manpower.

Labor relations is emerging as a new

area of responsibility in corrections management. This is particularly true in the larger, industrialized States. Personnel units at the department levels are developing a necessary capacity and expertise to deal with staff grievances, and participate in contract negotiations as part of their personnel service.

#### *Community Programs*

Community corrections is now an established extension of the corrections process. It moves the offender, with reduced external controls, from the walled or fenced institution to a series of community program options varying in levels of security, as well as varying in levels of programs. Concomitantly, the offender must exercise varying levels of self-control and self-determination. Such community programs may include temporary home furloughs, work release, educational release, or placement in community treatment centers. The offender may previ-

#### Degree of Unification of State Correctional Services into a Single Parent Agency\*

<i>Juvenile &amp; Adult (a)</i>	<i>Degree of unification</i>				
	<i>Unified (b)</i>	<i>Institutions &amp; Parole</i>	<i>Institutions &amp; Probation</i>	<i>Parole &amp; Probation</i>	<i>All separate (c)</i>
Unified	Alaska Arizona Colorado Delaware Iowa Maine Minnesota New Jersey Rhode Island Tennessee Vermont Virginia West Virginia Wisconsin	Illinois Indiana New Hampshire	New Mexico Oregon	Montana South Dakota	Hawaii Nebraska North Dakota
Separate	Georgia Kentucky Michigan Utah	California Connecticut New York Ohio	Idaho	Florida Maryland Mississippi Nevada Pennsylvania South Carolina	Alabama Arkansas Kansas Massachusetts Missouri North Carolina Oklahoma Texas Washington

\*Source: Advisory Commission on Intergovernmental Relations, *State-Local Relations in the Criminal Justice System* (Washington, D.C.: Government Printing Office, 1971), pp. 282-86. Updated by the Council of State Governments.

(a) Indicates whether States have combined juvenile and adult correctional services into a single agency or maintained the traditional separation.

(b) States in this category have assigned responsibility for all three services—institutions, parole, and probation—to a single agency. Three States—Alaska, Rhode Island, and Vermont—have unified state and local services as well.

(c) States in this category maintain an independent agency for each of the three services.

ously have been incarcerated in a state prison or county jail. For him, the community program serves as a decompression process together with whatever assistance and support he may receive from the community. Others are committed directly into these community programs from the court.

The number of community correctional centers continues to increase. As of January 1975, there were 158 such community centers in the U.S.<sup>3</sup> At that time, these centers accommodated 5 percent of the total inmate population in state correctional facilities. North Carolina had the largest number of such centers (29) and the largest number of inmates. Vermont had the highest proportion of inmates housed in community centers (65 percent), followed by North Carolina (25 percent) and Maine (21 percent). Thirteen States, as of 1974, had no separate state-operated community centers. Educational work-release centers have continued to flourish along with community treatment centers.

While an independent public opinion poll showed public acceptance of community corrections, this same public demonstrated extreme wariness at the prospect of such programs being set up in their own neighborhoods.<sup>4</sup> At this time, it appears that resistance to the establishment of such facilities in neighborhoods is increasing. Resistance to the advance of community corrections has taken several forms, including public protest, and court litigation and complaints lodged with local officials alleging local zoning, inspection, or licensing violations. Several statewide furlough, work, and education-release programs have been attacked recently and, in some cases, even closed down. In most instances, the criticism was not a product of program failures, but rather the result of legislative or executive reactions to some singularly

"bad case" results. Programs in Delaware, Maryland, and New Jersey came under fire in this way, as did those in Illinois, Ohio, and Pennsylvania.

In spite of this somewhat sporadic but widespread reaction, community corrections continued to be an important part of state correctional policy as of 1975. Forty-one States had statutes allowing for work release of their inmates; 32 States had legislation allowing educational release; and legislation permitted furloughing in 31 States.

#### LOOKING AHEAD

As the section on planning makes clear, the criminal justice system is not a unified structure for service delivery; rather, it is a collection of independent institutions and agencies carrying out a variety of services and programs. It is not surprising, therefore, that there are several different dynamics for change taking place in the States, some of them mutually compatible and others in conflict.

One of the most important changes taking place is the move to make the imposition of criminal sanctions more certain and fair. Sentencing disparities and the arbitrary nature of parole decisions are seen by many as unjust and as contributing to inmate tension within prisons. In response, States may adopt, in increasing numbers, a comprehensive change in sentence structure in which indefinite sentences (e.g., 1- to 5- or 2- to 15-year sentences) are replaced by determinate or uniform sentences. In the long run, if determinate sentencing becomes the dominant pattern, the discretionary powers of parole boards may be greatly modified or parole may be abolished and postincarceration services shifted to an administrative agency.

The change in sentencing structure and philosophy could produce a dramatic increase in the prison population, if there are no adjustments in the criminal justice process. Because of the high cost of institutions, alternatives to incarceration will have to be found. Community corrections, therefore, may be increasingly popular, but with major revisions. Violent and repeat offenders will likely be excluded from these programs. This policy will

<sup>3</sup>Census of State Correctional Facilities 1974 Advance Report, *National Prisoner Statistics*, No. 50-NPS-SR, July 1975.

<sup>4</sup>"Report on a Public Awareness and Attitude Survey" prepared for the Department of Justice, Bureau of Correction, Commonwealth of Pennsylvania. Adams, Gaffney and Associates, Inc., 4318 Montgomery Road, Cincinnati, Ohio, January 1973.

probably increase the control problems of prison officials as the proportion of institutionalized offenders convicted of violent crimes increases.

A second major dynamic for change is a continued concern for the rights of individuals who come into contact with criminal justice agencies. Traditional rights of due process have been extended to juveniles, thereby increasing the similarity of juvenile courts to adult courts. In addition to this change, there has been an increasing concern over the commingling of juveniles charged with status offenses (those offenses which, if committed by an adult, would not be crimes) and juveniles charged with criminal type offenses. To deal with this problem States may either remove such offenders from the jurisdiction of the courts or, more likely, clearly separate them procedurally or institutionally from criminal-type offenders. Among the ways separation may be achieved without relinquishing all judicial responsibility are: (1) preventing status offenders from being held in detention and correctional facilities; (2) eliminating status offenses as offenses, and treating such children as neglected youth; or (3) providing specific diversionary services. Concomitantly, this could bring legislation which will result in more juveniles being handled as adults through a reduction in the prosecutor's or judge's discretion to select the proper forum.

The rights of adult prisoners have also

been significantly expanded by the courts in recent years and that trend could produce some major changes in prison administration. Unions among inmates may increase. Grievance procedures may undergo major revisions to ensure they meet the needs of the prisoners instead of the control needs of the prison officials. In some cases this may require legislative action as well as alterations in administrative procedures.

In spite of the attention given to crime control over the past few years, the rate of crimes reported to police continues to climb. One effect of this trend may be that attention will be given to relieving the effects of crime as well as trying to prevent an offense occurring. Legislatures may continue to enact compensatory programs for the victims of crime. These programs may be expanded to provide for restitution to victims by offenders, first for property crimes and, in the future, against persons.

Attempts to control crime in advance will not be abandoned. Gun control will probably continue to be the subject of debate, and some legislation no doubt will be adopted. This may take the form of outlawing the manufacture, assembly, sale, and possession of "Saturday night specials"; restrictions on sales of handguns to out-of-state residents and to ex-felons; and a continuation of the trend toward mandatory minimum sentences for crimes committed with a firearm.



## STATE CORRECTIONAL FACILITIES AND LOCAL JAILS

State or other jurisdiction	State correctional facilities*									Local jails†	
	All facilities		Classification or medical centers		Community centers		Prisons		Inmates per 100,000 population (a)	Number of inmates	Inmates per 100,000 population (b)
	Number of in- stitutions	Number of inmates	Number of in- stitutions	Number of in- mates	Number of in- stitutions	Number of in- mates	Number of in- stitutions	Number of in- mates			
Alabama.....	20	3,995	1	503	2	64	17	3,428	113	2,972	84.4
Alaska.....	8	466	..	.....	1	16	7	450	141	87	26.8
Arizona.....	6	1,756	..	.....	4	208	2	1,548	85	1,754	89.4
Arkansas.....	3	1,755	..	.....	..	.....	3	1,755	86	941	46.9
California.....	35	22,927	2	604	4	160	29	22,163	111	25,348	124.2
Colorado.....	7	2,070	..	.....	3	83	4	1,987	85	1,427	60.4
Connecticut.....	12	2,731	..	.....	1	20	11	2,711	89	(c)	(c)
Delaware.....	4	683	..	.....	1	26	3	657	119	(c)	(c)
Florida.....	46	10,334	1	1,025	19	895	26	8,414	135	8,104	110.3
Georgia(d).....	30	7,593	2	1,027	3	137	25	6,429	159	6,243	131.9
Hawaii.....	5	303	..	.....	3	46	2	257	36	124	15.2
Idaho.....	1	489	..	.....	..	.....	1	489	64	411	54.4
Illinois.....	15	5,843	2	470	6	133	7	5,240	52	4,894	43.5
Indiana.....	10	4,071	1	133	2	78	7	3,860	77	2,017	38.2
Iowa.....	9	1,462	1	93	4	140	4	1,229	50	537	18.6
Kansas.....	7	1,446	1	114	..	.....	6	1,332	63	870	38.4
Kentucky.....	8	2,886	..	.....	..	.....	8	2,886	86	1,896	57.4
Louisiana.....	7	4,063	..	.....	3	299	4	3,764	108	3,340	89.4
Maine.....	6	465	..	.....	3	97	3	368	45	247	24.1
Maryland.....	12	6,489	1	462	4	749	7	5,278	149	2,218	54.8
Massachusetts.....	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	1,847	31.9
Michigan.....	21	8,104	1	987	3	314	17	6,803	90	4,148	46.0
Minnesota.....	6	1,401	..	.....	1	14	5	1,387	36	1,071	27.6
Mississippi.....	1	1,736	..	.....	..	.....	1	1,736	76	1,498	66.4
Missouri.....	9	3,449	1	174	1	32	7	3,243	73	2,246	47.3
Montana.....	1	336	..	.....	..	.....	1	336	47	281	39.2
Nebraska.....	4	1,010	..	.....	1	34	3	976	65	742	48.6
Nevada.....	1	790	..	.....	..	.....	1	790	144	656	123.1
New Hampshire.....	2	279	..	.....	1	8	1	271	35	283	36.6
New Jersey.....	13	5,655	..	.....	2	74	11	5,581	77	3,517	47.9
New Mexico.....	2	775	..	.....	..	.....	2	775	70	899	83.6
New York.....	23	14,311	4	1,595	1	32	18	12,684	78	15,190	82.7
North Carolina.....	76	11,809	5	1,041	29	2,986	42	7,782	224	2,455	47.0
North Dakota.....	2	176	..	.....	..	.....	2	176	27	125	19.7
Ohio.....	11	7,873	2	201	..	.....	9	7,672	73	4,804	44.8
Oklahoma.....	11	3,175	..	.....	4	191	7	2,984	119	1,808	68.7
Oregon.....	12	1,686	..	.....	7	139	5	1,547	76	1,185	54.2
Pennsylvania.....	22	6,065	1	122	13	434	8	5,509	51	6,274	52.7
Rhode Island.....	1	569	..	.....	..	.....	1	569	58	(c)	(c)
South Carolina.....	17	3,615	2	237	6	411	9	2,967	133	2,424	90.2
South Dakota.....	1	233	..	.....	..	.....	1	233	34	295	43.4
Tennessee.....	10	3,504	1	202	4	354	5	2,948	85	3,372	82.8
Texas.....	14	17,136	1	493	..	.....	13	16,643	145	9,802	84.5
Utah.....	3	599	..	.....	2	40	1	559	52	475	42.1
Vermont.....	7	368	1	43	5	240	1	85	79	4	0.9
Virginia.....	38	5,394	1	48	3	234	34	5,112	112	3,119	65.5
Washington.....	14	2,592	1	192	8	182	5	2,218	76	2,410	70.5
West Virginia.....	4	1,051	..	.....	1	17	3	1,034	59	1,054	58.7
Wisconsin.....	12	2,183	..	.....	2	73	10	2,110	48	1,767	39.0
Wyoming.....	3	281	..	.....	1	15	2	266	80	192	55.5
District of Columbia (e).....	..	.....	..	.....	..	.....	..	.....	..	4,215	560.5
Total.....	592	187,982	33	9,766	158	8,975	401	169,241	90	141,588	68.0

\*Source: Census of State Correctional Facilities, 1974: Advance Report, U.S. Department of Justice, LEAA, National Criminal Justice Information and Statistics Service, July 1975.

†Source: The Nation's Jails: A Report on the Census of Jails from the 1972 Survey of Inmates of Local Jails, U.S. Department of Justice, LEAA, National Criminal Justice Information and Statistics Service, May 1975.

N.A.—Not available.

(a) Based on U.S. Bureau of the Census population estimates as of July 1973.

(b) Based on U.S. Bureau of the Census population estimates as of July 1972.

(c) No locally operated jails.

(d) State correctional facilities figures exclude two institutions which did not submit data.

(e) Correctional facilities are considered local institutions.

**EXPENDITURES OF PUBLIC DETENTION AND CORRECTIONAL  
FACILITIES FOR JUVENILES, BY TYPE OF EXPENDITURE AND  
PER CAPITA OPERATING EXPENDITURES, 1971 AND 1973\***  
(In thousands, except per capita)

State or other jurisdiction	All expenditures		Capital expenditures		Operating expenditures		Per capita operat- ing expenditures	
	1971	1973	1971	1973	1971	1973	1971	1973
<b>United States.....</b>	<b>\$456,474</b>	<b>\$483,942</b>	<b>\$47,365</b>	<b>\$30,127</b>	<b>\$409,109</b>	<b>\$453,815</b>	<b>\$ 6,989</b>	<b>\$ 9,582</b>
Alabama.....	2,956	2,590	660	124	2,296	2,466	4,064	5,213
Alaska.....	3,110	3,479	732	1,800	2,378	1,679	17,486	19,992
Arizona.....	3,562	6,929	241	1,850	3,321	5,080	5,288	7,174
Arkansas.....	1,939	2,172	225	154	1,714	2,017	3,258	4,100
California(a, b).....	88,427	95,881	4,469	3,292	83,958	92,589	7,660	9,255
Colorado.....	3,971	5,669	180	54	3,791	5,615	8,313	13,211
Connecticut.....	3,568	3,776	47	38	3,521	3,738	15,511	19,368
Delaware.....	1,817	3,370	30	1,352	1,787	2,017	4,326	8,694
Florida.....	14,790	19,204	1,608	1,424	13,182	17,781	5,098	8,141
Georgia.....	7,818	12,224	374	2,534	7,444	9,690	4,949	6,965
Hawaii.....	1,342	1,190	19	5	1,323	1,185	13,495	10,214
Idaho.....	1,177	1,283	209	69	968	1,215	5,658	10,941
Illinois.....	27,466	27,229	1,063	196	26,403	27,033	9,721	15,438
Indiana.....	6,435	6,507	2,045	1,511	4,391	4,996	4,119	6,048
Iowa.....	6,071	4,934	467	113	5,605	4,821	10,476	11,903
Kansas.....	3,558	4,500	580	468	2,977	4,032	7,140	10,232
Kentucky.....	4,359	4,080	270	78	4,089	4,002	4,143	8,776
Louisiana.....	6,047	6,727	918	154	5,129	6,573	3,571	5,482
Maine.....	2,717	3,297	205	311	2,512	2,986	9,775	13,634
Maryland.....	10,395	12,061	547	364	9,848	11,697	7,461	8,145
Massachusetts.....	7,732	2,597	393	13	7,339	2,584	9,632	12,420
Michigan.....	21,958	17,912	1,993	103	19,965	17,809	9,239	11,556
Minnesota.....	9,277	10,835	589	718	8,689	10,117	9,752	14,249
Mississippi.....	2,111	2,537	331	189	1,780	2,347	3,248	3,798
Missouri(c).....	6,358	9,356	287	1,648	6,071	7,707	5,706	7,461
Montana.....	1,873	2,026	152	44	1,720	1,982	7,750	9,093
Nebraska.....	1,866	1,951	7	16	1,860	1,935	6,913	8,919
Nevada.....	3,682	3,594	890	34	2,792	3,560	5,733	11,483
New Hampshire.....	1,000	1,771	21	127	979	1,644	5,126	8,018
New Jersey(a).....	14,120	17,707	1,249	2,324	12,871	15,384	7,384	9,681
New Mexico.....	2,143	2,807	41	126	2,103	2,681	5,793	8,734
New York.....	35,507	36,988	5,792	3,821	29,716	33,168	11,014	17,410
North Carolina.....	9,506	9,970	2,087	560	7,419	9,409	3,866	7,432
North Dakota.....	785	878	20	64	765	814	6,072	8,945
Ohio.....	25,571	27,539	1,934	566	23,637	26,973	6,495	9,588
Oklahoma.....	3,330	3,948	927	633	2,403	3,314	5,948	8,044
Oregon.....	6,018	6,154	41	128	5,976	6,026	10,112	11,435
Pennsylvania(a).....	22,968	19,526	2,605	133	20,364	19,393	9,235	15,222
Rhode Island.....	1,299	2,086	11	238	1,288	1,848	7,076	13,015
South Carolina.....	4,024	3,666	1	511	4,025	3,154	5,154	5,420
South Dakota.....	922	998	26	71	896	927	5,119	9,083
Tennessee.....	5,844	7,090	182	107	5,661	6,983	4,276	5,586
Texas.....	13,623	14,898	1,861	242	11,762	14,656	3,975	6,306
Utah.....	2,107	2,679	33	91	2,075	2,589	6,287	10,192
Vermont.....	1,331	1,436	.....	53	1,331	1,382	8,319	10,797
Virginia.....	8,076	8,850	907	393	7,169	8,458	4,689	6,461
Washington.....	19,900	14,791	6,319	102	13,581	14,689	10,016	12,806
West Virginia.....	1,822	2,916	62	895	1,759	2,021	4,355	5,945
Wisconsin.....	13,362	11,383	3,688	87	9,675	11,295	8,546	14,537
Wyoming.....	1,058	1,182	22	14	1,036	1,168	7,049	10,067
<b>District of Columbia(d).....</b>	<b>5,773</b>	<b>6,770</b>	<b>7</b>	<b>184</b>	<b>5,766</b>	<b>6,586</b>	<b>7,469</b>	<b>11,995</b>

\*Source: *Children in Custody: Advance Report on the Juvenile Detention and Correctional Facility Census 1972-73*, U.S. Department of Justice, LEAA, National Criminal Justice Information and Statistics Service, May 1975.

(a) These state facilities held an unspecified number of adults or "youthful offenders" included in the calculations for the average end-of-quarter populations. One New Jersey facility—1971 and 1973; one Pennsylvania facility—1971; and 15 California facilities, for which "youthful offenders" totaled 2,023 on June 30, 1971, and 1,869 on June 30, 1973. Per capita operating expenditures are thus affected.

(b) For 1971, total and capital expenditures for California are

understated because capital expenditures were not available for 15 state facilities. For 1973, total and capital expenditures are understated because capital expenditures reported for 15 state facilities include outlays for equipment only.

(c) For 1973, "other operating expenditures" (exclusive of salaries and wages) and capital expenditures of five Missouri facilities were not available. Therefore, all Missouri expenditure data for 1973 is understated.

(d) For 1971, total and operating expenditures for training schools in the District of Columbia are understated because data on "other operating expenditures" (exclusive of salaries and wages) was not available.

**NUMBER OF JUVENILES IN PUBLIC DETENTION AND CORRECTIONAL  
FACILITIES FOR JUVENILES, BY TYPE OF FACILITY, BY STATE,  
JUNE 30, 1973\***

<i>State or other jurisdiction</i>	<i>In all facilities</i>	<i>Detention centers</i>	<i>Shelters</i>	<i>Reception &amp; diagnostic centers</i>	<i>Training schools</i>	<i>Ranches, camps, &amp; farms</i>	<i>Halfway houses</i>	<i>Group homes</i>
<b>United States</b> .....	45,694	10,782	190	1,734	26,427	4,959	713	889
Alabama.....	413	57	...	...	356	...	...	...
Alaska.....	81	5	...	...	76	...	...	...
Arizona.....	678	146	...	...	421	77	34	...
Arkansas.....	497	16	15	18	444	...	...	4
California.....	8,445	3,782	...	236	2,135	2,247	14	31
Colorado.....	427	138	...	...	190	93	6	...
Connecticut.....	189	31	...	...	158	...	...	...
Delaware.....	234	26	...	...	200	...	...	8
Florida.....	2,126	484	12	...	1,316	35	221	58
Georgia.....	1,482	414	...	...	1,040	...	...	28
Hawaii.....	108	27	...	...	81	...	...	...
Idaho.....	151	17	...	...	134	...	...	...
Illinois.....	1,711	392	...	164	944	191	20	...
Indiana.....	888	256	...	...	573	45	...	14
Iowa.....	344	35	...	...	195	92	5	17
Kansas.....	392	128	...	...	258	...	6	...
Kentucky.....	494	58	12	70	96	234	...	24
Louisiana.....	1,257	137	...	83	1,026	...	11	...
Maine.....	172	...	...	...	172	...	...	...
Maryland.....	1,472	34	...	111	1,088	172	57	10
Massachusetts.....	217	135	...	...	...	26	...	56
Michigan.....	1,603	809	30	50	446	114	98	56
Minnesota.....	701	96	...	...	551	34	9	11
Mississippi.....	624	48	...	...	565	...	5	6
Missouri.....	1,020	187	...	...	533	176	4	120
Montana.....	210	2	...	...	178	30	...	...
Nebraska.....	236	46	...	...	190	...	...	...
Nevada.....	318	61	...	...	216	41	...	...
New Hampshire.....	197	...	...	...	192	...	...	5
New Jersey(a).....	1,200	475	...	...	625	...	75	25
New Mexico(b).....	340	54	...	...	286	...	5	...
New York.....	1,922	290	...	...	1,046	282	...	299
North Carolina.....	1,334	63	...	...	1,266	...	5	...
North Dakota(c).....	86	...	...	...	69	...	5	12
Ohio.....	2,868	524	17	375	1,724	216	...	12
Oklahoma.....	443	28	19	...	396	...	...	...
Oregon.....	554	162	...	...	336	56	...	...
Pennsylvania.....	1,343	403	...	...	780	160	...	...
Rhode Island.....	130	...	...	11	119	...	...	...
South Carolina.....	530	7	...	160	358	...	...	5
South Dakota.....	115	14	...	...	78	23	...	...
Tennessee.....	1,325	118	...	125	956	96	30	...
Texas.....	2,098	305	...	...	1,739	...	14	40
Utah.....	243	62	...	...	159	...	...	22
Vermont.....	94	...	...	...	94	...	...	...
Virginia.....	1,406	278	...	181	779	124	38	6
Washington.....	1,157	282	...	150	410	264	51	...
West Virginia.....	363	19	16	...	214	116	...	...
Wisconsin.....	781	115	11	...	640	15	...	...
Wyoming.....	127	...	...	...	127	...	...	...
District of Columbia.....	546	16	58	...	452	...	...	20

\*Source: *Children in Custody: Advance Report on the Juvenile Detention and Correctional Facility Census of 1972-73*, U.S. Department of Justice, LEAA, National Criminal Justice Information and Statistics Service, May 1975.

(a) Although a New Jersey state training school held a large

percentage of adults in 1973, only the number of juveniles it held is included.

(b) New Mexico has two state camps that were reported combined with a state training school as one facility.

(c) North Dakota has three state group homes that were reported combined with a state training school as one facility.

# MAJOR STATE SERVICES

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## CRIMINAL JUSTICE EXPENDITURES, TOTAL AND BY CATEGORY, AND PERCENTAGE OF TOTAL STATE GENERAL EXPENDITURE—FISCAL YEAR 1974\* (In thousands of dollars)

State or other jurisdiction	Total criminal justice system	Police protection	Judicial	Legal services and prosecution	Indigent defense	Corrections	Other	Percent of total state general expenditures for criminal justice
United States.....	\$12,992,327	\$7,290,166	\$1,662,018	\$652,964	\$152,964	\$3,025,867	\$208,350	8.8
Alabama.....	128,041	76,054	18,745	5,205	1,161	25,573	1,304	6.8
Alaska.....	48,551	19,329	9,483	4,352	1,026	13,872	534	5.8
Arizona.....	154,930	92,497	18,590	7,765	2,337	32,766	976	12.0
Arkansas.....	54,319	31,273	6,132	2,457	301	13,730	426	6.1
California.....	1,950,509	1,007,459	224,943	118,099	33,090	550,947	15,972	12.2
Colorado.....	146,739	79,027	22,092	8,380	2,650	33,639	950	9.4
Connecticut.....	182,629	109,064	23,324	7,559	1,621	39,775	1,285	6.4
Delaware.....	38,496	18,591	7,502	1,529	430	9,662	783	8.8
Florida.....	508,125	262,388	75,159	28,982	8,608	125,058	7,930	12.4
Georgia.....	242,509	117,455	31,507	9,251	1,964	80,421	1,911	9.7
Hawaii.....	55,829	34,072	7,813	5,133	750	7,520	541	4.9
Idaho.....	34,273	16,949	4,940	1,961	598	9,617	209	7.8
Illinois.....	717,012	468,340	82,115	31,460	5,695	115,008	14,395	10.8
Indiana.....	195,493	117,932	20,781	9,353	2,270	42,421	2,735	7.8
Iowa.....	107,564	57,697	15,969	5,707	1,184	25,818	1,189	6.7
Kansas.....	100,819	48,781	12,761	6,417	1,294	29,925	1,640	7.8
Kentucky.....	125,093	74,207	14,499	5,525	960	25,966	3,936	7.1
Louisiana.....	193,642	120,637	26,186	9,499	1,115	35,138	1,066	9.0
Maine.....	41,106	22,292	5,376	1,657	378	10,677	727	5.5
Maryland.....	301,339	162,994	32,743	10,985	4,972	82,532	7,112	7.3
Massachusetts.....	395,637	235,084	49,178	13,373	2,615	86,753	8,635	6.6
Michigan.....	600,138	353,714	85,702	29,466	8,101	117,698	5,457	9.4
Minnesota.....	177,674	98,175	24,034	9,728	1,457	41,554	2,726	6.5
Mississippi.....	73,364	45,372	9,083	2,910	599	13,855	1,546	5.9
Missouri.....	238,252	146,147	30,987	9,606	1,741	46,179	3,592	10.8
Montana.....	31,794	16,364	3,735	2,040	273	8,663	715	7.0
Nebraska.....	62,115	34,063	9,576	3,876	689	12,700	1,211	7.1
Nevada.....	57,338	30,963	5,477	4,406	899	14,910	683	12.1
New Hampshire.....	32,665	20,237	3,826	1,259	213	5,655	1,475	6.7
New Jersey.....	547,853	321,773	63,551	36,219	8,992	110,659	6,659	10.3
New Mexico.....	54,197	32,922	5,437	2,875	1,318	10,454	1,190	8.0
New York.....	1,853,580	1,077,706	247,661	84,407	20,021	373,619	50,166	8.5
North Carolina.....	240,789	125,012	29,822	6,595	4,786	71,131	3,442	6.7
North Dakota.....	20,372	10,673	3,430	1,588	161	4,097	423	4.9
Ohio.....	524,480	278,660	73,799	25,175	3,245	135,338	8,263	9.5
Oklahoma.....	99,057	57,822	12,479	5,591	651	20,693	1,821	6.3
Oregon.....	136,934	69,586	16,407	12,016	1,826	34,662	2,436	9.6
Pennsylvania.....	666,820	377,767	102,833	26,880	6,852	146,698	5,790	9.7
Rhode Island.....	50,005	29,416	7,362	1,825	399	10,343	660	6.1
South Carolina.....	115,208	57,244	13,246	2,539	697	39,247	2,235	7.8
South Dakota.....	24,038	12,765	3,231	2,365	292	5,049	337	5.6
Tennessee.....	170,114	91,486	23,244	6,185	1,136	46,232	1,832	5.9
Texas.....	491,798	290,193	64,173	26,854	2,999	88,399	19,180	9.0
Utah.....	46,020	25,620	5,197	2,778	378	11,350	699	7.0
Vermont.....	25,059	11,761	3,272	1,323	536	7,833	334	6.8
Virginia.....	236,771	130,154	28,784	8,972	3,191	63,345	2,325	6.0
Washington.....	202,793	105,385	22,596	12,417	2,186	58,502	1,707	8.6
West Virginia.....	53,634	28,596	6,738	3,174	72	14,488	564	5.1
Wisconsin.....	241,590	141,475	26,609	12,504	2,177	53,965	4,859	7.0
Wyoming.....	16,977	8,988	2,155	1,415	152	4,047	220	6.6
District of Columbia.....	178,246	88,002	17,734	11,328	1,902	57,730	1,550	14.4

\*Source: U.S. Law Enforcement Assistance Administration and the U.S. Bureau of the Census, *Expenditures and Employment Data for the Criminal Justice System: 1974*, Washington, D.C.: U.S. Government Printing Office, 1976.

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## STATE POLICE AND HIGHWAY PATROLS

BY NORMAN DARWICK\*

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**D**EPARTMENTS of state police, highway patrol, public safety, and law enforcement are some of the terms identifying state-level law enforcement. In addition to legislative mandates requiring that these state agencies provide support services to local-level police agencies, we are seeing organizational consolidation which gives them responsibilities which traditionally have been those of other disciplines in the criminal justice system. For example, some responsibility for fire protection services, conservation services, correctional services, and prosecution and special investigatory services have been assigned to these agencies.

Under other reorganizations there is little doubt that law enforcement is the only objective of the newly created agencies. However, in many cases the question has become that of deciding how these agencies should be classified. The number of departments of public safety has been increasing, and it is common to include within such departments the uniformed force and those specialized investigative and support units which were formerly located elsewhere. Also, intelligence units, organized crime investigation and coordinating responsibilities, state crime laboratories, and other specialized units have been added to highway patrols in some States. Such broadening of responsibilities has made their functions similar to that of state police and departments of public safety. Therefore, what shall be the definitions by which state police, highway patrols, departments of public safety, and other state law enforcement agencies are classified?

When this question is answered, it will

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then be possible to more accurately determine not only who performs what function but also the numbers of their personnel and the costs of law enforcement at the state level.

At the present time, the Division of State and Provincial Police of the International Association of Chiefs of Police is defining state-level law enforcement agencies as follows:<sup>1</sup>

1. Highway patrol—a state law enforcement agency which:

- operates a uniformed field patrol force and concentrates its police services on traffic, vehicle, and highway-related activities.

2. State police—a state law enforcement agency which:

- operates a uniformed field patrol force and nonuniformed investigative units;
- conducts criminal law investigations generally rather than concentrating on a specialized category of offenses or specifically assigned sensitive cases;
- is responsible for providing general police services and activities.

3. Department of law enforcement—a state law enforcement investigative agency which:

- does not employ uniformed sworn personnel;
- 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 law enforcement investigative agency which:

- does not employ uniformed sworn personnel;
- is responsible only for investigations of specialized categories of offenses or specifically assigned sensitive cases.

The location of state police and high-

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<sup>1</sup>Division membership includes Canadian provincial police and state agencies as defined by the first three categories.

# MAJOR STATE SERVICES

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## Number of Personnel, 1968 and 1974

	1968			1974			Per- cent increase
	Sworn	Civilian	Total	Sworn	Civilian	Total	
Highway patrol .....	15,936	7,811	23,747	21,438	10,051	31,489	32.6
State police .....	18,058	4,938	22,996	23,477	7,188	30,665	33.3
Total .....	33,994	12,749	46,743	44,915	17,239	62,154	33.0

way patrols within state governments' organizational structures are shown in the following table.

Agency within	Highway patrols		State police	
	Num- ber	Per- cent	Num- ber	Per- cent
Department of public safety .....	11	42	11	48
Transportation/highway dept. ....	9	35	1(a)	4
Department of justice/Attorney General .....	1	4	2	9
Agency head reports directly to Governor (separate agency) ..	5	19	9	39
Total .....	26	100	23	100

Source: Division of State and Provincial Police of the International Association of Chiefs of Police, Inc., 1974 *Comparative Data Report*, p. 38. Total is for 49 States since Hawaii does not have a state police or highway patrol.

(a) This state police agency was within a larger agency entitled "Transportation and Public Safety."

## NUMBER OF EMPLOYEES AND PERSONNEL INCREASE

In the latter part of 1974, the state police, highway patrols, and the one Department of Criminal Law Enforcement (Florida) reported their total number of employees as 62,739. Average departmental strengths were: highway patrols—

sworn personnel, 825 (range 93 to 5,555), and civilian employees, 387 (range 17 to 1,929); and state police—sworn personnel, 1,020 (range 172 to 3,935), and civilian employees, 313 (range 10 to 763). The Department of Criminal Law Enforcement employed 151 sworn officers and 434 civilians.

The number of personnel employed by state police and highway patrols has shown a steady increase between 1968 and 1974, as indicated by the table above.

## TIME EXPENDITURES

The time expenditures of state police agencies indicate their broader responsibilities for general law enforcement while highway patrols' duties are more traffic related. These differences notwithstanding, the traffic enforcement and control responsibilities of state police agencies still require an average of nearly one half of their personnel's manhours. The 1974 *Comparative Data Report* lists state agency time expenditures as shown in the table below.

## COSTS FOR POLICE SERVICES

As previously indicated, the total costs for law enforcement services at the state level cannot be accurately determined until all organizations providing such services can be ascertained, but the state police and highway patrols reported the

## Average Time Expenditure of Total Agency Personnel, in Percentages

	Traffic	Crime	Admin- istration	Special services	Other
Highway patrol .....	67	4	15	7	17
Range .....	39 to 98	.4 to 13	2 to 48	.7 to 16	2 to 37
State police .....	47	16	19	11	15
Range .....	10 to 77	.2 to 37	5 to 37	.5 to 29	7 to 27
Florida Department of Criminal Law Enforcement .....	0	26	5	0	69

following relative to 1974 as shown in the table below.

Departments with a minority group recruitment program nearly doubled between 1972 and 1974. During that period the percent of highway patrols with minority programs rose from 46 to 88, and among state police the percent climbed from 41 to 74. The percentage of minority sworn personnel is rising among state police and highway patrols. The departments report average percentages of minority officers for the years indicated as follows: during 1972, 2.8 percent; in 1974, 3.5 percent; and estimated by 1976, 8.8 percent.

The minimum age at which entrance-level personnel will be accepted as sworn personnel has been lowered by many departments. By 1974, 54 percent of the highway patrols and 43 percent of the state police agencies were accepting troopers at less than 21 years of age.

The controversial subject of height standards has resulted in some significant differences between requirements for applicants in 1972 and 1974. Twenty departments do not now have a set height minimum, whereas only four did not in 1972, although 22 of the highway patrols and state police have retained minimum height standards of either 5'8" or 5'9".

Although 12 agencies—four highway patrols and eight state police—have employed female officers, administrators of the departments are not yet certain whether women can be denied employment as sworn personnel because of their sex. Only three highway patrols and five state police agencies have reported that they assign female troopers to regular road patrol duties. The issue must still be decided in the Legislatures and courts, but it is probable that the laws over the

next few years will be changed to require state law enforcement departments to offer sworn positions to both sexes.

#### TENURE AND PROMOTION

Only three agency heads, all in highway patrols, have tenure. Most hold "exempt" positions, that is they are appointed and can be removed without cause at the pleasure of the appointing authority. Of the 39 state police and highway patrols which have provided information on exempt positions, in 36 percent of the agencies only the chief executive officer holds exempt rank, in 23 percent the top two positions are exempt, and in 15 percent the highest three ranks are exempt. Therefore, in approximately 75 percent of the state departments, the exempt positions do not extend beyond the top three ranks.

Only two highway patrols and two state police agencies utilize evaluation by personnel of equal rank during the promotional procedures for any of their ranks. Only one highway patrol and one state police department include evaluation by subordinates within their promotional processes for any of their ranks.

Only one highway patrol and one state police department utilize a single procedure to select first-line supervisors, and in each case the method chosen is an evaluation by superiors.

#### EMPLOYEE REPRESENTATION

The increases in employee organizations and collective bargaining among highway patrols and state police have continued, as indicated by the following figures:

1. States permitting employee organizations have increased from 41 (1970), to 43 (1972), to 46 (1974).

Annual Average Budget and Selected Expenditures, in Percentages

	Annual average		Average percent of budget for				
	Budget (mil- lions)	Per capita cost	All per- sonnel	Sworn personnel	Trans- portation	Train- ing	Information systems
Highway patrol .....	\$570.4	\$5.31	69.7	54.2	15.3	2.0	4.6
State police .....	\$566.2	\$5.64	69.1	56.8	12.3	2.5	4.6

## Systems for Control and Use of Data Processing Equipment

	Data processing equipment is controlled by		Data processing equipment is acquired by	
	Responding agency	Central data processing unit	Lease	Purchase
Highway patrol .....	8 (30.7%)	9 (34.6%)	17 (65.3%)	7 (26.9%)
State police .....	9 (39.1%)	7 (30.4%)	16 (69.5%)	7 (30.4%)
Department of Criminal Law Enforcement .....	Yes	...	Yes	Yes

2. States permitting labor union affiliation are up from 27 (1970), to 31 (1972), to 35 (1974).

3. Collective bargaining by employee organizations has grown from nine (1970), to 11 (1972), to 13 (1974).

4. States in which employees are members of some type of organization have expanded from 27 (1970), to 33 (1972), to 34 (1974).

Of special concern to administrators of state police and highway patrols is the involvement of their agencies in providing law enforcement services to local jurisdictions when such services are interrupted during strikes and walkouts of the local police. The budgetary drain on the state law enforcement agencies can be critical, and decisions and plans must be made to prepare for the appropriate apportioning of costs for police services provided to local jurisdictions by the State during such crisis situations.

Although federal fair labor standards as they apply to state law enforcement personnel are presently not being enforced as enacted, due to litigation, should their provisions concerning payment of overtime and minimum workweek become operational, the budgets of the state agencies must be significantly increased to compensate for either payment of over-

time or the hiring of additional personnel.

DATA PROCESSING AND  
INFORMATION SYSTEMS

Only three highway patrols and two state police departments do not utilize data processing equipment and procedures. The table above indicates the systems in use for control and acquisition of data processing equipment.

The district stations of the one State Department of Criminal Law Enforcement, 62 percent of the highway patrols, and 74 percent of the state police agencies have terminal connections into their organization's information system. The table below indicates the types of management data which are computerized by the agencies.

In recent years there has been considerable growth of and agitation for legislative and judicial restrictions on the collection and dissemination, of criminal history information.<sup>2</sup> Law enforcement

<sup>2</sup>"Criminal history information" includes: records of an individual's formal transactions with the criminal justice system and data concerning his identification; and intelligence and investigative information collected through investigations aimed at determining possible criminal activity or a potential for such involvement.

## Computerized Management Data

	Per- sonnel records	Man- power deploy- ment	Obl- igated, un- obligated time	Fleet accident main- tenance	Inven- tory	Bud- get	Pro- gram evaluation
Highway patrol .....	16 (61.5%)	7 (26.9%)	5 (19.2%)	11 (42.3%)	17 (65.3%)	13 (50%)	10 (38.4%)
State police .....	10 (43.4%)	8 (34.7%)	3 (13%)	11 (47.8%)	7 (30.4%)	4 (17.3%)	3 (13%)
Department of Criminal Law Enforcement ..	Yes	...	...	...	Yes	Yes	Yes



administrators, especially those at the state level in jurisdictions in which state police and highway patrols are charged with intelligence-gathering responsibilities, are concerned with the possibility that overreaction to the security and privacy issues may seriously limit the ability of the police to apprehend and deter professional criminals and detect criminal conspiracies. The validity of this concern about overreaction was borne out when one jurisdiction's legislation was so comprehensive that the police were even prohibited from informing family members of an arrested person that he was incarcerated.<sup>3</sup> Issues which must be resolved include the regulation of information dissemination; the right of individuals to inspect and challenge records through administrative and judicial review; the purging and sealing of records and information; the existence, composition, and authority of privacy and security councils to oversee criminal justice information; and the civil or criminal sanctions appropriate for violation of security and privacy regulations.

#### MANPOWER TO ENFORCE THE 55 MPH SPEED LIMIT

The federally mandated 55 mph speed limit to conserve energy and the attendant reporting requirements by the States to the federal government have initiated actions to gain federal funding for the support of such efforts. The traditional assignment of police resources in proportion to the traffic accident experience on various highways is at variance with the enforcement of the 55 mph speed limit. Highways on which speeds significantly in excess of the federal limit can be expected are those limited access facilities with low accident and severity experience not requiring heavy manpower assignment for collision reduction.

States can be expected to divert more resources to low-accident but high-speed highways, utilize equipment such as automatic violation recording devices for

speed enforcement,<sup>4</sup> and/or change the allocation of taxes on motor vehicle fuel from construction to law enforcement efforts to enforce the 55 mph limit.

#### ASSISTANCE TO LOCAL AGENCIES

Although the state enforcement agencies have been providing various services to local law enforcement departments for many years, such services can be expected to increase. Because most local police agencies have few personnel, the possibility of having among them persons of advanced technical skills is accordingly reduced. Therefore, state law enforcement organizations are looked to for providing training, research, technical expertise, and coordination of law enforcement efforts.<sup>5</sup> For example, alcohol has been suspected as being heavily involved in the commission of many types of crimes, but the data base of a local agency which might wish to explore such involvement often would be too limited to produce a statistically valid study. It is then necessary for the state police or highway patrol of the jurisdiction to conduct or at least coordinate such research efforts.

#### THE FUTURE

Some of the factors already discernible as affecting state police and highway patrols, and which can be expected to continue or accelerate, are:

- Consolidation into departments of public safety or integration of efforts.
- Assistance to and coordination among local law enforcement agencies.
- Minority recruitment, including females, as sworn personnel.
- Legislative and administrative restrictions on information acquired for or disseminated from law enforcement records systems.
- Federal funding to support the additional state police and highway patrol expenditures aimed at enforcement of the 55 mph federally mandated speed limit.

<sup>3</sup>The problem was corrected immediately after the statute became effective. The Governor called the Legislature back into special session to change the statute, and it was modified appropriately.

<sup>4</sup>For example, radar or sensor-connected instruments which photograph speeding drivers and their vehicles without requiring the immediate presence of or contact by an enforcement officer.

<sup>5</sup>An excellent coordination effort is that of the California Highway Patrol in the field of auto theft.

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## CONSUMER PROTECTION

BY BETTY BAY\*

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STATE, COUNTY, AND CITY governments substantially increased their consumer protection activities in 1974-75, continuing and intensifying a trend which began approximately a decade ago. As a result, state and local governments have established themselves in the mid-1970s as innovative, vital, and growing forces in consumer protection. Even with a decrease in the next few years in the number of new laws enacted and programs instituted—a decrease that is likely since actions now being taken are laying the basic protection framework—commitments already made should enable state and local governments to continue as a strong consumer protection force in the future. While state and local governments are still debating parameters and implementation procedures, they clearly have acknowledged their responsibility to consumers and have bid for a major role in consumer protection in the federal system.

Most visible evidences of state and local governments' growing commitment in 1974 and 1975 were:

- Enactment, in a record number of jurisdictions, of laws, rules, and regulations with the force of law, plus the initiation or expansion of consumer programs.

- Establishment, by law or administrative directive, of additional consumer offices, or consumer divisions within existing offices.

- Creation of more standing legislative committees on consumer affairs.

There were some perceptible shifts in emphasis in 1974-75. This was a reflection of several factors, including the existence of previously enacted consumer legislation, emergence of new problems affecting consumers, shifts in pressure points, and the development of a general

protection philosophy. Variations in the pace of action among States, counties, and cities were not surprising.

It must be noted, however, that in a number of States and local jurisdictions proposals and programs important to consumers were killed outright, politically juggled, or restricted by inadequate budget appropriations or enforcement powers. In a number of cases key consumer-impact issues have not yet been brought forth for consideration. Nevertheless, the overwhelming direction in state and local governments is toward consumer consideration.

### EMERGING TRENDS

Among trends emerging and intensifying in 1974-75, and expected to continue, are the following (summarized here and later amplified):

#### *Broadening and Shifting of Issues Addressed*

- Broadening of the scope of questions considered as specifically "consumer issues."

- Increased focus and action on existing laws or policies which permit fixed prices, foster increased prices, restrict price advertising, impose barriers to competition, or limit consumer choices.

- Attention to and strengthening of state antitrust laws, and their enforcement.

- Increased recognition of the impact on consumers of other legislation, as well as increased awareness of the importance of administrative policies.

- Broadened definition of "consumer rights," including stronger requirements for disclosure of information to consumers.

#### *Increased Consumer Representation*

- Creation of consumer offices, ombudsmen, consumer advocates, and the addition or assumption of consumer advocacy

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functions within existing offices to provide representation of consumer interests before state government regulatory and administrative offices.

—Addition of consumer members to policy-making and regulatory boards whose actions impact on consumers, including licensing boards.

*Greater Emphasis on Consumer Redress and Restitution*

—Heightened efforts by consumer offices to secure individual restitution.

—Laws and courts increasingly providing for restitution.

—Arbitration mechanisms established and a flurry of activity to increase effectiveness of small claims courts.

*More Forces Involved in Consumer Affairs and Growing Communication Links*

—Courts becoming more important as a force in consumer protection.

—Marked increase in county prosecutors' involvement in consumer fraud enforcement actions, including the cooperative development of a national priority focus and technique communication system.

—Increased attention to consumer issues by national organizations of state and local government officials.

—First National Conference of State and Local Government Consumer Office Administrators and continuing follow-up activity toward formation of a permanent organization of state and local consumer officials.

—Creation of several statewide and regional communication linkages among consumer offices.

—Increased communication among federal, state, and local government officials involved in consumer affairs.

A 50-state review clearly suggests a developing philosophy that consumerism is a legitimate area of state and local government concern.

State and local consumer protection action parallels fairly closely the list of the Top 20 Consumer Complaint Categories for 1974. As reported by state, county, and city consumer offices to the State and Local Programs Division, Office of Con-

sumer Affairs, U.S. Department of Health, Education, and Welfare (HEW), the 1974 complaint ranking, in descending order, was: 1, automobiles; 2, home repairs; 3, credit; 4, mobile homes; 5, mail orders; 6, housing and real estate; 7, furniture; 8, miscellaneous; 9, TV and radio; 10, appliances; 11, business practices; 12, retail; 13, utilities; 14, insurance; 15, defective products; 16, landlord-tenant; 17, food and drugs; 18, services; 19, land sales; and 20, medical.

ANTITRUST LAWS

Since an unfair and deceptive trade practice law is widely held as providing the backbone of consumer protection, it is significant that by late 1975 a total of 48 States had enacted some form of an unfair and deceptive trade practice act. Three States (Mississippi, Nebraska, and West Virginia) enacted such laws in some form in 1974, and Georgia in 1975 enacted a Fair Business Practices Act. This leaves only Alabama and Tennessee without such a statute. Additionally, a number of States strengthened their laws by expanding the enforcement authority of the Attorney General or other enforcement officials and broadened the language to cover a wider spectrum of trade practices.

A significant trend in 1974-75, and one expected to intensify, was increased state attention to effective antitrust laws and their enforcement, indicating an increased awareness of the economic cost of price fixing. Four States (Arizona, Missouri, Nebraska, and Virginia) reported enactment of antitrust laws in 1974. Three other States (Alaska, Nevada, and Oregon) codified antitrust laws in 1975. This leaves eight jurisdictions (Delaware, Kentucky, Pennsylvania, Rhode Island, Vermont, West Virginia, American Samoa, and Guam) generally considered to have either no antitrust laws, limited laws, or provisions which do not meet the generally recognized definition of antitrust laws. Antitrust action may be brought under common law power in some States without specific statutory authority.

Several States have created a revolving fund, consisting of a percentage of all re-

coveries obtained in antitrust actions. The funds are used to provide a reasonable means of financing the State's high cost for investigation and prosecution. At least eight States reported creation of such funds (Arizona, Maryland, Missouri, New Jersey, Ohio, Oklahoma, Oregon, and Washington). A 1974 Delaware law authorized the State Attorney General to sue in state or federal court as *parens patriae*, also likely to be an emerging trend. The Antitrust Committee of the National Association of Attorneys General supports such authority. Special attention by the States also is likely to be given to increasing penalties for antitrust violation and providing recovery of treble damages in civil actions in an effort to increase the deterrent effect of antitrust laws.

#### UTILITY PRICING

Rapidly rising prices in 1974 brought attention not only to business and utility advertising and pricing practices but also to the economic effect on consumers of many state and local laws and policies. There was growing activity toward review and repeal of state laws and regulations which permit fixed prices, foster increased prices, restrict price advertising, impose barriers to competition, or limit consumer choices. These competitive restrictions include fair trade laws, licensing laws restricting entry and limiting competition, prohibitions against advertising prescription drug prices, prohibitions against substituting generically equivalent drugs for higher-priced brand-name drugs, funeral/burial laws and practices, restrictions against advertising eyeglass prices, state milk regulatory policies, and others.

With zooming utility rates spurring consumer protests, dominant issues in the States in 1974-75 became rate structures and design, energy conservation, utility operations and service practices, and the provision for public hearings as well as increased consumer representation before state public service commissions. They can be expected to remain areas of heavy action. Some trends emerging are initiation of legislative and public utility commission studies of alternatives for tra-

ditional decreasing block price rate design; the freezing of utility rates; changes in the rate design in favor of flat rates, peak-load pricing, and day and night rates for large industrial users; the review of factors in rate base determination, including treatment of utility advertising and other operational policies affecting rates; "bills of rights" for consumers concerning utility service practices; and creation of offices of consumer advocates as well as increased intervention by Attorneys General as consumer advocates before state utility and other regulatory agencies, including insurance departments.

Action to repeal fair trade laws was on the upswing in 1975. Fifteen States repealed their laws (Arkansas, California, Colorado, Connecticut, Florida, Iowa, New Hampshire, New Jersey, New Mexico, New York, North Carolina, Ohio, Oregon, Tennessee, and Washington). The Federal Consumer Goods Pricing Act of 1975 repealed the federal antitrust amendments supportive of fair trade laws.

#### DRUG PRICING

State pharmacy board regulations prohibiting prescription drug price advertising were partially or completely overturned by court action in five States in 1974 (Alabama, Kansas, North Carolina, Virginia, and Wisconsin). In 1975, a U.S. District Court in California ruled that state laws prohibiting prescription drug price advertising are unconstitutional. The court held that such advertising cannot be classified as "promotional" or "commercial" advertising seeking to create a demand for a product, but that it is important information sought by consumers and as such enjoys full freedom of speech rights (*Terry v. California State Board of Pharmacy*).

Laws in Michigan and the Virgin Islands in 1974 required the posting of prices of the 100 most frequently prescribed drugs. In Vermont, the court upheld a state law requiring the posting of drug prices.

Similarly, momentum to permit generic substitution for a brand name prescription drug is building. Florida and Michigan in 1974 and California and

Oregon in 1975 enacted laws permitting the pharmacist to substitute generic for brand name prescription drugs unless the prescribing physician has prohibited such action. Four States (Connecticut, Kentucky, Massachusetts, and New Hampshire) have enacted laws providing that multisource drugs listed in a state formulary may be substituted unless otherwise directed by the prescribing physician.

#### LICENSING

State Legislatures continued in 1974-75 to devote considerable attention to licensing professions and occupations. Growing forces called for major review of licensing's actual impact on the economy and on consumers, licensing's effect on prices, and licensing's possible impact on competition by unduly restricting free entry into a profession or occupation. There were a growing number of questions concerning domination of regulatory boards by representatives of the very professions those boards control.

New directions are indicated by laws enacted in a few States in 1974-75 and being proposed in others: initiating or strengthening consumer representation on licensing boards; increasing a board's responsibility and power to involve itself in consumer complaint mediation and resolution; providing for consumer restitution through several mechanisms such as surety bonds, escrow accounts, recovery funds, and licensing board determination; specifying unfair and deceptive practices and misleading advertising as grounds for license suspension and revocation; and requiring additional disclosure of information to consumers.

#### MALPRACTICE CRISIS

The medical malpractice insurance crisis burst into the state legislative spotlight in 1975. Almost all States had enacted laws by the fall of 1975 in efforts to cool the crisis. Idaho's law limiting collectible damages to \$150,000 and \$300,000 was ruled unconstitutional in district court, but the decision was appealed to the State's Supreme Court. The thrust of most laws was toward the establishment of mechanisms to guarantee the availability of malpractice insurance. Some

States established review boards for malpractice claims, such as Nevada, New York, and Tennessee; others, such as California, Illinois, and Idaho, limited the amount of damages which can be recovered.

The imminent widespread use of Universal Product Coding saw a parallel rise during 1975 in hearings, proposals for legislation, and enactment of some laws to make individual item pricing mandatory. By late summer at least four States had enacted such laws (California, Connecticut, Massachusetts, and Rhode Island).

The persistence of auto repair complaints at the top of the list of consumer complaints prompted legislative action in a steadily growing number of States as well as counties and cities in 1974-75 (Hawaii, Maryland, Michigan, New York, Rhode Island, Wisconsin, District of Columbia, Montgomery and Prince Georges County, Maryland, and Dallas, Texas). The general pattern was to license or register auto repair shops and to require more information disclosure for consumers.

#### NO-FAULT INSURANCE

The trend toward state enactment of some form of state no-fault insurance slowed in 1974-75 with four States enacting such laws (Georgia, Kentucky, Pennsylvania, and South Carolina) and one (Minnesota) strengthening its version. In 1975 only North Dakota enacted an auto no-fault law. Court tests of automobile no-fault insurance laws in Connecticut, Kentucky, Massachusetts, New York, and Pennsylvania during 1975 upheld the constitutionality of the laws. A total of 24 States and Puerto Rico now have some automobile insurance reform law.

In Massachusetts, with the Nation's only no-fault property damage insurance, a 1975 law set a standard deductible of \$200 for collision and comprehensive insurance in an effort to reduce the number of small claims.

The States continued their pace in outlawing or regulating multilevel/pyramid distribution programs. Six States acted in 1974 (Louisiana, Michigan, Missouri, Nebraska, Ohio, and Vermont) and five

more by the fall of 1975 (Arizona, Mississippi, New Hampshire, and Pennsylvania outlawed; South Dakota regulated). This brought the jurisdictions which have prohibited or regulated pyramid distribution programs to 42 plus Puerto Rico.

#### CONSUMER OFFICES GROW

Consumer education programs increased. By late 1975 at least seven States had, to some degree, made consumer education mandatory in public schools (Florida, Hawaii, Illinois, Kentucky, Oregon, Rhode Island, and Wisconsin). Several other jurisdictions took steps in 1974-75 to offer voluntary consumer education courses.

The steady increase in the number of consumer offices and specific consumer advocacy offices in state, county, and city governments continued through 1974-75. Zooming from 16 offices in 1969 to 347 offices reported to the State and Local Programs Division of the Office of Consumer Affairs of HEW in 1975, this activity by state and local governments to assist consumers is one of the most significant developments in consumer affairs over the last decade. The wave of new state consumer offices came first, and has now peaked. The current action surge is at the county level.

At the state level, a total of 128 consumer offices are reported, with a number of States having several offices each. A total of 13 state-level offices was added in 1974, and four more in the first nine months of 1975.

A total of 137 counties in 29 States reported the existence of at least one consumer office by September 1975; actual total was 154 since some counties have more than one consumer office. Counties establishing consumer offices are widespread geographically, and of widely varying population. California leads with 30 of its counties reporting at least one consumer office, while Florida, Michigan, and New York reported 11 counties with offices and New Jersey 10. In 91 of the 137 counties, the consumer offices were established by the prosecutor as a special division within that office. The second major trend has been for the County Department of Weights and Measures to in-

corporate a consumer office into that department.

A total of 65 cities reported consumer offices by late 1975. Of these, New York State led with 11 cities and towns having consumer offices, followed by Ohio with eight, California and Massachusetts with five each, and Pennsylvania, Texas, and Virginia with four each.

A trend in the 1974-75 period has been the creation of an office of public counsel or consumer advocate to represent consumers, primarily before state utility commissions but in many cases before other state, local, and federal regulatory agencies as well. Of all new consumer offices reported in 1974-75, consumer advocate offices represented six in 1974 (Florida, Missouri, Montana, New Jersey, District of Columbia, and Guam), and four in 1975 (Connecticut, Georgia, Vermont, and one at the county level in Dade County, Florida). Other States with such offices are Indiana, New York, and Rhode Island.

One aspect of expanded consumer protection action is the increased use of ombudsmen. In 1975 Alaska established an independent ombudsman's office to seek resolution of citizen complaints against government agencies. Hawaii, Iowa, and Nebraska established ombudsmen previously. Several other States have offices with ombudsman functions, but have not made them independent of existing executive officials or agencies. Lieutenant Governors have such functions in Missouri and New Mexico, as do the Governors' offices in Illinois, Kentucky, Massachusetts, Montana, North Carolina, Oregon, South Carolina, and Virginia. Specialized units also have been set up. Ohio has separate ombudsmen for environment, business, insurance, consumer protection, and local government; Utah has one for blacks and one for the Spanish speaking. New Jersey created in 1974 the Department of Public Advocate, with special divisions for rates, mental health, public interest, and citizen's complaints and dispute settlement.

A trend toward establishment of specific consumer standing committees within Legislatures also has begun to emerge since the late 1960s.

The increase in the number of consumer offices has been followed by efforts to increase communication and cooperation. A landmark in the improvement of communication and governmental leadership in consumer affairs was the first National Conference for State and Local Government Consumer Office Administrators held in 1974 at the initiation of Mrs. Virginia H. Knauer, Special Assistant to the President for Consumer Affairs and Director of the Office of Consumer Affairs of HEW. She encouraged the creation of a national association of such officials to expand communication and to represent consumers' interests. A steering committee was elected to develop organizational plans.

Other growing communication links included expanded activities in consumer affairs by the Regional Conferences of the Council of State Governments, the National Association of Attorneys General, the National Conference of State Legislatures, and the National District Attorneys Association. Meanwhile, consumer offices within specific States are beginning to formally organize into state- and area-wide committees for information exchange.

State and local governmental action in consumer affairs is too broad for complete coverage in this chapter, but the developments cited are indicative of the responsiveness and commitment to consumers by state and local governments.

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 complaints	Investigates complaints	Accepts assurances of discontinuance	Executes investigative demand	Holds hearings	Has power of subpoena	Issues cease and desist orders	Seeks to obtain restraining orders; temporary or permanent injunctions	Seeks court orders for restitution	Prosecutes cases	Renews 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
Arizona...	B	...	...	B	B	B	...	B	...	...	B	B	B	...	...	B	B
Arkansas...	B	...	C	B	B,C	C	B	C	C	B,C	B,C	B,C	B,C	B,C	...	C	B,C
California...	B	D	C	D,C	B,C,D	D	D	D	D,C	D,B,C	D,B,C	B	B,C	D	D	D,B	D
Colorado...	B	B	B	B	B	B	...	B	B	B	B	B	B	...	...	...	B
Conn. ....	D	D	D	D	D	D	...	D	D	D	D	D	...	D	D	...	D
Delaware...	B	B,M	...	B,M	B,M	B	B	M	M	B,M	B	B	B	...	M	M	M
Florida...	B	B,G	...	B,G	B,G	...	...	B	B	B	B	B	...	...	B	...	G
Georgia...	A	A,B	...	A	A	...	...	...	...	...	...	...	B	...	...	...	A
Hawaii...	A	A	...	...	A	...	...	A	A	...	A	...	...	...	A	...	...
Idaho...	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	C	B,C	A	A,B
Indiana...	B	B	K	B,K	B	K	K	K	K	B,K	B,K	B	B	K	K	...	B,K
Iowa...	B	B	...	B	B	...	...	B	B	B	B	B	B	...	B	...	B
Kansas...	B,C	C	C	B,C	B,C	C	C	B,C	B,C	B	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
Louisiana...	A,B	A	E	...	A,B	...	...	A	A	B	B	B	B	...	A	...	A,E
Maine...	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,D	B,D	B
Michigan...	B	B,D	...	D	B,D	...	...	...	...	...	B	B	B	...	D	D	D
Minnesota...	B,F	B,F	...	F	B,F	...	...	F	...	B	B,F	F	B,F	F	F	D	...
Mississippi...	B	B	F	...	B	...	...	...	...	...	B	B	B	...	...	...	...
Missouri...	B	B,F	F	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	...	...	...	...
Nevada...	B,F	B,F	...	B,F	B,F	B,F	B,F	B,F	B,F	B	B,F	B,F	B	...	B	B,F	B
N. Hamp...	B	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	...	...	...	B	...	B	...	B	...	B	...	...
New York...	B	A,B	...	A,B	A,B	...	...	A	B	...	B	B	B	...	...	A	A,B
N. Carolina...	B	B	E	B,E	B,E	B,E	...	E	B,E	B,E	B,E	B	B	E	E	B,E	B,E
N. Dakota...	B	B,O	...	B,O	B,O	...	...	B	B	B	B	B	B	B	B,O	O	O
Ohio...	B,F	B,F	...	...	F	...	...	F	B,F	...	B	B	B	...	F	...	F
Oklahoma...	B	B	...	...	B	...	...	B	B	B	B	B	B	...	B	...	...
Oregon...	B	F	E,F	F	B,F	B,E	B	B	B	B	B,E	B	B,E	E	B,E	E,F	E,F
Penn. ....	B,C	B	C,E	B	B,C	B,C	B,C	B,C	B,C	B	B,C	C	C	...	C	...	B,E
Rhode Is...	B	B,D	...	B,D	B,D	B	B	D	B	B	B,D	B	B	...	D	D	D
S. Carolina...	B	...	...	...	...	...	...	...	...	...	...	...	...	...	B	...	...
S. Dakota...	F	F	...	F	F	F	F	F	F	F	...	...	...	F	F	F	F
Tennessee...	...	B,E	B	...	...	...	...	...	...	...	...	...	...	...	...	E	E
Texas...	B	B,E	D	B,D,E	B,E	B,D	B	...	B,D	B,D	B	B	B	...	...	...	F
Utah...	B,F	B,F	K	F,K	B,F	F,K	F	F,K	F,K	B	B,F,K	B,F	B,F	K	B,F	F	F
Vermont...	B	B,P	P	B,P	B	B,P	B,P	B	B,P	B,P	B,P	B,P	B,P	P	B,P	P	P
Virginia...	B,L	B,L	C	C,L	L	C	C	C	...	B,C	B,C	B	B	C	C	B	L
Wash. ....	B	B,E	...	E	B,E	B	B	E	B	B	B	B	B	...	E	E	E
W. Va. ....	B	B,N	N,E	...	B,E	B	B	B,E	B,N	B,E	B	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	B	A,E	B,E	B	B,E	B,E	B,E	...	E	A,B	B,E
Wyoming...	B	...	...	...	B	...	...	...	...	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

\*Source: U.S. Office of Consumer Affairs, U.S. Department of Health, Education, and Welfare, *State Consumer Action: Summary '74*. Updated to January 1976 with information provided by U.S. Office of Consumer Affairs.

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



# STATE LAWS ON MAJOR CONSUMER ISSUES\* (As of 1974)

State or other jurisdiction	Auto repair dealer registration/licensing	Consumer education compulsory	Holder-in-due- course	Home solicitation sales: cooling off period	Landlord-tenant: rights/responsibilities set	Landlord-tenant: rent escrow deposits	Mobile home construction standards	Multilevel sales regulated	Open dating foods required	Private remedies provided	Private remedies: class actions	Private remedies: attorneys' fees	Private remedies: treble damages	Prescription drug advertising permitted	Private business or trade schools regulated	Small claims courts	TV-radio repair dealer registration/ licensing	Unit pricing required	Unfair deceptive trade practice law
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			*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*

\*Source: U.S. Office of Consumer Affairs, Department of Health, Education, and Welfare, *State Consumer Action: Summary '74*.

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# DEVELOPMENTS IN PUBLIC UTILITY REGULATION

BY JOHN C. SPYCHALSKI\*

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**D**URING the early 1970s, the role of commission regulation in state government had been thrust from comparative obscurity to prominence by new and resurgent themes—energy conservation, environmental protection, and consumerism—and by dramatic economic and technological changes in various segments of public utilities and transport. These phenomena have stimulated significant changes in various aspects of state regulation such as (1) efforts to strengthen the capabilities of state commissions, and (2) legislative and commission alternatives to past utility rate designs. Description of such changes, together with other recent developments and conditions affecting state regulatory agencies, comprise this chapter.

## OVERVIEW

The broad range of regulatory functions entrusted to state public utility commissions is partially revealed by Table 1 which appears at the end of this chapter. Additional insight into the magnitude of state regulatory responsibility is provided by noting that approximately 1,962 telephone companies, 377 investor-owned electric companies, 482 electric cooperatives, 296 municipal and other publicly owned electric systems, 829 investor-owned gas utilities, and 305 publicly owned gas systems lie within the jurisdictions of 53 state and territorial commissions. Also subject to state regulation is a significant portion of the more than 19,000 publicly owned water systems; approximately 5,500 investor-owned water systems; approximately 340 railway companies; tens of thousands of motor freight carriers (the California Commission alone holds jurisdiction over at least as

pects of more than 14,000 trucking firms); various intercity motor bus firms; urban transit entities; cable television systems; and other miscellaneous types of transport and public utility properties. Still another measure of the scope of state regulatory activity is provided by a look at the relatively large number of distinct types of activities within the jurisdiction of state commissions—e.g., rate regulation, prescription of utilities' accounting procedures, auditing of accounts, control of financing practices, control of the initiation and abandonment of services, safety regulation, and control of service adequacy.

## BACKDROP TO COMMISSION REGULATION

State commissions with mandatory regulatory powers over railways were first established in the Midwest during the 1870s. Commission regulation of electric, gas, water, telecommunications, 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 railways began in 1887 with establishment of the Interstate Commerce Commission. Federal commission regulation of interstate utilities other than railways and pipelines achieved relatively full development during the 1930s.

In recent years, the federal commissions, by comparison with state commissions, have 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. Other changes in regulatory trends, stimulated in part by recent experience with steep inflation, have also emerged. Emphasis has been shifting from rate base valuation and the determination of allowable rates of return thereon to the use of ratemaking stan-

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dards which focus on the cost of capital 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.

The Federal Communications Commission has furnished an example of the first alternative in its treatment of interstate telephone rates and services with a policy which has encouraged 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 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 the 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.

#### ELECTRICITY RATEMAKING

Sharp departures from traditional practice have distinguished recent case decisions and participants' submissions in electric rate proceedings before state commissions. Especially during 1975, regulatory and general public attention focused on four relatively new areas affecting electric utility rates: (1) peak load pricing, (2) so-called lifeline rates, (3) fuel adjustment clauses, and (4) managerial efficiency studies by a number of state regulatory commissions to determine whether utility management practices have contributed to the problem of rising costs.

#### *Peak Load Pricing*

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 also results in the achievement of lower unit costs when electricity supply takes place under conditions of declining short-run or long-run average cost, or both. This practice has drawn criticism from economists for several reasons, one being the tendency to ignore peak load costs. 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 period service at rates below the additional costs incurred in fulfilling peak load demand.

Although this criticism emerged in economists' writings more than two decades ago, it failed to excite interest among either regulators or utility executives. 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. Additional pressure for rate restructuring came at approximately the same time from consumer advocates (who recognized that total opposition to further rate increases was infeasible in the current inflationary period, but that the restructuring of rates might provide a means for minimizing the impact on low-income consumers), and from public officials who view utility rate "reform" as an essential element in reducing the Nation's dependence upon imported fuels.

The most noteworthy of several decisions along this line occurred on August 8, 1974, when the Wisconsin Public Service Commission, in a rate case (10 PUR4th 187) involving the Madison Gas and Elec-

tric Company, proposed a variety of significant changes in electricity pricing which conformed in varying degrees with those advocated by the aforementioned groups. Several highlights of this decision deserve mention.

1. Long-run incremental cost (LRIC) was accepted as the "appropriate" criterion for establishing electric rates consistent with the achievement of efficient resource allocation.

2. The implementation of LRIC pricing would require price differentiation for peak and non-peak sales. Hence, the commission ordered that full peak load pricing, including differentials between daytime and nighttime usage, be instituted promptly for the company's large industrial and commercial customers. Difficulties involving time-of-day metering caused the commission to require winter-summer rate differentials for low-volume commercial and residential customers. However, the commission acknowledged that seasonal differentiation is not a fully satisfactory device for achieving peak load pricing objectives because it does not reward ratepayers for improving a utility's load factor by shifting electricity usage to off-peak hours. The commission thus directed large investor-owned utilities in Wisconsin to initiate a search for feasible methods of applying time-of-day metering to smaller-volume customers.

In Florida, the state public service commission has approved an experimental peak load electric rate schedule submitted by the Florida Power Corporation. The project will run from November 1975 through December 1976. The experiment will involve 250 residential customers to be selected by a computerized random sampling. In the summer, peak usage hours for this group have been set from 1:00 P.M. until 9:00 P.M. The daily winter peak use periods will be from 7:00 A.M. through 11:00 A.M. and from 5:00 P.M. until 9:00 P.M.

Along the same line of time-oriented pricing was an action by the Vermont Public Service Board in which Central Vermont Public Service Corporation was ordered to introduce an optional time-of-day rate differential for residential customers. Under the differential, electricity

used during morning and evening peak periods costs more than five times that used during off-peak periods. This action was undertaken in an attempt to reduce sharp morning and evening peaks which had confronted the corporation during winter months.

In the allied direction of antipromotional pricing was a 1974 case decision involving the Detroit Edison Company. The Michigan Public Service Commission stated that promotional decreasing block-type rates had been rendered inappropriate by changes in electric utilities' cost conditions which, in the commission's view, caused average cost per kilowatt-hour to increase rather than decrease with rises in total kilowatt-hour production levels. Consequently, the commission approved the imposition of a flat rate schedule for residential customers and also increased residential space heating rates on the grounds that such changes would contribute both to conservation and a more appropriate matching of costs and rates by reducing low-use customers' payments and raising high-use buyers' charges. Rate structure changes directed at least partially toward energy conservation, aid to low-income customers, or recognition of changes in relationships between unit cost behavior patterns and changes in electric service volume levels (and utility plant size requirements) had also been ordered or suggested during 1974-75 by several other state commissions, including those in Missouri, North Carolina, and Ohio. The New York Public Service Commission announced in February 1975 that it was initiating a proceeding to identify new approaches to electric rate design which "may provide a fruitful basis" for conserving energy, achieving more efficient resource allocation to and within the electric utility industry, and holding down electric service costs to utilities' customers.

#### *Fuel Adjustment Clauses*

The relatively high rates of inflation presently being experienced within the American economy have impacted heavily upon three market areas—plant and equipment, financial capital, and fuel—in which utilities purchase most of their

inputs. As a result, the state commissions have been confronted by a veritable 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 which inhere in public utility ratemaking. A number of methods have been suggested for meeting this critical two-pronged 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 interest 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. Thus, pleas have arisen for the initiation of adequate audits of utilities' fuel costs by state commissions, and for the revision of fuel adjustment clauses in ways that would prevent the inclusion of unwarranted cost elements. Efforts to eliminate the clauses altogether have been launched in several States.

Methods for minimizing so-called regulatory lag and reducing the procedural costs of adjusting regulated rates in response to all principal categories of cost incurred by a utility firm have been sought and, in some instances, subjected to limited application at various junctures

in the history of public utility regulation.

The most dramatic of recent state regulatory decisions in this subject 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 percent 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. No rate adjustments are to be made (except for fuel and purchased power cost adjustments provided for by other clauses remaining in effect from previous commission orders) when the company's return on equity falls within the prescribed range during the immediately preceding quarter.

The veracity of the company's accounting reports obviously plays a crucial role in this approach to ratemaking (as well as in virtually all aspects of, and alternative techniques applicable to, economic regulation). Hence, the decision specifies that the reports are to be verified by certified public accountants selected by, and responsible to, the New Mexico commission.

The commission supported its acceptance of the company's quarterly rate adjustment method by stating (among other reasons) that it represented 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. Traditional rate proceedings were recognized as open to greater degrees of error in the matching of rate levels with costs. If a commission miscalculates in such proceedings by approving rates which ultimately prove to be higher than necessary vis-a-vis the company's costs, correction can be accomplished only by another time-consuming and costly general rate proceeding, and excess earnings generated during the interim are not subject to refund. The new quarterly adjustment method also lacks a refund provision, but it limits the magnitude of excessive profits obtainable through overcharging by providing for much more timely correction of rate levels on the basis of current or very recent cost levels.

#### *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, through the Federal Energy Administration and U.S. Office of Consumer Affairs, 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, 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.

The California commission was the only state regulatory agency which actually adopted a lifeline rate structure in 1975. The new policy was implemented as part of a rate increase authorized for the Pacific Gas and Electric Company. Governor Edmund G. Brown, Jr., subsequently signed legislation to extend lifeline gas and electric service to all California consumers. The Miller-Warren Energy Lifeline 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."

#### *Studies of Regulatory Management Efficiency*

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 during the past year. In New York the state commission analyzed a 348-page report of a six-month study of the Nation's largest utility concern, Consolidated Edison Company of New York, Inc. An outside consultant firm reported that the utility might be able to improve earnings by as much as \$40 million a year over the next few years through a mix of cost reduction and efficiency improvements.

In Ohio, the state commission proposed a bill to permit it to investigate utility management, policy, organization, etc. In Missouri, the Kansas City Public Service Company was ordered to hire a consulting firm to audit its affairs.

The National Association of Regulatory Utility Commissioners (NARUC), in October 1975, released a new study that attempted to compare the performance and efficiency of most U.S. investor-owned electric utilities. In doing so, however, the NARUC Executive Committee, undoubtedly anticipating the storm of controversy that would ensue, clearly stated that it neither endorsed nor rejected the report's findings. The report, "The Measurement of Electric Utility Efficiency," examined 213 utilities representing about 98 percent of all electric

power producers in the country. Using data from the Federal Power Commission and annual reports of electric utilities for the years 1966 and 1971-73, the study evaluated the utilities on 14 "characteristic" variables which were assumed to be beyond managerial control and eight "performance" variables which the study assumed management could control to "a degree." The eight categories were: capacity utilization; heat rate; production expense per kilowatt-hour generated; net utility plant investment per kilowatt-hour sold; total operating expenses per kilowatt-hour sold; total operating expenses per kilowatt-hour sold, excluding taxes; total operating expenses per kilowatt-hour sold, excluding taxes, fuel, and purchased power costs; and annual kilowatt-hour sales per employee.

#### NATURAL GAS

Quantitatively, most of the regulatory action in 1975 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 the Federal Power Commission level, to "deregulate" natural 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 the beginning of 1976, Congress had not approved the "deregulation" approach, although increasing activity along that line was expected. Federal Power Commission activity to deregulate natural gas production rates has so far been frustrated in the federal appellate courts.

Consumer interests have been mainly responsible for resistance to deregulation in the natural gas field on the assumption that such withdrawal of controls would lead to widespread rate increases. The counter argument is that such 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 will obviously not create more gas although they might be

an incentive to greater discovery effort if a much greater supply does in fact exist.

#### TELECOMMUNICATIONS

In the telephone service field, a measure of increased reliance in competition has been urged on behalf of the consumer by means of the relaxation of constraints applicable to terminal equipment and to the certification of newly formed 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. The Federal Communications Commission has taken the view that such innovations would benefit the subscribers. The state commissions to a large extent have taken the view that such resulting lower operating costs would chiefly benefit long distance and business subscribers at the expense of and disadvantage to residential home service. Still pending in the federal courts is a suit by the Justice Department under the antitrust laws to divorce the Bell system from its manufacturing subsidiary, Western Electric Company.

Attempts to apply comprehensive automatic adjustment clauses to telephone ratemaking have drawn a positive and a negative response in two recent cases.

In December 1973, the New Jersey Board of Public Utility Commissioners approved an automatic adjustment clause for all telephone utilities under its jurisdiction, which permitted the companies to increase rates by a maximum of 2.5 percent (if justified by cost conditions) in January 1974 and in the first month of several subsequent years. The adjustment clause, evidently the first in the Nation to be approved for a telephone utility, was intended to achieve objectives largely identical with those sought through actions involving electric rates; namely, to reduce time consumed in rate case proceedings and to provide for more timely adjustments of rates in response to cost changes in both upward and downward directions. The commission stated that the clause would provide telephone companies subject to the decision with incentive to minimize costs because of the types of proof which they would be required to



submit in their pursuit of authorized increases. It is pertinent to note some of the contrasts between the New Jersey decision and the previously discussed New Mexico electric rate adjustment clause—e.g., quarterly versus yearly intervals between rate adjustments, and the use of a specified range for rate of return on common equity capital versus a specified maximum percentage increase in rates.

In a more recent action, the Illinois Bell Telephone Company sought to bring into use an automatic revenue adjustment clause that would permit decreases and increases in rates to be placed in effect 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. In the commission's view, the company already possessed an adequate remedy for the consequences of rising operational expenses in the availability of interim rate relief, when justified, pending public hearings and a final decision on the full amount of the requested rate adjustment. The Illinois commission's decision, which ran counter to that approved in New Mexico and New Jersey, was defended with the view that the design of automatic price escalators involves significant difficulties, such as the selection of an appropriate index and the identification of cost elements which should be included or excluded from escalation.

#### GAS REGULATION

Several important evolutionary changes involving gas rate design have occurred which appear to be directed primarily toward the encouragement or discouragement of gas consumption for certain purposes.

Two recent examples of such actions have emanated from the Illinois Commerce Commission. On August 24, 1975, the commission directed the Illinois Power Company to allow existing interruptible industrial customers to "upgrade" their service to a category desig-

nated as "limited firm service" that would be priced at an escalating price per therm over a three-year period. The ultimate purpose of the price escalation feature was to draw the price of gas paid by buyers within this category to a level 10 percent above the prices of alternative fuels and thus induce such buyers to convert from gas to other fuels. Similarly, on July 24, 1975, the Illinois commission authorized Peoples Gas Light & Coke Company to increase, in two steps, its off-peak and interruptible rates by 40 and 60 percent, respectively, which would make them equivalent to between one half and two thirds of the price of competing fuel oil and, in some instances, above the price of so-called firm or noninterruptible gas service. A third state gas rate action occurred on November 19, 1974, when the Michigan Public Service Commission ordered Consumers Power Company to include certain synthetic natural gas plant costs in rates charged to commercial and industrial consumers rather than averaging out such cost elements among all customer groups, including residential gas buyers. The increased commercial and industrial rates constructed from this reallocation of costs were explicitly intended to hold down residential rates and perhaps, secondarily, to diminish demand for gas supplies for commercial and industrial purposes.

The question of whether a utility's customers should be required to pay rates high enough to provide the utility with financial capital (i.e., with funds in excess of an amount which represents a reasonable return on the company's existing asset base for the purpose of financing additions to that base) has long been vigorously debated among regulators, company executives, academicians, and others concerned with the social control of firms rendering essential utility services. Regardless of the merits of the arguments pro and con, several state commissions, as well as the Federal Power Commission, have recently issued decisions permitting the inclusion of allowances for natural gas exploration outlays in the computation of rate level requirements. Examples of regulators' reasons for requiring ratepayers to contribute

toward the funding of such speculative outlays are provided by several Wyoming Public Service Commission actions in which that agency concluded that (1) gas transmission and distribution utilities can no longer depend fully upon traditional suppliers in attempting to adequately fulfill customers' needs, and (2) gas obtained by a utility through its own exploration is the lowest cost "new" gas available to it. Implicit in both the Wyoming decisions and in the reasoning of other state commissions involving similar cases is the view that the prospective benefit or value to utility customers will equal or exceed the cost to customers through payment of higher gas rates, and that alternative means for financing the pursuit of such benefits are unavailable.

Absent from these cases and other sectors of state regulatory activity are efforts to ascertain whether the recent gas shortage has resulted partially or wholly from (1) alleged efforts by gas producers to withhold supplies from the market in anticipation of achieving higher rates of profit, and (2) alleged failures by gas producers to deliver available gas to their pipeline customers in contractually specified amounts. Efforts to secure definitive information concerning these allegations warrant investigation by state regulators, given the implications which significant gas price changes hold for gas users, and the crucial role which fuel supply stability plays in avoiding disruption in various key industries and regional economies.

#### DETERMINANTS OF STATE COMMISSION PERFORMANCE

The distinctive cases reviewed above, together with a vast number of other activities, provided state commissions with a 1974-75 workload markedly in excess of the demands 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 as in relatively short supply at many state commissions.

#### *Positions and Salary Levels*

As noted in the opening section of this chapter, tens of thousands of firms pro-

viding electric, gas, telecommunications, transport, water, sewerage, and other services operate within the jurisdiction of one or more of 53 state and territorial commissions. Taken collectively, the commissions employ about 7,100 individuals in job categories ranging from commissioner to office receptionist. This total population of regulatory personnel is distributed unevenly relative to the dimensions of individual commissions' regulatory tasks. That is, some commissions employ fewer individuals than do others charged with controlling comparable numbers of utility and transport firms. More pronounced disparities also exist in this area—e.g., one commission with approximately 75 employees holds jurisdiction over about 130 more firms than does its counterpart in an adjacent State, which employs 230 individuals.

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 and these efforts have attained varying degrees of success. A few state commissions now compensate top-level employees at levels which (1) equal or exceed those paid for similar positions in federal regulatory agencies, and (2) compare favorably with professional and executive salaries in other areas of activity.

A number of other encouraging developments affecting state commission personnel can also be observed. Prominent among them is the Annual Regulatory Studies Program, sponsored by NARUC, which consists of a course format extending over 12 days and encompassing an introductory overview and instructional modules in seven major functional groupings of subject matter (e.g., cost allocation and ratemaking techniques, administrative practices and procedures of state and federal commissions, and the application of new analytical techniques to regulatory problems). The program was begun in 1959 and has experienced growth in enrollment from a range of 30 to 60 during

earlier years to levels of 120 and more during the most recent offerings. In late 1973, NARUC initiated operation of an Annual Seminar on the Regulation of Water Utilities to provide coverage of subject matter unique to this area of activity.

Other means of continuing professional development for incumbent staff members are also 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 on subjects ranging from computer applications to personnel management to environmental impact statement preparation. The Missouri Public Service Commission sponsors an annual conference focusing on the use of electronic data processing in regulation, an activity in which it has taken a leading role.

Knowledge acquired prior to regulatory service obviously impacts upon commission performance. The quality of commissioners' educational and professional accomplishments attained before assuming their appointments is now quite impressive in many States.

#### *Other Conditions Affecting Performance*

Other recent phenomena impacting favorably upon the trend of future performance in state regulation include: (1) a growing recognition of the benefits which can flow from the application of computer-based data collection systems and analytical techniques, and (2) continuing advances in efforts to upgrade the quantity and quality of actions taken on behalf of all state commissions (involving matters ranging from representations on currently pending federal legislation to economic research) by NARUC.

# MAJOR STATE SERVICES

## STATE PUBLIC UTILITY COMMISSIONS

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State or other jurisdiction	Regulatory authority	Members		Selection of chairman	Length of commissioners' terms*
		Number	Selection		
Alabama.....	Public Service Commission	3	E	E	4
Alaska.....	Public Utilities Commission	3	GL	G	6
Arizona.....	Corporation Commission	3	E	C	6
Arkansas.....	Public Service Commission	3	GS	G	6
California.....	Public Utilities Commission	5	GS	C	6
Colorado.....	Public Utilities Commission	3	GS	G	6
Connecticut.....	Public Utilities Commission	3	GL	C	5
Delaware.....	Public Service Commission	5	GS	GS	6
Florida.....	Public Service Commission	3	E	C	4
Georgia.....	Public Service Commission	5	E	C	6
Hawaii.....	Public Utilities Commission	5	GS	C	4(a)
Idaho.....	Public Utilities Commission	3	GS	C	6
Illinois.....	Commerce Commission	5	GS	G	5
Indiana.....	Public Service Commission	3	C	G	4
Iowa.....	State Commerce Commission	3	GS	C	6
Kansas.....	State Corporation Commission	3	GS	C	4
Kentucky.....	Public Service Commission	5	GS	GS	4
Louisiana.....	Public Service Commission	3	E	C	6
Maine.....	Public Utilities Commission	3	GC	GC	7
Maryland.....	Public Service Commission	4	G	G	6
Massachusetts.....	Department of Public Utilities	7	GC	G	7
Michigan.....	Public Service Commission	3	GS	GS	6
Minnesota.....	Public Service Commission	5	E(b)	C	6(b)
Mississippi.....	Public Service Commission	3	E	C	4
Missouri.....	Public Service Commission	5	GS	G	6
Montana.....	Department of Public Service Regulation	3	E	C	4
Nebraska.....	Public Service Commission	5	E	C	6
Nevada.....	Public Service Commission	3	C	G	4
New Hampshire.....	Public Utilities Commission	3	GC	GC	6
New Jersey.....	Board of Public Utility Commissioners	3	GS	GS	7
New Mexico.....	Public Service Commission	3	GS	G	6
New York.....	Public Service Commission	5(d)	GS	G	6(c)
North Carolina.....	Utilities Commission	5	G	G	8
North Dakota.....	Public Service Commission	3	E	C(e)	6
Ohio.....	Public Utilities Commission	3	GS	G	6
Oklahoma.....	Corporation Commission	3	E	C	6
Oregon.....	Public Utility Commissioner	1	G	G	4
Pennsylvania.....	Public Utility Commission	5	GS	G	10
Rhode Island.....	Public Utilities Commission	3	GS,L	G	6
South Carolina.....	Public Service Commission	7	L	(f)	4
South Dakota.....	Public Utilities Commission	3	E	C	6
Tennessee.....	Public Service Commission	3	E	C	6
Texas.....	Railroad Commission	3	E	C	6
Utah.....	Public Service Commission	3	GS	G	6
Vermont.....	Public Service Board	3	GS	G	6
Virginia.....	State Corporation Commission	3	L	C	6
Washington.....	Utilities and Transportation Commission	3	GS	G	6
West Virginia.....	Public Service Commission	3	GS	G	6
Wisconsin.....	Public Service Commission	3	GS	G	6
Wyoming.....	Public Service Commission	3	GS	C	6
District of Columbia.....	Public Service Commission	3	P(g)	C	3(g)
Puerto Rico.....	Public Service Commission	5	GS	GS	4
Virgin Islands.....	Public Service Commission	7	G	G	2

\*In all States except Kentucky, Mississippi, and Oregon, terms of commissioners overlap.

Explanation of symbols:

G—Appointed by Governor.

GS—Appointed by Governor, approved by Senate.

GL—Appointed by Governor, approved by Legislature in joint session.

GC—Appointed by Governor, with advice and consent of Council.

P—Appointed by President.

L—Selected by Legislature.

E—Elected.

C—Elected chairman by commission.

(a) May be reappointed; maximum 8 years.

(b) 1 commissioner appointed by Governor; 2 serve balance of term concurrent with Governor (4 years).

(c) Chairman is designated by Governor and serves at his pleasure.

(d) Regular component is 5; may be increased to 7 if work requires.

(e) Commission reorganizes every 2 years and elects a president who serves with no additional pay.

(f) Rotates annually.

(g) 1 commissioner is appointed by the mayor and serves an indefinite term.

# THE BOOK OF THE STATES

## REGULATORY FUNCTIONS OF STATE PUBLIC UTILITY COMMISSIONS

*Commissions have jurisdiction over rates of privately owned utilities  
rendering the following services*

State or other jurisdiction	Transportation							Communications					
	Street railways	Inter-urban railways	Motor buses	Motor trucks	Electric light and power	Manufactured gas	Natural gas	Water	Oil Pipeline	Gas Pipeline	Telephone	Telegraph	CATV
Alabama.....	(a)	(a)	(b)	(b)	(c)	(a)	★	★	..	★	★	★	..
Alaska†.....	(d)	(d)	(d)	(d)	★	★	★	★	(e)	..	★	★	..
Arizona.....	(a)	(a)	★	★	★	★	★	★	..	★	★	★	..
Arkansas†.....	(d)	(d)	(d)	(d)	★	★	★	★	(d)	..	★	★	..
California.....	★	★	★	★	★	★	★	★	★	★	★	★	★
Colorado†.....	★	★	★	★	★	★	★	★	★	★	★	★	..
Connecticut†.....	(a)	(a)	★	★	★	(a)	★	★	★	★	★	★	..
Delaware.....	★	★	★	..	★	★	★	★	..	..	★	★	..
Florida.....	..	★	★	★	★	..	★	★ <sup>(f)</sup>	..	..	★	★	..
Georgia.....	..	..	★	★	(c)	★	★	..	..	★	★	★	..
Hawaii.....	..	..	★	★	★	★	..	★	..	..	★	..	★
Idaho.....	(a)	★	★	★	(c)	(a)	★	★	..	..	★	★	..
Illinois.....	(a)	★	★	★	★	(a)	★	★	(f)	(f)	★	★	..
Indiana†.....	★	★	★	★	★	★	★	★	..	..	★	★	..
Iowa†.....	..	★	★	★	★	★	★	★	..	..	★	★	..
Kansas†.....	★	★	..	..	★	..	★	★	★	★	★	★	(g)
Kentucky.....	..	..	(d)	(d)	★	..	★	★	★	★	★	★	..
Louisiana.....	★	★	★	★	★	★	★	★	(h)	(f)	★	★	..
Maine†.....	(a)	(a)	★	★	★	★	★	★	..	..	★	★	..
Maryland†.....	(a)	(a)	★	★	★	★	★	★	..	..	★	★	★
Massachusetts†.....	★	★	★	★	★	★	★	★	..	..	★	★	(d)
Michigan†.....	(a)	(a)	★	★	★	★	★	★	..	..	★	..	(d)
Minnesota†.....	(a)	(a)	★	★	..	..	..	..	..	(f)	★	★	(d)
Mississippi.....	..	★	★	★	(c)	..	★	★	..	..	★	★	..
Missouri.....	(a)	(a)	★	★	(c)	(a)	★	★	..	..	★	★	..
Montana†.....	★	★	★	★	(c)	★	★	★	..	..	★	★	..
Nebraska.....	..	★	★	★	..	..	..	..	(h)	(h)	★	★	..
Nevada.....	(a)	(a)	★	★	★	..	★	★	★	★	★	★	..
New Hampshire†.....	(a)	(a)	★	★	★	★	★	★	★	★	★	★	..
New Jersey†.....	★	★	★	..	★	★	★	★	★	★	★	★	★
New Mexico†.....	(d)	(d)	(d)	(d)	★	★	★	★	(d)	(d)	(d)	(d)	..
New York†.....	(d)	(d)	(d)	(d)	★	★	★	★	..	..	..	..	(d)
North Carolina.....	..	★	★	★	(c)	★	★	★	..	..	(c)	★	..
North Dakota.....	(a)	..	★	★	(c)	(a)	★	(a)	..	..	★	★	..
Ohio.....	..	(b)	(b)	(b)	(i)	(i)	(i)	(i)	..	..	★	★	..
Oklahoma.....	(a)	★	★	★	★	..	★	★	★	★	★	★	..
Oregon.....	★	★	★	★	★	★	★	★	..	..	★	★	..
Pennsylvania†.....	★	★	★	★	★	★	★	★	..	..	★	★	..
Rhode Island†.....	★	★	★	★	★	★	★	★	..	..	★	★	..
South Carolina.....	★	★	★	★	★	★	★	★	..	..	★	★	..
South Dakota†.....	..	★	★	★	..	..	..	..	..	..	★	★	..
Tennessee.....	..	★	★	★	..	..	(j)	..	..	..	★	★	..
Texas.....	..	★	★	★	..	..	..	..	★	★	..	..	..
Utah.....	★	★	★	★	..	..	★	★	..	..	★	★	..
Vermont†.....	★	★	★	★	★	★	★	★	..	..	★	★	★
Virginia.....	★	★	★	★	★	★	★	★	..	..	★	★	..
Washington†.....	(a)	(a)	★	★	★	★	★	★	..	..	★	★	..
West Virginia†.....	(a)	(a)	★	★	★	★	★	★	★	★	★	★	..
Wisconsin†.....	(a)	(a)	★	★	★	★	★	★	..	..	★	★	..
Wyoming†.....	(a)	(a)	★	★	★	★	★	★	★	★	★	★	..
District of Columbia.....	..	..	★	..	★	★	★	..	..	..	★	..	..
Puerto Rico†.....	(a)	(a)	★	★	..	★	★	..	..	..	..	(a)	..
Virgin Islands.....	..	..	★	..	..	..	..	..	..	..	..	..	..

†Commission regulates some aspect of municipally owned public utilities.

(a) Statute confers jurisdiction but no utility now renders this service.

(b) Jurisdiction applies only to operations outside of corporate limits not contiguous. In Ohio exemption from regulation applies when the transportation line is wholly within a municipality and its immediately contiguous municipalities.

(c) Authority does not extend to rural electric cooperative units. Mississippi: except for service areas; Missouri: operational safety only except for full authority over a few requesting cooperatives; North Carolina: service areas where there is found to be discrimination as to rates or service.

(d) Regulated by another governmental unit. Alaska: Transportation Commission; Arkansas: Commerce Commission; Hawaii: Dept. of Regulatory Agencies; Kentucky: Dept.

of Motor Transportation; Massachusetts: CATV Commission; Minnesota: CATV Commission; New Mexico: Corporation Commission; New York: Dept. of Transportation, Commission on CATV.

(e) Jurisdiction is limited to those situations wherein the consumer has no alternative in his choice of supplier of a comparable product and service at an equal or less price.

(f) Limited jurisdiction. Florida: in some counties at the request of county commission; Illinois, Louisiana, Mississippi: natural gas pipelines; Utah: attachment to utility poles.

(g) Jurisdiction over radio common carriers.

(h) If common carrier.

(i) Original jurisdiction in unincorporated areas, within corporate limits upon appeal.

(j) Local distribution only.

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## THE NATIONAL GUARD

BY PAUL L. LYTER\*

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AS THEIR PREDECESSORS of the colonial and state militia have done for 339 years, today's National Guardsmen stand ready to answer the call of their communities, States, and Nation. As America's first and oldest military force, Guardsmen provide indispensable emergency services to unfortunate victims of natural disasters and civil disorders in the States. They concurrently train to fight alongside the active forces of the Army and Air Force in defense of the Nation.

The Guard is a unique force of men and women from all walks of life, under state control during peacetime. In this period of an expanding federal bureaucracy and power, there is probably no organization in America which better exemplifies the positive aspects of States' rights than the National Guard.

It is an economical force, providing highly trained people to perform two essential services for little more than the price of one, saving state and federal dollars. It is a group of 500,000 men and women who maintain the proud traditions of a heritage that is more than a century older than the Nation itself. As we pause during the Bicentennial to see where we have been and where our country is going, it is appropriate to take a brief look at the service contributed by the modern counterpart of the militia—the National Guard.

### IN DISASTER EMERGENCIES

When approximately 3,000 leaders of the Guard and their guests met in Seattle, Washington, for an annual conference in September 1975, 11 young Guardsmen were honored for extraordinary heroism during 1974. Four of them, Army Guardsmen from Maine, flew helicopters on five

treacherous missions through a winter blizzard to save the lives of five stranded mountain climbers. Three others, Air Guardsmen who had been on patrol in Xenia, Ohio, after a tornado destroyed most of the town last year, were honored for risking their own lives to save others from death inside a blazing furniture store. The remaining four Guardsmen, from the California, Idaho, Oklahoma, and Pennsylvania Army and Air Guard, rescued people from burning automobiles, a vehicle that was submerged in 12 feet of near-freezing water, and the wreckage of a train carrying highly explosive chemicals.

Through acts of heroism such as these, and labors of kindness and concern for the people of their communities, countless other lives were saved by the more than 36,200 Guardsmen called to duty by the Governors of 44 States in 1974. Besides providing relief caused by virtually every kind of disaster, they preserved untold millions of dollars worth of property because they were there to assist local authorities in fighting fires, sandbagging flooded streams and rivers, and cleaning up after major storms.

### IN CIVIL DISORDERS

Awards of another kind were also presented during the conference in Seattle. One of these, for meritorious service, was received by Wisconsin's Colonel Hugh Simonson, who took charge after Indians commandeered a Catholic novitiate in that State. Gunfire already had been exchanged between the Indians and civil law enforcement authorities. Colonel Simonson and his Guardsmen worked to bring peace to the area. Practicing tact and restraint over the ensuing weeks, he restored order to an extremely explosive situation without loss of life or further incident.

Since the racial and antiwar demon-

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\*Mr. Lyter is Information Officer, the National Guard Association of the United States.

strations of the 1960s and early 1970s, confrontations like the one in Wisconsin provide few surprises for Guardsmen. The Guard is well trained for such incidents, and has more experience than any other military organization in the U.S. in handling them. During the past 10 years, more than 400,000 National Guardsmen have helped maintain law and order in civil disturbances from New England to southern California.

Fortunately, such call-ups have been decreasing in number, from 85 (involving nearly 60,000 Guardsmen) in 1970, to 21 in 1974. On the other hand, disasters requiring Guard assistance have been increasing, and the 216 call-ups during the past fiscal year were the highest number in the history of the Guard. More than ever before, the Guard is an indispensable element in disaster plans and resources.

#### AS A RESERVE FORCE

At the federal level, today's Guardsmen furnish 16 percent of the Nation's defense forces for well under 3 percent of the total defense budget. The Army Guard alone provides 46 percent of the entire U.S. Army's combat power and the Air Guard contributes similarly significant support to the Air Force.

At both the state and federal levels, National Guard manpower and equipment are extremely attractive resources as budgets are brought under intensive scrutiny. More and more, leaders are seeing that the Guard provides not one but two vital services for little more than the relatively low cost of a reserve force which performs military functions only.

The cost-effectiveness of the militia provided compelling logic for its organization 339 years ago by thrifty New Englanders searching for ways to avoid waste. Today, the logic of a ready National Guard is again receiving considerable attention by elected officials. Caught in the dilemma of costly social and defense programs at a time when it is difficult to justify further raises in taxes, national commitments have been made to improve the quality and quantity of equipment assigned to the Guard. At the

same time, the Guard has accepted a difficult challenge—to reach the highest level of readiness in its history.

The national commitment is known as the "Total Force Policy," and much progress has been made under it. Through innovations and increased emphasis on productive training, the Guard has achieved an unparalleled readiness posture as measured by Active Army and Air Force standards.

On the other hand, progress in equipping the Guard has not been as speedy as most people had hoped. This is due largely to massive unanticipated shipments of critical equipment items to foreign allies, and because of reluctance among officials to seek increases in defense-related spending. As a result, more than 60 percent of the Army Guard's tanks are of Korean War vintage, and much of its communications gear is outdated. In the Air Guard, 17 squadrons still are flying outdated F-100 fighters.

Another problem is that Guard training progress is slowed by the need to devote a great deal of time to recruiting. As long as the attention of unit commanders is diverted from training to recruiting, as it often must be under present circumstances, Guard units cannot attain their full readiness potential. A number of States have recognized this problem and have helped alleviate it by providing special education and tax benefits for Guardsmen. Others are considering such incentives. Efforts also are being made to win congressional approval for new federal recruiting incentives, such as educational assistance and improved survivor benefits. How the problem is resolved will have considerable impact on the future of the force.

The heritage of the modern-day Minutemen—a heritage of dedication and commitment to peace and freedom, and of professional training and sure leadership—was forged in the early days of our Nation, and tempered by three centuries of both war and peace. The National Guard is proud of its past, and prepared to uphold its great traditions as our Nation moves forward into its third century.

# MAJOR STATE SERVICES

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## ARMY NATIONAL GUARD AND AIR NATIONAL GUARD STRENGTH\*

December 1975

State or other jurisdiction	Army Guard strength	Percent of authorized	Air Guard strength	Percent of manning standard	Total Guard strength	Federal appropriation fiscal year 1975
<b>Total</b> .....	392,183	95.8	93,642	97.8	485,825	\$1,489,120,064
Alabama .....	18,840	106.6	3,126	100.6	21,966	47,235,345
Alaska .....	1,908	79.8	611	85.3	2,519	13,673,989
Arizona .....	3,142	95.6	2,112	101.9	5,254	24,275,826
Arkansas .....	8,219	96.7	1,763	91.9	9,982	27,873,998
California .....	22,100	105.6	4,971	100.3	27,071	82,628,067
Colorado .....	2,970	87.8	1,366	88.2	4,336	24,575,833
Connecticut .....	5,816	95.9	1,045	97.6	6,861	19,177,963
Delaware .....	2,780	100.5	779	101.8	3,559	12,198,591
Florida .....	9,463	109.8	942	101.9	10,405	23,786,045
Georgia .....	9,471	100.1	2,900	101.5	12,371	38,134,900
Hawaii .....	3,441	94.1	1,530	96.1	4,971	23,935,382
Idaho .....	3,063	84.7	869	97.4	3,932	18,125,420
Illinois .....	9,441	88.1	2,688	94.2	12,129	36,626,282
Indiana .....	12,013	115.0	1,878	97.8	13,891	30,860,500
Iowa .....	7,188	90.2	1,859	89.0	9,047	27,873,494
Kansas .....	7,213	96.0	1,351	88.1	8,564	33,167,200
Kentucky .....	5,468	90.9	920	97.8	6,388	17,176,531
Louisiana .....	8,703	96.0	1,145	102.6	9,848	22,658,851
Maine .....	2,849	98.9	1,348	103.2	4,197	15,880,929
Maryland .....	6,146	94.9	1,623	105.2	7,769	23,475,688
Massachusetts .....	11,623	93.4	2,462	94.9	14,085	43,954,016
Michigan .....	9,526	94.8	2,365	91.9	11,891	53,680,169
Minnesota .....	9,033	90.9	1,972	97.6	11,005	29,798,837
Mississippi .....	11,145	99.1	2,086	99.0	13,231	40,934,051
Missouri .....	8,685	97.7	2,542	104.4	11,227	34,374,632
Montana .....	2,311	88.7	885	95.5	3,196	16,338,200
Nebraska .....	4,020	90.1	900	96.7	4,920	14,481,200
Nevada .....	1,249	83.8	774	86.5	2,023	10,786,200
New Hampshire .....	2,250	99.2	762	109.6	3,012	9,753,950
New Jersey .....	13,743	98.4	2,384	93.0	16,127	46,683,560
New Mexico .....	3,223	94.3	839	92.6	4,062	15,488,300
New York .....	19,218	86.6	4,659	96.5	23,877	71,056,153
North Carolina .....	11,657	100.5	1,074	108.8	12,731	27,580,220
North Dakota .....	2,249	89.9	1,018	108.8	3,267	13,167,316
Ohio .....	13,799	90.3	4,994	98.3	18,793	58,225,940
Oklahoma .....	8,613	98.9	1,936	97.2	10,549	27,396,240
Oregon .....	5,715	88.9	1,834	97.9	7,549	25,670,522
Pennsylvania .....	16,113	89.7	4,187	99.3	20,300	54,670,778
Rhode Island .....	2,868	90.9	1,123	89.2	3,991	12,579,700
South Carolina .....	10,425	98.2	967	99.4	11,392	26,005,422
South Dakota .....	3,444	93.6	807	91.4	4,251	13,153,326
Tennessee .....	10,909	94.0	3,156	100.4	14,065	41,218,760
Texas .....	16,920	96.8	3,218	98.1	20,138	58,916,915
Utah .....	4,540	90.6	1,400	104.7	5,940	18,590,994
Vermont .....	2,869	102.3	762	106.2	3,631	12,506,263
Virginia .....	6,991	88.3	977	95.5	7,968	22,175,008
Washington .....	5,314	92.9	2,196	95.3	7,510	31,005,281
West Virginia .....	3,294	95.8	1,575	104.7	4,869	16,456,300
Wisconsin .....	9,150	90.6	1,863	100.3	11,013	30,812,382
Wyoming .....	1,514	88.4	691	91.1	2,205	9,998,664
District of Columbia .....	2,101	89.8	1,247	92.7	3,355	17,979,700
Puerto Rico .....	7,438	107.1	1,161	103.6	8,599	19,800,231

\*Source: National Guard Association of the United States.



# 5

## Housing and Development

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### COMMUNITY DEVELOPMENT AND HOUSING

BY ANNE D. STUBBS\*

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SEVERAL EVENTS of the past few years have raised anew questions of the States' role in community development and housing. Significant shifts of job opportunities and population between rural and metro areas, and the potentially rapid development of energy resources, create problems of growth and decline which challenge a State's response. The retrenchment of the federal government from community development and housing programs places new demands upon state government resources. The federal new communities programs have created a recognition among developers and federal officials that a community development effort of such scale and complexity cannot achieve its potential without the active involvement of state agencies.

The 1974 Housing and Community Development Act places new demands upon local governments' capacity to develop and administer community development programs. In addition, the increasing number of local governments adopting ordinances or capital improvements plans designed to limit growth, and the decisions of courts in several States in support of fair-share housing and equal educational opportunity, challenge the traditional assumption that community development is a local responsibility. The broader perspective of the State in the planning and implementation of com-

munity development and housing programs, as well as its greater financial resources, must complement local government capacity.

#### COMMUNITY DEVELOPMENT PROGRAMS

As the federal government retreats from its dominant role of designing and financing community development programs, States are becoming actively involved in a range of community development activities. States are creating community affairs agencies, and are adopting enabling legislation, land use programs, and technical and financial assistance programs to increase local governments' capacity to respond to growth and decline.

#### *Community Affairs Agencies*

Although all States offer assistance to local governments, a recent trend in state organization has been the creation of community affairs agencies as independent departments or adjuncts to the Office of State Planning. The internal organization pattern includes many variations: a concentration of community affairs responsibility in the state planning agency, a local affairs office, a community development component in the economic development agency, and functional agency offices each dealing directly with regional councils and local governments. The more dispersed the responsibilities, the more essential become the techniques and machinery for coordination.

Such agencies offer a range of finan-

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\*The author is a Special Assistant for the Council of State Governments.

cial, planning, and technical assistance and services to local governments and substate districts, as well as provide means of communication between governmental levels. Community affairs agencies traditionally served as conduits for federal categorical grants. With the new demands placed upon local governments by the 1974 federal act to devise community development programs, housing assistance plans, and land use plans, the assistance and coordination programs of community affairs agencies become important components of effective community development.

#### *Financing Community Development*

Local governments' problems in accommodating new growth pressures and in discouraging community decline are as much a matter of financing as they are the ability to develop plans and programs. The forces contributing to community growth or decline are regional or national in scope; yet most communities have a fixed economic base from which revenues are generated. Inflation in interest rates, land, and equipment is raising the costs to local governments of providing public infrastructure, yet most communities have a constitutionally or statutorily set debt ceiling. Local governments often have responded to these constraints by creating special financing districts, a trend which has led to the fragmentation of local government accountability in many areas.

A large number of States are responding to the financing dilemma which many communities are experiencing through direct financial assistance or by expanding the financing authority of local governments. The State's assumption of a greater share of public facilities' costs through a buy-in to federal grants can relieve the capital burden on communities. Thirty-two States have buy-in provisions to various federal grant programs, while 21 States have state-funded revenue sharing. Alaska, Maine, New York, and Vermont attempt to improve the credit ratings of municipal bonds and thus reduce interest rates by channeling local issues through a state-level municipal bond bank. North Carolina's Local Govern-

ment Commission has reduced the borrowing costs of local governments by providing financial advice and bond marketing assistance.

One of the areas of greatest state activity during 1974-75 to assist communities in financing community development occurred with legislation to expand the powers of communities to finance development and redevelopment projects. Colorado, Connecticut, Indiana, and Kentucky in 1974-75 followed the example of nine other States<sup>1</sup> in adopting legislation enabling local tax increment financing of urban redevelopment. More common was state legislation broadening the authority of local public agencies to issue revenue bonds. Colorado in 1975 expanded the activities eligible for local revenue bond financing to include low- and middle-income housing, utilities, recreation facilities, airports, and mass transit facilities. New legislation in California permits all cities and counties to issue revenue bonds for rehabilitation programs. On the other hand, a new Kentucky law restricts the powers to finance development, redevelopment, and restoration of urban neighborhoods to urban county and city governments. Illinois adopted legislation in 1974 to permit municipalities to issue revenue bonds for commercial redevelopment projects, while recent laws in Connecticut and Michigan give local governments sweeping financing powers to renovate center cities and attract industry (revenue bonds, special taxes, tax incentives to industry). New Jersey has an active loan program within the Department of Community Affairs for neighborhood preservation.

#### *New Communities*

The most comprehensive approach to sound patterns of community development is the new community concept. States can develop policy and program support for new communities and large-scale, planned communities through imaginative implementation of existing powers and programs. New York's Urban Development Corporation provides evidence of this with its development of

<sup>1</sup>California, Iowa, Massachusetts, Minnesota, Montana, Nevada, Ohio, Oregon, and Utah.

three new towns (Roosevelt Island, New York City; Audubon, near Buffalo; and Radisson, near Syracuse).

Several States adopted legislation defining the State's relationship to new community development. Eight States, including New York (1968), have adopted new community legislation: Arizona and Kentucky (1970), Ohio and Louisiana (1972), Georgia and Tennessee (1974), and Florida (1975). In Arizona, Florida, Kentucky, and Tennessee, the major emphasis of the policy is to provide state administrative oversight and safeguards for the public interest which are impacted by private efforts to develop new communities. Rather than facilitating the establishment of new communities districts at the local level, policies in Georgia, Louisiana, New York, and Ohio make provisions for the expenditure of public funds in support of new communities meeting specified criteria. The legislation has been implemented in Louisiana, New York, and Ohio, and is expected to be used by developers in Florida.

#### *The Land Use Component*

The manner in which land is brought into urban use has important implications for the efficiency with which local governments provide services. Local planning and zoning ordinances are effective tools to discourage sprawl and to encourage efficient use of serviced areas. After one half century of nearly passive delegation of planning and zoning authority to local governments, state governments are encouraging and exercising oversight of local governments' plans and zoning ordinances.

A common trend of state land use legislation in 1974-75 is the requirement that local governments adopt land use plans, using state guidelines or criteria. Oregon's State Land Use Plan directly relates land use to goals for community development, economic development, transportation, housing, the provision of public facilities and services, and the orderly transition of land from rural to urban use. Arizona's Urban Environment Management Act (1973) encourages but does not require municipalities to prepare comprehensive general plans, but

zoning regulations must conform to a comprehensive plan once it is adopted. In contrast, Florida adopted legislation in 1975 requiring local governments to adopt comprehensive plans with land use and housing elements by 1979. Idaho adopted a Local Planning Act in 1975 requiring cities and counties to develop and adopt comprehensive plans according to state guidelines and requiring state plans to be consistent with local plans. Hawaii in 1975 became the first State to have a legislatively enforced urban growth policy by amendments to the state land use law. Local boundary commissions, which permit communities to influence the creation of new political units adjacent to them, have been authorized in several States. California, Oregon, and Washington permit the formation of county or areawide local boundary commissions, while Alaska, Iowa, Michigan, and Minnesota have authorized statewide commissions.

#### *The Public Facilities Component*

Adequate and well-planned public facilities—water and sewer facilities, roads and streets, and schools—are important components of sound patterns of community development. The efforts of Ramapo, New York, and Petaluma, California, to link the community's growth to planned capital facilities expansion have been upheld by the courts.

Many States have regions in which growth pressures have resulted in state or locally mandated moratoria. Maryland, Massachusetts, New Jersey, Ohio, Virginia, and Wyoming are representative of States where numerous moratoria on sewer expansion have been imposed for public health reasons. State financing programs can assist communities in providing public facilities adequate for existing or anticipated population pressure. Hawaii appropriated \$5 million in 1974 to provide for water supply facilities for agricultural and community development projects on former plantation land. Pennsylvania and Virginia created supplemental grant programs to assist communities experiencing difficulties in financing sewer treatment facilities. Wyoming's Community Development Authority has

the power to make loans for a full range of public infrastructure to communities impacted by industrial and energy resource development activity. In Maryland, the State linked community growth with public facilities by requiring that building permits and subdivision plans be consistent with community plans to provide adequate water and sewer facilities. The legislation effectively discourages either state or local authorities from granting permits or approving plans unless utility systems conform to county plans. Montana's Department of Intergovernmental Relations adopted regulations in 1974 which require developers of subdivisions to provide county commissioners with detailed information on the additional public services required by a project and on the manner in which the cost of services will be distributed.

#### HOUSING PROGRAMS

The responsibility of the States to assist low- and moderate-income families to secure decent housing has won acceptance during the decade. An increasing number of States have adopted programs to provide new or rehabilitated housing in urban and rural areas. These programs range from the direct financing and development powers of state housing finance agencies to regulations and special programs designed to influence private sector activities.

##### *Housing Finance Agencies*

The most common state housing program is the state housing finance agency. The 1973 federal moratorium on housing programs and the special set-aside of housing funds (Section 8) for state housing finance agencies in the 1974 act increase the attractiveness of this housing program. Twelve States created housing finance agencies during 1974-75, making a total of 39 States with housing finance agencies.

State housing finance agencies generate funds through the sale of tax exempt bonds, and the savings from the relatively lower interest rate is passed on to the consumer through several direct and indirect financing programs. The amount of mortgage capital available to private lenders is

increased by two programs: the "loans-to-lenders," in which the agencies advance loans to the lending institutions; and the mortgage purchase program, in which the agency buys existing mortgages held by institutions. In both programs, the agency usually stipulates income, mortgage, or interest limits, and the type of housing that can be financed by funds made available by the agency. Agencies in 37 States have authority for either of these programs, and in at least 15 States one of the two programs has been implemented.

In direct financing programs, the agency makes temporary or permanent financing directly available to the non-profit or limited-dividend sponsors or developers of low- and moderate-income single or multiple family housing. Agencies in 32 States have authority for a direct mortgage loan, while short-term construction loans are authorized in 33 States. Twenty-seven States have authorized advance "seed money" from revolving funds to assist nonprofit and limited-dividend sponsors in the start-up costs of planning and architectural design.

Rising costs and increases in interest rates which agencies must charge have reduced the effective subsidy which a state agency can offer through its own programs. Thus many agencies seek to provide a greater subsidy by "piggy-backing" or combining the savings offered by the agency with federal subsidy programs offered by the Section 8 leased housing subsidy, the 235 interest subsidy for homeownership, and the 515 (rental) and 502 (homeownership) rural housing programs of the Farmers Home Administration (FmHA).

Several States have expanded their housing finance agencies beyond these traditional housing finance mechanisms. New York's Urban Development Corporation (UDC) has a range of powers to acquire land (including the power of eminent domain) and to develop and redevelop housing, industrial and commercial facilities, and educational, cultural, community, and other civic facilities. In 1974 the Hawaii Legislature gave the Hawaii Housing Authority the authority to do commercial and industrial development

and to override local zoning, thus making it one of the most powerful housing finance agencies. The housing agencies in 18 States have authority to acquire and develop land. Although agencies in 22 States may do limited commercial, industrial, and community facilities projects if they are integral to housing development, only New York's Urban Development Corporation and Hawaii's Housing Authority are empowered to undertake significant nonhousing community development projects.

State housing finance agencies have been a major source of subsidized housing programs in the biennium. One study indicates that they may be more effective than direct federal programs in the mandate to provide a decent housing environment for low- and moderate-income families.<sup>2</sup> The expertise of state housing personnel in federal and state housing programs and their knowledge of local housing conditions within the State make them an effective link for optimal use of federal, state, and local resources. Several state agencies have cut the processing time of Federal Housing Administration (FHA) programs by up to a year, thus encouraging a saving of time and dollars.

Most agencies provide technical, financial, and planning assistance to local governments and developers and sponsors of subsidized housing, informing them of the availability of state and federal programs and assisting them in developing housing packages and applications. The Tennessee Housing Development Agency has an active technical assistance program, with a housing staff person located in each substate district. The Idaho State Housing Agency played an active role in assisting communities to prepare applications for community development block grants and providing oversight of local housing and community development needs and plans. Housing finance agencies are frequently the agency of government responsible for developing data banks and housing needs studies which are available to other state agencies. With

their position in state government, housing finance agencies are better situated than Housing and Urban Development (HUD) regional offices to coordinate housing programs with other state agencies involved with planning, transportation, health, parks and recreation, and similar community development programs.

Unlike federal programs designed for nationwide application, state housing finance agency programs exhibit greater flexibility to state and local conditions. Most state agencies have programs designed for target groups such as the elderly, handicapped, or special minority groups such as American Indians. In States such as Idaho, Maine, South Dakota, and West Virginia, the agencies concentrate on rural housing needs. In States such as Georgia, Illinois, and Rhode Island, the statutes or regulations governing the agency specify a balance between urban and rural targets of agency programs. In other States where blight threatens central cities, state agencies are developing special programs to rehabilitate housing or to attract mortgage money to such areas. The Illinois Housing Development Authority began a special loan program to complement the State's 1975 anti-redlining law (see next subsection), while Michigan's housing agency has worked with HUD in developing a housing rehabilitation program for Detroit's blighted areas. The Michigan State Housing Development Authority has proposed a "Better Neighborhoods" program to enable it to finance physical and social improvements in neighborhoods where its projects are located. Both the Missouri Housing Development Commission and the New York Urban Development Corporation are involved in new-town-in-town redevelopment programs.

Most state housing finance agencies make particular efforts to produce developments of high quality and design. Such attention to design and quality contributes to the marketability of housing projects and to the sound financial record of most state housing finance agencies. It has also contributed to the success of the Massachusetts Housing Finance Agency and New York's Urban Develop-

<sup>2</sup>Nathan Betnun, "State Housing Finance Agencies and Public Purpose Housing Development," unpublished dissertation (Boston, Mass.: Massachusetts Institute of Technology, June 1975).

ment Corporation in integrating subsidized and market rate units within selected development projects.

Responding to the unstable credit situation which intensified with the temporary default of New York's UDC in the spring of 1975, housing finance agencies are exploring financing mechanisms to enable them to continue to provide moderate-income housing programs. Several agencies cancelled bond sales due to high interest rates, and others found the market rates close to state laws on usury. Many agencies sought to roll over short-term notes or issue three-year notes rather than be locked into high-interest, long-term bonds. Several agencies avoided market issues for short-term construction loans by establishing private lines of credit with banks; and a select committee was established in the Minnesota Housing Finance Agency to explore the use of variable interest rates on agency issues and flexible mortgage payments (i.e., deferral of interest payments). Without a decline in interest rates, the activation of federal programs such as Section 802 of the 1974 act<sup>8</sup> or HUD and federal co-insurance of agency programs, state housing agencies will be unable to provide the large subsidies required for low-income housing units.

One aspect of state housing finance agencies which contributes to their political acceptability to state officials and to their sound financial performance is the statutory requirement that the agency be self-supporting. Yet this requirement acts as a constraint on agency activities and the ability to support projects of even moderate risk. The use of public monies to increase the housing stock available to low- and moderate-income families reflects an increasingly acceptable social policy. Yet their use of conventional marketing devices to achieve this goal, and the common practice of relying on conventional lending institutions to process loans, frequently prevent agencies from serving low-income groups.

<sup>8</sup>Section 802 authorizes federal guarantees on agency loans made in blighted areas, if the bonds issued are taxable, and authorizes federal payment of up to one third of the interest on such taxable issues.

### *Special State Housing Programs: Finance and Regulation*

Although housing finance agencies are the most visible state housing program, several States have created discrete programs to assist citizens in obtaining a decent living environment. Several of these programs provide financial incentives to the private sector to encourage rehabilitation efforts, while others employ the police power to regulate standards.

*Urban Programs: Urban Homesteading and Antiredlining.* A recent program to fight central city blight and to alleviate the critical shortage of urban housing for low- and moderate-income families is urban homesteading. States and cities are joining with the HUD pilot program to make abandoned units and rehabilitation financing available to individuals. Wilmington, Delaware, Baltimore, Maryland, and Philadelphia, Pennsylvania, were the first cities to experiment with urban homesteading; other cities and States have followed their lead. Since 1974, California, Connecticut, Minnesota, and Rhode Island have enacted enabling legislation for cities to establish and provide funding for these programs, while a similar proposal failed in Pennsylvania in 1973.

The difficulties which central city residents experience in obtaining private financing for new construction or rehabilitation have prompted several States and cities to enact antiredlining legislation ahead of congressional efforts. In antiredlining programs, public officials use the deposits of public funds as a lever to encourage lending institutions to disclose their lending patterns within central cities, or to favor those institutions which do not discriminate against central city residents. Rochester, Cincinnati, Cleveland, Boston, Chicago, and Philadelphia have adopted ordinances which require city funds to be deposited in financial institutions which disclose their lending policies regarding central cities. Illinois adopted legislation in 1975 requiring disclosure of mortgage loans; a bill similar to this one barely failed passage in New York.

(Continued on page 456.)

# STATE HOUSING FINANCE AND DEVELOPMENT AGENCIES

## As of November 1975

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	☆	☆	☆	☆	☆	☆	..	☆	..	☆	☆	☆
California.....	Housing Finance Agency	1975	No	☆	☆	☆	☆	☆	☆	..	..	☆	☆	..	(e)
Colorado.....	Housing Finance Authority	1973	Yes	☆	☆	☆	☆	☆	..	..	..	..	☆	☆	..
Connecticut.....	Housing Finance Authority	1969	Yes	..	☆	☆	☆	☆	☆	..	☆	..	☆	☆	(e)
Delaware.....	State Housing Authority	1968	No	☆	☆	☆	☆	☆	☆	..	☆	..	☆	☆	☆
Georgia.....	Residential Finance Authority	1974	Yes	☆	☆	☆	☆	☆	..	..	..	☆	☆	☆	..
Hawaii.....	Housing Authority	1970	N.A.	N.A.	☆	☆	☆	☆	..	☆	☆	..	☆	☆	N.A.
Idaho.....	State Housing Agency	1972	Yes	☆	☆	☆	☆	☆	N.A.	N.A.	☆	N.A.	☆	☆	☆
Illinois.....	Housing Development Authority	1967	Yes	☆	☆	☆	☆	☆	..	..	☆	☆	☆	☆	☆
Iowa.....	Housing Finance Authority	1975	Yes	☆	☆	☆	☆	☆	..	☆	..	..	☆	☆	N.A.
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 Authority	1971	No	☆	☆	☆	☆	☆	(e)	..	☆	☆	☆	☆	☆
Massachusetts.....	Housing Finance Agency	1966	Yes	☆	☆	☆	☆	..	☆	☆	..	☆	☆	☆	☆
Michigan.....	Home Mortgage Finance Agency	1974	Yes	☆	..	..	..	☆	☆	☆	..	..	☆	☆	☆
Minnesota.....	State Housing Development Authority	1966	Yes	..	..	☆	☆	☆	..	..	☆	☆	☆	☆	(e)
Missouri.....	State Housing Finance Agency	1971	Yes	☆	☆	☆	☆	☆	..	..	..	☆	☆	☆	☆
Montana.....	Housing Development Commission	1969	No	☆	☆	☆	☆	☆	..	..	..	☆	☆	☆	☆
Nevada.....	Housing Division	1975	No	☆	☆	☆	☆	..	..	..	..	..	☆	(e)	☆
New Hampshire.....	State Housing Division	1975	No	☆	☆	☆	☆	..	..	..	..	..	☆	☆	☆
New Jersey.....	Housing Finance Agency	1975	Yes	☆	☆	☆	☆	☆	..	..	..	☆	☆	☆	☆
New Mexico.....	Housing Finance Agency	1968	Yes	..	..	☆	☆	☆	..	☆	☆	..	☆	☆	(e)
New York.....	Mortgage Finance Agency	1970	Yes	☆	☆	..	..	..	..	..	..	..	☆	☆	☆
North Carolina.....	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.
	State Housing Finance Agency	1960	Yes	..	..	☆	☆	..	..	☆	..	☆	☆	☆	☆
	Mortgage Agency	1970	Yes	..	☆	☆	☆	..	..	..	..	..	☆	☆	☆
	State Urban Development Corporation	1968	Yes	..	☆	☆	☆	☆	..	..	☆	☆	☆	☆	☆
	Housing Finance Agency	1974	No	..	☆	..	..	..	☆	..	..	..	☆	☆	..

Ohio.....	Housing Development Board	1970	Yes	★	★	★	★	★	★	..	..	★	★	★	(e)
Oklahoma.....	Housing Finance Agency	1975	Yes	★	★	★	★	★	★	..	N.A.	★	★	★	..
Oregon.....	State Housing Division	1971	No	★	★	★	★	★	★	(e)	..	★	★	★	★
Pennsylvania.....	Housing Finance Agency	1972	Yes	..	★	★	★	★	★	..	..	..	★	★	★
Rhode Island.....	Housing and Mortgage Finance Agency	1973	Yes	★	★	★	★	..	★	..	★	★	★	★	(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	★	★	..	..	..	..	..	..	..	★	★	★
Virginia.....	Housing Development Authority	1972	Yes	★	★	★	★	★	★	..	★	★	★	★	★
West Virginia.....	Housing Development Fund	1968	Yes	★	★	★	★	★	★	..	★	..	★	★	★
Wisconsin.....	Housing Finance Agency	1971	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.



# FUNCTIONS OF STATE OFFICES OF COMMUNITY AFFAIRS\*

<i>State</i>	<i>Name of agency</i>	<i>Fiscal advice</i>	<i>Inter- local co- operation</i>	<i>Coor- dination of state activities</i>	<i>Per- sonnel train- ing</i>	<i>Local financial super- vision</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 coor- dination</i>	<i>Re- search and infor- mation</i>	<i>Hous- ing pro- grams</i>	<i>Eco- nomic develop- ment programs</i>	<i>Anti- poverty</i>
Alabama.....	Development Office	..	..	★	..	..	★	★	★	★	★	★	★	★
Alaska.....	Dept. of Community & Regional Affairs	★	★	..	..	..	★	★	★	★	★	★	..	★
Arizona.....	Dept. of Economic Planning & Dev.	★	★	★	★	★	★	★	★	★	★	★	★	..
Arkansas.....	Dept. of Local Services	★	★	★	★	..	★	★	★	★	★	★	★	..
California.....	Dept. of Housing & Community Development	..	★	★	..	..	★	..	★	★	★	★	★	..
Colorado.....	Dept. of Local Affairs	★	★	★	★	★	★	★	★	★	★	★	★	..
Connecticut.....	Dept. of Community Affairs	★	★	★	..	..	★	★	★	..	★	★	★	★
Delaware.....	Dept. of Community Affairs	..	★	★	★	..	★	..	..	..	★	★	★	★
Florida.....	Dept. of Community Affairs	★	★	★	★	..	★	★	★	★	★	★	★	★
Georgia.....	Bureau of Community Affairs, Dept. of Community Dev.	★	★	★	..	..	★	..	★	★	★	..	★	..
Idaho.....	Bureau of Planning & Community Affairs	★	..	★	..	..	★	★	★	★	★	..	..	..
Illinois.....	Dept. of Local Government Affairs	★	..	★	★	..	★	★	★	★	★	★	..	..
Iowa.....	Office for Planning & Programs	★	★	★	★	..	★	★	★	★	★	★	★	..
Kentucky.....	Office for Local Government	★	★	★	★	★	★	★	★	★	★	..	..	..
Maine.....	Bureau of Community Affairs	..	..	..	★	..	★	..	..	..	★	..	★	..
Maryland.....	Dept. of Economic & Community Dev.	..	..	..	★	..	..	..	..	..	★	★	★	..
Massachusetts.....	Dept. of Community Affairs	★	★	★	★	..	★	★	★	★	★	★	..	★
Minnesota.....	Office of Local & Urban Affairs, State Planning Agency	..	★	★	★	..	★	★	★	★	★	★	★	..
Missouri.....	Div. of Community Dev., Dept. of Consumer Affs., Reg. & Liscensing	★	★	★	★	..	..	..	★	..	★	..	★	★
Nebraska.....	Div. of Community Affairs, Dept. of Econ. Dev.	★	★	★	★	..	★	★	★	★	★	★	★	..
Nevada.....	Urban Planning Division	..	★	..	..	..	★	★	★	★	★	★	..	..
New Hampshire.....	Community Planning, Office of Comprehensive Planning	..	★	★	..	..	★	..	★	★	★	★	..	..
New Jersey.....	Dept. of Community Affairs	★	★	★	★	★	★	★	★	★	★	★	★	★
New Mexico.....	Intergovernmental Services, State Planning Office	★	..	..	..	..	★	★	★	★	★	★	★	..
New York.....	Div. of Community Affairs, Dept. of State	..	★	★	★	..	..	★	★	★	★	..	★	★

North Carolina..	Div. of Community Assistance, Dept. of Econ. & Natural Resources	★	★	..	★	..	★	★	★	★	★	★	★	★
Ohio.....	Dept. of Economic and Community Dev.	★	★	★	★	..	★	★	★	★	★	★	★	★
Oklahoma.....	Div. of Community Affairs, Dept. of Econ. & Comm. Affairs	..	★	★	★	..	★	★	★	★	★	..	..	..
Oregon.....	Local Government Relations Div., Executive Dept.	..	★	★	..	..	★	★	★	★	★	..	..	..
Pennsylvania....	Dept. of Community Affairs	★	★	★	★	★	★	..	★	★	★	★	★	★
Rhode Island....	Dept. of Community Affairs	..	..	★	★	..	★	★	★	..	★	★	..	★
South Carolina..	Office of Community Dev., Div. of Administration	★	..	★	..	..	★	★	..	★	★	..	★	..
South Dakota...	State Planning Bureau	..	★	★	..	..	★	★	★	★	★	★	★	..
Texas.....	Dept. of Community Affairs	★	★	★	★	..	★	★	★	★	★	★	★	★
Utah.....	Dept. of Community Affairs	★	★	★	★	..	★	..	★	★	★	★	..	★
Vermont.....	Dept. of Housing & Comm. Affairs, Agency for Dev. & Comm. Affairs	★	★	★	★	..	★	★	★	★	★	★	..	..
Virginia.....	Div. of Planning & Community Affairs	★	★	★	★	..	★	★	★	★	★	★	★	★
Wisconsin.....	Dept. of Local Affairs & Development	★	★	★	★	..	★	..	★	★	★	★	..	★

\*Based on a survey of community affairs agencies compiled by the Pennsylvania Department of Community Affairs, 1974, updated by the Council of State Governments, fall 1975.

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A task force was created in Massachusetts to examine approaches to the redlining problem. Legislative recommendations are being developed to present to the California Legislature in 1976 to complement administrative regulations against redlining.

*Rehabilitation and Rural Programs.* Urban homesteading and antiredlining laws are targeted to central cities. However, the high cost of new housing and the shortage of federal housing programs have prompted several States to encourage public and private sector programs in housing rehabilitation. Rehabilitation programs can have great impact in rural areas, where developers and lending institutions interested in building or financing new subsidized housing are less numerous.

Most of the housing finance agencies created in 1974 and 1975 were authorized to make rehabilitation loans, while existing agencies were given new authority or implemented existing authority for rehabilitation loans. Tennessee established a Housing Rehabilitation Corporation in 1974, while Utah is one of the few States to earmark part of general revenue sharing funds for rehabilitation programs in housing and community development. A similar focus on rural rehabilitation programs emerged in Pennsylvania with a program sponsored by the State Department of Agriculture, in conjunction with FmHA rehabilitation programs. In 1974, Florida enacted a Rural Housing Land Acquisition and Site Development Assistance Act to provide funds for the acquisition and improvement of land for rural housing. Legislatures in Maryland, Massachusetts, and Oregon considered proposals in 1975 to establish revolving funds (Maryland), tax exemptions (Oregon), or variable loan repayments (Massachusetts) to encourage rehabilitation efforts. Several States have enacted tax abatement programs as incentives to encourage rehabilitation efforts by owners or by nonprofit or limited-dividend private corporations (California, Indiana, Massachusetts,

Michigan, Missouri, New Jersey, New York, Ohio, and Oregon).

*Regulation: Building Codes, Mobile Homes, Energy Use, Landlord-Tenant.* While financing incentives are becoming widely adopted to encourage decent housing, a second area of state activity is statewide codes on buildings and mobile homes. Almost 20 States have enacted statewide standards for building codes, although only nine States have preemptive standards.

Several States responded to the energy crisis by considering legislation which links building codes to energy conservation. Thirty-three States have the authority to regulate energy use in buildings or are studying the issue. Legislatures in 24 States considered bills in 1975, and at least eight States adopted regulations or tax incentives for energy-efficient buildings (California, Colorado, Montana, North Carolina, Ohio, Oregon, Washington, and West Virginia).

With the sharp increase in housing costs, mobile homes are frequently the only housing available to moderate-income families in small towns and rural areas. The expansion of the manufactured housing market is accompanied by proposals in almost all States to regulate the siting, standards, or tax status of mobile homes. As of June 1974, 35 States had regulatory programs for mobile homes and nine others were preparing regulations to activate enabling legislation.

Another area in which States are acting to encourage decent housing environments is landlord-tenant relations. Massachusetts, New Jersey, and New York were among the first States to modernize laws governing landlord-tenant relations, while Arizona, Oregon and Washington adopted legislation in 1973. In 1975, 11 States considered revisions of landlord-tenant laws (California, Colorado, Connecticut, Idaho, Minnesota, Montana, New Mexico, New York, North Carolina, Vermont, and Virginia). New Mexico adopted legislation modeled on the Uniform Residential Landlord-Tenant Act, while the proposal was killed in Virginia.

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## STATE PLANNING

By H. MILTON PATTON, L. V. WATKINS, AND LEONARD WILSON\*

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STATE PLANNING is a composite of the functions of many units of government. Where a process exists, state planning is the organized and continuous interaction of goal definition, problem analysis, policy development, program design, resource allocation, and performance evaluation. Coordination at all stages involves all participating units and levels of government. Among those States with a defined planning process, different roles are assigned to different units but there is a clear delineation of responsibilities among the Governor's executive staff, state planning, community affairs, budget, line agencies, and regional and local units of government. How the organization chart establishes the structural relationships among these functions is secondary to the missions assigned to them and the ways in which they interact and interrelate with one another.

### STATE PLANNING AGENCIES

The dominant emphasis in the emerging patterns of planning structure appears to be on the coordination of policy and program design within state government and between state and local governments. The structural variations reflect differing views of the management roles of the planning function, the budget function, and the state-local relations function. There are three basic forms of organization: (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.

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Most States use some modification of one of these forms (see Table 1).

Vermont is an example of a State where there is a clear organizational distinction between the three functions. State planning is in the Executive Office of the Governor, budget in the Agency of Administration, and community affairs in the Agency of Development and Community Affairs. The Vermont state planning officer has coordinative functions as secretary of the cabinet and administrator of OMB Circular A-95. He chairs standing and ad hoc interagency groups and he participates in budget hearings. The commissioner of the Department of Community Affairs administers regional and local planning assistance.

Community affairs and state planning 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. The State Planning Agency provides staff support for the Commission on Minnesota's Future which was established by the Legislature to propose a state growth and development policy. 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 program planning—is, in Minnesota, a shared responsibility; planners from the State Planning Agency work with planners from the functional agencies, in many instances from several agencies with common or overlapping functional responsibilities. At the same time, the agency maintains close working relations with the Legislature and legislative staffs. Another approach used by the agency to broadly involve itself in state government

is a system of "interlocking directorates" through membership on and staffing of interagency bodies such as the Manpower Council, Environmental Quality Council, Council of Economic Advisors, Housing and Finance Agency, Rural Development Council, Interdepartmental Transportation Task Force, and Human Service Council.

The association of planning with budgeting usually occurs within a department of administration or a department of finance. Wisconsin is characteristic of the large group of States that have adopted this pattern. Under a Secretary of Administration, there is a Bureau of Planning and Budget divided into sections for budget and program planning, statewide comprehensive planning, management services, and administrative operations. The Budget and Program Planning Section has a budget operations unit and units for educational resources, human relations and resources, environmental resources and commercial resources, and general government. The independent Department of Local Affairs and Development has responsibility for both regional and local planning.

With executive reorganizations in 1974 and 1975, the planning/budgeting relationship continued to undergo change in several States. The functions were united in Colorado, Idaho, and Kansas, but divided in Connecticut, Kentucky, and Ohio.

#### 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 clearinghouses, 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.

Utah has one of the most highly developed interagency coordination systems. The Utah structure consists of interdepartmental groups of state agency planners and decisionmakers organized according to the interrelationships among activities of different agencies. These groups of decision-making and planning officials work on problems of planning for the delivery of government services that concern two or more agencies. The highest level of the structure is the State Planning Advisory Committee composed of department directors, the budget director, and the state planning coordinator. At this level, matters of policy determination, conflict resolution, and program integration are considered. The purpose of the structure is to make possible communication upward from the needs-assessment level and downward from the policy level. The key objective is to identify potential conflicts among agencies at the earliest stage of planning, rather than to attempt to deal with conflicts through a review of projects already at the implementation stage.

Utah's state-level structure parallels a similar organization of local units of government. The Governor's Advisory Council on Local Affairs is made up of 21 city and county elected officials invited by the Governor to represent their respective Associations of Government.

#### INTRASTATE REGIONAL PLANNING ORGANIZATIONS

For a great many States, the keystone in state-local cooperation and coordination is the multifunctional regional organization. By 1975, 45 States had designated substate district systems with a total of 530 districts (see Figure 1).

Only Alaska, Delaware, Nevada, Rhode Island, and Wyoming do not have substate district arrangements. Of these, geographically small Delaware and Rhode Island have one metropolitan planning region each, with planning and intergovernmental coordination for the

balance of the State being done by the state planning office. With four regional organizations in Nevada and two in Alaska, and increasing land use problems in both States, these States continue to evaluate the feasibility of establishing substate districts. In Hawaii, the four counties (the only units of local government) serve as the substate districts and the State has recently established a state-level intergovernmental council to assure maximum input and coordination.

There is radical variation in the productivity, stability, and scope of activity of regional planning organizations. Almost all States approach regional organization with considerable flexibility. Membership and support by counties and municipalities is voluntary. Composition of governing boards may vary by organization, although the great majority of States now require that elected officials predominate. The participation of

elected officials appears to be a prerequisite to a strong regional planning role in state-local relations.

The scope of program activity varies within as well as among States. Regional organizations in several States have a largely uniform program scope, including federal planning assistance programs in health, manpower, aging, land use, housing, economic development, criminal justice, and transportation. There is usually some variation between metropolitan and nonmetropolitan districts. In others, land use and community development are the predominant concerns. Almost all regional organizations serve the A-95 clearinghouse function.

Across the South and Southwest, substate districts established for economic development predominate. In States such as Georgia, Kentucky, and Texas, the districts represent very strong associations of local government, generally have uni-

Figure 1  
SUBSTATE DISTRICTS

State	Designated (a)	Organized (b)	Funded (c)	State	Designated (a)	Organized (b)	Funded (c)
Alabama .....	12	12	12	Montana .....	12	12	12
Alaska .....	0	0	0	Nebraska .....	26	15	14
Arizona .....	6	6	6	Nevada .....	0	0	0(f)
Arkansas .....	8	8	8	New Hampshire ..	6	6	6
California .....	10	4	4	New Jersey .....	10	0	0
Colorado .....	13	13	13	New Mexico .....	6	6	6
Connecticut .....	15	15	15	New York .....	11	11	11
Delaware .....	0	0	0(d)	North Carolina ..	17	17	17
Florida .....	10	10	10	North Dakota ...	8	8	8
Georgia .....	18	18	18	Ohio .....	15	10	8
Hawaii .....	4	4	4(e)	Oklahoma .....	11	11	11
Idaho .....	6	6	6	Oregon .....	14	13	13
Illinois .....	14	14	14	Pennsylvania ....	10	10	10
Indiana .....	17	17	17	Rhode Island ...	0	0	0
Iowa .....	16	15	15	South Carolina ..	6	6	6
Kansas .....	11	11	11	South Dakota ...	6	6	6
Kentucky .....	15	15	15	Tennessee .....	9	9	9
Louisiana .....	8	8	8	Texas .....	21	21	21
Maine .....	8	8	8	Utah .....	7	7	7
Maryland .....	7	5	5	Vermont .....	13	13	13
Massachusetts ...	13	13	13	Virginia .....	22	22	22
Michigan .....	14	14	14	Washington .....	13	11	4(g)
Minnesota .....	13	13	13	West Virginia ...	11	11	11
Mississippi .....	10	10	10	Wisconsin .....	8	8	8
Missouri .....	20	20	20	Wyoming .....	0	0	0

(a) Districts have been officially designated by the Governor.

(b) Districts have begun internal organization and, in some cases, begun acquiring staff.

(c) Districts receive state appropriations or state pass-through of federal funds.

(d) Considered too small to divide into substate districts.

(e) Four counties serve as substate planning organizations.

(f) Designated their larger counties as mandatory planning units.

(g) Has separate designations for local areawide planning and coordination of federal-state activities.

form work programs, and are engaged in a broad spectrum of activities. Across the northern tier of States, the picture is mixed.

California and Washington each have some active and potent regional organizations, while other areas of those States either are without councils or have largely inoperative groups. This is a pattern common to States across the country, although almost every State is actively promoting regionalism and investing increasing activity and funds in strengthening regional structures.

Just as regional organizations vary, so do state attitudes toward them. The question of whether regional organizations should represent local interests, state interests, or both, concerns state officials. However, where regional organizations are most effective and powerful, 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.

Most States add a state contribution to the local and federal funds that support regional organizations. There is a direct relationship between the amount of state support and the degree of state influence over regional policy.

Many States would like to devolve more powers and programs to the regional level, where there is more potential for responsiveness to differing local needs. Moreover, state bureaucracies are sensing increased legislative and public opposition to the concentration of powers and funding at the state level.

In 1973, the National Advisory Committee on Intergovernmental Relations recommended the adoption of state policies and action to foster creation of single, multipurpose, multijurisdictional regional councils called "umbrella multijurisdictional organizations" or UMJOs. By the mid-1970s, 28 States had taken action to recognize a single substate body to be responsible for comprehensive planning for its region. The UMJO concept has been encouraged by a 1973 revision in Part IV of OMB Circular A-95, which requires memorandums of agreement on coordination between desig-

nated substate districts and single-purpose, areawide planning agencies requesting federal funding.

With improved organizational and administrative capability, more substate districts are attempting to integrate planning activities to provide policies and criteria for reviewing and coordinating development activities. Georgia now requires an annual development plan to encourage the evaluation of integrated areawide planning and management capability. Louisiana and Minnesota are studying ways of integrating federally funded planning programs to facilitate policy and program integration.

The improved capability of substate districts appears to offer increased opportunities for intergovernmental management of growth through effective leadership by the States. With recent revision of OMB Circular A-95, more States appear to be discovering new opportunities for exercising leadership.

#### INTERSTATE REGIONAL COOPERATION

Multistate regional development commissions and councils provide member States with a mechanism to deal with growth problems which transcend jurisdictional 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. The federally sponsored economic development groups are the Appalachian Regional Commission, with 13 member States; the New England Regional Commission, with six States; the Coastal Plains, with the three South Atlantic States; the Upper Great Lakes Region, with three member States; the Ozarks Regional Commission, with four States; the Old West Regional Commission, with five Northern Great Plains and Upper Rocky Mountain States; the Four Corners Regional Commission, serving four southern Rocky Mountain States; and the Pacific Northwest, with three member States. Although member States contribute funds to the commissions, the

principal support is federal and includes capital investment funding.

The Appalachian Regional Commission (ARC), created under separate legislation from the other economic development commissions, has devoted most of its efforts to highway development as a means of opening the area to economic development. The remaining seven commissions, organized under Title V of the Public Works and Economic Development Act of 1965, have less authority and funding than does ARC, but they have developed and are currently revising long-range, comprehensive development plans to serve as guidelines for programs and project funding. Though the primary purpose of the economic development commissions is economic planning and public investment, they also provide effective forums for Governors to develop policy positions and to articulate regional concerns to federal policymakers.

Since 1973, several regional commissions have given primary attention to the particular energy and employment problems common to the region. In energy-dependent New England, for example, the New England Regional Commission has developed short-range programs of fuel rationing and conservation, as well as addressed long-range efforts at policy planning, technical assistance in energy resource management, and cooperative arrangements with Canada to increase fuel supply. In contrast, the Old West Regional Commission provides financial and technical assistance to the States and communities in an energy-producing area to meet the environmental, social, and economic impacts associated with accelerated energy resource development. In both energy-producing and energy-dependent areas, the regional commissions have contributed to state growth management capability by contributing funds for staff development, public investment plans, economic development models, and citizen participation programs.

Of the numerous and varied state-initiated regional councils, the Federation of Rocky Mountain States, composed of the eight States in the region, and the Southern Growth Policies Board, with 14 member States, are strongly oriented to

growth policy and growth management. In the Federation, the basic units are the functional councils with public and private representatives. Each council identifies and develops regional agreements on key issues, defines policies on those issues, and proposes multistate policies and programs to address the issues. In 1974-75, the Federation concentrated on common goals and concerns in the area of energy development.

An offshoot of the Federation and the Old West and Four Corners Regional Commissions is the 10-State Western Governors' Regional Energy Policy Office. The mission of the office is to identify those energy areas in which States have basic agreement and to provide a mechanism for cooperation with the various federal agencies involved in energy decisions.

The Southern Growth Policies Board was formed in 1972 as a regional planning agency to provide cooperative efforts to encourage the conservation and development of the region's human and natural resources. Regional committees were formed in 1974 to advise the Board in the areas of growth management, human and natural resource development, and transportation. A Commission on the Future of the South, created by the Board in 1974, produced the first statement of proposed regional objectives for consideration and implementation by member States. The regional objectives were supplemented in 1975 with recommended methods to implement land and natural resource programs.

#### NEW PLANNING PERSPECTIVES

In many States in the mid-1970s, economic and environmental circumstances have significantly altered the role and perspective of state planning. State planning is evolving into a concept of growth policy planning and management. This is also reflected in the changing concepts of land use and economic planning.

In general, the concept of land use planning has changed from directly controlling growth to coordinating development consistent with environmental and land use concerns. State initiatives are directed to coordinating development



through such measures as powerplant siting, environmental regulations, capital improvements planning, floodplain regulations, and mandated guidelines for local land use planning and control. This approach is also reflected at the federal level in the Housing and Urban Development Administration, the Economic Development Administration, and the Environmental Protection Agency guidelines and interagency agreements providing community development and capital improvement coordination with uniform land use plans and environmental standards.

On the other hand, state economic planning, which has traditionally concentrated on industrial location and expansion, is now becoming defined in terms of optimization of economic benefits, environmental quality, and resource conservation. States see themselves as instruments of change that can allocate resources to stimulate development consistent with desired land use and environmental quality in order to maximize social benefits.

Both land use planning and economic planning are evolving toward a concept now being referred to as growth policy planning and growth management. Consistent with this approach, 17 States have some form of official growth plan or policy guideline; 20 States have established state-level growth commissions or processes (see Figure 2). Relatively few of these statements or studies have gone far beyond the recognition of need and the identification of some key components over which States may exercise initiative. In the handful of States that have developed sophisticated growth 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 pattern; that is, attempt to

moderate and change past trends and location of growth by deliberate policy implementation. The 1975 Hawaii Legislature passed a major growth policies plan bill to guide state development on the basis of a program developed by the state administration using this technique.

The "Utah Process" is a demographic and economic data analysis and projection technique. Through the use of computer-based projection and allocation models, the Utah Process is employed to identify important consequences of large-scale developments and events that are proposed or may be anticipated. "Alternative futures" are developed through testing different combinations of developments and events for their impact on the State's base demographic and economic projections. Arizona is developing a similar approach based on an economic and environmental tradeoff model.

The second approach is the "strategic issues" technique, which is currently in its embryonic stages in Kentucky and Maryland. This process focuses on those

Figure 2  
STATE GROWTH PLANNING STATUS

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*Completed Growth Plans or Policy Guidelines(a)*

Connecticut (1975)	Louisiana (1974)
Florida (1975)	Maryland (1975)
Hawaii (1975)	Missouri (1974)
Wisconsin (1974)	Oregon (1975)
Vermont (1973)	North Carolina (1975)
Iowa (1974)	Rhode Island (1975)
Kansas (1975)	Washington (1975)
Kentucky (1974)	Pennsylvania (1975)
South Dakota (1975)	

*On-going Public Commissions and Processes*

Alabama	Maine
Alaska	Massachusetts
Arizona	Minnesota
Connecticut	Mississippi
Delaware	Montana
Hawaii	New Jersey
Idaho	North Carolina
Illinois	South Dakota
Indiana	Utah
Iowa	Wisconsin

*On-going Private Commissions and Processes*

California Tomorrow
New Hampshire Tomorrow
Institute of Public Alternatives (New York)
Oregon Tomorrow Foundation
Vermont Tomorrow

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(a) Complete plans or guidelines have not been officially adopted in all States.

key problems which, if eliminated, would have the greatest impact on the state economy. The strategic approach assumes that, of all things that might be done under the heading of "development," there is a relatively small number of truly critical actions. If identified and accomplished, these will not only be useful in themselves, but will also have a cascade effect, causing other useful events.

The Kentucky approach involves a detailed and intricate process designed to (1) collect and organize existing data and identify information gaps; (2) reorganize the accumulated information in order to identify those key elements that can guide the State's growth and development; and (3) examine the management structure needed to carry out the objectives of the strategy design.

Maryland is developing a somewhat different strategic issues method. Their process includes issues identification, issues development, issues resolution, and implementation. The process has an explicit "action-oriented mission," designed to result in an array of legislation, new programs, or public investment of specific resources.

The third system is "public investment planning," employed in Pennsylvania. This approach requires the projections of future growth potentials, population, income, and social service requirements. These "probable" indicators of future trends are then matched with a set of "desired" expectations. The gap between the projections and desires represents those areas which need public attention and investment. The culmination of the program is the identification of funding sources for future investment and the rethinking of those adopted development targets for which resources will be unavailable.

#### CITIZEN PARTICIPATION

Efforts to engage citizens in the planning process are highlighted by developments in Minnesota and Washington. The Commission on Minnesota's Future began meeting in 1973 to prepare a proposed state growth policy, to gather information regarding the State's future, to

examine long-range plans of state departments and agencies, and to report on development implications of major state decisions. The State Planning Agency is the primary staff support for the commission, with a joint legislative committee overseeing the effort and identifying priorities. Out of the discussions is to come an analysis of alternative futures for the State.

Alternatives for Washington is the citizen participation element of that State's long-range policy planning process which, in turn, is a component of Washington's Program Decision System of budget preparation. Governor Daniel J. Evans said he was asking citizens to attempt to measure the tradeoffs and costs of their proposals in order to provide guidelines to the executive and Legislature for sound planning of specific actions.

Meanwhile, a systematic effort was undertaken in Washington State to analyze state policies in light of public survey responses as well as state goals formulated by areawide and statewide groups. Under the State's integrated planning and budgeting process, state agencies must develop a program framework for budget requests, working with state planners to assure that agency planning is consistent with broader administration goals and policies.

Florida provided an example of legislative initiative in coming to grips with fundamental state policy issues when it adopted a state policy on growth. The Division of State Planning provided information and analysis, but the formulation of policy statements was done by legislators. Statements range from "quality of life" to "local responsibility" to "sound economy." For each area, several policies were enunciated, restraints acknowledged, and alternative implementing actions proposed. The resolution was intended as a framework for legislative action in the future and a broad policy guide for state and local governments. An executive order from the Governor directed the Division of State Planning to study and develop methods to implement the policies established by the Legislature in 1974.

TABLE 1

## ORGANIZATIONAL LOCATION OF STATE PLANNING AGENCIES

<i>State</i>	<i>Agency</i>	<i>Separate department</i>	<i>Governor's Office</i>	<i>Department of administration</i>	<i>Economic development</i>	<i>Other</i>
Alabama.....	Development Office	..	★	..	..	..
Alaska.....	Div. of Policy Development	..	★	..	..	..
Arizona.....	Office of Economic Planning & Development	..	..	..	★	..
Arkansas.....	Office of Planning	..	★	..	..	..
California.....	Office of Planning & Research	..	★	..	..	..
Colorado.....	Div. of Planning	..	..	..	..	(a)
Connecticut....	Dept. of Planning & Energy Policy	★	..	..	..	..
Delaware.....	State Planning Office	..	★	..	..	..
Florida.....	Div. of State Planning	..	..	★	..	..
Georgia.....	Office of Planning & Budget	★	..	..	..	..
Hawaii.....	Dept. of Planning & Economic Development	..	..	..	★	..
Idaho.....	Div. of Budget, Policy Planning & Coordination	..	★	..	..	..
Illinois.....	Bureau of the Budget	★	..	..	..	..
Indiana.....	State Planning Service Agency	..	★	..	..	..
Iowa.....	Office of Planning & Programming	..	★	..	..	..
Kansas.....	Div. of State Planning & Research	..	..	★	..	..
Kentucky.....	Office of State Planning	..	★	..	..	..
Louisiana.....	State Planning Office	..	★	..	..	..
Maine.....	State Planning Office	..	★	..	..	..
Maryland.....	Dept. of State Planning	★	..	..	..	..
Massachusetts..	Office of State Planning	..	★	..	..	..
Michigan.....	Dept. of Management & Budget	..	..	★	..	..
Minnesota.....	State Planning Agency	..	★	..	..	..
Mississippi.....	Office of Federal-State Programs	..	★	..	..	..
Missouri.....	Div. of Budget & Planning	..	..	★	..	..
Montana.....	Div. of Planning	..	..	..	★	..
Nebraska.....	State Office of Planning & Programming	..	★	..	..	..
Nevada.....	Office of the State Planning Coordinator	..	★	..	..	..
New Hampshire..	Office of Comprehensive Planning	..	★	..	..	..
New Jersey.....	Div. of State & Regional Planning	..	..	..	..	(a)
New Mexico....	State Planning Office	..	★	..	..	..
New York.....	Div. of State Planning	..	..	..	..	(b)
North Carolina..	Office of State Planning	..	..	★	..	..
North Dakota...	State Planning Div.	..	..	..	..	(c)
Ohio.....	Dept. of Economic & Community Development	..	..	..	★	..
Oklahoma.....	Office of Community Affairs & Planning	..	..	..	★	..
Oregon.....	Intergovernmental Relations Div.	..	★	..	..	..
Pennsylvania..	Office of State Planning & Development	..	★	..	..	..
Rhode Island...	Statewide Planning Program	..	..	★	..	..
South Carolina..	Office of Community Development	..	..	★	..	..
South Dakota...	State Planning Bureau	..	★	..	..	..
Tennessee.....	State Planning Office	..	★	..	..	..
Texas.....	Div. of Planning Coordination	..	★	..	..	..
Utah.....	Office of State Planning Coordinator	..	★	..	..	..
Vermont.....	State Planning Office	..	★	..	..	..
Virginia.....	Div. of State Planning & Community Affairs	..	..	..	..	(a)
Washington....	Office of Program Planning & Fiscal Management	..	★	..	..	..
West Virginia..	Office of Federal-State Relations	..	★	..	..	..
Wisconsin.....	State Planning Office	..	..	★	..	..
Wyoming.....	State Planning Office	..	★	..	..	..

(a) Community Affairs.

(b) State Department.

(c) Department of Accounts and Purchases.

# MAJOR STATE SERVICES

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TABLE 2

## SPECIAL SERVICES TO ENCOURAGE INDUSTRIAL DEVELOPMENT\*

State or other jurisdiction	State, city or county provides free land for industry	State, city and/or county finance speculative building	State, city or county owns industrial park sites	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 program to promote research and development	State program to increase export of products	University R&D facilities available to industry	State and/or university conduct feasibility studies to attract or assist new industry	State recruiting, screening of industrial employees	State-supported training 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 and/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.....	..	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★
Virgin Islands.....	..	..	★	★	★	★	★	★	★	★	★	★	★	★	★	★

\*Source: Office of International Investment, Domestic Investment Services Division, Department of Commerce.

TABLE 3

STATES PROVIDING DATA BASIC TO  
PLANT LOCATION FOR INDUSTRY\*

<i>State or other jurisdiction</i>	<i>Data on communities in comparable form, such as an audit</i>	<i>Site studies</i>	<i>Conduct or assemble research studies on State and areas</i>	<i>Climate</i>	<i>Civil characteristics</i>	<i>Financing</i>	<i>Labor</i>	<i>Legislation and taxes</i>	<i>Markets</i>	<i>Data on plant location factors for indi- vidual communities</i>	<i>Assist in design or layout of new plants</i>	<i>Own or share in ownership of industrial sites</i>	<i>Financial assistance to new or expanding plants</i>	<i>Power and fuels</i>	<i>Water and waste</i>	<i>Transportation</i>	<i>Raw Materials</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.....	★	★	★	★	★	★	★	★	★	★	..	..	..	★	★	★	★
Puerto Rico.....	★	★	★	..	★	★	★	★	★	★	★	★	..	★	★	★	★
Virgin Islands.....	..	..	..	★	★	★	★	★	..	..	..	..	..	★	★	★	★

\*Source: Office of International Investment, Domestic Invest-  
ment Services Division, Department of Commerce.

TABLE 4

## STATES PROVIDING FINANCIAL ASSISTANCE FOR INDUSTRY\*

<i>State or other jurisdiction</i>	<i>State, city or county incentive for estab- lishing industrial plants in areas of high unemployment</i>	<i>State, city or county loan guarantees for equipment, machinery</i>	<i>State, city or county loan guarantees for building construction</i>	<i>State, city or county loans for equipment, machinery</i>	<i>State, city or county loans for building construction</i>	<i>State, city or county general obligation bond financing</i>	<i>State, city or county revenue bond financing</i>	<i>Privately sponsored development credit corporation</i>	<i>State-sponsored industrial development authority</i>	<i>State financing aid for existing plant expansions</i>	<i>State matching funds for city and/or county industrial financing programs</i>	<i>State loan guarantees for building construction</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.....	..	..	..	..	..	..	..	..	..	..	..	..
Puerto Rico.....	..	..	..	..	..	..	..	..	..	..	..	..
Virgin Islands.....	..	..	..	..	..	..	..	..	..	..	..	..

\*Source: Office of International Investment, Domestic Investment Services Division, Department of Commerce.

TABLE 5

TAX INCENTIVES FOR INDUSTRY AND  
OTHER PERTINENT LAWS\*

<i>State or other jurisdiction</i>	<i>Accelerated depreciation of industrial equipment</i>	<i>Corporate income tax exemption</i>	<i>Excise tax exemption</i>	<i>Tax incentive for compliance with pollution control laws</i>	<i>Inventory tax exemption on goods in transit (freight)</i>	<i>Personal income tax exemption</i>	<i>Sales use tax exemption on new equipment</i>	<i>Tax exemption or moratorium on land, capital improvements</i>	<i>Tax exemption or moratorium on equipment, machinery</i>	<i>Tax exemption on raw materials used in manufacturing</i>	<i>Tax credits for use of specified state products</i>	<i>Tax stabilization agreements for specified industries</i>	<i>Tax exemption to encourage research and development</i>	<i>State right-to-work law</i>	<i>State minimum wage law</i>	<i>State fair employment practice code</i>	<i>Statewide uniform property tax evaluation law</i>	<i>Statewide industrial noise abatement law</i>	<i>Statewide air and water pollution control 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.....	..	★	★	★	★	★	..	..	..	★	..	..	..	★	★	★	★	★	★
Puerto Rico.....	★	★	★	..	★	★	★	★	★	★	..	..	★	★	★	★	..	★	★
Virgin Islands.....	★	★	★	..	★	★	★	★	★	★	..	..	★	★	★	★	..	★	★

\*Source: Office of International Investment, Domestic Investment Services Division, Department of Commerce.

# 6

## Natural Resources

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### NATURAL RESOURCES AND ENVIRONMENTAL MANAGEMENT\*

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#### I. POLLUTION CONTROL

**P**OLLUTION in its various forms—air, water, noise, solid waste, and hazardous substances—has been an environmental concern for many years. In general it is agreed that pollution should be reduced. Differences arise over how serious a problem one particular type of pollution may be, whether the technology to abate it is available, and whether the degree of abatement achieved is worth the costs.

#### *Air Quality*

The first attack on air pollution was mounted by the States as they enacted laws governing their jurisdictions. Congress followed with a series of laws intended to provide a framework for cleaning up the air throughout the Nation in a concerted, comprehensive fashion. The most important of these federal laws were the Clean Air Act of 1967 and the Clean Air Act Amendments of 1970.

The 1967 act embodied the concept

that air cleanup required a national effort, but it specified that the States should retain primary authority and responsibility for doing so. The 1970 amendments provided for development and enforcement of two kinds of standards for ambient air quality—"primary" standards necessary to protect health and "secondary" standards desirable to protect welfare, including property and aesthetics. The amendments' stated goal was achievement of primary standards throughout the Nation between 1975 and 1977.

The amendments also set forth a two-part strategy for attaining this goal. First, the federal Environmental Protection Agency (EPA) was to establish air quality standards for six major classes of pollutants: particulates, sulfur oxides ( $\text{SO}_2$ ), hydrocarbons (HC), carbon monoxide (CO), oxides of nitrogen ( $\text{NO}_x$ ), and photochemical oxidants. EPA promulgated standards for each class in November 1971.

Next, the States were to develop state implementation plans indicating how they intended to achieve the EPA standards. Each implementation plan, typically, is a compilation of state air pollution statutes and regulations and of pollution control strategies—including emission limitations, land use controls, and transportation controls. EPA is required either to approve the state implementation plans, thus making them part of federal law, or to amend them in conformance with EPA criteria for attaining ambient air standards.

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\*The sections on "Pollution Control" and "State Environmental Impact Statement Requirements" were adapted from the 1975 Annual Report of the Council on Environmental Quality with special thanks to Malcom Baldwin and Shelia Mulvihill of CEQ for their assistance; James Breithaupt, Special Assistant, the Council of State Governments, prepared the section on "Organization of Environmental Programs"; the section on "State Land Use Programs" was prepared by Robert Matthews, Special Assistant, the Council of State Governments, with assistance from Michael Arnold of *Land Use Planning Reports*.



Because different geographical, climatic, and other conditions introduce necessary variations in the state plans and because each plan contains several often complex programs, EPA developed a policy of approving them on a program-by-program basis. The resulting constant review process has given EPA and the States the flexibility required to revise plans in accordance with later changes ordered by the courts or the Congress. As of late 1975, no state implementation plan had been approved in its entirety by EPA.

*The Issue of Variances.* The Clean Air Amendments provide for attainment of ambient air standards in all areas by 1975 (or 1977 if a two-year extension has been granted to an area). Most state implementation plans were drafted so that all emission limitations were effective immediately. Because most sources were not in compliance with emission limitations of implementation plans, there was a transition period (still continuing for some) between the time a plan became effective and the time that ambient air standards had to be attained. The most common way of dealing with source noncompliance was for a state pollution control authority to issue a variance from the requirements, provided that the source and the State reached a mutually acceptable compliance schedule and that the national ambient air quality standards were met by the statutory deadlines. EPA took the position that such variances would be treated as revisions of the state implementation plans, requiring only approval by EPA.

This variance procedure was challenged throughout the country. Opponents argued that once a plan was approved, an individual source could be excused from full compliance with all emission limitations only by obtaining an extension under Section 110(f) of the Clean Air Amendments. Section 110(f) permits an extension of no more than one year upon application from a Governor to EPA if four conditions are met—good faith efforts must have been made to comply with the implementation plan; failure to comply must result from lack of available technology; all available controls, including interim controls, must be in-

stalled; and continued operation of the source must be essential to national security, the public health, or welfare. Adjudicatory hearings are also required under Section 110(f).

The controversy over which procedure should be used—the easier, state-granted variance or the tougher, lengthier extension under Section 110(f)—soon resulted in several suits before different courts of appeals.

Ultimately the Supreme Court held that the purposes and philosophy of the Clean Air Act of 1967 were not changed by the 1970 amendments. Accordingly, the chief responsibility for attainment of ambient air standards rests with the States. So long as a State's control strategy achieves and maintains ambient air standards, the Court ruled, EPA cannot interfere with the State's timing or its enforcement techniques.

*Significant Deterioration.* On May 30, 1972, the District of Columbia District Court ruled that according to the provisions of the Clean Air Act, no State could permit "significant deterioration" of air quality in areas where it was already cleaner than required by ambient standards. This ruling was upheld by the Supreme Court.

EPA has issued proposed final regulations to incorporate the Court's decision into state implementation plans. Although the regulations were to take effect July 1, 1975, several challenges are delaying implementation. In addition, the President has urged Congress to undertake a comprehensive review of the issue.

*Transportation Control Plans.* Soon after submission of the state implementation plans, EPA found that special efforts to control mobile sources would be needed to meet ambient air quality standards in 34 metropolitan areas. In particular, plans were needed to reduce automobile use and concentration within these metropolitan areas. Where localities and States were unable to come up with an acceptable plan, the Clean Air Amendments directed EPA to develop one.

Meanwhile, the Administration submitted—as part of its January 1975 package of amendments to the Clean Air Act—a proposal to authorize EPA to grant up

to two five-year extensions of transportation control plan requirements to municipalities that had implemented all reasonable control measures but still failed to meet the standards.

*Indirect Sources.* Another issue with respect to mobile sources has been the development of statewide programs for preconstruction review of major facilities that attract large numbers of vehicles and thus may create violations of ambient air quality standards. These "indirect sources"—also referred to as "complex sources"—include shopping centers, stadiums, airports, amusement parks, and urban roadways, among others. The requirement for States to develop a review program to control the siting of indirect sources under EPA regulations derives from a January 1973 Court of Appeals ruling by the District of Columbia Circuit Court. EPA issued final regulations in February 1974, but federal enforcement of the program was delayed in order to allow Congress to review the issues.

#### *Water Quality*

Until 1972, the federal approach to water pollution was defined by the 1948 Federal Water Pollution Control Act (as subsequently amended) and the Refuse Act of 1899. The FWPCA originally focused on ambient water quality, and allowable discharges were related to the estimated assimilative capacity of the receiving stream or lake. Enforcement was slow and cumbersome, requiring conferences and long waiting periods. As a result, the act's provisions were the basis of only three civil court actions (and no criminal actions) brought against polluters before 1972.

Under the 1972 amendments to the Federal Water Pollution Control Act, the act no longer focused on ambient quality and assimilative capacity but instead established discharge requirements, calling upon industrial polluters to achieve the "best practicable treatment control technology currently available" by 1977 and more stringent "best available technology economically achievable" by 1983. Municipal sewage discharges must receive secondary treatment by 1977 and best practicable waste treatment technology

by 1983. The ultimate goal is to eliminate the discharge of all pollutants into navigable waters by 1985. Each discharger must obtain a permit which limits, item-by-item, the amount of pollution that may be discharged. The amendments also provide for regulating toxic pollutants.

The 1972 amendments greatly increased the amount of federal aid available to local governments for constructing municipal waste water collection and treatment systems. The original 1948 act had authorized loans, but monies were never appropriated. Federal involvement increased with subsequent amendments, however, so that by 1971 municipal grants covered up to 55 percent of construction costs and annual appropriations were running at \$1 billion. The 1972 amendments increased the federal share to 75 percent, and Congress authorized \$18 billion over a three-year period.

*The NPDES Permit Program.* Section 402 of the Federal Water Pollution Control Act provides for a national pollutant discharge elimination system (NPDES) and requires point sources discharging pollutants into waters of the United States to have obtained a discharge permit by December 31, 1974. By July 1, 1975, over 40,000 permits had been issued. The emphasis was on "major" industrial and municipal discharges.

In many States, state agencies will assume responsibility for issuing permits as they develop acceptable implementation and enforcement mechanisms. Their doing so relaxes some of the pressure on EPA and places the review function in the hands of people who have more direct knowledge of the discharger and of local water quality. However, EPA still retains a right to prevent the issuance of any permit within 90 days of notification. By July 1975, 24 States had taken over the permitting functions.<sup>1</sup>

*Planning.* Section 201 of the 1972 FWPCA pertains to the planning of individual facilities. Section 303(e) pertains

<sup>1</sup>The States are California, Colorado, Connecticut, Delaware, Georgia, Hawaii, Indiana, Kansas, Maryland, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Ohio, Oregon, South Carolina, South Dakota, Vermont, Virginia, Washington, Wisconsin, and Wyoming.

to statewide planning efforts and is designed to encourage the States to develop an overall strategy for water quality improvement, including industrial and municipal waste water discharges. Section 208 calls for areawide waste treatment and water management plans that incorporate abatement facilities, land use, and economic growth considerations in covering metropolitan areas and other regions.

Most activity during 1975 was directed toward implementing Section 208. Governors are responsible for designating areawide 208 planning agencies which, after EPA review and approval, may receive planning grants. The law calls for EPA to cover all the planning costs in fiscal year 1975, but only 75 percent in fiscal year 1976. By June 30, 1975, 149 planning agencies had been designated and awarded grants.

#### *Solid Waste Management*

States and local governments have the primary authority for solid waste management. State activity in solid waste management has increased dramatically in the past few years and has centered on more effective regional approaches to the solid waste problem, financial and technical assistance to local governments, and enforcement of standards for the siting and operation of disposal facilities. Considerable progress has been made nationally toward making the open, burning dump a thing of the past, although the problem is far from solved.

*Resource Recovery.* Developments in technology combined with environmental and economic pressures continue to encourage initiatives at the state level. As of the end of 1974, 11 States had grant or loan programs for construction of resource recovery systems by municipalities, 12 were involved in planning statewide systems or regulating resource recovery activities through guidelines or conformance requirements, and six had authority to create agencies to operate resource recovery facilities. They are shown in the adjacent table.

Connecticut is nearest to a state-operated system. As a result of the comprehensive plan developed by the Connecticut Department of Environmental Protec-

tion, the Legislature created the Connecticut Resources Recovery Authority. The plan sets a 1985 date for completion of 10 facilities that will process 84 percent of the State's waste. These are energy recovery facilities that will principally prepare municipal wastes for use as fuel in utility boilers and collecting the unburnable residue for possible recycling.

State Initiatives and Community Resource Recovery Projects, March 1975\*

State	Grants or loans	Planning or regulation authority	Operating authority	Community recovery systems (a)
California .....	X	X	..	1
Connecticut .....	..	X	X	3
Delaware .....	..	..	..	1
Florida .....	X	X	X	1
Hawaii .....	..	X	..	..
Illinois .....	X	..	..	1
Iowa .....	..	..	..	1
Louisiana .....	..	..	..	1
Maryland .....	X	..	..	1
Massachusetts ..	..	X	..	5
Michigan .....	X	X	X	..
Minnesota .....	X	X	..	1
Missouri .....	..	..	..	2
New York .....	X	X	..	5
Ohio .....	X	..	X	3
Oregon .....	..	..	..	1
Pennsylvania ..	X	X	..	1
Rhode Island ..	..	X	X	..
Tennessee .....	X	..	..	2
Vermont .....	..	X	..	..
Washington ....	X	..	..	..
West Virginia ..	..	..	..	1
Wisconsin .....	..	X	X	1

\*Source: Richard E. Hopper, *A Nationwide Survey of Resource Recovery Activities*; EPA/530/SW 142 (Washington, D.C.: U.S. Government Printing Office, 1975), pp. 2-3.

(a) All stages, from study through operating.

*Source Reduction.* Source or waste reduction means preventing waste at its source by either physically redesigning products or otherwise changing consumption and waste generation patterns. Less solid waste will be generated by reducing the amount of material contained in products, increasing the lifetime of products, substituting reusable for single-use products, and using a product item more than once.

Legislation banning or taxing nonreturnable beverage containers has been the most popular type of source reduction proposal. Although several bills have been introduced in the U.S. Congress,

more activity has taken place at the state and local levels. Legislation has been introduced in 50 State Legislatures and numerous county and city councils since 1971. As of mid-1975, three States, Oregon, South Dakota, and Vermont, had laws restricting beer and soft drink containers, and one, Minnesota, had a law affecting all major types of packaging wastes.

A mandatory deposit law has been in effect in Oregon since October 1, 1972. A minimum 2-cent refund for beer, malt beverage, and carbonated soft drink containers certified for reuse by more than one manufacturer and a 5-cent refund for all other beverage containers are required. In addition, the sale of flip-top and pull-tab beverage containers is outlawed.

## II. STATE ENVIRONMENTAL IMPACT STATEMENT REQUIREMENTS

Currently 14 States and one territory have comprehensive statutory requirements for state environmental impact statements. An additional three have comprehensive requirements based on executive or administrative orders, while six others have special or limited requirements (see the adjacent table).

Most other State EIS requirements have been in effect for at least two years. During 1975, a number of States amended their environmental laws. In general, the changes increase the strength and durability of the environmental impact procedures.

California, Hawaii, Maryland, Michigan, Texas, Virginia, and Washington all amended their statutes or executive orders. California now requires that impact statements include a discussion of mitigating measures relating particularly to the wasteful and unproductive consumption of energy. Amendments to Virginia's statute provide for an administrator of the Virginia Council on the Environment who is responsible for "developing uniform management and administrative systems which will assure coherent environmental policies and will facilitate the provision of environmental services to the public." Washington amended its State Environmental Policy Act to provide for a "watchdog" agency—the Council on

Environmental Policy—to oversee the act's implementation. By revising two previous executive orders, Michigan established an Environmental Review Board, which is responsible for advising the Governor, suggesting environmental policy, conducting public hearings, and assisting the Governor in the review of state environmental impact statements. Hawaii, Maryland, and Texas made minor changes in their statutes, leaving the basic policy goals intact.

A few States, notably Connecticut, North Carolina, and South Dakota, have had problems in implementing their environmental statutes. In these cases, the difficulty has arisen primarily in terms of a lack of enforcement authority in the statute.

### States with Comprehensive Statutory Requirements

California	New York
Connecticut	North Carolina
Hawaii	South Dakota
Indiana	Virginia
Maryland	Washington
Massachusetts	Wisconsin
Minnesota	Puerto Rico
Montana	

### States with Comprehensive Executive or Administrative Orders

Michigan	Texas
New Jersey	

### States with Special or Limited EIS Requirements

Arizona	Nebraska
Delaware	Nevada
Georgia	New Jersey

## III. ORGANIZATION OF ENVIRONMENTAL PROGRAMS

Virtually every State has consolidated under one agency its major air quality, water quality, and solid waste management programs. Only five States continue to administer these programs separately, while three others have partially consolidated them. Most States have accomplished this consolidation through formal reorganization. Reorganization of environmental functions has occurred in more than 30 States since 1967.

For the most part the States seem to have relied primarily upon three basic organizational models: (1) the health department, (2) the State EPA, and (3) the environmental superagency (see Table 1).

*The Health Department Model.* Sixteen States currently include their pollution control programs within their state health department. While a few States have chosen explicitly to consolidate their previously fragmented pollution control programs within a reorganized health department, in most States this approach represents the historical organizational placement of environmental programs. As such, it reflects the traditional linkages perceived between environmental protection and public health considerations.

*The State EPA Model.* Twelve States currently have what might be called "State EPAs"—so called because they mirror the U.S. Environmental Protection Agency in their program responsibilities. State EPAs are primarily regulatory and standard-setting agencies with limited and clearly defined agency missions.

*The Environmental Superagency Model.* Fifteen States have elected to consolidate their pollution control programs with some of their State's natural resource management and/or conservation functions in an environmental superagency. These broad-based agencies generally have major departmental or cabinet status.

Since 1967 there have been 32 major state environmental reorganizations. Approximately one half of the state environmental reorganizations were part of overall executive branch reorganizations. Thus, it seems likely that general executive management considerations such as reducing the number of state agencies, grouping programs into broad functional areas, and reducing the number of boards and commissions have played an important role in shaping the organization of environmental protection programs in many States. Overall executive branch reorganizations have been much more likely to result in the creation of environmental superagencies than have environmentally specific reorganizations. Environmentally specific reorganizations have tended to lead to the establishment of a separate

environmental organization in the form of a State EPA. While the formation of new state environmental agencies reached a peak in 1971, reorganization activity has continued.

Between 1973 and 1975, Kentucky, Michigan, and Missouri created environmental superagencies. South Dakota and Wyoming created State EPAs in 1973 and South Carolina reorganized its environmental activities into the newly created Department of Health and Environmental Control in 1974.

In 1975 there were two reorganizations which involved refinements to the existing organizational structures. Massachusetts completed the last phase of its environmental reorganization begun in 1969. Massachusetts now places under the umbrella of its Executive Office of Environmental Affairs all the State's major pollution control, conservation, agricultural, water resources, and coastal zone management programs. All are subject to the policy and budgetary control of the umbrella office. Florida moved to strengthen the capacity of its pollution control agency which was created in 1969 by consolidating all water programs (including dredge and fill regulation) into a new Department of Environmental Regulation. The new department has an internal organization which integrates individual program efforts by function, i.e., planning, management, and enforcement. In California, efforts by the Governor to create a reorganized environmental agency were defeated in the Legislature.

#### IV. STATE LAND USE PROGRAMS

The prudent use and management of one of our most valuable and cherished natural resources—land—continues to be an issue of major state importance. Recent activity by the legislative, executive, and judicial branches of state government evidences an awareness of the complex interrelatedness of the land use decision-making process with the economic, political, social, and environmental issues confronting state government.

##### *Selected Legislative Activity*

Since land use planning and management reemerged as an issue requiring

some form of state participation, a number of approaches have been proposed and adopted by the States. The following discussion highlights some of these approaches.

A method which appears to be gaining acceptance is that by which local governments are required to develop comprehensive plans based on guidelines which have been established by the State. By adopting this procedure, local government is given the flexibility to plan for identified state concerns as well as unique local goals. With this approach, if the local government fails to act, the State usually can develop the comprehensive plan for the locality. States which have adopted variations of this general approach are: Colorado, Florida, Idaho, Maine, Maryland, Nebraska, Nevada, Oregon, Vermont, Virginia, and Wyoming.

Another means used by States has been the adoption of legislation which addresses a specific type of land use issue. During 1974 and 1975, for example, several States have enacted legislation directly related to energy resource and facility development. Maryland, New Jersey, and Texas adopted legislation that deals with shoreline and offshore development; North Dakota and Wyoming imposed controls on surface mining and assumed authority for the siting of powerplants (see Table 2).

#### *Status of Selected State Programs*

In 1970 the Vermont Legislature passed a highly innovative land use bill. The bill had three elements—an inventory of the land, a determination of the development capability of the land, and the development of a statewide land use plan. The first two elements have been completed. However, the land use plan has been twice rejected by the Legislature.

Since the early 1970s, the Maine Legislature has enacted a series of measures to address various land use issues. In 1972 the Land Use Regulation Commission was established, with authority to regulate all unorganized areas within the State—approximately one half of the State. During the 1975 legislative session, a measure was introduced in an attempt to abolish the commission on the grounds that it

abridged the property rights of landowners. However, this bill and others introduced to weaken various components of the State's land use efforts were defeated.

In 1972 the Land Use and Water Management Act was enacted in Florida. There are two basic land use strategies in the law. One is the designation of areas of critical state concern. This strategy includes the planning and regulatory authority to guide and control development in areas designated by the State as being of critical state concern. The second basic strategy is an intergovernmental review of proposed developments to assess possible regional impacts. Proposed large-scale developments must receive approval from both local government and regional planning agencies. These decisions can be appealed to the State.

Under Florida's legislation two designations of areas of critical state concern have been made. The first area designated under this legislation was the Green Swamp, and recently the Florida Keys has also been designated. Prior to these designations, the Big Cypress Swamp was designated directly by the Legislature. In 1975 the development of regional impact strategy was tested fully for the first time when local government approval for a proposed large-scale development was overturned by the State.

In January 1975, Oregon promulgated its Statewide Planning Goals and Guidelines. The goals establish those concerns of statewide significance that by law must be incorporated into local land use plans. The goals range from extensive requirements for citizen participation to the establishment of urban growth boundaries.

#### *Innovative Measures*

In 1975 the New Jersey Legislature became the first to seriously consider enacting transfer of development rights enabling legislation. The proposed legislation would give a community the authority to separate the "development rights" from the "ownership rights" of certain property and allow the development rights to be sold and used in other designated areas. The bill passed the General Assembly; however, the Senate did not act upon the measure.

In January 1975, Governor Thomas P. Salmon of Vermont issued Executive Order #2 which directed 12 state agencies involved in capital investment decisions to examine their policies and procedures as to impact on future land use patterns. The Governor was primarily concerned with whether or not each agency coordinated its capital investment planning with other state agencies "at an early enough stage and whether they assess the growth-inducement potential of a decision before one alternative is chosen over the rest."

#### *Selected Court Activity*

In response to unresolved land use issues, judicial activism has increased. In March 1975 the New Jersey Supreme Court ruled, in the case of *Southern Burlington County NAACP v. Township of Mount Laurel*, that restrictive municipal zoning ordinances excluding low- to moderate-income housing from a community violate the state constitution. The court went on to state that the township must take positive action in its land use regulations to ensure that housing is provided for every economic and social class in its region.

In 1975, the Ninth U.S. Circuit Court of Appeals ruled that the community growth control ordinance adopted by the City of Petaluma, California, was legal. The three-member court declared unanimously that: "the concept of public welfare is sufficiently broad to uphold Petaluma's desire to preserve its small-town character, its open spaces and low density of population and to grow at an orderly and deliberate pace." This decision reversed an earlier U.S. District Court decision which had held that the ordinance placed unconstitutional restrictions on the right to travel.

Also in 1975, the Oregon Supreme Court ruled, in the case of *Baker v. City of Milwaukie*, that zoning ordinances must conform to comprehensive plans, even if the plan was adopted subsequent to the ordinance. This decision once more raises the issue of whether a comprehensive plan is a guide for the future or is permanent and legislative in nature as the Oregon court ruled.

#### *Federal Impact*

Despite congressional failure to enact an explicit land use bill, federal influence on state land use decision-making continues to be a major factor.

In the 1975 Congress, Section 701 of the Housing and Urban Development Act was amended to require recipients of 701 planning funding—States, regions, and local governments—to include a land use element in their planning program. The act specifies that the land use element include: (a) studies, criteria, and procedures necessary for guiding major growth decisions, and (b) general plans with respect to the pattern and intensity of land use for residential, commercial, and other activities. Broad goals and annual objectives, programs, and evaluation procedures must be explicit. Recipients who fail to comply will be ineligible for further 701 funding after August 1977.

Under the Clean Air Act Amendments of 1970, several regulations have been proposed or promulgated that impact upon land use patterns and decisions. Among these regulations are: transportation control plans for selected metropolitan areas, indirect source review, new source performance standards, and prevention of significant deterioration.

The 1972 amendments to the Federal Water Pollution Control Act are also playing significant roles. Two examples are Section 208 which deals with areawide waste treatment and water management planning, and Section 402—the National Pollutant Discharge Elimination System. These amendments will influence financial and locational considerations made by the public and private sectors.

Implementation of the Coastal Zone Management Act of 1972 has proceeded under the administration of the Department of Commerce. The act provides incentives to the 30 coastal States (including the Great Lakes States) to establish a management program in the coastal area to achieve wise use of their land and water resources. All 30 of the States have begun development of such programs. In 1975 Washington State became the first State to receive federal approval of its management program.

TABLE 1

## STATE ENVIRONMENTAL REORGANIZATIONS, 1967-74\*

State	Year	Type of agency adopted	Type of reorganization
Minnesota	1967	Little EPA	Environmentally specific
Wisconsin		Superagency	Overall executive
California	1968	Umbrella Agency (a)	Overall executive
Delaware	1969	Superagency	Overall executive
Florida		Little EPA (b)	Overall executive
Maryland		Health Department (c)	Overall executive
Massachusetts		Superagency (d)	Overall executive
Oregon		Little EPA	Environmentally specific
Vermont		Superagency	Overall executive
Illinois	1970	Little EPA	Environmentally specific
New Jersey		Superagency	Environmentally specific
New York		Superagency	Environmentally specific
Pennsylvania		Superagency	Environmentally specific
Washington		Superagency	Environmentally specific
Alaska	1971	Superagency	Environmentally specific
Arkansas		Little EPA	Overall executive
Connecticut		Superagency	Environmentally specific
Maine		Little EPA	Overall executive
Montana		Health Department	Overall executive
Nebraska		Little EPA	Environmentally specific
New Mexico		Little EPA	Environmentally specific
North Carolina		Superagency	Overall executive
Georgia	1972	Superagency	Overall executive
Idaho		Health Department (e)	Overall executive
Iowa		Little EPA	Environmentally specific
Ohio		Little EPA	Environmentally specific
Kentucky	1973	Superagency	Overall executive
Michigan		Superagency	Environmentally specific
South Dakota		Little EPA	Overall executive
Wyoming		Little EPA	Environmentally specific
Missouri	1974	Superagency	Overall executive
South Carolina		Health Department	Environmentally specific

\*Colorado (1968), Utah (1969), Louisiana (1972), and Arizona (1974) had reorganization activities within their health departments which changed the internal relationships of their environmental programs.

(a) California created the Resources Agency as a special umbrella agency, with only limited coordination powers. Individual units assigned to this agency continued to exercise considerable autonomy.

(b) In 1975, Florida carried out a second reorganization limited solely to health and environmental programs. Its pollution control agency remains essentially a Little EPA. The major action taken was the consolidation of all water programs (including water supply, potable water, and dredge and fill regulation) in a new Department of Environmental Regulation, which superseded the Department of Pollution Control.

(c) Reorganization involved the state health or human resources department, which already had responsibility for environmental programs. The reorganization did not entail any creation of a new environmental department or agency or the transfer of these environmental functions to another agency, although intraorganizational changes may have taken place within the health department.

(d) In 1969, reorganization established the Executive Office of Environmental Affairs as one of 10 umbrella agencies into which all existing executive departments and agencies were eventually to be merged. Under this plan, departments and agencies were to retain their separate identities but were to be subject to the policy and coordinative authority of the heads of the umbrella agencies, including budgetary review and approval. In 1971 legislation was enacted placing all conservation programs, the water quality and coastal zone management programs, and several other miscellaneous functions under the Executive Office of Environmental Affairs; the State's air quality and solid waste management programs remained in the state health department. In 1975, the Executive Office of Environmental Affairs was further reorganized by adding these two programs as well as all of the State's agricultural programs to its jurisdiction. This umbrella agency has been treated here as an environmental superagency because it does exercise strong control over each of its five constituent agencies.

(e) In addition, Idaho has an Office of Environmental Control within the Governor's Office (created in 1970), which has overall coordinative responsibility for environmental programs.



TABLE 2  
STATE LAND USE PROGRAMS\*

State	Statewide land use program (a)	Coastal zone manage- ment (b)	Wetlands manage- ment (c)	Designation of critical areas (d)	Differential assessment laws (e)	Floodplain manage- ment (f)	Surface mining (g)
Alabama.....	..	★	..	..	..	★	2
Alaska.....	2	★	..	..	2	..	..
Arizona.....	2	..	..	..	1	★	..
Arkansas.....	..	..	..	..	1	★	2,3
California.....	2	★	..	..	3	★	1
Colorado.....	..	..	..	★	1	★	1
Connecticut.....	2	★	★	..	2	★	..
Delaware.....	2	★	★	..	1	..	..
Florida.....	1,2,3	★	★	★	1,3	..	2
Georgia.....	2	★	★	..	..	..	2,3
Hawaii.....	1,2	★	..	★	2	★	1
Idaho.....	3	..	..	..	1	..	1
Illinois.....	..	★	..	..	2	★	2,3
Indiana.....	2	★	..	..	1	★	2,3
Iowa.....	..	..	..	..	1	★	2,3
Kansas.....	..	..	..	..	..	..	2,3
Kentucky.....	..	..	..	..	2	..	2,3
Louisiana.....	..	★	★	..	..	..	..
Maine.....	1,2,3	★	★	★	2	★	2
Maryland.....	2	★	★	★	2	★	2,3
Massachusetts.....	..	★	★	★	2	★	..
Michigan.....	..	..	..	..	3	★	1
Minnesota.....	2	★	★	★	2	★	1
Mississippi.....	..	★	★	..	..	★	..
Missouri.....	..	..	★	..	1	★	1
Montana.....	2,3	..	..	★	2	★	2,3
Nebraska.....	3	..	..	..	2	★	..
Nevada.....	2,3	..	..	★	2	..	..
New Hampshire.....	..	★	★	..	2,3	..	..
New Jersey.....	..	★	★	..	2	★	..
New Mexico.....	2	..	..	..	1	..	2
New York.....	1,2	★	★	★	2	★	1
North Carolina.....	2	★	★	..	2	★	1
North Dakota.....	..	..	..	..	1	..	2
Ohio.....	..	★	..	..	2	..	2
Oklahoma.....	..	..	..	..	1	★	1
Oregon.....	2,3	★	..	★	2	..	2
Pennsylvania.....	..	★	★	★	2	..	2
Rhode Island.....	2	★	★	..	2	..	..
South Carolina.....	..	★	..	..	2	..	2
South Dakota.....	..	..	..	★	1	..	2
Tennessee.....	..	..	..	..	..	..	2,3
Texas.....	..	★	★	..	2	..	1
Utah.....	2	..	..	..	2	..	2
Vermont.....	1,2	..	★	..	3	★	1
Virginia.....	3	★	★	..	2	..	2,3
Washington.....	2	★	★	..	2	★	2
West Virginia.....	..	..	..	..	..	★	2,3
Wisconsin.....	2	★	★	★	..	★	1
Wyoming.....	2,3	..	..	..	1	..	2

\*Indications that a State has a program in one of the above categories does not constitute an evaluation of the effectiveness of the program, nor does it indicate that the program is based on specific enabling legislation.

(a) Type of program.

1. State has authority to require permits for certain types of development.

2. State-established mechanism to coordinate state land use related problems.

3. State requires local governments to establish a mechanism for land use planning (e.g., zoning, comprehensive plan, planning commission).

(b) State is participating in coastal zone management program authorized by the Coastal Zone Management Act of 1972.

(c) State has authority to plan or review local plans or the ability to control land use in the wetlands.

(d) State has established rules, or is in the process of establishing rules, regulations, and guidelines for the identification and designation of areas of critical state concern (e.g., environmentally fragile areas, areas of historical significance).

(e) State has adopted tax measure which is designed to give property tax relief to owners of agricultural or open space lands.

1. Preferential Assessment Program—Assessment of eligible land is based upon a selected formula, which is usually use-value.

2. Deferred Taxation—Assessment of eligible land is based upon a selected formula, which is usually use-value and provides for a sanction, usually the payment of back taxes, if the land is converted to a noneligible use.

3. Restrictive Agreements—Eligible land is assessed at its use-value, with a requirement that the owner sign a contract, and a sanction, usually the payment of back taxes if the owner violates the terms of the agreement.

(f) State has legislation allowing regulation of floodplains.

(g) State regulations of surface mining.

1. State has structural authority.

2. Preferential Assessment Program—Assessments of eligible land is based upon a selected formula, which is usually use-value.

3. Deferred Taxation—Assessments of eligible land is based upon a selected formula, which is usually use-value and provides for a sanction, usually the payment of back taxes, if the land is converted to a noneligible use.

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## OUTDOOR RECREATION

By WILLIAM K. WIGHT\*

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**D**URING 1974-75, state park systems throughout the Nation were challenged to find new alternatives to deal with continuing economic problems. At a time when public demand for recreational opportunities was increasing, state park directors were faced with either no-growth budgets or budget reductions. Despite such problems, there was expansion in several areas of state park operations and programming.

### INFLATION AND BUDGETARY RESTRICTIONS

Like most other governmental agencies, state park departments were hit by the country's economic crunch—a combination of high inflation coupled with decreased revenue. Confronted with this deficit financial situation, many States, such as Michigan and Vermont, called for no-growth budgets in fiscal year 1976. Other States experienced overall budget cuts, ranging from a 3 percent cut in Missouri to a 15 percent cut in Massachusetts.

At the same time, nearly one half of the States were handed new responsibilities in the form of land acquisitions and program expansion. Massachusetts acquired two new park areas, Maine gained nine, Missouri gained six, and Delaware added one new park. Increased acreage through donations, gifts, and legislative mandate often was not accompanied by the necessary funds for development, operation, and maintenance.

Expansion in the area of programming was evident in such States as Rhode Island, with its Ft. Adams Restoration Project; Florida, with its Pioneer Cow Camp; and Alabama, with its Oak Mountain State Park.

States took different approaches in dealing with financial problems. Most States

were forced to cut back in the areas of travel and transportation. Many States, such as Maine and New York, resorted to cutting back in their overall operations, closing parks, or turning over areas to the National Park Service or to local park departments.

Others such as California, Idaho, and Maine, set up park foundations to raise funds. Such foundations offer tax breaks to citizens in return for donations to be used for park and open space purposes.

Many States have adopted a "wait and see" attitude toward the more traditional method of raising funds for environmental-recreational concerns through bond issues. Recent defeats of such bond issues have persuaded States to put off new ones for the time being, hoping for a change in public attitudes. Notable bond issues in the recent past include a \$240 million bond issue in Florida (1972), and a \$40 million bond issue in Washington (1972). In 1974, Louisiana passed a \$113 million general obligation bond issue.

Another form of financial assistance, the Land and Water Conservation Fund (LWCF), is currently under review by Congress. A move to increase the LWCF to \$1 billion has been approved by the Senate and is under consideration in the House of Representatives. Many States feel that the fund, traditionally used only for capital expenditures, should be used for operation and maintenance expenditures.

### LEGISLATION

Significant legislation affecting state park operations has been initiated since 1973, especially in the area of trails. Following the lead of such States as Oregon and Wisconsin, 10 States currently have some sort of trails legislation. In 1974 alone, 61 bills concerning trails were introduced across the country. Development of trails has been expanded to include

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equestrian, bicycle, and hiking trails, with some States, such as Missouri and Wisconsin, active in pursuing the use of abandoned railroad rights of way. Also prominent in the area of legislation is the preservation in Kansas of a system of natural areas. Such natural areas would be protected by law from commercial development.

One of the problem areas in legislation involves the increased use of all-terrain vehicles (ATVs). While some States have been reluctant to allow ATVs in state parks, other States, notably Delaware and Michigan, have developed parks specifically for their use. South Dakota has instituted a snowmobile lease program.

#### EXPANDED PROGRAMMING

Programming was expanded throughout the country in several important areas. Due to the recent surge of reorganization of many state governments, some state park systems have been merged with natural resources or environmental agencies. This, in turn, has resulted in a trend toward environmental education through state parks. Michigan has been a leader in this area. Also, Indiana has experienced success with statewide television presentations on natural history interpretation. An increased amount of leisure time has prompted Ohio to develop workshops on the wise use of leisure time.

Still another area of expansion has been in the field of recreation programming. Ohio's "rent-a-camp" program, whereby tents, cots, stoves, etc., are rented to visitors for \$7 a night, has proved successful. Ohio also sponsors traveling programs involving Indian ceremonies, music, and drama. So far the programs have been attended by some 750,000 people.

In the area of special recreational events, Missouri has increased its schedule over a broad spectrum, including annual events such as music and crafts festivals and sailing regattas.

Related to the area of programming is the development of new resort parks. While this concept is well known in States such as Kentucky and Oklahoma, it is now spreading to Alabama, Arkansas,

Ohio, Tennessee, and West Virginia. Kentucky has recently converted one of its oldest resorts to a year-round tennis complex. The new resorts have been established with an eye toward stimulation of economic growth and development, rather than for competition with existing commercial interests. Also, opinions vary as to whether the resorts should be state-operated, as in West Virginia, or contracted to a concessionaire, as in Ohio, or both, as is the case in Alabama.

#### MANPOWER

Many States have utilized the Comprehensive Education and Training Act (CETA), a federal economic recovery program, in dealing with their manpower problems. The Youth Conservation Corps, a federal employment program aimed at educating young people in the conservation of our natural heritage, has been expanded. In one State, Missouri, the program was expanded from one state park in 1974 to nine state parks in 1975. In addition, many States are now venturing into the areas of attracting college interns and volunteers.

#### FUTURE DIRECTIONS

Without doubt, the largest single event in the near future will be the U.S. Bicentennial. While it will affect States on the East Coast more than others, its effects will undoubtedly be felt in state park systems throughout the country. Most States have developed bicentennial programs along historic lines, as is the case in Massachusetts, Pennsylvania, and Rhode Island.

Other future trends will include a move away from traditional preservation of open space areas and toward acquisition and development of urban recreational areas. Such acquisition and development has already begun in California, Michigan, and New York.

The concept of computerized reservation systems which initially excited many States has encountered problems, notably in Michigan, Mississippi, and Pennsylvania. Currently, the only States still using the computer reservation system are California, New York, and Virginia.

## STATE PARK ATTENDANCE, AREAS, AND ACREAGES, 1975\*

<i>State</i>	<i>Administrative agency</i>	<i>Total attendance</i>	<i>Total number of areas (a)</i>	<i>Total number of acres</i>
Alabama.....	Dept. of Conservation and Natural Resources Div. of Parks	5,477,027(b)	19	45,014
Alaska.....	Dept. of Natural Resources Div. of Parks	1,040,108(c)	64	1,177,315
Arizona.....	Arizona State Parks Board	1,406,431(c)	11	24,000
Arkansas.....	Dept. of Parks and Tourism Parks Div.	3,236,984(c)	34	26,717
California.....	Resource Agency Dept. of Parks and Recreation	43,762,748(b)	220	910,000
Colorado.....	Dept. of Game, Fish and Parks Div. of Parks and Outdoor Recreation	3,664,971(d)	25	151,200
Connecticut.....	Dept. of Environmental Protection Parks and Recreation Unit	7,894,206(d)	90	30,961
Delaware.....	Dept. of Natural Resources Div. of Parks, Recreation and Forestry	3,173,066(c)	9	8,117
Florida.....	Dept. of Natural Resources Div. of Recreation and Parks	11,084,422(c)	114	283,061
Georgia.....	Dept. of Natural Resources Parks and Historical Sites Division	13,110,626(c)	39	39,741
Hawaii.....	Dept. of Land and Natural Resources Div. of State Parks	12,907,000(b)	53	16,629
Idaho.....	Idaho Dept. of Parks	1,914,253(b)	18	29,315
Illinois.....	Dept. of Conservation Div. of Parks	22,784,139(d)	90	80,188
Indiana.....	Dept. of Natural Resources Div. of State Parks	6,452,743(d)	20	64,819
Iowa.....	State Conservation Commission Div. of Lands and Waters	12,163,603(d)	113	47,402
Kansas.....	Kansas State Park and Resources Authority, Kansas State Historical Society	5,047,466(d)	21	28,068
Kentucky.....	Dept. of Parks	27,578,109(d)	43	40,202
Louisiana.....	State Parks and Recreation Commission	5,285,336(d)	31	14,360
Maine.....	Maine Dept. of Conservation Bureau of Parks and Recreation	1,817,836(d)	41	57,411
Maryland.....	Dept. of Natural Resources Maryland Park Service	7,085,305(c)	36	72,652
Massachusetts....	Dept. of Natural Resources Div. of Forests and Parks	8,685,034(c)	112	280,000
Michigan.....	Dept. of Natural Resources Parks Div.	19,485,924(d)	93	220,761
Minnesota.....	Dept. of Natural Resources Div. of Parks and Recreation	6,868,479(e)	82	168,556
Mississippi.....	Mississippi Park Commission	4,500,000(d)	21	15,655
Missouri.....	Dept. of Natural Resources Div. of Parks and Recreation	9,971,055(d)	60	79,065
Montana.....	Dept. of Fish and Game Recreation and Parks Div.	N.A.	49	20,441
Nebraska.....	Nebraska Game and Parks Commission Bureau of State Parks	2,869,556(d)	90	16,000
Nevada.....	Dept. of Conservation and Natural Resources Nevada State Park System	1,631,467(d)	16	135,000
New Hampshire....	Dept. of Resources and Economic Development Div. of Parks	3,816,097(d)	48	66,918
New Jersey.....	Dept. of Environmental Protection Div. of Parks and Forestry	4,447,881(c)	40	247,696
New Mexico.....	State Park and Recreation Commission	5,609,663(d)	30	71,391

## STATE PARK ATTENDANCE, AREAS, AND ACREAGES, 1975\*—Concluded

State	Administrative agency	Total attendance	Total number of areas(a)	Total number of acres
New York.....	Executive Dept. Office of Parks and Recreation	46,987,000(d)	144	242,129
North Carolina....	Dept. of Natural and Economic Resources Div. of State Parks	2,658,772(d)	35	108,000
North Dakota.....	North Dakota Park Service	793,252(d)	20	14,378
Ohio.....	Dept. of Natural Resources Div. of Parks and Recreation	39,501,759(c)	61	167,145
Oklahoma.....	Oklahoma Tourism and Recreation Dept. Div. of Parks	16,129,497(c)	88	91,000
Oregon.....	State Dept. of Transportation State Highway Div. Parks and Recreation Branch	25,209,167(b)	54	89,792
Pennsylvania.....	Dept. of Environmental Resources Bureau of State Parks	31,819,632(d)	119	301,000
Rhode Island.....	Dept. of Natural Resources Div. of Parks and Recreation	7,000,000(c)	90	10,000
South Carolina....	Dept. of Parks, Recreation and Tourism Div. of State Parks and Recreation	10,200,685(c)	40	59,621
South Dakota.....	Dept. of Game, Fish and Parks Div. of Parks and Recreation Custer State Park	4,097,500(d)	41	86,154
Tennessee.....	Dept. of Conservation Div. of State Parks	13,995,536(c)	26	83,548
Texas.....	Parks and Wildlife Dept. Parks Div. Administration	13,489,395(b)	80	129,000
Utah.....	Dept. of Natural Resources Div. of Parks and Recreation	2,826,601(d)	43	56,258
Vermont.....	Agency of Environmental Conservation Dept. of Forests and Parks	911,869(d)	41	98,337
Virginia.....	Dept. of Conservation and Economic Development Div. of Parks	2,643,925(d)	20	42,415
Washington.....	State Parks and Recreation Commission	29,414,092(c)	171	79,233
West Virginia.....	Dept. of Natural Resources Div. of Parks and Recreation	5,055,707(b)	34	65,861
Wisconsin.....	Dept. of Natural Resources Div. of Conservation Bureau of Parks and Recreation	7,501,951(d)	52	52,518
Wyoming.....	Wyoming Recreation Commission	685,972(d)	18	78,191

\*Source: Division of Parks and Recreation, Missouri Department of Natural Resources.

N.A.—Not available.

(a) Number of areas as defined in this table may include any recreational facility from a single swimming pool to a large game preserve.

(b) For fiscal year 1974.

(c) For fiscal year 1975.

(d) For calendar year 1974.

(e) For calendar year 1973.

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## STATE AGRICULTURE

By WM. STANWOOD CATH AND JAMES M. RIDENOUR\*

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DEPARTMENTS OF AGRICULTURE have evolved over the years as individual agencies within the framework of state government. The misconception that agriculture departments are the governmental arm of a small and special interest group fades when one considers the thousands of inspections agricultural employees perform daily in assuring the consumer of wholesome food products. The establishment and enforcement of weights and measures standards and inspection of fertilizers, pesticides, medicated feeds, seeds, and food products assure the consumer of the value of his purchase.

Cooperation between the States and the U.S. Department of Agriculture (USDA) dates back to 1884, when an act was passed that provided for investigations of certain cattle diseases. Since that time, the cooperative role between the federal government and the States has become firmly established. By 1917 the first formal cooperative agreement for estimating crop and livestock statistics was made between USDA and Wisconsin. This followed many years of informal working relationships between the States and USDA in such matters. By 1922 authorization was expanded to provide shipping point grading of fruits and vegetables to the USDA; however, funds were not made available to carry out the work and thus cooperative agreements were made with the States. To this day, the majority of shipping point inspections are carried out by state personnel.

In some cases, the primary financial responsibility for 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 federal Wholesome Meat Act. It has provided for minimum standards to be enforced in all States in regards to antemortem and postmortem inspections, reinspection, and sanitation of all meat and meat food products. Forty States were certified by the Secretary of Agriculture as having programs at least equal to the federal program and 10 States had turned over this duty to federal inspection by the USDA. Because of the difficulty States are now encountering in appropriating funds sufficient to cover their share of the costs of this program, there are now 37 States involved in meat inspection. As the demand for state funds continues, it seems likely that others will turn their meat inspection responsibilities over to the federal government.

The inspection of poultry products and shell and processed eggs also are maintained under the same rigid standards as that for red meat. 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. Ninety percent of the state agricultural agencies are involved in assuring the public of the accuracy of weights, measures, and counts in their day-to-day commercial transactions.

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 tuber-

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culosis 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 and federal veterinarians maintain a constant surveillance of these diseases.

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 of products between infested and noninfested areas as well as assisting with import inspections at U.S. ports of entry. Some economic pests of foreign origin now established in the States are cereal leaf beetle of grains, the golden nematode of potatoes, Japanese beetle on horticultural crops, and the witch-weed parasite of corn.

#### 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. The passage in 1972 of the federal Environmental Pesticide Control Act gives the federal Environmental Protection Agency (EPA) the authority to establish controls and patterns of use for pesticides nationally. The act provides EPA with the capability to assist state departments of agriculture in carrying out their responsibilities under these new national standards.

The recent 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 EPA. Designated lead state agencies such as departments of agriculture are preparing and submitting state plans to

the administrator of EPA for the training, certification, and licensing of all users of pesticides within their States. Georgia and Iowa have been certified and other States likely will follow in the near future.

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 the 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.

#### PROMOTION ACTIVITIES

The balance of trade problems that we face in this Nation appears destined for further deterioration by our increased dependence on foreign fuel supply. The one bright spot in our trade picture has been agricultural products. In order to more efficiently utilize marketing capabilities, 12 midwestern state agriculture departments have incorporated under the name of Mid-American-International Agri-Trade Council (MIATCO). Other similar incorporations of state departments of agriculture in foreign market development include North Carolina, South Carolina, Virginia, and Maryland (Atlantic International Marketing); Washington, Oregon, Idaho, and Montana (Pacific Northwest International Trade); and the New England States plus New York, New Jersey, Pennsylvania, and Delaware (East-

ern States Agriculture and Food Export Council). A recent addition to these export efforts is (SUSTA) Southern U.S. Trade Association.

The importance of U.S. agricultural exports to our Nation's prosperity can be best noted by the fact that these exports have increased from \$3 billion in 1955 to \$21.3 billion in 1974. This resulted in an agricultural trade surplus in 1974 of \$11.8 billion, which put the total U.S. trade balance ahead by \$2.4 billion, the first such trade surplus since 1971. In addition, these exports amounted to 25 percent of total U.S. exports in 1974, and created close to 1 million jobs.

#### STATE-USDA PROGRAMS

Four hundred different cooperative agreements are in effect with USDA's Marketing and Consumer Services. The Service conducts regulatory programs 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. The Animal and Plant Health Inspection Service (APHIS) conducts these programs, establishes goals, and keeps all States informed of progress toward eradication and encourages uniform procedures in various States. The Plant Protection and Quarantine Division of APHIS conducts programs designed to prevent the introduction of plant pests not known to occur or be widely distributed in the United States.

The Virus-Serum Toxic Act administered by the APHIS Veterinary Biologics Division prohibits interstate commerce in worthless, contaminated, and harmful veterinary biologics. The Marketing and Consumer Services of USDA also is 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 agree-

ment, 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.

Forty-four 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. The Packers and Stockyards Administration of the 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 fully and 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 the Statistical Reporting Service (SRS) of the USDA. All agreements between SRS and the States 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-FDA PROGRAMS

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 agricultural agencies, there are some important trends to be considered. National concern with the environment, world food shortages, food pricing, energy needs, and domestic trans-

portation systems have drawn state departments of agriculture to these broad fields. The threatening world food shortages and the resulting increase in food prices have alarmed the public. An increasingly disturbing balance of payments problem has caused the Nation to look to the farmer to increase his production. To meet this challenge, the farmer will need help, however, in assuring that there will continue to be land to farm. Realizing this, many state agricultural agencies are becoming increasingly active in land use planning. There are various proposals that speak to the problem of preserving prime agricultural land, such as tax incentive proposals as they relate to farmland assessment. Some States are considering the possibility of purchasing the development rights of the farmer in order to lock farmlands into continuing agricultural production.

# MAJOR STATE SERVICES

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## FARM ACREAGE AND INCOME PER FARM—1974\*

State	Farms		Realized gross income per farm	Realized net income per farm	Total net income per farm
	Number of farms	Total acreage			
Alabama.....	78,000	14,600,000	\$17,340	\$ 2,396	\$ 3,390
Alaska (a).....	310	1,710,000	23,706	2,268	1,861
Arizona.....	5,900	38,400,000	212,791	59,705	57,256
Arkansas.....	69,000	17,300,000	32,471	7,226	9,427
California.....	63,000	36,100,000	142,270	40,692	43,382
Colorado.....	29,500	39,900,000	76,770	18,944	16,756
Connecticut.....	4,400	540,000	53,210	8,822	12,012
Delaware.....	3,600	698,000	78,565	23,254	23,189
Florida.....	34,000	14,500,000	69,475	22,284	25,249
Georgia.....	75,000	17,000,000	30,410	6,838	7,978
Hawaii.....	4,300	2,300,000	153,941	96,942	97,455
Idaho.....	27,200	15,500,000	57,223	20,131	22,219
Illinois.....	126,000	29,200,000	48,997	13,364	9,923
Indiana.....	106,000	17,500,000	32,035	8,499	5,161
Iowa.....	138,000	34,300,000	55,493	14,548	8,727
Kansas.....	83,000	49,900,000	50,434	14,614	11,381
Kentucky.....	126,000	16,200,000	13,727	3,812	5,072
Louisiana.....	48,000	11,800,000	30,792	10,844	11,814
Maine.....	7,600	1,710,000	62,275	20,644	27,980
Maryland.....	17,800	2,955,000	38,938	8,096	7,648
Massachusetts.....	5,800	710,000	38,579	6,668	7,885
Michigan.....	80,000	12,300,000	24,403	7,503	8,200
Minnesota.....	118,000	30,600,000	41,098	16,933	14,851
Mississippi.....	85,000	17,200,000	19,187	4,074	4,530
Missouri.....	139,000	32,800,000	21,760	4,441	3,694
Montana.....	24,600	62,500,000	52,608	17,150	28,219
Nebraska.....	69,000	48,100,000	63,713	17,510	9,870
Nevada.....	2,000	9,000,000	75,544	16,159	15,054
New Hampshire.....	2,600	560,000	31,762	6,421	6,760
New Jersey.....	8,000	1,030,000	49,146	11,728	12,319
New Mexico.....	11,800	47,200,000	53,198	6,411	7,953
New York.....	57,000	11,200,000	30,474	4,883	6,450
North Carolina.....	135,000	14,000,000	21,673	7,907	8,058
North Dakota.....	41,500	41,700,000	65,225	33,547	27,131
Ohio.....	117,000	17,400,000	24,216	5,050	5,524
Oklahoma.....	87,000	36,900,000	24,384	3,292	4,572
Oregon.....	32,500	19,600,000	37,320	12,240	12,555
Pennsylvania.....	71,000	9,900,000	25,373	4,674	5,734
Rhode Island.....	680	65,000	41,781	9,371	9,737
South Carolina.....	47,000	7,800,000	19,671	5,086	5,170
South Dakota.....	43,500	45,500,000	50,996	18,729	13,157
Tennessee.....	125,000	15,400,000	9,704	974	1,876
Texas.....	209,000	141,800,000	30,315	5,074	3,892
Utah.....	12,600	13,000,000	27,927	5,213	6,571
Vermont.....	6,600	1,860,000	36,464	6,359	6,455
Virginia.....	73,000	11,100,000	15,853	3,945	4,331
Washington.....	40,000	16,500,000	52,709	21,798	22,719
West Virginia.....	26,500	4,850,000	7,227	634	1,027
Wisconsin.....	105,000	19,600,000	25,886	6,765	7,145
Wyoming.....	8,200	35,500,000	50,026	6,140	8,239
Total.....	2,830,490	1,087,788,000	\$35,722	\$ 9,789	\$ 9,211

\*Source: Economic Research Service and Statistical Reporting Service, U.S. Department of Agriculture.

(a) Exclusive of grazing land leased from the U.S. government, Alaska farmland totals about 70,000 acres.

## STATE DEPARTMENT OF AGRICULTURE FUNCTIONS\*

State or other jurisdiction	Regulatory functions																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																											
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	Elected	Appointed by Governor	Appointed by Board	Career	Department	Dairy plants or handlers	Farmer cooperatives	Feed and fertilizer plants or dealers	Livestock auctions	Processing plants	Warehouses or dealers	Dairy plants or handlers	Livestock auctions	Pesticide applications	Processing plants	Warehouses or dealers	Animal health laws	Plant insect and disease laws	Seed laws	Feed laws	Fertilizer laws	Economic poisons laws	Weed laws	Food laws	Weights and measures laws	Math laws, regulations and prices	Grading	Market news	Fairs and shows	Laboratories	Crop reporting	Food distribution	Marketing and promotion																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																											
Alabama.....	★	..	..	..	★	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..

(c) A division of the Department of Commerce.

(e) A division of the Department of Natural Resources.

## THE BOOK OF THE STATES

## FARM INCOME—1974\*

State	Cash receipts from farming (in thousands of dollars)				Farm income (in millions of dollars)			Total net farm income (a)
	Livestock and products	Crops	Government payments	Total	Realized gross farm income	Farm produc- tion expenses	Net change in farm inventories	
Alabama.....	\$ 679,000	\$ 511,000	\$ 9,220	\$ 1,199,220	\$ 1,352.5	\$ 1,165.7	\$ 77.5	\$ 264.4
Alaska.....	4,000	2,000	59	6,059	7.3	6.6	-0.1	0.6
Arizona.....	583,000	613,000	5,252	1,201,252	1,255.5	903.2	-14.4	337.8
Arkansas.....	827,000	1,260,000	7,417	2,094,417	2,240.5	1,741.9	151.9	650.4
California.....	2,788,000	5,863,000	18,285	8,669,285	8,963.0	6,399.4	169.4	2,733.0
Colorado.....	1,409,000	744,000	12,533	2,165,533	2,264.7	1,705.9	-64.6	494.3
Connecticut.....	125,000	88,000	505	213,505	234.1	195.3	14.0	52.9
Delaware.....	164,000	108,000	254	272,254	282.8	199.1	-0.2	83.5
Florida.....	549,000	1,695,000	12,548	2,256,548	2,362.2	1,604.5	100.8	858.5
Georgia.....	1,027,000	1,072,000	10,364	2,109,364	2,280.8	1,767.9	85.5	598.3
Hawaii.....	58,000	579,000	8,310	645,310	661.9	245.1	2.2	419.1
Idaho.....	411,000	1,043,000	11,151	1,465,151	1,556.5	1,008.9	56.8	604.4
Illinois.....	1,789,000	3,937,000	9,755	5,735,755	6,173.6	4,489.8	-433.6	1,250.2
Indiana.....	1,162,000	1,888,000	6,591	3,056,591	3,395.7	2,494.8	-353.8	547.1
Iowa.....	3,786,000	3,495,000	16,596	7,297,596	7,658.0	5,650.4	-803.3	1,204.4
Kansas.....	1,835,000	2,140,000	22,457	3,997,457	4,186.0	2,973.1	-268.3	944.6
Kentucky.....	585,000	903,000	5,813	1,493,813	1,729.5	1,249.3	158.8	639.0
Louisiana.....	335,000	1,046,000	13,591	1,394,591	1,478.0	957.5	46.6	567.1
Maine.....	226,000	213,000	1,656	440,656	473.3	316.4	55.8	212.6
Maryland.....	369,000	253,000	1,023	623,023	693.1	549.0	-8.0	136.1
Massachusetts.....	105,000	96,000	487	201,487	223.8	185.1	7.1	45.7
Michigan.....	707,000	1,050,000	10,438	1,767,438	1,952.2	1,352.0	55.7	656.0
Minnesota.....	1,950,000	2,591,000	18,420	4,559,420	4,849.6	2,851.5	-245.7	1,752.4
Mississippi.....	602,000	873,000	7,944	1,482,944	1,630.9	1,284.7	38.8	385.0
Missouri.....	1,441,000	1,289,000	22,549	2,752,549	3,024.7	2,407.4	-103.8	513.5
Montana.....	430,000	760,000	14,998	1,204,998	1,294.1	872.2	272.3	694.2
Nebraska.....	2,265,000	1,964,000	20,970	4,249,970	4,396.2	3,188.1	-527.1	681.1
Nevada.....	101,000	35,000	305	136,305	151.1	118.8	-2.2	30.1
New Hampshire.....	51,000	20,000	654	71,654	82.6	65.9	0.9	17.6
New Jersey.....	114,000	236,000	660	350,660	393.2	299.3	4.7	98.6
New Mexico.....	410,000	156,000	13,341	579,341	627.7	552.1	18.2	93.8
New York.....	1,026,000	506,000	6,003	1,538,003	1,737.0	1,458.7	89.3	367.6
North Carolina.....	920,000	1,712,000	8,125	2,640,125	2,925.9	1,858.5	20.4	1,087.8
North Dakota.....	490,000	2,080,000	30,968	2,600,968	2,706.8	1,314.6	-266.3	1,126.0
Ohio.....	998,000	1,508,000	7,419	2,513,419	2,833.3	2,242.4	55.5	646.3
Oklahoma.....	1,117,000	830,000	14,355	1,961,355	2,121.4	1,835.1	111.4	397.8
Oregon.....	328,000	775,000	4,137	1,107,137	1,212.9	815.1	10.2	408.0
Pennsylvania.....	1,097,000	504,000	4,916	1,605,916	1,801.5	1,469.6	75.2	407.1
Rhode Island.....	12,000	14,000	63	26,063	28.4	22.0	0.2	6.6
South Carolina.....	255,000	572,000	5,591	832,591	924.6	685.5	4.0	243.0
South Dakota.....	1,279,000	816,000	33,443	2,128,443	2,218.3	1,403.6	-242.4	572.3
Tennessee.....	459,000	546,000	8,979	1,013,979	1,213.0	1,091.3	112.8	234.5
Texas.....	2,972,000	2,848,000	80,552	5,900,552	6,335.8	5,275.4	-247.0	813.4
Utah.....	220,000	101,000	2,946	323,946	351.9	286.2	17.1	82.8
Vermont.....	197,000	17,000	1,573	215,573	240.7	198.7	0.6	42.6
Virginia.....	453,000	519,000	7,825	979,825	1,157.3	869.3	28.1	316.1
Washington.....	458,000	1,525,000	9,829	1,992,829	2,108.4	1,236.4	36.8	908.8
West Virginia.....	100,000	43,000	1,496	144,496	191.5	174.7	10.4	27.2
Wisconsin.....	1,919,000	526,000	13,298	2,458,298	2,718.0	2,007.7	40.0	750.3
Wyoming.....	237,000	132,000	4,784	373,784	410.2	359.9	17.2	67.6
All States.....	\$41,424,000	\$52,097,000	\$530,448	\$94,051,448	\$101,112.0	\$73,405.0	\$-1,635.0	\$26,072.0

\*Source: Economic Research Service, U.S. Department of Agriculture.

(a) Of farm operators.

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## STATE FORESTRY ADMINISTRATION

By H. F. SIEMERT\*

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OVER ONE THIRD of the land area of the United States is today either forested<sup>1</sup> or in need of tree planting, and since a part of these 767,661,000 acres occurs in every State and represents an important natural resource, all States are taking aggressive, active leadership roles in establishing full-scale multiple-use management on these lands. The nature and extent of these efforts vary due to different legislative authorities, organizational structures, operating budgets, and resource characteristics.

Nonindustrial private ownership of forested lands in the United States is especially meaningful. While nationally this ownership class accounts for almost 60 percent of all commercial forest land, in 30 States private landowners hold 80 percent or more of this resource. Assisting these 4 million landowners with the protection and management of this resource is a direct responsibility of the state forester (see Table 1).

How do the state forestry organizations vary? A few are direct parts of land-grant university extension systems. A few operate as independent agencies under state commissions. Most, however, are parts of broad, cabinet-level state departments which report directly to the Governor. Most States rely primarily on state appropriations for their financing. 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 direct usage. These monies usually go back to the state treasury and become a part of the state funds available for appropriation by the Legislature.

### GOALS OF FORESTRY

In all instances, the States have one common goal—to contribute to the spiraling need for more forest products and services, broader recreational opportunities, cleaner waters, increased wildlife values, 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 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 and, frequently, equipment and supplies on other state-owned or local public properties. State forest lands are usually managed under the multiple-use concept which provides a

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\*Mr. Siemert, Supervisor of the Illinois Division of Forestry, died December 15, 1975.

<sup>1</sup>Forested includes all areas, commercial and noncommercial, having 10 percent or more tree cover.

whole range of forest and forest-related benefits. Many of these areas also serve as research areas and, occasionally, as a watershed 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 that well over 1 billion board feet is being harvested annually from these lands, providing stumpage returns of close to \$100 million.

#### FOREST FIRE CONTROL

All States realize the importance of protecting both forest and related lands from the ravages of wildfires and have on-going programs. 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 currently undergoing a complete study to determine the magnitude and needs of this program as well as improved means to distribute available federal monies. This information, ranging from acreage protected and recent fire history to estimated actual expenditures for protection, is shown in Table 2. Almost all forest and field fires are still man-caused (over 85 percent), with lightning-strikes occurring mainly in the western States. The Smokey Bear prevention campaign continues to flourish.

State forestry departments are working to update their tactics and equipment. More sophisticated machinery, chemical retardants, "water-drops," infrared aerial detection, use of space satellites, and specialized fire-weather forecasting are just a few of the recent advances.

Actual fire suppression, the key element of any successful fire control program, is also being solved. 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 most recent advance in rural fire protection is the federal funding of Title IV of the Rural Development Act. The \$3,500,000 appropriation in fiscal year 1975 was distributed to the States so they could issue 50 percent matching grants to needy rural fire departments for training, specialized equipment, and the like. This program is expected to mushroom and improve and broaden rural fire protection programs by strengthening local rural fire-fighting capabilities.

#### FOREST MANAGEMENT ASSISTANCE

Almost 60 percent of this Nation's commercial forest land is in private ownership. These 4 million "small owners," i.e., those owning less than 500 acres, need both motivation and counselling 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 program. Counsel and guidance to landowners, loggers, and processors include tree planting, timber-stand improvement, more efficient harvesting, improved sawmilling methods, marketing assistance, and making forest management inventories and 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 year 1974 are shown in Table 3.

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, non-industrial, private landowners. By providing up to 75 percent cost-share help, the productivity and output of these forested acres is 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 Rural Environmental Conservation Program which provides some cost-sharing funds for other forest benefits such as watershed, wildlife, and

beauty, in addition to forest products. Federal cost-share allotment and total acres treated in fiscal 1974 by the Forestry Incentives Program are given in Table 4.

State forestry agencies are involved in planning, developing, and providing technical counsel for urban and rural community forestry projects. Although not yet federally funded, this urban-forestry emphasis should grow rapidly.

#### REFORESTATION

Planting of trees and shrubs on submarginal eroded lands for improving existing forests and for windbreak and shelterbelt purposes continues to be a popular forestry effort. In fiscal year 1974, 42 state tree nurseries produced and shipped over 620 million seedlings and transplants for use on 1.25 million state and private acres. Another 106.6 million trees came from federal nurseries for use on 322,000 acres. Private landowners normally purchase these small plants at minimal rates (usually below cost; frequently subsidized up to 50 percent by state and federal governments) to help put the 41 million acres of abused and idle land back into a stable and useful condition.

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 growing large quantities of "super seedlings" for future needs. The American Forestry Association's 10-year tree-planting project with commitment and involvement of many groups is a good example of this cooperative effort. Expenditures for Title IV achievements are shown in Table 3.

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 3.

#### USE 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 new, needed directions. The Improved Harvesting Program provided \$552,000 in fiscal year 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, this 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 concentrates on securing increased lumber recovery from logs. In fiscal years 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. This has meant 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 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 these pests on all forest lands. Many States now employ trained entomologists and pathologists. They also have developed regular surveillance and control programs and have utilized federal monies and counsel (via formal agreements) to assist in suppressing epidemic conditions (see Table 4).



TABLE 1

## FORESTED LAND AND STATE FORESTRY PERSONNEL, 1974\*

State	Total land area (in acres)	Forested land (in acres)		Idle, open land needing refor- estation (in acres)	State forestry personnel	
		Total	Percent privately owned		Total number permanent personnel (a)	Total number graduate forester positions
Alabama.....	33,030,000	21,333,000	95	109,000	417	64
Alaska.....	365,500,000	119,000,000	.007	20,000	21	14
Arizona.....	73,000,000	21,000,000	4	.....	11	7
Arkansas.....	33,468,000	18,207,000	84	2,000	445	40
California.....	100,091,000	16,828,000	48	1,252,000	3,206	109
Colorado.....	66,486,000	22,609,000	30	200,000	79	41
Connecticut.....	3,117,000	1,861,000	90	5,000	22	16
Delaware.....	1,000,000	392,000	90	200,000	15	5
Florida.....	35,179,000	17,933,000	79	1,546,000	1,077	109
Georgia.....	37,380,000	25,253,000	93	1,402,000	863	121
Hawaii.....	4,110,000	1,048,000	54	100,000	85	18
Idaho.....	52,250,000	21,815,000	15	1,573,000	200	51
Illinois.....	35,795,000	3,871,000	94	2,000,000	84	35
Indiana.....	23,132,000	3,964,000	90	460,000	108	32
Iowa.....	35,869,000	2,609,000	98	648,000	35	18
Kansas.....	52,510,000	1,564,000	97	120,000	52	19
Kentucky.....	25,512,000	11,855,000	91	1,500,000	261	58
Louisiana.....	28,868,000	14,527,000	93	1,500,000	613	60
Maine.....	19,797,000	17,749,000	96	200,000	283	35
Maryland.....	6,319,000	2,963,000	90	275,000	172	42
Massachusetts.....	5,013,000	2,952,000	80	6,000	485	140
Michigan.....	36,492,000	19,373,000	66	3,305,000	478	101
Minnesota.....	51,033,000	19,047,000	44	1,861,000	345	167
Mississippi.....	30,538,000	16,580,000	90	2,000,000	534	122
Missouri.....	44,189,000	12,919,000	87	1,747,000	196	61
Montana.....	93,600,000	28,093,000	23	599,000	83	45
Nebraska.....	47,169,000	976,000	93	165,000	16	13
Nevada.....	70,264,000	18,187,000	7	30,000	44	16
New Hampshire.....	5,781,000	5,132,000	82	.....	77	27
New Jersey.....	4,820,000	1,928,000	83	698,000	110	19
New Mexico.....	77,866,000	18,187,000	10	40,000	34	14
New York.....	30,636,000	17,170,000	79	1,270,000	440	115
North Carolina.....	31,302,000	20,160,000	92	2,300,000	575	100
North Dakota.....	45,400,000	460,000	93	5,000	18	7
Ohio.....	26,200,000	6,400,000	94	1,200,000	367	56
Oklahoma.....	43,819,000	8,581,000	92	1,750,000	153	15
Oregon.....	61,600,000	30,700,000	34	1,130,000	415	122
Pennsylvania.....	28,000,000	17,200,000	79	800,000	561	151
Rhode Island.....	671,000	434,000	92	26,000	54	6
South Carolina.....	19,366,000	12,493,000	92	800,000	639	77
South Dakota.....	48,983,000	2,169,000	27	102,000	39	24
Tennessee.....	26,500,000	12,800,000	90	1,000,000	1,185	54
Texas.....	171,000,000	24,669,000	93	785,000	356	49
Utah.....	52,540,000	4,665,000	20	403,000	42	15
Vermont.....	5,935,000	4,494,000	89	20,000	81	41
Virginia.....	25,496,000	16,389,000	90	245,000	415	117
Washington.....	42,665,000	22,893,000	48	727,000	1,095	294
West Virginia.....	15,401,000	10,562,000	89	1,500,000	141	55
Wisconsin.....	35,000,000	14,500,000	68	3,267,000	295	143
Wyoming.....	62,343,000	10,085,000	18	189,000	18	9
Total.....	2,272,035,000	726,579,000	53	41,082,000	17,340	3,069

\*Source: National Association of State Foresters.

(a) On state payrolls and/or under direct control. Includes permanent full- and part-time (no seasonal).

TABLE 2  
FOREST FIRE CONTROL PROGRAM ANALYSIS, 1974\*

State	Qualified land protected (acres)			Fire occurrence per million acres protected	Estimated actual expenditures
	Forest	Nonforest	Total		
Alabama.....	20,838,000	4,191,000	25,029,000	288	\$ 3,185,000
Alaska.....	18,108,000	40,328,000	58,436,000	15	2,574,000
Arizona.....	3,416,000	14,912,000	18,328,000	21	309,000
Arkansas.....	16,308,000	4,390,000	20,698,000	146	2,344,000
California.....	20,852,000	12,428,000	33,280,000	247	37,469,000
Colorado.....	6,882,000	13,290,000	20,172,000	70	2,744,000
Connecticut.....	1,928,000	462,000	2,390,000	200	197,000
Delaware.....	387,000	170,000	557,000	75	112,000
Florida.....	18,990,000	7,253,000	26,243,000	375	9,114,000
Georgia.....	23,712,000	3,859,000	27,571,000	363	8,435,000
Hawaii.....	1,774,000	1,532,000	3,306,000	110	280,000
Idaho.....	4,320,000	2,806,000	7,126,000	35	1,864,000
Illinois.....	3,585,000	4,868,000	8,453,000	200	475,000
Indiana.....	3,761,000	3,567,000	7,328,000	47	279,000
Iowa.....	2,586,000	5,026,000	7,612,000	30	502,000
Kansas.....	1,125,000	15,675,000	16,800,000	100	1,311,000
Kentucky.....	10,988,000	5,933,000	16,921,000	178	1,876,000
Louisiana.....	14,926,000	6,013,000	20,939,000	390	4,288,000
Maine.....	17,220,000	523,000	17,743,000	30	2,682,000
Maryland.....	2,706,000	994,000	3,700,000	320	1,171,000
Massachusetts.....	3,145,000	436,000	3,581,000	1,200	1,121,000
Michigan.....	16,677,000	2,998,000	19,675,000	50	4,155,000
Minnesota.....	16,166,000	6,663,000	22,829,000	40	854,000
Mississippi.....	15,388,000	4,471,000	19,859,000	325	4,249,000
Missouri.....	9,646,000	6,050,000	15,696,000	250	2,731,000
Montana.....	5,346,000	16,407,000	21,753,000	28	2,420,000
Nebraska.....	866,000	24,535,000	25,401,000	70	1,207,000
Nevada.....	409,000	8,368,000	8,777,000	17	1,123,000
New Hampshire.....	4,345,000	286,000	4,631,000	245	528,000
New Jersey.....	2,163,000	542,000	2,705,000	525	1,490,000
New Mexico.....	6,853,000	33,346,000	40,199,000	8	417,000
New York.....	14,050,000	2,908,000	16,958,000	50	3,496,000
North Carolina.....	17,946,000	2,834,000	20,780,000	126	5,626,000
North Dakota.....	585,000	9,850,000	10,435,000	30	47,000
Ohio.....	4,056,000	1,767,000	5,823,000	190	871,000
Oklahoma.....	3,565,000	1,442,000	5,007,000	184	1,166,000
Oregon.....	10,524,000	2,505,000	13,029,000	64	5,750,000
Pennsylvania.....	16,083,000	3,458,000	19,541,000	51	4,305,000
Rhode Island.....	411,000	101,000	512,000	975	307,000
South Carolina.....	11,427,000	1,862,000	13,289,000	300	4,360,000
South Dakota.....	705,000	25,111,000	25,816,000	88	582,000
Tennessee.....	12,082,000	4,231,000	16,313,000	220	2,948,000
Texas.....	14,720,000	6,520,000	21,240,000	80	2,317,000
Utah.....	4,665,000	10,059,000	14,724,000	14	688,000
Vermont.....	4,081,000	557,000	4,638,000	30	165,000
Virginia.....	14,367,000	4,228,000	18,595,000	1,618	2,793,000
Washington.....	12,101,000	2,957,000	15,058,000	94	6,161,000
West Virginia.....	10,430,000	2,403,000	12,833,000	100	1,240,000
Wisconsin.....	14,058,000	4,840,000	18,898,000	125	3,825,000
Wyoming.....	1,429,000	23,569,000	24,998,000	27	636,000
Total.....	442,701,000	363,524,000	806,225,000	10,364	\$148,789,000

\*Source: National Association of State Foresters and U.S. Forest Service.

TABLE 3

**AGRICULTURAL ACT ACHIEVEMENTS, COOPERATIVE FOREST  
MANAGEMENT, AND CLARKE-McNARY ACT STOCK DISTRIBUTION  
EXPENDITURES\***  
(Fiscal year 1974)

State	Agricultural Act—Title IV			Cooperative Forest Management			Clarke-McNary Act stock distribution—Section IV		
	Federal	State	Total	Federal	State	Total	Federal	State	Total
Alabama.....	\$ 24,000	\$ 117,100	\$ 141,100	\$ 111,200	\$ 239,000	\$ 350,200	...	\$ 177,200	\$ 177,200
Alaska.....	...	...	...	23,000	23,000	46,000	...	...	...
Arizona.....	...	...	...	30,000	40,900	70,900	\$ 3,000	25,300	28,300
Arkansas.....	10,000	53,000	63,000	92,300	520,100	612,400	800	106,500	107,300
California.....	18,000	33,900	51,900	78,300	189,600	267,900	2,400	23,800	26,200
Colorado.....	9,500	23,200	32,700	52,800	55,200	108,000	8,000	19,200	27,200
Connecticut.....	4,000	5,000	9,000	33,900	119,200	153,100	1,200	5,800	7,000
Delaware.....	...	...	...	30,000	34,800	64,800	6,000	17,100	23,100
Florida.....	30,000	326,800	356,800	189,600	965,900	1,155,500	...	...	...
Georgia.....	20,000	150,800	170,800	207,700	749,300	957,000	...	442,500	442,500
Hawaii.....	35,000	27,000	62,000	28,000	30,800	58,800	...	...	...
Idaho.....	12,000	44,200	56,200	39,100	93,800	132,900	15,000	32,300	47,300
Illinois.....	8,000	23,900	31,900	69,100	383,200	452,300	1,000	159,900	160,900
Indiana.....	12,500	7,400	19,900	62,500	203,800	266,300	3,000	37,100	40,100
Iowa.....	7,000	8,200	15,200	42,500	85,100	127,600	...	83,400	83,400
Kansas.....	16,500	81,900	98,400	35,100	124,600	159,700	22,000	97,400	119,400
Kentucky.....	12,000	22,200	34,200	155,000	465,800	620,800	...	313,300	313,300
Louisiana.....	16,500	72,200	88,700	89,400	201,400	290,800	...	81,100	81,100
Maine.....	15,000	17,900	32,900	105,000	267,900	372,900	...	149,000	149,000
Maryland.....	5,000	40,600	45,600	78,200	336,800	415,000	...	87,400	87,400
Massachusetts..	...	...	...	41,900	114,600	156,500	...	...	...
Michigan.....	30,000	40,000	70,000	126,200	264,200	390,400	...	46,700	46,700
Minnesota.....	50,000	760,500	810,500	97,500	205,600	303,100	...	388,600	388,600
Mississippi.....	14,500	50,600	65,100	126,000	807,500	933,500	2,500	482,700	485,200
Missouri.....	33,000	87,000	120,000	150,100	237,900	388,000	...	108,400	108,400
Montana.....	15,900	17,600	33,500	53,100	81,500	134,600	16,000	22,600	38,600
Nebraska.....	...	...	...	36,100	39,200	75,300	10,000	19,500	29,500
Nevada.....	...	...	...	33,000	818,000	114,800	15,000	43,900	58,900
New Hampshire..	10,000	19,500	29,500	52,600	155,700	208,300	...	26,100	26,100
New Jersey.....	12,000	21,200	33,200	42,900	192,900	235,800	2,500	37,500	40,000
New Mexico.....	...	...	...	43,600	57,900	101,500	12,000	19,100	31,100
New York.....	30,000	38,500	68,500	167,600	765,300	932,900	6,800	21,700	28,500
North Carolina..	14,000	149,000	163,000	258,000	1,375,500	1,633,500	...	228,600	228,600
North Dakota...	...	...	...	30,200	61,300	91,500	12,000	72,900	84,900
Ohio.....	14,000	29,900	43,900	106,100	351,100	457,200	...	506,500	506,500
Oklahoma.....	10,000	12,900	22,900	37,600	38,000	75,600	11,000	96,900	107,900
Oregon.....	60,000	477,800	537,800	63,600	365,700	429,300	...	238,100	238,100
Pennsylvania....	29,000	88,900	117,900	147,300	870,800	1,018,100	4,600	872,500	877,100
Rhode Island....	...	...	...	25,000	40,500	65,500	2,000	3,800	5,800
South Carolina..	22,000	46,600	68,600	121,600	170,800	292,400	...	199,800	199,800
South Dakota...	...	...	...	32,300	79,400	111,700	12,000	43,800	55,800
Tennessee.....	14,000	85,000	99,000	92,500	1,136,600	1,229,100	...	295,700	295,700
Texas.....	15,000	195,900	210,900	84,600	430,300	514,900	26,000	231,200	257,200
Utah.....	...	...	...	33,800	49,100	82,900	15,000	101,200	116,200
Vermont.....	5,500	8,100	13,600	82,600	92,900	175,500	...	25,400	25,400
Virginia.....	23,000	124,800	147,800	202,600	991,700	1,194,300	...	118,000	118,000
Washington.....	60,000	4,891,400	4,951,400	72,200	146,900	219,100	...	21,200	21,200
West Virginia...	10,000	22,600	32,600	81,100	297,400	378,500	...	116,900	116,900
Wisconsin.....	20,000	22,000	42,200	193,600	429,900	623,500	...	414,200	414,200
Wyoming.....	10,000	21,200	31,200	32,200	42,900	75,100	4,000	4,000	8,000
<b>Total.....</b>	<b>\$756,900</b>	<b>\$8,266,500</b>	<b>\$9,023,400</b>	<b>\$4,220,200</b>	<b>\$15,105,100</b>	<b>\$19,325,300</b>	<b>\$213,800</b>	<b>\$6,665,800</b>	<b>\$6,879,600</b>

\*Source: U.S. Forest Service.

# MAJOR STATE SERVICES

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TABLE 4

## FORESTRY INCENTIVES PROGRAM REVIEW AND FEDERAL INSECT AND DISEASE CONTROL FUNDS\*

(Fiscal year 1974)

State	Forestry Incentives Program Review		Federal Insect and Disease Control Funds— State & private lands			
	Federal cost-share allotment	Total acres treated	Program management & technical service	Pest action program	Suppression projects	Total
Alabama.....	\$ 726,000	18,207	\$ 84,694	\$ 50,232	\$ 475,000	\$ 609,926
Alaska.....	.....	.....	.....	.....	.....	.....
Arizona.....	14,300	418	442	2,210	.....	2,652
Arkansas.....	271,800	12,541	72,595	22,556	21,285	116,436
California.....	109,700	1,571	169,393	18,900	74,745	263,038
Colorado.....	47,500	632	4,735	18,200	135,967	158,902
Connecticut.....	32,200	592	425	.....	.....	425
Delaware.....	19,800	355	750	.....	.....	750
Florida.....	253,900	7,623	145,190	33,488	.....	178,678
Georgia.....	956,500	30,230	96,793	21,411	96,000	214,204
Hawaii.....	2,500	20	1,100	13,000	.....	14,100
Idaho.....	31,300	392	50,818	13,104	374,165	438,087
Illinois.....	88,300	2,696	225	.....	.....	225
Indiana.....	81,200	4,477	4,839	11,648	.....	16,487
Iowa.....	30,200	774	4,070	.....	.....	4,070
Kansas.....	50,600	1,203	1,183	5,824	.....	7,007
Kentucky.....	142,300	3,446	24,198	17,368	.....	41,566
Louisiana.....	341,100	13,215	241,984	26,675	100,000	368,659
Maine.....	129,500	4,796	315,898	59,696	698,750	1,074,344
Maryland.....	88,100	1,982	1,625	.....	.....	1,625
Massachusetts.....	74,300	2,798	575	.....	.....	575
Michigan.....	255,700	11,648	9,938	15,958	.....	25,896
Minnesota.....	86,700	2,633	18,212	31,668	10,500	60,380
Mississippi.....	482,200	16,637	108,893	45,864	56,210	210,967
Missouri.....	265,200	17,345	9,414	22,568	.....	31,982
Montana.....	41,100	657	45,482	13,016	4,699	63,197
Nebraska.....	87,700	1,481	1,183	5,824	.....	7,007
Nevada.....	800	6	147	.....	.....	147
New Hampshire.....	142,600	4,268	17,156	15,000	.....	32,156
New Jersey.....	39,300	2,349	132,383	15,000	204,733	352,116
New Mexico.....	14,600	485	1,201	8,008	.....	9,209
New York.....	155,600	5,443	130,032	29,116	290,883	450,031
North Carolina.....	1,700,400	35,565	169,388	44,408	124,505	338,301
North Dakota.....	10,500	135	.....	.....	.....	.....
Ohio.....	212,300	5,055	6,422	15,288	.....	21,710
Oklahoma.....	86,700	4,446	12,099	.....	.....	12,099
Oregon.....	83,900	1,525	14,939	33,475	481,103	529,517
Pennsylvania.....	207,400	5,681	332,041	48,776	320,433	701,250
Rhode Island.....	4,700	81	84,837	4,368	159,553	248,758
South Carolina.....	421,800	11,070	120,992	29,848	47,500	198,340
South Dakota.....	23,600	341	3,284	5,096	150,000	158,380
Tennessee.....	137,000	4,263	36,298	21,000	.....	57,298
Texas.....	464,900	14,854	60,496	40,593	185,000	286,089
Utah.....	3,400	82	910	.....	.....	910
Vermont.....	61,400	3,073	7,302	17,472	.....	24,774
Virginia.....	326,900	15,758	36,298	42,224	9,500	88,022
Washington.....	140,000	2,540	7,470	34,125	267,598	309,193
West Virginia.....	132,100	4,934	37,831	33,488	56,993	128,312
Wisconsin.....	146,100	4,946	27,885	47,320	23,086	98,291
Wyoming.....	6,800	169	3,262	5,096	15,000	23,358
<b>Total.....</b>	<b>\$9,232,500</b>	<b>285,438</b>	<b>\$2,657,327</b>	<b>\$938,911</b>	<b>\$4,383,208</b>	<b>\$7,979,446</b>

\*Source: U.S. Forest Service.

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## SOIL AND WATER CONSERVATION

BY DAVID G. UNGER\*

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AT NO TIME since the dust storms of the 1930s has the Nation looked more closely at its soil and water conservation program. Changing uses of land, the need to protect lakes and streams from pollution, and the growing pressure on American farmers and ranchers to increase production are among the factors contributing to this scrutiny.

Although the basic distribution of land uses in the United States has changed little in recent decades, some trends can be seen. Since 1950, for example, substantial acreages of open land have reverted to forest, particularly in the East and South. However, these gains have been largely offset by land clearing for urban and other uses and clearing of several million acres of forested wetlands in the Mississippi Delta for crop use during the last decade.

Land occupied by urban areas, rural highways, roads, airports, and reservoirs has increased as the Nation's population has expanded. Land now being converted to such uses amounts to 1.2 million acres annually, of which about two thirds is for urban uses and one third for reservoirs.

Reports also indicate that as real estate becomes more expensive, more farmland is being rented to producers. In 1969, nearly 40 percent of all farmland was rented.

These changes in the ways land is utilized have important implications for the protection and improvement of soil and related resources. The same is true of emerging national, state, and local programs aimed at the prevention and control of water pollution from "non-point" sources—those sources of pollution, including sediment and other wastes, which are carried into streams by diffuse land runoff. Conservation measures that help prevent erosion and reduce runoff on

farm fields, forest lands, and construction sites have a direct bearing on the amount and kinds of pollutants that enter our waterways.

Finally, growing erosion hazards caused by new technology and intensive production on crop and pasture lands are causing major concern. Shifts away from soil-conserving crop rotations and the cultivation of millions of acres of formerly retired land underscore the need for acceleration of soil and water conservation efforts.

Some observers believe that the climatic cycle in the Great Plains States could lead to another dust bowl if conservation programs are not expanded. During the last "blow season" in the 10 Plains States, 5.7 million acres were damaged by wind erosion—the largest amount since 1955–57.

Because nearly 99 percent of the Nation's crop land, 61 percent of the grass land, and 56 percent of the forest land are in private ownership, the country's soil conservation program has been deliberately designed to enlist the participation and resources of private landowners, local governments, state governments, and the federal government. Progress in recent years, however, has been hampered by a decline in technical assistance made available by the federal government for soil surveys and conservation planning, by the lack of implementation of the Rural Development Act, and by repeated federal efforts to diminish financial incentives to farmers and ranchers for initiation of conservation practices.

Legislation now pending in Congress has been proposed to help reverse this trend. It calls for periodic appraisals of the status of land, water, and related resources, and for the preparation each five years by the Soil Conservation Service of a specific program of corrective action based on the appraisal. Congress would thereby have a clearer picture of the soil

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\*Mr. Unger is Executive Secretary, National Association of Conservation Districts.

conservation needs of the Nation and the potential consequences of alternative actions.

#### CONSERVATION DISTRICTS

The function of the States in helping to solve soil and water conservation problems is principally carried out through 2,939 individual conservation districts which include within their boundaries virtually all of the Nation's privately owned land. Created in accordance with provisions of state enabling legislation enacted in each of the 50 States, Puerto Rico, and the Virgin Islands, conservation districts are managed by 17,000 elected and appointed officials who contribute their time and services.

Most conservation districts are organized along county lines, but some have watershed, river basin, or township boundaries. They are variously named soil conservation, soil and water conservation, natural resources, natural resources conservation, resource conservation, or simply conservation districts. They provide services to some 2.3 million cooperators who are voluntarily establishing conservation measures and practices on their properties.

Conservation districts have entered into memorandums of understanding with many state and federal agencies and help to coordinate their services. Key federal agencies with such memorandums include the Department of Agriculture (and the Soil Conservation Service within that department) and the Department of the Interior.

Serving as a channel for the application of technical, financial, and educational services provided by the federal and state conservation agencies, conservation districts:

1. Assist individual landowners to develop and carry out scientific conservation plans;

2. Provide and interpret basic data on soil and water resources for individuals, groups, and local and state government agencies engaged in land use planning and implementation, resource development, and economic improvement;

3. Provide technical services to individuals and agencies engaged in resource

development on a community and regional basis;

4. Sponsor projects for water conservation and utilization, flood protection, and economic development on a watershed and/or multicounty basis;

5. Conduct erosion and sediment control programs in urbanizing and rural areas;

6. Aid in the coordinated planning and implementation 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

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 Federal Great Plains Conservation Program and the Water Bank Program (a waterfowl habitat protection program).

#### STATE AGENCY PARTICIPATION

Although conservation districts are independent local governmental subdivisions, they receive general guidance, supervision, and assistance by 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, the commissions are attached to another agency such as the state natural resources, environmental, or agricultural department.

The commissions provide information to the public about conservation districts, help the districts secure appropriate governmental assistance, aid them in budgeting and administrative management, and help coordinate their plans and programs. In many States, the commissions provide staff services to conservation districts on a regional basis, and in most States they make available to districts funds which are appropriated by the Legislatures for district support.

In fiscal year 1975, state funds appropri-

ated for direct assistance to conservation districts, and for the support of their programs in the fields of soil surveys, flood prevention, and watershed protection, amounted to \$47 million. Funds provided by local governments for district work in these and other fields totaled \$39 million.

#### CONSERVATION PROGRESS

Substantial progress continues to be made by districts in the conservation of land and water resources on farms and ranches and in urbanizing areas. In 1974, district cooperators installed 2.7 million acres of contour farming, 12,000 miles of terraces, 450,000 acres of strip cropping, and 172,000 acres of vegetative cover on critical areas, and 2.5 million acres of minimum tillage—a new conservation practice gaining wide acceptance.

Detailed and reconnaissance soil mapping done by the Soil Conservation Service was completed on 47 million acres, and 80 new surveys were published.

The application of agricultural conservation technology to problems of expanding cities, suburbs, and other developing areas continues to increase as well. In 1974, 32,000 units of state and local government were assisted by conservation districts and their cooperating agencies with soil surveys, resource inventories, interpretations of desirable and potential land use, and plans for waste disposal and other resource-related facilities. 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 areas; the preservation of open space; and the selection of sites for schools, highways, utilities, and buildings. Aid was given in utilizing land adjacent to schools and colleges for environmental instruction.

#### REGIONAL PROGRAMS

Requests for assistance in carrying out watershed protection and flood prevention projects are growing steadily. As of August 1, 1975, 2,905 applications for assistance under P.L. 566, the Watershed Protection and Flood Prevention Act, had been sponsored by conservation districts in conjunction with local and state gov-

ernments and forwarded to the U.S. Department of Agriculture. Projects were in the operations stage in 1,125 watersheds, and 600 others were being planned.

Growing even more rapidly is the Resource Conservation and Development Program authorized under the 1962 Food and Agriculture Act. There are 132 of these multicounty economic improvement projects in operation, sponsored by conservation districts and other local governments and organizations. Another 26 are in the planning stage. Designed to create jobs and stimulate rural development through land and water conservation, the 158 authorized projects include 666 million acres.

#### OTHER DEVELOPMENTS

Following are several other recent developments of importance to the Nation's soil and water conservation program.

1. A series of 45 state sediment control institutes was sponsored by the National Association of Conservation Districts (NACD) with the support of the Environmental Protection Agency (EPA). There are now regulatory sediment control programs in Georgia, Hawaii, Iowa, Louisiana, Maryland, Michigan, New Jersey, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Virginia, and the Virgin Islands. Another 15 States have drafted similar legislation. A new NACD program with EPA is now under way to assist States with information about manpower and training in sediment control.

2. Conservation districts are receiving funds under the Comprehensive Employment and Manpower Act and the Emergency Jobs and Unemployment Assistance Act to employ personnel to conduct erosion control work, assist in salvage and storm cleanup, and maintain flood prevention structures.

3. Comprehensive recreation inventories have been conducted in most of the conservation districts of the Nation to aid in meeting recreation needs on private lands.

4. New authorities contained in the Water Resource Development Act of 1974 will enable conservation districts to sponsor watershed programs that contain non-structural elements for the prevention of

flood damages such as floodplain management, floodways, and other devices.

5. A new agreement was signed by the Forest Service, Bureau of Land Management, and the Soil Conservation Service aimed at cooperation with districts in improving the planning and management of intermingled public and private lands.

6. Model cooperative agreements have been developed to foster working relationships between districts and county Agricultural Stabilization and Conservation Committees and units of the U.S. Army Corps of Engineers.

## SELECTED REFERENCES

- Economic Research Service, U.S. Department of Agriculture. *Our Land and Water Resources: Current and Prospective Supplies and Uses*. Misc. pub. No. 1290. Washington, D.C., May 1974.
- Environmental Protection Agency. *Report on State Sediment Control Institutes Program*. Washington, D.C., April 1975.
- National Association of Conservation Districts. *America's Conservation Districts*. Washington, D.C., 1975.
- Soil Conservation Service, U.S. Department of Agriculture. *Soil Conservation*. Washington, D.C., January 1975.
- U.S. Department of Agriculture. *Perspectives on Prime Lands*. Washington, D.C., July 1975.



**THE BOOK OF THE STATES**  
**SOIL AND WATER CONSERVATION DISTRICTS\***  
 Cumulative to June 30, 1975

State or other jurisdiction	Date State's district law became effective	Districts orga- nized (a)	Approximate area and farms within organized districts			Districts having memoranda of un- derstanding with USDA (b) (number)
			Total area (1,000 acres)	Farms and ranches (thousands)	Land in farms (1,000 acres)	
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	142	73,711	54	25,946	136
Colorado.....	May 6, 1937	84	61,352	30	37,383	81
Connecticut.....	July 18, 1945	8	3,112	4	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	25	14,427	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	35	28,118	42	9,757	34
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	107	40,353	127	30,249	106
Montana.....	Feb. 28, 1939	58	90,471	25	62,904	58
Nebraska.....	May 18, 1937	24	49,032	72	47,225	..
Nevada.....	Mar. 30, 1937	34	69,590	3	12,033	32
New Hampshire.....	May 10, 1945	10	5,955	2	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	90
North Dakota.....	Mar. 16, 1937	64	45,226	46	43,118	63
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	56	59,964	28	17,610	56
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	45	19,345	40	6,992	45
South Dakota.....	July 1, 1937	69	48,147	45	44,463	68
Tennessee.....	Mar. 10, 1939	95	26,285	121	15,057	95
Texas.....	Apr. 24, 1939	196	169,355	213	137,414	188
Utah.....	Mar. 23, 1937	41	51,217	13	10,160	41
Vermont.....	Apr. 18, 1939	14	5,935	7	1,916	14
Virginia.....	Apr. 1, 1938	40	25,198	64	10,572	38
Washington.....	Mar. 17, 1939	55	41,575	34	17,558	48
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	38
All States.....		2,921	2,209,359	2,695	1,033,241	2,860
Puerto Rico.....	July 1, 1946	17	1,862	33	1,296	17
Virgin Islands.....	June 1946	1	84	..	40	1
Total.....		2,939	2,211,305	2,728	1,034,577	2,878

\*Prepared by the Soil Conservation Service, U.S. Department of Agriculture.

(a) For specific procedure on organization of soil conservation districts, reference should be made to each of the respective

state soil conservation districts' 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.

# STATUS OF RESOURCE CONSERVATION AND DEVELOPMENT PROGRAMS\*

(Under Public Law 87-703)

As of June 30, 1975†

State or other jurisdiction	Applications on hand		Projects in planning		Projects in operation		Total authorized projects	
	No.	Acres (1,000)	No.	Acres (1,000)	No.	Acres (1,000)	No.	Acres (1,000)
Alabama.....	1	2,602	..	..	4	16,026	4	16,026
Alaska.....	..	..	..	..	..	..	..	..
Arizona.....	1	15,356(a)	..	..	4	44,151	4	44,151
Arkansas.....	3	9,223	..	..	5	24,363	5	24,363
California.....	2	25,486(b)	..	..	2	10,634(c)	2	10,634
Colorado.....	4	22,667	..	..	4	34,103(d)	4	34,103
Connecticut.....	..	..	1	952	1	1,177	2	2,129
Delaware.....	..	..	..	..	1	1,266	1	1,266
Florida.....	..	..	1	1,680	2	7,644	3	9,324
Georgia.....	5	3,087	..	..	5	5,096	5	5,096
Hawaii.....	2	2,981	..	..	1	714	1	714
Idaho.....	1	8,609	..	..	2	10,720(e)	2	10,720
Illinois.....	1	473	1	2,448	2	4,321	3	6,769
Indiana.....	1	1,972	1	1,098	4	6,399	5	7,497
Iowa.....	1	1,135	..	..	3	5,551	3	5,551
Kansas.....	..	..	1	2,381	4	13,292	5	15,673
Kentucky.....	1	2,533	1	2,072	3	5,332	4	7,404
Louisiana.....	1	4,332	..	..	3	8,646	3	8,646
Maine.....	1	3,040	..	..	3	6,427	3	6,427
Maryland.....	..	..	..	..	1	668	1	668
Massachusetts.....	..	..	1	1,120	1	1,077	2	2,197
Michigan.....	1	1,091	..	..	3	18,139	3	18,139
Minnesota.....	..	..	1	3,415	3	21,474	4	24,889
Mississippi.....	1	3,174	..	..	4	25,171	4	25,171
Missouri.....	2	4,359	..	..	3	13,289	3	13,289
Montana.....	..	..	..	..	3	16,858	3	16,858
Nebraska.....	..	..	1	8,000	1	9,030	2	17,030
Nevada.....	..	6(f)	..	..	2	23,080(g)	2	23,080
New Hampshire.....	..	..	..	..	1	3,161	1	3,161
New Jersey.....	..	..	..	..	1	569	1	569
New Mexico.....	2	16,427	2	20,936	2	23,685(h)	4	44,621
New York.....	2	6,383	..	..	4	12,115	4	12,115
North Carolina.....	4	7,921	1	2,002	3	4,812(i)	4	6,814
North Dakota.....	3	16,624	1	4,322	3	19,584	4	23,906
Ohio.....	..	..	2	4,133	3	3,890	5	8,023
Oklahoma.....	2	9,207	1	4,283	3	12,415	4	16,698
Oregon.....	..	..	1	1,685	3	14,962	4	16,647
Pennsylvania.....	1	2,837	2	5,832	2	6,101	4	11,933
Rhode Island.....	..	..	..	..	1	671	1	671
South Carolina.....	1	1,856	..	..	4	9,106	4	9,106
South Dakota.....	4	27,506	2	5,871	2	10,974(j)	4	16,845
Tennessee.....	..	..	1	2,575	3	7,048	4	9,623
Texas.....	7	32,869	2	5,948	6	22,982	8	28,930
Utah.....	2	14,295	1	5,413	2	16,125(k)	3	21,538
Vermont.....	..	..	..	..	2	3,156	2	3,156
Virginia.....	..	..	1	445	..	1,404(l)	1	1,849
Washington.....	1	2,890	..	..	2	6,372(k)	2	6,372
West Virginia.....	1	2,970	..	..	4	7,675(i)	4	7,675
Wisconsin.....	4	10,815	..	..	3	18,103	3	18,103
Wyoming.....	..	..	..	..	3	39,903(m)	3	39,903
Caribbean Area.....	1	789	..	..	1	85	1	85
Total.....	64	265,515	26	86,611	132	579,546	158	666,157

\*Prepared by the Soil Conservation Service, U.S. Department of Agriculture.

†For multistate applications and projects the number is tabulated for the State having project leadership. The acreage column reflects actual acreage in each State.

(a) Application shared with California and Nevada.

(b) Application shared with Arizona and Nevada.

(c) Project shared with Nevada.

(d) Project shared with Wyoming and one with New Mexico.

(e) Project shared with Washington and one with Wyoming and one with Utah.

(f) Application shared with Arizona and California.

(g) Project shared with California.

(h) Project shared with Colorado.

(i) Project shared with Virginia.

(j) Project shared with Wyoming.

(k) Project shared with Idaho.

(l) Project shared with West Virginia and one with North Carolina.

(m) Project shared with Idaho, one with South Dakota, and one with Colorado.

*THE BOOK OF THE STATES*  
**STATUS OF WATERSHED APPLICATIONS\***  
 (Under Public Law 83-566)  
 Cumulative to August 1, 1975

State or other jurisdiction	Applications received in Washington		Authorized for planning assistance		Approved for operations	
	No.	Acres (1,000)	No.	Acres (1,000)	No.	Acres (1,000)
Alabama.....	62	4,289.6	41	2,919.2	28	1,882.7
Alaska.....	2	204.8	0	0	0	0
Arizona.....	29	2,985.5	17	1,922.7	13	1,152.4
Arkansas.....	107	8,350.5	75	6,336.0	51	3,004.5
California.....	80	5,585.7	47	3,182.1	21	909.4
Colorado.....	57	4,784.2	31	2,138.1	16	967.4
Connecticut.....	22	358.6	16	287.6	8	139.6
Delaware.....	6	357.8	4	281.9	4	281.9
Florida.....	77	5,177.4	33	2,381.2	20	1,230.9
Georgia.....	153	10,536.3	75	5,271.3	61	3,839.2
Hawaii.....	12	544.2	10	519.4	6	282.7
Idaho.....	48	5,123.9	17	1,365.5	6	303.1
Illinois.....	68	4,099.2	41	2,329.8	20	991.8
Indiana.....	111	8,630.5	55	4,238.8	32	2,097.7
Iowa.....	96	3,073.1	53	1,094.1	44	808.3
Kansas.....	97	10,977.4	68	7,209.4	42	3,893.7
Kentucky.....	60	3,727.1	44	2,861.7	31	2,141.4
Louisiana.....	72	8,247.7	51	6,059.2	32	3,727.1
Maine.....	27	2,022.1	16	1,044.1	9	427.1
Maryland.....	39	1,618.7	29	948.3	17	275.7
Massachusetts.....	23	1,013.4	16	603.5	10	457.3
Michigan.....	44	2,807.4	25	1,211.5	19	708.6
Minnesota.....	44	3,493.1	27	2,324.6	14	1,101.9
Mississippi.....	90	7,029.7	67	5,270.2	49	3,587.8
Missouri.....	83	7,010.9	33	2,389.1	18	736.9
Montana.....	50	3,667.7	24	1,280.5	12	384.1
Nebraska.....	83	7,053.8	57	3,804.3	41	2,432.4
Nevada.....	30	3,678.7	15	2,060.2	5	388.1
New Hampshire.....	14	1,041.3	12	1,021.4	6	455.3
New Jersey.....	24	457.4	17	376.3	12	252.6
New Mexico.....	80	7,927.6	39	3,246.4	25	1,413.0
New York.....	38	2,063.1	21	1,175.6	13	663.1
North Carolina.....	77	5,147.8	59	3,294.9	41	1,708.6
North Dakota.....	43	6,486.1	29	4,535.8	18	2,518.4
Ohio.....	72	7,290.0	23	2,023.9	14	944.5
Oklahoma.....	110	11,657.6	72	7,517.7	60	5,973.8
Oregon.....	58	5,820.0	23	2,098.3	13	679.3
Pennsylvania.....	48	2,323.5	31	1,817.0	23	1,141.1
Rhode Island.....	2	104.2	2	104.2	0	0
South Carolina.....	55	2,795.5	46	2,466.3	35	1,299.3
South Dakota.....	28	2,426.9	21	1,574.4	13	516.7
Tennessee.....	88	4,331.5	51	2,455.6	33	1,342.6
Texas.....	163	17,390.8	104	11,136.8	74	7,525.4
Utah.....	38	4,367.4	21	2,211.1	12	1,305.7
Vermont.....	9	717.8	8	699.9	4	62.9
Virginia.....	70	3,127.0	35	1,877.9	26	1,404.5
Washington.....	50	2,891.3	22	978.0	12	256.6
West Virginia.....	56	2,154.0	34	1,056.7	23	822.0
Wisconsin.....	56	2,944.5	36	2,173.1	24	1,148.5
Wyoming.....	48	5,467.2	23	1,921.6	12	578.1
Puerto Rico.....	6	342.7	5	292.8	3	252.0
<b>Total.....</b>	<b>2,905</b>	<b>225,724.2</b>	<b>1,721</b>	<b>127,390.0</b>	<b>1,125</b>	<b>70,417.7</b>

\*Prepared by the Soil Conservation Service, U.S. Department of Agriculture.

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## THE ENERGY CRISIS

BY THEODORE J. MAHER AND TOM HAUGER\*

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THE ENERGY CRISIS has vaulted into one of the great issues facing public jurisdictions across the United States. All States are confronted with problems of high energy consumption, rapidly escalating energy costs, supply shortages, dependence on foreign imports, possible allocation programs, threats of facility shutdowns, and proposals that would increase the costs of petroleum products still further. With all of these perceived problems, the intensity of state government policy concerns that intersect the energy issue is also increasing. It adds up to an immense demand on both the executive and legislative branches and brings into question the adequacy of institutions, methods of decision-making, and federal-state relationships.

### FEDERAL-STATE INTERACTION

Federal leadership, with overall policies designed to combat the embargo-induced "energy crisis" did not emerge. The scope of that embargo resulted in gasoline prices doubling, home heating fuel prices tripling, and natural gas service extensions being terminated. The broad strategy adopted at the federal level has been entitled Project Independence, a collection of as yet largely unstated measures aimed at reducing potential economic impacts on this country deriving from future acts by foreign energy suppliers. Of the overt actions taken by the federal government, two of the most significant place new burdens on the States. These are the decisions to proceed with the construction of the Alaska pipeline and to accelerate leasing of oil rights on the outer continental shelf (OCS).

The development of the trans-Alaska pipeline has had tremendous effects on the growth of that State. The job oppor-

tunities afforded by the construction have caused a massive influx of predominantly young male adults, skilled and unskilled, seeking high-paying employment. In addition, the magnitude of salaries paid these workers has contributed to a state inflation rate of staggering proportions. The net effect has been a fast and booming growth of the State's population and economy, which will likely be only temporary, but which may have unforeseen consequences in the longer term.

Regarding the exploitation of OCS oil and gas resources, even the short-range effects are still undefined, although some general assumptions seem clear. Most of the effects will fall in state jurisdictions. The short-range effects will be primarily related to initial construction of drilling facilities. Longer-range effects may be more related to possible concomitant on-shore facilities, such as oil refineries. Secondary impacts of either short- or long-range activities are likely to have serious growth implications through their promotion of community development and amenities for those employed by the energy industry. A few States are only now beginning to consider the ramifications that may occur should OCS drilling be undertaken contiguous to their States. Other federal proposals such as the leasing and mining of coal resources in the western United States or the development of oil shale could stimulate similar secondary growth problems.

The States lost any claims they may have had to OCS oil in the 1975 Supreme Court decision, *U.S. v. Maine*, in which the court ruled that the Atlantic Coast States own only three miles of the OCS and that the remainder belongs to the federal government. The States had alleged that colonial charters granted them as much as 200 miles off their respective coasts. Anticipating this decision and aware of federal plans for leasing the

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OCS, the Atlantic Coast Governors met in January 1975 and recommended: (1) that exploration and drilling of OCS tracts occur before leasing decisions are made in order to determine more closely where and what reserves exist; (2) that leasing decisions be based on the quantitative information gleaned from the exploratory drilling; (3) that environmental impact statements precede leasing decisions; and (4) that compensation be guaranteed to any person, business, or government that may be directly or indirectly affected by an oil spill.

Federal leasing and private development of energy mineral lands in western States are also likely to encourage the same level of secondary impacts, such as electric generating plants and boom towns that are possible in the coastal areas. A vast array of environmental concerns are just as likely to arise from this development. Among these are the effects of strip mining on the water quality in these States, where the availability of water is already perceived as a major issue. The extraction of coal or oil shale requires the use of water, as does oil shale processing or coal-fired electric plants. An additional burden may be placed on the western States' water resources if current proposals for additional coal slurry pipelines are adopted. Under this scheme, water would be used to transport coal through pipelines from the area of coal extraction to a terminal for use or distribution. Federal legislation that would give pipeline carriers the power of eminent domain to construct this system has already been introduced in the U.S. Senate.

In terms of federal-state energy relationships, an attempt is being made to demonstrate a partnership through the operation of the Nuclear Regulatory Commission. The commission has conducted a nuclear energy center site survey and has solicited viewpoints from state administrative officials in a series of regional workshops.<sup>1</sup>

The purpose of the national site survey is to identify potential land areas for the

location of nuclear energy centers or power parks. The power parks represent geographic aggregates of nuclear powerplants and/or fuel cycle facilities that are substantially larger than those presently planned. Implementation of a national policy permitting location of nuclear facilities in power parks would begin in 1985 if such centers can be shown technically feasible and practical. As with other federally initiated energy developments, the aggregation of facilities into a single site would intensify environmental, economic, and sociological impacts.

The prospect of building these centers presents a number of problems for the State in which they would be located. One power park can have as many as 40 reactors with a block of capacity that is about twice that available to metropolitan New York at present. The land area for centers will be large, ranging from 20 to 75 square miles for the power site. The aggregation of generating facilities into a limited number of centers will increase the investment and right-of-way requirements significantly over those required for dispersed sites. The concentration of heat dissipated from nuclear energy centers raises issues involving weather modification. The availability of water is critical to operation of economically feasible nuclear facilities. If water is not plentiful and dry cooling systems are needed, additional costs can be expected.

The Nuclear Regulatory Commission—in conjunction with individual States, the Southern Interstate Nuclear Board, and the Western Interstate Nuclear Board—is working actively to identify specific activities, new policies, and new programs that will be needed by States to implement federal plans for the development of power parks.

#### STATE ACTIONS

While contending with the repercussions of potential federal actions, the States have taken a variety of actions to meet the increasing concern over energy development within their borders. To be sure, many of these responses were directed at the trauma posed by the energy crisis of early 1974, but some of the measures preceded the crisis and many will

<sup>1</sup>Nuclear Regulatory Commission, *Nuclear Energy Center Site Survey* (Washington, D.C., 1975).

have effects lasting beyond the 10-year deadline set for achieving energy independence. Although some areas of state energy-related activity are likely to have been initiated independent of the 1974 crisis, most of the actions were responsive to particular needs made apparent by the crisis.

### *Reorganization*

As a demonstration of the States' ability to respond to crisis situations and in direct response to the oil shortage of early 1974, a number of State Legislatures granted to their Governors powers regarding distribution of energy and energy resources. These emergency powers will enable States to take quick action without convening their Legislatures in the event of another series of events similar to those of early 1974. Every State set up an energy allocation office in response to the federally mandated 10 percent cutback in gasoline distributed to the States.

The Connecticut State Legislature approved a measure in June 1975 combining the State Department of Planning with the Connecticut Energy Agency. Several problems, not wholly unique to Connecticut, prompted this decision. Connecticut's economy is 85 percent oil based, 60 percent of that oil being imported. Existing state agencies were unprepared to deal with severe shortages of imported oil after the 1973 Arab embargo. There had been no centralized planning agency designed to oversee any aspect of energy planning, but through this action Connecticut acknowledged the need to deal with present and future energy needs as well as to conduct comprehensive statewide planning. The resulting department represents a comprehensive policy-making body, a fiscal savings to the State, and an effective mechanism for dealing with future energy problems.

The department, with a \$900,000 annual budget, works closely with legislators to develop a yearly legislative program. The department spends time educating the public and working with communities and regional planning associations. A computer has been utilized to trace energy flows in the various sectors of the economy within the State. Planning for energy

emergencies is another important function of the department.

The powers and duties of the Governor's Energy Advisory Council in Texas are fairly typical of energy agencies in other States.<sup>2</sup> They include:

1. Developing and maintaining an energy data base system and econometric modeling of the State;

2. Analyzing manpower needs for anticipated and desired developments in the structure of the Texas economy due to energy developments;

3. Analyzing technological developments of particular importance to the State;

4. Maintaining an awareness of all energy-related research inside and outside of the State in order to promote information exchange and coordination;

5. Reviewing actions and policies of all state and federal agencies to determine the energy impact and to recommend possible alternatives consistent with Texas energy policy; and

6. Recommending legislation and executive action to foster the development of increased energy supplies, more efficient energy systems, and increased conservation of energy.

As the long-term implications of the energy problem became apparent, other and possibly more permanent organizational arrangements have been made to handle energy allocation and planning. Four States—Connecticut, Kentucky, Oklahoma, and Oregon—have established cabinet-level departments of energy, Minnesota an energy agency, eight States have created energy divisions within existing departments, 22 States established energy offices, and eight have energy councils (see Table 1).

### *Energy Planning*

Over 30 States responded to the energy shortage by establishing a system of energy planning. Generally speaking, this planning involves the collection and analysis of data relating to the production and/or consumption of energy. It may also extend to the preparation of plans

<sup>2</sup>State of Texas, Energy Policy Planning Act of 1975 (S.B. 519).

designed to match anticipated demands for energy with anticipated supply under a number of assumed conditions.

The Minnesota legislation establishing the Minnesota Energy Agency (MEA) provides an illustration of the kinds of elements that may be included in state energy planning. The director of this state agency is given the responsibility to collect and analyze data that public utilities and major energy producers in the State are required to supply on an annual basis. This private sector contribution includes five-, 10-, and 20-year forecasts of energy demand and the facilities required to meet these demands. The energy agency is charged with evaluating these projections as they relate to population and economic growth, land use and development trends, and transportation capacity. The end product of this analysis is a biennial report submitted to the Governor and the Legislature in which the MEA's evaluation of projected supply and demand forces is presented in consideration of possible social economic and environmental effects, along with an assessment of the available energy resources in the State.

Legislation in California mandates processes similar to those outlined for Minnesota. In California the Legislature has established a surcharge on all electric utility bills to generate funds for the energy commission. The surcharge is based on a sliding scale from zero up to two tenths of a mill per kilowatt hour. The practical effect is that the more electricity someone uses the higher the surcharge on the monthly bill. Depending on the energy commission's approved budget amount each year, the State Board of Equalization has the power to raise or lower the surcharge. As of January 7, 1975, a surcharge of one tenth of a mill was added to all electric utility bills. This is expected to raise about \$15 million to meet the commission's expected budget request for its first year of operation.

In Connecticut, provision is made for conservation programs to be implemented in those identified areas of energy shortages that emerge from the forecasting. Energy planning in most of the other States cited in Table 2 seems to include, as a

core element, the projection of future levels of energy supply and demand expected in the State.

### *Research and Development*

If one thing is certain about the energy crisis it is that there are no quick cures. As a consequence, the pursuit of longer-range solutions has stimulated heavy state investment in energy research and development and, as a by-product, has helped to strengthen the State's partnership with universities, industry, and federal agencies for joint problem-solving. In large measure the shape and direction of energy research and development are now being framed and scaled by state governments.

The State of Illinois, for instance, passed the Coal Development Bond Act which provides a total bonding authority of \$80 million, the revenue from which will be used to conduct research into the discovery, production, conversion, and uses of coal, as well as into the feasibility and development of other potential energy sources. This coal research program provides for the creation of an institutional arrangement with flexible contracting and financing procedures and is oriented toward the formulation of new initiatives.

In 1974, the Kentucky General Assembly approved an appropriation of \$57.7 million for a "three-pronged expansion of the State's energy resource utilization program."<sup>3</sup> Included are \$3.7 million for expanded research through the University of Kentucky's Institute for Mining and Minerals Research, \$4 million for a new specialized research facility, and "\$50 million over six years to provide seed money for pilot and demonstration synthetic fuel plants." As part of the Energy Development and Demonstration Trust Fund, this financial commitment will enable Kentucky to participate in the design, construction, and experimental operation of projects for coal gasification and liquefaction. "The State will be a joint participant with the federal government and the private [sector] in acceler-

<sup>3</sup>State of Kentucky, *Kentucky's Response: Research Applied to Meet the Nation's Energy Needs* (Frankfort, Kentucky, 1975).

ating the commercial feasibility of such processes."

In pursuit of the overall objectives of the Kentucky program, research will also be undertaken to determine precise information about the size and location of coal reserves; to develop a more efficient, safe, and economical mining system; to investigate improved land reclamation techniques; and to conduct research into the environmental impacts resulting from coal production.

Through skillful management of both state and federal funds for research, Kentucky has created a program that bridges the public, university, and private sectors. In this sense, it is an example of a new breed of "intersect" arrangements and one that is a creature of state government.

The 1974 Iowa Legislature appropriated \$3 million to conduct coal research. In Arizona, a state power authority was set up in 1975 with the purpose of acquiring or encouraging solar, nuclear and geothermal energy sources.

The significance of these and other research and development efforts being undertaken by States is that, given the relatively small geographic jurisdictions and limited financial resources, the States appear to have taken the lead in this country's search for more efficient and more self-sufficient energy sources. To be sure, they are following the broad policy guidelines of Project Independence, but their own diverse interests in particular resources available within their boundaries are not likely to have received the concentrated effort from the federal government that the States have initiated.

#### *Facility Siting*

As population growth and relocation place new demands on both the development of energy's raw resources and the construction of new electric power plants, the locational decisions for these activities may have consequent effects on the environment and other private sector locational decisions. To minimize the adverse effects of powerplant or other facility siting, over one half of the States have instituted some form of statewide facility siting process that requires the review by a central authority of the plans for con-

struction of a wide range of energy facilities—oil refineries, generating facilities, and transmission lines.

The extent and nature of the processes existing in the various States are greatly diverse. Some States, such as Minnesota and Montana, require direct state involvement in the review. New Hampshire and Maine's programs place more emphasis on review by local governments regarding the siting of facilities within their jurisdictions.

A number of these state siting processes were developed prior to the biennium 1974–75, although some were begun during that time. The 1975 Vermont legislation provides that the General Assembly will have the final review of siting decisions regarding nuclear powerplants. A significant requirement written into many of the States' siting laws is the submission of five-, 10-, and 20-year energy demand and facilities construction plans by utility companies for review by the State, an element that feeds directly into state energy planning.

A striking example of this strategy is found in California's recent promulgation of a comprehensive energy law [A.B. 1575 (1974)]. Through this legislation the State established an Energy Resources Conservation and Development Commission charged with responsibility for energy shortage contingency planning, forecasting, and assessing future energy needs, adopting and recommending conservation measures, and power facility and site approval.

The energy commission will approve all new powerplant facilities except those for which construction is planned prior to January 1978. Another exception will be the approval of new power facilities in the coastal areas of the State. In those cases the commission will cooperate with the California Coastal Zone Conservation Commission which has final approval of new power facilities in its jurisdiction. Although the commission's basic duty here is to approve enough new power facilities to meet future demand, approval for new facilities will require review of the technological and environmental advantages and disadvantages of each new plant.



### *Regional Arrangements*

With the strong trend in the United States toward multijurisdictional arrangements for cooperative planning and decision-making, a real case exists for regional institutions to assemble priority energy needs and policy positions for the participating States. Taking just one example, 10 Western States have organized the Western Governors' Regional Energy Policy Office.<sup>4</sup> Significant benefits from the organization of the Western group will be to inject a multistate viewpoint into national energy policy planning and to provide States leverage in coping with the complex interactions now emerging among various levels of government.

While not always achieving unanimity, the Western States have already taken collective positions vis-à-vis the federal government on synthetic fuel programs, decontrol of oil prices, control of imports, levying of windfall taxes, and the fuel allocation program. Thus far, the aims of the Regional Energy Policy Office are general and have shown a concentration on: (a) production of energy at the lowest possible cost; (b) protection of the environment and ecosystems; (c) promotion and development of energy storage and backup systems; (d) conservation in the production, transportation, and consumption of energy; (e) research in the development of new energy sources; (f) encouragement of priorities for the use of water in energy production; and (g) development of energy transportation and transmission facilities.

### *Tax Incentives*

A major tool that a State can use to implement policy decisions is allowing taxpayers to take credit on their taxes for actions the State considers beneficial. A few States have opted for this method as a means of encouraging their citizens to use nonconventional sources of energy, especially for home heating and cooling. This tactic permits increasing development without the usually expected demand on public utilities. The net result

could be a larger capacity to accommodate growth if significant numbers of individuals take advantage of the tax break allotted.

Among the States cited in Table 2, the most common form of tax incentive is full or partial property tax exemption given to property owners who install solar heating or cooling devices.

### *Consumer Advocacy*

The traditional nexus between the provision of utility and energy services and the protection of the citizens' interest is state public utilities commissions (PUCs). About a dozen States have chosen this as the point in which to insert a consumer advocacy function that will ensure that a fair review is given an energy supplier's request regarding energy pricing in light of the effects of that pricing on the energy consumer. Most of these States took their action in the 1974-75 biennium as a response to the energy crisis and subsequent requests for utility rate increases made by the power suppliers, but a few, most notably Maryland (1924) and Indiana (1941) have long recognized the need to consider citizens' input in utility rate and supply decisions.

It was the apparent shortage of oil for powerplants and natural gas for home and industrial consumption that prompted many rate increase requests and PUC conservation programs. The consumer counsels have been able to press for adequate consideration of the needs of the State's citizens in the formulation of such decisions. Another similar sign of the times is the initiation by many States of investigations into utility rate structures and the general operations of PUCs.

In a fundamental opinion issued on August 18, 1974, the Public Service Commission of Wisconsin adopted the principle of limited time-of-day pricing for utilities in the Madison Gas and Electric Company Case.<sup>5</sup> The case is considered by most in the industry to be a landmark decision in utility regulation. Time-of-day pricing gives the consumer the choice of using or forbearing to use electricity at

<sup>4</sup>Western Governors' Regional Energy Policy Office, "Policies and Positions," mimeo. (Denver, Colorado, 1975).

<sup>5</sup>State of Wisconsin, Public Service Commission, *Madison Gas and Electric Company Case*, August 18, 1974.

the proper economic prices. The basic premise is that if a customer adds to the system peak he should be required to pay the cost associated with that demand. In all cases it is far more costly to serve loads that coincide with the system peak. Not only is capacity built to serve that load, but it is also necessary to rely on the less efficient units for on-peak generation.

The essential benefit of a peak-responsibility pricing system is that it flattens out the load curve and tends to discourage the need for investment in additional generating capacity. Time-of-day pricing is not new in some industrial electric rate classifications in the United States, but it has not been employed for domestic rates prior to this.

### *Energy Conservation*

Conservation programs continue to be regarded as the most effective short-term means of countering the energy situation. Rising governmental expenditures, shortened lead times, public dissatisfaction, and resistance to mounting tax burdens have induced state governments to search for cost-saving techniques.

Massachusetts, for example, is undertaking an innovative program aimed at significantly reducing the consumption of fuel and electricity in state facilities. The structure of the program involves three distinct phases leading to the alteration of mechanical and electrical systems in public buildings. The first phase, or energy appraisal, includes the collection of energy consumption data and an on-site walk-through of selected public facilities to identify a number of representative buildings that have potentially substantial energy savings.

The second phase involves an in-depth survey and analysis of building operations and systems for the selected facilities. The third phase involves implementation of recommendations of earlier phases and results in detailed drawings and specifications for modification of heating, ventilation, and air conditioning systems.

In many respects, the Massachusetts program constitutes a model for action in energy conservation programs at the state

level. The phased approach—combining public administration, facilities management, and engineering skills—minimizes the complexity of conservation efforts. At every step the decision-maker is fully informed about targets of energy conservation opportunity, the extent of necessary modifications, and associated costs.

The Commonwealth has calculated other benefits to the program. Through modification of existing building systems, drastic reductions in energy consumption can be achieved. In 17 of its public facilities surveyed, Massachusetts reported a potential for near-term savings of \$1 million annually on fuel and electrical costs. Pay-back periods—the time required for the Commonwealth to recapture its investment—are short, ranging typically from eight months to two years. The representative nature of the buildings analyzed (correctional institutions, hospitals, office buildings, and educational complexes) adds the advantage of interchangeability—the transfer of energy conservation methodology, results, and benefits to a larger number of public facilities with similar characteristics.

### CONCLUSION

The foregoing examples of recent state initiatives, while by no means complete, point out that the States do respond with initiative. The major criterion for future success will be adequate program definition. To this point, the States have demonstrated a strong capacity to respond to problems of national dimensions. Such decisive actions may have effects on the Nation's future and in areas beyond the issue of energy.

### SELECTED REFERENCES

- The Council of State Governments. *State Responses to the Energy Crisis*. Lexington, Kentucky, 1975.
- National Conference of State Legislatures. *Energy: The State's Response*. Washington, D.C., 1975.
- Advisory Commission on Intergovernmental Relations. *State Actions 1974: Building on Innovation*. Washington, D.C., 1975.
- Federal Energy Administration. *Project Independence*. Washington, D.C., 1974.
- University of Oklahoma. *Energy Alternatives: A Comparative Analysis*. Norman, Oklahoma, 1975.

TABLE 1  
FUNCTIONS AND RESPONSIBILITIES OF STATE ENERGY OFFICES—1975

State or other jurisdiction	Office	Emer- gency planning	Con- serva- tion planning	General data collection	Interde- partmental cooperation	Recom- mending legislation	Resource allo- cation	Fore- casting needs	Research & develop- ment	Power- plant siting
Alabama.....	Energy Management Board, Development Office	★	★	★	★	..	★	..	..	..
	Energy Resources Research Div., Geological Survey	..	..	..	..	..	..	..	..	..
Alaska.....	Energy Office, Office of the Gov.	★	★	★	★	★	★	★	★	..
Arizona.....	Office of Econ. Plann. & Dev.	★	★	★	★	★	★	★	★	..
	Corporation Commission	★	★	★	★	★	..	..	..	★
	Oil & Gas Conservation Comm.	★	★	★	★	★	..	..	..	..
Arkansas.....	Energy Office, Dept. of Commerce	★	★	★	★	★	★	★	★	..
California.....	Govt. Affairs Office, Energy Res. Conserv. & Dev. Comm.	★	★	★	★	★	★	★	★	★
Colorado.....	Energy Research Institute	★	★	★	★	★	..	★	★	..
	Energy Policy Council, Office of the Gov.	★	★	..	..	★	..	..	..	..
Connecticut.....	Dept. of Planning & Energy Policy	★	★	★	★	★	★	★	★	..
	Power Facility Evaluation Council	..	..	..	..	..	..	..	..	★
Delaware.....	Dept. of Natural Res. & Envir. Control	★	★	★	..	★	★	..	★	★
	Div. of Emerg. Plann. & Ops., Dept. of Public Safety	★	★	★	★	..	★	..	..	..
	State Planning Office, Office of the Gov.	..	★	★	★	..	..	..	★	..
Florida.....	Energy Office, Dept. of Admin.	★	★	★	..	★	★	★	..	..
	Solar Energy Center	..	..	..	..	..	..	..	★	..
Georgia.....	Energy Office, Office of the Gov.	★	★	★	★	★	★	★	★	..
512 Hawaii.....	Energy Mgt. & Conserv. Office, Dept. of Plann. & Econ. Dev.	..	★	★	..	★	★	..	..	..
	State Center for Science Policy & Tech. Assessment, Dept. of Plann. & Econ. Dev.	..	..	..	★	★	..	★	★	..
Idaho.....	Div. of Energy, Public Utilities Comm.	★	★	★	★	★	★	★	..	★
Illinois.....	Div. of Energy, Dept. of Business & Econ. Dev.	★	★	★	★	★	★	★	★	..
	Commerce Commission	..	..	★	★	★	★	★	★	★
	Energy Resources Comm., General Assembly	..	★	★	★	★	..	..	★	..
Indiana.....	Energy Office, Dept. of Commerce	★	★	★	★	★	★	★	★	..
	Geological Survey, Dept. of Natural Res.	..	..	★	..	..	★	..	★	..
Iowa.....	Energy Policy Council	★	★	★	★	★	★	★	★ <sup>(a)</sup>	..
Kansas.....	Energy Office, Office of Governor	★	★	★	★	..	★	★	..	..
	Geological Survey	..	★	★	★	★	..	★	★	★
Kentucky.....	Dept. of Energy	★	★	★	★	★	★	★	★	★
	Center for Energy Research	..	..	★	★	★	..	★	★	..
Louisiana.....	Div. of Nat. Res. & Energy, Dept. of Conserv.	★	★	★	★	..	★	★	★	..
Maine.....	Office of Energy Resources, Exec. Dept.	★	★	★	★	★	★	★	★	★ <sup>(b)</sup>
	Div. of Community Services, Exec. Dept.	..	..	★	★	★	..	..	★	..
Maryland.....	Office of Energy Policy, Exec. Dept.	★	★	★	★	★	★	★	..	★ <sup>(b)</sup>
	Administrative Div., Public Service Comm.	★	..	..	★	..	..	..	..	★
	Dept. of Natural Resources	..	★	..	★	..	..	..	..	..
Massachusetts..	Energy Policy Office	★	★	★	★	★	★	★	★	..
	Energy Facilities Siting Council	..	..	..	..	..	..	..	..	..
Michigan.....	Energy Office, Public Service Comm., Dept. of Commerce	★	..	★	..	★	★	★	..	★
	Dept. of Natural Resources	..	★	★	★	★	★	★	★	★
Minnesota.....	Energy Agency	★	★	★	★	★	★	★	★	★
	Environmental Quality Council	..	..	..	★	★	..	..	★	..
Mississippi.....	Fuel & Energy Management Comm.	★	★	★	★	★	★	★	★	..
Missouri.....	Energy Agency, Dept. of Natural Resources	★	★	★	★	★	..	★	★	..
	Dept. of Geology & Geophysics, Univ. of Missouri	..	..	★	★	..	..	★	★	★

Montana.....	Energy Advisory Council, Office of Lt. Gov. Energy Planning Div., Dept. of Nat. Res. & Conserv. Utility Div., Public Service Comm.	..	★	★	★	★	★	★	★	★	★
Nebraska.....	Office of Planning & Programming, Energy Office, Dept. of Revenue Div. of Planning, Natural Resources Comm. Power Review Board, Dept. of Water Resources	★	★	★	★	★	★	★	★	★	★
Nevada.....	Energy Resources Advisory Bd. Public Service Comm.	★	★	★	★	★	★	★	★	★	★
New Hampshire..	Gov.'s Council on Energy	★	★	★	★	★	★	★	★	★	★
New Jersey.....	Energy Office, Dept. of Public Utilities	★	★	★	★	★	★	★	★	★	★
New Mexico.....	Energy Resources Board	★	★	★	★	★	★	★	★	★	★
New York.....	Emergency Fuel Office, Exec. Dept. Energy Research and Development Authority Public Service Commission	★	★	★	★	★	★	★	★	★	★
North Carolina..	Energy Div., Dept. of Military & Vets. Affairs Utilities Commission, Dept. of Commerce	★	★	★	★	★	★	★	★	★	★
North Dakota...	Office of Energy Management Public Service Commission	★	★	★	★	★	★	★	★	★	★
Ohio.....	Energy & Resource Development Agcy.	★	★	★	★	★	★	★	★	★	★
Oklahoma.....	Dept. of Energy	★	★	★	★	★	★	★	★	★	★
Oregon.....	Dept. of Energy	★	★	★	★	★	★	★	★	★	★
Pennsylvania....	Gov.'s Energy Council	★	★	★	★	★	★	★	★	★	★
Rhode Island....	Energy Office, Exec. Dept.	★	★	★	★	★	★	★	★	★	★
South Carolina..	Energy Management Office	★	★	★	★	★	★	★	★	★	★
South Dakota...	Office of Energy Policy	★	★	★	★	★	★	★	★	★	★
Tennessee.....	Energy Office, Exec. Dept.	★	★	★	★	★	★	★	★	★	★
Texas.....	Gov.'s Energy Advisory Council	★	★	★	★	★	★	★	★	★	★
Utah.....	Energy Coordinator, Dept. of Natural Resources State Science Advisor, Univ. of Utah	★	★	★	★	★	★	★	★	★	★
Vermont.....	State Energy Office(c), Agcy. of Admin.	★	★	★	★	★	★	★	★	★	★
Virginia.....	Energy Office	★	★	★	★	★	★	★	★	★	★
Washington.....	Energy Office, Office of the Gov. Thermal Power Plant Site Selection Council	★	★	★	★	★	★	★	★	★	★
West Virginia...	Fuel & Energy Office, Gov.'s Office of Fed.-State Relations Comm. on Energy, Economy, & Envir.	★	★	★	★	★	★	★	★	★	★
Wisconsin.....	Office of Emergency Energy Assistance Public Service Commission	★	★	★	★	★	★	★	★	★	★
Wyoming.....	Mineral Development Div., Dept. of Econ. Planning & Dev. Oil & Gas Conservation Comm.	★	★	★	★	★	★	★	★	★	★
Guam.....	Energy Office Office of Consumer Council	★	★	★	★	★	★	★	★	★	★
Puerto Rico.....	Office of Petroleum Fuels Affs., Office of the Gov.	★	★	★	★	★	★	★	★	★	★

- (a) Research only.  
(b) Advisory only.  
(c) Interagency committee.

TABLE 2  
STATE ENERGY ACTIONS\*

State	Energy planning	Emergency powers to Governor	Subsidized research & development into alternate energy sources	Tax incentives for alternate energy	Energy facility siting process	Consumer advocacy
Alabama.....	★	..	..	..	☆	..
Alaska.....	..	..	★	..	☆	..
Arizona.....	..	..	★	★	☆	..
Arkansas.....	★	..	..	..	☆	..
California.....	★	..	..	..	★	..
Colorado.....	..	..	★	★	☆	..
Connecticut.....	★	★	..	..	☆	..
Delaware.....	★	★	..	..	..	★
Florida.....	★	..	★	..	☆	★
Georgia.....	★	..	..	..	..	★
Hawaii.....	★	★	★	..	..	★
Idaho.....	★	..	..	..	..	..
Illinois.....	..	..	★(a)	★	..	..
Indiana.....	..	..	★	★	..	☆
Iowa.....	★	★	★(a)	..	..	..
Kansas.....	★	..	..(a)	..	..	..
Kentucky.....	★	..	★(a)	..	☆	..
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.....	..	★	..	..	★	..

\*Source: Advisory Commission on Intergovernmental Relations, *State Actions, 1974: Building on Innovation*, and various Council of State Government's publications.  
★ Indicates action in 1974-75 biennium.

☆ Indicates action prior to 1974-75 biennium or undetermined date.  
(a) Includes research into conventional sources.

## Labor Relations

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### DEVELOPMENTS IN STATE PERSONNEL SYSTEMS\*

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**D**URING the past two years, most States have been faced with the combined impact of inflation, recession, and declining revenues, as well as escalating demands from organized employees and interest groups. However, the dominant trend throughout the period has been the growing role of the States as both middlemen and performing agents in the implementation of national programs. The thrust of federal regulations has been to standardize state personnel procedures.

The proliferation of block grants has led to the decentralization of program administration, yet has imposed federal control through regulations, post audits, and program evaluations.

In the area of categorical grants, the Federal Assistance Review Task Force, in a survey of 221 grant programs, found 172 instances of regulations and procedures related to personnel administration.

In addition to these regulations, the demands created by federal legislative enactments pertaining to fair labor standards, occupational health and safety, and affirmative action on the part of ethnic and cultural minorities, women, the aged, and the handicapped have severely taxed both the financial and human resources of state personnel systems.

#### LABOR-MANAGEMENT RELATIONS

The trend toward collective bargaining in the state employment sector was one of the most significant developments in the last two years, and was marked by legislation in numerous States, a substantial increase in the number of state employees in represented groups, union pressure for federal legislation, and illegal strikes by state employees.

This was illustrated by the fact that 26 States now authorize collective bargaining on the subject of compensation. The Indiana General Assembly passed a bargaining bill for state employees effective January 1, 1976, and the new bargaining law enacted by the Iowa Legislature deferred actual bargaining until July 1, 1976. Massachusetts expanded its collective bargaining statute to include wages and established 11 statewide bargaining units, including one covering state police. Connecticut approved a new comprehensive collective bargaining law in 1975 and Minnesota achieved its first collective bargaining agreement in the same year. In Wisconsin, retirement benefits and employee contributions, as well as the employee share of premiums on group life and health insurance, became bargainable issues for the first time in 1974-75.

Collective bargaining legislation covering 25,000 public employees was enacted in New Hampshire in 1975, replacing a 1969 act. In Maine, collective bargaining rights were extended to university personnel for the first time while Montana ex-

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\*This article is a joint venture by Carl K. Wetengel, Administrator of Employee Relations, and Verne H. Knoll, Acting Director, State Bureau of Personnel, State of Wisconsin; and H. Brinton Milward, Assistant Professor of Political Science, and W. Mark Pentz, graduate assistant, University of Kansas.

tended bargaining rights to about 9,000 public schoolteachers.

The picture was not completely one-sided. Collective bargaining bills were not successful in Ohio and California. In Ohio, the Governor vetoed legislation which would have enabled state employees to engage in collective bargaining, while in California a collective bargaining bill for state employees was defeated although collective bargaining for public school employees was adopted. Although some of the comprehensive laws passed by States reflected a growing acceptance of some form of agency shop and the limited right to strike, the Iowa and Florida laws do not conform to this trend. Both laws contain strong management rights clauses, prohibitions against agency shop, and stringent antistrike provisions. Likewise, New Jersey toughened its existing collective bargaining statutes to provide penalties for bad faith bargaining.

The doctrine of the separation of powers in state government increases the difficulty in determining who has ultimate power to make binding agreements for the State. Management is not the monolithic structure it is in the private sector. In the States, both the executive and legislative branches play a role. For unions the difficulty is in determining with whom to negotiate, while for the States the problem is designating an individual or group to represent the interests of the State. Florida, Kansas, and Minnesota have dealt with this problem by statutorily establishing responsibility for conducting negotiations. Oregon has gone so far as to recognize the fact that public employee unions may act as interest groups by attempting to lobby the Legislature during the collective bargaining process. In order to prevent this, Oregon has made it an unfair labor practice for union representatives to communicate with officials other than those designated as representing the employer during collective bargaining.

The rapid growth of state and local government employment, which reached 12.95 million in 1975, has been paralleled by an influx of new members into public sector employee unions. In the American Federation of State, County and Municipi-

pal Employees (AFSCME), membership has increased from 250,000 in 1964 to over 700,000 in 1975, and the union is presently expanding at the rate of 1,000 new members each week. In Illinois, AFSCME scored the largest single representation gain in 1975 when it won a statewide clerical election covering 15,000 employees. AFSCME was thwarted in two attempts to represent New Jersey's professional, administrative, and clerical employees. In 1975, the coalition of the Civil Service Association and the State Employees' Association was selected in a contested election for the right to represent New Jersey's 8,200 white-collar professionals. In 1974, the same coalition won the right to represent New Jersey's 12,000 administrative and clerical employees. Wisconsin now has more than 17,000 represented employees, including about 8,200 clerical employees who voted for certification in December 1975. Pennsylvania currently has approximately 100,000 state employees covered in bargaining units and two thirds of Oregon's state employees are represented in 85 bargaining units involving 11 unions.

Between 1965 and 1975, strikes by state and local employees increased by over 800 percent—from 42 in 1965 to 382 in 1974. Seven States—Alaska, Hawaii, Minnesota, Montana, Oregon, Pennsylvania, and Vermont—now have laws that, in varying degrees, make strikes possible. Although most States have laws prohibiting public employee strikes, such laws are no guarantee that strikes will not occur. During the period under review, Ohio and Pennsylvania both experienced strikes by state employees. In Ohio, where there is no collective bargaining, the International Brotherhood of Teamsters and AFSCME called for a strike after the Governor's office announced an \$80 million surplus at the end of fiscal 1974. Many of the 7,500 workers who left their positions held critical jobs enabling the unions to negotiate a wage increase of 10 cents to 30 cents per hour with the greatest proportional benefit going to those workers at the lowest end of the wage scale. The Pennsylvania strike occurred in July 1975 after the State offered its employees a 3.5 percent wage increase. The Pennsylvania experience

illustrates the difficulties that officials may face when attempting to negotiate with several different employee unions. Although most of the 50,000 strikers returned to work after AFSCME negotiated a 12 percent pay increase over 24 months, two other unions representing 12,600 employees held out not only for a larger wage increase, but also for a change in promotion policies that would make seniority, not merit, the exclusive criterion for job advancement.

Although public employee unions are the fastest-growing segment in the American labor movement, their increasing size and militancy will not necessarily guarantee future success at the bargaining table. The recession and the fiscal crisis confronting many States will most likely make collective bargaining easier for management. Runaway inflation has increased public support for state officials determined to hold the line against union demands. Austerity budgets may force public employee unions into holding actions geared to avoid pay freezes, layoffs, and reductions in fringe benefits. New York City's near-bankruptcy forced the city's powerful public employee unions to accept 25,000 dismissals and a reduction in their 1975 wage increases. The "New York City syndrome" spread to the States—the State of New York granted its 180,000 organized workers only one half of a recommended 6 percent wage increase and the Governor planned to freeze wages until April 1, 1977, and reduce the State's payroll by 7,000; the New Jersey Senate voted to appropriate only one third of the \$12 million needed to give 40,000 state employees a pay increase averaging 2 percent; and Connecticut's 40,000 state employees, having lost a general wage increase and one fourth of their normal longevity increments, faced the prospect of having 4,000 to 6,000 layoffs. This prospect eased early in 1976.

The tremendous growth in state government employment and the diversity of state legislation governing public employee labor relations have prompted public employee labor unions to seek federal regulatory legislation. Congress is presently considering two bills, both of which would legalize collective bargain-

ing. The first (S. 294) would extend the National Labor Relations Act to state and local government workers, while the second (S. 3295) would establish a separate legal structure and enforcement apparatus for public employees. Although both bills have been before subcommittees since 1974, it is doubtful that congressional approval of either will be forthcoming. Collective bargaining legislation has been overshadowed by economic problems and other political issues, and the unions have so far failed to come up with a unified position. Also, the role of unions in events leading to New York City's near-bankruptcy has created a political climate so unfavorable to public employee unionization that neither major political party has been willing to push collective bargaining legislation through Congress. This has been aided by the AFL-CIO's refusal to go along with any prohibition on the right to strike in federal legislation.

#### AFFIRMATIVE ACTION

In recent years, few developments have had more impact on state personnel systems than the increased emphasis on Affirmative Action programs. The passage of the Equal Employment Opportunity (EEO) Act in 1972 and the *Griggs* and subsequent court decisions related to EEO reflect a growing realization that merit system practices have not been totally fair and non-discriminatory. Federal requirements have forced States to do more than passively prohibit discriminatory hiring practices; they have broadened the scope of equal opportunity to cover all elements of personnel policies and procedures, including areas such as qualification requirements, job classifications, compensation, promotion policies, and training programs to increase upward mobility. In response to federal pressure and court requirements, action taken by States to balance their work forces to reflect both the racial and sex proportions of their respective populations has primarily been in two areas.

First, a majority of the States have adopted formal Affirmative Action goals and programs and a number of these have provided adequate staff to implement the



programs and monitor the results. Although the lack of adequate funding and the scarcity of trained minorities and women in some technical and professional fields have tended to complicate Affirmative Action programs, many States are currently eliminating artificial barriers such as unrealistic job requirements, the lack of publicity about job openings, and unvalidated examinations. Some States have also created training and internship programs to accelerate the promotion of women and minorities to administrative positions.

Second, although Affirmative Action is intended to reinforce the merit principle by assuring all individuals the opportunity to enter the public service and advance on the basis of their ability, some States have reported problems in integrating Affirmative Action programs with their merit systems. This may be due to differing perceptions of what merit employment means: hiring the most qualified person for a position or hiring someone who is competent to perform a given job. In light of the latter definition, several States have made changes or amendments to their basic selection procedures to permit selective certification when that is ruled the only viable way to secure a balanced work force. Such supplemental certification procedures have been adopted by Michigan, Pennsylvania, Washington, and Wisconsin. As could be anticipated, particularly in the current period of high unemployment, there have been court challenges to some of these modifications in civil service procedures.

In Michigan, there is a case pending in court in which "reverse discrimination" has been charged by the plaintiff, a white male, because the passing test score was lowered on an examination to make more minorities and women eligible. In New York, the *Kirkland* case resulted in a court declaring illegal a quota system that employed blacks at a 1 to 3 ratio in one job classification. An administrative ruling by Wisconsin's Director of the State Bureau of Personnel, restricting applicants for a certain position to minorities and women, is being challenged in court. Although Washington reports having used various forms of selective certifica-

tion quite successfully, the problems in achieving Affirmative Action goals within the framework of the merit system will most likely continue to be resolved in the courts.

#### EXAMINATION VALIDATION

In response to EEOC requirements and the *Griggs* decision which struck down nonperformance-related tests for appointments and promotions, examination validation has become a high priority item for the majority of state personnel management operations. Although some examination validation activity has been inaugurated with the use of Intergovernmental Personnel Act (IPA) funds, the consensus of the States reporting is that much greater professional resources are going to have to be applied in this area to meet federal and court standards on validation for all positions. To date, the emphasis in most States has been necessarily in validating examinations used for positions involving a large number of hires.

The growing concern for examination validation has generally resulted in an increase in both the number of staff involved in validation activity and in their professional qualifications for such work. In an effort to cope with the immediate needs of examination validation, some States have utilized outside consultants.

As of 1974, only 10 percent of the state and local civil service examinations met the *Griggs* requirement. Although most States will probably continue to expend resources for examination validation, there is a growing trend toward the development of other selection and certification devices—structured oral interviews, pass-fail tests, relevant training and experience, and performance tests of the job to be done.

Delaware, Maryland, New Jersey, New York, Pennsylvania, Virginia, and West Virginia have joined several local governments and administrative bodies in forming the Mid-Atlantic Personnel Assessment Consortium (MAPAC), the overall purpose of which is to improve the general quality of civil service tests. MAPAC's objectives include: (a) making the most efficient use of resources through exchange of information and cooperative

projects, (b) assisting member jurisdictions in meeting professional and legal standards for personnel selection, and (c) increasing the technical competence of examinations and research personnel in member jurisdictions.

#### THE IMPACT OF IPA

Throughout the period, States encountered new demands and responsibilities in areas such as labor relations, revenue sharing, Affirmative Action, and employee productivity, resulting in a growing need for improved manpower programs and better management practices. By helping to strengthen personnel administration at both state and local levels, programs funded under the Intergovernmental Personnel Act have played an increasingly important role in the upgrading of public personnel management performance. Since its enactment in 1971, the IPA has funded three major programs: matching fund grants for employee training and general personnel management improvements; advisory and operational assistance by the U.S. Civil Service Commission staff; and talent-sharing, which enables administrators to "borrow" expertise from other levels of government or colleges and universities.

By loosely defining the type and scope of fundable projects, IPA has allowed States to set their own priorities in program design. Consequently, States have used IPA grants to initiate projects ranging from cooperative recruiting and examining efforts to training programs for newly elected Governors and state legislators. The stringent requirements of both federal agencies and the courts with regard to the validation of examination and selection procedures were reflected in New Jersey, New York, and Pennsylvania, where IPA grants were used to retain research psychologists for test validation and development. Likewise, the growing impact of collective bargaining in the public sector resulted in Iowa, Nebraska, and West Virginia utilizing IPA funds to establish collective bargaining units and training programs in labor relations. A number of States made use of IPA grants to upgrade or inaugurate formal classification and selection systems, while at least

six others used the program to reorganize or establish central personnel management departments.

As a result of IPA, the majority of States have reported improved relationships with both the U.S. Civil Service Commission and local governments. Although IPA has funded over 500 projects a year, it is currently meeting less than 1 percent of the potential demand of state and local governments for personnel funding assistance. Nevertheless, by allowing diversity and encouraging innovation, administrators at all levels of government have recognized IPA as one of the most successful federal grant programs.

#### MAJOR ORGANIZATIONAL CHANGES

A number of States took major organizational actions to improve the quality of manpower management during this period, ranging from the establishment of initial career service programs to the reorganization of classification systems and the delegation of personnel functions to operating agencies. North Dakota and South Dakota are the most recent States to establish statewide career services under the merit system, and Montana has laid the groundwork for such a system with the establishment of a Board of Personnel Appeals and the development of a single classification and compensation system.

Several States reorganized existing personnel management operations in relation to new and changed responsibilities. Massachusetts combined its Department of Personnel and Department of Civil Service into one Division of Personnel Administration to eliminate duplication and provide better coordination of manpower policies. In Wisconsin, a Division of Employee Relations was created encompassing the Bureaus of Personnel, Collective Bargaining, and Human Resources Services. Under a statewide reorganization in 1974, Missouri's personnel department picked up authority for approximately 2,000 employees in other agencies and added 30 new members to its own staff. In a reorganization effective in 1976, North Carolina's Office of State Personnel will be removed from the Department of Administration and made into an

independent agency under a commission reporting to the Governor.

A majority of States reported a significant increase in the number of employee appeals being received. In Indiana, appeals are now heard by the newly created State Employees Appeals Commission whose members are appointed by the Governor. In Wisconsin and North Carolina, hearing officers have been hired to expedite the handling of personnel appeals; Texas and Missouri are considering the employment of hearing officers. New Jersey, which has used per diem hearing officers since 1971, reports the waiting time for hearings had declined from nearly two years in 1970 to under three months at the beginning of 1976. Reasons given for the increase in appeals include union-prompted grievances, collective bargaining disputes, the impact of Affirmative Action, and the general questioning of procedures more closely than in previous periods. These were heightened by the willingness of the courts to intervene in matters previously considered to be administrative. In this area the major trend is toward increased judicialization of the personnel process.

There is considerable evidence that existing classification systems are being strained by the increasing number and complexity of appeals and that a trend seems to be developing toward conversion to a point factor/benchmark comparison job evaluation system as an answer. For instance, New Jersey has used such a system for position classification since 1973. Michigan is implementing a system of this type and Washington has established a point factor system for payment of its top executives that is comparable to the one used by Wisconsin. In Indiana, a new pay and classification system of the point factor/benchmark comparison type was recommended by the Governor's task force and was scheduled to go into effect early in 1976. Georgia, Iowa, and North Carolina are currently in the process of updating their classification systems and will most likely adopt point factor systems in 1976.

While the status of delegating personnel functions to operating agencies ranged over a broad spectrum from none

in Illinois to about 70 percent of all classification and examination processing in Wisconsin, the trend toward delegation of the more routine or patterned personnel actions appears to be continuing among the States. This is part of the trend to cut down on delays inherent in going through a central personnel office and to make personnel more of a positive management function.

The major limiting factors cited by States on the question of delegation are the varying abilities of agencies to absorb the added work load involved and the fact that many personnel actions require the discretion and judgment of centralized decision-making if uniformity is to be maintained within the system. The most frequently reported moves toward delegation were: (1) classification or job evaluation processes in which most States have delegated entrance-level clerical, blue-collar, and other nonprofessional or administrative classes; and (2) examination and recruitment processes in which local administration of examinations was reported by an increasing number of States. States reporting some progress toward delegation within these limits include California, Colorado, Georgia, Minnesota, New York, Oregon, Pennsylvania, Texas, and Washington.

Even though delegation has been largely limited to repetitive and highly structured actions in which the probability and consequence of error is relatively minor, it has required an increase in staff by the personnel units of the operating agencies. Likewise, delegation has not resulted in the anticipated decrease in the work load of the central agency. Decisions requiring some degree of specialization are generally retained in the central agency along with most developmental work. The latter activity has increased in scope and complexity with the profusion of requirements being placed on central personnel agencies by the federal government and the courts.

#### COMPENSATION

In the area of compensation, two significant trends have emerged in recent years. First, although the recession and the energy crisis have been felt nation-

wide, their combined impact has been greater in the East than in the agricultural and energy-producing States of the mid- and far-West. Regional economic conditions have therefore resulted in a wide variation in pay increases granted by the States. Second, both the size and occurrence of annual salary increases for state employees have become indicators of the political power of employee organizations.

While general pay increases granted by States during 1975 varied from zero to more than 15 percent, fiscal austerity was the dominant theme of the period with at least four States granting no increases and others granting increases substantially below those provided in the past few years. Layoffs and reductions in force became increasingly common throughout the States and general salary increases were completely eliminated for state employees in Connecticut, Georgia, Massachusetts, and North Carolina. Employees earning below \$12,000 were granted range increases without delay. In addition to the elimination of any general pay increase, Connecticut scheduled the layoff of some 4,000 to 6,000 employees. At the other extreme, Colorado, Oregon, and Texas all granted increases of over 10 percent. The majority of States, however, kept salary increases within the 3 to 8 percent range,

with many varying their pay packages to grant larger percentage increases in the lower-paid categories than for middle- and top-management groups. This was generally in recognition of the political power of organized employees, most of whom are at the lower end of state pay scales. Iowa, for example, used a three-tiered plan granting 10 percent to employees earning \$7,000 or less, 9 percent to those in the \$7,000 to \$14,000 category, and 7 percent for those over \$14,000.

Considerable emphasis was also placed on increased fringe benefit packages, the impact of which will not be fully apparent for some time. Although there is no discernible trend in the area of fringe benefits, improvements ranged from the granting of unemployment and workmen's compensation coverage to increasing retirement, health, and dental benefits.

If the theme of the past two years has been persistent federal influence in state personnel systems, the path of influence has not been a one-way street. Many States have developed innovative personnel programs and practices, which as in the past could come to be adopted by the federal government. In the bicentennial year the metaphor of States as "laboratories of federalism" is a concept that retains its historic vitality.

# STATE PERSONNEL AGENCIES

## Coverage, Organization and Selected Policies

As of late 1975

State or other jurisdiction	Coverage (a)	Number of employees covered	Board members			Workweek for office workers		No. paid vacation days
			No.	How appld.	Term (years)	Days	Hrs.	
<b>Alabama</b>								
State Personnel Department.....	General	25,357	3	G(b)	6	5	40	13(c)
<b>Alaska</b>								
State Division of Personnel.....	General	8,156	3	G(b)	6	5	37.5	15(c)
<b>Arizona</b>								
State Personnel Commission.....	General	15,563	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	3,668	3	G(b)	3	5	40	12(c)
Office of Personnel Management...	General	13,300	..	..	..	5	40	12(c)
<b>California</b>								
State Personnel Board.....	General	129,435	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	2,400	3	G	3	5	40	15(c)
<b>Connecticut</b>								
State Personnel Department.....	General	36,500	6	G	6	5	35	15(c)
<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	5	G(b)	4	5	40	13(c)
<b>Georgia</b>								
State Merit System.....	General	44,661	3	G(b)	7	5	40	15(c)
<b>Hawaii</b>								
Dept. of Personnel Services.....	General	16,388	7	G(b)	4	5	40	21
<b>Idaho</b>								
Personnel Commission.....	General	8,500	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	33,714	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	57,809	7	G	6	5	40	12(c)
<b>Maine</b>								
Department of Personnel.....	General	12,500	5	GC	4	5	40	12(c)
<b>Maryland</b>								
Department of Personnel.....	General	50,100	1	G(b)	6	5	35.5	10(c)
<b>Massachusetts</b>								
Division of Personnel Administra- tion.....	General	72,757	5	G	5	5	37.5	10(c)
<b>Michigan</b>								
Department of Civil Service.....	General	57,607	4	G	8	5	40	13(c)
<b>Minnesota</b>								
Personnel Department.....	General	30,765	7	G(b)	3	5	40	9.75(c)
Merit System.....	Local health, welfare, civil defense	2,635	3	G(b)	3	5	35-40	12
<b>Mississippi</b>								
Merit System Council(e).....	Public welfare	1,140	3	A	3	5	40	15
Advisory Committee on Pers.(e)...	Employment security	1,000	3	A	..	5	40	24
Merit System Council.....	Health	2,993	3	A	3	5	40	15
<b>Missouri</b>								
Personnel Division.....	Grant-in-aid(h)	22,000	3	G(b)	6	5	40	15(c)

†—X indicates that the State has group insurance but the employee pays the premium. In other cases, the premium percentage or dollar amounts 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 United States 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—Continued  
Coverage, Organization and Selected Policies  
As of late 1975

Sick leave (working days)		Paid holi- 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†	Lifet	Non- affili- ated with AFL- CIO	Affili- ated with AFL- CIO	
13	150	13	—100—	..	X	..	..	<b>Alabama</b> State Personnel Department
15	no limit	11	—100—	X	X	..	..	<b>Alaska</b> State Division of Personnel
12	no limit	12	X	\$15/mo.	..	X	..	<b>Arizona</b> State Personnel Commission
15	no limit	11	X	\$15/mo.	..	X	..	Merit System Council
15	90	9	\$11/mo.	X	..	..	..	<b>Arkansas</b> Merit System Council
12	90	11	—\$16/mo.—	..	..	..	..	Office of Personnel Management
12	no limit	10	—\$22/mo.—	X	X	..	..	<b>California</b> State Personnel Board
15	no limit	11.5	—\$11.62/mo.—	..	..	..	..	<b>Colorado</b> State Department of Personnel
15	180	11	—\$9.30/mo.—	..	X	..	..	Merit System Council
15	no limit	11	—100—	..	X	X	X	<b>Connecticut</b> State Personnel Department
15	no limit	12	—\$11.46/mo.—	X	..	..	..	<b>Delaware</b> Office of Personnel
13	no limit	8	—\$9.98/mo.—	X	X	X	X	<b>Florida</b> Career Service System
15	90	12	3	X	.5	..	..	<b>Georgia</b> State Merit System
21	no limit	13.5	—30-42—	100	X	X	X	<b>Hawaii</b> Dept. of Personnel Services
12	no limit	9	—\$10.83/mo.—	100	X	..	..	<b>Idaho</b> Personnel Commission
12	no limit	13	100	varies	100	X	X	<b>Illinois</b> Department of Personnel
12	no limit	9	..	100	..	X	X	Civil Service Commission(e)
12	no limit	9	—100—	..	..	..	..	State Police Merit Board(e)
12	no limit	13	—96—	..	X	..	..	Univ. Civil Service System
30	90	10	—\$22/mo.—	100	X	X	X	<b>Indiana</b> State Personnel Division
30	90	10	X	X	33	X	..	<b>Iowa</b> Merit Employment Department
12	no limit	9	—100—	..	X	..	..	University System
12(c)	no limit	10.5	—\$13.85/mo.—	100	..	..	..	<b>Kansas</b> Personnel Division
12(c)	120	10.5	—\$13.85/mo.(g)—	100	..	..	..	<b>Kentucky</b> Department of Personnel
12	no limit	8+	—50—	..	..	X	X	Merit System Council
12	90	10	—100—	X	X	X	X	<b>Louisiana</b> Department of Civil Service
15	no limit	14	—75—	..	X	X	X	<b>Maine</b> Department of Personnel
15	no limit	10	—75—	..	X	..	..	<b>Maryland</b> Department of Personnel
13	no limit	8+	—90—	75	X	X	X	<b>Massachusetts</b> Division of Personnel Administra- tion
6.5(c)	100	9	—100—	..	X	X	X	<b>Michigan</b> Department of Civil Service
12	100	9	—100—	..	..	X	X	<b>Minnesota</b> Personnel Department
30	..	10	X	X	X	..	..	<b>Mississippi</b> Merit System Council(e)
12	60	10	—40—	..	..	..	..	Advisory Committee on Pers.(e)
30	60	10	—50—	..	..	..	..	Merit System Council
15	no limit	11	—\$10/mo.—	..	..	X	X	<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 confirma-  
tion; 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 of-  
ficials each appoint one; employees elect two.

(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.

STATE PERSONNEL AGENCIES—Concluded  
Coverage, Organization and Selected Policies  
As of late 1975

State or other jurisdiction	Coverage (a)	Number of employees covered	Board members			Workweek for office workers		No. paid vacation days
			No.	How appld.	Term (years)	Days	Hrs.	
<b>Montana</b>								
Joint Merit System.....	Grant-in-aid	2,100	3	G	6	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	16,000	5	G	5	5	40	12(c)
<b>Nevada</b>								
Personnel Division(e).....	General	8,000	5	G	4	5	40	15(c)
<b>New Hampshire</b>								
Department of Personnel.....	General	8,413	3	GC	3	5	37.5	15
<b>New Jersey</b>								
Department of Civil Service.....	General	166,781	5	G(b)	5	5	35	12(c)
<b>New Mexico</b>								
State Personnel Office.....	General	12,300	5	G	5	5	40	15
<b>New York</b>								
Department of Civil Service.....	General	175,193	3	G(b)	6	5	37.5	13(c)
<b>North Carolina</b>								
Office of State Personnel.....	General	58,000	7	G(b)	6	5	40	10(c)
<b>North Dakota</b>								
Central Personnel Division.....	General	8,000	5	(l)	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	24,199	7	G	7	5	40	15(c)
<b>Oregon</b>								
Personnel Division.....	General	30,324	..	..	..	5	40	12(c)
Public Employment Relations Bd.	..	..	3	G	3	..	..	..
<b>Pennsylvania</b>								
Civil Service Commission.....	Grant-in-aid	77,597	3	G(b)	6	5	37.5	10(c)
Bureau of Personnel.....	General	119,000	..	..	..	5	37.5	10(c)
<b>Rhode Island</b>								
Division of Personnel.....	General	17,000	..	..	..	5	35	15(c)
<b>South Carolina</b>								
Personnel Division.....	General	47,739	5	GC(b)	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.....	Grant-in-aid	15,000	1	A	(f)	5	40	12(c)
<b>Texas</b>								
Merit System Council.....	Grant-in-aid	15,000	3	G	6	5	40	10.5(c)
<b>Utah</b>								
Personnel Office.....	General	9,640	5	G	4	5	40	12(c)
<b>Vermont</b>								
Personnel Department.....	General	5,789	3	G(b)	6	5	37.5	12(c)
<b>Virginia</b>								
Merit System Council.....	Grant-in-aid	7,144	3	A	6	5	40	12(c)
Division of Personnel.....	General	60,000	..	..	..	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)	13,500	3	G(b)	6	5	varies	15(c)
<b>Wisconsin</b>								
Division of Employee Relations..	General	53,756	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	851	3	G	3	5	40	12(c)
<b>Guam</b>								
Department of Administration....	General	3,397	7	G(b)	3	5	40	13(c)
<b>Puerto Rico</b>								
Office of Personnel.....	General	61,204	3	G(b)	4	5	37.5	30
<b>TTPI</b>								
Department of Personnel.....	General	8,400	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 PERSONNEL AGENCIES—Concluded  
Coverage, Organization and Selected Policies  
As of late 1975

Sick leave (working days)		Paid holi- 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	
12	no limit	10	—\$10/mo.—	..		X	..	Montana Joint Merit System
12	180	11	—100—			..	..	Nebraska Joint Merit System
12	180	11	—100—			..	..	State Personnel Department
15	no limit	9	—100—			X	X	Nevada Personnel Division(e)
15	90	10	—100—	41		X	..	New Hampshire Department of Personnel
15	no limit	12	—100—			X	X	New Jersey Department of Civil Service
12	no limit	11	—50—			X	X	New Mexico State Personnel Office
13	180-190	11	—100—		X	X	..	New York Department of Civil Service
10	no limit	9-10	—100—		..	X	..	North Carolina Office of State Personnel
12	no limit	9	X	X	X	X	..	North Dakota Central Personnel Division
14.9	no limit	9	—66⅔—		100	X	..	Ohio Division of State Personnel
15	45	10	—100—			..	..	Oklahoma State Personnel Board
12	no limit	10	\$20/mo.	X	..	X	..	Oregon Personnel Division
..	..	..	..	..	..	..	..	Public Employment Relations Bd.
15	200	13	—100—			X	X	Pennsylvania Civil Service Commission
15	200	13	—100—			X	..	Bureau of Personnel
15	120	9	X	X	partial	X	X	Rhode Island Division of Personnel
15	90	12	—100—			X	..	South Carolina Personnel Division
15	90	10	—100—		X	X	X	South Dakota Bureau of Personnel
12	120	12	—50—			..	..	Tennessee Department of Personnel
12	no limit	13	—\$15.00/mo.—			X	..	Texas Merit System Council
12	no limit	12	—100—		37	X	..	Utah Personnel Office
12	no limit	12	—(j)—		50	X	..	Vermont Personnel Department
15	no limit	11	X	X	X	..	..	Virginia Merit System Council
15	no limit	11	—100—		24	..	..	Division of Personnel
12	..	11	—\$34.25/mo.—		75	X	X	Washington Department of Personnel
18	no limit	12	—(k)—			..	..	West Virginia Civil Service System
13	no limit	10.5	—90—		X	X	X	Wisconsin Division of Employee Relations
12	no limit	10	—\$18.15/mo.—		\$6.85/mo.	X	..	Wyoming Personnel Division
12	no limit	10	—\$18.15/mo.—		\$6.85/mo.	X	..	Career Service
13	no limit	13	—50—			..	X	Guam Department of Administration
18	90	18	\$15/mo.	X	..	..	..	Puerto Rico Office of Personnel
13	no limit	11	—52 and 75(l)—		33	..	..	TTPI Department of Personnel
13	no limit	22	—75—		..	..	..	Virgin Islands Personnel Office



**STATE EMPLOYEE LABOR RELATIONS LEGISLATION\***  
(Excluding school employees, firefighters and police)

State	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.....	...	...	...	...	...	...	...	...	Prohibited (c)
Alaska.....	★	★	State Personnel Board	★	★	...	★	★	Prohibition varies by class of employee
Arizona.....	...	...	...	(d)	...	...	...	...	Prohibited (e)
Arkansas.....	...	...	...	★	...	...	...	★	Prohibited (f)
California.....	★†	★	State Personnel Board	...	...	...	...	...	...
Colorado.....	...	...	...	...	...	...	...	...	...
Connecticut.....	★	★	State Board of Labor Relations	★	★	★	★	★	Prohibited
Delaware.....	★	★	State Department of Labor	★	★	...	★(g)	★	Prohibited
Florida.....	★	★	Public Employment 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; enjoined
Idaho.....	...	...	...	...	...	...	...	...	...
Illinois.....	...	★(j)	Office of Collective Bar- gaining	★(j)	(k)	...	...	★(l)	...
Indiana.....	★	★	Indiana Education Em- ployment Relations Board	★	★	★	★	★	Prohibited
Iowa.....	★	★	Public Employment Relations Board	★	★	★	★	★	Prohibited; enjoined; penalties
Kansas.....	★†	★	Public Employment Relations Board	★	★	★	★	★	Prohibited
Kentucky.....	...	...	...	...	...	...	...	...	Prohibited (l); penalties
Louisiana.....	...	...	...	...	...	...	...	...	...
Maine.....	★	★	Maine Labor Relations Board	★	★	★	★(m)	★	Prohibited; enjoined
Maryland.....	...	...	...	...	...	...	...	...	...
Massachusetts.....	★	★	Labor Relations Com- mission	★	★	★	★	★	Prohibited; employee subject to discipline and discharge
Michigan.....	...	★(n)	Department of Civil Service	(n)	★	★	...	★	Prohibited
Minnesota.....	★	★	Public Employment Relations Board	★	★	...	★	★(o)	Prohibited except limited right for nonessential em- ployees or where employer refuses to comply with arbitration
Mississippi.....	...	...	...	...	...	...	...	...	...
Missouri.....	★†	★	State Board of Media- tion	★	...	...	...	★	Prohibited

Montana.....	★	☆(p)	Board of Personnel Appeals	★	★	★	★	★	...
Nebraska.....	★	★	Court of Industrial Relations	★	★	★	...	★	Prohibited; penalties
Nevada.....	...	...	...	...	...	...	...	...	Prohibited; enjoinalable; penalties
New Hampshire.....	★	★	Public Employee Labor Relations Board	★	★	★	...	★	Prohibited; enjoinalable
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.....	...	...	...	...	...	...	...	...	Prohibited (e)
North Dakota.....	...	★	...	★(c)	...	...	...	...	Prohibited (f); penalties
Ohio.....	...	...	...	...	...	...	...	...	Prohibited (c)
Oklahoma.....	...	...	...	...	...	...	...	...	Permitted for some employees after exhaustion of fact-finding; enjoinalable if public health, safety, or welfare is threatened
Oregon.....	★	★	Public Employee Relations Board	★	★	★	★	★	Limited right after impasse procedures exhausted unless public health, safety, or welfare threatened
Pennsylvania.....	★	★	Pennsylvania Labor Relations Board	★	★	★	★	★	Prohibited
Rhode Island.....	★	★	State Labor Relations Board	★	★	★	★	★	Prohibited (c)
South Carolina.....	...	...	...	...	...	...	...	...	Prohibited; enjoinalable; penalties
South Dakota.....	★	★	Department of Manpower Affairs	★	★	★	...	★	Prohibited (e)
Tennessee.....	...	...	...	...	...	...	...	...	Prohibited (f)
Texas.....	...	...	...	...	...	...	...	...	Prohibited (c); terminates employment
Utah.....	...	...	...	...	...	...	...	...	Prohibited
Vermont.....	★	★	State Employee Labor Relations Board	★	★	★	...	★	Prohibited; terminates employment
Virginia.....	...	...	...	...	...	...	...	...	Prohibited (s)
Washington.....	...	★(j)	State Personnel Board	★(j)	...	...	...	(r)	Prohibited (e)
West Virginia.....	...	...	...	...	...	...	...	...	Prohibited; enjoinalable; penalties
Wisconsin.....	★	★	Employment Relations Commission	★	★	★	★	★	...
Wyoming.....	...	...	...	...	...	...	...	...	...

\*Sources: *Public Personnel Administration: Labor-Management Relations*, vols. 1 and 2 (Englewood Cliffs, N.J.: Prentice-Hall, Inc.); Office of Legislative Research, *Collective Bargaining for State Employees: Issues and Laws*, Connecticut General Assembly, December 1974; and *Summary of State Policy Regulations for Public Sector Labor Relations*, U.S. Department of Labor, Labor Management Services Administration, Division of Public Employee Labor Relations, 1975.

†—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.

(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 and engineers.

(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.

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## LABOR LEGISLATION, 1974-1975

By SYLVIA WEISSBRODT\*

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NO RETREAT from worker protection standards was the overwhelming response of State Legislatures to the economic stresses of the 1974-75 biennium. Had interest in the adoption of improved standards faltered, a plausible explanation would have been easily available in the compromises necessary during a recession period. The opposite occurred. Amid other urgent problems, Legislatures gave high priority to safeguarding and extending wage standards, equal job opportunities, bargaining rights, and injury compensation. Concern for worker needs was represented in the passage of about 2,000 pieces of labor legislation, aside from action taken in the field of unemployment insurance. This is the highest output on record, representing a 20 percent increase over the previous biennium, and covering the entire spectrum of employment standards subjects.

### WAGE STANDARDS

#### *Minimum Wages*

Advances in minimum wage standards were made in almost every jurisdiction during the biennium, thereby presenting resounding evidence of state intention to remain in the field along with the federal government. Legislatures took prompt action to match or approximate the amended federal standards by adopting new laws, higher rates, new or improved overtime pay requirements, or expanded coverage.

The Federal Fair Labor Standards Act (FLSA) amendments (P.L. 93-259), which took effect in May 1974, raised the minimum hourly wage in successive steps from \$1.60 to \$2.30, a level attained by January 1976 for most employment, and by January 1977 or 1978 for all other covered

employment, including large farms. Newly covered were about 3.5 million state and local government workers,<sup>1</sup> 1.6 million federal employees, and about 1.4 million private household workers, among others. By court decision,<sup>2</sup> patient-workers in certain institutions were also brought within the act's scope.

Major state developments included enactment of the first minimum wage law in Virginia,<sup>3</sup> and a broad-coverage, modernized law in Kentucky with minimum rate and premium overtime pay after 40 hours fixed by statute. The application of that act's wage and overtime standards to municipal employees, including firemen, successfully withstood court challenge on constitutionality. The Wisconsin law, previously applicable only to women and minors, now applies to any employee, thereby extending coverage to men.

Rate increases were approved or took effect in a majority of States, with minimums scheduled to reach \$2.30 or more by January 1976 or 1977 under 18 laws.<sup>4</sup> Overtime pay standards were newly instituted or bettered for all or some covered employees in Michigan, North Dakota,

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<sup>1</sup>Suits brought by the National League of Cities, the National Governors' Conference, four cities, and 20 States challenging application of the amendments to state and local governments are pending before the U.S. Supreme Court. After hearing oral arguments in April 1975, the Court scheduled the case for reargument during the October term; in the interim the Court enjoined enforcement of the act's overtime provisions for fire protection and law enforcement personnel.

<sup>2</sup>*Souder v. Brennan*, Civil Action 482,73.

<sup>3</sup>As of December 1975, laws were in operation in 43 jurisdictions. States without minimum wage laws were Alabama, Arizona, Florida, Iowa, Kansas, Louisiana, Mississippi, Missouri, South Carolina, and Tennessee.

<sup>4</sup>In Alaska, Connecticut, Hawaii, Maine, Maryland, Michigan, Nevada, New Hampshire, New Mexico, New York, North Dakota, Oregon, Pennsylvania, Rhode Island, Vermont, Washington, the District of Columbia, and Guam.

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Pennsylvania, Puerto Rico, Rhode Island, Washington, West Virginia, and Wyoming, in addition to Kentucky.

Coverage was extended to include farm workers in Maryland and Nevada, bringing to 18 the number of jurisdictions with farm coverage.<sup>5</sup> Private household workers were brought under coverage in Nevada, New Jersey, South Dakota, and the District of Columbia.<sup>6</sup>

Expanded state and federal coverage has increased the degree of federal/state overlap, with the result that significantly more employers are subject to two sets of standards simultaneously, a situation giving rise to confusion. Since such employers are required to comply with laws of both governmental levels at the same time, obviously the higher standard, state or federal, must be observed. In the recent past when the federal minimum lagged, many States were exceeding it, and a few still do. The chief superiority under state law now deals with cash wages for tipped employees. Federal law permits employers to take up to 50 percent in tip credit against the minimum wage. But state law, generally speaking, takes a different position on this issue.

Tip offsets against the minimum wage are prohibited under 10 laws. Employers in these 10 jurisdictions<sup>7</sup> are required to pay out of pocket the applicable minimum wage in full. Additionally under 17 other laws<sup>8</sup> as of December 1975, the employer was obligated to pay state-covered tipped employees a higher minimum wage in cash than under FLSA, primarily

because the permissible state offset was well below 50 percent.

### *Wage Payment and Collection*

A first-time statute was approved in Iowa. With practically universal private and public employee coverage governing wages and supplements, the law mandates regular pay days, limits permissible deductions, and empowers the labor commissioner to pursue claims for unpaid wages and liquidated damages and to assess civil money penalties against employers in violation. A wage payment measure passed in North Carolina, noteworthy because it too is a first-time statute of this type, is, however, narrower in its coverage and restricted to the State's more limited minimum wage law coverage. The labor commissioner may take claims for unpaid wages and vacation pay. Montana extended the reach of its existing law to include the public sector.

Legislators' concern that workers be paid all moneys due them is evidenced by strengthening amendments adopted in at least 14 States. Among the improvements were addition of fringe benefits to the scope of laws in Maryland and Michigan; new or stronger collection authority in California, Maine, Michigan, New Hampshire, and West Virginia; and time limits for payment to terminated employees in California, Kentucky, Maine, and West Virginia. The Oregon Legislature added a nonretaliation provision, a type of worker protection common in other labor standards laws but often lacking in specific wage payment laws. Safeguarding employees' wages from repeatedly delinquent employers was the object of measures in North Dakota, which entitled the employee to double or triple the amount due, depending on the number of previous wage claims filed that year against the employer; and in California, where employers with prior convictions or unsatisfied judgments for nonpayment may be required to post a bond payable to the labor commissioner. Oregon required such bonds of producer-promoters to assure wage payment to their musicians and other technical personnel.

Provisions permitting employer deposit to certain financial institutions of all or

<sup>5</sup>In California, Connecticut, Hawaii, Maryland, Massachusetts, Michigan, Minnesota, Montana, Nevada, New Jersey, New Mexico, New York, Ohio, South Dakota, Texas, Wisconsin, Guam, and Puerto Rico.

<sup>6</sup>State minimum wage rates now specifically or impliedly apply to such workers in households with one or more employees in 12 jurisdictions—California, Maryland, Massachusetts, Minnesota, Montana, Nevada, New Jersey, New York, Ohio, South Dakota, Wisconsin, and the District of Columbia.

<sup>7</sup>In Alaska, California, Idaho, Montana, Nevada, New Mexico, North Dakota, Oregon, Washington, and Guam.

<sup>8</sup>In Arkansas, Connecticut, Hawaii, Maine, Massachusetts, Michigan, Minnesota, New Jersey, New York, Rhode Island, South Dakota, Utah, Vermont, West Virginia, Wisconsin, Wyoming, and the District of Columbia.

part of an employee's wages, with employee authorization, were approved in Colorado, Indiana, New Jersey, Oregon, Wisconsin, and Wyoming.

#### *Wage Garnishment and Assignment*

The most significant change which raised the level of earnings immune from garnishment was achieved not by specific legislation but as an automatic consequence of increases in the federal FLSA minimum wage, because both state and federal laws express the basic shielded amount as a multiple of the federal minimum wage. The exempted amount in state law is either 40 times the FLSA rate, as in the suggested Uniform Consumer Credit Code, or 30 times, as under federal law.

A few Legislatures addressed the situation of workers whose wages are being forcibly withdrawn under a court order for the support of dependents, a type of deduction not restricted by the uniform credit code or federal law. California, Florida, Nebraska, North Carolina, and Utah placed percentage limits on amounts so withdrawn or expressly banned dismissal of workers because of such deductions. In addition, California and New York clarified dependents' rights to use the garnishment route to exact support.

Comprehensive consumer credit laws adopted in Maine, South Carolina, and West Virginia incorporated worker protections governing garnishment and wage assignment. The South Carolina provision prohibits all garnishment for consumer debt. By individual amendment, Alaska, Delaware, and Oregon increased the amount of wages protected from garnishment. Alaska and New Jersey also adopted antidismissal provisions. New York outlawed wage assignments for those earning \$85 a week or less and banned employee dismissal by reason of assignment, as did Illinois.

Creditors in Illinois being paid by wage assignment will now have to compensate the employer for processing the assignment under a new law, perhaps the first of its kind, which entitles the employer to appropriate a small percentage of each assigned payment.

#### *Prevailing Wages*

Legislatures showed undiminished support for the prevailing wage principle, which mandates that wage rates on publicly funded contracts be no less than occupational rates prevailing in the locality, as predetermined by a designated agency.

Typically, under the federal Davis-Bacon Act and comparable state law, the rates established beforehand remain the only enforceable rates throughout the contract. In recognition of the obsolescence of rates during the life of a contract, two Legislatures introduced a new standard to assure workers payment of updated prevailing rates after the initial determination. A New York amendment requires rate redeterminations to reflect wage changes while the work is being performed, and an Ohio change stipulates that wages "shall not be less at any time during the life of a contract" than the prevailing rate payable under the law's rate determination criteria.

Labor department authority to ascertain rates was designated by amendment in Montana and Minnesota, the latter also adding a criminal penalty provision. In Tennessee, where building trades rates will now be based on 12 wage-rate areas rather than a county basis, the labor commissioner was added to the prevailing wage commission as chairman.

Coverage extensions, either to additional construction contracts or other types, were approved in California, Connecticut, Illinois, New Jersey, New York, and Rhode Island. California, aside from legislating that publicly subsidized housing be constructed under prevailing wage rates, made similar requirements for private sector construction of buildings later leased to a public authority.

#### DISCRIMINATION IN EMPLOYMENT

The principle that all qualified persons be given equal job consideration, based only on valid job related requirements, continued to evolve in state law as Legislatures selected additional targets for action banning discrimination. Equal employment opportunity (EEO) measures of one type or another were approved by 39 Legislatures during the biennium.

Most numerous were actions to prevent bias from denying handicapped persons access to jobs they can perform. Measures of this type were approved in at least 13 States,<sup>9</sup> usually by expansion of existing EEO laws, thus giving the handicapped the same remedies available to persons alleging other forms of discrimination. In addition, four States adopted measures affecting public sector opportunities for the handicapped (Florida, Illinois, Mississippi, and North Carolina). Response to the needs of other particular groups is illustrated by laws prohibiting discrimination against former cancer patients in California, against those with sickle cell traits in North Carolina, and against those formerly institutionalized or treated for developmental disability in Colorado.

Discrimination because of one's marital status, a type of bias tending to exclude wives rather than husbands, was specifically prohibited by statute in seven States,<sup>10</sup> with Alaska additionally barring bias because of pregnancy. Entitlement to maternity leave of reasonable length in both private sector and governmental employment was guaranteed by law in Montana; for state employees in Alaska such leave must be treated as sick leave.

In furtherance of requirements for sex equality in the job field, Legislatures continued to wipe out remaining work standards or occupational barriers that had applied only to women. Repealers were approved in 13 States<sup>11</sup> affecting employment in mines, hours and nightwork limits, meal periods, the provision of seating facilities, or restrictions on employment before and after childbirth. Tennessee and Virginia mandated equal pay irrespective of sex, and the scope of the federal equal pay law was expanded by the 1974 FLSA amendments.

Adoption of equal rights amendments to constitutions made some headway in the biennium. The proposed federal

amendment gained four more ratifications—in Maine, Montana, North Dakota, and Ohio—leaving the total ratifications still four short of the 38 required by March 1979.<sup>12</sup> A state constitutional amendment was approved in Connecticut, and the approved New Hampshire amendment addresses other categories of equality, such as race and creed, not sex alone. Proposed state amendments adopted in Massachusetts and South Dakota<sup>13</sup> will be submitted to the electorate in November 1976, but those submitted in New Jersey and New York in 1975 were voted down.

Broadened coverage of existing EEO laws or improved administrative provisions were passed in seven States;<sup>14</sup> laws in Arizona, California, and Minnesota sought to assure prospective apprentices equal treatment; and measures in several States were aimed at eliminating discrimination in public contract work or other state-supported activities.<sup>15</sup> A new human rights law adopted by the District of Columbia prohibits discrimination not only on such grounds as race, religion, age, sex, marital status, and handicap, but also on the basis of school matriculation, political affiliation, and sexual orientation.

<sup>9</sup>The proposed federal amendment has been ratified in Alaska, California, Colorado, Connecticut, Delaware, Hawaii, Idaho, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Montana, Nebraska, New Hampshire, New Jersey, New Mexico, New York, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, South Dakota, Tennessee, Texas, Vermont, Washington, West Virginia, Wisconsin, and Wyoming. However, the Legislatures of Nebraska and Tennessee rescinded their ratifications, an action of uncertain effect.

<sup>10</sup>The South Dakota amendment took effect upon adoption by the Legislature in March 1975 and will remain in effect unless disapproved by the electorate on November 2, 1976. It revises the Bill of Rights by adding a section prohibiting discrimination in employment and in sale or rental of property on account of race, color, creed, sex, ancestry, religion, or national origin. Among other changes, the revision also deleted the "Right-to-Work" section from the constitution, but the law itself remains in force by retention in the statutes.

<sup>11</sup>In Arizona, Connecticut, Illinois, Iowa, Kentucky, Montana, and Wisconsin.

<sup>12</sup>In California, Connecticut, Illinois, Indiana, Iowa, Louisiana, Minnesota, New Jersey, and Virginia.

<sup>9</sup>Colorado, Hawaii, Illinois, Indiana, Kansas, Maine, Maryland, Montana, New Hampshire, New York, Texas, Vermont, and Virginia.

<sup>10</sup>Alaska, Connecticut, Hawaii, Maryland, Montana, New Hampshire, and New York.

<sup>11</sup>Connecticut, Indiana, Kansas, Kentucky, Massachusetts, Michigan, Minnesota, Missouri, Nevada, Rhode Island, Texas (Attorney General Opinion), Wisconsin, and Virginia.

Apparently letting bygones be bygones, Louisiana dropped its ban against public sector employment of conscientious objectors, Illinois made it unlawful to discriminate against veterans with an "unfavorable" discharge, and laws in eight States<sup>16</sup> were directed toward bringing ex-offenders into the job stream without impediment because of past arrests.

Action to reduce job bias on grounds of age was taken in Montana by a new statute; in Utah by addition to the EEO law; in Connecticut and New York by extending the law's coverage to persons of all ages, instead of those in upper age brackets alone; in Ohio by prohibiting wage differentials on an age basis. By 1974 congressional action, the federal age discrimination act additionally protected employees of state and local governments (see footnote 1).

#### INDUSTRIAL RELATIONS

##### *Public Sector*

Efforts to stabilize public employer-employee relationships through legislatively defined rights and duties produced major collective bargaining laws in several States. Broad-coverage statutes covering state and local government employment were adopted in Florida, Iowa, Indiana, and New Hampshire.

The Florida act requires unions to register and file reports; imposes a duty to bargain; proscribes unfair practices by either side; mandates the negotiation of grievance procedures culminating in binding disposition; and provides for dispute settlement, first by mediation, then by appointment of a "special master" to make a recommendation, and if rejected, ultimately by the Legislature. Strikes are prohibited. Penalties for violation include fines against the individual and the union. Repealed was a prior meet-and-confer type law for firemen, as well as a general provision which had barred government employment of a person asserting the right to strike against a public entity or knowingly belonging to a union that asserts such right.

<sup>16</sup>In California, Connecticut, Florida, Hawaii, Maine, Massachusetts, Minnesota, and New Mexico.

The Indiana law, applicable to most public employment except for police, firemen, and a few others, vests administration in the Education Employment Relations Board created by a 1973 law for teachers. Employer refusal to bargain in good faith is designated an unfair practice, among others, but the employer may not enter into an agreement that requires deficit financing. Strikes are banned. Impasse resolution calls for mediation and fact-finding.

The Iowa act covers state and local employees, police, firemen, and teachers, though the effective date for state coverage was deferred until June 1976. It permits broad-scope bargaining on wages, fringes, safety and health, reduction in staff, and other matters. Strikes are prohibited; unfair practices are similar to those in Taft-Hartley; impasse procedures include mediation, fact-finding, and "final offer" binding arbitration at the request of either party to a newly created board. The New Hampshire act, replacing prior laws for state employees and police, creates an independent administrative board, mandates good-faith bargaining, includes "cost items" within the scope of bargaining but not merit practices based on statute, bans strikes, and provides for mediation.

Connecticut approved a new law for state employees, additionally amending impasse provisions in the existing municipal bargaining law to compel binding arbitration. In California the Winton Act, a "meet-and-confer" law for school employees, was abandoned for a negotiating statute containing commonly accepted features for the elimination of unfair practices, exclusive representation, written agreements, and impasse resolution, administered by a new board. Montana, repealing a separate law for teachers, brought them into its 1973 public employee act, incorporating also their strike right previously recognized by court decision. A new State Employees Labor Relations Act was approved in 1974 in Maine, where subsequent enactments also extended bargaining rights to employees of the University of Maine and of the State Turnpike Authority. In Utah, firemen were given bargaining

rights on wages and other work conditions under a newly adopted negotiation act, and Maryland extended representation and negotiation rights to noncertificated public school employees, excluding those in 11 counties.

Changes to strengthen or clarify bargaining, representation, or dispute resolution under existing statutes were made by several Legislatures—Massachusetts, Nevada, New Jersey, New York, South Dakota, and Wisconsin among them. The Michigan compulsory arbitration requirement in disputes involving police and firemen was made permanent; and Vermont now permits union certification by majority selection of the voters, rather than of all in the bargaining unit. In Hawaii, an office of collective bargaining was created to coordinate management policy and procedures and negotiate with unions.

#### *Private Sector*

South Dakota is now among the 19 jurisdictions<sup>17</sup> with a State Labor Relations Act for the private sector. The new South Dakota law, administered by the Department of Manpower Affairs, applies to nonfarm cases over which the National Labor Relations Board does not assert jurisdiction or those outside the scope of the federal Railway Labor Act. It recognizes organization and bargaining rights, and bans specified unfair practices by either side.

By action of Congress, coverage of the National Labor Relations Act was extended to include nonprofit hospitals and other health care institutions, whose employees number about 1.4 million. The amendment (P.L. 93-360) also included particular provisions affecting the new coverage, relating to appointment of a Board of Inquiry by the federal mediation service, a cooling-off period, and certain time limits.<sup>18</sup>

<sup>17</sup>Colorado, Connecticut, Hawaii, Kansas, Massachusetts, Michigan, Minnesota, New York, North Dakota, Oregon, Pennsylvania, Rhode Island, South Dakota, Utah, Vermont, West Virginia, Wisconsin, Guam, and Puerto Rico.

<sup>18</sup>Vetoed by the President on January 2, 1976, was the "Construction Industry Collective Bargaining Act of 1975" (H.R. 5900, popularly called the common situs picketing bill), an action which

Recruitment and use of professional strikebreakers has been the subject of prohibitory legislation over a period of time. During the biennium, Legislatures in California, Illinois, Montana, and Oregon outlawed use of professional strikebreakers. Over 20 States and more than 100 municipalities now have anti-strikebreaker laws, aside from the federal Byrnes Act which makes it a felony to transport in interstate commerce any person employed for the purpose of interfering by force or threats with peaceful picketing or with the exercise of employee organization or bargaining rights. In Vermont, a State without an antistrikebreaker law, the Legislature banned soliciting striker replacements without notice that a dispute is in progress.

Issuance of injunctions during labor disputes was restricted in California, where courts were banned from enjoining peaceful picketing or other lawful activities, and in Maine which forbade enjoining activities not resulting in substantial injury. Virginia dropped its ban against picketing by nonemployees of the struck firm.

A uniform arbitration act approved in Colorado is specifically applicable to voluntary employer-employee agreements, whereas a similar act passed in Idaho is not, unless the parties opt for its application.

#### OCCUPATIONAL SAFETY AND HEALTH

Operation of the federal Occupational Safety and Health Act of 1970, with its provision for federally approved state programs on a 50-50 cost basis in the enforcement of safety and health standards, continued to influence legislative action. In Michigan a major law was approved similar to the federal act. Measures in 12 other States were directed toward establishing greater conformity with federal

led to the resignation of Secretary of Labor John T. Dunlop. The bill would have established new collective bargaining mechanisms and procedures to facilitate peaceful resolution of disputes in the construction industry. The controversial Title I would have, in effect, permitted a union in dispute with one construction contractor or subcontractor of a project to picket the entire site, thus overruling *NLRB v. Denver Building Trades Council*, 342 U.S. 675 (1951).



requirements. In December 1975, federally approved plans were in effect in 23 jurisdictions.<sup>19</sup>

On the other hand, several States discontinued a federal/state partnership arrangement, thus yielding to federal takeover. Between 1973 and 1975, six States withdrew their plans after they had been approved (Illinois, Montana, New Jersey, New York, North Dakota, and Wisconsin); in five others, before approval (Georgia, Maine, Mississippi, New Hampshire, and Pennsylvania). Legislation in two of these States reflected the decisions to withdraw—in Maine by prior repeal of safety provisions applicable to private sector employers, preserving only public sector coverage; and in New York by adoption of measures for state jurisdiction over those occupational and public safety standards not federally preempted in July 1975.

Other types of safety needs were addressed in many States. Improved mine safety was legislated in Idaho, Illinois, Kentucky, Montana, Nevada, North Carolina, Virginia, and West Virginia. Boiler safety was the subject of measures in Idaho, Illinois, Kentucky, Montana, New Hampshire, North Carolina, and Virginia; elevator safety, in Indiana, New Hampshire, and Virginia. Use of safety glazing material in hazardous locations in buildings was required in four more States (Alaska, Kansas, Minnesota, and Mississippi), but Virginia repealed its prior law of this type. To protect against eye accidents in schools, laws passed in Iowa and Mississippi, like those in effect elsewhere, required teachers, students, and visitors to wear eye-protective devices when participating in courses involving hazards.

#### WORKERS' COMPENSATION<sup>20</sup>

The introduction of a federal bill (S. 2008) in 1973, which would have re-

<sup>19</sup>Alaska, Arizona, California, Colorado, Connecticut, Hawaii, Indiana, Iowa, Kentucky, Maryland, Michigan, Minnesota, Nevada, New Mexico, North Carolina, Oregon, South Carolina, Tennessee, Utah, Vermont, Washington, Wyoming, and the Virgin Islands.

<sup>20</sup>This section was prepared by Florence C. Johnson, Division of State Workers' Compensation Standards, Employment Standards Administration, U.S. Department of Labor.

quired the States to meet specified workers' compensation standards by January 1, 1975, and the widespread hearings held in 1974, appear to have spurred state amendatory action. Substantial efforts were made to improve the laws, using as guidelines the 19 "essential recommendations" included in the 1972 report to the President and Congress of the National Commission on State Workmen's Compensation Laws.<sup>21</sup> Although the federal bill did not pass, new bills were introduced in the Senate and House in 1975. The Senate bill (S. 2018), a modified version of S. 2008, was scheduled for hearings in 1976.

A development in 1974 was creation of the Interdepartmental Workers' Compensation Task Force by the President and issuance of a white paper stating the Administration's objectives. The task force has been providing technical assistance to the States in the areas of coverage, benefits, occupational diseases, medical and rehabilitation services, and cost-of-living adjustments. It also is conducting research designed to answer many critical questions. State progress toward meeting the minimum objectives proposed by the Administration is being evaluated, and a report, with recommendations, will be submitted to the President and Congress in 1976.

Cash benefits for disabilities and death were improved in most States during this biennium, but a wide spread persists in maximum weekly benefits from a low of \$60 in one State to a high of \$221 in another. The trend accelerated toward linking the benefit maximum to a percentage of the State's average weekly wage, commonly known as a "flexible" maximum. With adoption of this method by 13 more States,<sup>22</sup> a total of 36 States and the Dis-

<sup>21</sup>A report by the Council of State Governments, *Workmen's Compensation: A Challenge to the States* (1973), contains specific amendatory legislation for all 19 essential recommendations. A later publication, *Workmen's Compensation and Rehabilitation Law: Revised* (1974), provides an integrated, complete, and updated law that meets in full all recommendations of the National Commission [Editor].

<sup>22</sup>Alaska, Delaware, Florida, Hawaii, Illinois, Kansas, Louisiana, Minnesota, New Hampshire, New Mexico, North Carolina, South Carolina, and Virginia.

trict of Columbia have such a provision. Eighteen States<sup>23</sup> pegged the maximum at 100 percent of the State's average wage, as recommended by the National Commission, bringing that total to 20. All but two States (Arizona and Oklahoma) increased weekly benefits for temporary total disability during the biennium (see table on page 540). At least 15 States<sup>24</sup> eliminated aggregate maximums or time limitations for payment of benefits for disability or death.

Interest continued in providing on-the-roll recipients with cost-of-living adjustments or supplemental benefits to restore the value of benefits eroded by inflation. Twelve States<sup>25</sup> enacted amendments to give such increases, either as a percentage of the State's average wage or by a specific amount.

Extension of coverage continued to receive needed attention. With the change to mandatory coverage in seven States,<sup>26</sup> only three States (New Jersey, South Carolina, and Texas) now have elective coverage of employees. Delaware, Kansas, and Nevada eliminated their numerical exemption, leaving approximately one fourth of the States with an exemption based on number of employees; Georgia, Missouri, New Mexico, North Carolina, and South Carolina reduced the exemption. Coverage for agricultural, domestic or casual employment, considered hard-to-administer groups, was established or improved in 14 States.<sup>27</sup> Kansas extended full coverage to all work-related diseases.

Full medical care was provided in Kansas and Louisiana. Arkansas and Montana, which had discretionary authority

to extend care administratively, statutorily required full medical care but retained limitations on certain diseases. Eight States<sup>28</sup> adopted legislation to facilitate vocational rehabilitation, making a total of 48 with such provisions, and a number enacted liberalizing amendments.

In response to the commission's recommendation that each State utilize a workers' compensation agency to fulfill administrative obligations, Wyoming created a Workers' Compensation Division to administer its act, formerly court administered. A number of States adopted strengthening amendments which will provide more effective systems for delivery of benefits and services.

#### PRIVATE EMPLOYMENT AGENCIES

Finding common ground for agreement on standards of practice that should apply to commercial employment agencies continued to elude legislators, who had before them a barrage of sharply divergent proposals. Again in this biennium, as in the previous two, lawmakers were subjected to competing pressures from advocates of industry's goal of self-regulation, arrayed against those supporting more emphasis on worker protection needs.

Following a legislative trend in preceding biennia toward provision for self-regulation by industry and decontrol of fee levels, a countertrend appears to be emerging, at least in the discussion stage. As reflected in bills introduced in several States, there is growing interest in reducing industry's access to regulatory functions by curtailing authority of existing business-dominated advisory boards, and in shifting fee charges from job applicants to employers for all or certain types of placements. While such proposals have not yet gained acceptance by enactment into law, they may signal future developments.

Legislation that did succeed includes major improvement in Montana where placement fee ceilings were newly established for both permanent and temporary

<sup>23</sup>Alaska, Hawaii, Illinois, Iowa, Maine, Maryland, Montana, New Hampshire, New Mexico (effective July 1, 1978), North Carolina, North Dakota, Ohio, Oregon, Rhode Island, Utah, Virginia, West Virginia, and Wyoming.

<sup>24</sup>Alaska, Delaware, Georgia, Hawaii, Illinois, Kansas, Louisiana, Minnesota, Missouri, Nevada, New Hampshire, North Carolina, Rhode Island, South Dakota, and Virginia.

<sup>25</sup>California, Florida, Illinois, Minnesota, Nevada, New Hampshire, New York, Ohio, Oregon, Utah, Virginia, and Washington.

<sup>26</sup>Colorado, Indiana, Kansas, Louisiana, Maine, Missouri, and West Virginia.

<sup>27</sup>California, Colorado, Florida, Hawaii, Illinois, Maryland, Minnesota, Missouri, Nebraska, New Hampshire, New Mexico, South Carolina, Utah, and West Virginia.

<sup>28</sup>Colorado, Georgia, Idaho, Illinois, Kansas, North Dakota, South Dakota, and Virginia.

jobs. Documented reconfirmation of a job opening before sending an applicant for interview is another new requirement. The Nevada Legislature, after prolonged disagreement in previous sessions, succeeded in retaining fee limits for all placements, though at a higher level. The amendment also banned registration fees, outlawed specific agency practices, and spelled out the administrator's enforcement authority.

In New York, where the subject has been under study for some time, changes were approved which among others released employer-paid fees from ceilings if the worker is not also charged a fee, increased the agency's surety bond obligation, stiffened criminal penalties, and stopped agencies from referring an applicant to a specific financial institution for obtaining a loan by making the practice unlawful. The Governor's approval message, noting a major deficiency in the bill, further directed the labor commissioner to prepare a legislative proposal for 1976 that would provide a more equitable schedule of maximum placement fees.

A major revision adopted in Arkansas contained a prohibition against certain practices engaged in elsewhere, such as use of fictitious desk names by placement counselors and use of percentages in expressing fees, instead of dollars. However, fee levels remained uncontrolled, and any regulations formulated by the labor commissioner cannot take effect until approved by a newly created industry-oriented council.

Aside from Arkansas' new council, similarly constituted boards were created by statutory directive in Georgia and Michigan and by administrative action in Delaware. By December 1975, boards or councils of this type, with more or less influence over administrative activities, were in operation in 22 States.<sup>29</sup>

By amendment in Minnesota, agencies

are barred from accepting advance payments on placement fees, must uniformly post a \$10,000 bond, and risk license denial or suspension in specified circumstances under authority granted the labor department. Five other States also instituted or increased bonding requirements.<sup>30</sup>

In Louisiana a fee limit of 20 percent of earnings was fixed for placements lasting up to 90 days irrespective of fault for job termination. Under revised regulations adopted by the commerce department in Ohio, a similar limit applies only for a 60-day period, and existing statutory authority to fix maximum fees for placements of longer duration was not exercised. Stronger administrative or enforcement powers were given administrators in Arkansas, Delaware, and Maryland.

Amendments in Wisconsin included a provision that temporary help contractors are exempted from the employment agency law only if a "liquidated-damage" payment to the contractor is not required from a worker who takes a permanent job with the employer to whom he was contracted. A ruling of the Illinois Attorney General that temporary help contractors are subject to the employment agency law was in litigation at the end of 1975.

#### CHILD LABOR AND SCHOOL ATTENDANCE

The general direction of child labor changes reflected efforts to balance the need for continued or even stronger protection in some respects against the need to afford minors greater opportunity to compete for available jobs.

Numerous Legislatures removed or eased nonessential restraints on youth employment, especially for minors aged 16 and over, those no longer attending school or combining school and work, or those who, by their graduate or marital status, are assumed ready for adult work responsibilities.

Participants in work-study programs or graduates of high school or vocational school were released from some or all restrictions in Arkansas, Florida, Connecti-

<sup>29</sup>In Arizona, Arkansas, California, Colorado, Delaware, Florida, Georgia, Louisiana, Maryland, Michigan, Minnesota, New Mexico, Oklahoma, Oregon, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, and Washington. In addition, advisory boards exist in at least two other States (Indiana and North Carolina) without specific statutory genesis.

<sup>30</sup>In Delaware, Georgia, Michigan, Nevada, and Oklahoma.

cut, and Massachusetts; Arkansas additionally releasing the married and the parents.

Eight States<sup>81</sup> lowered the permissible age for employment in places where liquor is sold or consumed, though not necessarily in its direct sale. Four States reduced the age in certain other occupations (Maine, Massachusetts, North Dakota, Rhode Island), and Virginia discarded the minimum age as well as other standards in the gathering and processing of seafood when performed outside school hours with parental consent. A 10-hour day was made possible by changes in Florida and Maryland, and later night schedules for certain youths were permitted in Arkansas, Florida, Kentucky, Minnesota, Rhode Island, and West Virginia. Several States equalized standards for boys and girls (Alaska, California, Connecticut, Florida, Georgia, Illinois, Indiana, and Wisconsin), with the result that only a few child labor laws continue to apply sex-differentiated restrictions.

For the first time Guam regulated the employment of children, adopting a law establishing hours limits and authorizing administrative issuance of age bans in hazardous work. Tighter restraints also were adopted in Minnesota, where the Legislature extended the law's coverage, fixed a 40-hour week for minors under 16, and similarly provided for administrative action to bar minors from hazardous jobs. Employment in street trades came under regulation by a separate law in Illinois; child performers were made subject to revised standards in California and Indiana; and work hours limits were newly prescribed for school children engaged in household or farm employment in California.

The U.S. Congress approved stricter controls over child labor by amendment to the FLSA. For the first time a minimum age was established for farm employment performed outside school hours. Heretofore, a 16-year minimum applied to farm employment during school hours and in designated hazardous

farmwork at any time, but nonhazardous work engaged in outside of school hours had been previously unregulated. Such work now is subject to a 14-year minimum age, 12 if with parental consent, applicable, however, only to those large farms which are also subject to the act's wage coverage. When later attempts in Congress to retract this uniform age standard did not succeed, the Legislatures of Oregon and Washington adopted so-called "berry laws," specifically sanctioning outside-school employment of children under 12 in berry harvesting on federally covered farms, with the proviso that the children's output be segregated for intrastate use. On the other hand, 20 jurisdictions have established a minimum employment age for farmwork outside of school hours (see table on page 542).

Of major impact in eliminating unlawful child labor is the new federal authority to assess civil money penalties against violators. Soon after its adoption, the California Legislature approved similar authority in the enforcement of its child labor law.

The federal Work Experience and Career Exploration Programs (WECEP), in operation experimentally since 1969 to encourage potential dropouts to complete high school, were established on a permanent basis. Enrollees of 14 and 15 years of age are permitted to work during school hours in school-supervised programs, but each state educational agency must obtain prior approval of its program from the Department of Labor.

Compulsory school attendance provisions were altered in a few States. New Mexico raised the required attendance age from 17 to 18. In Wisconsin, 16- and 17-year-old minors may now be excused from attendance to participate in a work-study program; and a revision in South Carolina, where attendance is obligatory until 17, permits minors of 16 to be exempted from attendance for the purpose of employment if court authorized.

#### AGRICULTURAL WORKERS

The California Legislature took a major initiative when it adopted an Agriculture Labor Relations Act designed to seek peace in the fields and promote sta-

<sup>81</sup>In Delaware, Florida, Georgia, Maryland, Massachusetts, Montana, Pennsylvania, and Washington.

bility and fair play in labor relations. The law grants organization and collective bargaining rights to farmworkers, provides for secret ballot representation elections to be held during peak employment, and creates an independent board to oversee elections, certify unions, and handle unfair practice charges from either side. Strikes are permitted, as is primary picketing as well as publicity picketing for the information of consumers. Patterned after the National Labor Relations Act, the law directs the agriculture board to follow applicable precedents of that act.

Farm labor contractors were brought under stronger control in several States—in Illinois and Kansas by registration requirements, in Oregon by extended coverage of an existing requirement, and in New Jersey by more effective enforcement power granted the labor commissioner. Through an opinion of the Texas Attorney General, crew leaders are now subject to licensing and other provisions of the State's labor agent act. In Delaware the Legislature called on employers to assure that interstate contractors are federally registered. A Kansas amendment obligated employers to pay wages directly to workers and not to crew leaders, while in Texas fee-charging labor agents who distribute wages were made subject to specified wage payment requirements.

Amendments to the federal Farm Labor Contractor Act in 1974 (P.L. 93-518) extended coverage to include intrastate contractors and some employees of farmers and growers, strengthened insurance requirements for vehicles used in transporting farmworkers, made it unlawful for a grower to engage the services of an unregistered contractor, added civil penalties for violation, and specifically forbade the knowing employment of illegal aliens by contractors. Federal action giving farmworkers another type of major benefit was taken when Congress discarded the concept of a minimum wage differential for farmworkers under FLSA, approving a gradual phase-in of parity with other workers to be reached by 1978. Prior to congressional action, several States already had adopted the wage parity principle.

Improved conditions in farm labor camps should result from amendments passed in California and Texas, as well as in Ohio where camps must now be inspected and licensed before occupancy. Aside from changes made in wage laws and child labor standards, discussed elsewhere, other types of new laws included an Illinois measure requiring that migrants recruited during a labor dispute must be so advised, and one in California forbidding children under 12 from accompanying their parents into designated hazardous agricultural zones.

#### OTHER LABOR LAWS

Particularly noteworthy among numerous other laws enacted during the biennium are those which serve as indicators of trends in the development of standards. Statutory job security rights and immunity from employer reprisal against employees called to jury service or performing other public service duties received legislative attention in at least eight States. In Indiana, Louisiana, Oregon, and Tennessee, employers were barred from discharging employees serving on jury duty; in Texas employee-jurors were guaranteed reemployment rights; and government employees in Montana were permitted to take paid jury leave instead of unpaid. A South Dakota measure required employers to grant temporary leave without loss of seniority to employees serving on a jury or in the Legislature. By separate amendments in Minnesota, legislators were given job reinstatement rights to their regular employment without loss of seniority or pay, and employers were required to permit employees who are elected to public office to be absent to attend meetings necessary to their office without employer retaliation.

Granting meal or rest breaks is becoming a matter for statutory guarantee, sometimes by converting a women's law into a standard for employees generally. For example, Nevada's women's laws, under court challenge for discriminatory impact, were repealed and replaced by a statute for both sexes, covering such standards as lunch and rest breaks, maximum deductions for meals, and the provision

of uniforms without charge to the employee. Similarly in Massachusetts, lunch periods and workplace seating facilities, formerly required for women only, must now be provided for all. Kentucky wrote lunch and rest break requirements into the statute, as did Illinois and Guam for lunch periods.

The first of its kind is the Hawaii Prepaid Health Care Act which mandates private sector employers to provide their regular employees with coverage under a qualified prepaid group health care plan that meets specified benefit standards. Employers must contribute at least one half of the premium. The act, administered by the labor department, is scheduled to terminate when federal legislation offers equivalent protection.

Voters approved a constitutional change in Oklahoma for appointment, instead of election, of the labor commissioner and the chief of mine inspection effective January 1979. Stronger enforcement powers in the administration of labor laws were given labor commissioners of Alaska, Minnesota, Montana, and Nevada.

More stringent control over industrial home work was approved in California. Montana joined States which ban use of lie detector tests as a condition of employment, and a strengthened ban was approved in Maryland and Michigan. Minnesota adopted a pension regulation law, whereas Oregon dropped its regulatory statute. Employers were made criminally liable for willful default in making agreed payments to an employee retirement or welfare plan in Missouri, and in providing agreed benefits and wage supplements in West Virginia.

At the federal level, major private pension plan reform was instituted through the Employee Retirement Income Security Act of 1974 (P.L. 93-406), administered by the Department of Labor in conjunction with the Internal Revenue Service. Though not obligating employers to provide pension plans, the act does require that those adopted must conform to specified standards for safeguarding employee rights in the vesting of benefit rights, portability of pension rights with job transfers, actuarially sound funding, and fiduciary responsibility.

MAXIMUM BENEFITS FOR TEMPORARY TOTAL DISABILITY  
UNDER WORKERS' COMPENSATION LAWS\*  
As of November 1975

State or other jurisdiction	Maximum percentage of wages	Maximum payment per week	Maximum period	Total maximum stated in law
Alabama.....	66⅔%	\$75	300 weeks	\$22,500
Alaska.....	66⅔%	80% of the State's average weekly wage (\$198.40)(a)	Duration of disability	...
Arizona.....	66⅔%	\$153.85, plus \$2.30 for total dependents	Duration of disability	...
Arkansas.....	65	\$66.50	450 weeks	\$29,000
California.....	66⅔%	\$119	240 weeks	...
Colorado.....	66⅔%	80% of State's average weekly wage (\$144.13)(b)	Duration of disability	(b)
Connecticut.....	66⅔%	66⅔% of State's average production wage (\$126)(c)	Duration of disability	...
Delaware.....	66⅔%	66⅔% of State's average weekly wage (\$125.47)	Duration of disability	...
Florida.....	60	66⅔% of State's average weekly wage (\$105)(d)	350 weeks	...
Georgia.....	66⅔%	\$95	Duration of disability	...
Hawaii.....	66⅔%	100% of State's average weekly wage (\$155)	Duration of disability	...
Idaho.....	60(c)	60% to 90% of the currently applicable average weekly state wage (\$82.80-\$124.20)(c)	52 weeks; thereafter 60% of the currently applicable average weekly state wage for duration of disability	...
Illinois.....	66⅔%	100% of State's average weekly wage in manufacturing industries (\$205)(e), or 50% of employee's wages, whichever is greater	Duration of disability	...
Indiana.....	66⅔%	\$90	500 weeks	\$45,000
Iowa.....	80(f)	100% of State's average weekly wage (\$160)(f)	Duration of disability	...
Kansas.....	66⅔%(g)	66⅔% of State's average weekly wage (\$103.10)(g)	Duration of disability	\$50,000
Kentucky.....	55-62½(c)	60% of the State's average weekly wage (\$88)	Duration of disability	...
Louisiana.....	66⅔%	\$85(h)	Duration of disability	...
Maine.....	66⅔%	100% of State's average weekly wage (\$141.41)(i)	Duration of disability	...
Maryland.....	66⅔%	100% of State's average weekly wage (\$164.50)	Duration of disability	...
Massachusetts.....	66⅔%	\$95, plus \$6 for each total dependent; aggregate not to exceed worker's average weekly wage (j)	Duration of disability	\$23,750(j)
Michigan.....	66⅔%	\$107 to \$136(c, k)	Duration of disability	...
Minnesota.....	66⅔%	\$135(l)	Duration of disability	...
Mississippi.....	66⅔%	\$63	450 weeks	\$21,000(m)
Missouri.....	66⅔%	\$95	400 weeks	...
Montana.....	66⅔%	100% of State's average weekly wage (\$147)(n)	Duration of disability	...
Nebraska.....	66⅔%	\$100	Duration of disability	...
Nevada.....	66⅔%	100% of State's average monthly wage (\$175.86 weekly)	Duration of disability	...
New Hampshire.....	(o)	100% of State's average weekly wage (\$221)(o)	Duration of disability	...
New Jersey.....	66⅔%	66⅔% of State's average weekly wage (\$119)	300 weeks	...
New Mexico.....	66⅔%	\$90(p)	600 weeks	(p)
New York.....	66⅔%	\$125	Duration of disability	...
North Carolina.....	66⅔%	100% of State's average weekly wage (\$146)	Duration of disability	...
North Dakota.....	66⅔%	100% of State's average weekly wage (\$143), plus \$5 for each dependent child, but not to exceed worker's net wage after taxes and Social Security (\$119)	Duration of disability	...
Ohio.....	66⅔%	66⅔% of State's average weekly wage (\$119)	Duration of disability	...
Oklahoma.....	66⅔%	\$60	300 weeks, may be extended to 500 weeks	...
Oregon.....	66⅔%	100% of State's average weekly wage (\$180.17)	Duration of disability	...
Pennsylvania.....	66⅔%	100% of statewide average weekly wage (\$171)	Duration of disability	...
Rhode Island.....	66⅔%	100% of State's average weekly wage (\$156), plus \$6 for each dependent; aggregate not to exceed 80% of worker's average weekly wage(q)	Duration of disability(q)	(q)
South Carolina.....	66⅔%	66⅔% of State's average weekly wage (\$95.35)	500 weeks	\$40,000
South Dakota.....	66⅔%	66⅔% of State's average weekly wage (\$88)	312 weeks	...

**MAXIMUM BENEFITS FOR TEMPORARY TOTAL DISABILITY  
UNDER WORKERS' COMPENSATION LAWS\*—Concluded  
As of November 1975**

State or other jurisdiction	Maximum percentage of wages	Maximum payment per week	Maximum period	Total maximum stated in law
Tennessee.....	66%	\$85	Duration of disability	...
Texas.....	66%	\$70(r)	401 weeks	...
Utah.....	66%	100% of State's average weekly wage (\$155)(c)	312 weeks	...
Vermont.....	66%	60% of State's average weekly wage (\$91), plus \$5 for each dependent under 21	Duration of disability	...
Virginia.....	66%	100% of State's average weekly wage (\$149)	500 weeks	(s)
Washington.....	60-75(c)	75% of State's average wage, adjusted annually (\$138.45)(t)	Duration of disability	...
West Virginia.....	66%	100% of State's average weekly wage (\$173)	208 weeks	...
Wisconsin.....	70	66% of State's average weekly wage (\$108)	Duration of disability	...
Wyoming.....	66%	100% of State's average monthly wage (\$166.55 weekly)	Duration of disability	...
District of Columbia	66%	200% of national average weekly wage (\$318.38)(u)	Duration of disability	...
United States†:				
FECA.....	66%-75(c)	\$545.19(v)	Duration of disability	...
LS/HWCA.....	66%	200% of national average weekly wage (\$318.38)(u)	Duration of disability	...

\*Prepared by the Division of State Workers' Compensation Standards, Employment Standards Administration, U.S. Dept. of Labor.

†FECA means Federal Employees' Compensation Act (5 U.S.C. 8101-8150). LS/HWCA means Longshore and Harbor Workers' Compensation Act (33 U.S.C. 901-950).

(a) Effective January 1, 1976, maximum weekly benefits will be 100% of State's average weekly wage; January 1, 1977, 133.3%; January 1, 1979, 166.6%; and January 1, 1981, 200%.

(b) If periodic disability benefits are payable to the worker under the Federal OASDI, the workmen's compensation weekly benefits 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 workmen's compensation benefits shall be reduced in an amount proportional to the employer's percentage of total contributions to the plan.

(c) According to number of dependents. In Washington according to marital status and number of dependents. In Connecticut, \$5 for each dependent child under 18, up to 50% of the basic weekly benefit, total benefit not to exceed 75% of 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 wife and each dependent child up to 4, but not to exceed 100% of State's average weekly wage.

(d) If periodic disability benefits are payable to the worker under the Federal OASDI, the workmen's compensation benefits and the federal payment shall not exceed 80% of employee's average weekly wage. Said offset shall not be applicable when worker reaches age of 62.

(e) Effective July 1, 1977, maximum weekly benefits will be based on 133 1/3% of State's average weekly wage in manufacturing industries; July 1, 1979, 166 2/3%; July 1, 1981, 200%.

(f) Maximum percentage of wages based on employee's average weekly spendable earnings. Effective July 1, 1977, maximum weekly benefits will be 133 1/3% of State's average weekly wage; July 1, 1979, 166 2/3%; and beginning July 1, 1981, 200%.

(g) Maximum percentage of wages based on employee's average gross weekly wage. Entitlement to benefits ceases when worker is entitled to or receives federal old age social security benefits.

(h) Effective September 1, 1976, maximum weekly benefits will be \$95; and effective September 1, 1977, the maximum will be 66 2/3% of State's average weekly wage.

(i) Effective July 1, 1977, maximum weekly benefits will be 133 1/3% of State's average weekly wage; July 1, 1979, 166 2/3%; July 1, 1981, 200%.

(j) Plus dependents' allowances. Total maximum \$23,750 for temporary total and permanent partial disability.

(k) The maximum benefits rate is adjusted annually on the basis of a \$1 increase or decrease for each \$1.50 increase or decrease in State's average weekly wage.

(l) For injuries occurring after October 1, 1975, benefits shall on October 1, 1976, and each October 1 thereafter, be adjusted according to a specified formula, tying them to State's average weekly wage.

(m) Law provides for a total maximum recovery of \$23,500 for an injury to, or death of, an employee, or combination thereof.

(n) If periodic disability benefits are payable to the worker under the Federal OASDI, the workmen's compensation weekly benefits shall be reduced (but not below 0) by an amount approximating one half such federal benefits for such week.

(o) Benefits set in accordance with a "wage and compensation schedule" up to average weekly wage of \$138 (maximum benefit \$92). If 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.

(p) Effective January 1, 1976, maximum weekly benefits will be 66 2/3% of State's average weekly wage; July 1, 1976, 78%; July 1, 1977, 89%; and July 1, 1978, 100%. The total maximum will be an amount equal to 600 multiplied by maximum weekly compensation payable at time of injury.

(q) After 500 weeks, or after \$32,500 has been paid, payments to be made from second-injury fund for period of disability.

(r) Each \$10 increase in the average weekly wage for manufacturing production workers will increase the maximum weekly benefit by \$7 per week, and the minimum by \$1 per week.

(s) Total maximum amount payable shall be the result obtained by multiplying 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.

(u) "National average weekly wage," as determined by the Secretary of Labor, shall be 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.



# SELECTED STATE CHILD LABOR STANDARDS AFFECTING MINORS UNDER 18\*

As of November 1975

(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 parents are working). No minimum on parents' farm, or with 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> .....	(f)	8-40-6, under 18, except during school vacations for 16 and 17 provided employment accords with prevailing hours in the industry. Schoolday/week: 9(g)-23.	7 p.m. to 6 a.m.	14
<b>Arizona</b> .....	(f)	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. 10 p.m. before schoolday to 6 a.m., 16 and 17.	14
<b>California</b> .....	18	8-48, under 18. Schoolday: 4 (6 on farms for 16 and 17), under 18 if required to attend school. Schoolweek: 20 on farms, under 18 if required to attend school.	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 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.	.....

Georgia.....	18	8-40. 60-hour week, 16 and over in cotton and woolen manufacturing. Schoolday: 4.	9 p.m. to 6 a.m.	.....
Hawaii.....	18	8-40-6. Schoolday: 10(g).	7 p.m. to 7 a.m. (8 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).
Idaho.....	(f)	9-54.	9 p.m. to 6 a.m.	.....
Illinois.....	16	8-48-6. Schoolday: 3 [8(g)]	7 p.m. to 7 a.m.	10
Indiana.....	17	8-40-6, under 17, except minors of 16 not attending school. 9-48 during summer vacation, minors of 16 attending 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 attending school.	10 (no minimum if living with parents).
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 nonmigrants.).
Kansas.....	16(f)	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 attend- ing school.	.....
Louisiana.....	18	8-44-6, under 18, except minors of 17 not attending school. Schoolday: 3.	7 p.m. to 6 a.m. 10 p.m. to 6 a.m., minors of 16, 17 if attending school.	.....
Maine.....	16	8-48-6. Schoolday/week: 4-28.	9 p.m. to 7 a.m.	.....
Maryland.....	18	8-40-6. 9-48-6, 16 and 17 not enrolled in school. Schoolday/week: 3-23 when school in ses- sion 5 days or more, under 16. 5-30 when school in session 5 days or more (8 on nonschoolday-40, when in session less than 5 days), 16 and 17 attending school.	7 p.m. (9 p.m. June 1 through September 1) to 7 a.m. 11 p.m. to 6 a.m., 16 and 17 if attending school.	.....
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(g), 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.	6 p.m. to 6 a.m. in factories, girls under 18.	14
Mississippi.....	(f)	8-44. 10-hour day, 16 and over in mill, factory, and other specified establishments.	9:30 p.m. to 7 a.m. 7 p.m. to 6 a.m.	.....

# SELECTED STATE CHILD LABOR STANDARDS AFFECTING MINORS UNDER 18\*—Continued

As of November 1975

(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>
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(f)	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, 10¼-54 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
<sup>54</sup> New Jersey.....	18	8-40-6, under 18. 10-hour day, 6-day week in agriculture. Schoolday: 8(g).	6 p.m. to 7 a.m. 10 p.m. (midnight in restaurants before nonschoolday and during vacation) to 6 a.m., 16 and 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(g).	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(g), 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., boys under 16, girls under 18.	.....
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.	(h)

<b>Pennsylvania</b> .....	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.	.....
<b>Rhode Island</b> .....	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.	.....
<b>South Carolina</b> .....	(f)	10-55, 16 and over in cotton and woolen manufacturing establishments. (Lim- ited emergency overtime permitted.)	8 p.m. (11 p.m. before nonschoolday in stores, domestic service, farmwork) to 5 a.m.	.....
<b>South Dakota</b> .....	16	8-40.	After 7 p.m. in mercantile establishments, under 14.	.....
<b>Tennessee</b> .....	18	8-40-6, under 18. Schoolday/week: 4 (5 on Friday)-28, un- der 17 if not exempted from school attendance.	10 p.m. to 7 a.m. 10 p.m. to 6 a.m., 16 and 17.	.....
<b>Texas</b> .....	15(f)	8-48, under 15.	10 p.m. to 5 a.m., under 15.	14 (no minimum from June 1 to September 1).
<b>Utah</b> .....	(f)	8-40. Schoolday: 4.	9:30 p.m. to 5 a.m. before schoolday.	12 (no minimum if with par- ental consent).
<b>Vermont</b> .....	16(f)	8-48-6. 9-50, 16 and 17.	7 p.m. to 6 a.m.	.....
<b>Virginia</b> .....	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 par- ental consent).
<b>Washington</b> .....	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.	(h)
<b>West Virginia</b> .....	16	8-40-6.	8 p.m. to 5 a.m.	.....
<b>Wisconsin</b> .....	18	8-24-6 when school in session and 8-40-6 in nonschoolweek. 8-40-6 when school in session and 8-48-6 in nonschoolweek (voluntary overtime per day and week permitted up to 50- hour week), 16 and 17 if required to at- tend 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 be- tween end of work and schoolday, 16 and 17 if required to attend school.	12

# SELECTED STATE CHILD LABOR STANDARDS AFFECTING MINORS UNDER 18\*—Concluded

As of November 1975

(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>Wyoming</b> .....	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.	
<b>District of Columbia</b> .....	18	8-48-6, under 18.	7 p.m. to 7 a.m. 10 p.m. to 6 a.m., 16 and 17.	14
<b>Guam</b> .....	16	8-40-6, under 18. Schoolday: 9(g), under 18.	After 7 p.m. on schoolday, under 18.	
<b>Puerto Rico</b> .....	18	8-40-6, under 18. Schoolday: 8(g)	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 night-work 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) Proof of age is not mandatory under state law in Alaska, Arizona, Idaho, Mississippi, South Carolina, and Utah; nor 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 Employment Service in Idaho and by Wage and Hour offices in Mississippi, South Carolina, and Texas; in Alaska, birth, baptismal, and census records are accepted as proof of age. In Utah, state law directs schools to issue age certificates upon request.

(g) Combined hours of work and school.

(h) 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 new provision, added to the statute relating to agriculture generally, specifically 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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**A**FTER RELATIVE STABILITY during the last half of fiscal year 1974, the employment situation worsened considerably during fiscal year 1975. The combined pressures of recession and inflation were reflected in a general slowdown in the Nation's economy. The unemployment rate rose steadily from 5.3 percent at the beginning of fiscal year 1975 to 8.6 percent at the close of the fiscal year. This was an increase of 62 percent from the previous year.

The increase affected nearly all major labor groups, but was especially prevalent among blue-collar workers, reflecting cut-backs in manufacturing and construction activity.

### EMPLOYMENT SERVICE PERFORMANCE

Despite adverse economic conditions, the U.S. Employment Service (USES) performed creditably during the fiscal year. Nonagricultural placements totaled 4.3 million, a decrease of 11.2 percent from the previous year. In relative terms, placements of the poor and veterans did not show similar declines. Placements of the poor numbered 891,000, an increase of nearly 1 percent above fiscal year 1974. Approximately 391,000 Vietnam-era veterans were placed, only 2,000 fewer than the previous year. Older worker placements totaled 41,000 or 3.9 percent below fiscal year 1974.

Reflecting the shift of counseling resources into direct placement activities, the number of individuals counseled fell to 885,000 or 9.9 percent below 1974.

The Apprenticeship Information Center Program, located in 30 local offices, placed nearly 7,000 persons in apprenticeship, including more than 1,700 minority

group applicants. The decline from fiscal year 1974 is due primarily to adverse economic conditions in the construction industry which traditionally provides 80 percent of the apprenticeship placements.

### IMPROVING PLACEMENTS

In June 1973, the Manpower Administration announced a major redirection of USES calling for more effective placement services. Since then USES has directed its efforts toward that goal.

USES has expanded its statewide Job Bank system to 43 States, including all but one of the major Standard Metropolitan Statistical Areas. Developmental work is continuing on a sophisticated system of computerized worker/job matching using a system of key words to match applicant qualifications with job requirements. Six experimental sites have completed the implementation of employer-oriented batch matching and applicant-oriented matching systems. Plans call for refining the computerized job matching systems and further expansion during fiscal year 1976.

USES has undertaken a number of related approaches to increase placements and rekindle employer interest and participation in the Employment Service. Among them was the implementation of the recommendations of the National Employers' Committee for Improvement of the State Employment Services (NEC). The recommendations are aimed at improving the relevance and responsiveness of the Employment Service to employers. Methods of accomplishing this include personalizing services to employers through account executives, improving labor market information, improving the planning and budgeting system, and establishing a job placement service similar to the traditional labor exchange function. Evaluation of the project shows an increase in placements and job orders at

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\*This chapter was prepared by Sam A. Morgenstein, Assistant Executive Director, Interstate Conference of Employment Security Agencies, Inc., with the collaboration of the Manpower Administration, U.S. Department of Labor.

those sites where substantial implementation has been completed.

In a similar effort, the Employer Service Improvement Project (ESIP) was undertaken. ESIP is a process model for improving the quantity and quality of USES services to employers. Operational problems are identified and solutions are found through close working relationships developed between local employer committees and local Employment Service office task forces. The interaction is begun by a change agent who works as the liaison between the groups. The agent is phased out as the working relationship is established. The program has now been implemented in 80 communities in 27 States involving 1,800 employers.

To dispel the "unemployment" connotation that has long been associated with the Employment Service, the Employer Services and Job Development Public Communications Project was launched in fiscal year 1974. The project is designed to develop high-quality, multimedia public communications programs and to facilitate the implementation of the new Job Service symbol as the trademark of the Employment Service. The effort is aimed at increasing job listings, and at registering and placing highly skilled jobseekers. Fiscal year 1975 was the second year of the three-year project. By the end of fiscal year 1976, 29 States will have participated.

Another significant step toward improvement was the initiation of a project for relocation and rehabilitation of local Employment Service offices. The project, designed to increase placements and improve responsiveness to employers, provides services to applicants and employers in their own neighborhoods by making use of improved technology such as Job Bank and new concepts such as the Job Information Service. Improvements include redesign of traditional layouts of offices along functional lines, the use of modern furniture, and attractive color schemes. Eighty-eight sites in 27 States have begun efforts to relocate offices or to refurbish existing locations to improve the Employment Service image.

While each of these experimental efforts has shown positive results, USES is

combining the most effective elements of each project into a further effort which is called the Job Service Improvement Project (JSIP). The major goal of JSIP will be revitalized services to employers, strengthened employer-Employment Service working relationships, an improved Employment Service image, and a hard-hitting, multimedia campaign to publicize the improved service and to attract highly skilled jobseekers.

#### SERVICES TO VETERANS

In the face of declining economic conditions, State Employment Service agencies continued to place emphasis on obtaining jobs or training opportunities for veterans. The unemployment rate for Vietnam-era veterans increased from 5.1 percent at the end of fiscal year 1974 to a high of 9.9 percent in April 1975, and stood at 9.7 percent at the end of fiscal year 1975.

In spite of this and the difficulty of finding job opportunities, the Employment Service placed 592,000 veterans (down only 2.8 percent from fiscal year 1974), 391,000 Vietnam-era veterans (a decrease of only 0.5 percent), and 76,000 handicapped veterans (an increase of 2.7 percent).

The Interagency Jobs for Veterans Advisory Committee was formed to streamline and combine the activities of the previous Jobs for Veterans program and to achieve the objectives of the President's Veterans Program. In addition, 10 regional veterans employment representatives were added to the field staff of the Veterans Employment Service. These positions were created to provide increased capability in the Manpower Administration's efforts to implement legislative mandates for producing jobs and training opportunities for veterans.

Mandatory listings of job openings for veterans with the Employment Service by federal contractors continued at nearly the level of the previous year. Veterans placed in such job openings remained at about the same level over the year—111,000 in fiscal year 1974 and 110,000 in fiscal year 1975.

Disabled veterans continue to receive special attention. A study commissioned

by the Manpower Administration suggested that each category of disabled veterans may have unemployment rates double those for comparable age groups of nondisabled veterans. To correct this the Employment Service instituted action plans at the local office level 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 special Outreach Employment Program was conducted by the Blinded Veterans Association under contract with the Department of Labor (DOL) to contact blinded veterans and provide them with job search and placement assistance. The project achieved all of its objectives in fiscal year 1975 and was renewed for fiscal year 1976.

#### PLACEMENT TOOLS

As the result of administrative rulings interpreting the Equal Employment Opportunity Act of 1974 and the Age Discrimination in Employment Act of 1967, as amended, a publication has been developed to eliminate sex-and-age-referent language from the job titles of the *Dictionary of Occupational Titles, Third Edition*. The publication represents the revision of about 3,500 job titles.

In cooperation with State Employment Services, USES continues to develop and refine aptitude and proficiency tests used in the selection and counseling of job applicants. Emphasis is centered on developing aptitude test batteries that (1) predict success in specific occupations, and (2) are fair for use with minority applicants.

#### NEW RESPONSIBILITIES FOR USES

In response to a court order (*NAACP, Western Region et al. v. Peter J. Brennan, Secretary of Labor, U.S. Department of Transportation, et al.*, May 31, 1973), USES has begun intensive efforts to implement provisions requiring considerable improvement in the quantity and quality of manpower services provided to migrant and seasonal farmworkers. A special task force has been established to assure that appropriate state agencies comply with the court order. The task force

also provides staff and liaison services to a court-appointed committee whose mission is to oversee DOL implementation of the order and to report to the court on progress being made.

In addition, USES and the state agencies have been cooperating with the Interagency Task Force in the Indochina Refugee Program. Staff stationed at each of the refugee centers provide technical assistance to the voluntary agencies in assessing refugee occupational skills, providing labor market information, and determining suitable *Dictionary of Occupational Titles* codes for job orders and applicant qualifications. The services of State Employment Service offices are made available to the refugees for job referrals and placement at the location of their final resettlement.

#### MANPOWER REVENUE SHARING

Since the passage of the Comprehensive Employment and Training Act (CETA) of 1973, DOL has made intensive efforts to decentralize program operations to state and local governments. Special emphasis is placed on assisting prime sponsors in the development of flexible delivery systems capable of responding to the needs of both individuals and communities.

Since CETA does not provide for a presumptive deliverer of manpower services in each jurisdiction, the choice of such an agency is left ultimately to the prime sponsor. However, both the act and the implementing regulations urge prime sponsors to consider utilization of existing public agencies in their programs.

The intent of both Congress and the Department of Labor, therefore, was one of maintaining autonomy of state and local officials while avoiding duplication of services and promoting the utilization of established public agencies that had gained valuable experience and expertise under previous manpower legislation.

The major objectives of the manpower revenue sharing concept are: (1) to decentralize decision-making, insofar as practicable, to the governmental level closest to the citizen; (2) to integrate the appropriate manpower activities operating in the area into a unified manpower services



delivery system; and (3) to improve the ability of local manpower operators to match services to client needs. The passage of CETA has moved local government one step further toward decentralization and decategorization of federal manpower programs.

#### UNEMPLOYMENT INSURANCE

The unemployment insurance system is a federal-state program which has been in operation for 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 effective economic stabilizer. In 1973, \$4 billion was paid out in benefits; in 1974, \$6 billion was paid out; and in 1975 it is estimated that \$20 billion will be paid out in benefits. State employment security

agencies have done an outstanding job in meeting this tremendous increase in work load.

The original objective of the unemployment insurance program was to pay benefits for short-time unemployment only. Most state laws limit benefits to 26 weeks. Under pressure of unemployment during the past year, duration has been extended on a temporary basis to 65 weeks.

Another major deficiency of the program has been the fact that the employers of 12 million workers have not been covered. Again emergency action was taken in December 1974 to cover these workers on a temporary basis up to 39 weeks.

Congress now has under consideration permanent changes in the federal law designed to remedy the inadequacies in coverage and inadequacies in the extended benefits program. Major attention is also being given to serious financial problems which have developed during the last year. It is estimated that as many as 30 States may have to borrow from the federal government before the end of calendar year 1976. The States, through the National Governors' Conference and the Interstate Conference of Employment Security Agencies, have cooperated with the Congress to improve the program.

SELECTED DATA ON STATE UNEMPLOYMENT INSURANCE  
OPERATIONS, CALENDAR YEAR 1974, BY STATE\*

State or other jurisdiction	Employers subject to state law (a)	Initial claims (b)	Bene- ficiaries	Average weekly bene- fit amount paid for total unem- ployment	Average duration of benefits (weeks)	Total benefit payments (c) (in thou- sands)	Average employer contri- bution rate during year (d)	Funds available for bene- fits at end of year (in thousands)
<b>Total</b> .....	3,896,389	18,898,240(e)	7,729,953	\$64.25	12.7(P)	\$5,974,922(f)	2.0	\$10,599,249
Alabama.....	54,270	250,076	113,951	\$51.63	9.6	\$ 54,480	1.1	\$ 117,052
Alaska.....	7,963	40,051	20,105	69.72	16.8	22,617	2.7	47,748
Arizona.....	45,969	167,292	67,534	57.36	11.5	43,527	1.4	157,248
Arkansas.....	40,508	176,586	67,358	54.06	9.8	33,146	1.5	66,042
California.....	397,375	2,382,709	994,615	64.60	13.2	824,228	2.8	1,147,747
Colorado.....	48,531	113,862	33,082	74.40	12.3	30,232	0.4	102,201
Connecticut.....	67,599	433,378	201,491	73.89	11.1	163,258	2.9	11,808
Delaware.....	11,949	75,254	28,804	71.02	12.6	24,404	2.4	35,091
Florida.....	161,029	434,711	180,506	67.78	10.7	109,013	0.7	326,090
Georgia.....	84,056	311,130	174,202	55.75	8.3	75,966	0.9	455,428
Hawaii.....	16,862	57,826	34,301	72.38	15.9	34,939	1.9	17,484
Idaho.....	18,248	73,889	27,659	61.31	10.5	16,304	2.3	58,915
Illinois.....	190,518	753,624	320,017	66.49	12.1	248,622	1.9	509,032
Indiana.....	81,655	471,150	197,970	52.60	9.7	98,747	1.0	380,801
Iowa.....	57,328	107,803	45,019	64.69	11.4	31,940	1.0	125,375
Kansas.....	45,524	91,202	45,815	61.87	11.9	32,508	2.0	138,993
Kentucky.....	53,962	208,362	115,290	59.68	9.2	60,226	2.0	222,509
Louisiana.....	61,042	203,419	92,117	55.56	14.2	66,890	1.9	140,507
Maine.....	21,620	132,259	55,075	53.78	10.9	28,940	2.7	29,294
Maryland.....	65,588	265,687	111,288	64.40	11.4(P)	77,537	1.8	160,398
Massachusetts.....	114,149	666,541	310,556	69.39	15.8	309,481	3.5	150,810
Michigan.....	141,293	1,586,662	611,638	66.94	11.4	458,362	2.6	394,741
Minnesota.....	69,813	220,683	117,284	65.75	13.9	102,914	1.9	76,269
Mississippi.....	35,681	121,029	48,229	40.82	8.5	17,295	1.2	128,637
Missouri.....	84,251	460,608	171,853	56.44	10.6	96,444	1.6	245,490
Montana.....	18,863	53,221	22,295	53.72	12.9	15,196	1.7	19,836
Nebraska.....	31,472	66,467	34,131	59.29	11.7	22,447	1.2	58,718
Nevada.....	14,313	98,411	39,890	67.81	13.1	34,546	2.8	25,563
New Hampshire.....	18,849	89,958	43,073	58.65	7.5	17,612	1.3	57,550
New Jersey.....	141,931	865,808	449,826	72.30	14.3	449,200	3.5	41,056
New Mexico.....	22,503	66,896	25,432	51.07	15.0	18,695	1.6	42,688
New York.....	382,231	1,993,810	698,007	65.61	17.6	757,811	2.9	1,299,673
North Carolina.....	92,941	593,522	184,800	46.63	7.5	61,205	1.1	568,703
North Dakota.....	14,407	19,752	10,254	56.68	15.1	8,726	2.2	21,230
Ohio.....	181,353	820,566	305,111	72.55	10.8	235,180	1.3	776,648
Oklahoma.....	49,649	127,021	50,870	48.32	13.5	31,270	1.2	63,379
Oregon.....	50,514	320,200	106,143	58.49	13.0	78,666	2.0	108,815
Pennsylvania.....	193,631	1,326,781	498,426	72.18	14.2	467,503	2.6	529,435
Rhode Island.....	22,540	173,445	62,797	65.94	12.9	50,493	3.0	14,222
South Carolina.....	43,186	215,497	75,653	54.72	9.7	39,022	1.0	227,051
South Dakota.....	15,016	16,500	8,472	52.21	11.8	4,846	0.9	24,408
Tennessee.....	65,312	299,667	147,400	50.67	9.3	67,699	1.6	330,320
Texas.....	202,621	349,664	140,308	52.00	11.3	79,244	0.4	348,367
Utah.....	23,584	66,762	32,676	62.99	12.3	23,758	1.7	52,826
Vermont.....	11,625	47,912	20,300	62.81	14.9	17,944	2.2	700
Virginia.....	74,073	183,345	64,500	58.62	8.8	32,570	0.4	246,214
Washington.....	73,089	503,030	169,539	65.14	15.0	148,723	3.0	-11,297
West Virginia.....	26,763	126,190	65,815	48.07	9.9	29,519	1.1	115,906
Wisconsin.....	83,061	347,840	135,169	70.83	12.1	108,988	1.9	315,719
Wyoming.....	10,550	9,858	4,531	56.78	10.0	2,820	1.1	28,043
Dist. of Columbia.....	16,510	35,422	24,190	83.83	19.1	34,382	1.3	36,119
Puerto Rico.....	39,019	274,659	124,586	36.81	15.6	74,841	3.0	12,367

\*Prepared by the Office of Research, Legislation and Program Policies, Manpower Administration, U.S. Department of Labor.  
P—Preliminary.

(a) Large increases in number of subject employers due to expansion of coverage required by Employment Security Amendments of 1970.

(b) Excludes transitional claims in order to reflect more nearly instances of new unemployment.

(c) Adjusted for voided benefit checks and transfers under the interstate combined-wage plans.

(d) Estimated for calendar year 1974.

(e) Includes initial claims filed by interstate claimants in the Virgin Islands—253.

(f) Beginning with January 1971 excludes payments made under state temporary extended benefit provisions.

SIGNIFICANT PROVISIONS OF STATE UNEMPLOYMENT INSURANCE LAWS,  
JULY 15, 1975\*

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State or other jurisdiction	Qualifying wages or employment in base period (number times weekly benefit amount unless otherwise indicated) (a)	Weekly benefit amount		Total benefits payable in benefit year (d)				Employer contribution rates for 1974 (percentage of wages) (g)	
		Computation (fraction of high-quarter wages, unless otherwise indicated) (b)	For total unemployment (c)		Proportion of wages in base period (e)	Benefit weeks for total unemployment (f)		Minimum	Maximum
			Minimum	Maximum		Minimum	Maximum		
Alabama.....	1½ times high-quarter wages, but not less than \$525	1/24	\$15.00	\$90.00	⅓	11+	26	0.5(g)	2.7(g)
Alaska.....	\$750 with \$100 outside high quarter	2.3-1.1% of annual wages, plus \$10 for each dependent up to \$30	18.00-23.00	90.00-120.00	34-31%(e)	14	28	1.3(g)	3.8(g)
Arizona.....	1½ times high-quarter wages and \$375 in high quarter	1/25	15.00	85.00	⅓	12+	26	0.2	2.9
Arkansas.....	30; and wages in 2 quarters	1/26 up to 66⅔% of state average weekly wage	15.00	92.00	⅓	10	26	0.3	4.2
California.....	\$750	1/24-1/31	25.00	90.00	⅓	12+-15(d)	26(d)	1.0	4.1
Colorado.....	30	60% of 1/13 of claimant's high-quarter wages up to 60% of state average weekly wage	25.00	108.00	⅓	7+-10	26	0.0	3.6
Connecticut.....	40	1/26, up to 60% of state average weekly wage plus \$5 for each dependent up to ½ wba	15.00-20.00	104.00-156.00	⅓	26(d)	26(d)	1.4(g)	5.0(g)
Delaware.....	36	1/26	20.00	105.00(h)	26 times wba or 50% of base-period wages ½ weeks of employment	17	26	1.4	4.3
Florida.....	20 weeks of employment at average of \$20 or more	⅓ of claimant's average weekly wage	10.00	82.00	⅓ weeks of employment	10	26	0.1	4.5
Georgia.....	36; with \$175 in 1 quarter and wages in 2 quarters	1/25	12.00	90.00	⅓	9	26	0.08	3.36
Hawaii.....	30; and 14 weeks of employment	1/25 up to 66⅔% of state average weekly wage	5.00	104.00	Uniform	26(d)	26(d)	1.3(g)	3.0(g)
Idaho.....	1½ times high-quarter wages, but not less than \$520.01; with \$416.01 in 1 quarter and wages in 2 quarters	1/26 up to 60% of state average weekly wage	17.00	90.00	Weighted schedule of base period in relation to high-quarter wages	10	26	1.1	4.7
Illinois.....	\$1,000; with \$225 outside high quarter	⅓ claimant average weekly wage up to 50% of state average weekly wage	15.00	97.00-135.00	Uniform	26	26	0.1	4.0

Indiana.....	1½ times high-quarter wages but not less than \$500; with \$300 in last 2 quarters	1/25 up to \$60(b)	\$30.00	\$60.00-100.00	¼	4+	26	0.08	3.1
Iowa.....	\$300; with \$200 in 1 quarter and \$100 in another quarter	1/20 up to 66⅔% of state average weekly wage	10.00	107.00	½	10	9	0.0	4.0
Kansas.....	30; and wages in 2 quarters	1/25 up to 55% of state average weekly wage	21.00	85.00	½	10	26	0.0	3.6
Kentucky.....	1½ times high-quarter wages with 8 times wba in last 2 quarters and \$250 in 1 quarter	1/23 up to 50% of state average weekly wage	12.00	80.00	½	15	26	0.3	3.7
Louisiana.....	30	1/20-1/25	10.00	80.00(h)	¾	12	28	1.0	2.7
Maine.....	\$600	1/22 up to 52% of state average weekly wage	12.00	74.00	½-¾	11+25	26	1.9	4.5
Maryland.....	1½ times high-quarter wages with \$192.01 in 1 quarter and wages in 2 quarters	1/24 plus \$3 for each dependent up to \$12	10.00-13.00	89.00(c)	Uniform	26	26	0.1	3.6
Massachusetts.....	\$1,200	1/21 to 1/26 up to 57.5% of state average weekly wage plus \$6 per dependent up to ¼ claimant's wba(b)	14.00-20.00	95.00-143.00	36%	9+30	30	2.3	5.1
Michigan.....	14 weeks of employment at \$25.01 or more	63-60% of claimant's average weekly wage up to \$97; variable maximum for claimants with dependents(b)	16.00-18.00(c)	97.00-136.00	¾ weeks of employment	11	26	0.7	6.6
Minnesota.....	18 weeks of employment at \$30 or more	62% of claimant's average weekly wage	15.00	105.00	7/10 weeks of employment	13	26	0.9(g)	5.0(g)
Mississippi.....	36; with \$160 in 1 quarter and wages in 2 quarters	1/26	10.00	60.00	½	12	26	0.8	2.7
Missouri.....	30 times wba and \$300 in 1 quarter; wages in 2 quarters	1/20	15.00	85.00	½	8-13+	26	0.0	3.6
Montana.....	13 times wba outside high quarter	1/26 up to 55% of state average weekly wage(h)	12.00	81.00	(e)	13	26	0.5(g)	3.1(g)
Nebraska.....	\$600; with \$200 in each of 2 quarters	1/19-1/23	12.00	80.00	½	17	26	0.1	2.7
Nevada.....	1½ times high-quarter wages	1/25 up to 50% of state average weekly wage	16.00	88.00	½	11	26	2.7(g)	2.7(g)
New Hampshire.....	\$600; with \$100 in each of 2 quarters	2.3-1.2% of annual wages	14.00	95.00	Uniform	26	26	0.075	4.0
New Jersey.....	20 weeks of employment at \$30 or more; or \$2,200	66⅔% of claimant's average weekly wage up to 50% of state average weekly wage	20.00	90.00	¾ weeks of employment	15	26	1.2(g)	5.5(g)
New Mexico.....	1½ times high-quarter wages	1/26; not less than 10% nor more than 50% of state average weekly wage	15.00	71.00	½ wba	18+	30	0.3	3.3
New York.....	20 weeks of employment at average of \$30 or more (i)	67-50% of claimant's average weekly wage	20.00	95.00	Uniform	26	26	1.3	5.0

SIGNIFICANT PROVISIONS OF STATE UNEMPLOYMENT INSURANCE LAWS,  
JULY 15, 1975\*—Concluded

State or other jurisdiction	Qualifying wages or employment in base period (number times weekly benefit amount unless otherwise indicated) (a)	Weekly benefit amount		Total benefits payable in benefit year (d)				Employer contribution rates for 1974 (percentage of wages) (g)	
		Computation (fraction of high-quarter wages; unless otherwise indicated) (b)	For total unemployment (c)		Proportion of wages in base period (e)	Benefit weeks for total unemployment (f)		Minimum	Maximum
			Minimum	Maximum		Minimum	Maximum		
North Carolina.....	1½ times high-quarter wages but not less than \$565.50; \$150 in 1 quarter	1/26 up to 66⅔% of state average weekly wage	\$15.00	\$90.00	Weighted schedule of base-period wages in relation to high-quarter wages (e)	13	26	0.2	4.7
North Dakota.....	40; and wages in 2 quarters	1/26 up to 60% of state average weekly wage (h)	15.00	86.00		18	26	0.9	4.2
Ohio.....	20 weeks of employment at \$20 or more	½ claimant's average weekly wage plus dependent's allowance of \$1-\$39 based on claimant's average weekly wage and number of dependents (b)	10.00-16.00	82.00-121.00	20 times wba plus wba for each credit week in excess of 20	20	26	0.2	3.9
554 Oklahoma.....	1½ times high-quarter wages; not less than \$500 in base period; \$4,200	1/26 up to 55% of state average weekly wage	16.00	86.00	⅓	10+	26	0.4	2.7
Oregon.....	18 weeks of employment at average of \$20 or more; not less than \$700	1.25% of base-period wages up to 55% of state average weekly wage	26.00	95.00	⅓	10+	26	1.224(g)	2.958(g)
Pennsylvania.....	32+36 with \$120 in high quarter and at least 20% of base-period wages outside high quarter	1/21-1/25 up to 64⅔% of state average weekly wage plus \$5 for 1 dependent and \$3 for 2nd(h)	13.00-18.00	111.00-119.00	Uniform	30	30	0.9	4.0
Rhode Island.....	20 weeks of employment at \$20 or more or \$2,400	55% of claimant's average weekly wage up to 60% of state average weekly wage plus \$5 per dependent up to \$20	22.00-27.00	94.00-114.00	⅓ weeks of employment	12	26	2.2(g)	4.0(g)
South Carolina.....	1½ times high-quarter wages but not less than \$300 with \$180 in 1 quarter	1/26 up to 66⅔% of state average weekly wage	10.00	96.00	⅓	10	26	0.25	4.1
South Dakota.....	\$400 in high quarter and 10 times wba outside high quarter	1/22 up to 58% of state average weekly wage (h)	19.00	77.00	⅓	10+	26	0.0	2.7
Tennessee.....	36; with \$338.01 in one quarter	1/26	\$14.00	\$85.00	⅓	12	26	0.3	4.0

Texas.....	1½ times high-quarter wages but not less than \$500 or ¾ FICA tax base	1/25	15.00	63.00	27%	9	26	0.1	4.0
Utah.....	19 weeks employment at \$20 or more but not less than \$700	1/26 up to 65% of state average weekly wage	10.00	101.00	Weighted schedule of base-period wages in relation to high-quarter wages	10-22	36	1.4	2.7
Vermont.....	20 weeks of employment at \$30 or more	¾ claimant's average weekly wage for highest 20 weeks up to 60% of state average weekly wage	15.00	91.00	Uniform	26	26	0.9	5.0
Virginia.....	36; and wages in 2 quarters	1/25	20.00	87.00	¾	12	26	0.05	2.7
Washington.....	\$1,400(j)	1/25 high-quarter wages up to 50% state average weekly wage	17.00	93.00	¾	8+23+	30	3.0(g)	3.0(g)
West Virginia.....	\$700	1.9-0.8% annual wages up to 66¾% of state average weekly wage	14.00	115.00	Uniform	26	26	0.0	3.3
Wisconsin.....	17 weeks employment at average of \$40.01 or more with employer(i)	50% claimant's average weekly wage up to 66¾% of state average weekly wage	21.00	113.00	8/10 weeks of employment	1-13+	34	0.0	4.7
Wyoming.....	20 weeks with 20 hours in each week plus \$800 in base-period wages	1/25 up to 50% of state average weekly wage	10.00	84.00	3/10	11-24	26	0.22	2.92
District of Columbia.....	1½ times high-quarter wages but not less than \$450; with \$300 in 1 quarter	1/23 up to 66¾% of state average weekly wage, plus \$1 for each dependent up to \$3	13.00-14.00	127.00(c)	¾	17+	34	0.7	2.7
Puerto Rico.....	21+30; not less than \$150 with \$50 in 1 quarter and wages in 2 quarters	1/15-1/26 up to 60% of state average weekly wage	7.00	55.00	Uniform	20(d)	20(d)	2.95	3.53

\*Prepared by the Manpower Administration, U.S. Department of Labor.

(a) Weekly benefit amount is abbreviated throughout the table as "wba".  
 (b) When States use a weighted high-quarter formula, annual-wage formula, or average-weekly-wage formula, approximate fractions or percentages are figured at midpoint of lowest and highest normal wage bracket. When dependents' allowances are provided, the fraction applies to the basic wba. In States noted, variable amounts above maximum basic benefits limited to claimants with specified number of dependents and earnings in excess of amounts applicable to maximum basic wba. In Indiana, dependents' allowances paid only to claimants with earnings in excess of that needed to qualify for basic wba and who have 1 to 4 dependents. In Michigan and Ohio claimants may be eligible for augmented amount at all benefit levels but benefit amounts above basic maximum available only to claimants in dependency classes whose average weekly wages are higher than that required for maximum basic benefit. In Massachusetts, for claimant with average weekly wage in excess of \$66 wba computed at 1/52 of 2 highest quarters of earnings or 1/26 of highest quarter if claimant had no more than 2 quarters of work.

(c) When two amounts are given, higher includes dependent's allowance. Higher for minimum wba includes maximum allowance for one dependent; in Michigan, for one dependent child or two dependents other than a child. In the District of Columbia and Maryland, same maximum with or without dependents.

(d) Benefits are extended under state program when unemployment in State reaches specified levels: California, Hawaii by 50%; in Connecticut by 13 weeks. In Puerto Rico benefits are extended by 32 weeks in certain industries, occupations or establishments when a special unemployment situation exists. Benefits may also be extended during periods of high unemployment by 50%, up to 13 weeks, under the Federal-State Extended Compensation Program and up to 26 additional weeks under Federal Supplemental Benefits Program.

(e) With exception of Montana and North Dakota, States noted have weighted schedule with percent of benefits based on bottom of lowest and highest wage brackets. In Montana, 13, 20, and 26 weeks depending on quarters of employment; and in North Dakota, 18, 22, and 26 weeks depending on amount of base-period earnings.

(f) For claimants with minimum wba and minimum qualifying wages. In States noted, range of duration applies to claimants with minimum qualifying wages in base period; longer duration applies with the minimum wba; the shorter duration applies with maximum possible concentration of wages in the high quarter, and therefore the highest wba possible for such base-period earnings. Wisconsin determines entitlement separately for each employer. Lower end of range applies to claimants with only 1 week of work at qualifying wage; upper end to claimants with 17 weeks or more of such wages.

(g) Rate represents minimum and maximum rates assigned to employers during calendar year 1974. Alabama, Alaska, and New Jersey also require employee taxes. Contributions required on wages up to \$4,200 in all States except Minnesota, Montana, New Jersey, Rhode Island (\$4,800); Oregon (\$5,000); Nevada (\$5,800); Connecticut (\$6,000); Washington (\$6,600); Hawaii (\$7,300); and Alaska (\$10,000).

(h) Effective September 1, 1975, 80%; September 1, 1976, 66¾%, Louisiana; January 1, 1976, 66¾%, Pennsylvania; July 1, 1976, 60%, Montana; 67%, North Dakota; 62%, South Dakota; 60%, July 1, 1976, 63%, July 1, 1977, 66¾%, July 1, 1978, Delaware.

(i) Or 15 weeks in last year and 40 weeks in last 2 years at average of \$30 or more (New York); or 14 weeks in base period and 55 weeks in those 52 weeks plus any base period which ended not more than 10 weeks before the start of those 52 weeks (Wisconsin).

(j) In addition to total wages of \$1,400, claimant also must have either (1) 16 weeks of employment with wages or 15% of average wage or (2) 600 hours of employment.

SELECTED EMPLOYMENT SERVICE ACTIVITIES,  
BY STATE, FISCAL YEAR 1975\*

State or other jurisdiction	New applica- tions and renewals	Individuals counseled	Individuals tested	Individuals placed		Placement transactions	
				Non- agricultural	Agricultural	Non- agricultural	Agricultural
Total.....	15,035,431	884,236	710,230	2,966,749	214,908	4,373,911	1,497,597
Alabama.....	311,681	19,108	25,502	63,120	902	80,584	3,425
Alaska.....	52,290	1,237	1,426	17,547	151	24,786	159
Arizona.....	193,441	6,296	6,097	46,947	5,315	72,930	7,543
Arkansas.....	211,330	10,596	9,139	49,319	1,689	90,018	27,554
California.....	1,448,136	41,354	26,062	300,731	47,700	440,802	806,386
Colorado.....	207,880	14,518	8,331	33,268	2,597	55,656	5,667
Connecticut.....	312,939	8,331	5,648	29,930	3,055	35,340	3,323
Delaware.....	48,177	2,118	1,363	6,584	297	9,080	2,821
Florida.....	421,431	24,236	18,530	107,281	5,780	145,557	14,588
Georgia.....	425,753	28,401	14,294	69,151	869	84,713	926
Hawaii.....	82,788	4,127	1,949	16,603	703	19,147	723
Idaho.....	106,232	6,162	7,462	26,856	4,374	37,131	8,349
Illinois.....	572,337	32,880	18,504	89,831	2,063	143,102	6,428
Indiana.....	488,304	14,081	16,646	72,386	969	91,738	1,237
Iowa.....	193,702	5,640	8,533	64,017	4,213	88,816	5,856
Kansas.....	151,595	12,058	5,708	34,845	2,114	53,061	8,143
Kentucky.....	229,011	25,935	17,123	49,034	829	60,096	2,103
Louisiana.....	252,956	7,465	18,799	63,067	703	84,895	27,869
Maine.....	71,400	8,063	1,922	19,707	770	25,021	1,795
Maryland.....	219,412	25,359	5,404	30,628	483	36,876	12,597
Massachusetts.....	316,287	23,630	7,133	63,527	5,738	95,380	14,735
Michigan.....	660,804	32,667	21,415	65,129	4,290	86,422	11,008
Minnesota.....	269,126	14,151	17,614	60,748	5,686	83,355	11,860
Mississippi.....	256,547	35,506	27,423	62,905	1,724	84,434	5,957
Missouri.....	419,253	18,962	29,533	82,362	1,800	114,919	7,464
Montana.....	100,108	14,059	9,219	24,146	3,602	36,698	7,379
Nebraska.....	97,783	6,867	4,204	30,221	2,456	45,350	4,880
Nevada.....	88,183	5,025	4,751	14,670	1,062	24,523	1,425
New Hampshire.....	82,443	2,177	1,266	11,348	318	13,580	611
New Jersey.....	344,092	23,681	8,446	60,925	1,247	94,595	11,451
New Mexico.....	137,038	9,602	5,622	28,968	1,472	45,206	3,246
New York.....	671,096	64,525	30,216	166,902	3,361	361,781	28,728
North Carolina.....	497,352	18,795	31,120	68,635	6,014	80,543	132,751
North Dakota.....	68,677	5,894	6,091	23,920	2,606	35,318	5,969
Ohio.....	623,929	21,774	31,415	71,993	3,239	117,678	30,489
Oklahoma.....	275,183	25,976	18,024	59,390	1,543	125,737	31,340
Oregon.....	273,098	22,263	10,030	51,199	14,794	70,440	36,088
Pennsylvania.....	456,555	48,011	25,378	128,197	2,006	168,161	3,674
Rhode Island.....	76,945	6,160	1,365	13,487	157	23,089	163
South Carolina.....	265,033	15,657	16,590	41,013	1,619	53,032	33,854
South Dakota.....	65,992	8,720	6,536	23,177	1,533	35,297	5,811
Tennessee.....	254,589	12,050	20,361	54,930	1,637	69,334	20,421
Texas.....	1,042,199	49,497	74,667	226,461	9,324	382,581	32,243
Utah.....	147,742	14,036	17,493	39,390	2,103	57,280	4,329
Vermont.....	57,082	3,686	1,639	9,880	748	12,135	795
Virginia.....	371,808	19,930	29,909	61,031	1,686	77,833	5,362
Washington.....	292,987	8,426	8,666	59,021	36,822	84,491	74,788
West Virginia.....	149,440	8,838	4,345	34,181	854	40,671	2,626
Wisconsin.....	309,748	17,509	8,659	53,833	1,364	64,858	1,609
Wyoming.....	49,781	3,795	2,049	16,024	1,118	23,124	1,365
Dist. of Columbia.....	110,146	14,590	6,850	27,659	31	42,499	32
Puerto Rico.....	209,590	9,812	3,759	40,625	7,378	44,218	17,652

\*Source: U.S. Employment Service, Manpower Administration, U.S. Department of Labor.

## Section VII

# INTERGOVERNMENTAL RELATIONS

1. Interstate Relations
2. Federal-State Relations
3. State-Local Relations



# 1

## Interstate Relations

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### THE COUNCIL OF STATE GOVERNMENTS AND ASSOCIATED ORGANIZATIONS

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THE COUNCIL of State Governments is a research and service tool forged and shaped by the States. As such, it is an extension of the States—created and directed by them and supported through state appropriations. This non-partisan organization attempts to bring the experience and knowledge gained in all the States to bear on meeting challenges of any single State or the national government.

Founded in 1933, the Council embodies a concept that state governments should have a central agency for service to every State. Amid an explosion of specialized organizations representing single groups of officials or interests, the Council is devoted to serving state government in its entirety.

The organizational structure of the Council was expanded in 1975 to provide a broader base of legislative-executive representation. This was accomplished through adoption of revised Articles of Organization which provide that all 50 State Governors and a legislator from each House and Senate in the Nation are members of the Governing Board. An expanded 33-member Executive Committee—balanced between Governors and Legislators and including representation from the national organizations of Lieutenant Governors, Attorneys General, and Chief Justices—was provided to act between meetings of the Governing Board.

#### ACTIVITIES

The Council's mandate is to conduct

research on state programs and problems; maintain an information service available to state agencies, officials, and legislators; issue publications; assist in state-federal liaison; promote regional and state-local cooperation; and provide staff for affiliated organizations.

It works to achieve these goals along diverse and flexible lines through the Headquarters Office located in Lexington, Kentucky, a Washington, D.C., office, and regional offices located in the East (New York), Midwest (Chicago), South (Atlanta), and West (San Francisco).

*Lexington Office*—Council Headquarters is responsible for executive management, administration, finance and accounting, research functions, publications, state services, technical assistance, and services to affiliated organizations.

Collecting and disseminating information about state government are major functions of the Research and Publications Departments. This can take many forms, from answering inquiries from officials to production of major research studies on issues of interest in the States. An Interstate Loan Library collection of state research documents is a valuable ancillary resource not only to Council staff members but also to users in the States through document loan arrangements.

The scope of publications ranges from newsletters highlighting developments in the States and in Washington, D.C., to publication of the major reference source on state government, *The Book of the States*. Periodicals, rosters, and special re-

ports are other facets of the publications program.

Direct technical assistance to the States is offered through a growing number of expert staff members. They occasionally are augmented by small consulting teams of state officials drawn together to concentrate on a particular problem of a requesting State.

Special research projects have expanded at the Council in recent years, beginning in 1971 with publication of a series of reports dealing with emerging issues in the States. The same pattern of researching and publishing special projects reports has continued since that time in areas such as government reorganization, equal rights, labor relations, consumer protection, criminal justice, environmental management, transportation, revenue and budgeting, housing and community development, human services, state planning, energy, and others.

One of the Council's long-standing services is performed through its Committee on Suggested State Legislation, which annually distributes reports on innovative ideas developed by the States and from other sources. Much of the material in the Committee's *Suggested State Legislation* is in draft constitutional or statutory language easily adaptable to meet a State's specific needs.

*Washington Office*—A small Washington, D.C., staff maintains contact points in the federal government and works with associated organizations of state officials located there. Since the Council of State Governments does not lobby the federal government, the Washington office serves as the eyes and ears for the States in the Nation's Capitol. In addition, it supports other Council offices and regional constituents, and provides services to affiliated organizations in need of Washington assistance.

*Regional Offices*—A major function of the four Regional Offices is to serve as staff for regional legislative and Governors' conferences. These regional groups,

established independently by the States and operating under their own rules, have proven active forces in improving regional cooperation and meeting common problems.

In order to focus on issues, the regional conferences have standing committees delving into the areas of agriculture, education, criminal justice, labor and commerce, government operations, energy, social services, consumer protection, fiscal affairs, urban affairs, and transportation.

The Regional Offices work closely with the State Legislatures and officials of various States as well as coordinating programs of research, information, and assistance with the Washington and Lexington offices.

#### ASSOCIATED ORGANIZATIONS

Major developments during the biennium were decisions by the National Governors' Conference and the National Conference of State Legislatures (successor organization to three former national legislative groups) to heighten the impact of Governors and Legislators on federal policy decisions, and to assure state inputs into federal legislation.

This resulted in realignments of organizational relationships since the Council of State Governments, formerly the major service agency for the Governors and Legislators, is not a lobbying organization but seeks to serve state government in the broad sense without advocating specific legislation which may be distasteful to some States or divisive among respective segments of state government.

On the following pages will be found a roster of the Executive Committee of the Council of State Governments and officers of Commissions on Interstate Cooperation or similar bodies. In addition, there are descriptions of representative interstate organizations associated with the Council of State Governments. Finally, there is a compilation of numerous interstate agencies established by compact or interstate agreements.

Officers and Executive Committee  
THE COUNCIL OF STATE GOVERNMENTS  
1975-76

*Chairman*

SENATOR J. HARRY MICHAEL, JR., Virginia

*President*

GOVERNOR ROBERT D. RAY, Iowa

*Vice Chairman*

REPRESENTATIVE JOHN J. THOMAS, Indiana

*Vice President*

GOVERNOR MIKE O'CALLAGHAN, Nevada

*Other Members*

GOVERNOR REUBIN O'D. ASKEW, Florida

GOVERNOR RAY BLANTON, Tennessee

GOVERNOR DAVID L. BOREN, Oklahoma

REPRESENTATIVE KENNETH W. BOULDEN, Delaware

GOVERNOR OTIS R. BOWEN, Indiana

SPEAKER JOHN HANSON BRISCOE, Maryland

ATTORNEY GENERAL FRANCIS B. BURCH, Maryland

GOVERNOR BRENDAN T. BYRNE, New Jersey

SPEAKER BILL CLAYTON, Texas

SENATE PRESIDENT ROSS O. DOYEN, Kansas

GOVERNOR MICHAEL S. DUKAKIS, Massachusetts

SENATOR ODIS L. ECHOLS, New Mexico

GOVERNOR DANIEL J. EVANS, Washington

GOVERNOR J. JAMES EXON, Nebraska

SPEAKER HERBERT FINEMAN, Pennsylvania

GOVERNOR MILLS E. GODWIN, JR., Virginia

LIEUTENANT GOVERNOR NEIL F. HARTIGAN, Illinois

CHIEF JUSTICE CHARLES S. HOUSE, Connecticut

REPRESENTATIVE TOM JENSEN, Tennessee

REPRESENTATIVE CARL M. JOHNSON, Minnesota

GOVERNOR RICHARD F. KNEIP, South Dakota

REPRESENTATIVE CHARLES F. KURFESS, Ohio

GOVERNOR JAMES B. LONGLEY, Maine

SENATOR JAMES A. MACK, Arizona

SENATOR JOHN J. MARCHI, New York

GOVERNOR ARCH A. MOORE, JR., West Virginia

SENATOR MICHAEL A. O'PAKE, Pennsylvania

GOVERNOR CALVIN L. RAMPTON, Utah

SPEAKER MARTIN O. SABO, Minnesota

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## OFFICERS OF COMMISSIONS ON INTERSTATE COOPERATION OR SIMILAR BODIES

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The Council of State Governments works closely with Commissions on Interstate Cooperation or similar official bodies of individual state governments. Legislation creating the commissions customarily

designates the Council as a joint governmental agency of the State and provides the legal basis for the Council's national activities. Officers of the state commissions or similar bodies are listed below.

ALABAMA (a)	Lieutenant Governor Jere L. Beasley, <i>Chairman</i> ; Representative James F. Crawford, <i>Vice Chairman</i> ; Louis G. Greene, Director, Legislative Reference Service, <i>Secretary</i> .
ALASKA (b)	Senator Genie Chance, <i>Chairman</i> ; Representative Mike Miller, <i>Vice Chairman</i> ; John C. Doyle, Administrator, Legislative Affairs Agency, <i>Secretary</i> .
ARIZONA (b)	House Speaker Stanley W. Akers, <i>Chairman</i> ; Senate President Bob Stump, <i>Vice Chairman</i> ; Sandra Day, Acting Executive Director, Legislative Council, <i>Secretary</i> .
ARKANSAS	Representative Ray S. Smith, Jr., <i>Chairman</i> ; Senator Robert Harvey, <i>Vice Chairman</i> ; Marcus Halbrook, Director, Legislative Council, <i>Secretary</i> .
CALIFORNIA	Officers to be selected.
COLORADO	Senate President Pro Tem Fay DeBerard, <i>Chairman</i> ; House Speaker Ruben A. Valdez, <i>Vice Chairman</i> ; Lyle C. Kyle, Director, Legislative Council, <i>Secretary</i> .
CONNECTICUT (a)	Senate President Pro Tem Charles T. Alfano, <i>Chairman</i> ; Senator George Gunther, <i>Vice Chairman</i> ; David B. Ogle, Executive Director, Joint Legislative Management Committee, <i>Administrator</i> ; Rita Doyle, <i>Secretary</i> .
DELAWARE	Representative Kenneth W. Boulden, <i>Chairman</i> ; Senator Margaret R. Manning, <i>Vice Chairman</i> ; Sandra Krett, <i>Secretary-Treasurer</i> .
FLORIDA	Officers to be selected.
GEORGIA	Senator Render Hill, <i>Chairman</i> ; Representative Jack H. Cole, <i>Vice Chairman</i> ; Virgil T. Smith, <i>Coordinator</i> ; Frank H. Edwards, Legislative Counsel, <i>Secretary</i> .
HAWAII	No commission.
IDAHO (b)	Senate President Pro Tem James Ellsworth and House Speaker Allan F. Larsen, <i>Co-Chairmen</i> ; Myran H. Schlechte, Director, Legislative Council, <i>Secretary</i> .

- ILLINOIS (a) Representative John J. Hill, *Chairman*; Representative William D. Walsh, *Vice Chairman*; Senator Norbert A. Kosinski, *Secretary*; John N. Lattimer, *Executive Director*.
- INDIANA Representative Gary L. Butler, *Chairman*; Senator James A. Gardner, *Vice Chairman*; Geraldine F. Conley, Accountant, Legislative Council, *Secretary*.
- IOWA Senator William D. Palmer, *Chairman*; Representative James T. Caffrey, *Vice Chairman*; Serge H. Garrison, Director, Legislative Service Bureau, *Secretary*.
- KANSAS (c) Senate President Ross O. Doyen, *Chairman*; House Speaker Duane S. McGill, *Vice Chairman*; Arden K. Ensley, Assistant Revisor of Statutes, *Secretary*.
- KENTUCKY (d) Senate President Pro Tem Joseph W. Prather and House Speaker William G. Kenton, *Co-Chairmen*; Philip W. Conn, *Director*.
- LOUISIANA (e) Senate President Pro Tem Michael H. O'Keefe, *Chairman*; Leon Tarver, *Executive Director*.
- MAINE Senator Theodore S. Curtis, Jr., *Chairman*; Representative James T. Dudley, *Secretary*.
- MARYLAND (a) Senator John Carroll Byrnes, *Chairman*; Delegate Tyras S. Athey, *Vice Chairman*; E. Phillip Sayre, *Administrative Analyst*.
- MASSACHUSETTS Senator Stanley J. Zarod, *Chairman*; Representative John F. Cusack, *Vice Chairman*; Marie Carney, *Secretary*.
- MICHIGAN (a) Representative George H. Edwards, *Chairman*; Senator Anthony A. Derezinski, *Vice Chairman*; Allan E. Reyhons, Director, Legislative Service Bureau, *Secretary*.
- MINNESOTA Representative Carl M. Johnson, *Chairman*; Senator Jerome V. Blatz, *Vice Chairman*; Richard L. Brubacher, Commissioner of Administration, *Secretary-Treasurer*.
- MISSISSIPPI Representative Clarence A. Pierce, *Chairman*; Senator Edward Ellington, *Vice Chairman*; Senator Perrin Purvis, *Secretary*; Representative Kenneth O. Williams, *Treasurer*.
- MISSOURI Senate President Pro Tem William J. Cason, *Chairman*; Frank M. Masters, Director, Committee on Legislative Research, *Secretary*.
- MONTANA (f) Representative Robert L. Marks, *Chairman*; Senator Neil J. Lynch, *Vice Chairman*.
- NEBRASKA (a) Senator Harold D. Simpson, *Chairman*; Senator Shirley Marsh, *Vice Chairman*; Vincent D. Brown, Clerk of the Legislature, *Secretary-Treasurer*.
- NEVADA (g) Senator James I. Gibson, *Chairman*; Senator Melvin D. Close, Jr., *Vice Chairman*; Arthur J. Palmer, Director, Legislative Counsel Bureau, *Secretary*.
- NEW HAMPSHIRE Senator Stephen W. Smith, *Chairman*.

NEW JERSEY (e)	Senator Anthony Scardino, Jr., <i>Chairman</i> ; Arthur S. Applebaum, Assistant Research Director, Legislative Services Agency, <i>Secretary</i> .
NEW MEXICO (h)	House Speaker Walter K. Martinez and Senate President Pro Tem I. M. Smalley, <i>Co-Chairmen</i> ; Clay Buchanan, Director, Legislative Council Service, <i>Executive Secretary</i> .
NEW YORK (i)	Senator Bernard C. Smith, <i>Chairman</i> ; Assemblyman L. Richard Marshall, <i>Vice Chairman</i> ; Senator Jack E. Bronston, <i>Secretary</i> .
NORTH CAROLINA	Representative Larry P. Eagles, <i>Chairman</i> ; Charles L. Wheeler, Director, State Commission on Higher Education Facilities, <i>Secretary</i> .
NORTH DAKOTA (b)	Senator Robert Melland, <i>Chairman</i> ; Representative Richard J. Backes, <i>Vice Chairman</i> ; John A. Graham, Director, Legislative Council, <i>Secretary</i> .
OHIO	Howard L. Collier, Director, Office of Budget and Management, <i>Chairman</i> .
OKLAHOMA	Senate President Pro Tem Gene C. Howard, <i>Chairman</i> ; House Speaker William P. Willis, <i>Vice Chairman</i> ; Jack A. Rhodes, Director, Legislative Council, <i>Secretary</i> .
OREGON	Officers to be selected.
PENNSYLVANIA	Senator Thomas M. Nolan, <i>Chairman</i> ; Representative Warren H. Spencer, <i>Vice Chairman</i> ; Representative Amos K. Hutchinson, <i>Secretary</i> ; Senator Richard C. Frame, <i>Treasurer</i> .
RHODE ISLAND	Frank Sgambato, <i>Chairman</i> ; Oliver L. Thompson, Jr., Administrative Assistant, Joint Committee on Legislative Affairs, <i>Secretary</i> .
SOUTH CAROLINA	Senate President Pro Tem L. Marion Gressette, <i>Chairman</i> .
SOUTH DAKOTA (a)	Lieutenant Governor Harvey Wollman, <i>Chairman</i> ; Wesley Tschetter, Director, Legislative Research Council, <i>Secretary</i> .
TENNESSEE (a)	Officers to be selected.
TEXAS	Governor Dolph Briscoe, <i>Chairman</i> ; Lieutenant Governor William P. Hobby, <i>First Vice Chairman</i> ; House Speaker Bill Clayton, <i>Second Vice Chairman</i> .
UTAH (j)	Senate President Ernest H. Dean, <i>Chairman</i> ; House Speaker Ronald L. Rencher, <i>Vice Chairman</i> .
VERMONT	Representative Frederick W. Hutchinson, <i>Chairman</i> ; Senator William T. Doyle, <i>Vice Chairman</i> ; Representative Walter M. Moore, <i>Secretary</i> .
VIRGINIA	Delegate Theodore V. Morrison, Jr., <i>Chairman</i> ; Senator J. Harry Michael, Jr., <i>Vice Chairman</i> ; Charles A. Christopher-son, Director, Division of State Planning and Community Affairs, <i>Secretary</i> .
WASHINGTON	No commission.

- WEST VIRGINIA      Senate President William T. Brotherton, Jr., and House Speaker Lewis N. McManus, *Co-Chairmen*; Earl M. Vickers, Director, Office of Legislative Services, *Secretary*.
- WISCONSIN      Representative Terry A. Willkom, *Chairman*; Senate President Pro Tem Fred A. Risser, *Vice Chairman*; Representative Joanne M. Duren, *Secretary*; Thomas Peltin, *Analyst*.
- WYOMING (a)      Attorney General V. Frank Mendicino, *Chairman*.
- (a) Commission on Intergovernmental Cooperation.
- (b) Legislative Council functions as Commission on Interstate Cooperation.
- (c) President of the Senate is chairman during even-numbered years; Speaker of the House is chairman during odd-numbered years.
- (d) Legislative Research Commission functions as Commission on Interstate Cooperation. All members on the commission are ex officio.
- (e) Commission on Intergovernmental Relations.
- (f) Legislative Council appointed by statute to be Commission on Interstate Cooperation.
- (g) Legislative Commission of the Legislative Counsel Bureau functions ex officio as the Commission on Interstate Cooperation.
- (h) Legislative Council functions ex officio as the Commission on Intergovernmental Cooperation.
- (i) Select Committee on Interstate Cooperation.
- (j) Legislative Management Committee serves informally as the Commission on Interstate Cooperation.

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## REPRESENTATIVE INTERSTATE ORGANIZATIONS ASSOCIATED WITH THE COUNCIL OF STATE GOVERNMENTS

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### THE NATIONAL GOVERNORS' CONFERENCE

**T**HE NATIONAL GOVERNORS' CONFERENCE (NGC) is the vehicle through which Governors collectively influence the development and implementation of national policy and apply creative leadership to state problems. Created nearly 70 years ago, NGC provides a vital link between the States and the federal establishment.

Membership of NGC is made up of the Governors of the 50 States, and of American Samoa, the Commonwealth of Puerto Rico, Guam, and the Virgin Islands. Its operations are supported by contributions from member jurisdictions, and its policies and programs are formulated by the Governors themselves.

Twice a year the National Governors' Conference meets to discuss common problems and to develop policy positions on state and federal questions. Throughout the year, NGC staff provides Governors with information on federal programs and trends in federal activities. The Conference also serves as a means for sharing innovative programs and emerging issues among the States, while helping to keep the federal establishment informed of the needs and perceptions of its governing partners at the state level.

The National Governors' Conference has provided research support and a platform for evolving trends in state government ranging from a new urban-rural relationship and the quest for a balance between economic growth and environmental protection, to reordered priorities in the use of state tax resources and the rise of a new ethic in government service.

The Center for Policy Research and Analysis was formed in 1974 by the Governors to provide both technical and policy-oriented assistance to Governors, and to centralize administration of NGC special programs. The Center works to help

Governors identify potential problem areas before a crisis develops, to develop policy alternatives and analyze their impact on other programs and problems, and to evaluate the impact of federal actions on state governments. It also provides an increased exchange of information on innovative programs at the state level and is a forum for examination of the changing role of the States in the federal system.

Since its formation, the Center has been engaged in a range of research programs, including energy, health planning, manpower policy development, transportation, gubernatorial transition and the Governor's office, gubernatorial policy-making, and state-local relations. The Center also directs NGC's biennial Seminar for Governors-elect.

The nine-member Executive Committee acts on policy questions on behalf of the whole NGC between its annual meetings. In addition, NGC membership is organized into standing committees on major issues and special committees or task forces as circumstances dictate.

Statements of policy issued by the NGC, which guide its program activities, represent the position of a substantial majority of the Nation's Governors. Bipartisanship is assured by the Articles of Organization which hold that no more than five members of the Executive Committee shall be of a single political party. In addition, the chairmanship of the National Governors' Conference alternates annually between representatives of the two major parties, and a majority of the members of the Executive Committee must be of a party other than that of the Chairman.

NGC maintains active communications between the States and the federal establishment. Through meetings with state officials, members of Congress, federal administrators and their staffs, and key



White House personnel, NGC conveys the concerns and problems of the States to the federal government, and maintains a close watch on decisions at the federal level which have greatest impact in the States.

#### THE NATIONAL CONFERENCE OF STATE LEGISLATURES

The National Conference of State Legislatures (NCSL) was established in January 1975, with the merger of three former legislative organizations—the National Legislative Conference, the National Conference of State Legislative Leaders, and the National Society of State Legislators. Headquartered in Denver, Colorado, and with an office of state-federal relations in Washington, D.C., NCSL is a nonpartisan public interest group serving the Nation's state legislators and their staffs. It is funded by the States and governed by an Executive Committee of 32 legislators.

NCSL has three basic objectives: to improve the quality and effectiveness of State Legislatures; to assure States a strong, cohesive role in federal decision-making; and to foster interstate communication and cooperation.

The Office of State-Federal Relations in Washington works to ensure a meaningful role for state legislators in the federal policy-making process. The Washington staff monitors federal legislation and executive department activities, keeping legislators and staff aware of national developments that affect the States. The development of policy positions for NCSL is the responsibility of the Intergovernmental Relations Committee (IRC). Working with the Washington staff, IRC members regularly testify before Congress, serve on federal advisory panels, and meet with federal agency representatives.

IRC is divided into nine task forces which meet throughout the year and develop policy recommendations. The full NCSL votes on these resolutions at the annual meeting. In 1975, for example, 145 resolutions were enacted on such issues as public employee collective bargaining, medical malpractice, gun control, pollution, the economy, energy, mass transportation, and housing. NCSL is considered

one of the "Big Seven" public interest groups representing state, local, and county governments. NCSL is an affiliate of the Council of State Governments, and works closely with the National Governors' Conference, the National Association of Counties, the National League of Cities/Conference of Mayors, and the International City Management Association. NCSL is also a member of the New Coalition, a national organization bringing together federal, state, and local officials to explore common grounds for problem-solving.

#### *State Services and Legislative Improvement*

NCSL's State Services Division helps Legislatures to upgrade their operations and services. Members of the staff visit all State Legislatures and also bring together a variety of legislative experts to assist a particular State on key issues or problems. State Services also provides assistance for four NCSL standing committees: Legislative Ethics and Campaign Financing, Legislative Improvement and Modernization, Legislative Information Needs, and Reapportionment.

#### *Training and Development*

NCSL's Training and Development Service is a training forum for legislators and their staffs. Training topics are selected on the basis of constituent surveys, and sessions center on key state-national issues or on important legislative procedures.

Grants and contracts from the federal government and national foundations enable NCSL to engage in special projects on behalf of State Legislatures. Examples include monitoring federal and state energy legislation, improving the amount and quality of scientific and technical information available to Legislatures, identifying trends in criminal justice and consumer affairs, and providing practical and technical assistance to Legislatures considering major revisions in school finance systems.

#### THE CONFERENCE OF CHIEF JUSTICES

The Conference of Chief Justices was organized in 1949 to provide an oppor-

tunity for consultation among the highest courts of the States concerning matters of importance in improving the administration of justice and rules and methods of procedure, and the organization and operation of state courts and judicial systems. Membership of the Conference is composed of the highest judicial officer (commonly referred to as the Chief Justice) of each State, the Commonwealth of Puerto Rico, and the District of Columbia, and the Presiding Judge of a court of criminal appeals which is a state court of last resort in all criminal matters; however, each State and jurisdiction is accorded only one vote, cast by the Chief Justice or his alternate.

The Conference is governed by an Executive Council, composed of a Chairman, Deputy Chairman, First Vice Chairman, Second Vice Chairman, five additional members elected by the entire membership, the Immediate Past Chairman, and one additional member to be appointed by the Chairman from a list of former Chief Justices who are still serving as members of State Supreme Courts.

The Conference meets annually and provides a forum for the exchange of experience, views, and suggestions to improve the organization and procedures of state courts. Special committees study and report on court practices.

The Council of State Governments acts as the secretariat for the Conference, undertaking such research as the Conference requests, handling day-to-day correspondence, keeping the official records of the Conference, sending out notices of all meetings, and performing such other functions as the Conference or its Executive Council may direct or request.

#### THE NATIONAL ASSOCIATION OF ATTORNEYS GENERAL

The National Association of Attorneys General was organized in 1907 in order to bring Attorneys General together to enable them to become personally acquainted, exchange information with each other, and cooperate for the improved function of their several offices. The membership of the Association is composed of the Attorneys General of the 50 States, the Attorney General of the

United States, and the Attorneys General of American Samoa, Guam, Puerto Rico, and the Virgin Islands.

Seven standing committees and various special committees of the Association conduct studies and research projects, reporting their findings, conclusions, and recommendations to the membership of the Association. The Association expresses its collective views through resolutions, communications, and testimony on selected subjects to the executive and legislative agencies of the state and federal governments.

In addition to the National Association, regional conferences have been established with their own officers and organization in the East, Midwest, South, and West.

The National Association is governed by an Executive Committee with the Council of State Governments serving as secretariat for the association and, as such, handles day-to-day correspondence, acts as a clearinghouse for information, publishes newsletters and reports of proceedings, keeps members informed on topics of current interest, collects and disburses funds and accounts for funds of the Association, as well as planning and managing of the Association's semiannual meetings.

Publications of the Association include a newsletter containing a digest of selected opinions of State Attorneys General plus news of interest to Attorneys General.

The basic research arm of the Association is the Committee on the Office of Attorney General (COAG), a fully staffed standing committee. COAG has published special bulletins and reports in such areas as antitrust, civil rights, consumer protection, corrections, environmental control, Indian jurisdictions, law enforcement, local prosecutors, organized crime, and welfare. The Committee on the Office of Attorney General is located in Raleigh, North Carolina.

#### THE NATIONAL CONFERENCE OF LIEUTENANT GOVERNORS

Organized in 1962, the Conference is composed of the Lieutenant Governors of the States and Territories of the United

States and of the Commonwealth of Puerto Rico. In States and other jurisdictions which do not provide for the office of Lieutenant Governor, the official who is next in line of succession to the governorship is eligible for membership.

The Conference, which meets annually, has created three study committees which have been active. A Committee on the Office of Lieutenant Governor has studied the role of the Lieutenant Governor and has been developing alternative approaches for structuring the office, dependent on the different traditions and relationships which exist in the States.

Since many of the Lieutenant Governors have been given extensive responsibility, within their jurisdictions, in the area of energy, the Conference has had, since 1972, a Committee on Energy and Natural Resources. A third committee—on National Food Policy—was created in 1975 to emphasize the concern of the States in developing sound policies for the production of food and fiber which take into consideration the needs of producers and consumers, and the role of agricultural commodities in the Nation's export-import balance of trade.

#### THE NATIONAL ASSOCIATION OF STATE BUDGET OFFICERS

The National Association of State Budget Officers (NASBO), founded in 1945, was organized to encourage study and research in state budgeting, to exchange information, and to cooperate for more effective preparation and management of budgets. NASBO is composed of the chief budget officers of the States, their deputies, and heads of finance or administration departments in which the budget office is located. In addition, all budget office staff are associate members.

NASBO is governed by an Executive Committee which appoints full-time staff. NASBO, which affiliated with the National Governors' Conference in 1975, maintains a close working relationship with the Council of State Governments in handling committees and publications.

Training seminars are utilized by NASBO to improve budget staff capabilities in the States. Other Association committees strive to gather and publish

data useful for management improvement, and to work with officials of other organizations and other levels of government for improved relationships and management.

Each of four regions of NASBO conducts programs for budget officers with mutual interests and problems.

#### CONFERENCE OF STATE COURT ADMINISTRATORS

The Conference of State Court Administrators (COSCA), organized in 1955, is a major national judicial organization open to all State Court Administrators and their counterparts in the other political jurisdictions in the United States. Currently 47 States plus the District of Columbia, Guam, and Puerto Rico are members.

The annual meeting of COSCA is held in conjunction with the annual meeting of the Conference of Chief Justices. The Council of State Governments provides secretariat, staff, and research services to COSCA.

#### *Purpose*

The major purpose of COSCA is to deal with the problems of state court systems by formulating fundamental policies, principles, and standards for state court administration; facilitate cooperation, consultation, and exchange of information relating to court administration; and to foster the utilization of the principles and techniques of contemporary business management to improve administrative practices and procedures in all courts.

The policy directions, general management, and liaison activities with other organizations are carried out by the Executive Committee on behalf of the Conference.

The research activity for COSCA is usually undertaken by the staff of the Council of State Governments assigned as Executive Secretary to the Conference. A regular newsletter, *State Judiciary News*, has been published since May 1975 for both the Conferences of State Court Administrators and Chief Justices. Other publications include proceedings of annual meetings, monographs, and special reports.

#### THE NATIONAL ASSOCIATION OF STATE PURCHASING OFFICIALS

The National Association of State Purchasing Officials (NASPO), organized in 1947, is composed of the directors and division managers of state purchasing agencies. The organization is devoted to interstate exchange of innovative state purchasing operations, professional development, and research on government procurement.

NASPO has a professional staff located with the Council of State Governments in Lexington, Kentucky. Major functions of the association include an annual meeting, regional meetings, publication of research and newsletters, and consultation on federally funded projects relative to government procurement.

In 1974 and 1975, NASPO participated with the Law Enforcement Assistance Administration in the first major review of state and local public purchasing operations in recent history. The research resulted in suggested statutory and regulatory language and recommendations for "best practices" in public purchasing operations which at the state and local level amounted to \$75.7 billion in 1973.

To further its leadership role in promoting professional public procurement operations, NASPO incorporated the Public Procurement Research Foundation of NASPO, Inc., in 1975. The foundation is authorized to receive grants and contributions and enter into contracts. The foundation has begun on a modest scale to provide information on specifications, test data, and product availability to state and local officials. When fully developed, the information service is expected to be financed on a user-fee basis.

Ongoing work in cooperation with the

U.S. Bureau of Standards includes development of standards specifications for products purchases by the States. An Experimental Technology Incentives Project (ETIP) has the goal of encouraging private enterprise to produce more technologically innovative products for both the consuming public and for governments.

In its efforts to encourage more competitive business activity, NASPO recently entered into a formal and continuing liaison with the National Association of Attorneys General to pursue antitrust violations.

The interstate communications aspect of NASPO's activity enables the association to detect trends in government organization for the purchasing function and enhance the States' economic perspective.

#### THE COUNCIL OF STATE PLANNING AGENCIES

Organized in 1964, the Council of State Planning Agencies (CSPA) is composed of state agencies responsible for providing staff support for the formulation and coordination of comprehensive plans to guide state development. CSPA, which affiliated with the National Governors' Conference in 1975, provides staff assistance to state policymakers, encourages improved planning of the activities of state governments, and provides the vehicle for collaboration with other state organizations of state officials.

Committees arrange for the exchange of studies and other data among States, cooperate with federal agencies in efforts to improve and simplify the federal grant-in-aid system, and provide technical assistance as requested by other organizations of state officials.

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## INTERSTATE COMMISSIONS

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THIS LISTING contains the names of interstate agencies established by compact or interstate agreement and which had staff resources as of late 1975. More complete information may be obtained from a publication of the Council of State Governments, *The Directory of Interstate Agencies* (RM-571), which includes listings of officers, purposes of the commissions, member States, number of employees, and addresses and telephone numbers of the commissions.

Arkansas River Compact Administration  
Atlantic States Marine Fisheries Commission  
Bear River Commission  
Bi-State Development Agency  
Breaks Interstate Park Commission  
Canadian River Commission  
Connecticut River Valley Flood Control Commission  
Costilla Creek Compact Commission  
Delaware River and Bay Authority  
Delaware River Basin Commission  
Delaware River Joint Toll Bridge Commission  
Delaware River Port Authority  
Delaware Valley Regional Planning Commission  
Education Commission of the States  
Falls of the Ohio Interstate Park Commission  
Great Lakes Commission  
Gulf States Marine Fisheries Commission  
Interstate Commission on the Potomac River Basin  
Interstate Mining Compact Commission  
Interstate Oil Compact Commission  
Interstate Pest Control Compact  
Interstate Sanitation Commission  
Kansas City Area Transportation Authority  
Kansas-Oklahoma-Arkansas River Commission  
Klamath River Compact Commission  
Lake Champlain Bridge Commission

La Plata River Compact Commission  
Maine-New Hampshire Interstate Bridge Authority  
Merrimack River Valley Flood Control Commission  
Minnesota-Wisconsin Boundary Area Commission  
Multistate Tax Commission  
New England Higher Education Compact  
New England Interstate Water Pollution Control Commission  
Northeastern Forest Fire Protection Commission  
Ohio River Valley Water Sanitation Commission  
Pacific Marine Fisheries Commission  
Palisades Interstate Park Commission  
Pecos River Commission  
The Port Authority of New York and New Jersey  
Republican River Compact Administration  
Rio Grande Compact Commission  
Sabine River Compact Administration  
South Central Interstate Forest Fire Protection Compact Commission  
Southeastern States Forest Fire Compact Commission  
Southern Growth Policies Board  
Southern Interstate Nuclear Board  
Southern Regional Education Board  
Tahoe Regional Planning Agency  
Tennessee-Tombigbee Waterway Development Authority  
Thames River Valley Flood Control Commission  
Tri-State Regional Planning Commission  
Upper Colorado River Commission  
Wabash Valley Interstate Commission  
Washington Metropolitan Area Transit Authority  
Washington Metropolitan Area Transit Commission  
Waterfront Commission Compact  
Western Governors' Regional Energy Policy Office  
Western Interstate Commission for Higher Education  
Western Interstate Nuclear Board  
Western States Water Council  
Yellowstone River Compact Commission

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## INTERSTATE COMPACTS

BY FREDERICK L. ZIMMERMANN AND MITCHELL WENDELL\*

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**D**URING THE PERIOD covered by these biennial articles, there have been several changes in the character of the reports. The earlier ones in the series almost invariably contained information on the application of the compact device to new subject matter fields. Then, for a number of years, the development of the federal-interstate compact concept properly received major attention. More recently, the number of new compacts and unusual applications of the mechanism have decreased. New developments in the field have been more in the areas of the program activities of established compact agencies and in the attitudes of the federal and state governments toward the kind of interjurisdictional cooperation represented by the compact approach.

One should expect that in years to come there will continue to be developments in all of these categories, but that constant discovery of genuinely novel applications may be less frequent. The reason is the obvious one—all of the States are now party to a considerable number of compacts in a variety of fields. Perhaps least explored is the federal-interstate compact of which there are still only three full-fledged examples: the Delaware and Susquehanna River Basin Compacts and the Agreement on Detainers.

If the policymakers in federal and state governments come to perceive the opportunities compacts can offer, this form of interlevel cooperation in the federal system can become a versatile and highly effective one. At the present writing, however, this observation is more a pointing to potentialities than a summary of achievements—albeit the three federal-interstate compacts do have accomplishments on the record.

### THE RECENT YEARS

The reportable items since 1973 have centered around activities under existing compacts rather than the development of new ones. The financial stringencies felt by both federal and state governments in 1974 and 1975 did not provide a friendly climate for the conception of new programs. Since new compacts frequently mean the undertaking of new relationships and activities, there has been little encouragement for thinking along these lines. As will be illustrated shortly, this constriction has even affected projects which probably would result in economies in the long run but which require initial capital investment and new operating funds for their inauguration.

Perhaps the most striking illustration in recent compact developments has been the effort of the New England Board of Higher Education (NEBHE), a compact agency, to establish a regional college of veterinary medicine.

New England has no institution for the education of veterinarians and no single State which appears willing to support a college of this type by itself. Accordingly, the New England Board undertook extensive studies which resulted in the recommendation of a regional school which would be a joint public college of the six compact States, or as many of them as might wish to participate. The plan would go into effect with a minimum of four States. At their 1975 sessions, the Legislatures of all but one of the six States had bills to authorize the regional college of veterinary medicine under NEBHE auspices and to provide initial funding. Vermont had a bill only for continued planning of the institution. Legislation did pass both houses in four of the States. However, it was either vetoed because the Governors did not wish to entertain appropriation of new funds for

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the purpose, or enacted without funding. If the New England veterinary medical program is implemented, it will be the first jointly owned and operated institution of higher learning created as a new program and facility rather than as sharing of spaces in programs primarily intra-state in purpose and organization. Further, it would be the first joint interstate facility which is not of the boundary area public works type.

Seven compacts deal with water pollution control, either as their only purpose, or in conjunction with other subject matters. Six of them have interstate or federal-interstate agencies administering water quality management programs. In view of the great changes which have been introduced into the water quality regulatory and planning fields in response to the federal Water Pollution Control Act Amendments of 1972, these agencies have devoted much attention to the roles which may be served by interstate agencies under these altered conditions. Each of the agencies has internally examined its own structure and activities with this situation in mind. The Ohio River Valley Water Sanitation Commission, backed by a grant from the U.S. Environmental Protection Agency (EPA), undertook jointly with the latter agency to secure an independent consultant report on its role and possible programs.

The Interstate Sanitation Commission (New York, New Jersey, and Connecticut) was especially fortunate in that its programs and facilities were already geared to the types of work emphasized in and as a result of the 1972 amendments. Accordingly, it has been able to assume some of the burden of compliance monitoring for the States and EPA. It also has undertaken, with grant assistance, a major investigation of regional sludge management possibilities in the New York-New Jersey Metropolitan Area. The immediate impetus for this activity is the provisions of the Marine Protection, Research and Sanctuary Act, provisions of the 1972 Amendments to the Federal Water Pollution Control Act, and current stated policies of EPA which would require the phasing out of ocean dumping of sludge and many other substances by 1981.

The fastest-growing compact during the past two years has been the Interstate Compact on the Placement of Children. This is an interstate agreement first operative in the early 1960s. It provides for the making of interstate placements of children in foster care preliminary to possible adoption and for adjudicated delinquents when they require special programs not available in the State where adjudicated. It also fixes the basic support and jurisdictional responsibilities with respect to such children. At the close of 1973, 17 States had enacted this compact. By the close of 1975, 34 States had enacted it. This marked upsurge of interest is in large measure due to renewed interest in the plight of children without family homes and to the activities of the American Public Welfare Association which, with the assistance of a grant from the Office of Child Development, U.S. Department of Health, Education, and Welfare, has been able to provide expanded secretariat services for the compact and to States considering its enactment.

#### THE DISTRICT OF COLUMBIA

From time to time, the participation of the District of Columbia in particular compacts has been actively sought, and that jurisdiction is party to several of them. The desirability of such participation springs from the fact that state government functions are performed for the District by its local government. Until the District of Columbia received its present home rule status, compact enactment and participation was unquestionably a unique combination of local and national action. As the District's legislature, Congress was the only authority competent to enact an interstate compact or authorize its execution. In the past, Congress has performed this function as local legislature and it has been recognized that, for compact purposes, the District of Columbia can be considered a State.

Currently, the procedures by which the District will become party to additional compacts are undergoing reexamination. Some interpretations of the home rule statute lead to the conclusion that the local legislative body (Council) of the Dis-



strict can enact compacts because the Council can generally enact all substantive "state type" laws other than its budget, and subject only to the possibility of congressional veto within 30 days. However, another interpretation of the home rule statute is that a compact is an "extraterritorial" measure within the meaning of a provision of the law which reserves such enactments for Congress on behalf of the District. Amid such uncertainty, legislation has been introduced into Congress specifically to authorize the Council to adopt compacts for the District. Until enactment of such legislation, or general agreement on the interpretation of present statutes, the subject may continue to be confusing.

#### THE LONGER VIEW

The difficulty with examining compact developments in two-year chronological segments is that it is hard to fasten on trends. For the most part, this larger purpose is subordinate in these articles to the highlighting of current developments. However, in a bicentennial year it may be appropriate to give some attention to overall meaning and to the longer view. This is especially true when it is considered that the compact is approximately the same age as the Republic, although admittedly, its modern form and uses are much younger.

The truly remarkable thing about the compact device is that it has provided a legal and administrative means of breaking through the jurisdictional and program limitations of state boundaries and also of integrating law and programmatic action on a federal-interstate basis. Recognition of the significance of these features has been less than it might have been because these concepts are more complex than the traditional compartmentalization of thinking about federalism. For generations Americans have been taught that what is too large for a State lies in the domain of the federal government. This view is further nurtured by the fiscal system within the United States which, in modern times, has emphasized the growing dependence of States on financial aid from the national treasury.

Nevertheless, the felt need to decen-

tralize even federal activities gives new cogency to the observation that in a country as large and populous as the United States, everything cannot effectively be handled from the national capital. For the same reasons which support this conclusion, neither the Congress nor the national Administration can effectively grapple with the total range of governmental problems and services. Even among problems which have come to be recognized as heavily national in import, such as water and air quality, energy production and conservation, welfare services, and the processes of transportation and industrial production, federal legislation increasingly looks toward implementation of national policies by the States. However, in many instances, the most appropriate geographic areas for administration of some of the programs may be somewhere between State and Nation. In what is so far an important but limited number of instances, compacts have provided the necessary interstitial bridges to permit States to develop such regional administration. This has been done in some interstate river basins, interstate metropolitan areas, and in some culturally defined regions such as New England and the South. However, much more should be possible along these lines.

While many compacts create new agencies to administer their provisions, a strength of the device is that it utilizes the existing governmental units and generally gives their governmental structures a place in the conduct of the intergovernmental relationship. The compact, whether or not it establishes an interstate or federal-interstate agency, is therefore a means of getting the existing federal and state apparatus to address itself to intergovernmental problems in concert, with the intergovernmental agency as a specialized staff resource for the purpose.

This same kind of approach can be useful on intermunicipal and international bases as well. Because of the symbolisms of international relations and the unfamiliarity of most kinds of subnational concerns to those trained and experienced to think in terms of international diplomacy, cooperation between component units of the federal system within

the United States and subordinate units of other countries has not been nourished to the extent that it might be. However, some cooperation of this sort occurs, especially between contiguous jurisdictions on either side of an international boundary. This has been true particularly in the vicinity of the U.S.-Canadian border. In a few instances, the compact has been used, despite the need to make adjustments to the varying concepts and procedures in the Canadian and United States systems. A recent example is the entry of the Provinces of Quebec and New Brunswick into the Northeastern Forest Fire Protection Compact, reported in the 1974-75 edition of *The Book of the States*.

Local communities on either side of a state line have also been authorized on occasion to enter into agreements which are in effect compacts. This has been done by a number of States on a generalized basis in their interlocal cooperation statutes. It is also done from time to time on a special basis for particular instances, as in the case of some interstate school district arrangements. In 1975, New Hampshire and Vermont enacted such a compact for localities to use in a common sewage treatment venture. The point here is the same as with the international instances—existing units and agencies can handle intergovernmental problems through the compact mechanism. The formality and contractual character of the compact lends a feature of stability

and binding legal force not found in arrangements of a less formal nature.

The subject matter division of jurisdiction in our federal system also produces a need for formal interstate cooperation in which the compact has been useful and could be even more so in the future. Although there is today hardly a field of governmental activity in which the national government does not participate to some extent, education, crime control, public recreation, resources management, and many others remain significantly or predominantly in state hands. Compacts are being successfully employed in all of these areas.

Sometimes an obstacle to greater employment of the compact device is the fear of national and state bureaucracies that some of their policy-making freedom be displaced by interstate or federal-interstate bodies. An interstate agency can be looked upon as a rival for funds or a competitor for specific responsibilities. However, this should not be the case. In a complex federal system, there is enough of a peculiarly interjurisdictional character, or enough that can most efficiently be done by coordinated or pooled resources of member governments to make existing and future compact activities and agencies of the greatest utility. The challenge is to identify the functions and services which can benefit from intergovernmental approaches of a legal and administrative character.

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## Federal-State Relations

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### SIGNIFICANT DEVELOPMENTS IN FEDERAL-STATE RELATIONS

BY CAROL S. WEISSERT\*

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AMERICA'S BICENTENNIAL affords modern-day federalists an excellent opportunity to reassess the workings of the intergovernmental system in this country. In the past 200 years, the States—and the federal government—have had their ups and downs; good years and bad. Yet the system has survived. And the bicentennial year might prove to be one where the States show renewed strength in the federal system.

Beginning in the 1930s with the Roosevelt years, federal involvement in state and local affairs became widespread. Federal standards, federal regulations and, most importantly, federal money provided services, set safety and working standards, and often gave impetus to the establishment of services not before considered governmental functions.

Through the decade of the 1960s and its resultant legislation protecting civil rights, providing direct aid to urban areas, and setting up quasi-governmental agencies to dispense services to specific groups, state governments often were considered a hindrance to be bypassed if possible.

In the early 1970s the intergovernmental system entered a new phase, commonly called the New Federalism. The idea was to decentralize some governmental functions and centralize others, with emphasis on decentralization—

counter to other efforts over the past 30 years. State and local governments would provide essentially local services to their local constituents and diversity would be encouraged to best provide those needs. However, in areas such as welfare, health care insurance, and Social Security, where the aim is to treat all the citizens the same regardless of where they live, federal policy would dominate.

#### GENERAL REVENUE SHARING

The cornerstone of the New Federalism was—and is—general revenue sharing. Signed into law in October 1972, and made retroactive to January 1, 1972, general revenue sharing provided over \$30 billion in nearly “string-free” funds to state and local governments over its first five years. It expires December 31, 1976.

President Gerald R. Ford, early in 1975, supported the continuation of general revenue sharing as it was begun in the first five years. The National Governors' Conference, the National Conference of State Legislatures, and other major public interest groups urged extension of general revenue sharing in 1975. Although it did not pass that year, indications are that it will pass in 1976 before its expiration date.

General revenue sharing represents a significant change in the form of federal assistance. Not only is the approach welcomed by most state and local governments, but the money involved is substantial. General revenue sharing made up some 14.3 percent of estimated federal

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aid to state and local governments in 1975.

#### BLOCK GRANTS

A second significant change—and one that may very well have the greatest impact on the future of federal-state aid—is a form of federal assistance known as block grants. Under this aid program, States would receive money with very few strings to use in broad subject areas.

There are now broad programs of support in five areas—community development, manpower, law enforcement, social services, and health. These programs made up some 10 percent of total federal assistance to state and local governments.

These block grants came into existence in two ways: through merging previously separate categorical grants or starting at the outset with a program having a broad functional scope. Four were created in the former manner; only the Omnibus Crime Control and Safe Streets Act was not such a consolidation.

Although the block grants vary in the amount of strings attached, all have administrative requirements of some sort that entail a burden on the recipient government, and all have some sort of required planning process.

A brief look at each program will point up the differences and similarities among them. The grants are timely since several were very recently passed and two others have been—or are due to be—renewed by Congress. They are important because they represent a new concept in federal-state aid, and are still very much on trial.

*Partnership for Health*—The first block grant was actually passed before the New Federalism became a household word. The Comprehensive Health Planning and Public Health Services Amendments, more commonly known as the Partnership for Health Act, passed in 1966. This law consolidated nine categorical public health service formula grants into one block grant and seven project grant programs into one.

Passage of this act was the first time federal money was awarded to States for comprehensive health planning. Under the law, each State submitted a plan for comprehensive health planning, which design-

nated a single state agency to administer the planning and approve federal grants to areawide health planning agencies. The plan also established a state health planning council to advise the state planning agency. The idea was to provide an integrated approach, involving all levels of government and the private sector, in the planning, financing, and delivery of public health services.

In the original act, mental health was earmarked and a separate section was included for project grants to areas of greatest need and for stimulating initiative in developing new programs. In addition, three separate but related categorical programs were added. The practical effect of these additions was the conversion of this block grant into a small program with a theoretically wide functional focus, but with relatively meager funds and categorical concerns surrounding it. In legislation passed in 1975, the block grant portion of the funding was continued—although with authorization of only \$100 million for fiscal year 1976.

The most significant health legislation had passed in 1974. It was the National Health Planning and Resources Development Act, which created a network of 211 Health Planning Agencies (called health systems agencies or HSAs) to plan, develop, coordinate, and regulate the way health care is provided in the United States. The new HSAs will replace a proliferation of planning and resource agencies, and will be responsible for developing area health service plans, approving or disapproving applications for federal health grants, reviewing and commenting on requests for state approval of new institutional health services, and making grants and awarding contracts for programs and projects aimed at accomplishing the goals of the area health systems plan.

Under the law, HEW is empowered to designate one of three kinds of entities for the HSAs: private, nonprofit corporations; public regional planning bodies; or single units of general purpose government. It appears that many local governments or regional planning bodies are assuming this role in contrast to the roles of those bodies under the former struc-

tures. Over three fourths of the previous health planning bodies were private, non-profit organizations; it appears that fewer will be redesignated under the new structure.

Under the law, the Governors designated boundaries for the health system agencies in their States and consulted with the HEW Secretary in determining the agencies themselves. The *National Journal*, noting that "the intensity of interest that state and local governments are displaying in the new law is unusual," says that the reason for the interest may be that "a national health insurance program will require a network of state and local agencies to help implement and monitor such a massive new federal financing program."<sup>1</sup>

Nevertheless, in the selecting of regions and agencies, and in assuring a strong state role in the promulgation of regulations, the States have been involved in implementation of this law which the *Congressional Quarterly* called "the most important piece of health legislation enacted in 1974."<sup>2</sup>

*Safe Streets Act*—Another major block grant bill enacted into law, the Omnibus Crime Control and Safe Streets Act of 1968, placed a strong emphasis upon planning by the States and required a comprehensive plan by each State, to be approved by LEAA, prior to the States' receiving block grant funds.

Since its inception, the Safe Streets Act has been the object of criticism and controversy but, until recently, little formal research. In late 1975 hearings were begun on the renewal of the program, set to expire at the end of 1976. The Advisory Commission on Intergovernmental Relations conducted a yearlong study of the program as part of a more detailed look at the operation of the federal aid system, and found that the program was "neither as bad as its critics contend, nor as good as its supporters state."

Among the findings of the study were that:

—LEAA has "raised the consciousness" of elected officials and the general public to the crime problem and the needs of the criminal justice system;

—LEAA funds have been used for many activities that otherwise would not have been possible; and

—Most Governors, legislators, and criminal justice officials believe that the federal role in providing broad assistance in this area is appropriate and that availability of Safe Streets dollars, to some degree, has helped curb crime.

On the other hand, the findings noted that:

—Only a handful of state planning agencies (responsible for planning and distribution of funds) have developed close working relationships with Governors and legislators;

—State planning agencies have devoted the vast majority of their efforts to distributing Safe Streets funds and to complying with LEAA procedural requirements, but have not become integral parts of the state-local criminal justice system; and

—Excessive turnover in the top management of LEAA and the state planning agencies has resulted in policy inconsistencies, professional staff instability, and confusion as to program goals.

In considering renewal of the program, Congress is expected to look at the form of the program and consider whether to make it broader (into a less restrictive block grant) or perhaps narrow its approach (such as a project grant).

In addition, Congress can be expected to consider possible allocation of funds to the courts as well as a more definitive role for Governors and state legislators, and designation of funds especially for large cities and counties having the highest crime rate.

*Social Services*—Prior to 1972, grants-in-aid to the States for social services came under the public assistance title of the Social Security Act and were under no ceiling for total expenditures. Annual spending for these grants jumped from \$354 million to nearly \$1.7 billion between 1969 and 1972.

An amendment to the Social Security Act passed in 1972 limited spending in

<sup>1</sup>John K. Inglehart, "States, Cities Seek Role Over Regional Planning Bodies," *National Journal* (August 23, 1975), p. 1207.

<sup>2</sup>"Health Planning Programs," *Congressional Quarterly* (January 11, 1975), p. 89.

the areas of social services to \$2.5 billion in available federal matching funds for States. The legislation limited the amount of money and set some priorities for use of the funds, but still provided considerable discretion to the States as to the kinds of services and the particular individuals and families to be provided those services.

Draft regulations issued in 1973 were unduly restrictive, according to state officials, and were postponed by congressional action until December 31, 1974.

In response to the States and Congress, a new law was signed in January 1975 and went into effect in October—Title XX of the Social Security Act. Title XX is in effect a block grant. Under the new law the States have the flexibility to pick specific programs that best suit their situations as long as at least one program is directed to each of the five broad goals. States also are required to provide at least three services aimed at the needs of Supplemental Security Income (the federal program of assistance to the aged, blind, and disabled).

The new law opens up social services to people with incomes up to 115 percent of the median income for people in their particular State with the same size family. Some of these people will be charged fees on a sliding scale adjusted to their ability to pay.

Within these guidelines, a State can offer any set of services it desires and may set eligibility standards without interference from the federal government.

Instead of the federal government serving as reviewer of plans, the law calls for the public to serve that purpose. Each State must publish its plan for use of Title XX funds and allow the public to comment on these plans prior to final action.

*Comprehensive Employment and Training Act (CETA)*—This law, passed in 1973, consolidated 22 programs into two, with certain target grants still remaining outside its perimeter. The law is a block grant in its allowance of wide discretion to prime sponsor and its use of block grants. Yet the role of the Secretary of Labor is substantive.

Essentially the law offers direct grants to States and about 450 large cities and

county governments to provide manpower training programs and to hire unemployed workers. In order to obtain the funds, state and local governments must develop comprehensive plans to give training to low-skilled, unemployed, or low-paid workers to match them with jobs in demand in local labor markets. Since these plans must be submitted to the Secretary of Labor for approval, the act cannot be considered purely block grant in scope.

At the end of 1974, Congress passed the Emergency Jobs and Unemployment Assistance Act of 1974 which became Title VI of CETA. This law authorized state and local governments to spend \$2.5 billion to hire unemployed workers and furnish related manpower training and supportive services.

*Community Development*—The Housing and Community Development Act of 1974 has been described as "marking the beginning of a new era in relations between the Federal government and units of general purpose local government."<sup>3</sup>

The "new era" refers to the fact that the program's funds go directly to general purpose local governments. All cities of over 50,000 population and most counties of over 200,000 population are entitled to a certain amount of funds based on a formula that takes into account poverty, population, and overcrowded housing. Cities under 50,000 in population apply for funds distributed on a competitive basis. Cities that participated in model units and urban renewal, regardless of size, are entitled to complete existing programs.

The legislation replaced seven categorical grants: urban renewal, model cities, water and sewer facilities, open space, neighborhood facilities, rehabilitation loans, and public facilities loans. Use of the community development funds is flexible; they may be used anywhere within the local government's jurisdiction to serve the needs of low- and moderate-income people or to meet urgent community development needs.

The law requires that the programs

<sup>3</sup>Karen Kerns, "Community Development Block Grants: The First Year," *Nation's Cities* (July 1975), p. 22.

using community development funds give priority to activities that benefit low- or moderate-income families, aid in the prevention or elimination of slums or blight, or meet other community development needs having a particular urgency. A survey conducted by the National League of Cities/U.S. Conference of Mayors Community Development Capabilities Study, found that at least 71 percent of the community development funds were targeted to census tracts in which annual incomes are less than median in the SMSA; two thirds of the funds are targeted for areas that are known to be blighted.

The survey also found that the group of activity receiving the most funds was public works (35.6 percent); housing had 13.5 percent of the total planned expenditures, and public services 13.1 percent.

#### FEDERAL AID IN PERSPECTIVE

The impact of block grants and general revenue sharing on the federal aid system is a significant one. Block grants were first tried in 1966, expanded in 1968, and adopted in quick succession from 1972-75. By 1975 block grants totaled over \$5 billion. The quick emergence of the program is especially significant when compared to 1966 (no block grants) and 1968 (block grants worth slightly more than \$50 million).

In 1966 categorical grants made up 98 percent of federal aid to state and local governments. That total has slipped to little over three fourths of the 1975 outlays. Categorical grants still constitute the large majority of federal aid funds, however, and are increasing both in number and total amount of dollars. Estimates are that there are nearly 600 categorical grants in operation. Those 600 totaled over \$36 billion in 1974 and approximately \$40 billion in 1975.

In fiscal year 1974, federal aid to state and local governments in the form of grants and shared revenues was \$46 billion. Predictions are that outlays will total over \$60 billion in 1976, which would represent a 31 percent increase in aid for the two-year period 1974-76. From 1969 to 1974, federal assistance and shared revenue payments to state and local governments experienced an increase of more

than 127 percent—from \$20 billion to \$46 billion.

In addition, the form of that aid has changed dramatically over the past few years. In 1966 categorical grants made up 98 percent of federal aid to state and local governments. The total has slipped to little over three fourths of the 1975 outlays.

#### CONGRESSIONAL BUDGET REFORM ACT

Another significant occurrence in the fiscal area affecting States was passage of the Congressional Budget Reform and Impoundment Act of 1974. The fundamental purpose of the law was to establish the procedures and the mechanism to enable Congress to deal comprehensively and efficiently with the federal budget.

The new procedures become effective in fiscal year 1977, beginning in October 1976, and revolve around two concurrent resolutions. The first, adopted in the spring, sets forth a target budgetary ceiling. The second, adopted at the end of the fiscal year, provides another look at the priorities set earlier. Any bill pushing spending beyond the limit will be out of order and can be blocked by one member's objection. If the current tax bill does not raise enough money to meet the revenue requirements, Congress will either have to send it back to the tax committees or vote to raise the deficit.

One of the most important items to States in the law is that it will allow States more lead time and a definite schedule of congressional action. With bills passing now at all times of the year, many of them providing funds retroactively, State Legislatures are often caught off-guard and out of session. Planning ahead is difficult, if not impossible, with only intuition or "inside knowledge" to provide information on the potential success or failure of bills meaning millions of dollars to States.

Other parts of the law important to States are that:

- All appropriations bills must detail impact on state and local governments;
- The director of the Office of Management and Budget, in cooperation with the director of the Congressional Budget Office, shall provide fiscal, budgetary, and

program-related data to States and localities to aid them in determining the impact of federal assistance on their budgets;

—The President is prevented from unilaterally impounding congressionally appropriated funds; and

—The concurrent resolution will include estimated levels of tax expenditures under current tax laws.

#### CONCLUSION

In the mid-1970s we have witnessed improved cooperation, coordination, and better understanding between federal and state governments. Illustrations include:

- In 1975, highway funds, previously impounded, were released; yet many States were unable to come up with the matching required to receive those funds. The National Governors' Conference adopted a resolution urging that all States' matching requirements be lifted for two years on currently impounded Highway Trust Funds. The requirements were lifted.

- In 1974, President Ford held a series of economic summit conferences across the country. A conference with state and local officials was one of the key sessions.

- In 1975, a series of Domestic Council hearings on priorities was held across the country. For years, the National Governors' Conference and the National Conference of State Legislatures have urged that field hearings be held whenever possible.

- State and local officials have played a stronger role in working with the Office of Management and Budget in providing input into the President's budget.

- State officials joined with groups representing local officials in opposing Department of Justice regulations on data processing equipment used for criminal justice information. The regulations ordered state and local governments to dedicate any equipment used for criminal justice information exclusively to that purpose and said that only criminal justice agencies could operate the dedicated equipment. State and local officials objected that the costs for such dedication would be exorbitant and that the system

would encourage as many abuses as it sought to prevent. The regulations were withdrawn and new regulations promulgated.

- States continued their strong leadership role in the area of energy—particularly toward the short-term goal of energy conservation. They imposed strict conservation measures on state facilities and encouraged similar programs for local governments; they provided public education and information on energy programs and solutions; they renewed energy impacts on all state programs; they passed state building code legislation; and they passed legislation to determine alternative utility rate structures to promote conservation while not causing adverse impacts on the economy of the State or area.

- The National League of Cities and the National Governors' Conference, along with 20 States and four cities, brought what may be a landmark suit to the Supreme Court when they contended that the 1974 Fair Labor Standards Act Amendments, which would extend federal minimum wage and overtime pay protection to all nonsupervisory state and local employees (including police and firefighters), violate constitutional federalism by purporting to make state and local government personnel policy the province of the national government. The outcome is especially important in light of legislation pending in Congress to set federal standards in the areas of public pensions, collective bargaining, and workmen's compensation.

Thus, the past few years have been significant for the States in the federal system. With freer block grants and general revenue sharing, States have more discretion without risking loss of federal funds. With the diverse impacts on States caused by the economy and resource shortage, the States have provided programs and policies directed to their particular States rather than simply adopting national goals. With accompanying innovations in the States in the areas of environmental legislation, energy conservation, land use planning, open government, and consumer legislation, to name a few, the States are reasserting their role as "the laboratories of democracy."



PERCENTAGE OF STATE AND LOCAL GENERAL EXPENDITURES,  
FROM OWN REVENUE SOURCES, FINANCED BY STATE  
GOVERNMENTS, BY STATE: 1973-74\*  
(Total and for selected functions)

State	Total general expenditure	Local schools	Highways	Public welfare	Health and hospitals
All States.....	55.5	46.6	72.3	77.9	50.7
Alabama.....	67.1	73.5	75.0	92.0	47.5
Alaska.....	76.2	75.6	64.0	97.6	77.0
Arizona.....	57.5	42.0	72.6	86.3	46.0
Arkansas.....	73.4	57.5	100.0	97.8	49.6
California.....	50.8	45.3	69.3	64.5	35.1
Colorado.....	49.7	39.9	62.7	76.0	54.5
Connecticut.....	52.7	24.5	73.5	93.0	85.6
Delaware.....	77.5	75.1	81.2	99.6	100.0
Florida.....	59.0	62.5	91.6	82.6	34.2
Georgia.....	60.0	61.9	78.5	80.7	37.2
Hawaii.....	78.2	96.7	56.0	100.0	97.5
Idaho.....	65.4	48.7	74.2	89.8	39.4
Illinois.....	50.3	44.3	73.1	86.5	57.6
Indiana.....	51.8	41.3	97.0	56.5	37.9
Iowa.....	57.2	41.1	74.1	72.9	37.6
Kansas.....	50.2	47.7	61.5	78.4	57.3
Kentucky.....	67.5	63.3	86.0	95.0	59.2
Louisiana.....	70.1	65.7	76.8	95.1	65.6
Maine.....	57.4	38.6	65.3	91.6	86.3
Maryland.....	57.8	50.2	85.2	84.7	75.3
Massachusetts.....	57.0	25.5	74.9	93.7	63.0
Michigan.....	56.0	52.1	80.0	91.3	50.9
Minnesota.....	61.4	61.0	54.8	33.9	51.7
Mississippi.....	74.2	69.5	82.7	94.9	38.3
Missouri.....	50.4	37.8	74.1	95.2	42.4
Montana.....	53.8	43.7	59.2	52.6	69.9
Nebraska.....	46.1	22.6	59.8	66.6	49.1
Nevada.....	49.0	40.3	77.0	51.9	22.3
New Hampshire.....	50.6	7.6	71.5	48.0	79.3
New Jersey.....	45.6	30.4	61.7	84.8	48.6
New Mexico.....	83.4	74.5	81.9	91.3	69.9
New York.....	47.7	41.1	50.1	66.4	44.8
North Carolina.....	68.5	76.2	86.2	44.0	64.6
North Dakota.....	69.4	46.1	58.9	64.1	96.2
Ohio.....	52.5	34.8	76.0	70.5	41.3
Oklahoma.....	62.9	53.7	82.9	98.0	54.5
Oregon.....	52.7	24.6	84.6	96.0	63.7
Pennsylvania.....	63.7	52.5	81.3	93.0	85.3
Rhode Island.....	62.6	39.5	26.6	100.0	98.2
South Carolina.....	73.5	68.0	99.3	88.2	49.6
South Dakota.....	54.6	15.3	61.5	88.1	62.5
Tennessee.....	54.8	51.9	80.4	83.2	40.5
Texas.....	49.8	53.3	57.4	93.0	48.6
Utah.....	62.8	61.9	69.3	88.3	66.0
Vermont.....	67.8	35.1	66.0	97.5	95.4
Virginia.....	61.3	36.7	85.8	81.7	84.9
Washington.....	56.1	48.9	66.5	100.0	50.2
West Virginia.....	70.3	64.1	91.9	97.3	61.9
Wisconsin.....	65.8	39.0	49.2	62.3	66.0
Wyoming.....	51.6	36.3	86.2	51.6	27.0

\*Prepared by the Advisory Commission on Intergovernmental Relations from various reports of the Governments Division, U.S. Bureau of the Census; and National Education Association, *Estimates of School Statistics, 1974-75*. (Copyright 1975 by the National Education Association, all rights reserved.)

Note: Percentages for total general expenditure, highways, public welfare, and health and hospitals were derived from U.S. Bureau of the Census data on expenditures adjusted to

exclude federal intergovernmental transfers. State transfers to local governments are included with state expenditures and deducted from local expenditures. The local school percentages were derived from estimated receipts available for expenditure for current expenses, capital outlay, and debt service for public elementary and secondary schools as reported by the National Education Association.

PERCENTAGE OF STATE AND LOCAL EXPENDITURES FOR SELECTED FUNCTIONS,  
BY GOVERNMENTAL SOURCE OF FINANCING, BY STATE\*

State or other jurisdiction	Local schools, 1974-75(a)			Highways, 1973-74			Public welfare, 1973-74			Health and hospitals, 1973-74		
	Federal aid (b)	State funds	Local funds (c)	Federal aid	State funds	Local funds	Federal aid	State funds	Local funds	Federal aid	State funds	Local funds
United States.....	7.8	43.6	48.6	22.7	55.8	21.5	54.2	35.3	10.5	5.7	47.1	47.2
Alabama.....	14.0	63.1	22.9	31.6	51.3	17.1	67.3	30.1	2.6	6.8	44.3	48.9
Alaska.....	18.3	64.2	17.5	60.8	25.1	14.1	28.1	70.1	1.7	26.8	56.4	16.8
Arizona.....	8.9	49.8	41.3	35.7	46.7	17.6	45.2	47.2	7.5	7.5	42.6	50.0
Arkansas.....	16.2	51.0	32.9	17.5	82.5	...	69.9	29.5	0.7	16.3	41.5	42.2
California.....	9.0	38.6	52.4	20.5	55.1	24.4	49.3	32.7	18.0	3.4	33.9	62.7
Colorado.....	6.4	37.8	55.8	27.2	45.6	27.1	64.0	27.4	8.6	13.4	47.2	39.4
Connecticut.....	3.0	23.5	73.5	17.1	60.9	22.0	55.0	41.9	3.1	4.8	81.5	13.7
Delaware.....	7.2	68.1	24.6	36.0	52.0	12.0	48.3	51.5	0.2	13.4	86.6	...
Florida.....	8.4	58.0	33.6	22.1	71.3	6.6	55.2	37.0	7.8	4.9	32.5	62.6
Georgia.....	12.6	55.3	32.1	24.1	59.6	16.4	77.2	18.4	4.4	3.4	35.9	60.7
Hawaii.....	8.3	88.7	3.0	38.3	34.5	27.2	43.7	56.3	...	11.6	86.2	2.2
Idaho.....	11.9	45.3	42.7	33.8	49.1	17.1	44.3	50.0	5.7	17.0	32.7	50.3
Illinois.....	5.4	44.6	50.0	19.4	58.9	21.7	74.5	22.0	3.4	4.6	55.0	40.4
Indiana.....	5.7	34.1	60.1	20.9	76.7	2.3	44.4	31.4	24.2	4.2	36.3	59.5
Iowa.....	5.8	42.9	51.3	11.8	65.3	22.9	42.9	41.6	15.5	4.8	35.8	59.4
Kansas.....	8.3	43.7	48.0	20.8	48.7	30.5	48.2	40.6	11.2	4.6	54.7	40.7
Kentucky.....	12.8	55.3	31.9	29.8	60.4	9.8	53.9	43.8	2.3	10.0	53.3	36.7
Louisiana.....	17.4	54.2	28.4	26.7	56.3	17.0	68.7	29.8	1.5	5.7	61.8	32.4
Maine.....	9.3	35.0	55.7	21.6	51.2	27.2	62.5	34.4	3.2	7.7	79.6	12.7
Maryland.....	6.7	45.1	48.2	19.2	68.9	12.0	48.4	43.7	7.9	9.1	68.4	22.5
Massachusetts.....	5.1	23.9	71.0	21.9	58.5	19.6	39.7	56.5	3.8	6.0	59.3	34.7
Michigan.....	3.8	51.3	44.9	21.8	62.5	15.6	47.6	47.8	4.5	5.9	47.9	46.2
Minnesota.....	4.7	58.2	37.1	18.8	44.5	36.7	49.9	17.0	33.1	5.7	48.8	45.6
Mississippi.....	23.0	54.6	22.3	16.3	69.3	14.4	69.0	29.4	1.6	6.7	35.7	57.6
Missouri.....	6.5	35.4	58.1	23.6	56.6	19.8	54.0	43.8	2.2	9.3	38.4	52.2

Montana.....	8.4	39.7	52.0	43.6	33.4	23.0	53.5	24.4	22.0	15.1	59.3	25.6
Nebraska.....	10.6	22.9	66.5	19.3	48.2	32.4	51.3	32.5	16.3	10.4	44.0	45.6
Nevada.....	6.7	36.0	57.3	40.3	45.9	13.7	42.8	29.7	27.5	5.7	21.0	73.2
New Hampshire.....	2.8	7.2	90.0	16.1	60.0	23.9	47.1	25.4	27.5	12.7	69.2	18.1
New Jersey.....	5.6	31.2	63.1	17.9	50.6	31.5	46.7	45.2	8.1	5.9	45.7	48.4
New Mexico.....	17.0	64.5	18.4	33.0	54.8	12.1	70.0	27.4	2.6	16.3	58.6	25.2
New York.....	4.7	41.3	54.0	14.2	43.0	42.8	57.7	28.1	14.2	1.9	43.9	54.2
North Carolina.....	11.8	68.3	19.9	27.0	62.9	10.1	64.4	15.6	19.9	7.9	59.6	32.6
North Dakota.....	8.7	42.6	48.7	31.9	40.1	28.0	67.5	20.8	11.7	20.7	76.3	3.0
Ohio.....	5.9	34.7	59.5	20.7	60.3	19.0	44.8	38.9	16.3	10.0	37.2	52.8
Oklahoma.....	10.1	51.2	38.8	21.0	65.5	13.5	70.1	29.3	0.6	10.4	48.8	40.8
Oregon.....	5.8	25.5	68.7	26.6	62.1	11.3	46.2	51.7	2.1	8.9	58.0	33.1
Pennsylvania.....	7.8	49.9	42.3	22.6	62.9	14.5	45.1	51.1	3.9	4.4	81.6	14.0
Rhode Island.....	8.8	35.5	55.7	57.4	11.3	31.3	49.9	50.1	...	5.9	92.3	1.7
South Carolina.....	14.2	60.2	25.7	22.7	76.8	0.5	71.0	25.6	3.4	11.7	43.8	44.5
South Dakota.....	15.0	13.0	72.0	27.7	44.4	27.8	65.3	30.6	4.1	12.6	54.6	32.8
Tennessee.....	10.6	49.7	39.7	20.2	64.2	15.6	64.5	29.6	5.9	8.2	37.2	54.6
Texas.....	10.2	48.4	41.4	22.1	44.7	33.2	64.1	33.4	2.5	8.0	44.8	47.3
Utah.....	6.9	58.2	46.9	36.8	16.3	16.3	66.8	29.3	3.9	12.8	57.6	29.7
Vermont.....	6.0	33.1	60.9	33.7	43.7	22.6	66.6	32.6	0.8	17.7	78.5	3.8
Virginia.....	10.6	34.0	55.3	22.5	66.5	11.0	53.5	38.0	8.5	5.2	80.5	14.3
Washington.....	7.9	46.5	45.6	22.1	51.8	26.1	53.9	46.1	...	6.1	47.1	46.8
West Virginia.....	13.1	54.6	32.3	53.8	42.4	3.7	67.2	31.9	0.9	8.0	56.9	35.0
Wisconsin.....	4.3	37.0	58.7	10.9	43.8	45.3	48.5	32.1	19.4	3.2	63.9	32.9
Wyoming.....	9.3	33.3	57.4	39.5	52.2	8.4	48.9	26.4	24.7	12.1	23.7	64.2
Dist. of Columbia.....	18.8	...	81.2	33.9	...	66.1	46.3	...	53.7	6.2	...	93.8

\*Figures on elementary and secondary education are from the National Education Association, *Estimates of School Statistics, 1974-75* (Copyright 1975 by the National Education Association; all rights reserved). Figures on highways, public welfare, and health and hospitals were compiled by the Advisory Commission on Intergovernmental Relations from various reports of the Governments Division, U.S. Bureau of the Census.

(a) The local school percentages were derived from estimated receipts available for current expenses, capital outlay, and debt service for public elementary and secondary schools as reported by the National Education Association.

(b) Includes federal grant programs to state and local school systems, including the Elementary and Secondary Education Act, Economic Opportunity Act, National Defense Education Act, Manpower Development and Training Act, Educational Professional Development Act, aid to federally impacted areas, vocational education, etc. Funds received from the School Lunch and Milk Program are included, but reporting on the money value of commodities received is incomplete. Funds from the States' share of federal general revenue sharing are included.

(c) Includes funds from local and intermediate sources, gifts, and tuition and fees from patrons.

# 3

## State - Local Relations

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### STATE-LOCAL RELATIONS IN 1974-1975

BY GEORGE S. BLAIR\*

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FOR NEARLY 200 years, Americans have tried to reconcile the twin goals of diversity and unity through a federal system that provides for a sharing of power between a central government and state and local governments. Painting with broad strokes of the brush, it can be stated that the first century of our federal union stressed its federal aspects while the second century emphasized union. As our Nation begins its third century, it is strongly evident that States and their local communities are still major political and economic forces in American life and that it is important that their interrelationships continue to be examined to make the delivery of services to their citizens more effective.

"State Responsibilities to Local Government: An Action Agenda" was the major theme of the National Governors' Conference at its 67th annual meeting in New Orleans in June 1975. The seven major issues considered were (1) coping with growth policy and land use management, (2) defining the state and local fiscal relationship, (3) improving health planning and delivery of services, (4) providing for community development and housing, (5) devising energy policy and programs, (6) overhauling the criminal justice system, and (7) developing a balanced transportation system. Actions in each of these issue areas will be reported

after a summary of the highlights of the biennium relating to local government modernization.

#### LOCAL GOVERNMENT MODERNIZATION

State legislative and constitutional action on the general issues of local government structure and powers was quite extensive. Voters in Arkansas approved a new constitutional amendment extending residual home rule powers to counties effective January 1, 1977. Subject to eight limitations, counties in Kansas were granted the power of home rule by legislative action, and a new Kentucky law permits urban county governments to exercise county home rule statutory powers. Legislation in Florida provides that a county charter may prescribe one of three optional forms of county government and that noncharter counties may adopt the county administrator form by ordinance. The South Carolina Legislature, pursuant to a new constitutional article on local government, enacted a home rule law allowing counties the choice of five forms of government, several options in making the transition to home rule, and three forms of government for municipalities. Procedures for the adoption of home rule charters were also enacted in South Dakota. The New York Legislature amended the State's village law to allow the adoption of the manager form of government by villages.

In November 1975, Texas voters vetoed a new constitution which would have granted substantially greater powers to

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local governments. Voters would have been empowered to alter the structure of their county government by changing the number of county commissioners and to abolish, combine, or create new county offices with certain restrictions.

Local government consolidation was provided for or made easier in several States. California legislation provides procedures for the consolidation of two or more counties. The initiative for such action may occur by resolution of the county board or by petition of the electorate. Legislation in Florida permits the merger of cities by the adoption of concurrent ordinances by the governing bodies or by a majority vote of the electors in each city. A Kansas law authorizes the consolidation of local governments, and a consolidation did occur between two cities in Virginia. A Michigan city located in two or more counties may now place on the ballot the question of adjusting county boundaries to include the entire city within one county.

Georgia legislation permits county boards in counties under 40,000 to create the office of county manager without the need for formal legislative action or voter approval. Qualifications for county assessor were prescribed by the Oregon Legislature, and the title of the office of tax assessor was changed to property assessor in Florida. New Mexico legislation establishes five-member governing boards in counties with populations of 100,000 or more, and a West Virginia law gives county boards the authority to employ a county administrator. The Arkansas Legislature revised provisions for the general administration of county government.

Joint powers legislation was also enacted in several States. Kansas legislation authorizes two or more local governmental units to perform jointly any administrative procedure or function. Voter approval is required only if the proposed consolidation involves the elimination of an elective office. A Wyoming statute empowers local governments to enter into agreements for the cooperative provision of urban services, and Utah legislation enables local governments to establish special districts to provide specific services, to levy taxes, and to issue bonds upon

general law authorization by the State Legislature.

In other actions, California voters approved a constitutional amendment permitting counties and cities to amend their charters without having to obtain legislative approval. Maryland legislation provides for the suspension and removal of local elected officers for specified misconduct and the filling of vacancies so created. Cities in Virginia were asked to delay new annexation attempts until July 1, 1976, while the matter was reviewed by the Legislature. Councils on Intergovernmental Relations were established in Georgia and Michigan to serve as forums for the discussion and coordinated action on mutual problems. Colorado legislation now prohibits annexation without popular referendum and approval.

#### GROWTH POLICY AND LAND MANAGEMENT

Legislative action in a number of States enhanced the role of the State in land use and growth decisions and gave new support to local growth policies. California legislation prescribes that local governments must file environmental impact statements for proposed developments. The Colorado Legislature granted land use control powers to local governments, but the State retained backup powers to force local governments to deal with land use problems. A new Environmental Quality Commission in Hawaii requires the preparation of environmental impact statements and their review by county governments before action can proceed, and local governments in Montana must require subdividers to provide environmental assessments.

Alaska legislation provides that any real property of the State which is sold, leased, or transferred for private use must meet local planning and zoning standards in communities with higher standards than those of the State. Local governments in Colorado may now designate certain land areas which they wish to administer in such areas as mineral resources, natural hazard areas, and airport sites. In Maryland, local governments are required to designate areas of critical state concern as part of their comprehensive plans submitted to state planning of-

ficials. Massachusetts legislation established a special commission to regulate development which affects more than one community in the Martha's Vineyard area. The State Corporation Commission in Virginia is now required to take local comprehensive plans into account when considering the impact of proposed electrical utility facilities.

In other actions, Connecticut city and town officials were given broad powers to buy land and institute development projects without voter approval. New Florida legislation requires all local governments to institute comprehensive land use plans by 1980. A new Michigan law is aimed at checking growth on valuable farmlands by granting tax subsidies to farmers who sign a 10-year agreement to limit development on their property strictly to farming-related structures and improvements. New Jersey voters approved a "Green Acres" bond issue to enable the State and local governments to purchase farm and other rural land for recreational use. South Dakota legislation removed previous ambiguities in local zoning laws and requires counties to prepare land use plans. Each Virginia city and county is required to appoint a local planning commission by July 1, 1976, and to adopt a subdivision ordinance by July 1, 1977.

#### FISCAL RELATIONSHIPS

As the once open hand offered by the federal government to local communities more nearly approached the specter of a closed fist, States became a growing force in the Nation's economy and increased their impact on the finances of local communities. Efforts to achieve a better fiscal balance among the "big three" revenue producers for state and local governments are shown in the following table. While reliance on the property tax is diminishing, it is still the largest single source of revenue.

The property tax circuit-breaker program to protect families from undue property tax burdens continued to gain legislative support. New programs were adopted in Idaho, Maryland, Oklahoma, and the District of Columbia, and existing programs were amended in Colorado,

GROWTH OF THE BIG THREE  
STATE-LOCAL TAXES: 1971-74\*

Revenue	Percentage growth over previous fiscal year		
	1972	1973	1974
Property tax	11.6	6.6	7.8
General sales tax	16.3	12.1	14.8
Individual income tax	33.5	16.6	8.8
Total big three	15.2	10.1	8.9

\*Source: Advisory Commission on Intergovernmental Relations, *State Actions 1974: Building on Innovation* (Washington, D.C., February 1975), p. 11.

Connecticut, Illinois, and Maine. In 1974, these programs provided a total of \$447 million in relief to 3.02 million claimants in 21 States.

The level of state support for public schools increased rather significantly, rising from an average level of 40.6 percent support in 1972-73 to 43.6 percent in 1973-74. Hawaii provides full state funding. Maine legislation gives the State responsibility for equalizing resources among school districts and for paying about 50 percent of local school costs. Programs for increased state aid were also approved by Legislatures in California, Florida, Iowa and New York.

Legislatures continued to act to diversify local revenue structures. Counties in Indiana increased their option to adopt the local income tax first approved in 1973. A Washington law provides for a general revision of the revenue and taxation structure of local governments and to permit a tax increment to finance urban renewal.

Georgia legislation restricts county and city debt limits to not more than 10 percent of the assessed value of taxable property therein. Maine removed the constitutional debt limit on cities and provides for regulation by the State Legislature. New York removed the indebtedness for sewage treatment plant construction from the constitutional debt limitations on local governments. Maine now permits local governments to issue bonds for the development of municipal industrial parks with voter approval, and Missouri reduced the vote required for approval of city revenue bonds for utility, industrial and airport purposes from 57 percent to a simple majority. Cities and counties in Texas which border on the Gulf of

Mexico are empowered to issue bonds for the construction of seawalls and breakwaters with approval of resident taxpayers.

#### HEALTH PLANNING AND SERVICES

Actions to implement the requirement of the Health Planning and Resource Development Act of 1974 that States designate substate health service regions were taken in a number of States. Hawaii took an interim action by creating an advisory council to establish state-assisted areawide health planning councils.

Several actions were taken in the field of mental health. Arizona established stringent new mental commitment procedures and spelled out the civil and legal rights of mentally ill patients. A Task Force on Mental Health Standards in Health Care Facilities was created in Colorado to develop coordinated state standards and programs in the provision of mental health services. Patients in hospitals for the mentally ill in Delaware were recipients of a new state law which prescribes a bill of rights for them, and the Michigan Legislature passed a new mental code which included a bill of rights for the mentally ill and retarded.

Under a new regional approach to medical education in West Virginia, community hospital facilities will be used for instructional purposes and also serve as regional health care facilities. A Minnesota law provides for state assumption of 80 percent of local costs for medical assistance and care for the medically indigent. Actions to encourage or permit prepaid group medical practice plans had occurred in 17 States.

#### COMMUNITY DEVELOPMENT AND HOUSING

As States have been phased out of the broker role in securing federal funds for housing, housing has become a major issue in state government.

In 1974, the Minnesota Legislature established one of the first urban home-steading plans. Other Minnesota legislation provides financial support for persons unable to bring their homes up to code specifications. A third Minnesota act empowered the Minnesota Housing

Agency to establish standards for rural areas where no housing codes exist.

The Hawaii Legislature also responded with a comprehensive program to meet housing needs. One law encourages the development and construction of low-income housing by granting counties the same powers as the State in regard to housing project provisions. The county is authorized to acquire necessary land to develop and construct dwelling units and to provide assistance and aid to persons or public agencies in developing or rehabilitating housing for persons with low income.

Laws revising or regulating tenant-landlord relations were enacted in Alaska, Maryland, Montana, Nebraska, Ohio, Virginia, and Washington. The Washington law provides that disputes between tenants and landlords be settled by arbitration. Florida legislation provides a bill of rights for condominium owners and buyers, and that the blind cannot be discriminated against in housing accommodations. A New York law allows the election of tenant representatives on municipal housing authorities.

#### ENERGY POLICY AND PROGRAMS

State actions in energy policies and programs were particularly numerous in 1974, the year the gasoline shortage hit drivers across the Nation. For example, Colorado empowered cities and towns to become shareholders in corporations or companies to effect development of energy resources. With legislative authorization, local governments in Florida can participate in the ownership, construction and operation of electrical energy generating or transmission facilities. Idaho counties were authorized to issue revenue bonds to finance acquisition of environmental pollution control facilities. New Hampshire legislation grants municipalities the option of granting property tax exemption for use of solar energy.

A new South Dakota law empowers municipalities to enter into electric service contracts with other public bodies and utilities. A second law permits the financing of municipal utility systems with revenue bonds in South Dakota.

## CRIMINAL JUSTICE

Increasing crime rates prompted a wide range of state legislative actions in the area of criminal justice. Court reforms were advanced in at least five States. Maine legislation empowers the Governor to appoint justices of the peace and notaries public to an initial term with the approval of the executive council. Ohio implemented a new district organization of its common pleas courts.

South Dakota's comprehensive magistrate system will replace justices of the peace and lower court judges in January 1976.

Texas legislation extended the general jurisdiction of probate to the district court, and a Wisconsin law provides for the removal of judges of the county or municipal court by the Legislature.

In Colorado, local governments are authorized to establish, maintain, and operate community correctional facilities for offenders designated by the State Department of Institutions to have potential for rehabilitation. Georgia legislation requires judges rather than juries to sentence persons convicted of crimes other than capital felonies. A new state legal aid program was established in West Virginia under which a person who qualifies for state legal assistance chooses his own attorney.

New Florida legislation established a "bill of rights" for law enforcement officers and requires the creation of a complaint review board. Police participating in regional crime squads in Connecticut are empowered to act in any municipality with an organized police department. Georgia legislation authorizes county sheriffs to contract with cities within the county to provide law enforcement services.

County boards in Iowa may abolish the office of public defender by resolution, and a new Mississippi law allows certain counties to join together for the remodeling and expansion of jail facilities. New Mexico legislation provides that a conviction may not automatically bar a person from public employment or the right to a license to practice a trade, business, or profession.

## TRANSPORTATION

The current energy crisis has stimulated state action to achieve more balanced transportation systems. California voters approved a proposal to permit some state gasoline tax revenues to be used for the development of mass transit systems. The Illinois Legislature approved a comprehensive operating subsidy program for existing and new mass transit systems in rural areas. Missouri cities of 500 or more population are now permitted to levy an additional  $\frac{1}{2}$  cent sales tax to fund buses or other transportation. Utah legislation permits counties to increase the property tax levy for public transportation use upon voter approval, and mandates that \$1 million from state liquor profits be used on a per capita basis to finance transit facilities in cities and counties.

The Department of Human Resources in Kentucky was authorized to contract with local school boards for the use of school buses to transport the elderly and the handicapped, and with certain limitations school districts may operate school buses for general public transportation.

Larger cities in Kentucky were authorized to obtain certificates to operate city-owned bus systems, and New Hampshire empowered its cities to establish, acquire and operate public transportation facilities in cooperation with governmental units in adjoining States. Cities and counties in Missouri may combine to form regional port facilities with the approval of the State Transportation Commission. A new Oregon law provides for the organization of transportation districts and authorizes them to develop and operate public transportation systems. Virginia counties, not members of a transportation district, are now permitted to create and operate public transportation systems, and counties in Washington in which no metropolitan transit system operates may create a county transit authority to provide public transportation.

## SUMMARY

This summary of activities covering state-local relations in eight selected areas is necessarily selective in its coverage and



incomplete in its reporting. However, the efforts reported upon reflect the concern of the States for the problems that are both state and local in impact and importance and their initiative in meeting them. Partly by their own initiative and partly by necessity, States are assuming a new role of leadership in our federal system. Events of this past biennium indicate that the States are moving to clarify their responsibilities to their local governments and to assist and encourage these communities to meet the needs of their citizens.

## SELECTED REFERENCES

- Advisory Commission on Intergovernmental Relations. *American Federalism: Into the Third Century*. Washington, D.C. May 1974.
- Advisory Commission on Intergovernmental Relations. *Changing Public Attitudes on Governments and Taxes*. Washington, D.C. July 1975.
- Advisory Commission on Intergovernmental Relations. *Federalism in 1974: The Tension of Interdependence*. Washington, D.C. February 1975.
- Advisory Commission on Intergovernmental Relations. *State Actions in 1974: Building on Innovation*. Washington, D.C. February 1975.
- Council of State Governments. *State Government News*. Lexington, Kentucky. (Monthly).
- National Association of Counties. *County News*. Washington, D.C. (Weekly).
- National Governors' Conference. *States' Responsibilities to Local Governments: An Action Agenda*. Washington, D.C., October 1975.
- National Municipal League. *National Civic Review*. New York, New York. (Monthly).

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## STATE AID TO LOCAL GOVERNMENTS IN 1974\*

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STATE GOVERNMENTS over the course of many years have provided significant financial assistance to local governments in support of both operational costs and capital expenditures. For the past four decades, state intergovernmental expenditure to local governments has amounted to between 34 and 41 percent of total state general expenditure.

State payments to local governments include federal funds received for distribution either directly to the local units or in combination with state funds. Since much of the local aid payments consists of intermingled state-federal monies, it has been difficult to separately identify each revenue source. On a gross basis, since 1962 state revenue received from the federal government has amounted to between two thirds and three fourths of state payments to local governments. This comparison, however, is far from adequate since further analysis is called for as to the proportion of federal intergovernmental revenue received by the State that is utilized for state activities per se and what proportion is actually passed through to local governments. The figure below compares fiscal 1974 state intergovernmental revenue from the federal government and payments to local govern-

ments (amounts are in billions of dollars; because of rounding, detail does not add to total).

State payments to local governments consist of grants-in-aid, state-collected locally shared taxes, payments in lieu of taxes, and reimbursements to local governments for services performed for the States. State payments also include the extension of contingent loans, of which repayment by the local governments is on a conditional basis.

Excluded from the concept of state aid in the form of intergovernmental expenditure are various transactions or activities which benefit local governments, but do not involve an actual flow of funds from the State, such as the following:

1. Nonfiscal assistance by a State to local governments in the form of advisory services or aid in kind (e.g., free provisions of commodities or textbooks, or the loan of equipment).

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 units which, unlike contingent loans, are repayable over a specified time period. These are classified as investment or debt transactions.

Virtually all of the fiscal 1974 amounts reported as state intergovernmental expenditure, and all such expenditure for prior years, reflect state payments to localities. For fiscal 1974, for the first time, the state intergovernmental expenditure amount also reflects \$341 million in payments to the federal government.

These payments represent a change in the administration of public welfare categorical cash assistance programs. The federal government has implemented the

Function	To local governments	From federal government
Total .....	45.6	31.6
Education .....	27.1	6.7
Public welfare .....	7.4	13.3
General support ....	4.8	2.0
Highways .....	3.2	4.5
Miscellaneous and combined .....	3.2	5.0

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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 Census report, *State Payments to Local Governments* (Vol. 6, No. 3, of the 1972 Census of Governments), and annual report, *State Government Finances*.

Supplemental Security Income program for aid to the needy, aged, and disabled, and now makes these cash assistance payments directly to individuals (although some States provide supplemental payments), with reimbursement by the States for their share of the cost. A breakdown of these state-to-federal payments is provided in Table 5.

#### STATISTICAL FINDINGS

State intergovernmental expenditure totaled \$45.9 billion in fiscal 1974, or 12.5 percent more than the \$40.8 billion reported in 1973. Of the 1974 total, \$45.6 billion represents state aid to local governments, which thus increased by 11.7 percent over the previous year's total. Fiscal 1974 state payments to localities accounted for 38 percent of total state general expenditure.

These state distributive payments to local governments have made up a consistent portion of total state general expenditure over the past 20 years. This percentage relationship has ranged from a low of 34.5 percent in 1963 to the current 38 percent. Over the same period of time, the proportion of all general revenue of local governments supplied by these state distributive payments has varied from 28.4 percent to 33.8 percent.

Individual States differ widely in their intergovernmental expenditure amounts. As indicated in Table 2, state intergovernmental expenditure in 1974 ranged from more than \$300 per capita in five States to less than \$100 per capita in three States.

As shown in Tables 3 and 4, the bulk of state intergovernmental expenditure is made available to help finance particularly designated functions or activities. In 1974, only \$4.8 billion, or 10.5 percent of the total, was provided without such functional designation—i.e., on terms that make funds available for "general local government support." General support grants are highly significant in a number of States, equaling in 1974 \$128 per capita in Wisconsin, about \$72 per capita in Arizona and Minnesota, and between \$40 and \$45 per capita in four other States. There are four States with no distributive programs of this kind, and seven States in which only a nominal amount (less than

\$3 per capita) was thus made available in 1974.

Grants for education make up a major proportion of all state payments to local governments, in most individual States as well as in the Nation as a whole. However, there is wide variety in the scale of such state distributions. They ranged in 1974 from more than \$175 per capita in Alaska, Delaware, Minnesota, and New Mexico, to \$33 in New Hampshire and none in Hawaii, where the state government directly administers and finances the public school system.

In the Nation as a whole, public welfare ranks second to education as a state-aided function. In 1974, public welfare accounted for about 16 percent of all state intergovernmental expenditure. In actual dollar amounts, total intergovernmental expenditure for public welfare declined by \$163 million from the 1973 amount, reflecting the shift in responsibility for categorical cash assistance payments to the federal sector. State per capita intergovernmental expenditure for public welfare (including both federal and local aid payments) exceeded \$40 in seven States, with no such expenditure shown in 11 States. Of the total intergovernmental expenditure for public welfare, 4.6 percent was in the form of payments to the federal government.

About 7 percent of total state intergovernmental expenditure was accounted for by state payments to local governments for highway purposes. Some of such distributive payments were made by all States except four (Alaska, Hawaii, Montana, and West Virginia). The per capita amount was \$15.03 for the median State and ranged up to more than \$33 in four States.

The total amount of \$3.4 billion shown under "Miscellaneous and combined" in Table 4 includes \$163 million for housing and urban renewal, \$125 million for hospitals, \$101 million for libraries, and \$83 million for corrections. The remainder represents amounts for other functions and for combined or unallocable purposes.

In Table 5, state aid amounts are shown separately for the several types of local governments which are distinguished in

Census Bureau reporting. In the aggregate, school districts were the largest recipient of state aid, receiving 46 percent of the total. Counties received about 23 percent, with 20 percent going to municipalities and about 1 percent each accruing directly to townships and to special districts. About 8 percent of all state payments were for combined aid programs.

The 1972 Census study, *State Payments to Local Governments*, presents a cross-classification of intergovernmental expenditure, by State, in terms of major functional categories and the various types of recipient governments. As indicated in that report, school districts received 79 percent of all state aid for education; counties received the bulk of highway, public welfare, and hospital aid; and municipalities received the bulk of aid for general local government support.

Tables 2 to 5 afford a basis for comparing amounts of aid to local governments provided by individual States. It is important that such comparisons take adequate account of the aid concept employed and of the great variations which exist in the pattern of responsibility for particular governmental functions.

For state aid in total, as well as for particular functions, the varying amounts of payments among the States may reflect the choice between local autonomy and attempts to take advantage of "economics of scale" in providing efficient services. States will vary between providing a service directly or, in contrast, providing fiscal assistance for local government operation of the service. Even though total cost to the States may be similar, the form of expenditure will differ. Variations in levels of state aid can reflect not only economic considerations, but social goals and political considerations as well.

Any interpretation of trends and levels of state payments to local governments must take into account a number of these factors. Comparisons of States and their respective levels of local support can only be made with certain qualifications.

#### FINANCING AND DISTRIBUTING STATE AID PAYMENTS

The provision of state aid to local governments involves determining how much

total money to make available for distribution, how to allocate the aid money among the various units of local government, and how to finance the aid payments.

The total amount of money allocated under a program for distribution to localities over a fiscal year is sometimes a fixed amount, appropriated by legislative action. The amount to be allocated might also be dependent on the yield of a particular state tax source that is used to finance the aid payments, or upon the amount of revenue that a State receives from the federal government. Finally, the allocated amount may be dependent on a combination of factors, such as total assessed value of certain types of property, but with a minimum level of payment based on the prior year's total aid.

Underlying the choice of how to finance and distribute state aid is the basic intent or purpose of particular aid programs. Emphasis may be placed on "equalization" in the delivery of a public service among relatively rich or poor localities in a State, for example.

In the area of education especially, state aid programs seek to overcome disparities in local fiscal capacity. Reliance on local property taxes has resulted in inherently unequal levels of financing for local education. A formula for distributing aid for education might thus be geared inversely to local taxing capabilities. A redistribution of resources takes place here, with the extent depending on how the aid payments are financed.

Equalization in terms of relative tax burdens on property owners or renters is the intent of property tax relief programs. The beneficiaries of these programs range from the elderly or disabled to homeowners or renters in general.

The two main types of relief programs are the so-called "circuit-breaker" and the homestead exemption. Under the circuit-breaker program, property tax relief in the form of a refund or tax credit is granted, but is based upon a combination of the eligible property owner's income and property tax liability. The homestead exemption form of property tax relief provides a reduction in the assessed value of the property, thus lowering the overall

tax burden, either for property owners in general or for certain portions of the population such as the elderly (see article and table in "State and Local Government Finances in 1973-1974").

Not all property tax relief programs result in state-local government aid payments. Although many of these programs are state mandated, not all are state financed, and thus the localities must absorb the loss of revenue. Further, only where the State reimburses a local government for tax relief and lost revenue is an intergovernmental transfer involved. Where a state rebate is paid directly to a property owner, or a credit on the personal income tax liability is allowed, there is in fact tax relief even though these are not technically state aid payments. Although most cases involving state payments to localities fall under the circuit-breaker program, a few of the homestead exemption programs also involve state reimbursements to local governments.

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 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 public in general. 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.

Additional information on the distributive aid programs in each of the 50 States is provided in the 1972 Census report, *State Payments to Local Governments*.

TABLE 1

SUMMARY OF STATE INTERGOVERNMENTAL PAYMENTS TO  
LOCAL GOVERNMENTS: 1942-74\*

Fiscal year	Amount in millions							Total state payments to local governments	
	Total	For general local government support	For specified purposes				All other	Per capita	As percent 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	4,971	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.....	45,941	4,804	41,137	27,107	7,369(a)	3,211	3,450	218.07	37.6

\*Source: Bureau of the Census, *State Payments to Local Governments* (Volume 6, No. 3, of the 1972 Census of Governments) and annual report, *State Government Finances*.

(a) Includes \$341 million in state payments to the federal government, reflecting the States' share of the cost for the Supplemental Security Income program.

TABLE 2  
STATE INTERGOVERNMENTAL EXPENDITURE, BY STATE:  
1962 TO 1974\*

State	Amount (in thousands of dollars)				Per capita amount				Percent increase in per capita amount		
	1974	1972	1967	1962	1974	1972	1967	1962	1972 to 1974	1967 to 1972	1962 to 1967
All States	\$45,941,111	\$36,759,246	\$19,056,380	\$10,906,400	\$218.07	\$177.16	\$96.70	\$58.94	23.1	83.2	64.1
Median State					170.14	142.20	77.25	49.15	19.6	73.8	63.2
Alabama	555,013	450,065	292,510	164,425	155.16	128.22	82.62	48.97	21.0	55.2	68.7
Alaska	146,623	102,138	28,523	14,217	435.08	314.27	104.86	57.79	38.4	199.7	81.5
Arizona	470,705	357,569	169,491	96,663	218.63	183.84	103.72	64.06	18.9	77.2	61.9
Arkansas	314,643	219,971	140,427	75,455	152.59	111.21	71.35	41.39	37.2	55.9	72.4
California	6,901,808	5,321,068	2,774,663	1,642,908	330.12	259.97	144.86	96.81	27.0	79.5	49.6
Colorado	482,735	376,089	204,914	145,755	193.40	159.56	103.75	76.43	21.2	53.8	35.7
Connecticut	429,011	442,371	137,135	81,843	138.93	143.53	46.88	31.51	-3.2	206.2	48.8
Delaware	134,868	116,729	70,752	39,997	235.37	206.60	135.28	85.28	13.9	52.7	58.6
Florida	1,560,305	1,024,986	423,343	246,277	192.87	141.20	70.61	45.11	36.6	100.0	56.5
Georgia	817,138	598,776	411,140	203,944	167.38	126.86	91.18	49.74	31.9	39.1	83.3
Hawaii	21,741	19,629	20,900	24,564	25.67	24.26	28.28	35.45	5.8	-14.2	-20.2
Idaho	135,844	87,804	52,133	32,323	170.02	116.14	74.58	46.31	46.4	55.7	61.0
Illinois	2,043,053	1,627,820	703,314	385,033	183.55	144.68	64.56	37.95	26.9	124.1	70.1
Indiana	753,675	643,861	430,294	238,911	141.40	121.69	86.05	50.67	16.2	41.4	69.8
Iowa	584,348	462,338	201,391	123,989	204.68	160.37	73.15	44.65	27.6	119.2	63.8
Kansas	304,312	351,983	199,965	117,478	134.06	155.88	87.89	52.94	-14.0	77.4	66.0
Kentucky	404,707	349,173	206,322	123,684	120.56	105.84	64.70	40.13	13.9	63.6	61.2
Louisiana	731,312	660,322	393,555	254,103	194.29	177.51	107.46	76.31	9.5	65.2	40.8
Maine	109,340	103,014	39,662	22,253	104.43	100.11	40.76	22.28	4.3	145.6	82.9
Maryland	1,091,811	882,168	400,877	256,798	266.69	217.50	108.87	80.48	22.6	99.8	35.3
Massachusetts	916,244	607,661	635,642	319,172	157.97	105.00	117.25	61.84	50.4	-10.4	89.6
Michigan	2,072,529	1,619,064	978,607	609,724	227.80	178.27	114.00	76.30	27.8	56.4	49.4
Minnesota	1,391,182	1,117,908	439,975	264,495	355.17	286.94	122.82	76.11	23.8	133.6	61.4
Mississippi	459,559	367,995	191,261	127,409	197.74	162.61	81.45	56.68	21.6	99.6	43.7
Missouri	598,876	475,630	249,571	141,209	125.37	100.07	54.21	32.49	25.3	84.6	66.9
Montana	96,534	68,116	37,709	22,770	131.34	94.74	53.79	32.12	38.6	76.1	67.5
Nebraska	180,772	133,561	78,259	45,624	117.16	87.58	54.53	30.74	33.8	60.6	77.4
Nevada	119,059	98,704	45,036	23,706	207.78	187.29	101.43	70.76	10.9	84.7	43.3
New Hampshire	69,147	57,501	14,463	6,664	85.58	74.58	21.08	10.54	14.7	253.8	100.0
New Jersey	1,365,174	1,159,957	424,592	197,996	186.24	157.45	60.63	31.70	18.3	159.7	91.3
New Mexico	271,566	225,054	136,212	93,409	242.04	211.32	135.80	91.58	14.5	55.6	48.3
New York	7,914,358	7,097,255	3,265,275	1,521,419	436.99	386.43	178.08	87.43	13.1	117.0	103.7
North Carolina	1,179,995	950,625	537,594	336,181	220.03	182.32	106.89	71.06	20.7	70.6	50.4
North Dakota	114,500	86,222	41,794	24,289	179.75	136.43	65.40	37.83	31.8	108.6	72.9
Ohio	1,828,135	1,102,283	643,155	499,389	170.26	102.22	61.49	49.46	66.6	66.2	24.3
Oklahoma	368,558	321,030	191,357	120,763	136.05	121.88	76.69	49.33	11.6	58.9	55.5
Oregon	353,141	289,258	193,476	101,440	155.84	132.57	96.78	54.42	17.6	37.0	77.8
Pennsylvania	2,352,901	1,790,977	787,036	461,048	198.81	150.17	67.67	40.53	32.4	121.9	67.0
Rhode Island	114,275	106,556	46,763	27,645	121.96	110.08	51.95	31.96	10.8	111.9	62.5
South Carolina	444,103	341,114	199,472	109,877	159.52	128.00	76.74	45.11	24.6	66.8	70.1
South Dakota	62,979	47,976	24,571	12,724	92.34	70.66	36.45	17.65	30.7	93.9	106.5
Tennessee	545,545	426,544	302,670	169,259	132.13	105.82	77.76	46.58	24.9	36.1	66.9
Texas	1,433,098	1,227,261	661,533	442,919	118.93	105.35	60.86	43.78	12.9	73.1	39.0
Utah	197,742	164,182	98,622	59,030	168.58	145.81	96.31	61.04	15.6	51.4	57.8
Vermont	69,620	53,832	25,835	12,086	148.13	116.52	61.95	30.99	27.1	88.1	99.9
Virginia	844,923	682,179	333,818	169,612	172.15	143.19	73.59	40.61	20.2	94.6	81.2
Washington	671,821	573,083	385,389	261,628	193.27	166.45	124.84	87.04	16.1	33.3	43.4
West Virginia	254,904	205,165	118,783	72,017	142.32	115.20	66.06	40.62	23.5	74.4	62.6
Wisconsin	1,587,473	1,106,793	631,414	335,438	347.67	244.87	150.73	81.97	54.6	62.5	83.9
Wyoming	69,406	57,886	35,185	26,838	193.33	167.79	111.69	73.53	15.2	50.2	51.9

\*Source: Bureau of the Census, *State Payments to Local Governments* (Volume 6, No. 3, of the 1972 Census of Governments)

and annual report, *State Government Finances*.

TABLE 3

PER CAPITA STATE INTERGOVERNMENTAL EXPENDITURE,  
BY FUNCTION AND BY STATE: 1974\*

State	Total	General local government support	Specified functions			
			Education	Public welfare	Highways	Miscellaneous and combined
All States.....	\$218.07	\$22.80	\$128.67	\$34.98	\$15.24	\$16.38
Median State.....	170.14	11.73	118.59	3.69	15.03	11.00
Alabama.....	155.16	3.95	124.87	.....	19.36	6.98
Alaska.....	435.08	36.09	312.75	.....	.....	86.24
Arizona.....	218.63	72.92	122.89	.....	14.90	7.92
Arkansas.....	152.59	9.33	102.82	0.06	29.76	10.62
California.....	330.12	40.47	165.25	90.23	18.01	16.16
Colorado.....	193.40	.....	118.59	49.21	15.15	10.45
Connecticut.....	138.93	7.93	96.57	4.78	5.13	24.52
Delaware.....	235.37	.....	213.52	.....	3.49	18.36
Florida.....	192.87	25.57	146.82	.....	14.00	6.48
Georgia.....	167.38	13.50	124.90	4.83	13.20	10.95
Hawaii.....	25.67	22.96	.....	2.49	.....	0.22
Idaho.....	170.02	22.51	116.07	.....	31.22	0.22
Illinois.....	183.55	9.25	122.30	19.49	19.83	12.68
Indiana.....	141.40	6.05	82.95	17.23	28.92	6.25
Iowa.....	204.68	40.33	116.72	2.63	38.49	6.51
Kansas.....	134.06	12.00	96.85	0.28	17.14	7.79
Kentucky.....	120.56	0.18	106.77	0.06	2.75	10.80
Louisiana.....	194.29	36.10	141.61	.....	8.00	8.58
Maine.....	104.43	10.77	73.05	1.62	4.09	14.90
Maryland.....	266.69	14.79	135.86	49.04	35.53	31.47
Massachusetts.....	157.97	3.95	102.71	0.07	13.01	38.23
Michigan.....	227.80	33.96	135.19	11.04	34.78	12.83
Minnesota.....	355.17	71.74	178.07	64.51	22.21	13.64
Mississippi.....	197.74	24.10	139.35	0.76	24.06	9.47
Missouri.....	125.37	1.54	107.51	0.08	7.78	8.46
Montana.....	131.34	.....	112.89	0.78	.....	17.67
Nebraska.....	117.16	19.89	63.87	6.72	19.73	6.95
Nevada.....	207.78	24.04	153.73	1.34	20.13	8.54
New Hampshire.....	85.58	29.25	33.46	0.54	6.05	16.28
New Jersey.....	186.24	24.45	81.64	56.90	4.74	18.51
New Mexico.....	242.04	41.12	181.69	.....	8.90	10.33
New York.....	436.99	42.02	174.85	179.91	6.09	34.12
North Carolina.....	220.03	10.49	165.66	26.38	5.46	12.04
North Dakota.....	179.75	17.26	123.20	3.85	26.89	8.55
Ohio.....	170.26	29.53	100.18	7.67	21.83	11.05
Oklahoma.....	136.05	2.09	100.37	0.58	24.87	8.14
Oregon.....	155.84	11.46	98.42	0.91	33.07	11.98
Pennsylvania.....	198.81	2.17	140.38	9.44	10.62	36.20
Rhode Island.....	121.96	10.37	91.20	13.88	0.41	6.10
South Carolina.....	159.52	17.77	115.70	0.09	11.76	14.20
South Dakota.....	92.34	5.43	63.39	0.20	5.41	17.91
Tennessee.....	132.13	11.43	90.37	0.32	22.28	7.73
Texas.....	118.93	0.65	114.36	.....	0.61	3.31
Utah.....	168.58	0.85	145.94	.....	6.66	15.13
Vermont.....	148.13	0.31	111.04	0.01	11.63	25.14
Virginia.....	172.15	3.96	116.01	33.98	7.47	10.73
Washington.....	193.27	8.55	131.76	3.52	26.73	22.71
West Virginia.....	142.32	.....	135.34	.....	.....	6.98
Wisconsin.....	347.67	127.72	124.67	44.14	20.41	30.73
Wyoming.....	193.33	30.13	129.08	0.06	18.00	16.06

\*Source: U.S. Bureau of the Census, *State Government Finances*  
in 1974.

..... Represents zero or rounds to zero.



TABLE 4  
STATE INTERGOVERNMENTAL EXPENDITURE, BY FUNCTION  
AND BY STATE: 1974\*  
(In thousands of dollars)

State	Total	General local government support	Specified functions			Miscellaneous and combined
			Education	Public welfare	Highways	
All States.....	\$45,941,111	\$4,803,875	\$27,106,812	\$7,369,108	\$3,211,455	\$3,449,861
Alabama.....	555,013	14,128	446,674	.....	69,238	24,973
Alaska.....	146,623	12,162	105,397	.....	.....	29,064
Arizona.....	470,705	156,989	264,573	.....	32,090	17,053
Arkansas.....	314,643	19,248	212,013	114	61,368	21,900
California.....	6,901,808	846,182	3,454,980	1,886,404	376,441	337,801(a)
Colorado.....	482,735	.....	295,990	122,833	37,825	26,087
Connecticut.....	429,011	24,488	298,211	14,762	15,826	75,724
Delaware.....	134,868	.....	122,346	.....	2,000	10,522
Florida.....	1,560,305	206,822	1,187,801	.....	113,289	52,393
Georgia.....	817,138	65,891	609,746	23,562	64,443	53,496
Hawaii.....	21,741	19,448	.....	2,112	.....	181
Idaho.....	135,844	17,988	92,737	.....	24,942	177
Illinois.....	2,043,053	103,000	1,361,361	216,933	220,675	141,084
Indiana.....	753,675	32,238	442,149	91,813	154,145	33,330
Iowa.....	584,348	115,130	333,233	7,519	109,875	18,591
Kansas.....	304,312	27,244	219,841	643	38,913	17,671
Kentucky.....	404,707	607	358,432	205	9,241	36,222
Louisiana.....	731,312	135,884	533,021	.....	30,126	32,281
Maine.....	109,340	11,280	76,483	1,700	4,285	15,592
Maryland.....	1,091,811	60,570	556,192	200,779	145,440	128,830
Massachusetts.....	916,244	22,933	595,713	380	75,437	221,781
Michigan.....	2,072,529	309,005	1,229,958	100,402	316,456	116,708
Minnesota.....	1,391,182	281,012	697,493	272,265	86,997	53,415
Mississippi.....	459,559	56,010	323,850	1,766	55,917	22,016
Missouri.....	598,876	7,374	513,585	404	37,174	40,339
Montana.....	96,534	.....	82,973	571	.....	12,990
Nebraska.....	180,772	30,683	98,547	10,374	30,438	10,730
Nevada.....	119,059	13,773	88,090	769	11,532	4,895
New Hampshire.....	69,147	23,636	27,034	435	4,886	13,156
New Jersey.....	1,365,174	179,206	598,407	417,059	34,779	135,723
New Mexico.....	271,566	46,138	203,859	.....	9,991	11,578
New York.....	7,914,358	760,939	3,166,618	3,258,379	110,278	618,144(b)
North Carolina.....	1,179,995	56,262	888,413	141,479	29,296	64,545
North Dakota.....	114,500	10,997	78,480	2,453	17,127	5,443
Ohio.....	1,828,135	317,022	1,075,638	82,340	234,373	118,762
Oklahoma.....	368,558	5,656	271,893	1,559	67,364	22,086
Oregon.....	353,141	25,969	223,026	2,063	74,929	27,154
Pennsylvania.....	2,352,901	25,705	1,661,373	111,756	125,693	428,374(c)
Rhode Island.....	114,275	9,720	85,453	13,001	387	5,714
South Carolina.....	444,103	49,475	322,105	252	32,739	39,532
South Dakota.....	62,979	3,705	43,230	136	3,692	12,216
Tennessee.....	545,545	47,206	373,138	1,301	91,998	31,902
Texas.....	1,433,098	7,886	1,378,044	.....	7,300	39,868
Utah.....	197,742	1,000	171,182	.....	7,808	17,752
Vermont.....	69,620	145	52,188	3	5,465	11,819
Virginia.....	844,923	19,426	569,386	166,757	36,678	52,676
Washington.....	671,821	29,704	457,998	12,245	92,916	78,958
West Virginia.....	254,904	.....	242,389	.....	.....	12,515
Wisconsin.....	1,587,473	583,174	569,229	201,559	93,180	140,331
Wyoming.....	69,406	10,815	46,340	21	6,463	5,767

\*Source: Bureau of the Census, *State Government Finances in 1974*.

(a) Includes \$213,371,000 health and water pollution grants.

(b) Includes \$299,831,000 health and water pollution grants, and \$69,517,000 housing subsidies to cities.

(c) Includes \$84,605,000 mass transportation grants and \$82,683,000 health grants.

TABLE 5

## STATE INTERGOVERNMENTAL EXPENDITURE, BY TYPE OF RECEIVING GOVERNMENT AND BY STATE: 1974\*

(In thousands of dollars)

State	Total intergovernmental expenditure	Type of receiving government						Combined and unallocable
		Federal	School districts	Counties	Municipalities	Townships and New England "towns"	Special districts	
All States.....	\$45,941,111	\$341,194(a)	\$21,349,733	\$10,608,108	\$9,140,956	\$551,825	\$340,612	\$3,608,683
Alabama.....	555,013	....	446,674	79,287	16,543	....	169	12,340
Alaska.....	146,623	247	....	95,370	43,158	....	29	7,819
Arizona.....	470,705	....	264,373	130,687	72,805	....	155	2,485
Arkansas.....	314,643	204	211,500	49,858	42,646	....	605	9,830
California.....	6,901,808	275,590	3,379,453	2,595,913	582,829	....	68,023	....
Colorado.....	482,735	....	294,108	113,867	60,868	....	1,483	12,409
Connecticut.....	429,011	136	11,917	....	232,553	172,276	5,337	6,792
Delaware.....	134,868	....	109,155	251	19,975	....	71	5,416
Florida.....	1,560,305	....	1,187,801	167,297	203,629	....	1,567	11
Georgia.....	817,138	2,640	609,696	160,502	39,719	....	1,814	2,767
Hawaii.....	21,741	2,112	....	10,662	8,967	....	....	....
Idaho.....	135,844	....	92,737	21,631	7,940	....	....	13,536
Illinois.....	2,043,053	....	1,358,313	207,709	212,992	33,599	64,054	166,386(b)
Indiana.....	753,675	1,374	437,550	147,341	95,875	....	649	70,886
Iowa.....	584,348	973	333,233	80,600	56,624	....	1,349	111,569
Kansas.....	304,312	643	219,841	39,489	26,860	694	771	16,014
Kentucky.....	404,707	....	358,432	22,995	8,127	....	652	14,501
Louisiana.....	731,312	....	533,021	105,710	49,787	....	1,569	41,225
Maine.....	109,340	....	8,518	1,824	645	....	....	98,353
Maryland.....	1,091,811	1,451	....	656,451	335,051	....	27,650	71,208
Massachusetts.....	916,244	....	....	4,336	10,686	480	104,401	796,341(c)
Michigan.....	2,072,529	21,358	1,229,820	374,690	318,576	63,159	8,889	56,037
Minnesota.....	1,391,182	....	695,682	360,287	47,661	2,171	2,233	283,148(d)
Mississippi.....	459,559	1,766	323,850	74,728	59,200	....	....	15
Missouri.....	598,876	....	512,585	18,184	37,716	....	1,694	28,697
Montana.....	96,534	78	82,973	5,897	5,894	....	....	1,692
Nebraska.....	180,772	....	98,547	34,695	25,965	....	1,006	20,559
Nevada.....	119,059	788	88,090	18,224	11,362	....	....	595
New Hampshire.....	69,147	199	7,856	1,164	23,085	8,811	3	28,029
New Jersey.....	1,365,174	....	....	481,036	80,274	....	932	802,932(e)
New Mexico.....	271,566	....	203,859	12,458	55,249	....	....	....
New York.....	7,914,358	14,195	1,944,591	1,165,153	4,684,550	86,155	....	19,714
North Carolina.....	1,179,995	....	....	1,078,296	65,809	....	5,450	30,440
North Dakota.....	114,500	....	78,480	21,859	5,213	....	....	8,948
Ohio.....	1,828,135	230	803,499	464,885	144,279	27,227	600	387,415(b)
Oklahoma.....	368,558	....	271,767	62,471	21,814	....	1,092	11,414
Oregon.....	353,141	....	212,408	94,522	36,079	....	9,806	326
Pennsylvania.....	2,352,901	....	1,661,373	238,749	219,022	73,921	20,963	138,873
Rhode Island.....	114,275	....	2,431	....	63,500	43,922	....	4,422
South Carolina.....	444,103	193	322,105	98,622	23,057	....	....	126
South Dakota.....	62,979	....	43,230	8,631	3,028	143	8	7,939
Tennessee.....	545,545	....	6,897	304,757	224,627	....	5,096	4,168
Texas.....	1,433,098	....	1,374,383	35,786	22,337	....	495	97
Utah.....	197,742	....	171,182	8,191	6,371	....	....	11,998
Vermont.....	69,620	....	52,188	....	2,293	5,084	....	10,055
Virginia.....	844,923	....	....	442,002	382,794	....	33	20,094
Washington.....	671,821	6,834	457,998	106,964	97,795	....	1,517	713
West Virginia.....	254,904	....	242,387	2,864	2,735	....	....	6,918
Wisconsin.....	1,587,473	10,162	558,690	391,888	329,300	34,183	....	263,250(f)
Wyoming.....	69,406	21	46,340	9,325	13,092	....	447	181

\*Source: U.S. Bureau of the Census, *State Government Finances in 1974*.

(a) Includes \$340,358,000 Supplemental Security Income payments.

(b) Mainly to counties, cities, and townships.

(c) Includes \$595,713,000 education subsidies to cities, towns and school districts.

(d) Mainly to cities and counties.

(e) Amounts for independent school districts and for schools operated by cities and towns are shown under "Combined and unallocable."

(f) Includes amounts to independent school districts and to cities which operate local public schools.

## Section VIII

# THE STATE PAGES

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**T**HE following section presents individual pages on all of the States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, 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 1975 or early 1976. Comprehensive listings of state legislators and other state officials are carried in other publications of the Council of State Governments. Concluding each state page are population figures and other statistics provided by the United States Bureau of the Census.

Preceding the individual 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, STATE CAPITOLS, ZIP CODES, AND CENTRAL SWITCHBOARDS

<i>State or other jurisdiction</i>	<i>Name of state capitol building*</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	281-5011
Kansas, State of.....	State House	Topeka	66612	913	296-0111
Kentucky, Commonwealth of.....	State Capitol	Frankfort	40601	502	564-3130
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	267-0100
Massachusetts, Commonwealth of.....	State House	Boston	02133	617	727-2121
Michigan, State of.....	State Capitol	Lansing	48913	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	829-1110
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	98501	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
Puerto Rico, Commonwealth of.....	The Capitol	San Juan	00904	809	723-6040
Trust Territory of the Pacific Islands.....	Congress Building	Saipan	96950	...	NCS
Virgin Islands, Territory of.....	Government House	Charlotte Amalie	00801	809	774-0001

NCS—No central switchboard.

\*In some instances the name is not official.

# THE STATES OF THE UNION—HISTORICAL DATA

State or other jurisdiction	Capital	Source of state lands	Date organized as Territory	Date admitted to Union	Chronological order of admission to Union
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(l)	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
D.C.		Maryland(m)	.....	.....	..
American Samoa	Pago Pago	Became a Territory, 1900	.....	.....	..
Guam.....	Agana	Ceded by Spain, 1898	Aug. 1, 1950	.....	..
Puerto Rico.....	San Juan	Ceded by Spain, 1898	.....	July 25, 1952(n)	..
TTPI.....	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 thirteen 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, but 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 thirteen 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) 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 United States 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.



# ALABAMA

Nickname .....	The Heart of Dixie	Song .....	<i>Alabama</i>
Motto .....	<i>We Dare Defend Our Rights</i>	Stone .....	Marble
Flower .....	Camellia	Mineral .....	Hematite
Bird .....	Yellowhammer	Fish .....	Tarpon
Tree .....	Southern (Longleaf) Pine	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

HOWELL T. HEFLIN, 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	Speaker of the House...JOE C. MCCORQUODALE, JR.
President Pro Tem of the Senate .....	JOE FINE	Speaker Pro Tem of the House .....
Secretary of the Senate.....	MCDOWELL LEE	.....ROBERT T. CROWE
		Clerk of the House.....JOHN W. PEMBERTON

## STATISTICS\*

Land Area (square miles).....	50,708	Largest City .....	Birmingham
Rank in Nation.....	28th	Population .....	295,686
Population† .....	3,546,000	Number of Cities over 10,000 Population.....	37
Rank in Nation.....	21st	Number of Counties.....	67
Density per square mile.....	69.9		
Number of Representatives in Congress.....	7		
Capital City .....	Montgomery		
Population .....	153,013		
Rank in State.....	3rd		

\* Estimated by Bureau of the Census for July 1, 1973.

† Revised estimate by Bureau of the Census for July 1, 1973.

# ALASKA



Motto .....	<i>North to the Future</i>	Gem .....	Jade
Flower .....	Forget-me-not	Fish .....	King Salmon
Bird .....	Willow Ptarmigan	Purchased from Russia by the	
Tree .....	Sitka Spruce	United States .....	March 30, 1867
Song .....	<i>Alaska's Flag</i>	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

JAY A. RABINOWITZ	ROBERT BOOCHEVER, Chief Justice	EDMOND W. BURKE
	ROBERT C. ERWIN	
	ROGER G. CONNOR	

## LEGISLATURE

President of the Senate .....	CHANCY CROFT	Speaker of the House .....	MIKE BRADNER
Majority Leader .....	JALMAR M. KERTTULA	Majority Leader .....	MIKE MILLER
Secretary of the Senate .....	PEGGY MULLIGAN	Chief Clerk of the House .....	IRENE CASHEN

## STATISTICS\*

Land Area (square miles).....	566,432	Largest City .....	Anchorage
Rank in Nation.....	1st	Population .....	73,496
Population† .....	330,000	Number of Cities over 10,000 Population.....	3
Rank in Nation.....	50th	Number of Boroughs .....	11
Density per square mile.....	0.6		
Number of Representatives in Congress.....	1		
Capital City .....	Juneau		
Population .....	15,225		
Rank in State.....	3rd		

\*Estimated by Bureau of the Census for July 1, 1973.  
†Revised estimate by Bureau of the Census for July 1, 1973.



# ARIZONA

Nickname.....	The Grand Canyon State	Tree .....	Palo Verde
Motto .....	<i>Ditat Deus</i> (God Enriches)	Song .....	<i>Arizona</i>
Flower.....	Blossom of the Saguaro Cactus	Gemstone .....	Turquoise
Bird .....	Cactus Wren	Entered the Union.....	February 14, 1912
Capital City .....	Phoenix		

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## SELECTED OFFICIALS

Governor .....	RAUL H. CASTRO
Secretary of State .....	WESLEY BOLIN
Attorney General .....	BRUCE BABBITT

## SUPREME COURT

JAMES DUKE CAMERON, Chief Justice		
FRED C. STRUCKMEYER, JR., Vice Chief Justice	WILLIAM A. HOLOHAN	FRANK X. GORDON, JR.
	JACK D. H. HAYS	

## LEGISLATURE

President of the Senate .....	BOB STUMP	Speaker of the House.....	STANLEY W. AKERS
President Pro Tem of the Senate ...	A. V. HARDT	Speaker Pro Tem of the House...	FRANK KELLEY
Secretary of the Senate.....	MRS. MARCY BYRD	Chief Clerk of the House.....	LEONA YOUNG

## STATISTICS\*

Land Area (square miles).....	113,417	Largest City .....	Phoenix
Rank in Nation.....	6th	Population .....	631,225
Population† .....	2,073,000	Number of Cities over 10,000 population....	14
Rank in Nation .....	32nd	Number of Counties.....	14
Density per square mile .....	18.3		
Number of Representatives in Congress.....	4		
Capital City .....	Phoenix		
Population .....	631,225		
Rank in State.....	1st		

\*Estimated by Bureau of the Census for July 1, 1973.

†Revised estimate by Bureau of the Census for July 1, 1973.



# ARKANSAS



Nickname .....	The Land of Opportunity	Tree .....	Pine
Motto .....	<i>Regnat Populus</i> (The People Rule)	Song .....	Arkansas
Flower .....	Apple Blossom	Stone .....	Diamond
Bird .....	Mockingbird	Entered the Union .....	June 15, 1836
Capital City .....	Little Rock		

## SELECTED OFFICIALS

Governor .....	DAVID H. PRYOR
Lieutenant Governor .....	JOE PURCELL
Secretary of State .....	GEORGE O. JERNIGAN, JR.
Attorney General .....	JIM GUY TUCKER

## SUPREME COURT

	CARLETON HARRIS, Chief Justice	
GEORGE ROSE SMITH	ELSIJANE T. ROY	JAMES FRED JONES
JOSEPH FRANK HOLT	JOHN ALBERT FOGLEMAN	CONLEY BYRD

## GENERAL ASSEMBLY

President of the Senate .....	JOE PURCELL	Speaker of the House .....	CECIL L. ALEXANDER
President Pro Tem of the Senate .....	ROBERT HARVEY	Speaker Pro Tem of the House .....	
Secretary of the Senate .....	LEE REAVES	.....	JOHN PAUL CAPP
		Chief Clerk of the House .....	MRS. JIM CHILDERS

## STATISTICS\*

Land Area (square miles) .....	51,945	Largest City .....	Little Rock
Rank in Nation .....	27th	Population .....	142,065
Population† .....	2,035,000	Number of Cities over 10,000 Population .....	24
Rank in Nation .....	33rd	Number of Counties .....	75
Density per square mile .....	39.2		
Number of Representatives in Congress .....	4		
Capital City .....	Little Rock		
Population .....	142,065		
Rank in State .....	1st		

\*Estimated by Bureau of the Census for July 1, 1973.  
†Revised estimate by Bureau of the Census for July 1, 1973.



# CALIFORNIA

Nickname .....	The Golden State	Song .....	<i>I Love You, California</i>
Motto .....	<i>Eureka</i> (I Have Found It)	Stone .....	Serpentine
Flower .....	Golden Poppy	Mineral .....	Native Gold
Bird .....	California Valley Quail	Animal .....	California Grizzly Bear
Tree .....	California Redwood	Fish.....	California Golden Trout
Reptile .....	California Desert Tortoise	Entered the Union.....	September 9, 1850
Capital City .....	Sacramento		

## SELECTED OFFICIALS

Governor .....	EDMUND G. BROWN, JR.
Lieutenant Governor .....	MERVYN M. DYMALLY
Secretary of State .....	MARCH FONG EU
Attorney General .....	EVELLE J. YOUNGER

## SUPREME COURT

	DONALD R. WRIGHT, Chief Justice	
MARSHALL F. McCOMB	MATHEW O. TOBRINER	FRANK K. RICHARDSON
WILLIAM P. CLARK, JR.	STANLEY MOSK	RAYMOND L. SULLIVAN

## LEGISLATURE

President of the Senate ....	MERVYN M. DYMALLY	Speaker of the Assembly .....	LEO T. MCCARTHY
President Pro Tem of the Senate.	JAMES R. MILLS	Speaker Pro Tem of the Assembly.	JOHN T. KNOX
Secretary of the Senate.....	DARRYL WHITE	Chief Clerk of the Assembly..	JAMES D. DRISCOLL

## STATISTICS\*

Land Area (square miles).....	156,361	Largest City .....	Los Angeles
Rank in Nation.....	3rd	Population .....	2,746,854
Population† .....	20,652,000	Number of Cities over 10,000	Population....
Rank in Nation.....	1st		230
Density per square mile .....	132.1	Number of Counties.....	58
Number of Representatives in Congress.....	43		
Capital City .....	Sacramento		
Population .....	267,483		
Rank in State.....	7th		

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\*Estimated by Bureau of the Census for July 1, 1973.  
†Revised estimate by Bureau of the Census for July 1, 1973.

\*Estimated by Bureau of the Census for July 1, 1973.  
†Revised estimate by Bureau of the Census for July 1, 1973.

# COLORADO



Nickname.....	The Centennial State	Tree.....	Colorado Blue Spruce
Motto.....	<i>Nil Sine Numine</i> (Nothing Without Providence)	Song.....	<i>Where the Columbines Grow</i>
Flower.....	Rocky Mountain Columbine	Stone .....	Aquamarine
Bird.....	Lark Bunting	Animal.....	Rocky Mountain Bighorn Sheep
	Capital City.....	Entered the Union.....	August 1, 1876
			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	PAUL V. HODGES
EDWARD C. DAY	WILLIAM H. ERICKSON	DONALD E. KELLEY

## GENERAL ASSEMBLY

President of the Senate .....	FRED E. ANDERSON	Speaker of the House .....	RUBEN A. VALDEZ
President Pro Tem of the Senate.....	FAY DEBERARD	Chief Clerk of the House.....	EVELYN T. DAVIDSON
Secretary of the Senate .....	MARGE L. RUTENBECK		

## STATISTICS\*

Land Area (square miles) .....	103,766	Largest City .....	Denver
Rank in Nation.....	8th	Population .....	515,593
Population† .....	2,468,000	Number of Cities over 60,000 Population.....	25
Rank in Nation.....	28th	Number of Counties.....	63
Density per square mile .....	23.8		
Number of Representatives in Congress.....	5		
Capital City .....	Denver		
Population .....	515,593		
Rank in State.....	1st		

\*Estimated by Bureau of the Census for July 1, 1973.

†Revised estimate by Bureau of the Census for July 1, 1973.



# CONNECTICUT

Nickname .....	The Constitution State	Flower .....	Mountain Laurel
Motto .....	<i>Qui Transtulit Sustinet</i> (He Who Transplanted Still Sustains)	Bird .....	American Robin
Animal .....	Sperm Whale	Tree .....	White Oak
	Capital City .....	Entered the Union .....	January 9, 1788
			Hartford

## SELECTED OFFICIALS

Governor .....	ELLA T. GRASSO
Lieutenant Governor .....	ROBERT K. KILLIAN
Secretary of State .....	MRS. GLORIA SCHAFER
Attorney General .....	CARL R. AJELLO, JR.

## SUPREME COURT

JOHN P. COTTER, Chief Court Administrator	CHARLES S. HOUSE, Chief Justice ALVA P. LOISELLE JOSEPH S. LONGO	HERBERT S. MACDONALD JOSEPH W. BOGDANSKI
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## GENERAL ASSEMBLY

President of the Senate .....	ROBERT K. KILLIAN	Speaker of the House .....	JAMES J. KENNELLY
President Pro Tem of the Senate .....	JOSEPH J. FAULISO	Deputy Speaker of the House ..	BRUCE L. MORRIS
Clerk of the Senate .....	MARCIA SCHONBERGER	Clerk of the House .....	PAUL B. GROOBERT

## STATISTICS\*

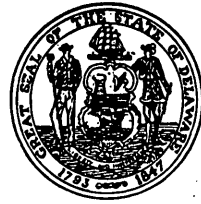
Land Area (square miles).....	4,862	Largest City .....	Hartford
Rank in Nation.....	48th	Population .....	148,526
Population† .....	3,080,000	Number of Cities and Towns over 10,000 Population‡ .....	79
Rank in Nation .....	24th	Number of Counties.....	8
Density per square mile.....	633.5		
Number of Representatives in Congress.....	6		
Capital City .....	Hartford		
Population .....	148,526		
Rank in State.....	1st		

\*Estimated by Bureau of the Census for July 1, 1973.

†Revised estimate by Bureau of the Census for July 1, 1973.

‡Includes 58 towns over 10,000 population.

# DELAWARE



Nickname .....	The First State	Tree .....	American Holly
Motto .....	<i>Liberty and Independence</i>	Song .....	<i>Our Delaware</i>
Flower .....	Peach Blossom	Entered the Union.....	December 7, 1787
Bird.....	Blue Hen Chicken	Capital City .....	Dover

## SELECTED OFFICIALS

Governor .....	SHERMAN W. TRIBBITT
Lieutenant Governor .....	EUGENE D. BOOKHAMMER
Secretary of State.....	ROBERT H. REED
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..	EUGENE D. BOOKHAMMER	Speaker of the House .....	CASIMIR S. JONKIERT
President Pro Tem of the Senate .....	J. DONALD ISAACS	Chief Clerk of the House .....	Ms. LINDA MEARS
Secretary of the Senate .....	STANLEY HABIGER		

## STATISTICS\*

Land Area (square miles).....	1,982	Largest City .....	Wilmington
Rank in Nation.....	49th	Population .....	74,559
Population† .....	573,000	Number of Cities over 10,000 Population.....	3
Rank in Nation.....	46th	Number of Counties.....	3
Density per square mile .....	289.1		
Number of Representatives in Congress.....	1		
Capital City .....	Dover		
Population .....	22,111		
Rank in State.....	3rd		

\*Estimated by Bureau of the Census for July 1, 1973.  
†Revised estimate by Bureau of the Census for July 1, 1973.



# FLORIDA

Nickname .....	The Sunshine State	Song .....	<i>Swanee River</i>
Motto .....	<i>In God We Trust</i>	Saltwater Mammal .....	Dolphin
Flower .....	Orange Blossom	Gem .....	Moonstone
Bird .....	Mockingbird	Shell .....	Horse Conch
Tree .....	Sabal Palmetto Palm	Beverage .....	Orange Juice
Saltwater Fish .....	Atlantic Sailfish	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.  
B. K. ROBERTS

JOSEPH W. HATCHETT  
ALAN C. SUNDBERG

JOSEPH A. BOYD, JR.  
JAMES C. ADKINS, JR.

## LEGISLATURE

President of the Senate ....	DEMPSY J. BARRON	Speaker of the House .....	DONALD L. TUCKER
President Pro Tem of the Senate....	ALAN TRASK	Speaker Pro Tem of the House ..	JOHN L. RYALS
Secretary of the Senate.....	WILLIAM J. BROWN	Clerk of the House.....	ALLEN MORRIS

## STATISTICS\*

Land Area (square miles).....	54,090	Largest City .....	Jacksonville
Rank in Nation .....	26th	Population .....	548,007
Population† .....	7,745,000	Number of Cities over 10,000 Population....	78
Rank in Nation .....	8th	Number of Counties.....	67
Density per square mile .....	143.2		
Number of Representatives in Congress.....	15		
Capital City .....	Tallahassee		
Population .....	83,252		
Rank in State.....	10th		

\* Estimated by Bureau of the Census for July 1, 1973.  
† Revised estimate by Bureau of the Census for July 1, 1973.

# GEORGIA



Nickname .....The Empire State of the South	Tree .....Live Oak
Motto ..... <i>Wisdom, Justice and Moderation</i>	Song ..... <i>Georgia</i>
Flower .....Cherokee Rose	Fish .....Largemouth Bass
Bird .....Brown Thrasher	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,	G. CONLEY INGRAM	ROBERT H. JORDAN
Presiding Justice	WILLIAM B. GUNTER	ROBERT H. HALL
	HAROLD N. HILL, JR.	

## GENERAL ASSEMBLY

President of the Senate .....	ZELL MILLER	Speaker of the House.....	THOMAS B. MURPHY
President Pro Tem of the Senate...	AL HOLLOWAY	Speaker Pro Tem of the House....	A. L. BURRUSS
Secretary of the Senate		Clerk of the House.....	GLENN W. ELLARD
.....	HAMILTON MCWHORTER, JR.		

## STATISTICS\*

Land Area (square miles).....	58,073	Largest City .....	Atlanta
Rank in Nation.....	21st	Population .....	451,123
Population† .....	4,818,000	Number of Cities over 10,000 Population.....	38
Rank in Nation .....	14th	Number of Counties.....	159
Density per square mile.....	83.0		
Number of Representatives in Congress.....	10		
Capital City .....	Atlanta		
Population .....	451,123		
Rank in State.....	1st		

\*Estimated by Bureau of the Census for July 1, 1973.  
†Revised estimate by Bureau of the Census for July 1, 1973.



# HAWAII

Nickname .....	The Aloha State	Bird .....	Hawaiian Goose
Motto.....	<i>Ua Mau Ke Ea O Ka Aina I Ka Pono</i> (The Life of the Land Is Perpetuated in Righteousness)	Tree .....	Candlenut
Flower .....	Hibiscus	Song .....	<i>Hawaii Pono</i>
Capital City .....	Honolulu	Entered the Union.....	August 21, 1959

## SELECTED OFFICIALS

Governor .....	GEORGE R. ARIYOSHI
Lieutenant Governor .....	NELSON K. DOI
Attorney General .....	RONALD Y. AMEMIYA

## SUPREME COURT

BERT T. KOBAYASHI	WILLIAM S. RICHARDSON, Chief Justice	BENJAMIN MENOR
	THOMAS S. OGATA	
	H. BAIRD KIDWELL	

## LEGISLATURE

President of the Senate.....	JOHN T. USHIJIMA	Speaker of the House.....	JAMES WAKATSUKI
Vice President of the Senate..	DUKE T. KAWASAKI	Vice Speaker of the House.....	RICHARD GARCIA
Clerk of the Senate.....	SEICHI HIRAI	Clerk of the House.....	GEORGE M. TAKANE

## STATISTICS\*

Land Area (square miles).....	6,425	Largest City .....	Honolulu
Rank in Nation.....	47th	Population .....	353,459
Population† .....	841,000	Number of Cities over 10,000 Population.....	9
Rank in Nation.....	40th	Number of Counties.....	4
Density per square mile .....	130.9		
Number of Representatives in Congress.....	2		
Capital City .....	Honolulu		
Population .....	353,459		
Rank in State.....	1st		

\*Estimated by Bureau of the Census for July 1, 1973.

†Revised estimate by Bureau of the Census for July 1, 1973.



# IDAHO



Nickname .....	The Gem State	Tree .....	White Pine
Motto .....	<i>Esto Perpetua</i> (It Is Perpetual)	Song .....	<i>Here We Have Idaho</i>
Flower .....	Syringa	Gemstone .....	Star Garnet
Bird .....	Mountain Bluebird	Horse .....	Appaloosa
	Capital City .....	Entered the Union .....	July 3, 1890
			Boise

## SELECTED OFFICIALS

Governor .....	CECIL D. ANDRUS
Lieutenant Governor .....	JOHN V. EVANS
Secretary of State .....	PETE T. CENARRUSA
Attorney General .....	WAYNE L. KIDWELL

## SUPREME COURT

(VACANCY)	JOSEPH J. MCFADDEN, Chief Justice	
	CHARLES R. DONALDSON	ALLAN G. SHEPARD
	ROBERT E. BAKES	

## LEGISLATURE

President of the Senate .....	JOHN V. EVANS	Speaker of the House .....	ALLAN F. LARSEN
President Pro Tem of the Senate .....		Chief Clerk of the House .....	CRAIG HARVEY
	JAMES ELLSWORTH		
Secretary of the Senate .....	PAT HARPER		

## STATISTICS\*

Land Area (square miles) .....	82,677	Largest City .....	Boise
Rank in Nation .....	11th	Population .....	89,673
Population† .....	776,000	Number of Cities over 10,000 Population .....	9
Rank in Nation .....	42nd	Number of Counties .....	44
Density per square mile .....	9.4		
Number of Representatives in Congress .....	2		
Capital City .....	Boise		
Population .....	89,673		
Rank in State .....	1st		

\*Estimated by Bureau of the Census for July 1, 1973.

†Revised estimate by Bureau of the Census for July 1, 1973.



# ILLINOIS

Nickname .....	The Prairie State	Song .....	<i>Illinois</i>
Motto .....	<i>State Sovereignty-National Union</i>	Mineral .....	Fluorite
Flower .....	Native Violet	Insect .....	Monarch Butterfly
Bird .....	Cardinal	Entered the Union .....	December 3, 1818
Tree .....	White Oak	Capital City .....	Springfield

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## SELECTED OFFICIALS

Governor .....	DAN WALKER
Lieutenant Governor .....	NEIL F. HARTIGAN
Secretary of State.....	MICHAEL J. HOWLETT
Attorney General .....	WILLIAM J. SCOTT

## SUPREME COURT

DANIEL P. WARD, Chief Justice		
WALTER V. SCHAEFER	JOSEPH H. GOLDENHERSH	THOMAS E. KLUCZYNSKI
CASWELL J. CREBS	HOWARD C. RYAN	ROBERT C. UNDERWOOD

## GENERAL ASSEMBLY

President of the Senate.....	CECIL A. PARTEE	Speaker of the House....	WILLIAM A. REDMOND
Secretary of the Senate.....	KENNETH A. WRIGHT	Chief Clerk of the House.....	JOHN F. O'BRIEN

## STATISTICS\*

Land Area (square miles).....	55,748	Largest City .....	Chicago
Rank in Nation.....	24th	Population .....	3,172,929
Population† .....	11,176,000	Number of Cities over 10,000 Population....	165
Rank in Nation.....	5th	Number of Counties.....	102
Density per square mile.....	200.5		
Number of Representatives in Congress.....	24		
Capital City .....	Springfield		
Population .....	93,237		
Rank in State.....	4th		

\*Estimated by Bureau of the Census for July 1, 1973.

†Revised estimate by Bureau of the Census for July 1, 1973.

# INDIANA



Nickname .....	The Hoosier State	Tree .....	Tulip Poplar
Motto .....	<i>Crossroads of America</i>	Song .....	<i>On the Banks of the Wabash, Far Away</i>
Flower .....	Peony	Stone .....	Limestone
Bird .....	Cardinal	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

NORMAN F. ARTERBURN

## GENERAL ASSEMBLY

President of the Senate .....	ROBERT D. ORR	Speaker of the House .....	PHILLIP E. BAINBRIDGE
President Pro Tem of the Senate .....	PHILLIP E. GUTMAN	Speaker Pro Tem of the House .....	CRAIG B. CAMPBELL
Secretary of the Senate .....	MRS. BETH GREENE	Principal Clerk of the House .....	MRS. SYLVIA CONOLLY

## STATISTICS\*

Land Area (square miles) .....	36,097	Largest City .....	Indianapolis
Rank in Nation .....	38th	Population .....	738,657
Population† .....	5,304,000	Number of Cities over 10,000 Population .....	57
Rank in Nation .....	11th	Number of Counties .....	92
Density per square mile .....	146.9		
Number of Representatives in Congress .....	11		
Capital City .....	Indianapolis		
Population .....	738,657		
Rank in State .....	1st		

\*Estimated by Bureau of the Census for July 1, 1973.  
†Revised estimate by Bureau of the Census for July 1, 1973.



# IOWA

Nickname .....	The Hawkeye State	Tree .....	Oak
Motto .....	<i>Our Liberties We Prize and Our Rights We Will Maintain</i>	Song .....	<i>The Song of Iowa</i>
Flower .....	Wild Rose	Stone .....	Geode
Bird .....	Eastern Goldfinch	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 UHLENHOFF  
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	Speaker of the House .....	DALE M. COCHRAN
President Pro Tem of the Senate		Speaker Pro Tem of the House.....	NORMAN G. JESSE
.....	MINNETTE F. DODERER	Chief Clerk of the House.....	DAVID WRAY
Secretary of the Senate .....	STEVEN CROSS		

## STATISTICS\*

Land Area (square miles).....	55,941	Largest City .....	Des Moines
Rank in Nation.....	23rd	Population .....	199,145
Population† .....	2,863,000	Number of Cities over 10,000 Population.....	28
Rank in Nation .....	25th	Number of Counties.....	99
Density per square mile .....	51.2		
Number of Representatives in Congress.....	6		
Capital City .....	Des Moines		
Population .....	199,145		
Rank in State.....	1st		

\*Estimated by Bureau of the Census for July 1, 1973.

†Revised estimate by Bureau of the Census for July 1, 1973.

# KANSAS



Nickname .....	The Sunflower State	Tree .....	Cottonwood
Motto .....	<i>Ad Astra per Aspera</i> (To the Stars Through Difficulties)	Song .....	<i>Home on the Range</i>
Flower .....	Native Sunflower	Animal .....	American Buffalo
Bird .....	Western Meadowlark	Insect .....	Honeybee
Capital City .....	Topeka	Entered the Union .....	January 29, 1861

## SELECTED OFFICIALS

Governor .....	ROBERT F. BENNETT
Lieutenant Governor .....	SHELBY SMITH
Secretary of State .....	MRS. ELWILL M. SHANAHAN
Attorney General .....	CURT T. SCHNEIDER

## SUPREME COURT

HAROLD R. FATZER, Chief Justice

PERRY L. OWSLEY  
ALFRED G. SCHROEDER

ROBERT H. MILLER  
ROBERT H. KAUL

ALEX M. FROMME  
DAVID PRAGER

## LEGISLATURE

President of the Senate .....	ROSS O. DOYEN	Speaker of the House .....	DUANE S. MCGILL
Vice President of the Senate .....	J. C. TILLOTSON	Speaker Pro Tem of the House .....	JIM MAAG
Secretary of the Senate .....	LU KENNEY	Chief Clerk of the House .....	L. ORVILLE HAZEN

## STATISTICS\*

Land Area (square miles) .....	81,787	Largest City .....	Wichita
Rank in Nation .....	13th	Population .....	261,231
Population† .....	2,264,000	Number of Cities over 10,000 Population .....	31
Rank in Nation .....	30th	Number of Counties .....	105
Density per square mile .....	27.7		
Number of Representatives in Congress .....	5		
Capital City .....	Topeka		
Population .....	136,059		
Rank in State .....	3rd		

\*Estimated by Bureau of the Census for July 1, 1973.  
†Revised estimate by Bureau of the Census for July 1, 1973.



# KENTUCKY

Nickname .....	The Bluegrass State	Bird .....	Cardinal
Motto .....	<i>United We Stand, Divided We Fall</i>	Tree .....	Coffee Tree
Flower .....	Goldenrod	Song .....	<i>My Old Kentucky Home</i>
	Capital City .....	Entered the Union .....	June 1, 1792
			Frankfort

## SELECTED OFFICIALS

Governor .....	JULIAN M. CARROLL
Lieutenant Governor .....	MRS. THELMA L. STOVALL
Secretary of State .....	DREXELL DAVIS
Attorney General .....	ROBERT F. STEPHENS

## SUPREME COURT

BOYCE G. CLAYTON	SCOTT REED, Chief Justice	JAMES B. STEPHENSON
ROBERT O. LUKOWSKY	JOHN S. PALMORE	PLEAS JONES
	MARVIN J. STERNBERG	

## GENERAL ASSEMBLY

President of the Senate.. Mrs. THELMA L. STOVALL	Speaker of the House..... WILLIAM G. KENTON
President Pro Tem of the Senate	Speaker Pro Tem of the House..... LLOYD CLAPP
..... JOSEPH W. PRATHER	Clerk of the House..... SARA BELL
Chief Clerk of the Senate.... MARJORIE WAGONER	

## STATISTICS\*

Land Area (square miles) .....	39,650	Largest City .....	Louisville
Rank in Nation .....	37th	Population .....	335,696
Population† .....	3,328,000	Number of Cities over 10,000 Population .....	28
Rank in Nation .....	23rd	Number of Counties .....	120
Density per square mile.....	83.9		
Number of Representatives in Congress .....	7		
Capital City .....	Frankfort		
Population .....	22,224		
Rank in State .....	10th		

\*Estimated by Bureau of the Census for July 1, 1973.

†Revised estimate by Bureau of the Census for July 1, 1973.

# LOUISIANA



Nickname .....	The Pelican State	Tree .....	Cypress
Motto .....	<i>Union, Justice and Confidence</i>	Song .....	<i>Give Me Louisiana</i>
Flower .....	Magnolia	Entered the Union.....	April 30, 1812
Bird .....	Eastern Brown Pelican	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.	PASCAL F. CALOGERO, JR.
JOHN A. DIXON, JR.	WALTER F. MARCUS, JR.
	FRANK W. SUMMERS
	JAMES L. DENNIS

## LEGISLATURE<sup>1</sup>

President of the Senate..	JAMES E. FITZMORRIS, JR.	Speaker of the House.....	E. L. HENRY
President Pro Tem of the Senate		Speaker Pro Tem of the House	
.....	MICHAEL H. O'KEEFE	.....	J. KENNETH LEITHMAN
Secretary of the Senate.....	C. W. ROBERTS	Clerk of the House.....	DAVID R. POYNTER

## STATISTICS\*

Land Area (square miles).....	44,930	Largest City.....	New Orleans
Rank in Nation.....	33rd	Population .....	573,479
Population† .....	3,746,000	Number of Cities over 10,000 Population.....	33
Rank in Nation.....	20th	Number of Parishes.....	64
Density per square mile.....	83.4		
Number of Representatives in Congress.....	8		
Capital City.....	Baton Rouge		
Population .....	177,535		
Rank in State.....	3rd		

<sup>1</sup>Effective with the 1976 legislative session, which convenes on May 10, 1976, the Lieutenant Governor no longer will serve as President of the Senate; that officer will be elected from among Senate members. Other legislative officers will also be selected at that time.

\*Estimated by Bureau of the Census for July 1, 1973.  
†Revised estimate by Bureau of the Census for July 1, 1973.



# MAINE

Nickname .....	The Pine Tree State	Song .....	<i>State of Maine Song</i>
Motto .....	<i>Dirigo</i> (I Direct)	Mineral .....	Tourmaline
Flower .....	White Pine Cone and Tassel	Fish .....	Landlocked Salmon
Bird .....	Chickadee	Insect .....	Honeybee
Tree .....	Eastern White Pine	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

THOMAS E. DELAHANTY	ARMAND A. DUFRESNE, Jr., Chief Justice	CHARLES A. POMEROY
JAMES P. ARCHIBALD	RANDOLPH A. WEATHERBEE	SIDNEY W. WERNICK

## LEGISLATURE

President of the Senate .....	JOSEPH SEWALL	Speaker of the House .....	JOHN L. MARTIN
Secretary of the Senate.....	HARRY N. STARBRANCH	Clerk of the House .....	EDWIN H. PERT

## STATISTICS\*

Land Area (square miles).....	30,920	Largest City .....	Portland
Rank in Nation.....	39th	Population .....	60,873
Population† .....	1,039,000	Number of Cities and Towns over 10,000	
Rank in Nation.....	38th	Population† .....	15
Density per square mile .....	33.6	Number of Counties.....	16
Number of Representatives in Congress.....	2		
Capital City .....	Augusta		
Population .....	22,229		
Rank in State.....	6th		

\*Estimated by Bureau of the Census for July 1, 1973.

†Revised estimate by Bureau of the Census for July 1, 1973.

‡Includes 3 towns over 10,000 population.



# MARYLAND



Nickname .....	The Old Line State	Tree .....	White Oak
Motto .....	<i>Fatti Maschii, Parole Femine</i> (Manly Deeds, Womanly Words)	Song .....	<i>Maryland, My Maryland</i>
Flower .....	Black-eyed Susan	Animal .....	Chesapeake Bay Retriever
Bird .....	Baltimore Oriole	Fish .....	Striped Bass
	Capital City .....	Entered the Union .....	April 28, 1788
			Annapolis

## SELECTED OFFICIALS

Governor .....	MARVIN MANDEL
Lieutenant Governor .....	BLAIR LEE III
Secretary of State .....	FRED L. WINELAND
Attorney General .....	FRANCIS B. BURCH

## COURT OF APPEALS (Highest Appellate Court)

ROBERT C. MURPHY, Chief Judge

MARVIN H. SMITH  
J. DUDLEY DIGGES

FREDERICK J. SINGLEY, JR.  
WILLIAM J. O'DONNELL

JOHN C. ELDRIDGE  
IRVING A. LEVINE

## GENERAL ASSEMBLY

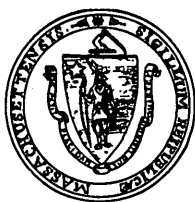
President of the Senate .....	STENY H. HOYER	Speaker of the House .....	JOHN HANSON BRISCOE
President Pro Tem of the Senate .....	FREDERICK C. MALKUS, JR.	Speaker Pro Tem of the House .....	ANN R. HULL
Secretary of the Senate .....	ODEN BOWIE	Chief Clerk of the House .....	JAMES P. MAUSE

## STATISTICS\*

Land Area (square miles) .....	9,891	Largest City .....	Baltimore
Rank in Nation .....	42nd	Population .....	877,838
Population† .....	4,074,000	Number of Cities over 10,000 Population .....	17
Rank in Nation .....	18th	Number of Counties .....	23
Density per square mile .....	411.9		
Number of Representatives in Congress .....	8		
Capital City .....	Annapolis		
Population .....	32,560		
Rank in State .....	6th		

\*Estimated by Bureau of the Census for July 1, 1973.

†Revised estimate by Bureau of the Census for July 1, 1973.



# MASSACHUSETTS

Nickname .....	The Bay State	Bird .....	Chickadee
Motto .....	<i>Ense Petit Placidam Sub Libertate</i>	Tree .....	American Elm
	<i>Quietem</i> (By the Sword We Seek Peace, but	Song .....	<i>All Hail to Massachusetts</i>
	Peace Only Under Liberty)	Fish .....	Cod
Flower .....	Mayflower	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 KAPLIN  
ROBERT BRAUCHER

HERBERT P. WILKINS  
PAUL C. REARDON

## GENERAL COURT

President of the Senate.....	KEVIN B. HARRINGTON	Speaker of the House.....	THOMAS W. MCGEE
Clerk of the Senate.....	EDWARD B. O'NEILL	Clerk of the House.....	WALLACE C. MILLS

## STATISTICS\*

Land Area (square miles).....	7,826	Largest City .....	Boston
Rank in Nation.....	45th	Population .....	618,275
Population† .....	5,799,000	Number of Cities and Towns over 10,000	
Rank in Nation.....	10th	Population‡ .....	149
Density per square mile.....	741.0	Number of Counties.....	14
Number of Representatives in Congress.....	12		
Capital City .....	Boston		
Population .....	618,275		
Rank in State.....	1st		

\*Estimated by Bureau of the Census for July 1, 1973.  
†Revised estimate by Bureau of the Census for July 1, 1973.

‡Includes 110 towns over 10,000 population.

# MICHIGAN



Nickname .....	The Wolverine State	Tree .....	White Pine
Motto .....	<i>Si Quæris Peninsulam Amoenam</i>	Song .....	<i>Michigan, My Michigan</i>
	<i>Circumspice</i> (If You Seek a Pleasant	Stone .....	Petoskey Stone
	Peninsula, Look About You)	Gem .....	Chlorastrolite
Flower .....	Apple Blossom	Fish .....	Trout
Bird .....	Robin	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

JOHN W. FITZGERALD  
MARY S. COLEMAN

LAWRENCE B. LINDEMER  
JAMES L. RYAN

CHARLES L. LEVIN  
G. MENNEN WILLIAMS

## LEGISLATURE

President of the Senate.....	JAMES J. DAMMAN	Speaker of the House.....	BOBBY D. CRIM
President Pro Tem of the Senate		Speaker Pro Tem of the House	
.....	JOHN T. BOWMAN	.....	MATTHEW MCNEELY
Secretary of the Senate .....	BILLIE S. FARNUM	Clerk of the House.....	T. THOMAS THATCHER

## STATISTICS\*

Land Area (square miles).....	56,817	Largest City .....	Detroit
Rank in Nation.....	22nd	Population .....	1,386,817
Population† .....	9,061,000	Number of Cities over 10,000 Population.....	89
Rank in Nation.....	7th	Number of Counties.....	83
Density per square mile.....	159.5		
Number of Representatives in Congress.....	19		
Capital City .....	Lansing		
Population .....	129,186		
Rank in State.....	5th		

\*Estimated by Bureau of the Census for July 1, 1973.  
†Revised estimate by Bureau of the Census for July 1, 1973.



# MINNESOTA

Nickname .....	The North Star State	Tree .....	Red Pine
Motto .....	<i>L'Etoile du Nord</i> (The Star of the North)	Song .....	<i>Hail! Minnesota</i>
Flower .....	Pink and White Lady's-Slipper	Gemstone .....	Lake Superior Agate
Bird .....	Common Loon	Fish .....	Walleye
	Capital City .....	Entered the Union .....	May 11, 1858
			St. Paul

## SELECTED OFFICIALS

Governor .....	WENDELL R. ANDERSON
Lieutenant Governor .....	RUDY PERPICH
Secretary of State .....	JOAN A. GROWE
Attorney General .....	WARREN SPANNAUS

## SUPREME COURT

ROBERT J. SHERAN, Chief Justice

JAMES C. OTIS  
HARRY H. MACLAUGHLIN  
WALTER F. ROGOSHESKE

JOHN J. TODD  
C. DONALD PETERSON

FALLON KELLY  
GEORGE M. SCOTT  
LAWRENCE R. YETKA

## LEGISLATURE

President of the Senate.....	ALEC G. OLSON	Speaker of the House.....	MARTIN O. SABO
Secretary of the Senate.....	PATRICK E. FLAHAVEN	Chief Clerk of the House....	EDWARD A. BURDICK

## STATISTICS\*

Land Area (square miles).....	79,289	Largest City .....	Minneapolis
Rank in Nation.....	14th	Population .....	382,423
Population† .....	3,890,000	Number of Cities over 10,000 Population....	58
Rank in Nation.....	19th	Number of Counties.....	87
Density per square mile .....	49.1		
Number of Representatives in Congress.....	8		
Capital City .....	St. Paul		
Population .....	287,305		
Rank in State.....	2nd		

\*Estimated by Bureau of the Census for July 1, 1973.  
†Revised estimate by Bureau of the Census for July 1, 1973.

# MISSISSIPPI



Nickname .....	The Magnolia State	Bird .....	Mockingbird
Motto .....	<i>Virtute et Armis</i>	Tree .....	Magnolia
	(By Valor and Arms)	Song .....	<i>Go, Mississippi</i>
Flower .....	Magnolia	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

ROBERT G. GILLESPIE, Chief Justice

NEVILLE PATTERSON,  
Presiding Justice  
R. P. SUGG

STOKES V. ROBERTSON, JR.  
HARRY G. WALKER  
L. A. SMITH, JR.  
ROY NOBLE LEE

WILLIAM H. INZER,  
Presiding Justice  
VERNON BROOM

## LEGISLATURE

President of the Senate.....	EVELYN GANDY	Speaker of the House.....	C. B. NEWMAN
President Pro Tem of the Senate		Clerk of the House.....	FRANCES HICKS
.....	WILLIAM B. ALEXANDER		
Secretary of the Senate...	WILLIAM C. GARTIN, JR.		

## STATISTICS\*

Land Area (square miles).....	47,296	Largest City .....	Jackson
Rank in Nation.....	31st	Population .....	163,924
Population† .....	2,317,000	Number of Cities over 10,000 Population.....	27
Rank in Nation.....	29th	Number of Counties.....	82
Density per square mile.....	49.0		
Number of Representatives in Congress.....	5		
Capital City .....	Jackson		
Population .....	163,924		
Rank in State.....	1st		

\*Estimated by Bureau of the Census for July 1, 1973.  
†Revised estimate by Bureau of the Census for July 1, 1973.



# MISSOURI

Nickname .....	The Show Me State	Bird .....	Bluebird
Motto .....	<i>Salus Populi Suprema Lex Esto</i> (The Welfare of the People Shall Be the Supreme Law)	Tree .....	Dogwood
Flower .....	Hawthorn	Song .....	<i>Missouri Waltz</i>
		Stone .....	Mozarkite
		Entered the Union .....	August 10, 1821
	Capital City .....		Jefferson City

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## SELECTED OFFICIALS

Governor .....	CHRISTOPHER S. BOND
Lieutenant Governor .....	WILLIAM C. PHELPS
Secretary of State .....	JAMES C. KIRKPATRICK
Attorney General .....	JOHN C. DANFORTH

## SUPREME COURT

ROBERT E. SEILER, Chief Justice

LAWRENCE HOLMAN  
FRED L. HENLEY

JOHN E. BARDGETT  
JUNE P. MORGAN

ROBERT T. DONNELLY  
JAMES A. FINCH, JR.

## GENERAL ASSEMBLY

President of the Senate.....	WILLIAM C. PHELPS	Speaker of the House.....	RICHARD J. RABBITT
President Pro Tem of the Senate		Speaker Pro Tem of the House	
.....	WILLIAM J. CASON	.....	RICHARD J. DECOSTER
Secretary of the Senate.....	Mrs. VINITA RAMSEY	Chief Clerk of the House....	Mrs. AGNES MOORE

## STATISTICS\*

Land Area (square miles).....	68,995	Largest City .....	St. Louis
Rank in Nation.....	18th	Population .....	558,006
Population† .....	4,768,000	Number of Cities over 10,000 Population.....	52
Rank in Nation .....	15th	Number of Counties.....	114
Density per square mile .....	69.1		
Number of Representatives in Congress.....	10		
Capital City .....	Jefferson City		
Population .....	33,501		
Rank in State.....	12th		

\*Estimated by Bureau of the Census for July 1, 1973.

†Revised estimate by Bureau of the Census for July 1, 1973.

# MONTANA



Nickname .....	The Treasure State	Tree .....	Ponderosa Pine
Motto .....	<i>Oro y Plata</i> (Gold and Silver)	Song .....	<i>Montana</i>
Flower .....	Bitterroot	Stone .....	Sapphire and Agate
Bird .....	Western Meadowlark	Entered the Union.....	November 8, 1889
Capital City .....	Helena		

## SELECTED OFFICIALS

Governor .....	THOMAS L. JUDGE
Lieutenant Governor .....	W. E. CHRISTIANSEN
Secretary of State .....	FRANK MURRAY
Attorney General .....	ROBERT L. WOODAHL

## SUPREME COURT

JAMES T. HARRISON, Chief Justice		
GENE B. DALY	WESLEY CASTLES	FRANK I. HASWELL
	JOHN C. HARRISON	

## LEGISLATURE

President of the Senate ....	W. GORDON McOMBER	Speaker of the House .....	PAT McKITTRICK
President Pro Tem of the Senate		Speaker Pro Tem of the House	
.....	CARROLL GRAHAM	.....	FRANCIS BARDANOUVE
Secretary of the Senate .....	(Vacancy)	Chief Clerk of the House.....	ED SMITH

## STATISTICS\*

Land Area (square miles).....	145,587	Largest City .....	Billings
Rank in Nation.....	4th	Population .....	67,015
Population† .....	730,000	Number of Cities over 10,000 Population.....	8
Rank in Nation.....	43rd	Number of Counties.....	56
Density per square mile .....	5.0		
Number of Representatives in Congress.....	2		
Capital City .....	Helena		
Population .....	25,291		
Rank in State.....	4th		

\*Estimated by Bureau of the Census for July 1, 1973.  
†Revised estimate by Bureau of the Census for July 1, 1973.



# NEBRASKA

Nickname .....	The Cornhusker State	Song .....	<i>Beautiful Nebraska</i>
Motto .....	<i>Equality Before the Law</i>	Gemstone .....	Blue Agate
Flower .....	Goldenrod	Fossil .....	Mammoth
Bird .....	Western Meadowlark	Grass .....	Little Blue Stem
Tree .....	Cottonwood	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 J. DOUGLAS

## SUPREME COURT

PAUL W. WHITE, Chief Justice

LAWRENCE M. CLINTON  
HARRY A. SPENCER

LESLIE BOSLAUGH  
DONALD BRODKEY

HALE McCOWN  
JOHN E. NEWTON

## LEGISLATURE

President of the Legislature..	GERALD T. WHELAN		
Speaker of the Legislature....	JULES W. BURBACH		
Chairman of Executive Board,	Vice Chairman of Executive Board,		
Legislative Council .....	EUGENE T. MAHONEY	Legislative Council .....	WALLY BARNETT, JR.
Clerk of the Legislature .....	VINCENT BROWN		

## STATISTICS\*

Land Area (square miles) .....	76,483	Largest City .....	Omaha
Rank in Nation .....	15th	Population .....	377,292
Population† .....	1,533,000	Number of Cities over 10,000 Population .....	12
Rank in Nation .....	35th	Number of Counties .....	93
Density per square mile .....	20.0		
Number of Representatives in Congress .....	3		
Capital City .....	Lincoln		
Population .....	163,440		
Rank in State .....	2nd		

\*Estimated by Bureau of the Census for July 1, 1973.

†Revised estimate by Bureau of the Census for July 1, 1973.



# NEVADA



Nickname .....	The Silver State	Tree .....	Single-leaf Piñon
Motto .....	<i>All for Our Country</i>	Song .....	<i>Home Means Nevada</i>
Flower .....	Sagebrush	Animal .....	Desert Bighorn Sheep
Bird .....	Mountain Bluebird	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

E. M. GUNDERSON, Chief Justice		
GORDON THOMPSON	DAVID ZENOFF	JOHN C. MOWBRAY
	CAMERON M. BATJER	

## LEGISLATURE

President of the Senate .....	ROBERT E. ROSE	Speaker of the Assembly .....	KEITH ASHWORTH
President Pro Tem of the Senate		Speaker Pro Tem of the Assembly	
.....	WARREN L. MONROE	.....	DARRELL H. DREYER
Secretary of the Senate		Chief Clerk of the Assembly ..	MOURYNE LANDING
.....	MRS. LEOLA H. ARMSTRONG		

## STATISTICS\*

Land Area (square miles) .....	109,889	Largest City .....	Las Vegas
Rank in Nation .....	7th	Population .....	144,333
Population† .....	551,000	Number of Cities over 10,000 Population .....	6
Rank in Nation .....	47th	Number of Counties .....	16
Density per square mile .....	5.0		
Number of Representatives in Congress .....	1		
Capital City .....	Carson City		
Population .....	21,995		
Rank in State .....	5th		

\*Estimated by Bureau of the Census for July 1, 1973.  
†Revised estimate by Bureau of the Census for July 1, 1973.



# NEW HAMPSHIRE

Nickname .....	The Granite State	Tree .....	White Birch
Motto .....	<i>Live Free or Die</i>	Song .....	<i>Old New Hampshire</i>
Flower .....	Purple Lilac	Entered the Union .....	June 21, 1788
Bird .....	Purple Finch	Capital City .....	Concord

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## SELECTED OFFICIALS

Governor .....	MELDRIM THOMSON, JR.
Secretary of State .....	ROBERT L. STARK
Attorney General .....	DAVID H. SOUTER

## SUPREME COURT

FRANK R. KENISON, Chief Justice

LAURENCE I. DUNCAN	EDWARD J. LAMPRON	ROBERT F. GRIFFITH
	WILLIAM A. GRIMES	

## GENERAL COURT

President of the Senate .....	ALF E. JACOBSON	Speaker of the House ....	GEORGE B. ROBERTS, JR.
Vice President of the Senate .....		Clerk of the House .....	J. MILTON STREET
	RICHARD F. FERDINANDO		
Clerk of the Senate .....	WILMONT S. WHITE		

## STATISTICS\*

Land Area (square miles).....	9,027	Largest City .....	Manchester
Rank in Nation.....	44th	Population .....	84,300
Population† .....	794,000	Number of Cities and Towns over 10,000 .....	
Rank in Nation.....	41st	Population‡ .....	16
Density per square mile .....	88.0	Number of Counties.....	10
Number of Representatives in Congress.....	2		
Capital City .....	Concord		
Population .....	30,549		
Rank in State.....	3rd		

\*Estimated by Bureau of the Census for July 1, 1973.

†Revised estimate by Bureau of the Census for July 1, 1973.

‡Includes 6 towns over 10,000 population.

# NEW JERSEY



Nickname .....	The Garden State	Tree .....	Red Oak
Motto .....	<i>Liberty and Prosperity</i>	Bug .....	Honeybee
Flower .....	Purple Violet	Entered the Union .....	December 18, 1787
Bird .....	Eastern Goldfinch	Capital City .....	Trenton

## SELECTED OFFICIALS

Governor .....	BRENDAN T. BYRNE
Secretary of State.....	J. EDWARD CRABIEL
Attorney General .....	WILLIAM F. HYLAND

## SUPREME COURT

RICHARD J. HUGHES, Chief Justice		
SIDNEY M. SCHREIBER (VACANCY)	WORRALL F. MOUNTAIN MARK A. SULLIVAN	MORRIS PASHMAN ROBERT L. CLIFFORD

## LEGISLATURE

President of the Senate.....	MATTHEW FELDMAN	Speaker of the Assembly.....	JOSEPH A. LEFANTE
President Pro Tem of the Senate.	JOHN A. LYNCH	Speaker Pro Tem of the Assembly	.....S. HOWARD WOODSON, JR.
Secretary of the Senate.....	ROBERT E. GLADDEN	Clerk of the Assembly.....	JOHN J. MILLER, JR.

## STATISTICS\*

Land Area (square miles).....	7,521	Largest City .....	Newark
Rank in Nation .....	46th	Population .....	367,683
Population† .....	7,325,000	Number of Cities and Townships over	10,000 Population† .....
Rank in Nation .....	9th	205	
Density per square mile.....	973.9	Number of Counties .....	21
Number of Representatives in Congress.....	15		
Capital City .....	Trenton		
Population .....	104,156		
Rank in State .....	5th		

\*Estimated by Bureau of the Census for July 1, 1973.  
†Revised estimate by Bureau of the Census for July 1, 1973.  
‡Includes 90 townships over 10,000 population.



# NEW MEXICO

Nickname .....	The Land of Enchantment	Songs .....	<i>Asi es Nuevo Mexico</i>
Motto .....	<i>Crescit Eundo</i> (It Grows As It Goes)		<i>O, Fair New Mexico</i>
Flower .....	Yucca	Gem .....	Turquoise
Bird .....	Roadrunner	Animal .....	Black Bear
Tree .....	Piñon	Fish .....	Cutthroat Trout
	Capital City .....	Entered the Union.....	January 6, 1912
			Santa Fe

## SELECTED OFFICIALS

Governor .....	JERRY APODACA
Lieutenant Governor .....	ROBERT E. FERGUSON
Secretary of State .....	ERNESTINE D. EVANS
Attorney General .....	TONEY ANAYA

## SUPREME COURT

JOHN B. McMANUS, JR.	LAFEL E. OMAN, Chief Justice	DONNAN STEPHENSON
	SAMUEL Z. MONTOYA	
	DAN SOSA, JR.	

## LEGISLATURE

President of the Senate ....	ROBERT E. FERGUSON	Speaker of the House.....	WALTER K. MARTINEZ
President Pro Tem of the Senate..	I. M. SMALLEY	Chief Clerk of the House.....	ALBERT ROMERO
Chief Clerk of the Senate.....	JUANITA PINO		

## STATISTICS\*

Land Area (square miles) .....	121,412	Largest City .....	Albuquerque
Rank in Nation .....	5th	Population .....	273,902
Population† .....	1,099,000	Number of Cities over 10,000 Population .....	12
Rank in Nation .....	37th	Number of Counties .....	32
Density per square mile .....	9.1		
Number of Representatives in Congress .....	2		
Capital City .....	Santa Fe		
Population .....	42,653		
Rank in State .....	2nd		

\*Estimated by Bureau of the Census for July 1, 1973.

†Revised estimate by Bureau of the Census for July 1, 1973.

# NEW YORK



Nickname .....	The Empire State	Tree .....	Sugar Maple
Motto .....	<i>Excelsior</i> (Ever Upward)	Fish .....	Brook Trout
Flower .....	Rose	Animal .....	American Beaver
Bird .....	Bluebird	Gem .....	Garnet
Capital City .....	Albany	Entered the Union .....	July 26, 1788

## 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

(Highest Appellate Court)

CHARLES D. BREITEL, Chief Judge

MATTHEW J. JASEN  
DOMENICK L. GABRIELLE

HUGH R. JONES  
JACOB D. FUCHSBERG

SOL WACHTLER  
LAURENCE H. COOKE

## LEGISLATURE

President of the Senate.....	MARY ANNE KRUPSAK	Speaker of the Assembly.....	STANLEY STEINGUT
President Pro Tem of the Senate .....	WARREN M. ANDERSON	Speaker Pro Tem of the Assembly .....	LOUIS DeSALVIO
Secretary of the Senate.....	ROGER THOMPSON	Clerk of the Assembly .....	CATHERINE A. CAREY

## STATISTICS\*

Land Area (square miles).....	47,831	Largest City .....	New York City
Rank in Nation.....	30th	Population .....	7,646,818
Population† .....	18,214,000	Number of Cities and Villages over 10,000 .....	89
Rank in Nation.....	2nd	Population .....	62
Density per square mile .....	380.8	Number of Counties.....	
Number of Representatives in Congress.....	39		
Capital City .....	Albany		
Population .....	111,373		
Rank in State.....	6th		

\*Estimated by Bureau of the Census for July 1, 1973.

†Revised estimate by Bureau of the Census for July 1, 1973.



# NORTH CAROLINA

Nickname .....	The Tar Heel State	Tree .....	Pine
Motto .....	<i>Esse Quam Videri</i> (To Be Rather Than to Seem)	Song .....	<i>The Old North State</i>
Flower .....	Dogwood	Mammal .....	Gray Squirrel
Bird .....	Cardinal	Fish .....	Channel Bass
Capital City .....	Raleigh	Entered the Union .....	November 21, 1789

## SELECTED OFFICIALS

Governor .....	JAMES E. HOLSHOUSER, JR.
Lieutenant Governor .....	JAMES B. HUNT, JR.
Secretary of State .....	THAD EURE
Attorney General .....	RUFUS L. EDMISTEN

## SUPREME COURT

SUSIE M. SHARP, Chief Justice

DAN K. MOORE  
JAMES G. EXUM, JR.

I. BEVERLY LAKE  
J. WILLIAM COPELAND

JOSEPH BRANCH  
J. FRANK HUSKINS

## GENERAL ASSEMBLY

President of the Senate .....	JAMES B. HUNT, JR.	Speaker of the House .....	JAMES C. GREEN
President Pro Tem of the Senate .....	JOHN T. HENLEY	Speaker Pro Tem of the House .....	
Principal Clerk of the Senate .....	ROY ROWE	Principal Clerk of the House .....	C. KITCHIN JOSEY
		Principal Clerk of the House .....	MRS. GRACE COLLINGS

## STATISTICS\*

Land Area (square miles) .....	48,798	Largest City .....	Charlotte
Rank in Nation .....	29th	Population .....	284,758
Population† .....	5,302,000	Number of Cities over 10,000 Population .....	41
Rank in Nation .....	12th	Number of Counties .....	100
Density per square mile .....	108.7		
Number of Representatives in Congress .....	11		
Capital City .....	Raleigh		
Population .....	133,050		
Rank in State .....	4th		

\*Estimated by Bureau of the Census for July 1, 1973.

†Revised estimate by Bureau of the Census for July 1, 1973.

# NORTH DAKOTA



Nickname .....	The Flickertail State and The Sioux State	Tree .....	American Elm
Motto .....	<i>Liberty and Union, Now and Forever, One and Inseparable</i>	Song .....	<i>North Dakota Hymn</i>
Flower .....	Wild Prairie Rose	March .....	<i>Spirit of the Land</i>
Bird .....	Western Meadowlark	Stone .....	Teredo Petrified Wood
	Capital City .....	Fish .....	Northern Pike
		Entered the Union .....	November 2, 1889
			Bismarck

## SELECTED OFFICIALS

Governor .....	ARTHUR A. LINK
Lieutenant Governor .....	WAYNE G. SANSTEAD
Secretary of State .....	BEN MEIER
Attorney General .....	ALLEN I. OLSON

## SUPREME COURT

VERNON PEDERSON	RALPH J. ERICKSTAD, Chief Justice	WILLIAM L. PAULSON
	PAUL SAND	
	ROBERT J. VOGEL	

## LEGISLATIVE ASSEMBLY

President of the Senate.....	WAYNE G. SANSTEAD	Speaker of the House.....	ROBERT REIMERS
President Pro Tem of the Senate		Chief Clerk of the House .....	ROY GILBREATH
.....	EMIL KAUTZMANN		
Secretary of the Senate .....	LEO LEIDHOLM		

## STATISTICS\*

Land Area (square miles).....	69,273	Largest City .....	Fargo
Rank in Nation.....	17th	Population .....	56,637
Population† .....	635,000	Number of Cities over 10,000 Population.....	8
Rank in Nation.....	45th	Number of Counties.....	53
Density per square mile.....	9.2		
Number of Representatives in Congress.....	1		
Capital City .....	Bismarck		
Population .....	37,164		
Rank in State.....	3rd		

\*Estimated by Bureau of the Census for July 1, 1973.

†Revised estimate by Bureau of the Census for July 1, 1973.



# OHIO

Nickname .....	The Buckeye State	Song .....	<i>Beautiful Ohio</i>
Motto .....	<i>With God, All Things Are Possible</i>	Insect .....	Ladybug
Flower .....	Scarlet Carnation	Stone .....	Ohio Flint
Bird .....	Cardinal	Beverage .....	Tomato Juice
Tree .....	Buckeye	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

J. J. P. CORRIGAN  
LEONARD J. STERN

THOMAS M. HERBERT  
WILLIAM B. BROWN

PAUL W. BROWN  
FRANK D. CELEBREZZE

## GENERAL ASSEMBLY

President of the Senate .....	RICHARD F. CELESTE	Speaker of the House .....	VERNAL G. RIFFE, JR.
President Pro Tem of the Senate ..	OLIVER OCASEK	Speaker Pro Tem of the House ..	BARNEY QUILTER
Clerk of the Senate .....	WILLIAM H. CHAVANNE	Legislative Clerk of the House ..	THOMAS WINTERS
		Executive Secretary of the House .....	JOSEPH SOMMER

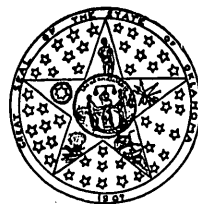
## STATISTICS\*

Land Area (square miles) .....	40,975	Largest City .....	Cleveland
Rank in Nation .....	35th	Population .....	678,615
Population† .....	10,743,000	Number of Cities over 10,000 Population ..	144
Rank in Nation .....	6th	Number of Counties .....	88
Density per square mile .....	262.2		
Number of Representatives in Congress ..	23		
Capital City .....	Columbus		
Population .....	540,933		
Rank in State .....	2nd		

\*Estimated by Bureau of the Census for July 1, 1973.  
†Revised estimate by Bureau of the Census for July 1, 1973.



# OKLAHOMA



Nickname .....	The Sooner State	Tree .....	Redbud
Motto .....	<i>Labor Omnia Vincit</i> (Labor Conquers All Things)	Song .....	Oklahoma
Flower .....	Mistletoe	Stone .....	Barite Rose (Rose Rock)
Bird .....	Scissor-tailed Flycatcher	Animal .....	American Buffalo
Fish .....	White Bass	Reptile .....	Mountain Boomer Lizard
Capital City .....	Oklahoma City	Entered the Union .....	November 16, 1907

## SELECTED OFFICIALS

Governor .....	DAVID L. BOREN
Lieutenant Governor .....	GEORGE NIGH
Secretary of State .....	JEROME W. BYRD
Attorney General .....	LARRY D. DERRYBERRY

## SUPREME COURT

BEN T. WILLIAMS, Chief Justice

RALPH B. HODGES,  
Vice Chief Justice  
PAT IRWIN

WILLIAM A. BERRY  
DON BARNES  
DENVER N. DAVISON

JOHN B. DOOLIN  
ROBERT E. LAVENDER  
ROBERT D. SIMMS

## LEGISLATURE

President of the Senate .....	GEORGE NIGH	Speaker of the House .....	WILLIAM P. WILLIS
President Pro Tem of the Senate .....	GENE C. HOWARD	Speaker Pro Tem of the House .....	SPENCER T. BERNARD
Secretary of the Senate .....	LEE SLATER	Chief Clerk of the House .....	MRS. LOUISE STOCKTON

## STATISTICS\*

Land Area (square miles) .....	68,782	Largest City .....	Oklahoma City
Rank in Nation .....	19th	Population .....	373,717
Population† .....	2,669,000	Number of Cities over 10,000 Population .....	30
Rank in Nation .....	27th	Number of Counties .....	77
Density per square mile .....	38.8		
Number of Representatives in Congress .....	6		
Capital City .....	Oklahoma City		
Population .....	373,717		
Rank in State .....	1st		

\*Estimated by Bureau of the Census for July 1, 1973.  
†Revised estimate by Bureau of the Census for July 1, 1973.



# OREGON

Nickname .....	The Beaver State	Song .....	<i>Oregon, My Oregon</i>
Motto .....	<i>The Union</i>	Stone .....	Thunderegg
Flower .....	Oregon Grape	Animal .....	Beaver
Bird .....	Western Meadowlark	Fish .....	Chinook Salmon
Tree .....	Douglas Fir	Entered the Union .....	February 14, 1859
Capital City .....	Salem		

## SELECTED OFFICIALS

Governor .....	ROBERT W. STRAUB
Secretary of State .....	CLAY MYERS
Attorney General .....	LEE JOHNSON

## SUPREME COURT

KENNETH J. O'CONNELL, Chief Justice

WILLIAM M. McALLISTER  
DEAN BRYSON

EDWARD H. HOWELL  
THOMAS H. TONGUE

ARNO H. DENECKE  
RALPH M. HOLMAN

## LEGISLATIVE ASSEMBLY

President of the Senate.....	JASON BOE	Speaker of the House .....	PHILIP D. LANG
President Pro Tem of the Senate..	DICK GROENER	Speaker Pro Tem of the House .....	ALBERT H. DENSMORE
Acting Secretary of the Senate ..	MARIBEL CADMUS	Chief Clerk of the House.....	WINTON J. HUNT

## STATISTICS\*

Land Area (square miles).....	96,184	Largest City .....	Portland
Rank in Nation.....	10th	Population .....	375,948
Population† .....	2,219,000	Number of Cities over 10,000 Population .....	24
Rank in Nation.....	31st	Number of Counties.....	36
Density per square mile .....	23.1		
Number of Representatives in Congress.....	4		
Capital City .....	Salem		
Population .....	79,249		
Rank in State.....	3rd		

\*Estimated by Bureau of the Census for July 1, 1973.

†Revised estimate by Bureau of the Census for July 1, 1973.

# PENNSYLVANIA



Nickname .....	The Keystone State	Dog .....	Great Dane
Motto .....	<i>Virtue, Liberty and Independence</i>	Animal .....	Whitetail Deer
Flower .....	Mountain Laurel	Fish .....	Brook Trout
Bird .....	Ruffed Grouse	Entered the Union .....	December 12, 1787
Tree .....	Hemlock	Capital City .....	Harrisburg

## SELECTED OFFICIALS

Governor .....	MILTON J. SHAPP
Lieutenant Governor .....	ERNEST P. KLINE
Secretary of the Commonwealth .....	MRS. C. DeLORES TUCKER
Attorney General .....	ROBERT P. KANE

## SUPREME COURT

BENJAMIN R. JONES, Chief Justice

THOMAS W. POMEROY, JR.  
ROBERT N. C. NIX, JR.

LOUIS L. MANDERINO  
MICHAEL J. EAGEN

HENRY X. O'BRIEN  
SAMUEL J. ROBERTS

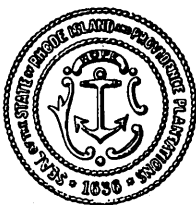
## GENERAL ASSEMBLY

President of the Senate .....	ERNEST P. KLINE	Speaker of the House .....	HERBERT FINEMAN
President Pro Tem of the Senate .....		Chief Clerk of the House .....	VINCENT SCARCELLI
.....	MARTIN L. MURRAY		
Secretary of the Senate .....	MARK GRUELL, JR.		

## STATISTICS\*

Land Area (square miles) .....	44,966	Largest City .....	Philadelphia
Rank in Nation .....	32nd	Population .....	1,861,719
Population† .....	11,862,000	Number of Cities and Boroughs over 10,000 Population .....	93
Rank in Nation .....	3rd	Number of Counties .....	67
Density per square mile .....	263.8		
Number of Representatives in Congress .....	25		
Capital City .....	Harrisburg		
Population .....	61,182		
Rank in State .....	8th		

\*Estimated by Bureau of the Census for July 1, 1973.  
†Revised estimate by Bureau of the Census for July 1, 1973.



# RHODE ISLAND

Nickname .....	Little Rhody	Song .....	<i>Rhode Island</i>
Motto .....	<i>Hope</i>	Rock .....	Cumberlandite
Flower .....	Violet	Mineral .....	Bowenite
Bird .....	Rhode Island Red	Entered the Union .....	May 29, 1790
Tree .....	Red Maple	Capital City .....	Providence

## SELECTED OFFICIALS

Governor .....	PHILIP W. NOEL
Lieutenant Governor .....	J. JOSEPH GARRAHY
Secretary of State .....	ROBERT F. BURNS
Attorney General .....	JULIUS C. MICHAELSON

## SUPREME COURT

THOMAS J. PAOLINO	JOSEPH A. BEVILACQUA, Chief Justice	THOMAS F. KELLEHER
	JOHN F. DORIS	
	ALFRED H. JOSLIN	

## GENERAL ASSEMBLY

President of the Senate .....	J. JOSEPH GARRAHY	Speaker of the House ....	JOHN J. SKIFFINGTON, JR.
President Pro Tem of the Senate		First Deputy Speaker of the House	
.....	ERICH A. O'D. TAYLOR	.....	ROBERT E. SWEENEY
Secretary of the Senate .....	ROBERT F. BURNS	Reading Clerk of the House ..	PAUL B. McMAHON

## STATISTICS\*

Land Area (square miles) .....	1,049	Largest City .....	Providence
Rank in Nation .....	50th	Population .....	169,931
Population† .....	967,000	Number of Cities and Towns over	
Rank in Nation .....	39th	10,000 Population† .....	27
Density per square mile .....	921.8	Number of Counties .....	5
Number of Representatives in Congress .....	2		
Capital City .....	Providence		
Population .....	169,931		
Rank in State .....	1st		

\*Estimated by Bureau of the Census for July 1, 1973.  
†Revised estimate by Bureau of the Census for July 1, 1973.  
‡Includes 19 towns over 10,000 population.

# SOUTH CAROLINA



Nickname .....	The Palmetto State	Bird .....	Carolina Wren
Mottos .....	<i>Animis Opibusque Parati</i>	Tree .....	Palmetto
	(Prepared in Mind and Resources)	Song .....	<i>Carolina</i>
	<i>Dum Spiro Spero</i> (While I Breathe, I Hope)	Stone .....	Blue Granite
Flower .....	Carolina Jessamine	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 B. NESS
	GEORGE TILLMAN GREGORY, JR.
	WILLIAM LUTHER RHODES, JR.

## GENERAL ASSEMBLY

President of the Senate .....	W. BRANTLEY HARVEY, JR.	Speaker of the House.....	REX L. CARTER
President Pro Tem of the Senate .....	L. MARION GRESSETTE	Speaker Pro Tem of the House .....	RAMON SCHWARTZ, JR.
Clerk of the Senate .....	LOVICK O. THOMAS	Clerk of the House.....	SYLVIA W. ORANGE

## STATISTICS\*

Land Area (square miles).....	30,225	Largest City .....	Columbia
Rank in Nation.....	40th	Population .....	112,164
Population† .....	2,724,000	Number of Cities over 10,000 Population ....	21
Rank in Nation .....	26th	Number of Counties.....	46
Density per square mile .....	90.1		
Number of Representatives in Congress.....	6		
Capital City .....	Columbia		
Population .....	112,164		
Rank in State.....	1st		

\*Estimated by Bureau of the Census for July 1, 1973.  
†Revised estimate by Bureau of the Census for July 1, 1973.



# SOUTH DAKOTA

Nickname .....	The Coyote State	Song .....	<i>Hail, South Dakota</i>
Motto .....	<i>Under God the People Rule</i>	Stone .....	Black Hills Gold
Flower .....	Pasque Flower	Animal .....	Coyote
Bird .....	Ringnecked Pheasant	Entered the Union .....	November 2, 1889
Tree .....	Black Hills Spruce	Capital City .....	Pierre

## SELECTED OFFICIALS

Governor .....	RICHARD F. KNEIP
Lieutenant Governor .....	HARVEY WOLLMAN
Secretary of State .....	LORNA HERSETH
Attorney General .....	WILLIAM JANKLOW

## SUPREME COURT

OREN P. COLER	FRANCIS G. DUNN, Chief Justice	ROGER L. WOLLMAN
	FRED R. WINANS (VACANCY)	

## LEGISLATURE

President of the Senate.....	HARVEY WOLLMAN	Speaker of the House .....	JOE BARNETT
President Pro Tem of the Senate .....	MIKE O'CONNOR	Speaker Pro Tem of the House .....	LOWELL C. HANSEN, JR.
Secretary of the Senate.....	ROGER PRUNTY	Chief Clerk of the House .....	PAUL INMAN

## STATISTICS\*

Land Area (square miles).....	75,955	Largest City .....	Sioux Falls
Rank in Nation.....	16th	Population .....	74,106
Population† .....	682,000	Number of Cities over 10,000 Population ....	9
Rank in Nation .....	44th	Number of Counties.....	67
Density per square mile.....	9.0		
Number of Representatives in Congress.....	2		
Capital City .....	Pierre		
Population .....	10,647		
Rank in State.....	9th		

\*Estimated by Bureau of the Census for July 1, 1973.  
†Revised estimate by Bureau of the Census for July 1, 1973.

# TENNESSEE



Nickname .....	The Volunteer State	Songs ....	<i>When It's Iris Time in Tennessee; and The Tennessee Waltz</i>
Motto .....	<i>Agriculture and Commerce</i>	Stone .....	Agate
Flower .....	Iris	Animal .....	Raccoon
Bird .....	Mockingbird	Entered the Union.....	June 1, 1796
Tree .....	Tulip Poplar	Capital City .....	Nashville
Wildflower .....	Passion Flower		

## SELECTED OFFICIALS

Governor .....	RAY BLANTON
Lieutenant Governor .....	JOHN S. WILDER
Secretary of State.....	JOE C. CARR
Attorney General .....	RAYMOND ASHLEY, JR.

## SUPREME COURT

RAY L. BROCK, JR.	WILLIAM H. D. FONES, Chief Justice	JOSEPH W. HENRY
	ROBERT E. COOPER	
	WILLIAM J. HARBISON	

## GENERAL ASSEMBLY

Speaker of the Senate.....	JOHN S. WILDER	Speaker of the House.....	NED R. McWHERTER
Chief Clerk of the Senate .....	J. T. CRAIG	Chief Clerk of the House.....	JAMES C. FREE

## STATISTICS\*

Land Area (square miles).....	41,328	Largest City .....	Memphis
Rank in Nation .....	34th	Population .....	658,868
Population† .....	4,095,000	Number of Cities over 10,000 Population ...	34
Rank in Nation.....	17th	Number of Counties .....	95
Density per square mile .....	99.1		
Number of Representatives in Congress.....	8		
Capital City .....	Nashville		
Population .....	449,109		
Rank in State .....	2nd		

\*Estimated by Bureau of the Census for July 1, 1973.  
†Revised estimate by Bureau of the Census for July 1, 1973.



# TEXAS

Nickname .....	The Lone Star State	Song .....	<i>Texas, Our Texas</i>
Motto .....	<i>Friendship</i>	Stone .....	Palmwood
Flower .....	Bluebonnet	Gem .....	Topaz
Bird .....	Mockingbird	Entered the Union.....	December 29, 1845
Tree .....	Pecan	Capital City .....	Austin

## SELECTED OFFICIALS

Governor .....	DOLPH BRISCOE
Lieutenant Governor .....	WILLIAM P. HOBBY
Secretary of State.....	MARK W. WHITE, JR.
Attorney General .....	JOHN L. HILL

## SUPREME COURT

JOE R. GREENHILL, Chief Justice

THOMAS M. REAVLEY  
JAMES G. DENTON  
ROSS E. DOUGHTY

SEARS MCGEE  
SAM JOHNSON

PRICE DANIEL, Sr.  
ZOLLIE C. STEAKLEY  
JACK POPE

## LEGISLATURE

President of the Senate.....	WILLIAM P. HOBBY	Speaker of the House .....	BILL CLAYTON
President Pro Tem of the Senate		Speaker Pro Tem of the House.	RICHARD C. SLACK
.....	H. TATI SANTIESTEBAN	Chief Clerk of the House	
Secretary of the Senate.....	CHARLES A. SCHNABEL	.....	MRS. DOROTHY HALLMAN

## STATISTICS\*

Land Area (square miles).....	262,134	Largest City .....	Houston
Rank in Nation.....	2nd	Population .....	1,320,018
Population† .....	11,828,000	Number of Cities over 10,000 Population ....	127
Rank in Nation.....	4th	Number of Counties.....	254
Density per square mile .....	45.1		
Number of Representatives in Congress.....	24		
Capital City .....	Austin		
Population .....	291,214		
Rank in State.....	6th		

\*Estimated by Bureau of the Census for July 1, 1973.

†Revised estimate by Bureau of the Census for July 1, 1973.



# UTAH



Nickname .....	The Beehive State	Tree .....	Blue Spruce
Motto .....	<i>Industry</i>	Song.....	<i>Utah, We Love Thee</i>
Flower .....	Sego Lily	Gem .....	Topaz
Bird .....	Seagull	Entered the Union.....	January 4, 1896
Capital City .....	Salt Lake City		

## SELECTED OFFICIALS

Governor .....	CALVIN L. RAMPTON
Secretary of State .....	CLYDE L. MILLER
Attorney General .....	VERNON B. ROMNEY

## SUPREME COURT

RICHARD J. MAUGHAN	F. HENRI HENRIOD, Chief Justice	ALBERT H. ELLETT
	J. ALLAN CROCKETT	
	R. LEROY TUCKETT	

## LEGISLATURE

President of the Senate .....	ERNEST H. DEAN	Speaker of the House .....	RONALD L. RENCHER
Secretary of the Senate.....	SOPHIA C. BUCKMILLER	Chief Clerk of the House .....	ALAN H. KAPP

## STATISTICS\*

Land Area (square miles).....	82,096	Largest City .....	Salt Lake City
Rank in Nation.....	12th	Population .....	169,234
Population† .....	1,150,000	Number of Cities over 10,000 Population ....	15
Rank in Nation.....	36th	Number of Counties.....	29
Density per square mile .....	14.0		
Number of Representatives in Congress.....	2		
Capital City .....	Salt Lake City		
Population .....	169,234		
Rank in State.....	1st		

\*Estimated by Bureau of the Census for July 1, 1973.  
†Revised estimate by Bureau of the Census for July 1, 1973.



# VERMONT

Nickname.....	The Green Mountain State	Tree .....	Sugar Maple
Motto.....	<i>Freedom and Unity</i>	Song .....	<i>Hail, Vermont!</i>
Flower .....	Red Clover	Animal .....	Morgan Horse
Bird .....	Hermit Thrush	Entered the Union.....	March 4, 1791
	Capital City .....		Montpelier

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## SELECTED OFFICIALS

Governor .....	THOMAS P. SALMON
Lieutenant Governor .....	BRIAN D. BURNS
Secretary of State .....	RICHARD C. THOMAS
Attorney General .....	M. JEROME DIAMOND

## SUPREME COURT

MILFORD K. SMITH	ALBERT W. BARNEY, Jr., Chief Justice	
	FRANKLIN S. BILLINGS, Jr.	RUDOLPH J. DALEY
	ROBERT W. LARROW	

## GENERAL ASSEMBLY

President of the Senate .....	BRIAN D. BURNS	Speaker of the House ..	TIMOTHY J. O'CONNOR, JR.
President Pro Tem of the Senate .....		Clerk of the House.....	ROBERT L. PICHER
.....	ROBERT A. BLOOMER		
Secretary of the Senate.....	ROBERT H. GIBSON		

## STATISTICS\*

Land Area (square miles).....	9,267	Largest City .....	Burlington
Rank in Nation.....	43rd	Population .....	38,025
Population† .....	466,000	Number of Cities and Towns over	
Rank in Nation .....	48th	10,000 Population† .....	6
Density per square mile .....	50.3	Number of Counties.....	14
Number of Representatives in Congress. ....	1		
Capital City .....	Montpelier		
Population .....	8,539		
Rank in State.....	10th		

\*Estimated by Bureau of the Census for July 1, 1973.

†Revised estimate by Bureau of the Census for July 1, 1973.

‡Includes 3 towns over 10,000 population.

# VIRGINIA



Nickname .....	The Old Dominion	Tree .....	Dogwood
Motto .....	<i>Sic Semper Tyrannis</i> (Thus Always to Tyrants)	Song.....	<i>Carry Me Back to Old Virginia</i>
Flower .....	Dogwood	Animal .....	Foxhound
Bird .....	Cardinal	Shell .....	Oyster
	Capital City .....	Entered the Union .....	June 25, 1788
			Richmond

## SELECTED OFFICIALS

Governor .....	MILLS E. GODWIN, JR.
Lieutenant Governor .....	JOHN N. DALTON
Secretary of the Commonwealth.....	Mrs. PATRICIA PERKINSON
Attorney General .....	ANDREW P. MILLER

## SUPREME COURT

	LAWRENCE W. L'ANSON, Chief Justice	
ALBERTIS S. HARRISON, JR.	ALEX M. HARMAN, JR.	HARRY LEE CARRICO
GEORGE M. COCHRAN	A. CHRISTIAN COMPTON	RICHARD H. POFF

## GENERAL ASSEMBLY

President of the Senate.....	JOHN N. DALTON	Speaker of the House.....	JOHN WARREN COOKE
President Pro Tem of the Senate		Clerk of the House....	JOSEPH H. HOLLEMAN, JR.
.....	EDWARD E. WILLEY		
Clerk of the Senate.....	JAY SHROPSHIRE		

## STATISTICS\*

Land Area (square miles).....	39,780	Largest City .....	Norfolk
Rank in Nation.....	36th	Population .....	283,064
Population† .....	4,844,000	Number of Cities over 10,000 Population....	32
Rank in Nation.....	13th	Number of Counties.....	96
Density per square mile.....	121.8		
Number of Representatives in Congress.....	10		
Capital City .....	Richmond		
Population .....	238,087		
Rank in State.....	2nd		

\*Estimated by Bureau of the Census for July 1, 1973.

†Revised estimate by Bureau of the Census for July 1, 1973.



# WASHINGTON

Nickname.....	The Evergreen State	Song .....	<i>Washington, My Home</i>
Motto .....	<i>Alki</i> (By and By)	Gem .....	Petrified Wood
Flower .....	Western Rhododendron	Fish .....	Steelhead Trout
Bird .....	Willow Goldfinch	Entered the Union.....	November 11, 1889
Tree .....	Western Hemlock	Capital City .....	Olympia

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## SELECTED OFFICIALS

Governor .....	DANIEL J. EVANS
Lieutenant Governor .....	JOHN A. CHERBERG
Secretary of State .....	BRUCE K. CHAPMAN
Attorney General .....	SLADE GORTON

## SUPREME COURT

CHARLES J. HOROWITZ	CHARLES F. STAFFORD, Chief Justice	
CHARLES T. WRIGHT	HUGH J. ROSELLINI	ORRIS L. HAMILTON
ROBERT T. HUNTER	JAMES M. DOLLIVER	ROBERT F. UTTER
		ROBERT F. BRACHTENBACH

## LEGISLATURE

President of the Senate.....	JOHN A. CHERBERG	Speaker of the House.....	(VACANCY)
President Pro Tem of the Senate....	AL HENRY	Speaker Pro Tem of the House..	JOHN L. O'BRIEN
Secretary of the Senate.....	SIDNEY R. SNYDER	Chief Clerk of the House.....	DEAN R. FOSTER

## STATISTICS\*

Land Area (square miles).....	66,570	Largest City .....	Seattle
Rank in Nation.....	20th	Population .....	503,073
Population† .....	3,431,000	Number of Cities over 10,000 Population ....	36
Rank in Nation .....	22nd	Number of Counties.....	39
Density per square mile .....	51.5		
Number of Representatives in Congress.....	7		
Capital City .....	Olympia		
Population .....	25,398		
Rank in State .....	13th		

\*Estimated by Bureau of the Census for July 1, 1973.

†Revised estimate by Bureau of the Census for July 1, 1973.

# WEST VIRGINIA



Nickname .....	The Mountain State	Songs ....	<i>West Virginia, My Home Sweet Home;</i>
Motto .....	<i>Montani Semper Liberi</i>		<i>The West Virginia Hills;</i>
	(Mountaineers Are Always Free)		<i>and This Is My West Virginia</i>
Flower .....	Big Rhododendron	Animal .....	Black Bear
Bird .....	Cardinal	Fish .....	Brook Trout
Tree .....	Sugar Maple	Entered the Union .....	June 20, 1863
	Capital City .....		Charleston

## SELECTED OFFICIALS

Governor .....	ARCH A. MOORE, JR.
Secretary of State .....	JAMES R. MCCARTNEY
Attorney General .....	CHAUNCEY H. BROWNING, JR.

## SUPREME COURT OF APPEALS

	THORNTON G. BERRY, JR., Chief Justice	
EDWIN F. FLOWERS	FRED H. CAPLAN	RICHARD NEELY
	DONALD R. WILSON	

## LEGISLATURE

President of the Senate ..	WILLIAM T. BROTHERTON	Speaker of the House .....	LEWIS N. McMANUS
President Pro Tem of the Senate ..	CARL E. GAINER	Clerk of the House .....	C. A. BLANKENSHIP
Clerk of the Senate .....	J. C. DILLON, JR.		

## STATISTICS\*

Land Area (square miles) .....	24,070	Largest City .....	Huntington
Rank in Nation .....	41st	Population .....	73,241
Population† .....	1,788,000	Number of Cities over 10,000 Population .....	15
Rank in Nation .....	34th	Number of Counties .....	55
Density per square mile .....	74.3		
Number of Representatives in Congress .....	4		
Capital City .....	Charleston		
Population .....	68,174		
Rank in State .....	2nd		

\*Estimated by Bureau of the Census for July 1, 1973.  
†Revised estimate by Bureau of the Census for July 1, 1973.



# WISCONSIN

Nickname .....	The Badger State	Song .....	<i>On, Wisconsin!</i>
Motto .....	<i>Forward</i>	Rock .....	Red Granite
Flower .....	Wood Violet	Mineral .....	Galena
Bird .....	Robin	Animal .....	Badger
Tree .....	Sugar Maple	Fish .....	Muskellunge
Wildlife Animal .....	White-tailed Deer	Entered the Union .....	May 29, 1848
Capital City .....	Madison		

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## SELECTED OFFICIALS

Governor .....	PATRICK J. LUCEY
Lieutenant Governor.....	MARTIN J. SCHREIBER
Secretary of State .....	DOUGLAS J. LAFOLLETTE
Attorney General .....	BRONSON C. LAFOLLETTE

## SUPREME COURT

BRUCE F. BEILFUSS	HORACE W. WILKIE, Chief Justice	CONNOR T. HANSEN
ROLAND B. DAY	NATHAN S. HEFFERNAN	ROBERT W. HANSEN
	LEO B. HANLEY	

## LEGISLATURE

President of the Senate .....	MARTIN J. SCHREIBER	Speaker of the Assembly...	NORMAN C. ANDERSON
President Pro Tem of the Senate..	FRED A. RISSER	Speaker Pro Tem of the Assembly	
Chief Clerk of the Senate....	GLENN E. BULTMAN	.....	EDWARD G. JACKAMONIS
		Chief Clerk of the Assembly...	EVERETT E. BOLLE

## STATISTICS\*

Land Area (square miles).....	54,464	Largest City .....	Milwaukee
Rank in Nation.....	25th	Population .....	690,685
Population† .....	4,539,000	Number of Cities over 10,000 Population ...	53
Rank in Nation.....	16th	Number of Counties.....	72
Density per square mile .....	83.3		
Number of Representatives in Congress.....	9		
Capital City .....	Madison		
Population .....	169,749		
Rank in State.....	2nd		

\*Estimated by Bureau of the Census for July 1, 1973.

†Revised estimate by Bureau of the Census for July 1, 1973.

# WYOMING



Nickname .....	The Equality State	Tree .....	Cottonwood
Motto .....	<i>Equal Rights</i>	Song .....	<i>Wyoming</i>
Flower .....	Indian Paintbrush	Stone .....	Jade
Bird .....	Meadowlark	Entered the Union .....	July 10, 1890
Capital City .....	Cheyenne		

## SELECTED OFFICIALS

Governor .....	ED HERSCHLER
Secretary of State .....	MRS. THYRA THOMSON
Attorney General .....	V. FRANK MENDICINO

## SUPREME COURT

JOHN F. RAPER	RODNEY M. GUTHRIE, Chief Justice	ROBERT R. ROSE, JR.
	A. G. MCCLINTOCK	
	RICHARD V. THOMAS	

## LEGISLATURE

President of the Senate .....	J. W. MYERS	Speaker of the House .....	HAROLD HELLBAUM
Vice President of the Senate .....	A. EDWARD KENDIG	Speaker Pro Tem of the House .....	NELS J. SMITH
Chief Clerk of the Senate .....	NELSON E. WREN	Chief Clerk of the House .....	HERBERT D. POWNALL

## STATISTICS\*

Land Area (square miles) .....	97,203	Largest City .....	Cheyenne
Rank in Nation .....	9th	Population .....	43,813
Population† .....	353,000	Number of Cities over 10,000 Population .....	5
Rank in Nation .....	49th	Number of Counties .....	23
Density per square mile .....	3.6		
Number of Representatives in Congress .....	1		
Capital City .....	Cheyenne		
Population .....	43,813		
Rank in State .....	1st		

\*Estimated by Bureau of the Census for July 1, 1973.  
†Revised estimate by Bureau of the Census for July 1, 1973.



# DISTRICT OF COLUMBIA

Motto ..... *Justitia Omnibus* ..... Bird ..... Wood Thrush  
(Justice for All) ..... Tree ..... Scarlet Oak  
Flower ..... American Beauty Rose ..... Became U.S. Capital ..... December 1, 1800

## OFFICERS

Mayor ..... WALTER E. WASHINGTON  
Executive Secretary ..... MARTIN K. SCHALLER  
Corporation Counsel ..... LEWIS ROBBINS

## U.S. COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA

Chief Judge ..... DAVID L. BAZELON

## DISTRICT OF COLUMBIA COURT OF APPEALS

Chief Judge ..... GERARD D. REILLY

## U.S. DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

Chief Judge ..... WILLIAM B. JONES  
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	..... DOUGLAS E. MOORE	Council Member	..... JERRY A. MOORE, JR.
Council Member	..... MARION BARRY	Council Member	..... JOHN A. WILSON
Council Member	..... JULIUS HOBSON, SR.	Council Member	..... POLLY SHACKLETON
Council Member	..... DAVID A. CLARKE	Council Member	..... ARRINGTON DIXON
Council Member	..... MRS. WILLIE J. HARDY	Council Member	..... WILLIAM R. SPAULDING
Council Member	..... JAMES E. COATES	Council Member	..... NADINE P. WINTER

## STATISTICS\*

Land Area (square miles)	..... 61	Delegate to Congress†	..... 1
Population	..... 734,000		
Density per square mile	..... 12,032.8		

\*Revised estimates by Bureau of the Census for July 1, 1973.

†Nonvoting delegate to the U.S. House of Representatives.



# AMERICAN SAMOA



Motto ..... *Samoa-Muamua le Atua*      Song ..... *Amerika Samoa*  
 Flower ..... Paogo  
 Plant ..... Ava      Became a Territory of the United States....1900  
    Capital City ..... Pago Pago

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## SELECTED OFFICIALS

Governor ..... EARL B. RUTH  
 Territorial Secretary<sup>1</sup> ..... FRANK BARNETT  
 Attorney General ..... LYLE L. RICHMOND

## HIGH COURT

LESLIE N. JOCHIMSEN, Acting Chief Justice  
 (VACANCY),      FOULUVALU H. SCANLAN      APE POUTOA  
     Associate Justice      U. GALOIA      IOANE FE'A SAGAIGA  
 T. A. MASANIAL, Chief Judge

## LEGISLATURE

President of the Senate	Speaker of the House.....	Te'o J. FUAVAI
..... SALANO A S. P. AUMOEVALOGO	Speaker Pro Tem of the House	
President Pro Tem of the Senate	..... NOFOA ALO STEFFANY	
..... MULITAUAOPELE TAMOTU	Clerk of the House....	LUTU TENARI S. FUIMAONO
Secretary of the Senate.....	Counsel .....	ROGER K. HAZELL
MRS. SALILO K. LEVI		

## STATISTICS\*

Land Area (square miles).....	76	Capital City .....	Pago Pago
Population† .....	28,300	Population .....	2,451
Density per square mile.....	372.4	Number of Villages.....	76
		Number of Counties.....	15

<sup>1</sup>Combines duties of Lieutenant Governor and Secretary of State.

\*Based on 1970 census statistics compiled by the Bureau of the Census.

†Estimated by Bureau of the Census for July 1, 1973.



# GUAM

Nickname .....	Pearl of the Pacific	Stone .....	Latte
Flower .....	<i>Puti Tai Nobio</i> (Bougainvillea)	Animal .....	Iguana
Bird .....	<i>Toto</i> (Fruit Dove)	Ceded to the United States by	
Tree .....	<i>Ifit</i> (Intsiabijuga)	Spain .....	December 10, 1898
Song .....	<i>Stand Ye Guamanians</i>	Created a Territory .....	August 1, 1950
	Capital City .....		Agana

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## SELECTED OFFICIALS

Governor .....	RICARDO J. BORDALLO
Lieutenant Governor .....	RUDOLPHO G. SABLAN
Attorney General .....	CHARLES H. TROUTMAN

## DISTRICT COURT OF GUAM

Judge .....CRISTOBAL C. DUENAS  
Appointed by the President of the United States with  
the consent of the U.S. Senate

## SUPREME COURT OF GUAM

Chief Justice .....JOAQUIN C. PEREZ

## LEGISLATURE<sup>1</sup>

Speaker .....	JOSEPH F. ADA	Legislative Secretary ....	CONCEPCION C. BARRETT
Vice Speaker .....	ALFRED C. YSRAEL	Administrative Director .....	JOAQUIN G. BLAZ

## STATISTICS\*

Land Area (square miles).....	209	Capital City .....	Agana
Population† .....	100,000	Population .....	2,119
Density per square mile.....	478.5	Largest City .....	Tamuning
		Population .....	8,230

<sup>1</sup>The Guam Legislature is a unicameral body of 21 members elected at large. Members are entitled Senators.

\*Based on 1970 census statistics compiled by the Bureau of the Census.

†Estimated by Bureau of the Census for July 1, 1973.

# PUERTO RICO



Nickname .....	Island of Enchantment	Song .....	<i>La Borinqueña</i>
Motto .....	<i>Joannes Est Nomen Ejus</i> (John Is His Name)	Became a Territory of the United States .....	December 10, 1898
Animal .....	Lamb	Became a Self-governing Commonwealth .....	July 25, 1952
Reptile .....	Coquí	Capital City .....	San Juan

## SELECTED OFFICIALS

Governor .....	RAFAEL HERNÁNDEZ-COLÓN
Secretary of State .....	JUAN A. ALBORS
Attorney General .....	CARLOS R. RÍOS

## SUPREME COURT

JOSÉ TRÍAS MONGE, Chief Justice		
HIRAM TORRES RIGUAL	MARCO A. RIGAU	JORGE DÍAZ CRUZ
ANGEL M. MARTÍN	CARLOS V. DÁVILA	CARLOS J. IRIZARRY-YUNQUÉ
	ANTONIO NEGRÓN GARCÍA	

## LEGISLATIVE ASSEMBLY

President of the Senate.....	JUAN CANCEL-RÍOS	Speaker of the House.....	LUIS E. RAMOS-YORDÁN
Vice President of the Senate		Vice President of the House	
.....	MIGUEL A. HERNÁNDEZ-AGOSTO	.....	SEVERO E. COLBERG-RAMÍREZ
Secretary of the Senate..	MANUEL SANTANA-MOTTA	Secretary of the House....	MARÍA CORAL-MORALES

## STATISTICS\*

Land Area (square miles).....	3,421	Largest City .....	San Juan
Population† .....	2,951,000	Population .....	452,749
Density per square mile.....	862.6	Number of Places over 10,000 Population....	22
Delegate to Congress.....	1	Number of Municipalities.....	78
Capital City .....	San Juan		
Population .....	452,749		
Rank in Commonwealth.....	1st		

\*Based on 1970 census statistics compiled by the Bureau of the Census.  
†Estimated by Bureau of the Census for July 1, 1973.



# TRUST TERRITORY OF THE PACIFIC ISLANDS

Administered by the United States as a  
trusteeship for the United Nations. July 18, 1947  
Provisional Capital .....Saipan

## SELECTED OFFICIALS

High Commissioner .....EDWARD E. JOHNSTON  
Deputy High Commissioner .....PETER T. COLEMAN  
Attorney General .....RICHARD I. MIYAMOTO

## HIGH COURT

HAROLD W. BURNETT, Chief Justice  
ROBERT A. HEFNER                      ARVIN H. BROWN                      DONALD C. WILLIAMS

## CONGRESS OF MICRONESIA

President of the Senate.....	TOSIWO NAKAYAMA	Speaker of the House.....	BETHWEL HENRY
Vice President of the Senate.....	LAZARUS E. SALII	Vice Speaker of the House.....	EKPAP SILK
Clerk of the Senate.....	F. SABO ULECHONG	Clerk of the House.....	ASTERIO R. TAKESY

## STATISTICS\*

Land Area (square miles) .....	717	Population—Palau District .....	11,210
Mariana Islands District <sup>1</sup> .....	184	Density per square mile .....	58.4
Marshall Islands District.....	70	Population—Ponape District .....	18,536
Palau District .....	192	Density per square mile .....	105.3
Ponape District .....	176	Population—Truk District .....	21,041
Truk District .....	49	Density per square mile .....	429.4
Yap District .....	46	Population—Yap District .....	7,624
Population† .....	107,500	Density per square mile .....	165.7
Density per square mile .....	149.9	Provisional Capital .....Saipan, Mariana Islands	
Population—Mariana Islands .....	9,640	Population .....	7,967
Density per square mile .....	52.4	Number of Municipalities.....	116
Population—Marshall Islands .....	22,888		
Density per square mile.....	327.0		

<sup>1</sup>In March 1976, the Mariana Islands became a self-governing Commonwealth.

\*Based on 1970 census statistics compiled by the Bureau of the Census.

†Estimated by Bureau of the Census for July 1, 1973.

# VIRGIN ISLANDS



Flower .....	Yellow Elder or Yellow Cedar	Formerly known as Danish West Indies
Bird .....	Yellow Breast	Purchased from Denmark
Song.....	<i>Virgin Islands March</i>	.....March 31, 1917
Capital City .....	Charlotte Amalie	

## SELECTED OFFICIALS

Governor .....	CYRIL E. KING
Lieutenant Governor .....	JUAN LUIS
Attorney General .....	VERNE A. HODGE

## 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—St. John .....	1,729
St. Croix .....	80	Density per square mile.....	86
St. Thomas .....	32	Capital City .....	Charlotte Amalie, St. Thomas
St. John .....	20	Population .....	12,220
Population† .....	82,600	Number of Municipalities.....	3
Density per square mile.....	625.8		
Population—St. Croix .....	31,779		
Density per square mile.....	397		
Population—St. Thomas .....	28,960		
Density per square mile.....	905		

\*Based on 1970 census statistics compiled by the Bureau of the Census.

†Estimated by Bureau of the Census for July 1, 1973.

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